

ORDINANCE NO. 423

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATING TO THE TITLES AND DUTIES OF CITY DEPARTMENTS AND THE DIRECTORS THEREOF BY CONFORMING THE TITLES AND DUTIES OF THE DEPARTMENTS AND DIRECTORS IDENTIFIED IN THE UNIVERSITY PLACE MUNICIPAL CODE WITH RECENT ORGANIZATIONAL CHANGES IN THE CITY BY AMENDING MULTIPLE CHAPTERS OF THE UPMC TO CHANGE THE NAMES OF DEPARTMENTS AND TITLES OF DEPARTMENT DIRECTORS TO CONFORM TO THE NEW ORGANIZATIONAL STRUCTURE.

WHEREAS, in April 2004, the City of University Place organizational structure changed from three departments to two departments and corresponding changes were made in the titles of these departments; and

WHEREAS, various Titles and Chapters of the University Place Municipal Code need to be changed to reflect the titles under the new organizational structure; and

WHEREAS, this ordinance is necessary to ensure the proper and effective administration of the University Place Municipal Code;

NOW THEREFORE,

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

Section 1. Amending Chapter 2.20 of the University Place Municipal Code.
UPMC 2.20.070 is hereby amended and shall read as follows:

2.20.070 Report by Department.

When a land use application has been set for public hearing the planning and ~~e~~Community ~~d~~Development ~~d~~Department shall coordinate and assemble comments and recommendations of other city departments and governmental agencies having an interest in the subject application and shall prepare a report summarizing the factors involved and other appropriate departments' findings and recommendations. At least seven (7) working days prior to the scheduled hearing, the report shall be filed with the examiner and copies thereof shall be mailed to the applicant and shall be made available for use by any interested party at the cost of reproduction.

Section 2. Amending Chapter 2.35 of the University Place Municipal Code.
UPMC 2.35.040 is hereby amended and shall read as follows:

2.35.040 Organization.

The emergency management organization of the city shall include a disaster and emergency management team. The team shall be comprised of the city manager who shall serve as emergency management director; the deputy city manager; the community and economic development director; the administrative community services director; the public works director; the city attorney; and the city clerk.

Section 3. Amending Chapter 4.55 of the University Place Municipal Code.
The definition of "Department" and "Director" in UPMC 4.55.040 are hereby amended and shall read as follows:

...

4. "Department" means the city's ~~Planning and Community Development~~ Department

5. "Director" means the director of the ~~Department of Planning and Community Development~~ Department of the city, or the director's designated representative.

...

Section 4. Amending Chapter 5.05 of the University Place Municipal Code.
UPMC 5.05.070(C) is hereby amended and shall read as follows:

...

C. Submit all applications to the community and economic development department, the community services department, planning division, building division, and finance division, the police department, the fire district, and any other city department or division as necessary for their endorsements as to compliance by applicant with all city regulations which they have the duty of enforcing.

...

Section 5. Amending Chapter 5.05 of the University Place Municipal Code.
UPMC 5.05.090 is hereby amended and shall read as follows:

5.05.090 Inspections – Right of entry.

The city clerk or designee or authorized representative of the community and economic development department, specifically including the building official or inspector, the code enforcement officer, the police department, or the fire district, are authorized to make such inspections of licensed premises and take such action as may be required to enforce the provisions of any business license or regulation ordinance.

Section 6. Amending Chapter 5.10 of the University Place Municipal Code.
UPMC 5.10.030 is hereby amended and shall read as follows:

5.10.030 Definitions.

For the purposes of this chapter, words and phrases used herein as follows:

A. • "Applicant" shall mean any person or organization who seeks a special events permit to conduct or sponsor an event governed by this chapter.

B. • "Athletic event" shall mean an occasion in which a group of persons collect to engage in or watch a sport or form of exercise on private or public property and/or on a city street, sidewalk, alley, or other street right-of-way, which obstructs, delays, or interferes with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws or controls. Athletic events include, but are not limited to, bicycle and foot races.

C. • "Block party" shall mean a festive gathering on a private property or a street which may or may not require the closure of a street, or a portion thereof, to vehicular traffic, and/or use of the street for the festivity including barbecues, picnics, music or games.

• "Department" shall mean the community development department of the City of University Place.

D. • "Director" shall mean the director of ~~planning and community development~~ department of the City of University Place or appointed designee.

E. • "Other special event" shall mean events that are not typically allowed by the zoning district, which, because of the nature of the use, deserve special consideration and/or conditions to mitigate impacts. These events may include the following: street fair, arts

and crafts show, carnival, circus, or other similar transient amusement or recreational activities, block party, rally, dance, or other events that occur on private or public property and/or on a city street, sidewalk, alley or other public right-of-way.

F. • "Parade" shall mean a march or procession consisting of any number of persons, animals, or vehicles, or a combination thereof, on any city street, sidewalk, alley, or other right-of-way, which obstruct, delay or interfere with the normal flow of pedestrian or vehicular traffic, or does not comply with traffic laws and controls.

G. ~~"PCD" shall mean the planning and community development department of the City of University Place.~~

H. • "Permit application fee" shall mean the fee to be paid by the special events permit applicant at the time the application is filed with ~~the planning and community development department~~. Such fee shall be set by the city council.

I. • "Permittee" shall mean any person or organization who has been issued a special events permit by the ~~planning and community development department~~. The permittee shall have authority, subject to approval by the city, to determine participation in commercial activities during a special event.

J. • "Real estate sales event" shall mean a scheduled showcasing of a number of new houses in a subdivision for the purpose of viewing by interested parties and for sales promotion, which may, but not necessarily, require the closure of a street, or a portion thereof, to vehicular and/or pedestrian traffic. This definition does not include typical sales open houses for individual houses.

K. • "Refundable deposit" shall mean the amount of money required of a permittee by the ~~public works department~~ in order to assure adequate cleanup of the special event site. The deposit shall be returned to the permittee upon the completion of the event and approval of the ~~public works department~~.

L. • "Special events permit" shall mean the permit issued by ~~department~~ PCD after the applicant has met all applicable reviews and requirements set forth in this chapter.

M. • "Temporary structure" shall mean any structure which is moved onto or erected on a lot or right-of-way for the purpose of servicing a temporary event. Temporary structures include, but are not limited to: booths for tickets, games, vendors selling wares, and food or other concessions; tents, portable lavatories, gazebos, mobile offices or job shacks, etc.

Section 7. Amending Chapter 5.10 of the University Place Municipal Code.

UPMC 5.10.050 is hereby amended and shall read as follows:

5.10.050 Administration.

The director of the ~~planning and community development department~~ shall, after consultation with appropriate departments and agencies, have discretionary authority regarding special events permits. The director's discretion includes, but is not limited to: the determination of the types of events that need a special events permit; the need for liability insurance and the amount of coverage necessary. The director may approve, modify, or condition an application for a special events permit. The director may waive the time limits set for applications.

Section 8. Amending Chapter 5.10 of the University Place Municipal Code.

UPMC 5.10.060 is hereby amended and shall read as follows:

5.10.060 Permit Required.

Any person desiring to conduct or sponsor a special event in the City of University Place on private or public property, and/or which will necessitate the use of the public right-of-way, shall first obtain a special events permit from department PCD.

When such an event will be an exercise of rights protected by the First and Fourteenth Amendments to the United States Constitution, or Article I, Sections 3, 4, 5, or 11 of the Washington Constitution, the application shall be processed promptly, without charging a fee for political or religious activities or imposing terms or conditions that infringe upon constitutional freedoms, and in a manner that respects the liberties of applicants and the public.

Section 9. Amending Chapter 5.10 of the University Place Municipal Code.

UPMC 5.10.090 is hereby amended and shall read as follows:

5.10.090 Permit application.

A. A preapplication conference with staff is required prior to filing application materials with the department PCD. This conference is for the department PCD to provide the applicant with information on application requirements and for the applicant to describe the nature of the event to the department PCD.

B. Any person wishing to sponsor a special event shall apply for a special events permit by filing an application with the department PCD, at least 45 days prior to the date on which the event is to begin or occur.

C. The director shall issue the special events permit once the application has been approved after review of appropriate agencies to include police, fire, public works, building and planning, and others as determined by the director, and the applicant has agreed in writing to comply with the terms and conditions of the permit.

D. The director or designee shall, in consultation with appropriate city departments, review and decide upon each application for a special events permit.

Section 10. Amending Chapter 5.10 of the University Place Municipal Code.

UPMC 5.10.140(C) is hereby amended and shall read as follows:

...
C. The director ~~may~~ ~~has the authority to~~ require a refundable deposit in an amount determined by the director to be a reasonable estimate of the costs as suggested by the public works department for reimbursement of the costs for cleanup services.
...

Section 11. Amending Chapter 5.10 of the University Place Municipal Code.

UPMC 5.10.150(A) is hereby amended and shall read as follows:

...
A. As required by the director, the permittee shall provide the department PCD with proof of commercial general liability insurance generally in the amount of \$1,000,000 combined single limits per occurrence, and an endorsement naming the City of University Place as an additional insured must be provided.
...

Section 12. Amending Chapter 5.25 of the University Place Municipal Code.

