

SULTAN CITY COUNCIL AGENDA ITEM COVER SHEET

ITEM: Discussion - 2

DATE: September 27, 2007

SUBJECT: Sewer Connection Policy

CONTACT PERSON: Public Works Director Dunn
Community Development Director Cisar

ISSUE:

The issue for the City Council is to review the proposed process for establishing a sewer connection policy, and authorize City staff to seek a qualified consultant to perform a demand analysis on the connections needed to serve commercial development for the next five years.

The City Council considered this issue at its June 28, 2007 meeting. The Council discussed the need to designate a certain percentage of available connections to commercial development. This staff report outlines a proposed process for implementing Council direction.

STAFF RECOMMENDATION:

Authorize City staff to seek a qualified consultant to perform a demand analysis on the connections needed to serve commercial development for the next five years.

City staff reviewed the Council discussion on June 28, 2007. The City, in effect, needs to determine the commercial demand for available sewer connections for the next five years. This will ensure adequate commercial connections until the Waste Water Treatment Plant Upgrade is complete.

City staff estimates the demand analysis needed to review the City's future land use map and determine the need for potential connections requires the following steps:

1. Review commercial, industrial and retail zoning and land use designations and determine the probable demand for sewer connections for each commercial site.
2. Calculate potential commercial development for the next five years.
3. Calculate connections for in-fill residential development for the next five years.

This recommendation assumes that the Waste Water Treatment Plant Upgrade, to increase the number of available connections, will be complete by 2012. This assumption implies that the City will need sufficient available commercial connections for the next 5 years.

COUNCIL SUBCOMMITTEE RECOMMENDATION:

The Council subcommittee discussed the staff recommended approach to develop a sewer connection policy at its September 20, 2007 meeting and supports the staff recommendation.

SUMMARY:

Through changes in plat developments and the decreased number of needed sewer connections in the Green and Hammer Plats, the City of Sultan has a surplus of 354 connections that need to be re-allocated for use.

The City does not have a policy in place to issue concurrency letters for these connections. The staff proposal is intended to provide the necessary data to develop a sewer availability policy.

DISCUSSION:

The previous sewer/water availability policy, used to issue concurrency letters, was based on a "first come, first serve" approach. The City Council adopted a sewer availability policy in 2005. The Growth Management Board found the policy invalid since it was inconsistent with the City's Comprehensive Plan.

Section 2.10 (Public Services) of the 2004 Comprehensive Plan contains the following goals:

2. *Growth Management – Coordinate overall growth policies so residential development follows rather than precedes economic development and Sultan's ability to provide tax revenues sufficient to pay for increased and improved school, fire, aid, police, and other urban services.*
3. *Phasing – Phase delivery of utility services to planning units with major population potential so that Sultan public services and facilities can be coordinated in advance of each area's development needs.*

Setting aside a larger number of connections for commercial growth keeps the sewer availability policy consistent with the City's Comprehensive Plan Goals 2.10 Public Services 2 & 3 as written in attachment C. Increasing available sewer connections for commercial development, which is also concurrent with the 2004 Comprehensive Plan Goals, attachment D.

The overall policy recommended by staff is to adopt a sewer availability policy compliant with the City's Comprehensive Plan and the State Growth Management Act:

- 1) Retain sufficient connections to accommodate commercial development for the next five years.
- 2) Distribute remaining connections to infill development as defined in SMC 16.150.900 (14) Attachment C.

FISCAL IMPACT:

The cost of performing a demand analysis is estimated at approximately \$7,500. The City Council will need to authorize a budget amendment to complete this work in 2007 or wait and budget for the work in 2008.

The City does not have the expertise in-house to perform this analysis.

With Council authorization to proceed, City staff will seek a qualified consultant and return to Council with a proposed scope of work and budget. The City Council may make its final determination on whether to proceed at that time. Staff anticipate a scope of work and budget could be available for Council review in late October or early November.

RECOMMENDATION:

Authorize City staff to seek a qualified consultant to perform a demand analysis on the connections needed to serve commercial development for the next five years.

