



Wastewater Waiver from Construction & Exemption from Lot/Acreage Fee

Yorkwald Acres, Lot 11 (Final Plat)

Planning Commission Meeting
February 20, 2019

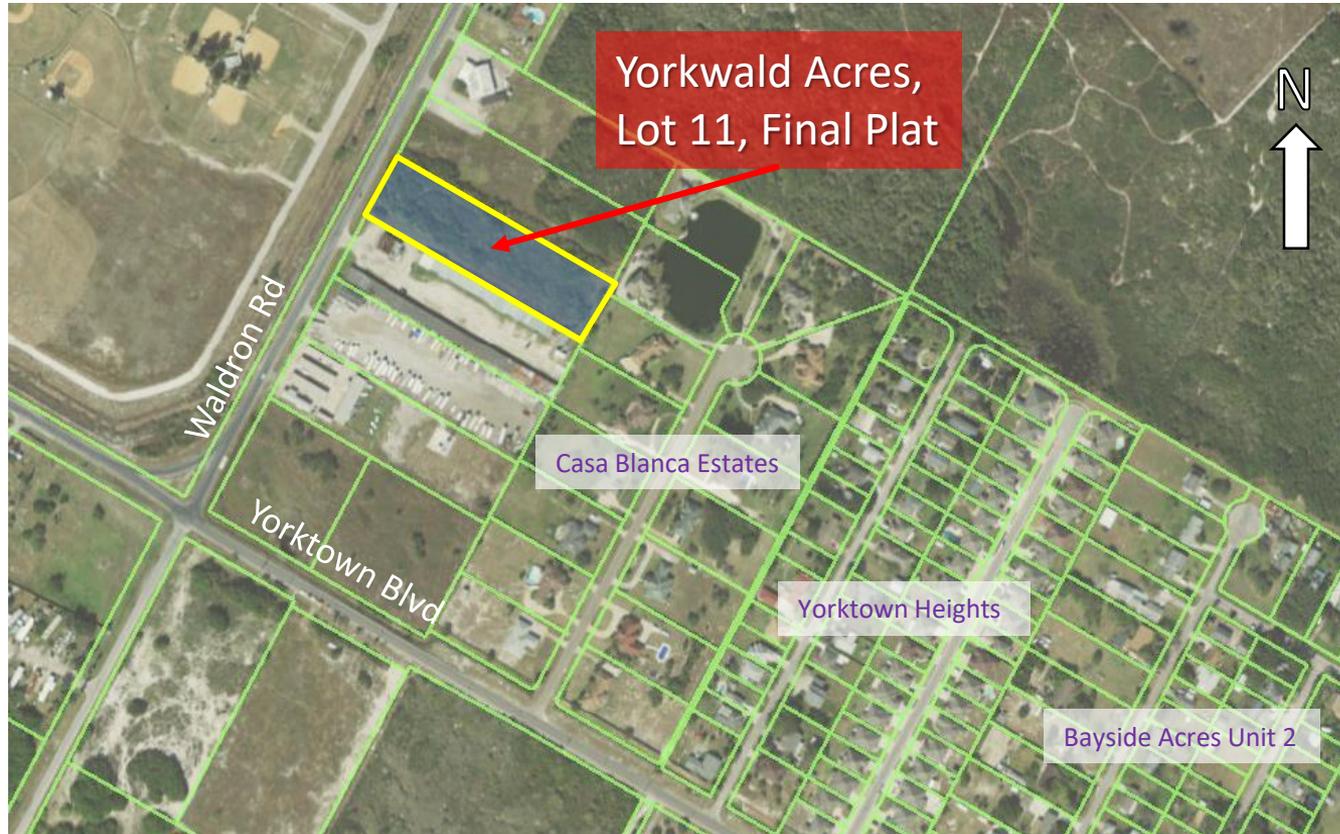


Vicinity Map





Aerial Overview





Platting Requirement to *Construct* Wastewater Lines / Facilities

- UDC 3.30.1.A: “Neither a final approval nor a certificate of occupancy for building development shall be issued **until the developer has installed the improvements** required by this Unified Development Code or has guaranteed that such improvements will be installed.”
 - UDC 8.1.4: During platting, the “developer shall provide”:
“C. **Wastewater system**, including but not limited to wastewater lines, force mains, manholes and lift stations.”
 - UDC 8.1.5: “All required improvements shall be installed and designed to provide for a system of utilities, storm water and streets and to create a **continuity of improvements among adjacent properties**.”
