

ORDINANCE NO. 518

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE,
WASHINGTON, AMENDING TITLE 13 OF THE UNIVERSITY PLACE MUNICIPAL
CODE, PUBLIC WORKS CODE.**

WHEREAS, on May 12, 1997, the City Council adopted Ordinance 142 adopting the Public Works Standards, codified at Title 13, and amended the standards on February 1st and June 7th, 1999; and

WHEREAS, on December 13, 2003, the City Council repealed Ordinance 142 and adopted Ordinance No. 395 adopting a new Title 13 responding to amendments to the City's Comprehensive Plan, City's Zoning Code, and to the King County Surface Water Design Manual; and

WHEREAS, having administered the public works code since 2003, the city has identified several changes needed to improve the code with regard to Administration, Street and Alley Vacation Provisions, Transportation, Surface Water Management, and Vegetation on Public Property, and

WHEREAS, a City Council Study session was held on February 11, 2006 to deliberate on the recommended changes to the Public Works Code; and

WHEREAS, a SEPA Determination of Non-Significance was issued on February 28 2006; NOW THEREFORE,

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

Section 1. TITLE 13 PUBLIC WORKS CODE of the University Place Municipal Code is hereby amended as set forth in Exhibit "A".

Section 2. Applicability. This Code shall apply to all new development applications filed with the City and to new development. Pending applications or developments that are vested under the current Title 13 shall continue to be processed under the current Title 13.

Section 3. Copy To Be Available. One copy of this Ordinance shall be available in the Office of the City Clerk for use and examination by the public.

Section 4. Severability. If any section, sentence, clause, or phrase of this ordinance shall 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 5. Publication And Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five (5) days after publication.

PASSED BY THE CITY COUNCIL ON MARCH 3, 2008.

Linda Bird
Linda Bird, Mayor

ATTEST:

Emily Genetia
Emily Genetia, City Clerk

APPROVED AS TO FORM:

Janean Parker
Janean Parker, City Attorney

Date of Publication: 03/05/08
Effective Date: 03/10/08

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Article 1. Title, Purpose & Scope

13.05.110 Title. Title 13 of the University Place Municipal Code (UPMC) shall be known as the University Place Public Works Code, may be cited as such and will be referred to herein as “this Code”. “This Code” shall also include other provisions of the UPMC that are referenced herein.

13.05.120 Purpose. The purposes of this Code are (1) to establish standards for public and private improvements to real property; (2) to ensure reasonable and safe development of property; (3) to protect the health, safety, welfare and property of the public; and (4) to establish street vacation procedures and to implement the City’s Comprehensive Plan.

13.05.130 Scope. This Code establishes the standards for the construction, improvement and maintenance of transportation and storm drainage facilities, utilities, grading and clearing, emergency vehicle access, and related amenities, whether such activities occur in public rights of way or on private lands. Further, this Code establishes procedures to administer these standards.

13.05.140 Provisions of this Title Not Exclusive. Other provisions of the UPMC apply to the development or improvement to real property. The provisions of Title 13 are not exclusive.

Article 2. Definitions

13.05.210 General. For the purpose of this Code, certain terms, phrases, words and their derivatives shall be construed as specified in this chapter and elsewhere in this Code where specific definitions are provided. The definition of any words not listed in this Article shall have the meaning given in any other Titles of the University Place Municipal Code (UPMC). Where terms, phrases and words are not defined, they shall have their ordinary accepted meanings within the context in which they are used. *Webster's Third New International Dictionary of the English Language, Unabridged*, copyright 1986, shall be considered as providing ordinary accepted meanings. Terms, phrases, and words used in the singular include the plural and the plural the singular. Terms, phrases and words used in the masculine gender include the feminine and the feminine the masculine.

13.05.220 Definitions and Terms.

- **Applicant:** The person or entity that applies for a permit or his duly authorized representative.
- **Average Daily Traffic (ADT):** The average number of vehicles passing a specified point during a 24-hour period. "Annual average daily traffic (AADT)" denotes that daily traffic that is averaged over one calendar year.
- **Building:** Any structure used or intended for supporting or sheltering any use or occupancy.
- **Building Code:** The building construction codes as adopted and amended by UPMC Title 14.
- **City:** The City of University Place or its duly authorized representative.
- **Clearing:** The cutting, moving on site, or removal of standing or fallen timber, the removal or moving of -or stumps on-site; or the cutting or removal of brush, grass, ground cover, or other vegetative matter from a site in a way which exposes the earth's surface of the site~~which does not result in the potential for erosion of the soil within the area cleared.~~
- **Commercial driveway:** A driveway that is used to provide access to business, multifamily complexes, or nonresidential enterprises, including but not limited to sales, service, industry, churches or other quasi-public buildings.
- **Critical area:** Wetlands, flood hazard areas, fish and wildlife habitat areas, aquifer recharge areas, geologically hazardous areas and associated buffer areas.
- **Development:** Any manmade change to improved or unimproved real estate including but not limited to buildings or the structures, placement of manufactured home/mobile home, mining, dredging, clearing, filling, grading, stockpiling, paving, excavation, drilling or the subdivision of property.
- **Director:** The City of University Place Development Services Director or duly authorized representative.
- **Drainage Course:** The natural or constructed path of surface water.
- **Driveway:** A vehicular access connecting a development to a street.
- **Driveway approach:** That portion of ~~a street that connects~~ a driveway located in the right-of-way to the traveled way of the street.
- **Easement:** A grant of an interest in land by the property owner for a specific use by another person, entity, or for the public in general.
- **Emergency vehicle access:** An access way to real property for emergency vehicles.
- **Engineer:** Any Washington State licensed professional engineer
- **Engineer of Record:** The licensed professional engineer designated by the applicant as the responsible engineer for the project.
- **Facility:** A building or use in a fixed location.
- **Grading:** Any excavating or filling or combination thereof.

- **Grubbing:** The digging up, removal and disposal of unwanted vegetative matter from a site including but not limited to sod, stumps, roots, buried logs, or other debris. The action of grubbing exposes the surface of the earth such that it is susceptible to erosion.
- **Horizon year:** The year in which future conditions are to be evaluated.
- **Landslide and erosion hazard area:** Areas that are potentially subject to risk of mass movement or severe erosion due to combination of geologic, topographic, and hydrologic factors.
- **Level of service (LOS):** A qualitative measure describing operational conditions within a traffic stream, based on service measures such as speed and travel time, freedom to maneuver, traffic interruptions, comfort, and convenience.
- **Major improvement:** All improvements to a structure (excluding normal maintenance and repair and life/safety improvements) which within a twelve-month period exceeds a cumulative value of twenty-five percent of the assessed value of the structure. The value of the structure shall be conclusively determined from the current records of the Pierce County's Assessor's Office.
- **Parcel:** Any portion, piece, or division of land, fractional part or subdivision of block, according to plat or survey.
- **Project:** A general term encompassing all phases of the work to be performed. A "project" is synonymous with "improvement" or "work". A project may entail work on one or more parcels of land.
- **Residential driveway:** A driveway that is used to provide access to a single-family residence.
- **Right-of-way:** All public streets and property granted or reserved for, or dedicated to, public use for street and storm drainage purposes, walkways, sidewalks, bikeways and horse trails, whether improved or unimproved, including the air rights, subsurface rights and easements related thereto.
- **Sensitive area:** Critical areas or Shorelines of the State.
- **Shared driveway:** A driveway used to provide access to two dwelling units.
- **Street:** A facility providing public or private access. Streets include the traveled way and all other improvements within the right-of-way or easement. The term "street" is used interchangeably with the term "road".
- **Street frontage:** The distance between the two points where the lot lines of a parcel intersect the boundary of a street right-of-way or easement.
- **Structure:** Anything that is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- **Substandard Street:** A street that is not constructed in conformance with the City's design standards.
- **Tract:** Any parcel of land, lot, building site, or contiguous combination thereof under common ownership.
- **Traffic signal warrants:** A list of criteria that establish the need to install a traffic signal as outlined in the Manual on Uniform Traffic Control Devices, U.S. Department of Transportation, Federal Highway Administration.
- **Utility Provider:** Any public or private entity providing public services including, but not limited to: natural gas, oil, electric power, street lighting, telephone, telegraph, telecommunications, water, sewer, storm drainage, or cable television.
- **Wetlands:** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Wetlands generally do not include those artificial wetlands intentionally created from non-wetland sites, including, but not limited to, irrigation and drainage ditches, grass-lined swales, canals, detention facilities, wastewater treatment facilities, farm ponds,

and landscape amenities. However, wetlands may include those artificial wetlands intentionally created from non-wetland areas created to mitigate conversion of wetlands, if permitted by the City.

UNOFFICIAL DOCUMENT

Article 3. Standard Specifications, Guidelines and Regulations

13.05.310 Standard Specifications. Except as otherwise provided in this Code, design, detail, workmanship, and materials shall be in accordance with the current edition of the Washington State Department of Transportation "Standard Specifications for Road, Bridge and Municipal Construction" (referred to hereafter as the Standard Specifications), and the "Standard Plans for Road, Bridge and Municipal Construction". These documents are hereby adopted as part of this Code.

13.05.320 Adopted Guidelines and Regulations.

A. The most current version of the following guidelines and standards are hereby adopted as part of this Code. The design detail, workmanship and materials for all projects constructed under this Code shall meet the following guidelines and standards. In case of a conflict among standards, the Director shall determine which standard shall govern.

B. Standards adopted:

1. City of University Place Comprehensive Storm Drainage Plan.
2. Conditions and standards as set forth in the Pierce County Health Department regulations.
3. Conditions and standards as set forth in the Pierce Transit regulations.
4. Conditions and standards as set forth in the University Place Comprehensive Land Use Plan.
5. King County Surface Water Design Manual.
6. U.S. Department Transportation Manual on Uniform Traffic Control Devices (MUTCD), as amended and approved by Washington State Department of Transportation.
7. WSDOT Construction Manual as amended and approved by Washington State Department of Transportation.
8. Conditions and Standards adopted by the State of Washington, Department of Labor and Industries.
9. Traffic Engineering Handbook, Institute of Traffic Engineers.
10. Highway Capacity Manual, Transportation Research Board.
11. I.T.E. Trip Generation Manual.
12. A.A.S.H.T.O., A Policy on Geometric Design of Highways and Streets.
13. King County Road Standards, (for drainage structures, and appurtenances only).
14. Tacoma Electrical Code.
15. Roundabouts: An Informational Guide, Federal Highway Administration.
16. City of University Place Town Center Overlay Design Standards.
17. University Place Municipal Code

Article 4. Organization and Enforcement

13.05.405 Authority. The Director is hereby authorized to interpret and enforce the provisions of this Code and all technical codes referenced herein or incorporated by this Code, and to adopt and amend policies and rules in order to apply the provisions of this Code, including the "University Place Standard Notes and Details" and the "University Place Submittal Requirements" referenced herein.

13.05.410 Conflicting Provisions. In the case of a conflict between a general requirement and a specific requirement under this Code, the specific requirement of this Code shall govern. In the event of a conflict between a general requirement of another Title of the UPMC and a specific requirement of this Code, the specific requirement shall govern.

13.05.415 Alternate Materials and Methods. The provisions of this Code are not intended to prevent the use of any material, alternate design or method of construction not specifically prescribed by this Code. The Director may approve alternative materials and methods if, based upon evidence submitted in writing by the applicant, the Director determines that the proposed design is satisfactory and complies with the provisions of this Code; is based on sound engineering principles; and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this Code in suitability, strength, effectiveness, durability, safety and sanitation. Any alternative must be reviewed and approved in writing by the Director prior to construction.

13.05.420 Modifications.

A. **Criteria.** The Director may modify the requirements of this Code after submittal of an application and approval of associated information, plans, and/or design data provided by the applicant. The application and associated information shall demonstrate to the satisfaction of the Director and City Engineer that: (1) the requested modification is based upon sound engineering principles, (2) strict application of the requirements of this Code would impose an undue hardship on the applicant; (3) that the requirements for safety, environmental considerations, function, appearance, and maintainability are fully met; (4) granting the modification adequately protects the public health, safety, and welfare; and (5) granting the modification is in the best interest of the public.

B. **Application.** All applications for modifications shall be on a form provided by the City. All modifications must be approved by the Director in writing prior to the start of construction.

C. Notification.

1. Whenever the Director determines that a proposed modification has the potential to negatively impact surrounding properties, all adjacent property owners will be notified in writing of the application. The Director shall notify abutting property owners of the due date for any written comments about the application. The applicant shall be furnished a copy of all written comments from abutting property owners that will be considered by the Director in making a decision. Abutting property owners shall be mailed a copy of the decision.
2. The Director may require the notification of additional property owners if he determines they have a potential to be negatively impacted.
3. All costs associated with public notification shall be borne by the applicant.

- D. **Fees.** All fees associated with a modification application shall be in accordance with the Development Services Fee Resolution.

13.05.425 Right of Entry. Upon proper presentation of credentials, the Director or any duly authorized representative may, with the consent of the owner or occupant of a building, development, or premises, or pursuant to a lawfully issued inspection warrant, enter any building, development, or premises to perform the duties imposed by this Code. Any applicant for a permit shall, as a condition of the permit, consent to entry of the Director or any duly authorized representative to inspect the building, development, or premises for compliance with the terms and conditions of the permit. In addition, the Director may enter any premises in the event of an imminent threat to the public health, safety, or welfare or to protect any persons or property.

13.05.430 Stop Work.

- A. **Issuance.** Whenever any work occurs contrary to the provisions of this Code or there is a threat to the public health, safety, welfare, or property, the Director may issue a stop work order. The stop work order shall specify the violation and prohibit any work or other activity at the site until the Director authorizes the resumption of work in writing. The stop work order shall be served in writing to any person at the project site or posted prominently on the site in a conspicuous location to be determined by the Director.
- B. **Effect of Stop Work Order.** It shall be unlawful to move, remove or deface any stop work order posted by the Director until the Director has authorized removal of the order. It shall be unlawful for any person to fail to comply with a stop work issued by the Director.

13.05.435 Emergency Order.

- A. **Issuance.** Whenever any work, use, or activity in violation of this Code threatens the public health, safety, welfare, or property, the Director may issue an emergency order directing the work, use, or activity be discontinued and that the condition causing the threat be corrected. The emergency order shall specify the actions to be taken and the time for compliance. The emergency order shall be served in writing to any person at the project site and posted prominently on the site in a conspicuous location to be determined by the Director.
- B. **Compliance.** It shall be unlawful to move, remove or deface any emergency order posted by the Director until the Director has approved, in writing, the corrective action and authorized removal of the order. It shall be unlawful for any person to fail to comply with an emergency order issued by the Director.
- C. **Agreement to Abatement by City.** Any person who obtains a permit issued under this Code agrees that the City may abate any condition for which an emergency order has been issued. The applicant shall be financially responsible for all costs incurred by the City in abating the conditions which caused the issuance of an emergency order.

13.05.440 Violations. It is unlawful for any person to do any of the following:

- A. Perform or cause to be performed any work specified in this Code upon any structure, land, or property within the City of University Place without first obtaining a permit or authorization as required by this Code;

- B. Perform or cause to be performed any work upon any structure, land, or property within the City of University Place in a manner not permitted by the terms or conditions of any permit or authorization issued pursuant to this Code;
- C. Misrepresent any material fact in any application, plans, or other information submitted to the City in conjunction with any permit or authorization issued under this Code;
- D. Fail to comply with any stop work order, emergency order, or other lawful order issued under this Code;
- E. Move, remove or deface any sign, notice, or order required by or posted in accordance with this Code;
- F. Fail to comply with any provisions of this Code.

13.05.445 Penalties.

- A. Any violation of this Code shall be a civil violation subject to the penalties and abatement process set forth in UPMC 1.20 as enacted or hereinafter amended.
- B. In addition to or as an alternative to any other remedy provided in this section, any person or entity violating this Code shall be guilty of a misdemeanor punishable as provided for in RCW 9A.20.021.
- C. Any work carried out contrary to the provisions of this Code shall constitute a public nuisance and may be enjoined as provided by state law.
- D. In addition to any other remedies provided for herein, the City may commence legal or equitable action to prevent, enjoin, abate, or terminate any condition that constitutes or threatens to constitute a violation of this Code.
- E. Any violation of this Code may be cause for withholding or withdrawing approval of project plans, revocation of a permit, suspension of building (or other) inspections, forfeiture of financial guarantees submitted to the City, and refusal of the City to accept the work.

13.05.450 Appeals.

- A. **Right to Appeal.** Any person or entity aggrieved by any decision or order of the Director under this Code, except a decision by the Director to seek redress in the courts through either civil or criminal remedies, may appeal the decision to the City of University Place Hearing Examiner pursuant to the provisions of Title 22 UPMC as enacted or hereafter amended. Appeals shall be filed in writing with the City within 14 days of issuance of the decision.
- B. **Effect of an Appeal.** The filing of an appeal shall not act as a stay of the decision or order.

13.05.455 Severability. If any part of these regulations shall be found invalid, all other parts shall remain in effect.

Article 5. Permits.

13.05.510 General.

- A. **Permit Required.** It is unlawful for any person to clear land; cut and/or remove trees; grade, and stockpile material; or to alter, construct, repair, remove, excavate, place, obstruct, damage or disturb any structure, utility, facility or improvement located over, under or upon any property or public right-of-way in the City without first having obtained a permit. It is unlawful for any person to interfere with the free use of any public right-of-way in the City without first having obtained a permit. A separate permit shall be obtained for each separate project. The permits administered under this Code are identified in this Article.
- B. **Licensed Contractor.** All work performed under a permit must be performed by a licensed, bonded contractor. Work on a single family or duplex lot may be performed by the property owner if approved by the Director.
- C. **Permit Fees.** The Development Services Fee Resolution establishes the fees required by this Code.