ATTACHMENTS:

Attachment A Revised Water/Sewer Availability Procedure

Attachment B Current List of Water/Sewer Availability Letters issued with a balance of available connections, updated May, 2007

Attachment C Sultan Municipal Code 16.150.090 definitions (14) Infill development

Attachment D Sultan Municipal Code 2.10 Public Services Goals 2 & 3



CITY OF SULTAN

Water/Sewer Availability Procedure/Policy

1. Schedule a Pre-Application Meeting with City Departments.
 - a. Contact the Permit Assistant 360.793.2231 for an application form, costs and submittal requirements.
 - b. Meetings are scheduled on Wednesday mornings. All applications are due 1 week in advance of meeting to provide for internal review, comments and questions.
 - c. Meeting will be held with appropriate City of Sultan Staff and Developer Representatives.

2. The City of Sultan has a limited number of sewer connections available. Except for any existing connections, the City does not intend to provide sewer service for those not meeting Comprehensive Plan goals and policies. The number of connections available is limited and the City will prioritize requests for sewer service for infill and commercial/industrial according to the City's current City Comprehensive Plan at the pre-application meeting.

The developer shall provide the following additional information:

- a. Information whether the property is within a ULID or LID, or an area designated for a local facility charge to support a ULID or LID;
- b. Suitability of the Sultan Comprehensive Plan, the environmental and economic impact and the willingness of the applicant to develop to City Code and Standards.
- c. In the event of concurrent annexation/development proposals applicant agrees to meet all City development standards and pay all development and impact fees associated with the project. Thereafter, building permits will be issued after the effective date of the annexation.

As a result of the pre-application meeting, the City will conduct an analysis of the remaining capacity of the City's sewer treatment facilities and the foreseeable demand. The proposed development shall be analyzed with respect to its size and density of development, quantity of utility service required (average flow and peak periods), special treatment or hazards involved and the meeting of all development codes. Provision of sewer service to the property would not jeopardize public health or safety, the request shall be deemed a qualifying request.

Available sewer utility connections will be allocated in letters of availability in the following order of priority:

- a. by category of request and
- b. by date of receipt within the category

Utility requests shall be placed in one of three categories in the following order of priority:

- Within the City limits
- A qualifying request for service as infill and/or commercial in close proximity to existing utility lines with adequate reserve capacity
- A qualifying request for service outside the City limits but within the City's Urban Growth Boundary and not in close proximity to existing utility lines with adequate reserve capacity

As a result of the pre-application meeting, the information submitted and the analysis performed, until such time as eighty five per cent capacity of the City's wastewater treatment plant has not been exceeded.

The City of Sultan will allocate during preliminary review an estimated number of water and sewer connections to be designated for the project.

3. Upon written notice of the preliminary connection allocation by the City, the Developer must request in writing from the Public Works Director a letter for water and sewer availability. The request would include:
 - a. The date of the pre-application meeting.
 - b. The number of connections allocated by the City of Sultan.
 - c. The property address.
 - d. The Tax Parcel I.D. Number(s).
 - e. Name of project.
 - f. Anticipated application date.
 - g. Development schedule for property.
 - h. Developer information (name, address, phone number, e-mail etc.)
4. Upon issuance, the Water and Sewer Availability Letters will state:
 - a. The letters are non-transferable.
 - b. The Developer has 45 days from the date of the availability letter(s) to submit to the Planning Department a complete development application, including the payment of all fees and supplemental information for the project requested during the pre-application meeting.
5. The water and sewer availability letters may be renewable if the developer is within 2 weeks of submitting a counter complete development application to the City of Sultan and connection allocations remain available.
6. Payment of water and sewer connections will be required when a development/project has received preliminary subdivision, planned unit development or binding site plan approval or final approval when preliminary approval is not required (i.e. condition use permit) by the City Council or administrative approval from permitting department.
7. Upon payment of the water/sewer connections, a monthly fee of 25% of the monthly base fee per lot will be payable monthly towards debt service.

