

ORDINANCE NO. 588

**AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, REVISING
THE CITY'S TRAFFIC IMPACT FEE PROGRAM**

WHEREAS, the City of University Place adopted a Comprehensive Plan establishing the intent of the citizens to ensure that new developments pay a proportionate share of the cost of new facilities needed to serve such growth; and

WHEREAS, the Comprehensive Plan contains a complete description of the existing level of service for transportation facilities and the impacts of future growth on that level of service; and

WHEREAS, the City Council adopted Ordinance No. 494 to establish the City's traffic impact fee program; and

WHEREAS, the City Council adopted Ordinance Nos. 499, 503, 520, and 551 each of which revised the traffic impact fee program; and

WHEREAS, this program is based on a six year model; and

WHEREAS, this program contains provisions for a four year vacancy allowance; and

WHEREAS, the City Council wishes to make a revision to the traffic impact fee program to make the vacancy period consistent with the program model;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

Section 1. Revised Section. Section 4.65.040 of the University Place Municipal Code is hereby amended to read as follows (new text is shown as underlined, deleted text is shown as struckthrough):

4.65.040. Applicability.

(a) All persons receiving a Permit from the City of University Place after the effective day of this ordinance shall be required to pay impact fees in an amount and manner set forth in this Chapter. This Chapter shall also apply to development located outside of the city limits if the following conditions are met:

(i) The development is required to obtain a right-of-way permit from the City of University Place; and

(ii) The development impacts the city's street system by adding Peak Hour Trips.

(b) Notwithstanding the scope set forth in subsection (a), above, the following development activities shall not require payment of traffic impact fees because they do not have a measurable impact on the City's transportation facilities:

(i) Existing dwelling unit. Any alteration, expansion, reconstruction, remodeling or replacement of an existing single family or multifamily dwelling units that does not result in the creation of additional dwelling units; or

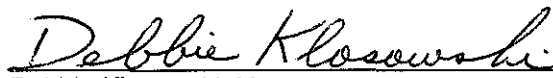
(ii) Existing non-residential building. Any alteration, reconstruction, remodeling or replacement of an existing non-residential building, or portion thereof, that does not result

in the generation of any new Peak Hour Trip as long as the existing non-residential building has not been vacant for more than ~~four~~ six years. If the building has been vacant for ~~four~~ six years or less, then the number of Peak Hour Trips attributable to that building, or portion thereof, shall be based upon the most intense legally-established use that existed within ~~four~~ six years of Permit application. If the building, or portion thereof, has been vacant for more than ~~four~~ six years, then it shall not be treated as an existing non-residential building for traffic impact fee purposes.

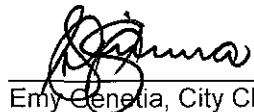
Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

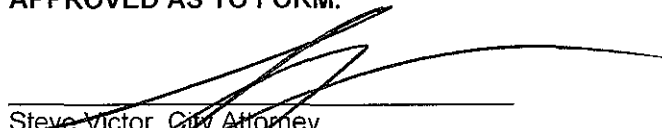
PASSED BY THE CITY COUNCIL ON MARCH 21, 2011.


Debbie Klosowski, Mayor

ATTEST:


Emy Genetia, City Clerk

APPROVED AS TO FORM:


Steve Victor, City Attorney

Published: 03/23/11
Effective Date: 03/28/11