UPMC 5.25.030(C) is hereby amended and shall read as follows:

...
C. Submit all applications to the Planning & Community Development Department, Planning Division, and Building Division, and/or the Fire District, as necessary, for their

endorsements as to compliance by applicant with all city regulations which they have the duty of enforcing.

...

Section 13. Amending Chapter 8.15 of the University Place Municipal Code.
UPMC 8.15.060(D) is hereby amended and shall read as follows:

...

D. Distribution. The Tacoma-Pierce County Humane Society will distribute each license to the following agencies:

1. Office of fire prevention and arson control;
2. City of University Place Community Services Department; building inspection division;
3. City of University Place Community Development Department; planning division;
4. The Tacoma-Pierce County Humane Society; and
5. Tacoma-Pierce County health department.

...

Section 14. Amending Chapter 8.15 of the University Place Municipal Code.
UPMC 8.15.100 is hereby amended and shall read as follows:

8.15.100 License renewal.

All license renewals shall be processed in the same manner as the original application except that a written statement from the city of University Place Community Development Department ~~planning division~~ and the Tacoma-Pierce County health department, as required in UPMC 8.15.040(B)(6) and (8), will not be required. License renewals shall require the applicant to prove that the facility is still used for the same category of kennel activity (commercial kennel or cattery, foster shelter/kennel/cattery, hobby kennel, grooming parlor, private kennel/cattery, or pet shop). Proof may be in the form of a business license, a bona fide membership in a purebred animal club, or other such evidence acceptable to the director of the Humane Society.

Section 15. Amending Chapter 9.05 of the University Place Municipal Code.
UPMC 9.05.040(C) is hereby amended and shall read as follows:

...

C. Exceptions to this chapter:

The Community Development ~~city public works~~ ~~Director~~, or his designee, may, when work is of urgent necessity and in the interest of public safety and convenience, permit construction noises and construction in public rights-of-way and public facilities at hours other than those listed in subsection (A). Any such permission shall be granted in writing.

...

Section 16. Amending Chapter 9.50 of the University Place Municipal Code. The definition of "Director" in UPMC 9.50.020 is hereby amended and shall read as follows:

...

4. "Director" means the Director of Community and ~~Economic~~ Development or his authorized designees.

...

Section 17. Amending Chapter 10.05 of the University Place Municipal Code. A new section, UPMC 10.05.040, is hereby added and shall read as follows:

10.05.040 Director to Administer Title. Director means the City of University Place Director of Community Development or duly authorized designee or representative. The Director shall administer the provisions of this Title.

Section 18. Amending Chapter 10.10 of the University Place Municipal Code.

UPMC 10.10.010 is hereby amended and shall read as follows:

10.10.010 Maximum speed limit of twenty-five miles per hour unless otherwise posted.
The maximum speed limit for all city streets is established as twenty-five miles per hour except where a lower or greater maximum lawful speed is established by ordinance of the city council upon the recommendation made by the ~~public-works~~ director after the completion of an engineering and traffic investigation pursuant to the authority granted in WAC 308-330-270 and RCW 46.61.415. No speed limit on city streets other than twenty-five miles per hour shall be enforced unless the speed limit is posted by signs pursuant to Chapters RCW 46.61 and WAC 308-330.

Section 19. Amending Chapter 10.10 of the University Place Municipal Code.

UPMC 10.10.020 is hereby amended and shall read as follows:

10.10.020 City ~~public-works~~ director to maintain list of city streets with posted speed limits other than twenty-five miles per hour.
The ~~city public-works~~ director shall file with the city clerk a list of all city streets where the maximum speed limit thereon has been posted at a speed other than twenty-five miles per hour. This list shall be made available to the public during all normal business hours. The maximum speed limit on all city streets not included in this list is twenty-five miles per hour as specified in Section 10.10.010.

Section 20. Amending Chapter 10.10 of the University Place Municipal Code.

UPMC 10.10.040 is hereby amended and shall read as follows:

10.10.040 Traffic-control devices.
The ~~city public-works~~ director is directed to post city streets with the proper traffic-control devices to regulate the maximum speed limits that are set by the city council by ordinance.

Section 21. Amending Chapter 10.10 of the University Place Municipal Code.

UPMC 10.10.050 is hereby amended and shall read as follows:

10.10.050 School zones.
The ~~city public-works~~ director is directed to mark school zone speed limits pursuant to RCW 46.61.440.

Section 22. Amending Chapter 10.20 of the University Place Municipal Code.

UPMC 10.20.010 is hereby amended and shall read as follows:

10.20.010 City manager authorized to appoint ~~public-works~~ director as city traffic engineer.
The city manager is hereby authorized to appoint the ~~public-works~~ community development director as the city's traffic engineer with the authority to perform all functions allowed in the Revised Code of Washington and Chapter 308-330 WAC.

Section 23. Amending Chapter 10.30 of the University Place Municipal Code.

UPMC 10.30.030 is hereby amended and shall read as follows:

10.30.030 Posting of signs.

The ~~director department of public works~~ shall post signs at each end of that portion of Chambers Creek Road subject to the weight limit and at other appropriate locations. This chapter shall not become effective until such signs are in place.

Section 24. Amending Chapter 10.35 of the University Place Municipal Code.

UPMC 10.35.080 is hereby amended and shall read as follows:

10.35.080 Signs.

The ~~director of public works or his designee~~ shall cause all truck routes and those streets upon which truck traffic is prohibited to be clearly sign posted to give notice that this ordinance is in effect.

Section 25. Amending Chapter 10.40 of the University Place Municipal Code.

UPMC 10.40.050 is hereby amended and shall read as follows:

10.40.050 Signage.

That the ~~director department of public works~~ is authorized to post such signage as may be appropriate, and consistent with the provisions of this ordinance.

Section 26. Amending Chapter 12.10 of the University Place Municipal Code.

The definition of "Department" in UPMC 12.10.015(F) is hereby amended and shall read as follows:

...

F. "Department" means the City of University Place Community Development Department. ~~of planning.~~

...

Section 27. Amending Chapter 12.10 of the University Place Municipal Code.

The definition of "Director" in UPMC 12.10.015(G) is hereby amended and shall read as follows:

...

G. "Director" means the ~~director of the City of University Place Department of Community Development Director~~ planning, other department directors specified in enforcement procedures established pursuant to this chapter, or any duly authorized representatives of the such directors.

...

Section 28. Amending Chapter 12.10 of the University Place Municipal Code.

UPMC 12.10.025(B) is hereby amended and shall read as follows:

...

B. Allowable Discharges. The following types of discharges shall not be considered prohibited discharges for the purpose of this chapter unless the ~~director of the department of planning~~ determines that the type of discharge, whether singly or in combination with others, is causing significant contamination of surface and storm water or ground water:

1. Potable water;
2. Potable water line flushing;
3. Uncontaminated water from crawl space pumps or footing drains;
4. Lawn watering;
5. Residential car and boat washing;
6. Dechlorinated swimming pool water;
7. Materials placed as part of an approved habitat restoration or bank stabilization project;

8. Natural uncontaminated surface water or ground water;
9. Flows from riparian habitats and wetlands;
10. The following discharges from boats: engine exhaust, cooling waters, effluent from sinks, showers and laundry facilities and treated sewage from Type I and Type II marine sanitation devices; and
11. Other types of discharges as determined by the director of the department of planning.

...

Section 29. Amending Chapter 12.10 of the University Place Municipal Code.
UPMC 12.10.025(C) is hereby amended and shall read as follows:

...

C. Exceptions.

1. Dye testing is allowable but requires verbal notification to the department of community development at least one day prior to the date of test; provided, however, the Pierce County health department is exempt from this requirement.
2. If a person has properly designed, constructed, implemented and is maintaining BMPs, and is carrying out AKART as required by this chapter and in the storm water BMP manual, and contaminants continue to enter surface and storm water or ground water, or the person can demonstrate that there is no additional contaminants being discharged from the site above the background conditions of the water entering the site; that person shall not be in violation of subsection (A) of this section. Such person however, is still liable for prohibited discharges through unlawful connections, dumping, spills, improper maintenance of BMPs, or other discharges that allow contaminants to enter surface and storm water or ground water.
3. Emergency response activities or other actions that must be undertaken immediately or within a time too short to allow full compliance with the chapter, to avoid an imminent threat to public health or safety, shall be exempt from this section. The director of the department of planning may specify actions that qualify for this exception in city procedures. The person responsible for emergency response activities should take steps to ensure that the discharges resulting from such activities are minimized to the greatest extent possible. In addition, this person shall evaluate BMPs and the site plan, where applicable, to restrict recurrence.

Section 30. Amending Chapter 12.10 of the University Place Municipal Code.
UPMC 12.10.035(B)(1)(g) is hereby amended and shall read as follows:

...

- g. Identified by the director of the department of planning as being exempt from this section.

...

Section 31. Amending Chapter 12.10 of the University Place Municipal Code.
UPMC 12.10.050(D)(2) is hereby amended and shall read as follows:

...

2. When the director has reason to believe that any person is violating this chapter, the director may require the violator to sample and analyze any discharge, surface and storm water, ground water, and/or sediment, in accordance with sampling and analytical procedures or requirements determined by the director. If the violator is required to complete this sampling and analysis, a copy of the analysis shall be provided to the department of community development.