13.05.520 Site Development Permit.

- A. **Permit Required.** A site development permit is required for any of the following activities:
1. Clearing
 2. Grading or stockpiling
 3. Constructing or modifying storm drainage facilities or drainage courses
 4. Constructing or modifying roadways (including but not limited to sidewalks, curbs, gutters, bike lanes, planter strips, and street lighting)
 5. Creating or modifying impervious surfaces.
 6. Any other activity that the Director determines may impact the right-of-way, adjacent properties, and sensitive areas.
- B. **Permit Exemptions:** A site development permit shall not be required for the activities listed below. Properties which are contiguous and in common ownership at any time during the year preceding will be considered one tract for the purpose of applying these exemptions. Any work that is exempt from the permitting requirements of this Code still must comply with all other applicable provisions of this Code and the UPMC.
1. Construction, maintenance or repair of public roads or public storm drainage facilities when performed by the City.
 2. Any grading activity for which a building permit has been issued. Only grading activity that is reasonably connected to, or required to accomplish the work permitted by, the building permit is exempt from a separate permit.
 3. Any grading activity qualifying for a permit exemption in accordance with UPMC Title 14.
 4. Emergency sandbagging, diking, ditching, filling or similar work when done to protect life or property.
 5. The clearing of any area less than 20,000 square feet. This general exemption is not applicable for clearing within a -sensitive areas.
 6. Any activity that the Director determines will have negligible impact on the right-of-way, sensitive areas, or other properties or persons.

C. **Permit Application.** To obtain a site development permit, the applicant must file a written application on the form furnished by the City for that purpose. Any permit application that does not comply with this section may be ineligible for review. The application shall:

1. Identify and describe all work proposed to be covered by the permit.
2. Provide the legal description, street address or other description of the site on which the proposed work will be done and specify the location on the site where the proposed work will occur.
3. Identify the use for which the work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and any other data required by section D below.
5. Be signed by the applicant, or the applicant's authorized agent.
6. Provide such other data and information as may reasonably be required by the Director to process the application pursuant to the UPMC.
7. Pay the appropriate permit-fees.
8. Identify the Property Owner and the Engineer of Record.

D. **Submittal Documents.** Plans, specifications, engineering calculations, diagrams, geotechnical reports, storm drainage reports, easements, dedications, special inspection and observation programs, and other data required by the Director shall constitute the submittal documents and shall be submitted with each application for a permit. The submittal documents shall be prepared by an engineer licensed in the State of Washington unless the Director determines that the nature of the work applied for is such that an engineered design is not necessary to obtain compliance with this Code. All submittal documents shall conform to the University Place Submittal Requirements.

1. **Plans and Specifications.** Plans and specifications shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that the work proposed will conform to this Code and other applicable laws, ordinances, rules and regulations. The plans shall include all applicable construction notes and details as provided in the University Place Standard Notes and Details.
2. **Engineering Reports.** Engineering reports include, but are not limited to, storm drainage reports, traffic impact analyses, geotechnical reports, and any other engineering calculations or analyses.
3. **Easements and Dedications.** Easements and dedications shall be prepared by a professional land surveyor licensed in the State of Washington. All easements and dedications shall include a legal description and drawing depicting the easement or dedication area. Easements and dedications shall conform to UPMC 13.10. All easements and dedications to the public must be in a form acceptable to the City Attorney.
4. **Special Inspection and Observation Program.** The special inspection and observation program shall be submitted with the permit application in accordance with UPMC 13.05, Article 7.

5. **Financial Guarantees.** Financial guarantees shall be submitted as required in UPMC 13.06 Article 6 prior to permit issuance.
- E. **Permit Issuance.** The application and submittal documents shall be reviewed by the Director. Such documents may also be reviewed by other departments of the City or independent consultants if determined necessary by the Director. If the Director finds that the work described in an application for a permit and the submittal documents conform to the requirements of this Code, other provisions of the UPMC and any other pertinent ordinances, and that the appropriate fees have been paid and financial guarantees presented, the Director shall issue a permit to the applicant. The Director may attach conditions as may be necessary to ensure compliance with this Code, other provisions of the UPMC and City ordinances.
- F. **Approval Limited to Approved Plan.** When the Director issues a permit where plans are required, the Director shall sign the plans in an approval block. Such approved plans shall not be changed, modified or altered without authorization from the Director. All work regulated by this Code shall be done in accordance with the approved plans.
- G. **Violations.** Failure to obtain a permit is a violation of this Code and may be cause for withholding or withdrawing approval of project plans, revocation of a permit, suspension of building (or other) inspections, forfeiture of financial guarantees submitted to the City, refusal of the City to accept the work or other enforcement action under this Code or other provisions of the UPMC. It shall be unlawful for any work that requires a permit to be undertaken without a permit. Any permit application submitted for work commenced prior to the application submittal shall be subject to a charge equal to double the applicable fees plus the actual cost for any investigation undertaken in conjunction with the consideration of the permit.
- H. **Timely Completion of Work.** The applicant shall complete the work, obtain an engineer's certification of the work, submit any associated maintenance and defect guarantees, and secure the City's acceptance of the work prior to permit expiration.
- I. **Validity of Permit.**
1. Issuing or granting a permit or approving plans or other submittal documents shall not be construed to be a permit for, or approval of, any violation of this Code or other City ordinance.
 2. Permit issuance shall not prevent the Director from: (1) requiring the correction of errors in the plans, specifications and other data; or (2) preventing construction activities from being carried out in violation of this Code, other provisions of the UPMC, or City ordinances.
 3. Permit issuance shall not be construed as approval for any additional work beyond the scope of the permit.
- J. **Expiration.** Site development permits expire upon any of the following:
1. Two years after permit issuance.
 2. 180 days after permit issuance if construction has not commenced.
 3. The work authorized by such permit is either abandoned or suspended for a period of 180 days following commencement of the work.

- K. **Extension of Permit.** A site development permit may be extended for a period not exceeding 180 days. The applicant shall submit a request in writing and demonstrate that circumstances beyond the control of the applicant have prevented completion of the work under the permit. No permit shall be extended more than once.
- L. **Suspension or Revocation.** The Director may suspend or revoke any permit issued in error or on the basis of incorrect information supplied by the applicant. The Director may also suspend or revoke any permit when the applicant fails to comply with the provisions of the permit. Any permit applicant aggrieved by the Director's decision to suspend or revoke a permit may appeal this action as provided in this Chapter.

13.05.530 Right-of-Way Permits.

- A. **Permit Required.** A right-of-way permit is required before any person may cut or remove trees or other vegetation; grade or stockpile material; alter, construct, repair, remove, excavate, place, obstruct, damage or disturb any structure, utility, facility or improvement located in the public right-of-way; or commence any other activity that interferes with the free use of the public right-of-way. A blanket annual right-of-way permit for certain activities may be obtained by utilities operating with a franchise granted by the City. [The provisions for annual right-of-way permits are included in the Annual Right-of-Way Permit Procedures. [ds1]]
- B. **Permit Exemptions:** A right-of-way permit shall not be required for the activities listed below. Exemption from the permitting requirements of this section shall not constitute approval for any work done in violation of this Code or any other City Code.
1. Construction, improvement, maintenance, or repair of public roads or public storm drainage facilities when performed by the City.
 2. Emergency sandbagging, diking, ditching, filling or similar work when done to protect life or property.
 3. Any activity that the Director determines does not have the potential to significantly impact the right-of-way or the free use thereof. Any exemption granted under this section shall be issued in writing.
- C. **Permit Application.** To obtain a right-of-way permit, an applicant shall file a written application on a form provided by the City. A permit application that does not comply with this section shall be ineligible for review. An application shall:
1. Identify and describe the work proposed to be covered by the permit.
 2. Describe and locate the area where the proposed work is to be performed.
 3. Indicate the use for which the work is intended.
 4. Be accompanied by plans, diagrams, computations, specifications and other data required in section D below.
 5. Be signed by the applicant, or the applicant's authorized agent.
 6. Give such other data and information as may reasonably be required by the Director to carry out the objectives of this Code and other provisions of the UPMC.
 7. Pay the application fee.
- D. **Submittal Documents.** Plans, financial guarantees and other data required by the Director shall constitute the submittal documents and must be submitted with the application. Plans shall be of sufficient clarity to indicate the location, nature and extent of the work proposed. The plans shall show in detail that the work will conform to the provisions of this Code and all relevant laws, ordinances, rules and regulations. If the Director determines that the nature of the work applied for is such that an engineered design is necessary to obtain compliance with this Code, the submittal documents shall be prepared by an engineer licensed in the State of Washington. Financial guarantees

shall be submitted as required by this chapter prior to permit issuance. All submittal documents shall conform to the University Place Submittal Requirements.

- E. **Permit Issuance.** The application and submittal documents shall be reviewed by the Director. Such documents may also be reviewed by other departments of this City, or independent consultants if determined necessary by the Director. If the Director finds that the work described in an application for a permit and the submittal documents conform to this Code, other provisions of the UPMC and other pertinent laws and ordinances, and that the appropriate fees have been paid, the Director shall issue a permit to the applicant. The Director may attach conditions necessary to ensure compliance with this Code, other provisions of the UPMC and City ordinances.
- F. **Violations.** Failure to obtain a permit is a violation of this Code and may be cause for withholding or withdrawing approval of project plans, revocation of a permit, suspension of building (or other) inspections, forfeiture of financial guarantees submitted to the City, refusal of the City to accept the work or other enforcement action under this Code or other provisions of the UPMC. It shall be unlawful for any work that requires a permit to be undertaken without a permit. Any permit application submitted for work commenced prior to the application submittal shall be subject to a charge equal to double the applicable fees plus the actual cost for any City investigation undertaken in conjunction with the consideration of the permit.
- G. **Timely Completion of Work.** The applicant shall complete the work, submit any associated maintenance and defect guarantees, and secure the City's acceptance of the work prior to permit expiration.
- H. **Validity of Permit.**
 - 1. Issuing or granting a permit or approving plans or other submittal documents shall not be construed to be a permit for, or approval of, any violation of this Code or other City ordinance.
 - 2. Permit issuance shall not prevent the Director from: (1) requiring the correction of errors in the plans, specifications and other data; or (2) preventing construction activities from being carried out in violation of this Code, other provisions of the UPMC, or City ordinances.
 - 3. Permit issuance shall not be construed as approval for any additional work beyond the scope of the permit.
- I. **Expiration.** All right-of-way permits expire 180 days after permit issuance. The Director may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond the control of the applicant have prevented work under the permit. No permit shall be extended more than once.

13.05.540 Temporary Right-of-Way Sign Permit.

- A. **Permit Required.** A temporary right-of-way sign permit is required to place any sign, street banner, or other decoration in, along, over, or across any public right-of-way. A temporary right-of-way sign permit may be issued only for placement of signs, street banners, or decorations to promote bona fide community events. A bona fide community event is a carnival, circus, exhibition, fair, farmers' market, festival, ~~fiesta~~-parade, holiday celebration, or other community or regional celebration or event that may be of interest to the entire City or a substantial portion thereof.

B. **Permit Exemptions.** A temporary right-of-way sign permit shall not be required for the following signs, street banners, or decorations. Exemption from the permitting requirements of this section does not constitute authorization to place any signs, street banners, or decorations in violation of the provisions of this Code, the UPMC or other City ordinance.

1. Political signs regulated under UPMC 19.75.
2. Advisory or regulatory signs installed under a right-of-way or site development permit.
3. Signs, street banners, or decorations of the City.
4. Public notice signs required by local and state law.

C. **Permit Application.** To obtain a temporary right-of-way sign permit, an applicant shall file an application along with the permit fee. The application shall:

1. Describe the size, height, width, number and location of the signs, street banners, or decorations.
2. Describe the materials of construction of the signs, street banners, or decorations.
3. Describe the proposed wording and display of the signs, street banners, or decorations.
4. Identify the duration for which the signs, street banners, or decorations will be displayed.
5. Indicate the community event or celebration that the signs, street banners, or decorations will be promoting.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as may be required by the Director.

D. **Permit Issuance.** The application and submittal documents shall be reviewed by the Director. Such documents may also be reviewed by other departments of this City. If the Director finds that the work described in an application for a permit and the submittal documents conform to this Code, other provisions of the UPMC and other pertinent laws and ordinances, and that the appropriate fees have been paid, the Director shall issue a permit to the applicant. The Director may attach conditions necessary to ensure compliance with this Code, other provisions of the UPMC and City ordinances. The Director may deny an application if the installation of signs, street banners or decorations would interfere with any planned installation of City sign, street banner or decoration. No permit will be granted for a proposed sign, street banner, or decoration display more than one year after the date of permit application.

E. **Validity.** The issuance of a temporary right-of-way sign permit shall not be construed to be a permit for, or an approval of, any violation of any provisions of this Code, other provisions of the UPMC, or other City ordinances.

F. **Time Limits on Displays.** Temporary right of way sign permits shall be issued for a two-week display prior to the specified community event. An additional extension for up to two weeks may be granted if no other application has been received forty-five (45) days prior to the event. No event shall be advertised or promoted for more than four weeks in a twelve-month consecutive period. All displays advertising or promoting an event shall be removed within three days following the event.

13.05.550 Suspension or Revocation. The Director may suspend or revoke any permit issued in error or on the basis of incorrect information supplied by the applicant. The Director may also suspend or revoke any permit if the applicant fails to comply with the provisions of the permit. Any permit applicant aggrieved by the Director's decision to suspend or revoke a permit may appeal as provided in this Chapter.

Article 6. Financial guarantees

13.05.610 General.

- A. A financial guarantee is financial security posted with the City to ensure timely and proper completion of improvements, to ensure compliance with this Code, and/or to warranty the design, materials, and workmanship associated with improvements. Financial guarantees include assignments of funds, surety bonds, and other forms of financial security acceptable to the City. ~~Irrevocable letters of credit or~~ Other types of financial guarantees may be accepted if approved by the Director. For the purposes of this title, the terms performance guarantee, street use guarantee, erosion and sediment control/street cleaning guarantee, and maintenance and defect guarantee are considered sub-categories of financial guarantees.
- B. Financial guarantees shall be in a form acceptable to the City. Financial guarantees under \$5,000 must be an assignment of funds.
- C. All financial guarantees shall: (1) run continuously until released by the City; (2) not be subject to expiration or cancellation without written authorization from the City; (3) be project and site specific; and (4) be non-transferable.
- D. The Director shall determine the amount of the financial guarantee. The Director shall consider an engineer's estimate or an executed construction contract between the applicant and a licensed, bonded contractor in determining the amount of the financial guarantee. An engineer's estimate prepared by applicant's engineer shall detail the quantity of work to be done and shall be presented in a format approved by the City. The estimate shall be based on current construction costs and shall be stamped and signed by the engineer. The Director may consider any other reliable evidence in the Director's sole discretion in determining the amount of the financial guarantee.
- E. If a property for which a financial guarantee has been posted with the City is sold or otherwise transferred, the applicant is responsible for transferring the financial guarantee liability by having the new owner(s) replace any existing financial guarantees that the City is holding. The City will not release a preexisting financial guarantee until such time as the City accepts a replacement guarantee.
- F. The property owner may be required to complete and record a right of entry form prior to acceptance of any financial guarantee covering improvements on private property. The right of entry shall run with the land and shall be recorded with the Pierce County Auditor.
- G. All financial guarantees must be reviewed and approved as to form by the City Attorney.

13.05.620 Performance Guarantee.

- A. A performance guarantee ensures completion of the improvements according to the permit conditions, the University Place Municipal Code and other applicable laws and regulations. If a project requires more than one performance guarantee, the applicant may combine performance guarantees. The combined guarantee shall be for not less than the amount of separate financial guarantees. The combined guarantee shall clearly delineate on its face the separate financial guarantees that it replaces.
- B. Prior to issuance of a site development permit, the applicant shall submit a performance guarantee that ensures the timely and proper construction of all public improvements, storm drainage facilities (both public and private), and any other required improvement that is deemed by the Director to be

important to protect the public health, safety, or welfare. The guarantee will include the costs for the installation of landscaping and irrigation systems for both streets and storm drainage facilities.

- C. Prior to final plat, short plat, or final development plan approval, the applicant shall submit a performance guarantee that ensures the timely and proper construction and acceptance by the City of all required improvements.
- D. Performance guarantees shall be in the amount of 125 percent of the engineer's estimate, the executed contract or the decision of the Director to allow for inflation and engineering administration expenses should the City have to complete the project.
- E. The applicant shall complete the work, obtain an engineer's certification of the work, submit any associated maintenance and defect guarantees, and secure the City's acceptance of the work prior to permit expiration.
- F. **Release Procedures.** Any release of the performance guarantee must be in writing to be effective. The City will release the performance guarantee only after each of the following have been met:
 - 1. The applicant's engineer has submitted a certification that the improvements for which a financial guarantee was submitted were completed in conformance with the approved plans and design. The certification shall comply with UPMC 13.05 Article 8.
 - 2. The applicant has obtained a final inspection of all guaranteed improvements.
 - 3. Any deficiencies identified by the City in the final inspection have been corrected.
 - 4. The City has accepted a maintenance and defect financial guarantee from the applicant as provided in UPMC 13.05 Article 6.
 - 5. The City has issued a written, final approval of the guaranteed improvements to the applicant.
 - 6. The applicant or surety has requested in writing the release of the guarantee.
 - 7. The applicant has paid all outstanding fees.

13.05.630 Street Use Guarantee.

- A. A street use guarantee ensures compliance with right-of-way permit conditions and warranties the design, materials, and workmanship associated with the work performed in a right-of-way. All applicants performing work that will, or has the potential to, disturb, modify, or damage anything within the City right-of-way will be required to post a street use guarantee with the City.
- B. Prior to issuance of a right-of-way permit the applicant shall submit a street use guarantee.
- C. Street use guarantees shall be in the amount of \$5,000.00 unless the Director determines after a review of a permit that a lower of higher amount is appropriate.
- D. The applicant shall be responsible to repair all defects resulting from the applicant's activity in the right-of-way. The applicant will not be relieved of this obligation until the right-of-way impacted by the applicant has remained free from defects for a consecutive period of two years. The applicant will

be liable for any third party damages that result from a breach of these duties for the duration of the street use guarantee.

