



# **Wastewater Waiver from Construction & Exemption from Lot/Acreage Fee**

## **Swan Village – Phase One, Final Plat**

Planning Commission Meeting  
January 9, 2019

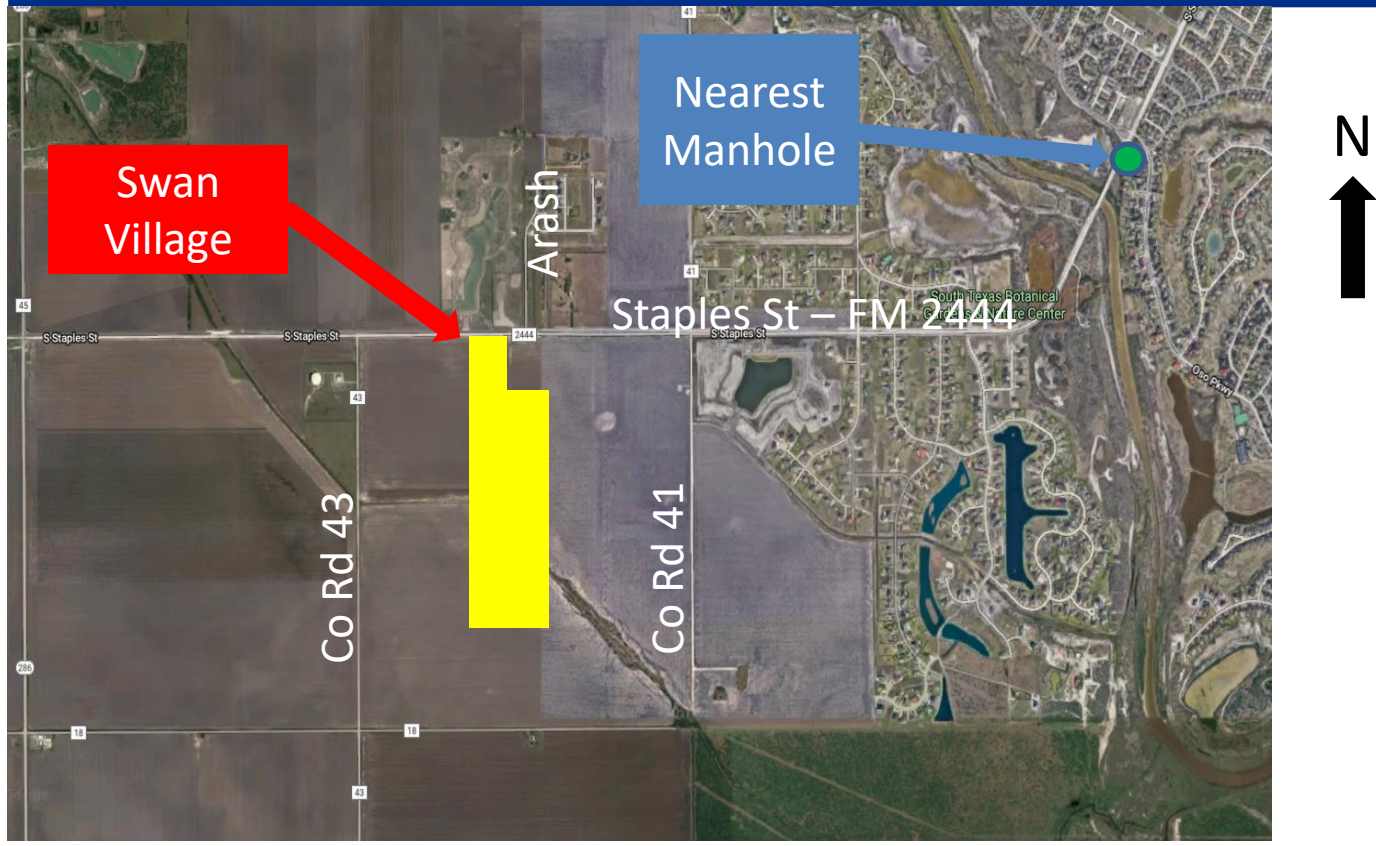


# Vicinity Map





# Aerial Overview





# Platting Requirement to *Construct* Wastewater Lines / Facilities

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- 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