...

Section 32. Amending Chapter 12.15 of the University Place Municipal Code.
UPMC 12.15.034(A)(6) is hereby amended and shall read as follows:

...
6. The following credits shall apply to on-site improvements which in the opinion of the city's community development ~~public-works~~ director meet or exceed the following guidelines: ...
...

Section 33. Amending Chapter 12.15 of the University Place Municipal Code.
UPMC 12.15.038 is hereby amended and shall read as follows:

12.15.038 Overpayment Refund Requests

Any person may request the refund of service charge overpayment(s) by doing so in writing to the Director of Community Development ~~Public Works~~. The basis of the request explaining the nature of the overpayment should be clearly stated. The Director shall investigate the request and authorize a refund or credit if he or she finds an overpayment to have occurred. The ~~Public Works~~ Director will use best efforts to notify the requesting party of his/her decision in writing within sixty (60) days of receipt of the request. The ~~Public Works~~ Director will specify in the written decision the basis for authorizing or denying the refund request. No refund may be authorized for overpayment paid or levied more than three (3) years prior to the date the written request is received.

Section 34. Amending Chapter 12.15 of the University Place Municipal Code.
UPMC 12.15.039 is hereby amended and shall read as follows:

12.15.039

The Community Development ~~Public Works~~ Director may authorize in writing, a refund credit, or adjustment for any amounts when he or she determines that an error, miscalculation, or mistake has occurred which affects any ratepayer(s). The nature of the error, miscalculation, or mistake should be documented together with steps taken to prevent future occurrences. No refunds, credits, or service charge adjustments may be authorized pursuant to this Section unless brought to the attention of the ~~Public Works~~ Director within three (3) years of the occurrence of the error, miscalculation, or mistake. In any instance where a refund or credit is authorized by the ~~Public Works~~ Director, the amount shall not include any interest.

Section 35. Amending Chapter 13.05 of the University Place Municipal Code.
The definition of "Director" in UPMC 13.05.220 is hereby amended and shall read as follows:

...
"Director" means the City of University Place Community Development ~~public-works~~ director or duly authorized representative.
...

Section 36. Amending Chapter 13.15 of the University Place Municipal Code.
UPMC 13.15.040 is hereby amended and shall read as follows:

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 13.15.110. The sufficiency of the petition shall be governed by RCW 35A.01.040.

Section 37. Amending Chapter 13.15 of the University Place Municipal Code.
UPMC 13.15.070 is hereby amended and shall read as follows:

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 of ~~public works~~ for further review and action. If the petition has been signed by two-thirds of such owners, the petition shall be forwarded 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 nor 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.

Section 38. Amending Chapter 13.15 of the University Place Municipal Code.

UPMC 13.15.080 is hereby amended and shall read as follows:

13.15.080

The director shall prepare a report concerning the proposed vacation that shall address the criteria, 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. In preparing the report, the ~~department director~~ shall solicit comments from police, fire and other city departments, 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.

Section 39. Amending Chapter 13.15 of the University Place Municipal Code.

UPMC 13.15.110(A) is hereby amended and shall read as follows:

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 of ~~public works~~; 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.

...

Section 40. Amending Chapter 13.25 of the University Place Municipal Code.

UPMC 13.25.120(A) is hereby amended and shall read as follows:

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 ~~public-works~~ department or such other department as the city manager may designate to enforce this chapter.

...

Section 41. Amending Chapter 13.30 of the University Place Municipal Code.

UPMC 13.30.030(A) is hereby amended and shall read as follows:

13.30.030 Community forestry program.

A. Tree Department. The ~~operations division of the public-works~~ community development department is hereby designated as the city's tree department.

...

Section 42. Amending Chapter 13.30 of the University Place Municipal Code.

UPMC 13.30.040(B)(1) is hereby amended and shall read as follows:

...

1. Removal of trees or other vegetation by the community development ~~public-works~~ department, community services parks 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.

...

Section 43. Amending Chapter 14.15 of the University Place Municipal Code.

UPMC 14.15.030(A)(2) is hereby amended and shall read as follows:

...

2. Application for Site Development Permit. Application for a site development permit shall be made on forms furnished by ~~planning and~~ community development department, and in addition to the minimum requirements in the public work standards, may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures;
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in UPMC 14.15.040(B)(2); and
- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

...

Section 44. Amending Chapter 14.15 of the University Place Municipal Code.

UPMC 14.15.030(B) is hereby amended and shall read as follows:

...

B. Designation of the Local Administrator. The community development ~~public-works~~ department is hereby appointed to administer and implement this chapter by granting or denying site development permit applications through the city permit center in accordance with its provisions.

...

Section 45. Amending Chapter 14.15 of the University Place Municipal Code.

UPMC 14.15.030(C) is hereby amended and shall read as follows:

...
C. Duties and Responsibilities of the Local Administrator. Duties of the community development ~~public-works~~ department shall include, but not be limited to:

1. Permit Review.

a. Review all site development permits to determine that the permit requirements of this chapter have been satisfied.

b. Review all site development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.

c. Review all site development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of UPMC 14.15.040(C)(1) are met.

2. Use of Other Base Flood Data. When base flood elevation data has not been provided in accordance with UPMC 14.15.020(B), the ~~public-works~~ department shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer UPMC 14.15.040(B) and (C).

3. Information to be Obtained and Maintained.

a. Where base flood elevation data is provided through the flood insurance study or required as in subsection (C)(2) of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

b. For all new or substantially improved floodproofed structures:

i. Verify and record the actual elevation (in relation to mean sea level); and

ii. Maintain the floodproofing certifications required in subsection (A)(2)(c) of this section.

c. Maintain for public inspection all records pertaining to the provisions of this chapter.

4. Alteration of Watercourses.

a. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in UPMC Title 22.

...

Section 46. Amending Chapter 14.15 of the University Place Municipal Code.

UPMC 14.15.030(D)(3) is hereby amended and shall read as follows:

...

3. The city clerk shall maintain the records of all appeal actions. The community development ~~public-works~~ department shall report any variances to the Federal Insurance Administration upon request.

...

Section 47. Amending Chapter 14.15 of the University Place Municipal Code.

UPMC 14.15.040(F)(3) is hereby amended and shall read as follows:

...

3. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in zones V1-30 and VE, and whether or not such

structures contain a basement. The community services ~~public-works~~ department shall maintain a record of all such information.

...

Section 48. Amending Chapter 16.10 of the University Place Municipal Code.

UPMC 16.10.050(A)(1)(b) is hereby amended and shall read as follows:

...
b. Notice shall be sent by first class mail to all property owners of record within a radius of 300 feet, but not less than two (2) parcels deep, to a map amendment request, and not less than ten (10) calendar days prior to the public hearing. Failure to receive such notice shall not invalidate the action on the amendment. In addition, the ~~planning and~~ community development director may send separate notice to property owners and/or addresses beyond the minimum noticing distance; and,
...

Section 49. Amending Chapter 16.10 of the University Place Municipal Code.

UPMC 16.10.080 is hereby amended and shall read as follows:

16.10.080 Proposals for amendments.

A. Privately-Initiated Comprehensive Plan Amendments: A proposed amendment to the Comprehensive Plan may be submitted by any individual, organization, corporation, or partnership, general or special purpose government other than the city, or entity of any kind; provided that if a proposal involves specific real property then evidence must be provided that the property owner has provided written consent. An applicant shall complete the necessary application form(s) as provided by the ~~planning and~~ community development department director. An environmental checklist shall also be required pursuant to UPMC Chapter 17.50 unless the proposal is categorically exempt.

B. City-Initiated Comprehensive Plan Amendments. City staff, the planning commission and/or the city council may initiate amendments to the Comprehensive Plan.

C. Deadline for Submittal. The ~~planning and~~ community development director shall broadly disseminate to the public a notice giving the procedures and timeline for proposing amendments or revisions to the Comprehensive Plan. At a minimum, notice shall be given through the placement of a display ad in the official newspaper of the city. The director shall allow a reasonable time period for requests to be submitted. Except as provided for in Section 16.10.080 D. and E., amendment requests received after the deadline will not be considered during that year's amendment process unless the request satisfies one of the criteria identified in RCW 36.70A.130.

D. Capital Facilities Element Amendments. Proposed amendments to the capital facilities element may be incorporated anytime prior to the adoption of the Comprehensive Plan amendments because of the relationship of the capital facilities element to decisions made in the city's budget process.

E. Text Amendments. Text amendment requests may be initiated anytime during the annual amendment cycle process; however, text amendment requests received after the planning commission has forwarded its recommendation to the city council may be deferred for consideration until the subsequent amendment cycle if the city council so chooses.

F. Planning Commission Recommendation. The planning commission shall consider a recommendation on all proposed amendment requests from the ~~planning and~~ community development director and shall make and forward a recommendation on each to the city council.

G. Concurrent Zone Change. To maintain consistency with the Comprehensive Plan, any rezoning that would be required by approval of the proposed amendments to the Comprehensive Plan shall be processed and considered concurrently with the proposed Comprehensive Plan change.