- E. During the period of the street use guarantee, City staff will periodically inspect the right-of-way impacted by the applicant. The City shall provide notice to the applicant when maintenance and/or repairs are necessary, specifying a reasonable timeframe within which such work is to be completed. In the event that the applicant does not complete such maintenance and/or repairs, the applicant will be in default subject to the provisions of this Article, and the City may perform such work.
- F. If, on the basis of its inspections, the City determines that repairs must be performed immediately to prevent risk to person(s) or property, the City may make necessary repairs and the cost of those repairs shall be paid by the applicant upon demand. If the applicant fails to pay for the repairs by the time specified by the City, the applicant will be in default subject to the provisions of this Article.
- G. The applicant shall pay for the inspections performed by the City during the duration of the street use guarantee. Inspection fees will be as specified in the Development Services Fee Resolution.
- H. **Release Procedures.** Any release of the street use guarantee must be in writing to be effective. The City of University Place will release a street use guarantee only after each of the following have been met:
 - 1. The right-of-way construction work completed by the applicant has remained free of defects for two consecutive years.
 - 2. The applicant or surety has requested in writing the release of the guarantee.
 - 3. The applicant has paid all outstanding fees.

13.05.640 Erosion and Sediment Control/Street Cleaning Guarantee.

- A. An erosion and sediment control/street cleaning guarantee ensures that required erosion and sedimentation control/street cleaning measures are constructed and maintained in accordance with the UPMC. Prior to permit issuance, the applicant must submit to the City a financial guarantee that guarantees the performance and maintenance of the erosion and sedimentation control facilities and street cleaning. Because of the harm to the public health and safety and the environment arising out of poor erosion and sediment control or failure to clean street properly, all erosion and sediment control/street cleaning guarantees shall require that the guarantor must pay the face amount of the financial guarantee to the City within 14 days of the City's written demand for funds.
- B. If the applicant fails to maintain the erosion and sedimentation control facilities in conformance with this Code, the City may issue a written notice specifying required remedial actions. If the remedial actions are not performed in a timely manner, the City may take action including, but not limited to, issuing a stop work order, entering the property to perform the actions needed; and using the financial guarantee to pay for remedial actions. In the event a hazard exists, the City is not required to provide written notice to the applicant. If the City is forced to utilize the guarantee, any stop work order issued shall remain in effect until the applicant has restored the guarantee up to either the original amount or such other amount as the Director may reasonably decide is necessary to ensure future compliance with the permit.
- C. The amount of the guarantee will be as follows:

~~1. For single family or duplex building sites: \$1,000.00 per lot~~

~~2.1. For any development larger than one single family or duplex building: 125% of the cost of the approved erosion and sedimentation control measures, plus \$5,000 per acre -of the disturbed area.~~

~~3.2. For sites impacting a sensitive area, the City may require an additional guarantee amount to compensate for difficulties associated with work in sensitive areas. Any additional amount will be determined by the Director based upon the nature of the sensitive area.~~

D. Release Procedures. Any release of the erosion and sediment control/street cleaning guarantee must be in writing to be effective. The Director will release the erosion and sediment control/street cleaning guarantee only after each of the following have been met:

1. The applicant's engineer has submitted a certification that all disturbed areas within the site have been stabilized in conformance with the permit conditions and the UPMC. The certification shall be as prescribed in UPMC 13.05 Article 8. For single family and duplex building sites, the City may waive the requirement for certification unless the site is located within a landslide and erosion hazard area.
2. The applicant has requested a final inspection of the site.
3. Any deficiencies identified by the City in the final inspection have been corrected.
4. The applicant or surety has requested in writing the release of the guarantee.
5. The applicant has paid all outstanding fees.

13.05.650 Maintenance and Defect Guarantee.

- A. A maintenance and defect guarantee ensures the design, workmanship, maintenance, and operation of improvements to streets, landscaping, and drainage facilities. The City requires three types of maintenance and defect guarantees: storm drainage, street improvement, and landscaping.
- B. An applicant shall submit maintenance and defect guarantees for improvements prior to: (1) release of the performance guarantees associated with a project's storm drainage facilities, street improvements, and public landscaping; and (2) City approval of the constructed improvements.
- C. The applicant shall be responsible for the operation and maintenance of the improvements for the duration of the defect and maintenance guarantee.
- D. During the term of the maintenance and defect guarantee, City staff may periodically inspect the guaranteed improvements. If the Director determines that the improvements are not adequately maintained, do not operate satisfactorily or contain defects in design, materials or workmanship, the City shall notify the applicant, specifying remedial action. If the applicant does not complete the remedial action in a timely manner and to the City's satisfaction, the applicant will be in default.
- E. If, on the basis of its inspections, the City determines that repairs must be performed immediately to prevent risk to person(s) or property, the City may make necessary repairs. The cost of necessary repairs shall be paid by the applicant upon the City's written demand. If the applicant fails to pay for the necessary repairs by the time specified by the City, the applicant will be in default.

- F. The applicant shall pay for inspections performed by the City during the duration of the maintenance and defect guarantee. Inspection fees will be as specified in the Development Services Fee Resolution.
- G. **Storm Drainage Maintenance and Defect Guarantee (public and private).** The storm drainage maintenance and defect guarantee shall be set by the Director in the amount of ten (10) percent of the construction cost of the storm drainage facility.
- H. **Street Improvement Maintenance and Defect Guarantee (public and private).** The street improvement maintenance and defect guarantee shall be set by the Director in the amount of 25 percent of the construction cost of the street improvements.
- I. **Landscaping Maintenance and Defect Guarantee.** The landscaping maintenance and defect guarantee shall be set by the Director in the amount equal to the cost of the landscaping ~~less the irrigation system~~ as indicated in the approved engineer's estimate. Any plant material needing replacement shall be replaced in accordance with UPMC 13.20 Article 8 and inspected prior to the release of the maintenance guarantee.
- J. **Release Procedures.** Any release of the maintenance and defect guarantee must be in writing to be effective. The City of University Place will release the maintenance and defect guarantee only after each of the following have been met:
1. The guaranteed improvements have remained free of defects for two consecutive years.
 2. The applicant has submitted to the City a letter that requests final inspection of the guaranteed improvements and certifies the guaranteed improvements have been cleaned of all debris, dirt, and sediment.
 3. Any deficiencies identified by the City in the final inspection have been corrected.
 4. The applicant or surety has requested in writing the release of the guarantee.
 5. The applicant has paid all outstanding fees.

13.05.660 Default Procedures.

- A. The City may make a determination of default after an inspection has indicated that improvements need to be completed, maintained, or corrected. A default means the failure of the applicant to do any of the following:
1. Comply with financial guarantee conditions;
 2. Complete the improvements in accordance with this Code and the approved plans and conditions within the specified time; or
 3. Maintain the improvements in accordance with this Code and the approved plans and conditions for the specified period of time; or
 4. Correct any deficiencies identified by the City.
- B. In the event of a default, the City shall notify the applicant and the guarantor in writing of the default, the necessary work to remedy the default, and the specified time to complete the remedial work. If the

applicant does not perform the remedial work within the specified time, the City may demand payment by the guarantor and perform the remedial work. The guarantor shall be responsible, up to the limits of the financial guarantee, for the payment of any and all costs and expenses that have been or will be incurred by the City in causing the remedial work to be done. Any funds demanded in excess of the costs incurred the City shall be returned to the guarantor upon completion of the remedial work. The applicant shall be responsible for any and all costs incurred by the City in conjunction with the remedial work. This includes any costs that exceed the amount of the financial guarantee. Nothing in this section shall limit the ability of the City to enforce or otherwise compel compliance with conditions of any City permit or approval in accordance with the enforcement provision set forth in UPMC 13.05 Article 4.

C. Bonds are subject to default upon permit expiration or revocation.

~~13.05.670 Liability Insurance Required.~~ ~~The applicant shall maintain a combined single limit per occurrence liability policy in the amount established annually by the City of University Place, which shall name the City of University Place as an additional insured and protect the City of University Place from liability relating to the construction or maintenance of the permitted activity until construction approval or acceptance for maintenance, whichever event occurs last. Proof of this required liability policy shall be provided to the Director prior to permit issuance. If this liability insurance is not kept in effect as required, the City of University Place may initiate enforcement action pursuant to 13.05 Article 4.~~

Article 7. Inspections

13.05.705 General.

- A. All activity regulated under this Title shall be subject to inspection by the Director and shall remain accessible and exposed for inspection purposes until approved by the Director. The engineer of record will be responsible to perform professional inspections of the permitted activity. In addition, certain types of construction shall have special inspections, as specified in UPMC 13.05 Article 7.
- B. Approval of inspected work shall not be construed to be an approval of a violation of the provisions of this Code, other provisions of the UPMC or City ordinances. Inspections presuming to give authority to violate or cancel the provisions of this Code or of other ordinances of the City shall not be valid.
- C. It shall be the duty of the applicant to cause the work to remain accessible and exposed for inspection purposes. The applicant shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection. Failure to receive the City's approval can result in removal or modification of construction at the applicant's expense to bring the work into conformance with approved plans.

13.05.710 Preconstruction Conference. A preconstruction conference is required prior to the commencement of work. It is the responsibility of the applicant to arrange for this meeting and to notify the City in advance of the commencement of any authorized work.

13.05.715 Hours of Construction. The hours of construction for any activity permitted under this Code are Monday through Friday, 8:00 a.m. to 5:00 p.m. The Director may authorize work outside of these hours upon request based upon the type of work to be performed or the proximity to residential areas. Requests for extended working hours must be submitted in writing to the Director 24 hours in advance.

13.05.720 Inspection Card. The City will provide the permit holder with the inspection card upon permit issuance. This card shall be on the project site at all times until final approval has been granted by the Director. Any work under the permit shall not be commenced until the permit holder has posted or otherwise made the inspection card available such as to allow the Director to conveniently make the required entries thereon regarding inspection of the work.

13.05.725 Inspections. All permitted work is subject to inspection by the Director at any time. The permit holder, as a condition of obtaining a permit, shall authorize the Director to enter the site for inspection throughout the duration of the project.

13.05.730 Inspection Requests.

- A. It shall be the duty of the applicant to notify the Director that such work is ready for inspection. The Director may require that every request for inspection be filed at least one working day before the desired inspection date. Such request may be in writing or by telephone at the option of the Director. It shall be the duty of the applicant to provide access to and the means to inspect the work.
- B. If all required inspections are not requested before completion of the work, the City may require the applicant to pay for additional testing and analysis to be performed to ensure conformance with the approved plans and as a condition of final inspection and approval of the City.

13.05.735 Approval Required. Work shall not progress beyond the point indicated in each successive inspection without the prior approval of the Director. The Director shall make the requested inspections and shall indicate to the applicant whether the construction is satisfactory as completed, or fails to comply with this Code, other provisions of the UPMC, or other City ordinances. Any portions of the work that do not comply shall be corrected by the applicant. Any such portions of the work shall neither be covered nor concealed until authorized by the Director.

13.05.740 Reinspections.

- A. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for previously have not been made. This section shall not be construed to require imposition of reinspection fees the first time a job is rejected for failure to comply with the permit conditions, this Code, other provisions of the UPMC or other City ordinances. The City, however, may impose a reinspection fees when the applicant has called for an inspection before the work is ready for inspection or reinspection.
- B. Reinspection fees may be assessed for violations including, but not limited to: the inspection record card is not posted or otherwise available on the work site; the approved plans are not readily available to the inspector; failure to provide access on the date for which inspection is requested; or deviating from the plans approved by the Director. If a reinspection fee has been assessed, further approvals of work under the permit are expressly conditioned on prior payment of reinspection fees.

13.05.745 Professional and Special Inspections.

- A. The engineer of record shall prepare an inspection program that shall be submitted to the Director for approval prior to permit issuance. The inspection program shall designate the portions of the work that require professional and special inspection, the stages of construction at which the professional and special inspections are to occur, the name or names of the individuals or firms who are to perform these inspections, and the duties of the inspectors. The inspection program shall include samples of proposed inspection reports and provide time limits for submission of reports.
- B. The Director shall approve or amend the inspection program in conjunction with issuing the permit. The inspection program as approved by the Director shall be a permit condition.
- C. **Professional Inspections.** Professional inspections are those inspections to be performed by the engineer of record. The engineer of record shall provide professional inspection only within the engineer's area of technical specialty. The inspections shall be of a nature that enables the engineer of record to provide a "Certification from Engineer" in conformance with UPMC 13.05 Article 8. If revised plans are required during the course of the work they shall be submitted by the engineer of record.
- D. **Special Inspections.** Special inspections are those inspections identified in the inspection program not performed by the engineer of record. Special inspectors shall be employed by the applicant or the engineer of record. Special inspections will be required for any portion of the project that is outside of the engineer of record's area of expertise. This may include erosion and sedimentation control, compaction testing, material testing, and geotechnical and structural components of the project.
 - 1. **Special Inspector.** The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the Director, for inspection of the particular type of construction or operation requiring special inspection.

2. **Duties and Responsibilities of the Special Inspector.** The special inspector shall observe the work assigned for conformance to the approved plans and the permit conditions. The special inspector shall furnish inspection reports at such times as the Director may require. The reports shall be furnished to the Director, the engineer of record, and the applicant. All discrepancies in the work shall be brought to the immediate attention of the contractor for correction and included in the inspection report. The special inspector shall submit a final signed report stating whether the work requiring special inspection was in conformance to the approved plans and the permit conditions.
3. **Failure to Perform.** If the Director determines that the special inspector has failed to perform the duties and responsibilities indicated above, the Director may require the applicant to replace the special inspector with another qualified person who will assume the duties and responsibilities of the special inspector.
4. **Exception:** The Director may waive the requirement for the employment of a special inspector if the construction is of a minor nature.
- E. **Investigation:** If the Director determines that the engineer of record or special inspector have failed to ensure compliance with the approved plans and permit conditions, the Director may retain the services of a qualified individual to evaluate the quality of the work. The applicant shall be responsible for all costs incurred by the City in the investigation. Payment of costs incurred by the City is an express condition precedent to final inspection, acceptance of the work by the City, and release of financial guarantees.

13.05.750 Final Inspection. The applicant is responsible to request a final inspection of all permitted activities upon completion. The applicant must secure approval by the City of these facilities prior to use and release of any applicable financial guarantees.

13.05.755 Notification of Noncompliance. If, in the course of fulfilling their respective duties under this Code, the engineer of record or the special inspector finds that the work is not being done in conformance with this Code, the approved plans, or the permit conditions, the discrepancies shall be reported immediately in writing to the applicant and to the Director.

13.05.760 Transfer of Responsibility. If the applicant wishes to change the engineer of record during construction, the work shall be stopped until the replacement engineer agrees in writing to accept the duties and responsibilities of the original engineer of record and certify the work. Such an agreement shall be filed with the City and approved by the Director prior to the recommencement of work.

13.05.765 Testing. Testing shall be as specified in the approved inspection program. Tests shall be performed at the applicant's expense. At a minimum, testing shall be done on all materials and construction as specified in the WSDOT/APWA Standard Specifications, this Code, and the University Place Standard Notes and Details.

Article 8. Project Closure

13.05.810 As-Builts. As-built drawings must be provided to the City for all roadway and storm system construction. As-builts must be prepared by a licensed professional engineer or surveyor, stamped and signed by the professional and submitted prior to the City's acceptance of any improvement. The following, as applicable, shall be included in all as-built submittals.

- Roadway centerline stationing at minimum 50' spacing. Stationing shall include elevations and horizontal control in state plane coordinates.
- Right-of-Way lines and property lines.
- Locations, widths, and composition of travel lanes, sidewalks, curbs, gutters, medians, planter strips, irrigation systems, shoulders and bike lanes.
- Street light locations and types.
- Utility locations.
- Street names.
- Pavement markings and street signs.
- Type and widths of easements.
- Catchbasin type, location, rim elevation, bottom elevation, and inlet/outlet invert elevation.
- Storm drain pipe size, composition, location and invert slope.
- Detention/retention/infiltration facility location, and inlet/outlet locations and elevations.

~~13.05.820~~ **13.05.820 Certification from Engineer.** Following the construction of facilities allowed under a permit, the engineer of record shall provide to the City a letter of certification. This letter shall be stamped, signed and dated by the engineer and shall state that all permitted

~~13.05.821~~ facilities have been built in accordance with the approved plans, permit conditions, and all applicable codes. In the event that some components of the work have not been built in strict conformance to the plans and conditions and, in the engineer's opinion, these exceptions do not compromise the integrity of the project, the engineer shall identify the exceptions and include a statement in the certification that the exceptions do not constitute a material defect, compromise the integrity of the project, or violate any provisions of this Code.

13.05.830 City Acceptance. ~~A project is final when a letter of final project acceptance is issued by the Director to the applicant.~~ Unless a development involves a dedication of a public facility, a development is considered final upon final approval or acceptance by the Director to the applicant. When a development involves a dedication to the public, a development is not considered final until the Director has issued written acceptance of the public facility accepting ownership and addressing responsibility for the dedication.

Chapter 13.10 General Provisions

- 13.10.010 Survey.
- 13.10.020 Utilities.
- 13.10.030 Easements and Dedications.
- 13.10.040 Traffic Control.
- 13.10.050 Pavement Cutting.

13.10.010 Survey. All surveying and staking shall be performed by or at the direction of a professional land surveyor licensed by the state of Washington. Construction staking shall be sufficient to allow the Director to verify conformance to the approved plans.

13.10.020 Utilities.

- A. All new utilities shall be installed in compliance with this Code and the utility provider's standards. In case of conflict between this Code and the utility standards, the Director shall determine which provision will apply. A utility must have a franchise, license or other lawful authority expressly granted by the City before it can construct, operate, or maintain any facility in a right-of-way of the City unless such a requirement is preempted by state or federal law.
- B. Utility locates shall be the responsibility of the applicant. The applicant is responsible for timely notification of all utilities in advance of any construction in right-of-way or utility easements. The utilities one-call underground location center phone number is 1-800-424-5555.
- C. Utility mains shall be extended to and through the extremes of the property being developed as determined by the utility provider and the City of University Place.