 - UDC 8.2.7: “**A.** Every lot within a proposed subdivision shall be provided with access to an approved wastewater collection and treatment system of sufficient capacity *as determined adopted City wastewater standards and master plans.*”
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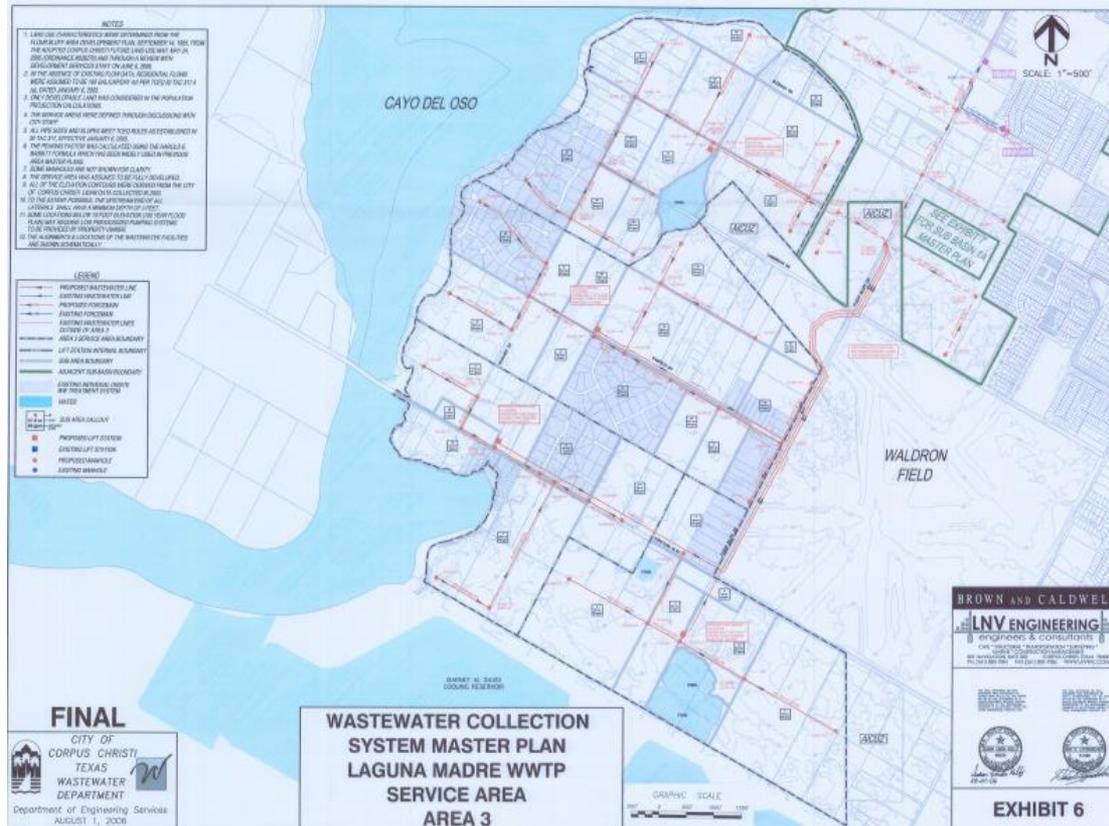
Wastewater Waiver Standard

UDC 8.2.7.B.1

- Subdivision that is not “reasonably accessible” to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards
- “Reasonably accessible” means
 - Master plan facilities are in the designated service area and can be extended
 - Collection lines of sufficient capacity are within 1,000 feet of the subdivision
- Options
 - a. Individual aerobic system on each lot (septic), or
 - b. Individual wastewater treatment plant, or
 - c. Interim service (lift station and force main).