Section 50. Amending Chapter 16.10 of the University Place Municipal Code.
UPMC 16.10.110 is hereby amended and shall read as follows:

16.10.110 Provisions for amendment transmittal and reporting to the State.
The ~~planning and~~ community development director shall notify and transmit copies of all proposed plan amendments to the Washington State Department of Community, Trade and Economic Development consistent with Chapter 36.70A RCW.

Section 51. Amending Chapter 17.10 of the University Place Municipal Code.
The definition of "Department" and "Director" in UPMC 17.10.005 are hereby amended and shall read as follows:

...
"Department" means the City of University Place Department of Community and Economic Development.
"Director" means the director of the Department of Community and ~~Economic Development~~ or his or her duly authorized designee.
...

Section 52. Amending Chapter 18.05 of the University Place Municipal Code.
UPMC 18.05.050(B) is hereby amended and shall read as follows:

...
B. Interpretation by the Planning and Community Development Director.
The authority to administer the provisions of this Title shall rest with the director of ~~planning and community development and/or~~ his/her designee. Where there is a question regarding the inclusion or exclusion of a particular proposed use within a particular shoreline environment the ~~planning and community development~~ director shall have the authority to make the final determination. The director's determination in these instances may be appealed according to UPMC Title 22, Administration of Development Regulations.
...

Section 53. Amending Chapter 18.10 of the University Place Municipal Code.
The definition of "Director" in UPMC 18.10.020 is hereby amended and shall read as follows:

...
"Director" means the director of the ~~planning and community development~~ department for the City of University Place or his/her assigned designee.
...

Section 54. Amending Chapter 18.30 of the University Place Municipal Code.
UPMC 18.30.020(F) is hereby amended and shall read as follows:

...
F. Where regular navigation maintenance dredging is required, a long-range plan for disposal sites may be required at the Director's Planning Division's request.
...

Section 55. Amending Chapter 18.32 of the University Place Municipal Code.
UPMC 18.32.020(A) is hereby amended and shall read as follows:

A. All shoreline permits shall contain provisions that require developers to notify the City of University Place if any archeological artifacts or data are uncovered during excavations. Permits issued in areas known to contain archeological artifacts and data shall have provisions providing for a site inspection and evaluation by an archeologist. Cost for inspection and evaluation of the site will be the responsibility of the developer. This condition shall require the approval by the Director City of University Place Planning and Community Development Department before work can begin or resume on a project. Significant archeological data or artifacts shall be recovered before work resumes or begins on a project.

...

Section 56. Amending Chapter 18.85 of the University Place Municipal Code.

UPMC 18.85.050 is hereby amended and shall read as follows:

18.85.050 Applications required.

The director planning division shall prescribe the form(s) on which applications are made for amendments to the master program use regulations and/or shoreline environment map.

Applications for amendments to the Master Program must satisfy the requirements of the State Environmental Policy Act (Chapter 41.21C RCW and WAC 197-11).

Section 57. Amending Chapter 18.85 of the University Place Municipal Code.

UPMC 18.85.080 is hereby amended and shall read as follows:

18.85.080 Public notice.

Notice shall be given pursuant to WAC 173-26. Additional notice may be employed at the discretion direction of the Director Planning Division.

Section 58. Amending Chapter 19.10 of the University Place Municipal Code.

The definition of "Department" and "Director" in UPMC 19.10.030 are hereby amended and shall read as follows:

...

"Department" means the City of University Place community and economic development department.

"Director" means the director of the community and economic development department or his/her authorized designee.

...

Section 59. Amending Chapter 19.15 of the University Place Municipal Code.

UPMC 19.15.025 is hereby amended and shall read as follows:

19.15.025 Enforcement authority/responsibility.

It shall be the duty of the director of the community and economic development department to enforce the provisions of this title. The director may call upon the police department or another city department to assist in the enforcement of this title.

Section 60. Amending Chapter 19.20 of the University Place Municipal Code.

UPMC 19.20.050(A) is hereby amended and shall read as follows:

...

A. Map Established. The official zoning map used as a basis for this zoning regulation shall be maintained by the department of community and economic development and

shall be that map entitled "City of University Place Comprehensive Plan – Plan Map" contained within the city of University Place comprehensive plan adopted July 13, 1998, or as hereafter amended. Each property in the city of University Place is classified under this code and is subject to the requirements of this code. Zoning classifications on the official zoning map shall use the symbols shown in Chapter 19.20 UPMC, List of zone classifications.

...

Section 61. Amending Chapter 19.35 of the University Place Municipal Code.
UPMC 19.35.040(F) is hereby amended and shall read as follows:

...
F. Renewals. Temporary medical housing permits shall be valid for the period of time the parent or close relative resides in the mobile home; provided, that after obtaining initial approval, annual renewals of the temporary housing permit must be obtained from the department planning division. When obtaining a renewal, the director planning division shall confirm by affidavit from the applicant and by a letter from a licensed physician stating that the person occupying the temporary housing unit is, because of age, disability, prolonged infirmity, or other similar incapacitation, unable to independently maintain a separate type of residence without human assistance that the requirements specified herein are satisfied. Application for renewals must be made 60 days before the expiration of the current permit. Renewals of said permits shall be automatically granted if the applicant is in compliance with the provisions herein and no notice of such renewal is required.

...

Section 62. Amending Chapter 19.40 of the University Place Municipal Code.
UPMC 19.40.030(B) is hereby amended and shall read as follows:

...
B. Unlisted Facilities. The ~~community and economic development department~~ director shall make a determination that a facility be reviewed pursuant to this section based on the following criteria:

1. The facility is a type difficult to site because of one of the following:
 - a. The facility needs a type of site of which there are few sites;
 - b. The facility can locate only near another public facility;
 - c. The facility has or is generally perceived by the public to have significant adverse impacts that make it difficult to site;
 - d. The facility is of a type that has been difficult to site in the past;
 - e. It is likely that the facility will be difficult to site; or
 - f. There is a need for the facility and University Place is in the facility service area.

...

Section 63. Amending Chapter 19.40 of the University Place Municipal Code.
UPMC 19.40.040(I) is hereby amended and shall read as follows:

...
I. The director may require a multijurisdictional process if the facility serves a regional, countywide, statewide, or national need. If this process is required, an applicant shall design an acceptable process to be reviewed and approved by the ~~community and economic development department~~ director. Applicant shall be required to pay for this process.

...

Section 64. Amending Chapter 19.50 of the University Place Municipal Code.
UPMC 19.50.070(B)(5)(d) is hereby amended and shall read as follows:

...
d. A solid 100 percent, sight-obscuring six-foot-high fence or wall shall be located within or along the required setback along the secondary local street. The location of the fence or wall shall be approved by the ~~community and economic development department~~ director. For the purposes of this section, a cyclone fence with slats is not a sight-obscuring fence; and
...

Section 65. Amending Chapter 19.50 of the University Place Municipal Code.
UPMC 19.50.070(D)(1) is hereby amended and shall read as follows:

...
1. A front yard setback pedestrian zone shall be provided adjacent to the public sidewalk (public right-of-way). The front yard setback pedestrian zone shall consist of a minimum five-foot-wide paving area free of physical obstructions to pedestrian movement. Paving shall be the same as the public sidewalk or shall be complementary decorative paving as approved by the ~~community and economic development department~~ director.
...

Section 66. Amending Chapter 19.50 of the University Place Municipal Code.
UPMC 19.50.080(B)(4) is hereby amended and shall read as follows:

...
4. If site development conditions preclude on-site development of the required public open space, at the approval of the director of ~~community and economic development~~, the project proponent may be allowed to contribute to an off-site open space project in the vicinity to fulfill the requirement.
...

Section 67. Amending Chapter 19.50 of the University Place Municipal Code.
UPMC 19.50.080(D)(1) is hereby amended and shall read as follows:

...
D. Open Space Amenities.
1. Focal Point for Outdoor Pedestrian Areas. Plazas, courtyards, and pocket parks shall incorporate one or more of the following open space amenities to encourage pedestrian use and activity:
a. Public seating, play areas;
b. Public art, such as a water feature or sculpture, play sculptures, sidewalk art;
c. Transit stops;
d. Performance/stage areas, or specialty plantings; and
e. Other public amenities, as approved by the ~~community and economic development department~~ director.
...

Section 68. Amending Chapter 19.50 of the University Place Municipal Code.
UPMC 19.50.090(C)(2) is hereby amended and shall read as follows:

...
2. All ground level building entries which front the street shall be located no more than three feet above or below the grade of the sidewalk. In the case of an allowable grade difference between a building entry and sidewalk, provide stairs and/or ramps to

accommodate pedestrian access. Waivers to this requirement may be granted by the director of ~~community and economic development~~ based on substantial topographical differences, particularly along certain portions of Bridgeport Way.

...

Section 69. Amending Chapter 19.50 of the University Place Municipal Code.

UPMC 19.50.110(D)(3) is hereby amended and shall read as follows:

...

3. The minimum depth of ground level space for the 50 percent required retail, service or commercial uses shall be 20 feet. This area can be averaged through approval by the ~~community and economic development department~~ director.

...

Section 70. Amending Chapter 19.55 of the University Place Municipal Code.

UPMC 19.55.020(B)(4) is hereby amended and shall read as follows:

...