13.10.030 Easements and Dedications.

- A. All easements and dedications of property required as a condition of the development of property must be approved by the City Attorney prior to issuance of a permit.
- B. All easements and dedications shall include a legal description and a drawing depicting the easement or dedication area, which description and drawing shall be prepared by a professional land surveyor licensed in the State of Washington.
- C. Any change in design that places a public improvement or amenity, or any utility outside of the portion of real property described in the easement or dedication may require construction be stopped until revised plans and revised easements or dedications can be approved by the City Attorney.
- D. The City Attorney will process and arrange for the recording of all easements and dedications of property to the City. Easements will be filed with the Pierce County Auditor by the City. Recording fees shall be paid by the applicant. After the documents are recorded, a conformed copy will be filed in the City's project file and the Auditor stamped copy shall be filed with the City Clerk.
- E. Utility Easement widths shall be sufficient to construct and maintain the utilities in the easement.
- F. The Director may require dedication of property for adjacent existing streets.

13.10.040 Traffic Control.

- A. The applicant shall be responsible for interim traffic control during construction on or along traveled roadways. Traffic control shall follow the guidelines of the WSDOT/APWA Standard Specifications. All barricades, signs and flagging shall conform to the requirements of the MUTCD.
- B. Signs must be legible and visible. Signs shall be removed at the end of each work day if no longer in effect after construction hours.
- C. If road closures and detours cannot be avoided, the applicant shall immediately notify the Director. The Director may require a detour plan to be submitted and approved prior to closing any portion of a city roadway.

13.10.050 Pavement Cutting. Pavement shall not be cut for a period of 36 months after construction or resurfacing unless allowed by law or franchise, or determined by the Director to be in the interest of the public safety, health and welfare.

Trenchless construction techniques such as pushing, jacking, or boring shall be used when feasible explored on all new or existing pavement road crossing. Information on which roads have been recently constructed or resurfaced may be obtained from the Director upon request.

Chapter 13.15 Street and Alley Vacation Procedures

- 13.15.010 Definitions.
- 13.15.020 Statement of Purpose.
- 13.15.030 Initiation of Vacation.
- 13.15.040 Petition for Vacation.
- 13.15.050 Petition Fees
- 13.15.060 Survey, Vicinity Map, Plat Map and Legal Description.
- 13.15.070 Setting of Hearing.
- 13.15.080 Staff Report.
- 13.15.090 Notice of Hearing.
- 13.15.100 Protest.
- 13.15.110 Compensation for Vacation.
- 13.15.120 Appraisals.
- 13.15.130 Payment of Compensation of Conveyance.

13.15.010 Definitions. A street or alley “vacation” means that the public is letting go of, or “vacating”, the public interest in a property. After a street or an alley is vacated, the public no longer has a right to use the property for access.

13.15.020 Statement of Purpose. The purpose of this chapter is to establish procedures, notice requirements and fees for the vacation of streets and alleys within the City. This chapter is intended to implement the authority granted to the City by Chapter 35.79 RCW and RCW 35A.47.020 and to conform to their provisions. In case of conflict between this chapter and those statutes, the statutory provisions shall be controlling.

13.15.030 Initiation of Vacation. The owners of an interest in any real property abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the City Council. In the alternative, the City Council may itself initiate a vacation by resolution. The petition or resolution shall be filed with the City Clerk.

13.15.040 Petition for Vacation. The petition shall be in a form prescribed by the Director, of Public Works. The petition shall also discuss the criteria set forth in UPMC 13.015.41080. The sufficiency of the petition shall be governed by RCW 35A.01.040.

13.15.050 Petition Fees. Every petition for the vacation of any street or alley, or any part thereof, shall be accompanied by a fee in an amount established by resolution of the City to defray the administrative costs incurred in processing the petition and publishing, posting and mailing notices. The petitioner shall be responsible for any additional costs incurred by the city regardless of the outcome of the petition, plus any consulting costs incurred by the City during the review process.

13.15.060 Survey, Vicinity Map, Plat Map and Legal Description. Every petition shall be accompanied by:

- A. A survey, containing an exact legal description of the portion of road to be vacated prepared and sealed by a professional land surveyor, licensed in the state of Washington;
- B. A vicinity map showing the general area of the proposed vacation;

- C. A plat map prepared and sealed by a professional land surveyor, licensed in the state of Washington, indicating the specific parcels abutting the proposed street or alley to be vacated;
- D. The name and address of all property owners for properties that lie within three hundred feet of the street or alley to be vacated.
- E. Flagging which indicates the boundaries of the street or alley shall be installed when the survey is conducted.

13.15.070 Setting of Hearing. Upon receipt of the petition, the fee and all required documents, the City Clerk shall make a determination whether the petition has been signed by the owners of more than two-thirds of the property owners abutting the part of the street or alley to be vacated. The City Clerk shall then forward the petition and required documents to the Director for further review and action. If the petition has been signed by two-thirds of such owners, the Director shall forward the petition to the City Council that shall, by resolution, fix a time when the petition will be heard and determined by the City Council, or committees of the City Council. The hearing shall be not more than 60 days or less than 20 days after the date of adoption of the resolution. Where the City Council initiates the vacation by resolution, that resolution shall fix a time when the proposed vacation will be heard by the City Council or a committee of the City Council.

13.15.080 Staff Report. The Director shall prepare a report concerning the proposed vacation that shall address the following criteria, as required by state law, to be considered by the City Council in determining whether to vacate the street or alley, and such other information as deemed appropriate by the Director:

- A. The vacation will benefit the public interest;
- B. The proposed vacation will not be detrimental to traffic circulation, access, emergency services, utility facilities, or other similar right-of-way purposes;
- C. The street or alley is not a necessary part of a long range circulation plan or pedestrian/bicycle plan;
and
- D. The subject vacation is consistent with the adopted comprehensive plan and adopted street standards.

In preparing the report, the department shall solicit comments from police, fire and other City departments and other governmental agencies which may be affected by the right-of-way vacation, and utilities operating within the City. The report shall be submitted to the City Council, or the City Council committee hearing the matter, and to the petitioners, not less than five days before the hearing.

13.15.090 Notice of Hearing. Upon the passage of the resolution fixing the time for hearing the petition or proposal for vacation, the City Clerk shall give notice to the time, place and purpose of the hearing as set forth in RCW 35.79.020 and by:

- A. Publishing written notice once in the City's official newspaper;
- B. Posting a placard in a conspicuous place at each end of the street or alley sought to be vacated; The placards shall be highly visible and at least 11 by 14 inches in size, and shall include a map showing the location of the street or alley proposed to be vacated. and
- C. Mailing written notice to all petitioners at the address on the petition and all owners of property abutting the street or alley proposed to be vacated, as shown on the records of the Pierce County assessor. In addition, notice shall be given to the owners of property which lie within 300 feet beyond

the street or alley to be vacated, measuring in both directions from the area to be vacated. The Director shall send the same written notice to the petitioners at the address on the petition. The placards shall be highly visible and at least 11 by 14 inches in size, and shall include a map showing the location of the street or alley proposed to be vacated.

C.

13.15.100 Protest. If 50 percent or more of the owners of the abutting property file written objections to a City Council resolution setting a hearing to vacate a street or alley with the City Clerk, prior to the time of the hearing, the City shall be not proceed with the vacation

13.15.110 Compensation for Vacation.

- A. Where a vacation has been initiated by petition, the owners of the property abutting the area vacated shall pay to the City, prior to the effective date of the ordinance vacating the area, a sum equal to one-half of the appraised value of the area vacated plus the full cost of physical closure and road repairs as set by the City Council in the vacation resolution, as requested by the Director; provided, that where the vacation was initiated by the City or was required by the City as a condition of a permit or approval, the owners of property abutting the area vacated shall not be required to pay such sum; and provided further, that where the area vacated was acquired at public expense, the owners of property abutting the area vacated shall pay to the City a sum equal to the full appraised value of the area to be vacated.
- B. Conveyance of other property acceptable to the City may be made in lieu of the required payment, whether required to mitigate adverse impacts of the vacation or otherwise. When the conveyance is made for street purposes, one-half of the fair market value of the land conveyed shall be credited to the required payment. When the conveyance is made in fee for purposes other than street purposes, the full appraised value of the land conveyed shall be credited to the required payment.
- C. When the value of the in-lieu parcel is less than the required payment, the petitioners shall pay the difference to the City. When the value of the in-lieu parcel exceeds the required payment, the City shall pay the difference to the petitioners.

13.15.120 Appraisals.

- A. The Director may determine the appraised value of the area vacated based on an appraisal from a state-certified real estate appraiser who has an MAI or SRA designation from the Appraisal Institute. To obtain such appraisal, the Director shall present to the representatives of the petitioners a list of three such certified and designated appraisers from which the representatives of the petitioners shall select one appraiser. The petitioner shall pay for the appraisal. If the Director is not satisfied with the appraisal, the Director may order a second appraisal from a state-certified real estate appraiser who has an MAI or SRA designation from the Appraisal Institute. The City shall pay for the second appraisal.
- B. The Director shall use the appraisal having the higher value for the area vacated. The Director shall determine the fair market value or full appraisal value of the real property proposed to be granted or dedicated to the City in lieu of cash payment under this Chapter in accordance with the appraisal procedure in subsection (A) of this section.

13.15.130 Payment of Compensation of Conveyance. After determining the appraised value of the street or alley to be vacated, pursuant to this Chapter, the Director shall notify the representatives of the petitioners of the amount of compensation. The payment shall be delivered to the Director who, upon receipt of the payment, shall transmit it to the City finance department for deposit in the street fund and shall make a written report of the payment to the City Council. If the petitioner has been authorized to deliver an instrument granting or dedicating to the City a parcel or parcels of land in lieu of cash payment, the Director, at the petitioner's expense, may obtain either a policy of title insurance insuring title of the property in the City, or a certificate of title as to the title thereof, and upon receipt of such policy or certificate, shall transmit it to the City Council.

Chapter 13.20 Transportation

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Article 1. General Considerations

13.20.110 Purpose. The purpose of this chapter is to provide for the development of an integrated, uniform, multimodal, fully accessible transportation system that facilitates present and future travel demand with minimal environmental impact to the community.

13.20.120 Additional Design Standards. UPMC Title 19 presents additional design standards that apply to certain transportation facilities.

13.20.130 Standardized Format for Traffic Analyses.

A. Introduction. A traffic impact analysis (TIA) is a specialized study of the impacts that a certain type and size of development will have on the surrounding transportation system. The TIA is an integral part of the development impact review process. It is specifically concerned with the generation and distribution of traffic to and from the development.

The purpose of the TIA is to determine the impacts of the development traffic on the existing and proposed street network and the impacts of the existing and projected traffic on the development. The level of detail and scope of work of a TIA may vary with the size, complexity, and location of the development. A TIA shall be a thorough review of the immediate and long-range traffic impacts. The Director may accept the TIA as satisfying the requirements for a Concurrency Test as identified in UPMC Title 22.

B. When Required. To adequately assess a development's traffic impact on the transportation system and level of service (LOS), the Director may require a TIA based upon the evaluation of the size of the development proposed, existing street and intersection conditions, traffic volumes, accident history, community concerns, and other pertinent factors relating to traffic impacts attributable to the development. A TIA will be required if any of the following conditions are met:

1. The development generates ~~2010~~ 20 or more trips in either the a.m. or p.m. peak hours. This would include site generated traffic for all turning movements for the peak hours at all affected intersections.
2. The development lies within an area that contains an existing or proposed local improvement district (LID), local/state transportation improvement areas programmed for development reimbursements or at locations that have latecomer agreements.
3. If a TIA exists but is more than two years old, the Director may require a new or revised TIA prior to permit issuance.

C. **Qualifications for Preparing TIA.** The TIA shall be prepared by an engineer licensed to practice in the state of Washington with special training and experience in traffic engineering.

D. **Submittal Requirements.** The TIA shall at a minimum include the following sections: Introduction, Existing Conditions, Development Traffic, Future Traffic, Traffic Operations, and Mitigation. The sections shall at a minimum incorporate the information identified below.

1. Introduction.

- a. Provide a statement of the scope of the analysis and identify the limits of the study area. The study area shall include all pertinent intersections and streets impacted by development traffic. This shall include, but not be limited to, any signalized intersection within the City within one mile of the development at which the development generated traffic equals 10 or more vehicle trips at any peak hour, or any signalized intersection in the City at which the development generated traffic is 10 percent or more of the volume of existing traffic through the intersection at any peak hour. The Director may also require the study area include any intersection that currently operates at a LOS of "D" or lower and at which the development generated traffic is 10 or more vehicle trips at any peak hour. The study area may be expanded outside the City limits if determined necessary by the Director under any environmental review required under the State Environmental Policy Act.
- b. Provide a copy of the site plan showing the type of development, street system, rights-of-way limits, access points, and other features of significance in the development. The site plan shall also include pertinent off-site information such as locations of adjacent intersections and driveways, land use descriptions, street right-of-way limits for the existing roadways and other features of significance.
- c. Provide a vicinity map of the project area showing the transportation system to be impacted by the development.
- d. Address specific development characteristics such as type of development proposed (single-family, multifamily, retail, industrial, etc.), internal street network, proposed access locations, parking requirements, zoning, and other pertinent characteristics of the development.
- e. Indicate project completion and occupancy schedule for the development. Identify horizon years for traffic analysis purposes.

2. Existing Conditions.

- a. Identify street characteristics including functional classification, number of traveled lanes, lane width, shoulder treatment, bicycle path corridors and traffic control at study intersections.

- b. Identify safety and access issues including discussions on accident history, sight distance restrictions, traffic control, and pedestrian conflicts.
 - c. Provide all necessary traffic data including any current data available from the City of University Place and surrounding jurisdictions if applicable. If data is unavailable or outdated, the individual or firm preparing the TIA shall collect the necessary data.
 - d. Provide a diagram showing existing average daily traffic (ADT) and a.m. and p.m. peak hour traffic volumes on the adjacent streets and intersections and illustrating complete turning movement volumes within the study area. This diagram shall represent the baseline traffic volumes for analysis purposes.
3. Development Traffic.
- a. Trip Generation. Site-generated traffic of developments shall be estimated using the latest edition of the ITE Trip Generation Manual. Variations of trip rates will require the approval of the Director. Trip rate equations will be utilized for estimating site generated traffic. Average trip rates shall be used for all land use categories where applicable or required by the Director. Site traffic shall be generated for a.m. and p.m. peak hour periods. Adjustments made for passer-by and mixed-use traffic volumes shall follow the methodology outlined in the latest edition of the ITE Trip Generation Manual. ~~A passer-by traffic volume discount for commercial centers shall not exceed 25 percent.~~ For multi-use or phased projects, a trip generation table shall be prepared showing proposed land use, trip rates, and vehicle trips for daily and peak hour periods and appropriate traffic volume discounts if applicable. The TIA shall contain a table illustrating the trip generation.
 - b. Trip Distribution. The TIA shall contain a diagram illustrating the proposed trip distribution for the development. The methodology shall be clearly defined and discussed in detail in the TIA. A regional trip distribution map may be required by the Director for large scale development projects. The TIA shall identify other transportation modes that may be applicable, such as transit use, bicycle and pedestrian facilities.
4. Future Traffic.
- a. Future Traffic Conditions Without Project. Future traffic volumes shall be estimated using information from transportation models for applying an annual growth rate based on reports of the Puget Sound Regional Council to baseline traffic volumes. The future traffic volumes shall be representative of the horizon year for project development. Proposed development projects approved, under review, or otherwise reasonably foreseeable shall be taken into consideration when forecasting future traffic volumes.
 - b. Future Traffic Conditions With Project. The site-generated traffic shall be assigned to the street network in the study area based on the approved trip distribution model. The site traffic shall be combined with the forecasted traffic volume to show the total traffic conditions estimated at the horizon year. A diagram will be required showing daily and a.m. and p.m. peak hour turning movement volumes for each intersection in the study area.
5. Traffic Operations. The LOS and capacity analysis shall be conducted for each intersection in the study area. The methodology and procedures for conducting the capacity analysis shall follow the guidelines specified in the Highway Capacity Manual. The TIA shall include calculations for the intersection LOS for each of the following conditions:

- a. Existing peak hour traffic volumes (diagram required);
 - b. Existing peak hour traffic volumes including site-generated traffic (diagram required);
 - c. Future traffic volumes not including site traffic (diagram required);
 - d. Future traffic volumes including site traffic (diagram required);
 - e. The LOS analysis results for each traffic volume scenario (table required). The LOS table shall include LOS results for a.m. and p.m. peak periods. The table shall show LOS conditions with corresponding vehicle delays for signalized intersections and LOS conditions for the critical movements at unsignalized intersections. For signalized intersections, the LOS conditions and average vehicle delay shall be provided for each approach and the intersection as a whole. The capacity analyses for existing signalized intersections shall include existing phasing, timing, splits and cycle lengths in the analysis as observed and measured during the peak hour traffic periods. If the development is scheduled to be completed in phases, the TIA shall conduct a LOS analysis for each separate development phase. The incremental increases in site traffic from each phase shall be included in the LOS analysis for each proceeding year of development completion. A figure will be required for each horizon year of phased development. If the development impacts a traffic signal coordination system currently in operation, the Director may require the TIA to include operational analysis of the system. Timing plans and proposed modifications to the coordination system may be required. The capacity analysis shall be conducted using a City approved software package. The computer worksheets, along with an electronic copy of each capacity analysis, shall be submitted with the TIA document. For unsignalized intersections, the Highway Capacity Manual methodology shall be used. A copy of the capacity analyses worksheets shall be submitted with the TIA document.
6. Mitigation. The TIA shall include a proposed mitigation plan. Mitigating measures shall ensure the transportation facilities operate at a LOS "D" or better upon completion of the development. The following guidelines shall be used to determine appropriate mitigating measures of traffic impacts generated by new developments.
- a. On transportation facilities where the TIA demonstrates a need to construct improvements the cost for the mitigation will be entirely borne by the applicant. However, if the Director identifies more than one development under simultaneous review, cumulative impacts and distribution of mitigation costs may be considered. A latecomers agreement could be formulated by the applicant for reimbursement for mitigation costs.
 - b. On transportation facilities programmed for improvements and funded as part of a City project, the adverse traffic impacts of the development may be considered mitigated by providing a proportionate share contribution of the costs for the proposed improvements. The proportionate share of local costs for the improvements shall be based on the percentage of development traffic generated through the intersection. The percentage shall be based on the total projected peak hour traffic volumes for the horizon year of the transportation facility. If the transportation facility currently operates less than LOS "D", and the Director determines that the impacts of the development will create a safety hazard, the applicant shall be required to make facility improvements to improve the level of service to LOS "D" or better. The cost of the interim improvements will be deducted from the development's proportionate share of costs for the programmed facility improvements only if the cost of the interim improvements is less than the ultimate proportionate share. If the interim improvements cannot be

incorporated into the ultimate improvements programmed for the transportation facility, there will be no reimbursement for interim costs incurred.