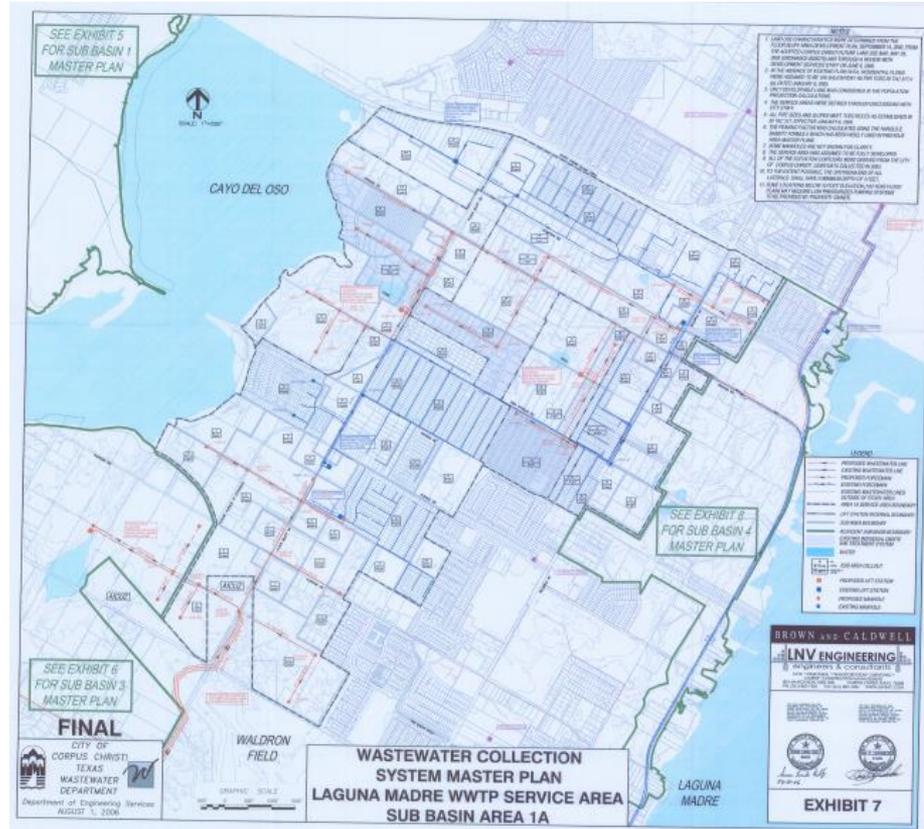


Not in a WWTP Designated Service Area



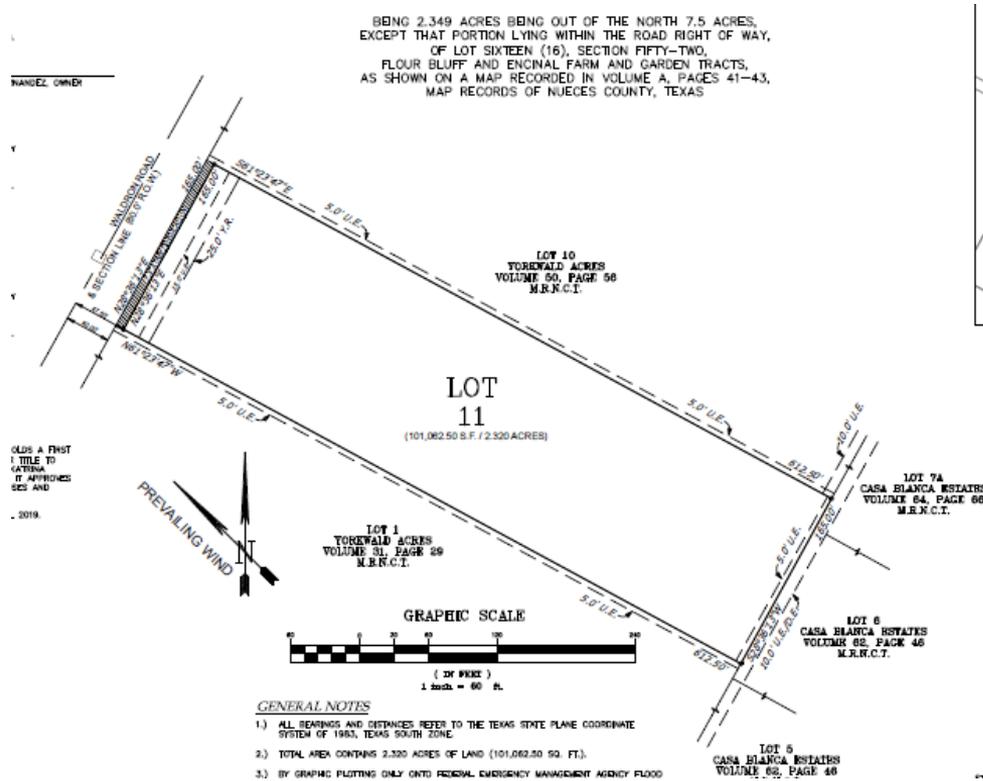


