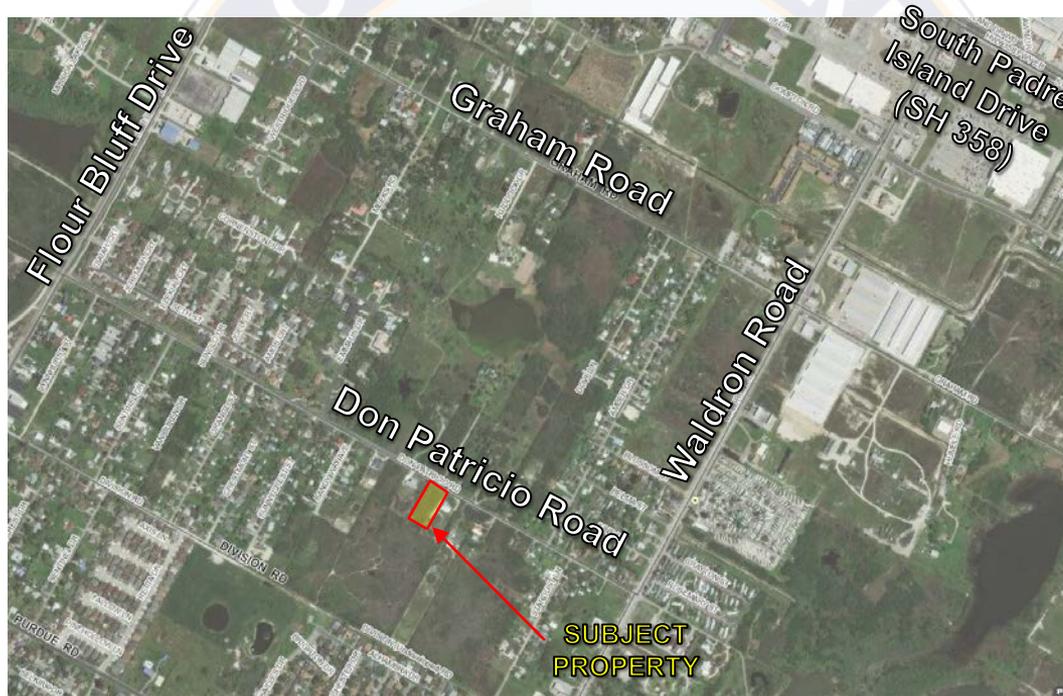


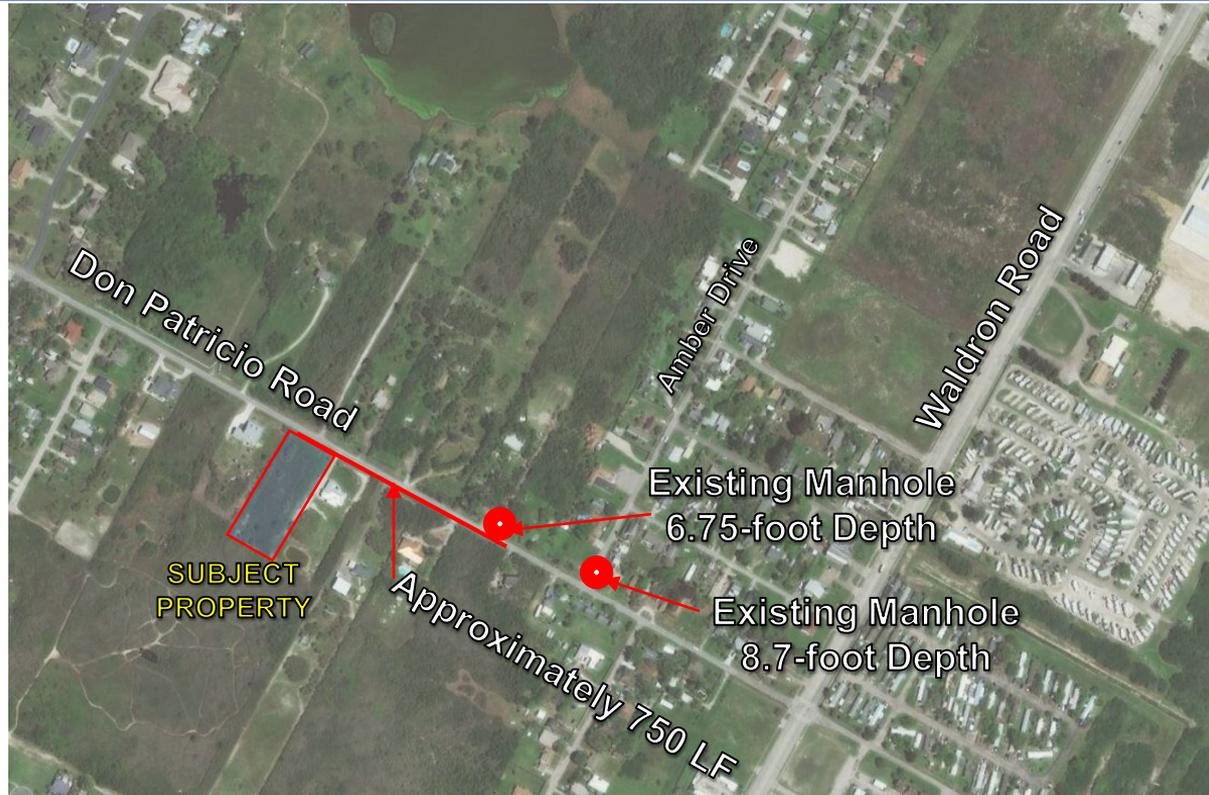
Wastewater Waiver from Construction

Don Patricio, Block F, Lot 47R



Planning
Commission
April 29, 2020

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 8.2.7: “**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”
- “Reasonably accessible” means
 - Master plan facilities are in the service area & 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).

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

Staff Recommendation

Denial of the request for exemption from construction.