- c. On transportation facilities where the existing LOS is less than "D" and where no improvements are programmed to improve capacity and traffic operations, the development shall provide mitigation that ensures the intersection operates at LOS "D" or better or wait until the improvements are constructed by the City or others.
- d. Intersections where the projected level of service condition is at "D", but where one or more of the LOS on the approaches falls below "D", the development shall provide mitigation that ensures each approach operates at LOS "D" or better.
- e. To mitigate the effects of the traffic generated by the development and the effects of that traffic on existing vehicular, pedestrian, and bicycle traffic, the applicant shall provide sufficient right-of-way for and construct paved shoulders/bicycle lanes on abutting streets that are arterial streets or designated bicycle routes.
- f. To mitigate the effects of the traffic generated by the development and the effects of that traffic on existing vehicular and pedestrian traffic, planter strips and concrete curbs, gutters, and sidewalks shall be constructed along abutting streets. Planter strips, concrete curbs, gutters, and sidewalks are required along each side of all interior plat roads in formal subdivisions to provide for the safety of pedestrians. To mitigate pedestrian impacts, a bus stop shelter on a concrete pad shall be constructed where Pierce Transit and/or the school district has identified a need for a bus stop to serve the development and the citizens of the City. Design standards for the bus shelter shall be provided by Pierce Transit or the school district.

13.20.140 Developments on Substandard Streets.

- A. The applicant shall be required to construct improvements to bring substandard streets up to current City standards prior to final approval for any development that obtains access from substandard public or private streets. Such improvements shall be made from the point of access to the closest intersection of an arterial street. Street improvements may include but are not limited to curb and gutter, sidewalk, street lighting, traffic signal modification, relocation or installation, utility relocation, street widening, and resurfacing.
- B. Exceptions.
 - 1. Any development that does not generate additional vehicular traffic is exempt from the requirements of this section.
 - 2. The construction of or modification to a single family or duplex residential unit will require the access to be improved up to Emergency Vehicle access standards in UPMC 13.20 Article 3.
 - 3. The development of short subdivisions that accommodate no more than four dwelling units, will require the substandard street to be improved up to 22-feet of paved driving surface and 5-foot gravel shoulders on each side of the street.

13.20.150 Street Frontage Improvements.

- A. Street frontage improvements shall be required in conjunction with the subdivisions and short subdivisions of land, planned development districts, conditional use permits, binding site plans, and the modification or construction of buildings. Frontage improvements shall consist of half street improvements in conformance with the standard street section and the City street standards in UPMC 13.20 Article 2. Such improvements may include curbs, gutters, bike lanes, planter strips, medians, sidewalks, bus stops, bus shelters, bus pads, bus pullouts, street storm drainage, street lighting systems, traffic signal installation, modification, or relocation, utility relocation, landscaping, irrigation, and street widening.
- B. Plans shall be stamped by a civil engineer licensed to practice in the State of Washington.
- C. Where the existing right-of-way is of insufficient width to accommodate the required improvements, right-of-way dedication will be required. The dedications shall comply with the provisions of UPMC 13.10.030. For plats, the right-of-way may be dedicated at the time of recording.
- D. All frontage improvements shall be completed in a manner acceptable to the City prior to occupancy, final plat approval, final short plat approval, final development plan approval, or binding site plan approval.
- E. Exceptions.
 - 1. When the Director determines based on good reasons shown that any or all of the required improvements should not be accomplished at the time specified in subsection D above, a recorded agreement or financial guarantee shall be completed on forms provided by the City. The agreement shall require the applicant to install the improvements at a later date.

2. The construction, remodeling or enlargement of an individual Group R 3 or Group U occupancy^[ds2] (as defined in the Building Code) shall be exempt from this section.
3. Alterations or repairs not constituting a Major Improvement are exempt from this section. See UPMC 13.05.220 for the definition of Major Improvement.
4. Major Improvements that ~~either add less than 10% floor area no new floor space or whose increase in floor space does not exceed 10% and whose cost for improvements does not exceed value does not exceed 50%~~ of the assessed value of the existing structure shall be exempt from the requirements of this section. Alterations or repairs completed within the twelve-month period immediately preceding the date of permit application shall be considered as part of the current proposal and their costs shall be included in considering the applicability of this exemption.
5. Two or three lot short plats accessing local streets and two lot short plats accessing arterial streets may elect to defer the construction of the required frontage improvements by completing and recording the City of University Place L. I. D. Covenant. By recording this covenant the property owner agrees to participate in and not protest the formation of a local improvement district on the abutting streets. Nothing in the covenant will in any way absolve the property owner from the obligation to improve the frontage of the property. If it becomes necessary to mitigate the effects of the development prior to the formation of an L.I.D., the property owner will have 120 days from receipt of the written notice from the City to complete the required improvements. If right-of-way dedication will be necessary to construct the standard street section, the right-of-way shall be dedicated upon recording of the short plat.

Article 2. Streets

13.20.205 General. Street design must provide for the maximum loading conditions anticipated. The width and grade of the pavement must conform to specific standards set forth herein for safety and uniformity.

13.20.210 Design.

- A. The design of streets shall depend upon their type and usage. Standard roadway sections for each street classification are provided at the end of this chapter.
- B. The layout of streets shall provide for the continuation of existing principal streets in adjoining subdivisions or of their proper projection when adjoining property is not subdivided. Minor streets, which serve primarily to provide access to abutting property, shall be designed to encourage through non-motorized traffic (pedestrians and bicycles). See the Street Design Standards Table.
 - 1. Alignment. Alignment of major arterials and collectors shall conform, as nearly as possible, with that shown in the City's comprehensive plan.
 - 2. Grade. Street grade should conform closely to the natural contour of the land. In some cases a different grade may be required by the Director. The minimum allowable grade shall be 0.7 percent. The maximum allowable grade shall be 15 percent, depending upon the street classification.
 - 3. Width. The pavement and right-of-way width depend upon street classification. The Street Design Standards Table shows the minimum widths allowed.
 - 4. Sight Obstruction. The design and construction of all streets shall provide the sight distances indicated in 13.20 Article 2.
 - 5. Parking and fire lanes shall be provided in accordance with the requirements of zoning and fire codes.
 - 6. Bus stops, pullout, and other bus transit amenities shall be in accordance with the requirements of Pierce Transit and/or the School District.
- C. Nothing in this Chapter shall prevent the City from making interim transportation improvements to existing facilities. The City may make interim transportation improvements that may not fully conform to the standards set forth in this Chapter. Such improvements are necessary in order to protect and improve the public health, safety and welfare.

13.20.215 Functional Classification.

A. General.

- 1. Functional Classification Elements. Streets are most effectively classified by their function, according to the character of the service they are intended to provide. The functional classification system creates a hierarchy of classified streets. The classification system can be used for planning new routes, improvements to existing streets, and planning for area development in concert with the transportation network and providing minimum design standards or criteria to encourage the use of the street as intended.

2. City definitions for each functional classification are presented below. A table of design elements, the standard, and application for each functional classification are in the pages that follow. Geometric design criteria follow each functional classification table.
3. The City functional classification system directly addresses all streets that are under the jurisdiction of the City. City streets are divided into major (or principal) arterials, secondary arterials, collector arterials, neighborhood collector arterials, and local access streets in accordance with regional transportation needs and the functional use each serves. Function is the controlling element for classification and shall govern rights-of-way, road width, and road geometrics. The Function Classification Definitions below are provided to assist the applicant in determining the classification of a particular street. New streets will be classified by the Director. If a street or portion of a street is not listed, the applicant is responsible for making inquiries to the Director to determine the correct street classification.

B. Function Classification Definitions.

1. Major Arterials.

(a) Major arterials provide service for major traffic movements within the City. They serve major centers of activity, intra-area travel between University Place and other suburban centers, between larger communities, and between major trip generators. Major arterials serve the longest trips and carry the major portion of trips entering and leaving the overall area. Typically they are one of the highest traffic volume corridors in the City. The design year ADT is approximately 5,000 to 30,000 vehicles per day or more. They frequently carry important intra-urban and inter-city bus routes.

(b) The spacing of major arterials usually varies from about one mile in highly developed business areas to five miles or more in rural areas. Service to abutting land is subordinate to the provision of routes for to major traffic movements. It is desirable to place arterials on community and neighborhood boundaries or adjacent to, but not through, major shopping centers, parks, and other homogeneous areas.

2. **Secondary Arterials.** (A) Secondary arterials interconnect with and augment the major arterial system. Secondary arterials connect major arterials to collector arterials and small generators. They provide service to medium-size trip generators, such as less intensive commercial development, high schools and some junior high/grade schools, warehousing areas, active parks and ball fields, and other land uses with similar trip generation potential. They distribute travel to smaller geographic areas and communities than those identified with the major arterial system. They provide routes for trips of moderate length and somewhat lower level of travel mobility than major arterials. The design year ADT is approximately 2,500 to 15,000.

(B) Spacing of secondary arterials is usually less than one mile in fully developed areas. They provide intra-community continuity and are typically a continuous street with a direct rather than a meandering alignment. They may carry local bus routes. Secondary arterials allow for more emphasis on land access than the major arterial system. They usually do not penetrate identifiable neighborhoods.

3. **Collector Arterials.** Collector arterials distribute trips from major and secondary arterials to the ultimate destination, or may collect traffic from local streets and channel it into the major and secondary arterials systems. They carry a low proportion of traffic traveling through the entire subarea; they carry a high proportion of local traffic with an origin or destination within that area.

Design year ADT is approximately 2,500 to 15,000. They may be on a somewhat meandering alignment and need not be particularly long or continuous. Spacing is typically about one-quarter mile in developed areas. Collector arterials provide both land access service and traffic circulation within residential neighborhoods, commercial, and industrial areas. They may penetrate identifiable residential neighborhoods.

4. **Neighborhood Collector Arterials.**

(a) Neighborhood collector arterials distribute traffic between more principal traffic routes and local service streets within neighborhoods. All of them serve as fire response routes, some may be transit streets, and may be designated as bike routes. Because neighborhood collector arterials serve multiple purposes, their use must strike a balance between efficiently moving traffic and preserving neighborhood livability.

(b) Neighborhood collector arterials are found only in residential neighborhoods and provide a high degree of access to individual properties. This classification is not applied to streets in commercial and industrial areas. Both right-of-way and paving widths are typically narrower than on other arterials. Left turn lanes are only infrequently used on neighborhood collector arterials, and then only at intersections having higher volumes. A great deal of flexibility exists for on street parking on this street type. On most neighborhood collectors, bicycles share the travel lane with other motor vehicles, eliminating the need for striped bicycle lanes. Exceptions to this can occur in situations where traffic volumes or speeds, roadway geometry, or other factors suggest that striped lanes will provide a safer design. Design year ADT is approximately 800 to 3,000.

5. **Local Street System.**

(a) The local street system provides circulation and access for residential neighborhoods away from the arterial system. The local street system consists of local feeder streets, local minor streets, private streets, and alleys.

(b) For developments or neighborhoods of moderate size or larger, the streets serving as primary access to and from the bordering arterial system should be considered for collector arterial classification with no direct lot access and abutting residences oriented away from it. Traffic generators, such as schools or churches, within residential areas should be considered within the local circulation pattern, not only from within the subdivision, but from adjacent neighborhoods as well. There should be a limited number of access points with the arterial streets that border the subdivision.

(c) Local streets should be designed for relatively uniform low volume of traffic upon full development, particularly for local access and minor access streets. The system should be designed to discourage excessive speeds and should minimize the necessity for traffic control devices. Internal streets with direct lot access should be discontinuous so as to discourage through traffic.

(d) **Local feeder streets** serve as primary access to the development from the adjacent street system. They distribute traffic from local or minor streets in residential neighborhoods and channel it to the arterial system. There are usually no bus routes, with the exception of possible school buses. They directly serve any major traffic generators within the neighborhood, such as an elementary school or a church. They usually serve one moderate size neighborhood or a combination of a few small developments, rather than interconnecting two or more larger neighborhoods. They serve little, if any, through traffic generated outside the neighborhood. Typical ADT may reach up to 1,500. Abutting residences are oriented away from the feeder.

(e) **Local minor streets** provide direct access from abutting land to the local access streets. There are usually no bus routes on local access streets. They are typically internal subdivision streets providing circulation within the subdivision or between subdivisions. Service to through-traffic is deliberately discouraged. Local minor streets can never be a higher classification. Typical ADT may reach up to 1,000.

(f) **Private streets** are streets privately owned and maintained by the owners of the parcels accessing the street.

(g) **Alleys** are public or private streets providing access to the rear boundary of two or more residential properties that front a public street. Alleys are not intended for general traffic circulation.

13.20.220 Right-of-Way. Right-of-way width is determined by the functional classification of a street. See Street Design Standards Table for specific information. Additional roadside easements may be required to facilitate roadway maintenance. Easements shall be on a form approved by the City and meet the provisions of UPMC 13.10.030. Right-of-way width requirements shall be increased to accommodate any additional lanes, pockets, bus loading zones, paved shoulders/bike lanes, utilities or other features or facilities required by the City. Right-of-way shall be conveyed to the City on a recorded plat or by a right-of-way dedication deed. All costs shall be borne by the applicant.

13.20.225 Private Streets and Alleys.

A. The following are the standards for new private streets. Existing private streets that are not in conformance with any of the following are considered substandard streets.

1. Construction and inspection standards for public streets apply to private streets.
2. The design shall conform to the Street Design Standards Table.
3. Private streets shall be permanently established by commonly owned tract or easement.
4. No more than four dwelling units or businesses may access a private street unless the following conditions apply: (1) the businesses are situated on one parcel under single ownership; or (2) the dwelling units are part of a multifamily development on one parcel under single ownership. The dwelling units and/or businesses may be owned by persons or entities other than the owner of the underlying property.
5. Private streets shall be accessible at all times for emergency vehicle use.
6. Prior to permit issuance, the applicant shall be required to record a private street maintenance agreement and restrictive covenant with the Pierce County Auditor, on a form provided by the City for this purpose.
7. All street signs for private streets shall include the text "Private Street". This text shall be at least one half the height of the street name text.
8. The private street shall be signed "No Parking" when parking lanes are not provided.

9. Maintenance and operation of all private streets are the responsibility of the individual property owners.

B. Alleys shall conform to the criteria for private streets in addition to the criteria below.

1. Alleys are allowed only when lots served have full frontage on a public street and provide direct pedestrian and emergency vehicle access to the public street
2. Alleys may provide access to an unlimited amount of units provided that the alley has a maximum length of 400 feet, and has no cul-de-sacs or dead ends if serving more than four lots.
3. Minimum alley tract or easement shall have a width of 20 feet with a pavement surface of 16 feet, so long as any structure is setback five feet or more from property line or edge of tract or easement. For differing structure setback requirements, the required alley width may be increased to provide for safe turning access to properties.
4. Alley entry shall be provided with a driveway approach.

C. Acceptance as Public Streets. The City will consider acceptance of private streets as public streets only if the street(s) meet all applicable public street standards, including right-of-way widths.