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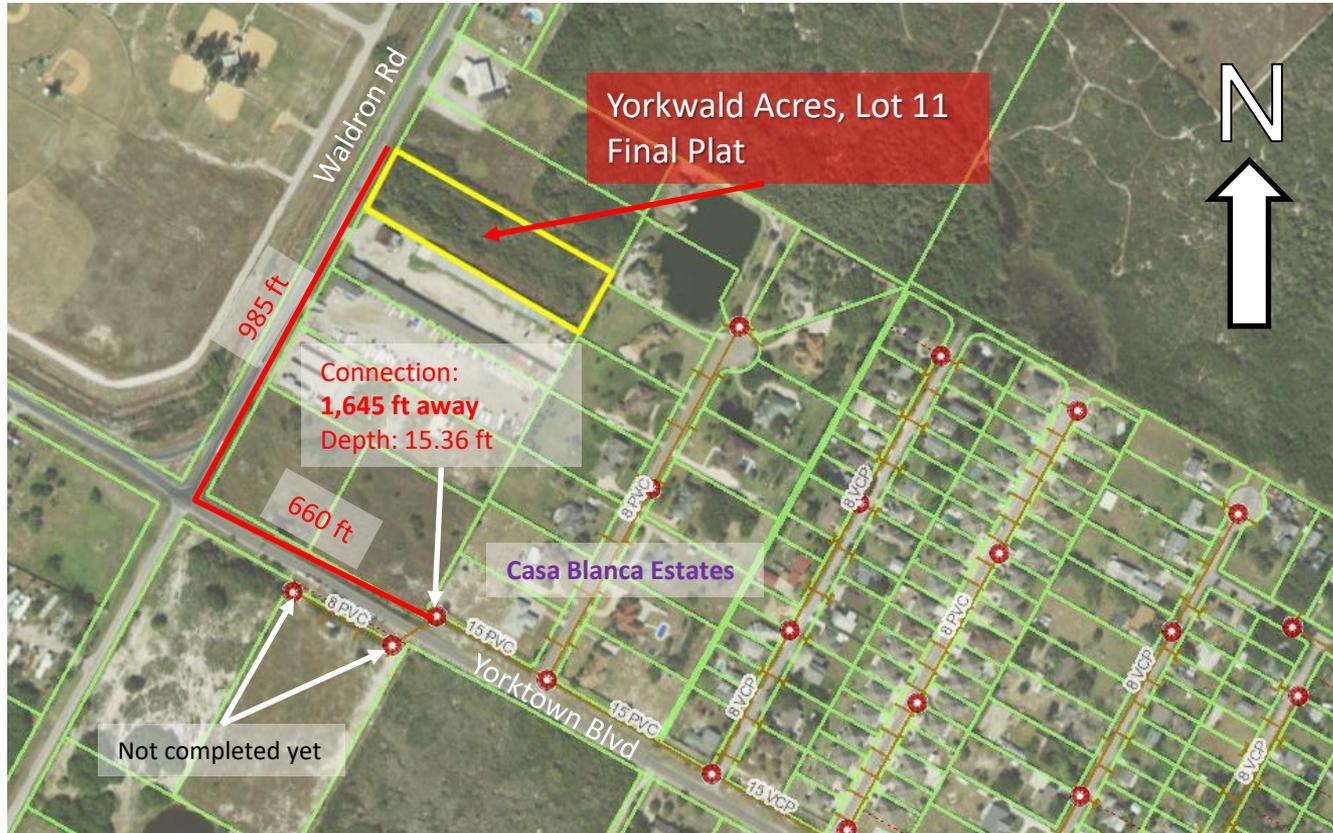