4. A solid 100 percent sight-obscuring six-foot-high fence or wall shall be located within or along the required setback along all local streets. The location of the fence or wall shall be approved by the ~~community and economic development department~~ director. For the purposes of this section, a cyclone fence with slats is not a sight-obscuring fence;

...

Section 71. Amending Chapter 19.55 of the University Place Municipal Code.

The footnote at the end UPMC 19.55.030 is hereby amended and shall read as follows:

...

*Figure 1 is available for review in the ~~community and economic development~~ department.

Section 72. Amending Chapter 19.65 of the University Place Municipal Code.

UPMC 19.65.020 is hereby amended and shall read as follows:

19.65.020 Authority.

The ~~community and economic development~~ department shall review and may approve, disapprove or approve with modification all permits, site plans, and/or landscape plans for all uses and developments which are required to comply with the provisions of this section. This section includes landscaping requirements and urban forest management. Chapter 76.09 RCW and Chapter 222-20 WAC authorize the urban forest management provisions of this chapter.

Section 73. Amending Chapter 19.65 of the University Place Municipal Code.

UPMC 19.65.140(C)(3) is hereby amended and shall read as follows:

...

3. Landscaping located within public rights-of-way shall be approved by the ~~public works~~ department, prior to planting, as part of the review of landscape plans required by UPMC 19.65.200. Landscaping in the public right-of-way shall be in accordance with UPMC 13.20.870.

...

Section 74. Amending Chapter 19.90 of the University Place Municipal Code.

UPMC 19.90.020(E) is hereby amended and shall read as follows:

...
E. ~~Community and Economic Development~~ Department Report. The department shall prepare a written report on each amendment pending before the planning commission. The report shall be transmitted to the planning commission and the applicant before the public hearing. Each report shall contain:

1. Any factual finding of the city department proposing the amendment;
 2. Any comments from other city departments;
 3. The environmental assessment or copy of any environmental determination or final environmental impact statement; and
 4. The director's planning division's recommendations on the amendment if any are to be made.
- ...

Section 75. Amending Chapter 21.02 of the University Place Municipal Code.
UPMC 21.02.010(F)(2) hereby amended and shall read as follows:

...
2. The lots transferred and remaining lots are improved with dwellings; provided, that transfers pursuant to subsections (F)(1) or (2) shall not be effective until the proponent is issued a certificate of compliance from the director planning department. A certificate shall be issued when the owner or applicant shows that the lot conforms to the criteria above.
...

Section 76. Amending Chapter 21.02 of the University Place Municipal Code.
UPMC 21.02.020 is hereby amended and shall read as follows:

21.02.020 Definitions.

As used in this title, unless the context or subject matter clearly requires otherwise, the following words or phrases shall have the following meanings:

A. • "Binding site plan" means a drawing to a scale as specified by the planning department. The site plan shall:

1. Identify and show the area and location of all streets, improvements, utilities, open space;
2. Contain inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the city hearings examiner or other appropriate city department or government body having authority to approve the site plan;
3. Contain provisions requiring that all development occurring within the proposal's boundaries be in conformity with the site plan.

B. • "Block" is a group of lots, tracts or parcels within well defined and fixed boundaries.

C. • "City engineer" shall be ~~the person~~ a licensed professional engineer appointed by the city manager as the city engineer or authorized designee.

D. • "Council" means the city council.

E. • "County assessor-treasurer" shall be as defined in the Pierce County charter.

F. • "County auditor" shall be as defined in the Pierce County charter.

G. • "Dedication" is the deliberate appropriation of land by an owner for any general and public uses, reserving no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or large lot subdivision showing the dedication thereon; and the acceptance by the public shall be evidenced by the owner by the presentment for filing of a final plat,

short plat or large lot subdivision showing the dedication thereon; and the acceptance by the public shall be evidenced by the approval of such plat for filing by the appropriate governmental unit.

• "Department" means the City of University Place Community Development Department.

H. • "Developer" shall mean the person, party, firm or corporation who applies for approval of a subdivision, short plat or large lot subdivision.

• "Director" means the director of the City of University Place Community Development Department or authorized designee or representative.

I. • "Examiner" means the land use hearings examiner who is herein authorized to approve subdivisions, and hear appeals on short subdivisions and large lot divisions.

J. • "Final plat" is the final drawing of the subdivision and dedication drawn to a scale not smaller than one inch equals 100 feet unless approval of another scale is given by the planning director, on standard 18-inch by 24-inch sheet size, prepared for filing for record with the county auditor and containing all elements and requirements set forth in state law and in this title.

K. • "Geological hazard" means any hazard caused by natural or artificial causes which may damage persons or property and which would include but not be limited to slides, slippage or instability of earth, rock and soil.

L. • "Improvement" shall mean any thing or structure constructed for the benefit of all or some residents of the subdivision or the general public such as but not limited to streets, alleys, storm drainage systems and ditches, sanitary sewer pipes or main lines, and storm drainage containment facilities.

M. • "Large lot divisions" means any number of divisions of land into lots, tracts or parcels for any purpose, the smallest lot size of which is five acres or larger or one-one hundred twenty-eighth of a section or larger, except those divisions exempted by UPMC 21.02.010.

N. • "Lot" is a fractional part of divided lands having fixed boundaries, being of sufficient area and dimension to meet minimum zoning requirements for width and area. The term shall include tracts or parcels.

O. • "Model home," for the purpose of this code, shall be defined as a dwelling in accordance with the city zoning code.

P. • "Original tract" means a unit of land which the applicant holds under single or unified ownership, or in which the applicant holds controlling ownership and the configuration of which may be determined by the fact that all land abutting said tract is separately owned by others, not including the applicant or applicants; provided, that where a husband and wife own contiguous lots in separate or community ownership, said contiguous lots shall constitute the original tract.

Q. • "Planning agency" means the planning and development division of the planning and community development department.

R. • "Planning commission" means that body as defined in Chapter 35A.63 RCW as designated by the council to perform a planning function, or, if the council does not appoint a planning commission, the council shall act as the planning commission.

S. • "Plat" is a map or representation of a subdivision, showing thereon the division of a tract or parcel of land into lots, blocks, streets and alleys or other divisions and dedications.

T. • "Preliminary plat" is a neat and approximate drawing of a proposed subdivision showing the general layout of streets and alleys, lots, blocks and restrictive covenants to be applicable to the subdivision which shall furnish a basis for the approval or disapproval of the general layout of a subdivision.

U. • "Reserved street area" means a defined area of land within the short plat or subdivision which is required by the city engineer to be reserved for a future street, and said area shall be dedicated to the city at the time of approval, but the street need not be constructed by the applicant or developer until such time as stated in the ordinance. Setbacks shall be established as if the reserved street area were dedicated.

V. • "Short plat" is the map or representation of a short subdivision.

W. • "Short subdivision" is any voluntary or involuntary division or redivision of land into four or fewer lots, tracts, parcels, sites or subdivisions for the purpose of sale, lease or transfer of ownership.

X. • "Subdivision" is any voluntary or involuntary division or redivision of land into five or more lots, tracts, parcels, sites or division for the purpose of sale, lease, or transfer of ownership except as provided in subsection (M) of this section.

Section 77. Amending Chapter 21.06 of the University Place Municipal Code.

UPMC 21.06.020 is hereby amended and shall read as follows:

21.06.020 Filing.

A preliminary plat of a proposed subdivision and/or dedication of land located in the city shall be submitted for approval by the examiner by filing a complete application with the city planning department, and paying the application fee. The department shall prescribe the form and content for complete applications made pursuant to this code. In addition to the contents of a complete application prescribed by the planning department a complete application for preliminary plat approval must contain the information and documents required by the following section.

Section 78. Amending Chapter 21.06 of the University Place Municipal Code.

UPMC 21.06.025(A) is hereby amended and shall read as follows:

...
A. Application Submittal. Whenever it is possible to subdivide land into five or more lots, tracts, sites or divisions, the applicant shall file with the city planning department one 8-1/2-inch by 11-inch clear plastic reduction and seven legible paper copies of the preliminary plat map on sheets 18-inch by 24-inch in size. Preliminary plat maps shall include or be accompanied by the following:

1. A completed general application form and environmental checklist, which can be obtained from the planning department.

2. The filing fee required pursuant to the city ordinance adopting building and development related permit fees schedule, and in accordance with the fee schedule available from the planning department.

3. Names and addresses of all property owners within 300 feet of the subject property, available from the county assessor's office.

4. A vicinity map extending at least 800 feet in each direction from the proposed subdivision, or further if necessary to assist in locating the subdivision. The vicinity map shall be drawn to a scale of one inch equals 800 feet. The vicinity map shall show the following:

a. Street layout in the subdivision;

b. Existing and tentatively approved street layout within 800 feet of the subdivision;

c. Zoning designations within, and adjacent to, the subdivision;

d. All property lines within 800 feet of the subdivision;

e. Streams or watercourses, and public facilities such as schools and parks;

f. All 100-year floodplain and designated shoreline boundaries in, and within 800 feet of, the proposed subdivision;

g. Any other pertinent information that will assist in locating the proposed subdivision.