Table I: STREET CLASSIFICATIONS

MAJOR ARTERIALS

STREET NAME	FROM	TO
27 ST W	REGENTS BLVD W	BRIDGEPORT WAY W
BRIDGEPORT WAY W	200' S OF 19 ST W	SOUTH CITY LIMITS
CIRQUE DR W	ORCHARD ST W	BRIDGEPORT WAY W
LAKEWOOD DR W	HANNAH-PIERCE/ORCHARD	66 ST W
ORCHARD ST W	40 ST W	HANNAH-PIERCE RD W
REGENTS BLVD W	67 AVE W	27 ST W

SECONDARY ARTERIALS

27 ST W	BRIDGEPORT WAY W	GRANDVIEW DR W
40 ST W	67 AVE W	OLYMPIC BLVD W
64 ST W	CHAMBERS CRK RD W	GRANDVIEW DR W
67 AVE W	19 ST W	BRIDGEPORT WAY W
CHAMBERS CRK RD W	64 ST W	STEILACOOM CITY LIMITS
CHAMBERS CRK RD W	CHAMBERS LN W	67 AVE W
CHAMBERS LN W	BRIDGEPORT WAY W	CHAMBERS CRK RD W
CIRQUE DR W	BRIDGEPORT WAY W	GRANDVIEW DR W
MILDRED ST W	19 ST W	96 ST E
OLYMPIC BLVD W	40 ST W	GRANDVIEW DR W

COLLECTOR ARTERIALS

35 ST W	67 AVE W	GRANDVIEW DR W
ALAMEDA AVE W	67 th AVE W	40 th ST W
GRANDVIEW DR W	19 ST W	64 ST W
SUNSET DR W	19 ST W	CIRQUE DR W

NEIGHBORHOOD COLLECTOR ARTERIALS

27 ST W	GRANDVIEW DR W	E DAY IS. BLVD W
31 ST W	VISTA PL W	LEMONS BEACH RD W
44 ST W	ALAMEDA AVE W	ELWOOD DR W
54 ST W	BRIDGEPORT WAY W	79 th AVE W
BECKONRIDGE DR W	GRANDVIEW DR W	CIRQUE DR W
ELWOOD DR W	40 ST W	CIRQUE DR W
ELWOOD DR W	27 ST W	PARKWAY W
LEMONS BEACH RD W	27 th ST W	31 ST W

Table II: STREET DESIGN STANDARDS

Design Standard	Major Arterial	Secondary Arterial	Collector Arterial	Neighborhood Collector	Local Feeder Street	Local Minor Street	¹ Private Street	Alley (Private)
Minimum Right-of-Way	85' to 89'	63' to 67'	60' to 67'	60'	57'	57'	26' wide (tract or easement)	20' wide (tract or easement)
Parking Lane	² None	² None	² None	² None	Both sides: 8'	³ Both sides: 8'	Optional: 8'	Optional: 8'
Min/Max Grade	0.7% / 8%	0.7% / 8%	0.7% / 15%	0.7% / 15%	0.7% / 15%	0.7% / 15%	0.7 / 15%	0.7 / 15%
Cement Concrete Curb and Gutter	Both Sides	Both Sides	Both Sides	Both Sides	Both Sides	Both Sides	Per storm system design	Per storm system design
Sidewalks	⁴ Both Sides: 6'	⁴ Both Sides: 6'	⁴ Both Sides: 6'	Both Sides: 5'	Both Sides: 5'	Both Sides: 5'	⁵ 5' one side of the street	Optional
Planter Strip	Both Sides: 3.5' to 5'	Both Sides: 3.5' to 5'	Both Sides: 5'	Both Sides: 5'	Both Sides: 5'	⁶ Both Sides: 5'	N/A	N/A
Paved Shoulder/ Bike Lane	Both Sides: 5'	Both Sides: 5'	Both Sides: 5'	⁷ Optional	⁷ Optional	Optional	N/A	N/A
Intersection Curb Radius	35'	35'	35'	⁸ 30'	⁸ 30'	⁸ 20'	⁸ 20'	⁸ 20'
Centerline Radius ⁹ (min)	600'	600'	150'	150'	150'	As Approved	As Approved	As Approved
Raised Landscape Median	8' to 12' wide	8' to 12' wide	¹⁰ 8' to 12' wide	None	None	None	None	None
Travel Lane	11' wide	11' wide	11' wide	11' wide	10' wide	10' wide	¹¹ 10' wide	8' wide

¹ Criteria not included for private streets and alleys shall conform to Local Minor Street criteria.

² Parking lanes on arterials may be allowed with approval from the Director. Parking bays may be required on arterial streets.

³ [ds3] May be reduced to one side of cul-de-sac streets if signed and subject to Fire Department approval. Parking bays are required when parking has been reduced to one side of the street.

⁴ Sidewalks in commercial areas shall be 10' wide when required by the Director.

⁵ Not required for two or less dwelling units.

⁶ For street serving 10 or fewer lots one or both of the planter strips may be waived if approved by the Director.

⁷ A paved shoulder/bike lane shall be required if the feeder road or neighborhood collector has been designated as a bike route.

⁸ Increase to 35' at major, secondary, and collector arterial intersections.

⁹ This radius may be reduced with superelevation in conformance with AASHTO if approved by the Director. Maximum = 6%

¹⁰ May be reduced or eliminated if approved by the Director.

¹¹ Pavement width and tract width shall increase eight feet for each parking lane desired.

13.20.230 Dead End Streets.

- A. Dead-end streets shall be permitted only if the Director determines there is no feasible connection with adjacent streets. All dead-end streets must incorporate a turn-around facility at the closed end. The turn-around shall conform to either the cul-de-sac or hammerhead standards identified below.
- B. **Cul-de-sac.** Streets designed to have one end permanently closed shall be no longer than 600 feet measured from centerline of street intersection to the center of the bulb section. Proposed exceptions to this rule will be considered by the Director based on pertinent traffic planning factors such as topography, sensitive areas and existing development. At the closed end, there shall be a widened "bulb" having a minimum paved traveled radius as shown in the Minimum Public Street Design Standards Table. Within the area of the public easement or dedication, applicant shall install five-foot-wide concrete sidewalk(s) from the end of the cul-de-sac to the nearest public road in accordance with the details in the University Place Standard Notes and Details.
- C. **Hammerhead Turnaround.** Hammerheads will be allowed on streets that serve four or fewer lots and must be approved by the City Fire Marshal. See standard hammerhead detail in the University Place Standard Notes and Details.

13.20.235 Medians. Raised, landscaped medians shall be provided along all arterial streets except for Neighborhood Arterial Streets. The Director may eliminate the requirement for a median on collector arterial streets based on the size of the street and safety considerations. Medians will include pedestrian landing/refuge areas to make it safer for pedestrians to cross, where appropriate. Medians shall be designed so as not to limit turning radius or sight distance at intersections. The median shall be landscaped in accordance with this UPMC 13.20 Article 8.

13.20.240 Intersections.

- A. Traffic control will be as specified in the Manual on Uniform Traffic Control Devices (MUTCD) or as modified by the Director as a result of appropriate traffic engineering studies.
- B. Street intersection shall be laid out so as to intersect as nearly as possible at right angles. For reasons of traffic safety, a "T" intersection (three- legged) is preferable to the crossroad (four- legged) intersection for local access streets. For safe design, the following types of intersection features should be avoided:
 - 1. Intersections with more than four ~~intersecting streets~~ legs;
 - 2. "Y" type intersections where streets meet at acute angles;
 - 3. Intersections adjacent to bridges and other sight obstructions.
 - 4. "Y" intersections greater than 15 degrees off perpendicular are prohibited.^[ds4]

C. Spacing between adjacent intersecting streets, whether crossing or "T", should be as follows:

When highest classification involved is:	Minimum / <u>Maximum</u> centerline offset should be:
Major Arterial	350 feet / 600 feet
Secondary Arterial	300 feet / 600 feet
Collector Arterial	200 feet / 600 feet
Local Feeder Street	150 feet / 600 feet
Local Minor Street	150 feet / 600 feet

* blocks shall not be longer than 600 feet.

When different class streets intersect, the higher standard shall apply on curb radii. Deviations to this may be allowed at the direction of the Director.

On sloping approaches at an intersection, landings shall be provided with the grade not to exceed one foot difference in elevation for a distance of 30 feet approaching any arterial or for a distance of 20 feet approaching a collector or local access street. The distance is measured from nearest right-of-way line (extended) of intersecting street.

13.20.245 Driveways.

A. General.

1. Driveways and driveway approaches shall be constructed in accordance with the University Place Standard Notes and Details.
2. All abandoned driveway approaches on the same frontage shall be removed and the curbing and sidewalk or shoulder and ditch section shall be properly restored.
3. All driveway approaches at locations with curb and gutter shall be constructed of Portland cement concrete and shall be subject to the same testing and inspection requirements as curb, gutter, and sidewalk construction. Approaches at other locations may be asphalt concrete.
4. Shared driveways are permitted upon formal written agreement by both property owners and approval of the Director. The agreement shall be a recorded easement for both parcels of land specifying joint usage. Shared driveways shall be a minimum of 15 feet wide and paved along that portion which serves both parcels.
5. Grade breaks, including the tie to the roadway, shall be constructed as smooth vertical curves. The maximum change in driveway grade shall be eight percent within any 10 feet of distance on a crest and 12 percent within any 10 feet of distance in a sag vertical curve.
6. No commercial driveway shall be allowed where backing onto a sidewalk or street will occur.
7. Driveway locations shall be unified whenever possible to create the fewest number of accesses onto a street.

8. Driveways that serve only one lot shall be located a minimum of 7.5 feet from the property line where the driveway enters the right-of-way.[ds5]

B. Arterial Streets.

1. No driveway may access an arterial street within 75 feet (measured along the arterial) of any other driveway access on either side of the street unless aligned directly opposite another driveway.
2. No driveway may access an arterial street within 150 feet of the nearest right-of-way line of an intersecting street.
3. Access to arterial streets may be limited to one driveway for each tract of property separately owned. Properties contiguous to each other and owned by the same person are considered to be one tract.
4. Driveways giving direct access onto arterials may be denied if alternate access is available.
5. Wherever a potential access exists to any property from both a public road and a private easement, the City may refuse access to the public road.
6. The Director and Pierce Transit will determine the minimum separation that will be allowed between an existing bus stop and a proposed driveway based on sight obstruction and vehicular and pedestrian traffic.
7. Residential driveways accessing arterial streets shall provide a turn-around for residential vehicles so that these residential vehicles will not have to back out into the arterial.

C. Local Streets.

1. Residential driveways shall be constructed a minimum of 35 feet from a side street or intersection. The distance is measured from the street right-of-way line to the nearest edge of the driveway.
2. Wherever a potential access exists to any property from both a public road and a private easement, the City may refuse access to the public road.

D. Width.

1. The maximum driveway width for two-way access onto an arterial or collector shall be 24 feet for residential, 30 feet for commercial uses, and 35 feet for industrial uses. Maximum driveway widths for one-way access onto an arterial or collector shall be 20 feet for residential, 20 feet for commercial, and 25 feet for industrial uses. A road approach or wider driveway width may be approved by the Director where a substantial percentage of over-sized vehicle traffic exists, where divisional islands are desired, or where multiple exit or entrance lanes are needed.
2. The maximum two-way driveway width onto a local access street shall be 24 feet for residential uses and 26 feet for commercial uses.
3. The maximum one-way driveway width shall be 15 feet for residential and 22 feet for commercial driveways.
4. The minimum residential driveway width shall be 10 feet.

5. The Director may require intersection geometry in lieu of a driveway approach ~~road approaches~~ and/or ingress and egress tapers in industrial and commercially zoned areas.
6. Commercial drive aisles shall conform to Title 19 UPMC.

13.20.250 Sight Obstruction.

- A. The following sight clearance requirements take into account the proportional relationship between speed and stopping distance. Table III presents the minimum stopping and entering sight distance requirements.
- B. A clear-view triangle is the area formed at all intersections by extending two lines of specified length from the center of the intersecting streets or driveways, along the centerlines of both accesses and connecting those endpoints to form the hypotenuse of the triangle. See Sight Distance Triangle ~~detail~~ ^{table} in the University Place Standard Notes and Details.
- C. The vertical clearance area within the clear-view triangle shall be free from obstructions to a motor vehicle operator's view between a height of three feet and 10 feet above the existing surface of the street.
- D. Sight obstructions that may be excluded from these requirements include utility poles, regulatory signs, and trees trimmed from the base to a height of 10 feet above the street.

Table III: SIGHT DISTANCE¹

Design Speed	Stopping Sight Distance²	Entering Sight Distance³		
		Uncontrolled⁴	Yield Controlled⁵	Stop Controlled^{5,6}
25 mph	155 ft	115 ft	295 ft	280 ft
30 mph	200 ft	140 ft	355 ft	335 ft
35 mph	250 ft	165 ft	415 ft	390 ft
40 mph	305 ft	195 ft	475 ft	445 ft
45 mph	360 ft	220 ft	530 ft	500 ft

¹Refer to AASHTO for any situation not addressed in this table.

²Is based on an eye height of 3.5 feet, an object height of 2.0 feet, level terrain and wet pavement.

³Applies to intersection and driveway approaches with approach grades of 3% or less.

⁴This distance corresponds to the legs of the sight distance triangle along both streets.

⁵This distance accommodates a passenger car making a left turn maneuver and is based on an entering vehicle eye height of 3.5 feet, measured 14.5 feet back from edge of traveled way, and an approaching vehicle height of 4.25 feet.

⁶For intersections where there is stop control for the minor approaches only. The distance is measured along the uncontrolled approach.

13.20.255 Surfacing Requirements.

- A. All streets will be paved with either asphalt concrete or Portland cement concrete.
- B. The pavement design shall meet the requirements in the latest publication of the AASHTO Guide for Design of Pavement Structures. The pavement section shall be designed and stamped by an engineer currently licensed to practice in the state of Washington.
- C. Construction of streets paved with asphalt concrete shall conform to Section 5-04 of the Standard Specifications. Fine and coarse aggregate shall be in accordance with Section 9-03.8 of the Standard Specifications.
- D. Asphalt concrete shall be placed on the prepared surface by an approved paving machine and shall be in accordance with the applicable requirements of Section 5-04 of the Standard Specifications, except that longitudinal joints between successive layers of asphalt concrete shall be displaced laterally a minimum of 12 inches unless otherwise approved by the Director. Pavement material will be HMA Class ½ inch asphalt concrete and be constructed at least two inches thick (minimum compacted thickness) over the prepared crushed surfacing top course, or asphalt treated base. Asphalt concrete over two inches thick shall be placed in equal lifts not to exceed two inches each.
- E. Portland cement concrete streets will be constructed as specified in Section 5-05 of the Standard Specifications.

13.20.260 Excavation and Backfill. The following requirements shall apply to any excavation and backfill within any public right-of-way, easement, or private street.

- A. No pavement cuts shall be made on any street or driveway constructed of asphalt cement concrete or Portland cement concrete, unless approval has been granted by the Director. Pavement cuts shall be made by sawcuts. Pavement cuts for road maintenance activities and small utility windows may be made by alternate methods if approved by the Director.
- B. Trenching operations shall not proceed more than 100 feet in advance of pipe laying. Backfilling and surface restoration shall closely follow installation of pipe so that not more than 100 feet of trench is left exposed at any time.
- C. Excavation operations shall be in conformance with the Washington Industrial Safety and Health Administration (WISHA) and the Office of Safety and Health Administration (OSHA) Safety Standards.
- D. Trenches shall be restored and open to traffic during non-working hours.
- E. Pipe cover, measured from the finished grade elevation to the top of the outside surface of the pipe, shall be 3 feet minimum unless approved by the Director.
- F. Gravel backfill for pipe bedding shall be installed in conformance with Section 2-09 of the Standard Specifications (WSDOT). Native material shall not be used for bedding, unless approved by the Director.

- G. Bedding and backfill material shall be placed and compacted around and under the ~~sewer~~-utility pipe by hand tools. Special precautions shall be provided to protect the pipe to a point 12 inches above the crown of the pipe.
- H. All excavations shall be backfilled with crushed surfacing top course (5/8" minus), controlled density fill, or ~~imported gravel base~~backfill, ~~class B~~ in conformance to Section 9-03.12(3) of the Standard Specifications. All backfill material shall be placed and compacted in maximum 6-inch lifts to 95% of standard density except controlled density fill, which has no compaction requirement. Native material shall not be used for backfill unless approved by the Director. Utility windows (potholes) shall be backfilled with either crushed surfacing top course (5/8" minus) or controlled density fill.
- I. All excess material shall be hauled offsite. It is the applicant's responsibility to dispose of this material at a proper facility.

13.20.265 Street Patching and Restoration.

- A. Temporary restoration of trenches shall be accomplished by using MHA Class ½ inch Asphalt Concrete Pavement, medium-curing (MC-250) Liquid Asphalt (cold mix), or Asphalt Treated Base (ATB). After compacting, the trench must be filled flush with the existing pavement surface to provide a smooth riding surface. Steel plates may be used as temporary restoration if approved by the Director.
- B. All temporary patches shall be maintained by the applicant until such time as the permanent pavement patch is in place.
- C. If the applicant fails to maintain a patch, the City may repair the patch and charge the applicant any costs incurred.
- D. The depth of asphalt pavement restoration shall be a minimum of 3-inches (compacted thickness) asphalt concrete MHA Class 1/2 inch. When existing asphalt thickness is found to be greater than 2-inches, asphalt pavement restoration shall be a minimum of 4-inches (compacted thickness), placed in maximum 2-inch lifts.
- E. The depth of Portland cement concrete pavement restoration shall be a minimum of 6-inches or the existing pavement thickness, whichever is greater.
- F. The pavement restoration shall extend a minimum of 24-inches (each side) from the outer limits of the disturbed soil. At no time will a longitudinal patch edge fall on the wheel path of a traveled way. All longitudinal patch edges shall fall on either the edge of pavement, the center or edge of a travel lane. All transverse patch edges shall be perpendicular to the roadway.
- G. The applicant must restore any damage resulting from his activity. The City may impose additional restoration requirements in order to mitigate any damages.
- H. Tack shall be applied to the existing asphalt pavement edge of cut and shall be emulsified asphalt grade CSS-1 as specified in Section 9- 02.1(4)A of the Standard Specifications. Tack coat shall be applied as specified in Section 5-04 of the Standard Specifications.
- I. All street surfaces, walks or driveways within the excavation areas affected by the pavement cuts shall provide a smooth riding connection and drainage flow for the newly paved surface.

- J. The surface smoothness requirements of Section 5-04.3(13) of the Standards Specifications shall apply to the transition between the new and existing pavement. Any restoration failing to conform to the surface smoothness requirements shall be corrected by removal and replacement.
- K. All joints shall be sealed using liquid asphalt in accordance with WSDOT standard specifications AR4000W.
- L. When excavating within the roadway shoulder(s), the shoulder shall be restored to its original or better condition. Gravel shoulders shall at a minimum be restored with 2 inches of crushed surfacing compacted to 95% maximum density.
- M. The final patch shall be completed within 30 days after first opening the trench. Additional time may be granted by the Director in the event of inclement paving weather or other adverse conditions.

Article 3. Emergency Vehicle Access

13.20.310 General. Emergency vehicle access (EV access) shall be provided from a public or private street to a parcel(s) of land that has a facility on it. EV access shall be required for every facility hereafter constructed, altered or installed and shall extend to within 150 feet to any portion of the facility as measured by an approved route around the exterior. Emergency vehicle access shall be provided and maintained in accordance with this Article. The provisions of this Article shall be enforced in conformance with the UPMC Title 14.

13.20.320 Modifications.

- A. When buildings are protected with an approved automatic fire sprinkler system, the provisions of this Article may be modified.
- B. When a site is constrained due to topography, waterways, nonnegotiable grades, or other similar conditions, the Director, after conferring with the Fire Marshal, may modify the requirements of this article to provide an equivalent means of fire protection and EV access.