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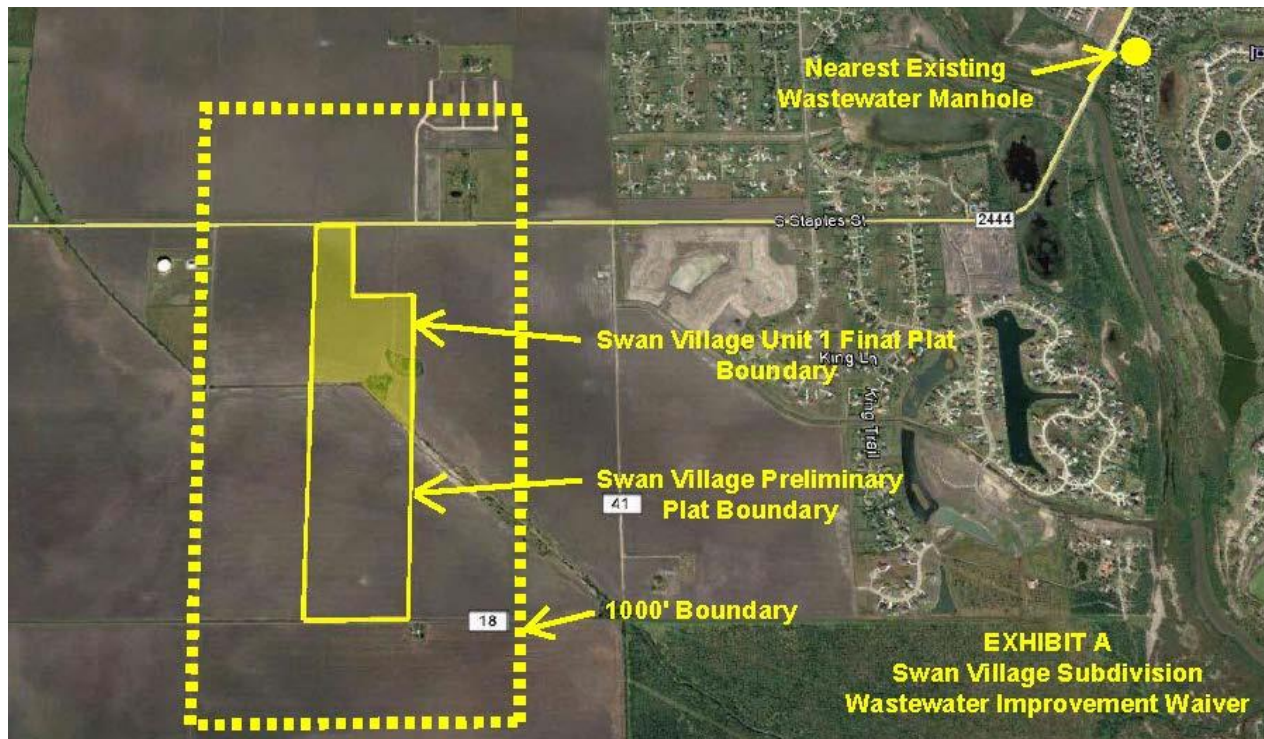
## UDC 8.2.7.B.1

- 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).





# Applicant's Exhibit





# Plat Waiver UDC 3.8.3.D

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- **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

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- 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

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- ☑ Waiver from construction request satisfies the standards in UDC 8.2.7.B and 3.8.3.D
- ☑ Exemption from Wastewater Lot/Acreage fee request satisfies the standard in UDC Section 8.5.2.G