Water/Sewer Availability
APRIL 2007

Attachment B

DEVELOPER	PRE-APP	DATE	CONNECTIONS		DATE	EXT. REQ.	BALANCE OF SEWER AVAIL #'S	SUBMITTAL
	DATE	RECVD REQUEST	WATER	SEWER	ISSUED	DATE		DEADLINE
Beginning Balance							684	
A.J. Place	8/17/05	7/25/05	39	40	8/30/05		644	10/10/2005
AJ's Place (Existing Home)			1	1			643	
AME Properties			8	8		Complete	635	
Anderson Farms (Court - Pending)	6/29/05	8/9/05	33	34	8/12/05		601	9/15/2005
Brickyard (Vodnick)	7/27/05		22	23	8/2/05		578	9/9/2005
Cascade Breeze (Ext Request)	7/6/05	8/4/05	30	30	8/8/05	9/12/05	548	10/6/2005
Denali Ridge (Construction)			17	17	11/8/04		531	
Green - Taylor Group LLC		11/1/06	65	65	12/13/06		466	12/6/2006
Green (Appeal 10/19/2005)	5/28/05	7/18/05	64	64	Court Order		367	
Green Property (Appeal 10/19/2005)	5/18/05	5/26/05	50	50	7/19/05		317	
Hammer	7/26/05		75	75	8/2/05	8/25/05	391	9/23/2005
Hammer Properties (Change in Lots)				+6			397	
Housing Hope (Paid)			10	11	2/9/05		386	Complete
Joshua Freed - Cable Court			9	9	11/30/06		377	
Joshua Freed - Caleb Court		9/1/06	9	9	9/26/06		368	
Ramirez (210 Foundry)	12/1/04	11/29/04	25	26	8/12/05	per phone 9-22-05	342	10/7/2005
Skoglund - Sultan 144 LLC (Construction)	7/13/05		48	48	8/30/05		294	10/5/2005
Sky Harbor			61	62			232	Complete
Steen Park LLC (Construction)	8/24/05	8/24/05	18	18	9/20/05		214	10/7/2005
Stratford Place			19	20			194	Complete
Timber Ridge (Construction)			85	85			109	
Infill							-7	
Commercial Industrial Reserves*							9	
Short Term Improvements WWTP				206			206	
Sewer Connections Remaining							317	
* These are tracked on separate page of this report								
Infill according to SMC 16.150.090(i)								

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Water/Sewer Availability
Residential/Commercial/Industrial
APRIL 2007

DEVELOPER	PRE-APP DATE	DATE REC'D REQUEST	CONNECTIONS		DATE ISSUED	EXT. REQ. DATE	DEADLINE	BALANCE OF AVAIL #S	SUBMITTAL DATE
			WATER	SEWER					
Residential Infill									
Beginning Balance								30	
Jeff White (A)	1/26/05		2	3	1/24/05			27	
Broughton Manor (Building)			6	6				21	
Stephens SP (A)	7/23/05		3	4	10/17/03			17	
Salmon Run North (Building)			3	3				14	
Doubek		9/12/05	1	2				12	
706 5th Street		4/27/05	2	2				10	
101 Main - Removed House			1	+1				11	
Bart Dalmasso			1	1	12/4/06			10	
701 High Ave - George	8/11/06	8/11/06	6	6	8/31/06	10/16/06		4	
Higa Burkholder		6/21/2006	2	2	7/17/06			2	
Kenny Young	2/28/2006		4	4	6/22/06			-2	
705 5th St - Clark			2	2	1/10/07			-4	
97 4th/13629 310th - J. Smith	2/28/06	4/30/06	3	3	5/9/06	COMPLETE		-7	
Dan & Colleen Smith		10/1/06	2	2	10/1/06	Cancelled 1-17-07		BLA PENDING	
Commercial/Industrial Infill									
Beginning Balance								12	
Sportsman Club (Pd.)	9/21/05		1	1				11	
Alexander Manufacturing		Building	1	1				10	9/23/2005
Hoot Owl Mini Lube			1	1				9	
REMAINING									

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16.150.090 "I" definitions.

1. "Illicit discharge" means all nonstormwater discharges to stormwater drainage systems that cause or contribute to a violation of state water quality, sediment quality or groundwater quality standards, including but not limited to, sanitary sewer connections, industrial process water, interior floor drains, car washing and greywater systems.

2. "Illuminated sign" means any sign that has characters, letters, figures, designs or outlines illuminated by electric lights, or from a remote position.

3. "Immediate vicinity," with regard to the built or man-made environment, refers to all development that is within 500 linear feet of any proposed development, measured in a straight line from the property line that is closest to any existing development.

4. "Impervious surfaces" means those surfaces that do not absorb water and consist of all buildings, parking areas, driveways, roads, sidewalks, and any areas of concrete or asphalt on a lot.