13.20.330 Exceptions. The provisions of this section do not apply to the following:

- A. All common residential accessory buildings similar to Group U occupancies (private garages, carports, sheds, some agricultural buildings, tanks, towers and fences over six feet tall) as defined by the most current edition of the Building Code as adopted by the City;
- B. A remodel, or alteration of existing uses or structures if the proposed change is not classified as a 'Major Improvement'.

13.20.340 Additional Access. More than one EV access may be required when the access is impaired by vehicle congestion, adverse terrain or climatic conditions, or other factors that could limit access.

13.20.350 EV Access Specifications.

- A. Width. EV access serving one or two dwelling units shall be -15 feet or more. EV access for all other projects shall be not less than 20 feet with no parking allowed, 28 feet with parking on one side, and 32 feet with parking on both sides.
- B. Vertical Clearance. EV access shall have an unobstructed vertical clearance of not less than 13 feet six inches.
- C. Surface. EV access shall be paved and shall be designed and maintained to support the imposed loads of fire apparatus. Alternate all-weather surfacing may be considered. Individual single-family or duplex EV access surface treatment may be compacted crushed rock surfacing. ~~gravel.~~
- D. Turning Radius. A minimum outside turning radius of 45 feet and a minimum 20 foot inside turning radius shall be provided for all EV access.
- E. Turnarounds. A dead end EV access in excess of 150 feet in length shall be provided with a turnaround conforming to the cul-de-sac or hammerhead requirements set forth in UPMC 13.20 Article 2.

- F. Grade. The maximum street grade (profile) of an EV access shall be 15 percent. All sections of EV access with grades of over 12 percent shall be paved with a minimum of 2-inches, compacted depth, of asphalt concrete, or equivalent.
- G. Bridges and elevated structures. All bridges and elevated structures, including drainage structures, on an EV access shall be constructed in accordance with AASHTO Standards Specified for Highway Bridges. Bridges and elevated structures shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.
- H. Gates. If not otherwise prohibited, a gate may be installed in compliance with the following provisions:
1. Locked gates shall have rapid entry capabilities compatible with the local fire district requirements.
 2. Electric gates will have an Opticom activation system and Knox key switch.
 3. All electrically activated gates will have default capabilities to the unlocked position and swing or move freely in the event of power loss.
 4. The minimum EV access width of a gate shall be 12 feet for one-way access and 20 feet for two-way access.
 5. Gates shall be constructed in a manner that does not permit obstruction from the accumulation of snow.
 6. Gates shall be set back a minimum 35 feet from the edge of the right-of-way ~~street providing service~~. A turnaround immediately outside the gate may be required if determined necessary by the Director.
- I. Obstruction. The required width of an EV access shall not be obstructed in any manner, including parked vehicles. Minimum required widths and clearances established under these standards shall be maintained at all times.
- J. Signs. When required by the Director, approved signs or other approved notices shall be provided and maintained for EV access to identify such streets and prohibit the obstruction thereof, or both. "No parking – Fire Lane" signs shall be installed in conformance with the MUTCD and the fire code as adopted in UPMC Title 14.

13.20.360 EV Access Approval. EV accesses shall be constructed and approved prior to issuance of the building permit for which access is required.

Article 4. Sidewalks, Curbs and Gutters

13.20.405 General. Sidewalks, curbs, and gutters shall be constructed in conformance with this Article.

13.20.410 Purpose.

- A. To provide a safe walking area for pedestrians.
- B. To mitigate the impacts of development generated traffic on existing pedestrian traffic.
- C. To provide a vertical separation between the vehicular traveled way and the pedestrians and roadside features.
- D. To provide for the conveyance of roadway storm water.

13.20.415 Sidewalks. Sidewalks shall be constructed of Portland cement concrete conforming to the standard specifications and be a minimum of four inches thick except in driveway approaches where the minimum thickness shall be six inches. When the sidewalk, curb and gutter are contiguous, the width of the sidewalk shall be measured from back of curb to back of sidewalk.

- A. **Arterial Streets.** Sidewalks, curbs and gutters are required on both sides of all arterial streets interior to the development. Sidewalks, curbs and gutters are also required on the side of streets abutting the exterior of the development. Arterial streets for purposes of this subsection shall include major arterials, secondary arterials, collector arterials, and neighborhood collector arterials.
- B. **Local Access Streets.** Sidewalks are required on both sides of local access streets which are interior to the development and on the side of local road feeder and local road minor streets abutting the exterior of the development including cul-de-sacs.
- C. The design and construction of all sidewalks, curbs, and gutters shall conform to the street design standards at Article 2, Table II and the University Place Standard Notes and Details. The design of all sidewalks shall provide for a gradual rather than an abrupt transition between sidewalks of different widths or alignments.
- D. Form and subgrade inspections by the City are required before sidewalk is poured. The applicant shall request the inspection a minimum of 24-hours in advance.
- E. Monolithic pour of curb, gutter and sidewalk will not be allowed.
- F. Driveways shall be constructed in conformance with Article 2.

13.20.420 Pedestrian Guardrails. Pedestrian guardrails are required where the walking surface is 30 inches or more above an adjacent grade. The top of guardrails shall be not less than 42 inches in height above the walking surface. Open guardrails shall have balusters or an ornamental pattern such that a 4-inch sphere cannot pass through, and shall be constructed so as to not create a readily climbable ladder effect. Top rails shall be designed to resist a force of 50 lbs per lineal foot applied horizontally at a right angle to the rail. Intermediate rails, fillers and connections shall be capable of resisting a force of 25 lbs per square foot applied horizontally at right angle over the entire tributary area. Reactions due to loading of top rail and intermediate loads need not be combined.

13.20.425 Joint Use Facilities. Joint pedestrian and bicycle facilities shall be a minimum ten feet wide travel way with necessary drainage and illumination. The joint bicycle/pedestrian facility shall be concrete.

13.20.430 Accessibility. All sidewalks must be constructed to provide for accessibility in accordance with the American with Disabilities Act (ADA) requirements and WSDOT the Standard Specifications.

13.20.435 Curb and Gutter. Cement concrete curb and gutter shall be used for all street edges unless otherwise approved by the Director.

- A. All curbs and gutters shall be constructed of Portland cement concrete in conformance with Section 8-04 of the Standard Specifications.
- B. Form and subgrade inspections are required before curb and gutter are poured. The applicant shall notify the Director request the inspection -24 hours in advance.

13.20.440 Bus Pads. Bus stop pads shall be installed in conformance with Pierce Transit specifications.

Article 5. Paved Shoulders/Bicycle Lanes

13.20.510 General. Paved shoulders/bicycle lanes are required along all major, secondary, collector and neighborhood collector arterial streets and any designated bicycle route on streets otherwise classified and shall be constructed in accordance with this Chapter. ~~This requirement is consistent with the policies and goals of the Growth Management Act and the City's Comprehensive Plan.~~

13.20.520 Purpose.

- A. To enhance the safety of pedestrians by providing a horizontal buffer from vehicular traffic.
- B. To enhance the safety of all modes of travel by providing for the discharge of stormwater away from the vehicular traveled way thereby reducing side splash, spray to following traffic, and hydroplaning.
- C. To enhance the safety of bicyclists by providing a travel path separate from motorists and pedestrians.
- D. To increase the mobility and safety at driveways and intersections by providing increased sight distance and greater effective turning radii.
- E. To increase the mobility of emergency vehicles by providing additional area for maneuvering around traffic.
- F. To provide additional area for motorists to make evasive maneuvers.
- G. To provide for the uniform development of the City arterial street system.

13.20.530 Design Standards. The design and construction of paved shoulders/bicycle lanes must meet the following requirements:

- A. Frontage improvements along arterial streets or designated bike routes must include paved shoulders/bicycle lanes as part of the improvements in order to accommodate the traffic generated by the development and to mitigate the effects of the traffic generated by the development on existing vehicular, pedestrian and bicycle traffic.
- B. The pavement section for paved shoulders/bicycle lanes shall be designed to accommodate the traffic loading of the street. The construction standards of streets shall also apply to the paved shoulders/bicycle lanes.
- C. Pavement markings for paved shoulders/bicycle lanes shall conform to the University Place Standard Notes and Details.
- D. Paved shoulders/bicycle lanes shall be a minimum of 5 feet wide.
- E. The Director may allow the construction of a joint pedestrian bicycle facility along major arterials in lieu of the construction of a paved shoulder/bicycle lane. This will be based on topographic constraints and traffic conditions. Joint use facilities shall be constructed in conformance with Article 4 of this Chapter.

Article 6. Illumination

13.20.610 General. Any applicant required to construct or improve arterial streets shall install street lights in accordance with this Article. Street lighting located on private properties shall be under a recorded maintenance agreement and maintained by the homeowners' association or property owner.

13.20.620 Purpose. To increase the safety to motor vehicles, pedestrians, and bicyclists along arterial streets.

13.20.630 Design Standards. A street lighting plan submitted by the applicant and approved by the Director shall be required for all street light installations. All public street light designs shall be prepared by an engineer licensed to practice in the State of Washington.

A. Street Lights. Street lights shall meet the following requirements:

1. Streetside lighting shall consist of 16 foot high, round tapered pole with decorative base and luminaire, in accordance with the University Place Standard Notes and Details.
2. Median lighting shall consist of 35 foot high, round tapered pole with decorative base, luminaire, and decorative mast arms in accordance with the University Place Standard Notes and Details.
3. Poles shall be positioned to provide a minimum 24-inch clearance between the edge of the pole base and the vertical face of the curb.

B. Spacing. Spacing will be determined using the following criteria:

AVERAGE MAINTAINED HORIZONTAL ILLUMINATION (FOOT CANDLES)

Road Class

Neighborhood Collector Arterial	0.6
Collector Arterial	0.6
Secondary Arterial	0.8
Major Arterial	0.8

Uniformity Ratio: 6:1 average: minimum for local
4:1 average: minimum for collector
3:1 average: minimum for secondary and major arterial

Dirt Factor = 0.85, lamp lumen depreciation factor – .073

Minimum Weak Point Light = 0.2fc except residential local street

Average Illumination at Intersections = 1.5 times the illumination required on the more highly illuminated street

400 watt initial lamp lumens	=	50,000
200 watt initial lamp lumens	=	22,000
150 watt initial lamp lumens	=	16,000
100 watt initial lamp lumens	=	9,500

Line loss calculations shall show that no more than five percent voltage drop occurs in any circuit. Lamp load factor shall equal 1.2.

All street light electrical installations including wiring conduit and power connections shall be located under-ground.

13.20.640 Warranty and Testing.

All street light systems shall be subject to an electrical inspection. Lamp, photocell and fixture shall be under warranty for a period of two years.

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Article 7. Traffic Control Devices

13.20.710 Signing. The applicant is responsible for furnishing and installing all required signage. All signage shall conform to the MUTCD. Street designation signs shall be approved by the Director prior to installation.

13.20.720 Signals. Signals shall be installed in accordance with this Article. This work shall consist of furnishing and installing a complete and functional traffic control system of controllers, signals, 3M Opticom systems and appurtenances as required by the Director.

A. Design Standards.

1. Signal system shall be designed in accordance with the specifications as set forth in the WSDOT Design Manual and WSDOT/APWA Standard Specifications.
2. All signal designs shall be prepared by an engineer licensed by the state of Washington.

B. Induction Loops.

Induction loops shall be constructed per Standard Specification 8- 20.3(14)C and the following:

1. Loops shall not be cut into final lift of new asphalt.
2. Loops cut into existing asphalt shall be sealed with 3M 3000 sealant or current WSDOT Standard Specification.

C. Warranty and Testing.

1. All signals shall be subject to any necessary electrical inspections as well as requirements as set forth in the WSDOT Design manual and the WSDOT/APWA Standard Specifications.
2. A signal system shall not be approved or accepted by the City until the signal has performed correctly to the City's satisfaction for a 30-day "check-out" period as outlined below.
3. Controller and cabinet testing may be required by WSDOT District 3 laboratory and/or the City. All specifications and materials samples shall be submitted to the City for review and approval prior to installation.
4. Signal equipment shall be under warranty for a period of two years.

D. Check-Out Procedure.

1. The contractor shall call for an intersection "check-out" after completing the controller cabinet installation along with all other signal equipment complete with wiring connections.
2. New signals shall operate without any type of failure for a period of 30 days. The contractor shall have a representative available to respond to system failure within 1 hour during the 30-day "check-out" period.
3. Failure of any control equipment or hardware within the "check-out" period shall restart the 30-day period.

13.20.730 Roundabouts. The Federal Highway Administration document *Roundabouts: An Informational Guide* shall be utilized in the design of roundabouts. Signage and pavement markings shall be in conformance with the MUTCD. Central islands shall be landscaped in accordance with UPMC 13.20 Article 8.

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Article 8. Roadside Features

13.20.810 General. Roadside features shall be designed and placed in accordance with the requirements below and the University Place Standard Notes and Details.

13.20.820 Survey Monuments.

- A. Survey monuments installed in major arterials, secondary arterials, bus routes and truck routes shall be precast concrete monuments with cast iron monument cases and covers installed per the University Place Standard Notes and Details.
- B. Survey monuments installed in collector arterials, neighborhood collector arterials, local feeder streets and local minor streets shall be poured-in-place concrete surface monuments per the University Place Standard Notes and Details.
- C. Monument Locations. Monuments shall be placed as follows:
 - 1. At all street intersections;
 - 2. At the points of curvature (PCs) and points of tangency (PTs) of all horizontal curves or at the point of intersection (PI) if it lies in the traveled roadway;
- D. The monument case shall be installed after the final course of surfacing has been placed.
- E. All existing survey control monuments which will be disturbed or destroyed during construction shall be referenced prior to construction and replaced after construction by a professional land surveyor licensed to practice in by the State of Washington. The monuments shall be replaced with the proper type as outlined in subsections (A) or (B) above at the expense of the applicant.

13.20.830 Bus Stops, Shelters, and Amenities.

- A. Bus stops, pull outs, shelters and other associated amenities are required improvements for new developments where determined necessary by Pierce Transit, the appropriate school district, or the Director and shall be constructed in accordance with the University Place Standard Notes and Details or the specific requirements of these agencies.
- B. Pierce Transit shelters shall be maintained by Pierce Transit. School bus stop shelters shall be maintained by the subdivision's homeowners' association or apartment owner, which ever is appropriate.
- C. Concrete walkways shall be constructed linking subdivisions and developments to peripheral streets with bus stops. Developments enclosed by walls or fences shall provide openings or gates for walkways to provide direct access between developments and bus facilities.

13.20.840 Mailboxes.

- A. Mailboxes shall be installed in accordance with the requirements of the U.S. Postal Service.
- B. During construction, existing mailboxes shall be accessible for the delivery of mail or, if necessary, moved to a temporary location. Temporary relocation shall be coordinated with the U.S. Postal

Service. The mailboxes shall be reinstalled at the original location or, if construction has made it impossible, to a location as outlined below and approved by the U.S. Postal Service.

- C. Mailboxes shall be positioned to provide a minimum clearance of 18 inches between the back of curb and front edge of the mailbox and a clearance equal to the width of the sidewalk between the back edge of the mailbox and the back of walk. See the University Place Standard Notes and Details.
- D. Clustered mailboxes may be required for developments. Contact the U.S. Postal Service for details.

13.20.850 Guard Rails. For purposes of design and location, all guard rails along roadways shall conform to the criteria of the current edition of the Washington State Department of Transportation Design Manual and the Standard Specifications.

13.20.860 Rock Walls. ~~Rock walls constructed in the right-of-way shall be in conformance with the University Place Standard Notes and Details.~~ Any rock wall constructed in a right-of-way over 30 inches high in a fill section, over 6 feet high in a cut section, or any height subject to a surcharge must be designed by a geotechnical engineer. An engineered design may also be required if site specific conditions exist that would compromise the integrity of the wall. The geotechnical engineer shall continuously inspect the installation of the wall as it progresses and shall submit to the Director inspection reports, including compaction test results and photographs taken during the construction, documenting the techniques used and the degree of conformance to the geotechnical engineer's design.

13.20.870 Right-of-Way Landscaping and Irrigation.

- A. Applicants required to construct medians or planter strips within the City right-of-way shall install landscaping and irrigation systems in accordance with this section.
- B. Purpose.
 - 1. To enhance the safety and comfort of pedestrians and motorists by providing a physical barrier and horizontal separation between vehicular traffic streams and between vehicular traffic and pedestrians and by reducing vehicular speeds.
 - 2. To enhance the appearance of City streetscapes by the inclusion of uniform plantings.
- C. Landscaping requirements.
 - 1. All plant material shall meet or exceed ANSI Z60.1-1996 American Standards for Nursery Stock.
 - 2. Trees shall be centered in the planter strip or median. Trees shall be spaced 30 feet on center. Tree spacing may be adjusted slightly to allow a 10-foot clear zone on either side of a driveway or streetlights.
 - 3. Trees may be comprised of a mixture of sizes but shall be fully branched, meet street tree standards, and have a minimum caliper of 2 inches and a minimum height of 10 feet at the time of planting.
 - 4. The tree-planting ratio shall be three street trees to one accent tree.

5. Root barriers shall be provided for all trees located within 5 feet of sidewalks, curbs or pavement and shall be a minimum of 24 inches in depth and 14 feet in length, installed per the manufacturer's recommendations.

6. All ground areas not planted with trees, shall be planted with shrubs and groundcover in the medians and with groundcover in the planter strips. ~~River rock may be substituted for shrubs and groundcover if approved by the Director.~~

6.

7. Shrubs may be comprised of a mixture of sizes but shall be not less than a 2 gallon container size at time of planting. Shrubs shall be planted at a minimum density of five shrubs per one hundred square feet.

8. Groundcover shall be planted to achieve a minimum-planting area coverage of 80 percent within 3 years of installation and shall achieve 100 percent coverage within 5 years of installation.