5. A title block in the lower right corner of the preliminary plat map, showing:
 - a. The proposed name of the subdivision;
 - b. The scale of the drawing;
 - c. The date of the drawing;
 - d. The name and address of the engineer, surveyor or other individual responsible for laying out the subdivision.
6. A detailed plan of the proposed subdivision drawn to the scale of one inch equals 100 feet or larger, with the provision that for subdivisions of 50 acres or more the planning director may authorize a smaller scale when an entire subdivision cannot be shown on a single sheet. The detailed plan shall clearly show the following information:
 - a. North arrow;
 - b. The location, names and right-of-way widths of all existing and proposed streets and driveways within 250 feet of the boundaries of the proposed subdivision;
 - c. The location, names and right-of-way widths of all proposed streets and their proposed paved width;
 - d. Lot layout with lot line dimensions, the area in the square feet contained in each lot;
 - e. The location and use of all existing buildings within the proposed subdivision, indicating which buildings are to remain and which are to be removed;
 - f. The use and approximate location of all buildings within 150 feet of the boundaries of the proposed subdivision;
 - g. The location, size and use of all contemplated and existing public areas within the proposed subdivision, and a description of the adaptability of the area for uses contemplated;
 - h. The location, size and kind of public utilities in and adjacent to the proposed subdivision, indicating those utilities which will provide service to the proposed development and their planned location within the subdivision;
 - i. Location and disposition of any wells, creeks, drainage courses, drainageways, septic tanks, drainfields, 100-year floodplain boundaries and easements in or within 200 feet of the proposed subdivision;
 - j. Topography and five-foot contours certified by the engineer or surveyor within the proposed subdivision; or, as an alternative in the case of a partition of one acre or less, elevations at each existing and proposed property corner. One-foot or two-foot contours may be required, at the planning director's discretion;
 - k. Topography and at least 10-foot contours outside, but within 200 feet of, the proposed subdivision. The base for such information shall be the National Geodetic Survey (U.S.G.S.), or other survey approved by the planning director;
 - l. The location of all significant trees (as defined in the University Place zoning code) within the proposed subdivision, and for 150 feet beyond the terminus of all dead-end streets individual trees in a stand of five trees or more need not be shown, but the area covered by the stand dripline shall be shown. For trees outside the subdivision boundaries, the location of said trees may be based on aerial photographs or other methods acceptable to the planning director, and which do not require the applicant to trespass on adjacent property;
 - m. For all 100-year floodplain boundaries shown on the vicinity map, the elevation of the 100-year flood at the point immediately upstream from the subdivision, and the direction and distance to said point;
 - n. The location of identified hazards or development limitation areas identified by the City of University Place critical areas map;
 - o. The location of any state shorelines and associated wetlands within the subdivision, as defined by state law and the City of University Place shoreline master program.
7. Profiles of all proposed streets within the proposed subdivision, showing grades to which the streets will be built, and the existing groundline of the proposed streets including the probable future extensions of any stub (dead-end) streets for a maximum distance of 150 feet beyond the proposed subdivision boundaries. As an alternative, the preliminary plat map may show topography in two-foot contours within 50 feet of each

side of the centerline of all probable future extensions of any stub (dead-end) streets for a distance of 150 feet beyond the boundaries of the proposed subdivision. The contour information shall be certified by a registered engineer or surveyor.

8. Slope analysis indicating areas where existing grades within the subdivision exceed 15 percent, 25 percent and 40 percent. The percentage and area in square feet of the subdivision with slopes of 0 – 15 percent, 15 – 25 percent, 25 – 40 percent and 40 percent and above categories.

9. Such additional information as the planning director deems necessary.

10. Whenever it is essential for purposes of evaluating environmental or other concerns, the city engineer may require the developer to submit certain concept drawings prior to preliminary plat approval.

Section 79. Amending Chapter 21.06 of the University Place Municipal Code.

UPMC 21.06.030 is hereby amended and shall read as follows:

21.06.030 Staff procedure.

If the preliminary plat, as filed, is in conformance with all of the city's land use codes and is otherwise acceptable in form and substance, the planning department shall receive the application and shall promptly forward copies of the preliminary plan to appropriate governmental agencies for their review.

The planning department shall review the application for consistency with city codes and policies, review comments provided by other governmental agencies and interested parties, and make appropriate recommendations to the examiner.

The city engineer, the county health officer and the fire chief shall review and certify to the examiner their respective recommendations as to the adequacy of the proposed street system and storm drainage system, the proposed sewage disposal and water supply systems, and fire protection services for the subdivision. The recommendations of the city engineer, the county health officer and the fire chief shall become part of the record and shall be included with the examiner's decision.

Section 80. Amending Chapter 21.06 of the University Place Municipal Code.

UPMC 21.06.040 is hereby amended and shall read as follows:

21.06.040 Notice.

A. Notice of Filing. Notice of the filing of a preliminary plat shall be given to the state, municipalities, public utilities and school districts in the following cases and manner:

1. When a proposed subdivision which contemplates the use of any public utilities, notice shall be given to the public utilities governing body.

2. When a proposed subdivision which is to be located adjacent to the right-of-way of a state highway, notice shall be given to the State Department of Highways or its successor.

3. Notice shall be given to the school district within which the subdivision is proposed.

4. When the proposed subdivision lies within a designated flood control zone pursuant to Chapter 86.21 RCW, notification shall be given to the Department of Ecology of the state of Washington, or its successor.

Notice of filing as above required shall be accomplished by the planning director or his authorized assistants notifying the proper agencies by letter of the proposed subdivision filing, which letter shall include its legal description, a small map showing location, subdivision acreage, number of home or building lots, and the hour and location of the first hearing on the preliminary plat. Said letter shall be mailed or delivered at least 14 days before the date for the initial hearing.

Section 81. Amending Chapter 21.08 of the University Place Municipal Code.

UPMC 21.08.010(B)(1) is hereby amended and shall read as follows:

...
1. Time for Filing. A single, one-year time extension may be granted by the hearings examiner. A written application for any extension of time under the provisions of this section shall be filed with the planning department at least 30 days prior to the expiration of the existing period of approval currently applicable. The applicable time period shall be tolled from the date of filing the application for extension until the date of the final decision by the city. Each application shall be accompanied by payment of a filing fee in an amount established by the city council in a fee resolution.
...

Section 82. Amending Chapter 21.08 of the University Place Municipal Code.
UPMC 21.08.020(H) is hereby amended and shall read as follows:

...
H. Contain a certification from the planning department approving the plat and stating that the platting fee has been paid.
...

Section 83. Amending Chapter 21.08 of the University Place Municipal Code.
UPMC 21.08.020(J) is hereby amended and shall read as follows:

...
J. Be submitted to the city planning department along with the following:
1. Twelve paper prints.
2. Two copies of a title report, prepared not more than 30 days prior to the date of written approval by the director of the planning department, from a title insurance company containing the complete and correct legal description of the plat, listing all easements of record which affect the property and confirming that the title of the lands as described and shown on said plat is in the name of the owners signing the dedication.
3. Final plat land use breakdown sheet.
4. One copy of the plat boundary, individual lots and street centerline computer closures for the plat.
...

Section 84. Amending Chapter 21.08 of the University Place Municipal Code.
UPMC 21.08.040 is hereby amended and shall read as follows:

21.08.040 Review.

The city planning director or authorized assistant shall review applications for the proposed final plat and be satisfied that the following conditions exist:

Section 85. Amending Chapter 21.08 of the University Place Municipal Code.
UPMC 21.08.050 is hereby amended and shall read as follows:

21.08.050 Council review.

The city council shall review final plats in accordance with Chapter 58.17 RCW. When the planning director shall recommend approval if finds that the proposed final plat of the subdivision meets the following criteria, he or she shall recommend approval the proposed final plat if:

- A. The plat conforms to all terms of preliminary plat approval;
- B. The bond, if there is one, by its essential terms assures completion of improvements;
- C. The plat meets the requirements of state law and this title in effect at the time of preliminary plat approval.

After the city council approves the plat, the planning department shall forward the original to the county auditor for filing, who shall, after recording, forward two reproducible copies thereof to the city engineer and one paper copy to the county assessor-treasurer.

Section 86. Amending Chapter 21.10 of the University Place Municipal Code.

UPMC 21.10.030 is hereby amended and shall read as follows:

21.10.030 Names and numbers of subdivisions, streets, blocks and lots.

A. General. In order to promote an orderly and coherent street and property location system, names and numbers in subdivisions, short subdivisions and large lot divisions shall be assigned in accordance with the procedures and guidelines established herein.

B. Subdivision Names and Numbers. Subdivision names shall be chosen by the applicant subject to approval by the planning department. The planning department shall approve the proposed name if it is reasonably distinguishable from previously established subdivision names and consistent with established area place names. The legal identification of short plats and large lots, if any, shall be designated by number and assigned by the auditor at the time of recording.

C. Street Names and Numbers. All public and private streets established by subdivision, short subdivision or large lot division shall have street names or numbers assigned and clearly shown on the plats prior to approval and recording. Street names and numbers shall be assigned by the planning director. Private streets shall be clearly labeled on the face of the plat.