5. "Improvement" means any building, structure, place, work of art, or other object constituting a physical betterment of real property, or any part of such betterment.

6. Improvement, Substantial. See "substantial improvement."

7. "Include" means to contain or comprise without limitation, to consider as part of a whole, or to take into account.

8. "Incompatible use" means a use that is incapable of existing in harmony with the natural environment or with other uses situated in its immediate vicinity.

9. "Indoor amusement" means establishments engaged in providing entertainment indoors for a fee or admission charge, including such activities as theaters, bowling, pool, billiards, or arcades, that feature three or more coin or token operated devices, such as pinball and video games.

10. "Indoor storage" means the keeping of any goods, materials, merchandise, or supplies as an accessory use to any retail, office, or service use. Any retail or office use shall not devote more than 35 percent of its gross floor area to indoor storage.

11. "Industrial park" means a planned, coordinated development of a tract of land with two or more separate industrial buildings. Such development is planned, designed, constructed, and managed on an integrated and coordinated basis with

special attention given to on-site circulation, parking, utility needs, building design and orientation, and open space.

12. "Industry, heavy" means a use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in the storage of, or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.

13. "Industry, light" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including process, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, but excluding basic industrial processing.

14. "Infill development" means the addition of new housing or other buildings on scattered vacant sites in an existing built-up area.

15. "Infrastructure" means the roads, sewage system (including collection lines, treatment plants, and outfalls), water system (including distribution lines and wells), police and fire-protection services, health care facilities, schools, electricity system, telephone system, cable television system, and solid waste disposal facilities.

16. "Institutional use" means a nonprofit corporation or establishment for public use.

17. "Intent" means the objective toward which any section of this unified development code strives or for which it exists.

18. "Interflow" means that portion of rainfall that infiltrates into the soil and moves laterally through the upper soil horizons until intercepted by a stream channel or until it returns to the surface, for example, in a wetland, spring or seep.

19. "Interpretation," within the context of this code, shall mean a finding or determination made by the building and zoning official as to the meaning or intent of any work, phrase, or section contained herein.

20. "Intersection" means any street, public way, court, or alley that joins another at an angle, whether or not it crosses the other.

21. "Irregular lot" means a lot which is shaped so that application of setback requirements is difficult. Examples include a lot with a shape which is not close to rectangular, or a lot with no readily identifiable rear lot line. (Ord. 630 § 2[16.05.622 - 16.05.662], 1995)

2.10 Public services

The following goals and objectives are based on an analysis of existing service conditions and the results of the workshop planning sessions.

Goal: Quality and availability

Cooperate with the Sultan School District, Snohomish County Departments of Planning & Community Development, Parks & Recreation, Public Works and other public agencies to provide quality public services and facilities for residents of the Sultan planning area.

1 Funds

Identify and promote the development of new employment centers within the Sultan planning area – particularly within Sultan Industrial Park, to provide local job opportunities and improve the local tax base that finances local public services.

2 Growth management

Coordinate overall growth policies so that residential development follows rather than precedes economic development and Sultan's ability to provide tax revenues sufficient to pay for increased and improved school, fire, aid, police, and other urban services.

3 Phasing

Phase delivery of utility services to planning units with major population growth potential so that Sultan public services and facilities can be coordinated in advance of each area's development needs.

4 Joint development

Initiate a citywide capital facility planning process with the Sultan School District, Snohomish County, and other public agencies to identify local public facility needs. Implement a coordinated approach to the funding and development of joint public facilities and services to avoid site and facility duplications, save development costs, and improve local service delivery.

5 Coordinate public service efforts

Coordinate the financial resources that are available of Sultan, Snohomish County, and Sultan School District in order to realize a more effective, equitable, and fiscally solvent public security, fire and emergency response, and educational system.

6 Joint use facilities

Where possible, joint venture security, fire, public educational equipment, facilities, and services to provide a greater security capability than would be accomplished by Sultan alone or otherwise.

7 Impact assessments

Require developers to contribute land and/or fees to mitigate the impact proposed land developments will have on the demand for Sultan's public services and facilities.

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8 Growth impact assessment methodology

Utilize a methodology for determining the facility impact of proposed development projects within the Sultan urban growth area to include the corporate limits and any surrounding lands where the residents will depend on Sultan for urban services.