9. Bark mulch shall be installed around all trees, shrubs, and groundcover to a depth of 3-inches.

D. Approved right-of-way landscaping species.

1. **Street Trees**

~~Sweet Gum – Liquidambar styraciflua~~

Red Oak – Quercus rubra

Red Maple – Acer rubrum

Canada Hemlock – Tsuga Canadensis (use only where sight distance is not an issue)

Green Ash – Fraxinus pennsylvanica

Hornbeams – Caprinus betulus

Linden – Tilia cordata, Tilia americana

2. **Accent Trees**

Norway Maple – Acer platanoides

Crabapple – Malus (many species available)

Carriere Hawthorn – Crataegus lavalleyi

Downy Serviceberry – Amelanehier canadensis

Ornamental Pears – Pyrus calleryana

Japanese Black Pine – Pinus thunbergii

Austrian Pine – Pinus nigra

Flowering Plum – Prunus cerasifera

Flowering Cherry – Prunus spp. (use only in planting areas 8 feet or wider)

3. **Shrubs**

Photina – Photinia fraseri

Viburnum – Viburnum spp.

Japanese Privet – Ligustrum japonicum

Smooth Sumac – Rhus glabra

Dogwood – Cornus spp.

English Laurel – Prunus laurocerasus

Rock Rose – Cistus spp.

Mock Orange – Philadelphus lewisii

Evergreen Huckleberry – *Vaccinium ovatum*
Heather – *Calluna* spp.
Heath – *Erica* spp.

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4. Groundcover

Wintercreeper – *Euonymus fortunei*
Saint Johns Wort – *Hypericum calycinum*
—Cotoneaster – *Cotoneaster* spp.
Japanese Spruce – *Pachysandra terminalis*
Kinnikinnick – *Arctostaphylos uva-ursi*

- E. Exceptions to the planting theme may be made by the Director. Exceptions include but are not limited to screening industrial areas, planting around historical sites, planting native or drought resistant species, maintaining natural vegetation that better serves as street landscaping or beautification.
- F. An irrigation plan is required to ensure that the planting will be watered at a level sufficient to ensure plant survival and healthy growth. All landscaped areas must provide a permanent underground irrigation system with an automatic controller plus an overriding rain switch. Battery powered systems are not allowed. Irrigation systems shall be designed by a certified irrigation designer. The irrigation plan shall be submitted for approval as part of the landscaping plan. All pipe used in irrigation system shall be schedule 40 pvc.
- ~~G. The applicant is required to pay all water system fees and charges associated with installation of an irrigation system. This includes the ongoing fee for the water used to irrigate the landscaping. The applicant is responsible to ensure that the account is in his/her name.~~
- G.
- H. Landscape plans shall be prepared by a Washington State registered landscape architect, a Washington state certified nursery person, or a Washington state certified landscaper. The landscape plans must be approved prior to permit issuance. Right-of-way landscaping may be incorporated into the landscaping plans for the entire development. Landscaping plans shall conform to the requirements of UPMC 19.65.
- I. Landscaping and irrigation installed as a condition of development shall be maintained and all utility fees and charges paid in perpetuity by the development property owner(s). A maintenance covenant shall be recorded prior to permit issuance. Any installed plant material located within required landscape areas that dies shall be replaced during the spring or fall growing season following plant loss but not later than 180 days from time of loss.
- J. Following the installation of the landscaping and irrigation system the person or persons who prepared the planting and irrigation plans shall submit, within 30 days, a signed affidavit that the landscaping and irrigation system has been installed per the approved plans and shall submit a signed set of as-built plans. The City will conduct an inspection prior to final approval of the landscaping.

13.20.880 Temporary Right-of-Way Signs, Street Banners and Decorations.

- A. Signs, street banners, or decorations may be permitted in City right-of-way only to promote bona fide community events. A bona fide community event is a carnival, circus exhibition, fair, farmers' market, festival, fiesta, parade, holiday celebration, or other community or regional celebration or event that may be of interest to the entire City or a substantial portion thereof.

B. Any temporary right-of-way sign permit shall be subject to the following conditions:

1. Signs, street banners, or decorations shall not promote or advertise the sale of any product, service, or commodity except that ten percent (10%) of a sign may contain sponsor information. The remaining ninety percent (90%) will contain information promoting the community event or celebration.
2. Signs, street banners, or decorations shall not advertise or promote any religious or political message, except that political signs are regulated under UPMC 19.75.
3. The City may remove any sign, street banner, or decoration if it obstructs any traffic sign, interferes with the safe movement of traffic, or otherwise interferes with the public health, safety or welfare.

C. Additional conditions for signs. Additional conditions for temporary signs placed in the City right-of-way are as follows:

1. Signs in the right-of-way shall be located as close as possible to the outside edge of the right-of-way.
2. The size of temporary right-of-way signs shall be as set forth for temporary signs as provided in UPMC 19.75, except for street banners which are regulated below.
3. No sign shall obstruct safe visibility for vehicular or pedestrian traffic, or obstruct the clear-view triangle as described in UPMC 13.20 Article 2.
4. All temporary right-of-way signs must be removed within three working days after the expiration of the permit. If the applicant fails to remove the sign in the time required, the City may remove the sign and the applicant will not be eligible for another temporary right-of-way sign permit for 12 months.

D. Additional conditions for street banners and decorations. Additional conditions for temporary street banners or decorations placed in the City right of way are as follows:

1. Street banners and decorations shall be mounted and removed only by authorized City personnel on City owned street light poles or other City owned facilities approved by the Director for that purpose.
2. No more than ten City street light poles shall be affixed street banners at any one time unless the banners are owned by the City.
3. No street banner or decoration shall obstruct safe visibility for vehicular or pedestrian traffic, or obstruct the clear-view triangle as described in Section 13.20 Article 2.
4. Street banner or decoration shall not interfere with any planned City street banner or decoration.
5. No street banner or decoration may be hung across the traveled portion of any public right-of-way.

6. Street banners and decorations shall be constructed in accordance with the University Place Standard Notes and Details with respect to size, height and width, pole and pole attachments, quality of banner material, vertical clearance, and wind load support.

6.

[ds7]

Chapter 13.25 Surface Water Management

Article 1. General Considerations

13.25.110 General.

13.25.120 Design Standards.

Article 2. Storm Drainage.

13.25.210 Design.

13.25.220 Construction.

13.25.230 Excavation and Backfill.

13.25.240 Street Patching and Restoration.

13.25.250 Roof Downspout Controls.

13.25.260 Storm Drainage Inventory.

13.25.270 Operation and Maintenance.

Article 3. Erosion Control

13.25.310 General.

13.25.320 Maintenance.

13.25.330 Erosion and Sediment Control/Road Cleaning Financial Guarantee.

13.25.340 Final Stabilization.

Article 1. General Considerations

13.25.110 General. This chapter sets forth the minimum surface water management requirements for the City of University Place. Surface Water Management includes the design, construction, operation and maintenance of storm drainage and erosion control facilities and practices.

13.25.120 Design Standards.

- A. The King County Surface Water Design Manual (KCSWDM) and the portions of the King County Road Standards referenced therein are hereby incorporated into this chapter. The King County Surface Water Design Manual sets forth the drainage and erosion control requirements as supplemented herein. In these documents, all references to King County or the County shall be construed to refer to the City of University Place; all references to The King County Department of Development and Environmental Services (DDes) or the Water and Land Resources Division of the King County Department of Natural Resources (WLR), shall be hereby revised to read the City of University Place Community Development Department or such other Department as the City Manager may designate to enforce this Chapter.
- B. The design standards shall be applied in the following hierarchy of precedence:
1. University Place Municipal Code
 2. King County Surface Water Design Manual
 3. King County Road Standards
 4. Washington State Department of Transportation (WSDOT) Standard Specifications for Road, Bridge, and Municipal Construction.
 5. WSDOT Design Manual
 6. WSDOT Construction Manual

- C. The term “Critical Drainage Area” in the King County Surface Water Design Manual shall have the meaning of “Critical Area” as defined in UPMC 13.05, Article 2 and classified in UPMC Title 17.
- D. The term “Landslide Hazard Drainage Area” in the King County Surface Water Design Manual shall have the meaning of “Landslide and erosion hazard area” as defined in UPMC 13.05 Article 2 and classified in UPMC Title 17.
- E. A site development permit is added to the permits and approvals listed in Section 1.1.1 of the King County Surface Water Design Manual.

Article 2. Storm Drainage.

13.25.210 Design.

- A. When a storm drainage report is required, it must include any relevant data from the City comprehensive storm water plan.
- B. Any development within the Leach or Chambers Creek drainage basins shall be held to a Level 2 flow control standard as defined in the KCSWDM.
- C. Any development in the Morrison Pothole drainage basin shall be held to a Level 3 flow control standard as defined in the KCSWDM.
- D. Certain portions of the storm system on 27th Street West within the Day Island Waterway Basin is identified as a Conveyance System Nuisance Problem (Type 1 downstream problem) as defined in the KCSWDM. Additional flow control, as identified in the KCSWDM, or system improvements are required for development projects that are tributary drain to the deficient portions of the system.
- E. For the purpose of rainfall modeling, the City of University Place will be considered to have the same rainfall characteristics as the City of Federal Way.

13.25.220 Construction. All workmanship and materials shall be in accordance with the UPMC, KCSWDM, King County Road Standards, and the Standard Specifications.

13.25.230 Excavation and Backfill. All excavation and backfill of storm drainage facilities shall be in conformance with UPMC 13.20.260.

13.25.240 Street Patching and Restoration. All street patching and restoration shall be in conformance with UPMC 13.20.265.

13.25.250 Roof Downspout Controls. Roof downspout systems that tie into storm drainage facilities shall be constructed in accordance with the Plumbing Code as adopted by UPMC Title 14 and the following criteria:

- A. Connections to the storm drainage facility must be made at a catch basin. Connections made in the right-of-way or public easement require a right-of-way permit.
- B. Roof downspouts systems installed in conjunction with work performed under a building permit will be administered under that permit.

13.25.260 Storm Drainage Inventory. All new and modified storm drainage facilities will be mapped on the University Place G.I.S. inventory system. The Storm Drainage Inventory fee must be paid by the applicant at the time of permit issuance to compensate the City for this activity.

13.25.270 Operation and Maintenance. Operation and maintenance of all drainage facilities is the responsibility of the applicant or property owner, except for those facilities for which the City assumes operation and maintenance responsibility as described below.

A. Drainage facilities to be maintained by private parties.

1. Prior to permit issuance, the applicant shall be required to record a storm drainage maintenance agreement and restrictive covenant with the Pierce County Auditor. The form for this document is available at the City of University Place permit counter. The Operation and Maintenance Manual, as described below, will be included as an attachment to the agreement.
2. All privately owned drainage facilities must be maintained as specified in ~~Appendix A and Chapter 6 of the~~ King County Surface Water Design Manual. A copy of the Operation and Maintenance Manual submitted as part of the permit application shall be retained on site and shall be transferred with the property to any new owner. The property owner(s) shall keep a record of all maintenance activity indicating when the maintenance occurred and where waste was disposed of. These records shall be available for inspection by the City. The City may inspect all privately owned drainage facilities for compliance with these requirements. If property owner(s) fail to maintain their facilities, the City may issue a written notice specifying required actions. If these actions are not performed in a timely manner, the City may enter the property to perform the actions needed. The property owner is responsible for the costs incurred by the City. In the event an imminent hazard to public safety or the environment exists, written notice may not be required. Actions performed by the City on privately owned drainage facilities do not constitute an official assumption of operation and maintenance of these facilities.
3. An easement must be recorded granting right-of-access to the City for all storm facilities in accordance with UPMC 13.10. The easement must also be depicted and described on the face of the plat, short plat, final development plan, or binding site plan.

B. Drainage facilities to be maintained by the City.

1. Drainage facilities to be owned and operated by the City must be located in a tract or right-of-way dedicated to the City. Access roads serving these facilities must also be located in the tract or right-of-way and must be connected to an improved public road right-of-way. Any dedications shall be in conformance with UPMC 13.10.
2. The City will provide written notification to the applicant, officially assuming maintenance and operation of these facilities only after each of the following has been met:
 - a) The design engineer has submitted a certification that the work has been completed per the approved design. The certification shall be as prescribed in UPMC 13.05.820.
 - b) The City has accepted a maintenance financial guarantee from the applicant or property owner as prescribed in UPMC 13.05 Article 6.
 - c) The City has issued a written, final approval of the constructed facility to the applicant or property

owner.

- d) A minimum of 85% of the homes in the development have been occupied.
- e) All of the public improvements required to be constructed by the applicant have been completed and accepted by the City.
- f) The storm drainage system is free of all sediment and debris.

UNOFFICIAL DOCUMENT

Article 3. Erosion Control

13.25.310 General. All proposed projects that will clear, grade or otherwise disturb a site must provide erosion and sediment controls to prevent, to the maximum extent possible, the transport of sediment from the project site to downstream drainage facilities, water resources, and adjacent properties. Both temporary and permanent erosion and sediment controls shall be designed, implemented and maintained as described in Section 1.2.5 and Appendix D of the King County Surface Water Design Manual.

13.25.320 Maintenance. All erosion and sediment control measures shall be maintained and inspected on a regular basis as prescribed in Appendix D of the KCSWDM. The applicant shall designate an erosion and sedimentation control (ESC) supervisor who shall be responsible for maintenance and inspection of the erosion and sedimentation control measures for compliance with all permit conditions relating to erosion and sediment control as described in Appendix D. The ESC supervisor will be responsible to submit reports to the City for each inspection of the site. Section D.5.4 of Appendix D of the King County Surface Water Design Manual sets forth the minimum schedule for erosion and sediment control reviews/inspections. For sites within or impacting sensitive areas, the City may require the ESC supervisor to be a licensed professional engineer with demonstrated expertise in erosion and sediment control. This professional shall be designated as a special inspector in conformance with UPMC 13.05 Article 7.

13.25.330 Erosion and Sediment Control/Road Cleaning Financial Guarantee. Prior to permit issuance, the applicant must submit to the City a financial guarantee, guaranteeing the performance and maintenance of the erosion and sedimentation control facilities. The financial guarantee shall be as specified in UPMC 13.05 Article 6.

13.25.340 Final Stabilization. Prior to obtaining final construction approval and the release of financial guarantees, the site shall be stabilized, structural erosion and sediment control measures (such as silt fences and sediment traps) shall be removed and the drainage facilities shall be cleaned as specified in Appendix D of the King County Surface Water Design Manual.

Chapter 13.30 Vegetation on Public Property

13.30.010 General.

13.30.020 Purpose.

13.30.030 Community Forestry Program.

13.30.040 Prohibition of Damaging Public Trees or Landscaping.

13.30.010 General. The regulations provided herein supplement the provisions of UPMC 13.20 Article 8, UPMC 19.65, and other City ordinances that require the planting and maintenance of trees and other vegetation within the City.

13.30.020 Purpose.

- A. To protect and preserve trees, shrubs, bushes, flowers and other landscaping on public lands and within the public right-of-way.
- B. To preserve and enhance the City's aesthetic character and maintain visual screening and buffering;
- C. To prevent landslides, accelerated soil creep, settlement and subsidence hazards;
- D. To preserve habitat to the greatest extent feasible;
- E. To minimize the potential for flooding, erosion, siltation or other forms of pollution in bodies of water or drainage courses;
- F. To enhance and encourage the planting of new trees within the City and improve the care and maintenance of trees on publicly owned land.

13.30.030 Community Forestry Program.

- A. **Tree Department.** The Public Works and Parks Operations Division of the Community Development Department is hereby designated as the City's Tree Department.
- B. **Community Forestry Plan.** The Tree Department shall work in conjunction with the City's Council Community and Economic Development Departments, and Committees and Commissions the Planning Commission, and the Park & Recreation Commission into developing a community forestry plan. The community forestry plan shall specify how the City can enhance, encourage, and require the planting of new trees within the City as well as improve the care and maintenance of trees on publicly owned land.
- C. **Care of Trees on Publicly Owned Property.** The Tree Department shall be authorized to maintain trees on publicly owned property. If the Public Works and Parks Director determines that a tree on publicly-owned property is likely to pose a threat to public health and safety, the Public Works and Parks Director shall may secure an assessment of the tree by an arborist, forester, or landscape architect. If the assessment indicates the tree is unhealthy or indicates that additional measures are required to ensure public safety, the Public Works and Parks Director is authorized to take reasonable action to preserve the tree. If the assessment indicates the tree should be removed, the Public Works and Parks Director is authorized to

remove the tree. In the event of an emergency, the Public Works and Parks Director is authorized to take immediate action to protect the health, safety, or welfare of the public.

D. **Annual Reports to Council Required.** The City Manager, or designee, shall provide the City Council with a report each year on the per capita dollar amount expended within the City's budget on the community forestry program.

E. **Arbor Day Observance.** The City Manager, or designee, shall provide for the celebration of Arbor Day each year within the City.

13.30.040 Prohibition of Damaging Public Trees or Landscaping.

A. No person shall cut, remove, top, damage, prune, or trim any tree, bush, shrub, flower or other landscaping located in the City on public land or in the public right-of-way without first having obtained a permit. A permit may be issued for the removal of trees or other vegetation on public land or right-of-way only if the vegetation is dead, terminally diseased or hazardous and has been certified as such by an arborist, forester, landscape architect, or the Director.

B. The following actions shall be exempt from the provisions of this Section provided that any areas disturbed by these actions are stabilized:

1. Removal of trees or other vegetation by the Community Development Department, Parks and Public Works Department, Fire District and/or public or private utility in emergency situations involving immediate danger to life or property, substantial fire hazards, or interruption of services provided by a utility.
2. Removal, cutting, pruning, or trimming of any vegetation that the Director determines to be of little value to the community. The Director shall judge value based on appearance and function.
3. Removal, cutting, pruning, or trimming of trees or other vegetation, which is approved by the Director and essential for the maintenance or development of public or private utilities, public rights-of-way, public easements, or public property.

C. Trees in the right of way must be protected during construction in accordance with the tree protection measures set forth in UPMC 19.65.