Section 87. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.020(A) is hereby amended and shall read as follows:

21.12.020 Filing procedure and fee.

A. The department shall prescribe the form and content for complete applications made pursuant to this code. In addition to the contents of a complete application prescribed by the planning department, a complete application for a short plat or large lot division must contain the information and documents required by the following:

1. A completed general application form and if applicable an environmental checklist. Said forms and checklist to be obtained from the planning department.
2. A filing fee required pursuant to the city ordinance adopting building and development related permit fees schedule, and in accordance with the fee schedule available from the planning department.
3. Names and addresses of all property owners within 300 feet of the subject property, available from the county assessor's office.
4. Such additional information as the planning director deems necessary.
5. Eleven paper prints of a proposed short plat shall be filed with the planning department.

...

Section 88. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.030 is hereby amended and shall read as follows:

21.12.030 Owner's free consent.

The contract purchasers shall sign a statement prescribed by the planning department signifying that the plat is made with their free consent and in accordance with the desires of the owners.

Section 89. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.050(A) is hereby amended and shall read as follows:

...

A. The city's ~~public works~~ department shall review a short plat for adequacy of access, storm water drainage facilities, public sewer system, survey accuracy, feasibility for building sites and for compliance with the public works standards.

...

Section 90. Amending Chapter 21.12 of the University Place Municipal Code.
UPMC 21.12.050 (B) is hereby amended and shall read as follows:

B. The planning department shall review the proposed short plat for conformance with zoning laws, the comprehensive plan and subdivision code, UPMC Title 17, Critical Areas and Natural Resources, and shoreline management use regulations, and review comments provided by other governmental agencies and/or interested parties.

...

Section 91. Amending Chapter 21.12 of the University Place Municipal Code.
UPMC 21.12.070(A) is hereby amended and shall read as follows:

...

A. Procedure.

1. The planning department shall forward two paper prints to the city engineer, other City departments, and/or ~~public works director~~, any affected public utility agencies, the fire chief, and the Tacoma-Pierce County health department. The initial review by the departments/agencies of the proposed short plat shall be completed within 30 days after the short plat is filed, unless, upon the request of the planning department, the applicant consents to an extension of such time period.

2. Each department or official shall either recommend approval, disapproval, or return of the short plat for change within the 30-day initial review period. The planning director shall have the final authority to approve, approve with conditions or deny a short plat application.

3. If returned for change, the applicant or representative shall submit six prints and the mylar to the planning department reflecting the required changes within 180 days, after said notice of correction is given by the reviewing city departments. Should the applicant require an extension of time to satisfy the requirements that were requested during the initial 30-day review, an additional 180 days shall be granted upon written request.

4. Due to the complexity of the proposal, the applicant may desire to request the following to extend the life of the application.

a. Request in writing from the applicant that the application for the proposed short plat be placed on hold for due cause. "Due cause" would constitute a situation that was beyond the applicant's controls; i.e., required environmental checklist, health department requirement for viewing high water table on the site prior to review for waste disposal, and/or water availability report required by the state.

To accompany the request would be the estimated time line for completion of the required additional material, studies, or review. The hold would be placed upon the application for a specified period of time.

b. Request in writing by the applicant that a time extension would be necessary to provide the reviewing departments the necessary material, documents, and studies, as requested in the initial 30-day city review. The planning department may provide a second additional 180-day extension. A fee would be charged for the extended time, per the fee schedule.

5. The applicant is required to submit the revisions as requested, at the expiration of the allowable time line, along with six prints and the mylar to the planning department. The submittal shall be considered the "final review" and all previous extensions that were granted to the applicant shall be considered void. The reviewing departments shall have

a 30-day review period. At the conclusion of the review period, the reviewing department directors or authorized representative shall approve or deny the short plat.

...

Section 92. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.090 is hereby amended and shall read as follows:

21.12.090 Appeal procedure.

Following the city planning director's decision on a short plat, any person directly affected may appeal such decision to the examiner. The appeal shall be filed in accordance with UPMC Title 22, Administration of Development Regulations.

Section 93. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.100 is hereby amended and shall read as follows:

21.12.100 Amendments.

Amendments to short plats may be approved by the planning department by approving an amendment note which states to the effect that this amended short plat supersedes "Short Plat No. ____." The note must specify the changes and before the planning department can approve the amended short plat, all city requirements and conditions stated on the original short plat must be stated on the amended short plat.

If any city department's or other agency's previous approval may be affected by the amendment (as determined by the planning department), said department or agency will be notified of the change and be given the opportunity to comment before the planning department approves the amendment. In addition, any amendment involving public dedication must be processed as provided in RCW 58.17.212 or 58.17.215. A fee as set forth in separate resolution shall be paid the planning department for the processing of an amended short plat.

The assessor-treasurer's office must again signify that the current real estate taxes are paid before the amended short plat is recorded. Upon recording, the amended short plat is deemed approved by city.

Section 94. Amending Chapter 21.12 of the University Place Municipal Code.

UPMC 21.12.110(E) is hereby amended and shall read as follows:

...

E. Fees, Appeals and Amendments. A nonrefundable filing fee, as set forth by separate resolution, shall accompany a large lot division when it is filed for approval with the planning department. Appeals of any reviewing decision on a large lot division may be made by the examiner. The appeal procedure and fee is the same as that herein set forth for short plats. Amendments to a large lot division shall be processed in the same manner as that herein set forth for short plats.

...

Section 95. Amending Chapter 21.14 of the University Place Municipal Code.

The title of UPMC 21.14.030 is hereby amended and shall read as follows:

21.14.030 Standards for modification of code by department of ~~planning and community development~~.

In addition to other standards required by this title, the department may require such additional standards and conditions or it may modify the standards and conditions in such a manner as is necessary to:

...

Section 96. Amending Chapter 21.20 of the University Place Municipal Code.
UPMC 21.20.030 is hereby amended and shall read as follows:

21.20.030 Application.

A. The department shall prescribe the form and content for complete applications made pursuant to this code. Applications for boundary line adjustments shall be made on forms provided by the city planning department and shall be submitted to the planning department with one original and five copies of a mylar plan signed and stamped by a professional land surveyor, drawn to scale with accurate dimensions, clearly showing the following information:

1. The proposed lines for all affected lots, indicated by heavy solid lines;
2. The existing lot lines proposed to be changed, indicated by heavy broken lines;
3. The location and dimensions of all structures/improvements existing upon the affected lots and the distance between structure/improvements and the proposed lot/boundary lines;
4. The original legal description of the entire property together with new separate legal descriptions for each parcel, labeling them specifically as parcel A, parcel B, etc.;
5. The position of rebar and caps set at each new property corner;
6. All parcel numbers of affected lots;
7. The location of the property to quarter/quarter section;
8. The location and dimensions of any drain field, easement, or right-of-way existing within or adjacent to any affected lots;
9. The area and dimensions of each lot following the proposed adjustment;
10. The existing, and if applicable, proposed future method of sewage disposal for each affected lot.

B. Record of Survey for Boundary Line Adjustments.

1. The mylar shall be titled on the top of the page, in large capital letters, as follows:

RECORD OF SURVEY FOR
BOUNDARY LINE ADJUSTMENT

2. A note shall be placed on the mylar that reads as follows:

THIS BOUNDARY LINE ADJUSTMENT IS NOT A PLAT, REPLAT, OR SUBDIVISION.
APPROVAL OF A BOUNDARY LINE ADJUSTMENT IS NOT A GUARANTEE THAT
FUTURE PERMITS WILL BE GRANTED FOR ANY STRUCTURE OR DEVELOPMENT
WITHIN A LOT AFFECTED BY A BOUNDARY LINE ADJUSTMENT.

3. All requirements of Chapter 58.09 RCW and Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed on the mylar that reads as follows:

THIS SURVEY COMPLIES WITH ALL STANDARDS AND GUIDELINES OF THE
"SURVEY RECORDING ACT" CHAPTER 58.09 RCW AND CHAPTER 332-130 WAC.

C. Boundary line adjustment applications shall be submitted to the planning department with a preliminary title report on forms approved by planning, with liability for errors not to exceed the value of the affected lots, as determined by the assessed value on the date of approval. The preliminary title report shall set forth all persons having an interest in the lots affected by the boundary line adjustment. The preliminary title report must be dated no more than 30 days prior to application and must be updated to the date of boundary line adjustment approval, without cost to the city.

D. The mylar for recording in the auditor's office shall contain all survey information required for a record of survey under the "Survey Recording Act", Chapter 58.09 RCW and Chapter 332-130 WAC, together with the following additional signature blocks, which shall be fully executed before approval:

SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direction in conformance with the requirements of Survey Recording Act at the request of _____

on _____, 19____.

_____. Certificate Number

Surveyor
PLANNING COMMUNITY DEVELOPMENT DEPARTMENT

Planning Director Date

CITY _____ ASSESSOR-TREASURER
I hereby certify that all state and city taxes heretofore levied against the property described hereon, according to the books and records of my offices, have been fully paid.

Deputy Date
Assessor/Treasurer

Reviewed for Segregation

Deputy Date
Assessor/Treasurer

E. A free consent statement, as shown below, shall be inked on the mylar. This shall be signed and notarized, prior to submittal, in permanent black ink, by all parties having interest in the property. Owners' names shall also be lettered below the signatures.

The undersigned agree that the boundary line adjustment set forth herein is made with the free consent and in accordance with the desires of the owners.