Yorkwald Acres, Lot 11 Plat





Nearest Alternative Sewer Connections: Alternative #1



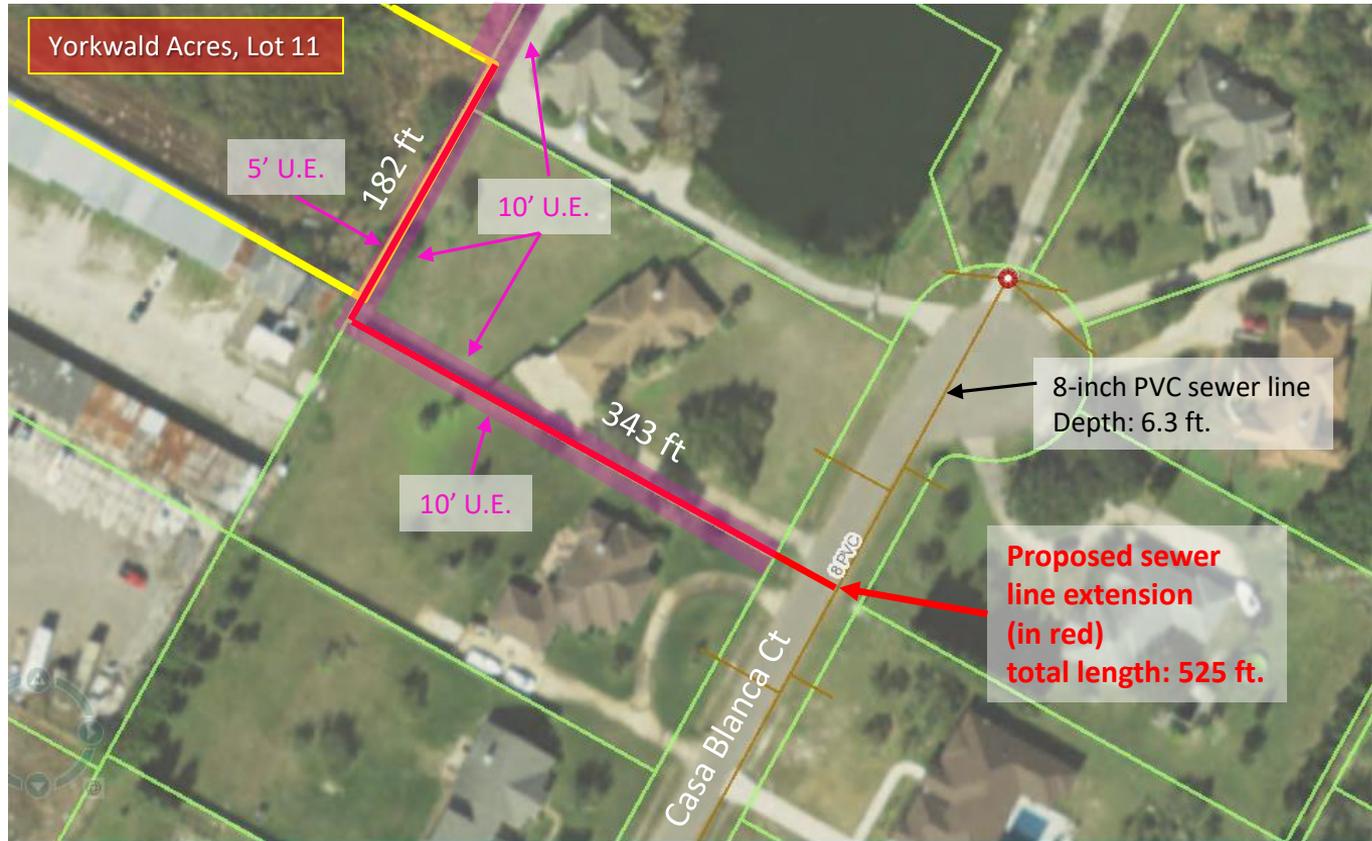


Alternative #2: Connect to Casa Blanca Estates Sewer from Back





Alternative #2: Connect to Casa Blanca Estates Sewer from Back





Plat Waiver UDC 3.8.3.D

- **Need for waiver shall be demonstrated to Planning Commission's satisfaction**
 - **The waiver may be approved, approved with conditions or denied after consideration of the following factors:**
 1. Not detrimental to public health, safety, or general welfare, or be injurious to other property in area, or to the City;
 2. The conditions that create the need for the waiver shall not generally apply to other property in the vicinity;
 3. Application of the provision will render subdivision of land unfeasible; or
 4. The granting of the waiver would not substantially conflict with the Comp Plan and the purposes of the UDC
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Exemption from Wastewater Lot/Acreage Fee

- Before final plat is recorded, the lot or acreage fee, whichever is greater, shall be paid. **UDC 8.5.2.B.**
 - Exemption from fees: **UDC 8.5.2.G**
 - exempted areas shall be those determined by the City Council “not likely to be serviced by City wastewater services within the next 15 years”
 - Planning Commission makes recommendation
 - City Council makes the final determination
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Staff Assessment

- Denial of waiver from construction: request does not satisfy the standards in UDC 8.2.7.B and 3.8.3.D
- Denial of Exemption from Wastewater Lot/Acreage fee: Request does not satisfy the standard in UDC Section 8.5.2.G