(Paper Press Seals Will
Not Be Accepted) _____ _____

Notary Seal

I hereby certify that the above individual(s) signed as a free and voluntary act and deed for the uses and purposes herein mentioned.

Given under my hand and seal this ____ day of _____, 199__.

_____, NOTARY PUBLIC, in and for the State of Washington, residing at _____.

F. An application for a boundary line adjustment shall be accompanied by a nonrefundable planning review fee as set forth in separate resolution.

Section 97. Amending Chapter 21.20 of the University Place Municipal Code.

UPMC 21.20.040 is hereby amended and shall read as follows:

21.20.040 Administrative review.

A completed application for a boundary line adjustment shall be approved, returned to the applicant for modifications, or denied within 30 days of its receipt by the planning department.

A. The planning department may forward a copy of the proposed boundary line adjustment to the city engineering department, to the fire chief, and to the Tacoma-Pierce County health department or to any other department or division.

B. A copy of the proposed boundary line adjustment shall be forwarded to the assessor-treasurer's office. The assessor-treasurer's office shall review the boundary line adjustment for accuracy of legal description, ownership, lot dimensions, and improvements on the lots.

C. The departments shall review the proposed boundary line adjustment against the purpose and scope described in UPMC 21.20.010 and 21.20.020 respectively and submit any comments to the planning department no later than 30 days of date of application.

D. If the department of planning determines that an application for boundary line adjustment may impair drainage, water supply, existing sanitary sewage disposal, access or easement for vehicles, utilities, or fire protection for any lot, tract parcel, site, or decision, it shall refer the application to the appropriate department for review.

Section 98. Amending Chapter 21.22 of the University Place Municipal Code.
UPMC 21.22.030(B) is hereby amended and shall read as follows:

...

B. Building Inspection and Permits Department. All applicants for building permits shall show by instrument of conveyance and an affidavit from his vendor, grantor or the applicant that their building lot is not a division from an original tract or that they or their predecessors have complied with or are exempt from this title. Building permits shall be denied to any applicant whose parcel, lot or tract is not in compliance with this title. No building permit shall be issued for any lot within a plat or short plat until final approval is obtained from the appropriate city authority except as provided herein for model homes. Building permits except as provided herein shall not be issued to any applicant until his site plan includes any required or mentioned element noted on the final plat, short plat or large lot division, including but not limited to building site location, access, drainage, sewers or septic tank and water system. An occupancy certificate shall not be issued until all such required or mentioned elements are satisfied.

...

Section 99. Amending Chapter 21.22 of the University Place Municipal Code.
UPMC 21.22.030(D) is hereby amended and shall read as follows:

...

D. Assessor-Treasurer. A one percent real estate excise tax affidavit shall be filed in the city assessor-treasurer's office for all transfers of real property within the city. The affidavit shall include a parcel number or numbers of the current tax account or accounts involved in the sale. If there is a separation of said tax account, the total acreage or square footage of said tax account shall be stated therein and a rough diagram of the original parcel and the divided parcel shall be drawn thereon. Said diagram shall identify the section, township, range, quarter section and placement of existing buildings. At the determination of the assessor-treasurer that the parcel sold is less than 20 acres and is a segregation from the original parcel, he shall require that said affidavit be approved by the city planning community development department before he may place the excise stamp on the conveying instrument for the real property.

...

Section 100. Amending Chapter 21.22 of the University Place Municipal Code.
UPMC 21.22.050 is hereby amended and shall read as follows:

21.22.050 Administration.

The planning department is the primary city department responsible for administering this regulation, however, other city departments are delegated specific duties. In the event a legal question is involved, only the planning department, examiner or council may refer the question to the city attorney's office for advice.

Section 101. Amending Chapter 22.05 of the University Place Municipal Code.
UPMC 22.05.100(A) is hereby amended and shall read as follows:

...

A. Time Limitations. Within a period of two years following the approval of a special use permit or preliminary development plan by the examiner, the applicant shall file with the planning community development department a final development plan. Unless extended, if no final development plan is filed within the time limits specified, the approval shall be void.

...

Section 102. Amending Chapter 22.05 of the University Place Municipal Code.
UPMC 22.05.120(A) is hereby amended and shall read as follows:

...

A. Time Limit. Appeals may be taken to the examiner by any aggrieved person or by any officer, department, board or commission of the city affected by a decision of an administrative official in the administration of enforcement of this code. Such appeals shall be filed in writing on forms available at the city in duplicate with the planning community development department within 14 days of the date of the action being appealed. Appeals must be accompanied by a fee set by a separate fee resolution.

...

Section 103. Amending Chapter 23.30 of the University Place Municipal Code.
UPMC 23.30.050 is hereby amended and shall read as follows:

23.30.050 Repair and emergency work.

In the event of an unexpected repair or emergency, a grantee may commence such repair and emergency response work as required under the circumstances; provided the grantee shall notify the public-works community development director as promptly as possible, before such repair or emergency work or as soon thereafter as possible if advance notice is not practicable.

Section 104. Amending Chapter 23.30 of the University Place Municipal Code.
UPMC 23.30.070 is hereby amended and shall read as follows:

23.30.070 Relocation of authorized facilities.

The relocation of authorized telecommunications facilities is governed by state law. The public-works community development director shall give all necessary notices required by RCW 35.99.060.

Section 105. Amending Chapter 23.30 of the University Place Municipal Code.
UPMC 23.20.080(F) is hereby amended and shall read as follows:

...

F. Any such other reasonable circumstances affecting public health, safety and welfare deemed necessary by the public-works community development director.

...

Section 106. Amending Chapter 23.30 of the University Place Municipal Code.
UPMC 23.30.120(A) is hereby amended and shall read as follows:

...

A. When a grantee, or any person acting on its behalf, or any other service provider, does any work in or affecting any rights-of-way, it shall, at its own expense, promptly remove any obstructions therefrom and restore such ways or property to the same condition that existed before the work was undertaken. As used in this section, "promptly" shall mean as required by the city's public-works community development director in the reasonable exercise of the director's discretion.

...

Section 107. Amending Chapter 23.30 of the University Place Municipal Code.
UPMC 23.30.190(A) is hereby amended and shall read as follows:

...

A. The construction bond shall remain in force until 60 days after substantial completion of the work, as determined by the public-works community development director, including restoration of rights-of-way and other property affected by the construction.

...

Section 108. Amending Chapter 23.35 of the University Place Municipal Code.

UPMC 23.35.080 is hereby amended and shall read as follows:

23.35.080 Construction schedule.

The permittee shall submit a written construction schedule to the public-works community development director 10 working days before commencing any work in or about the rights-of-way. The permittee shall further provide written notification to the public-works community development director not less than five working days in advance of any excavation or work in the rights-of-way.

Section 109. Amending Chapter 23.35 of the University Place Municipal Code.

UPMC 23.35.090 is hereby amended and shall read as follows:

23.35.090 Compliance with permit.

All construction practices and activities shall be in accordance with the permit and approved final plans and specifications for the facilities. The public-works community development director shall be provided access to the work and such further information as the director may require to ensure compliance with such requirements.

Section 110. Amending Chapter 23.35 of the University Place Municipal Code.

UPMC 23.35.140 is hereby amended and shall read as follows:

23.35.140 As-built drawings.

Within 30 days after completion of construction, the permittee shall furnish the public works community development director with two complete sets of plans, drawn to scale and certified to the city as all grantees accurately depicting the location of all underground facilities constructed pursuant to the permit within city rights-of-way.

Section 111. Amending Chapter 23.45 of the University Place Municipal Code.

UPMC 23.45.110(B) is hereby amended and shall read as follows:

...

B. The conditional use or public facility permit requirement for a facility will be waived in nonresidential zones if the applicant locates the antenna on an existing structure or an existing tower unless additional height requires a conditional use permit. Any co-location must be accomplished in a manner consistent with the policy, site criteria, and landscape/screening provisions contained in this chapter.

The applicant must submit detailed plans to the planning-department community development director for an administrative use permit to determine if the conditional use or public facility permit process and public hearing can be waived. No building permit will be issued until approval is granted by an administrative use permit or conditional use or public facility permit.

...

Section 112. SEPA Exemption. This ordinance legislation related solely to procedures and contains no substantive standards respecting use or modification of the environment and therefore is exempt from the State Environmental Policy Act pursuant to WAC 197-11-800(20).

Section 113. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

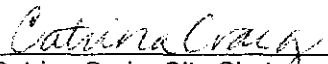
Section 114. Ratification and Confirmation of Prior Acts. The City Council expressly ratifies and confirms all actions taking by the Director of Community Development and the Director of Community Services that were undertaken after the new organizational structure was implemented but prior to the effective date of this ordinance.

Section 115. 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 be effective five (5) days after its publication.

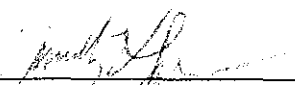
PASSED BY THE CITY COUNCIL ON JUNE 21, 2004.


Ken Grassi, Mayor

ATTEST:


Catrina Craig, City Clerk

APPROVED AS TO FORM:


Timothy X. Sullivan, City Attorney

Published: 6/23/04

Effective Date: 6/28/04