



AGENDA MEMORANDUM

First Reading for the City Council Meeting of February 12, 2019
Second Reading for the City Council Meeting of February 19, 2019

DATE: January 16, 2019
TO: Keith Selman, Interim City Manager
FROM: Nina Nixon-Méndez, FAICP, Director,
Development Services Department
NinaM@cctexas.com
(361) 826-3276

Ordinance Exempting Swan Village Unit 1 from Wastewater Acreage Fees

CAPTION:

Ordinance exempting Swan Village Unit 1 located on FM 2444, between CR 41 and CR 43, from the payment of wastewater acreage fees under Section 8.5.2.G.1 of the Unified Development Code; requiring a sanitary sewer connection agreement.

PURPOSE:

Exempt the owner/developer of Swan Village Unit 1 from paying \$70,531.62 wastewater acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

GTHH Development, LLC, property owner, submitted a request for an exemption from the wastewater acreage fees in accordance with Section 8.5.2.G. The potential wastewater acreage fee is \$70,531.62, based on the rate of \$1,571 per acre. The subject property consists of 44.896 acres.

Swan Village Unit 1 is a final plat of 44.896 acres, consisting of one (1) lot, Zoned Residential Single Family. The final plat was approved by Planning Commission on January 9, 2019. The subject property is located on FM 2444, between CR41 and CR 43.

On January 9, 2019, the Planning Commission granted a waiver to the requirement to connect to sanitary sewer, finding that the subdivision was not reasonably accessible to a public wastewater facility of sufficient capacity as determined by adopted City wastewater standards and wastewater master plan. The subject property will provide on-site sewage facilities in conformance with the regulatory agency (City-County Health Department).

Per UDC 8.5.2.G, areas exempt from the payment of lot or acreage fees shall be determined by the City Council to not likely be served by City Wastewater services within the next 15 years. Staff does not anticipate availability of service to this property within the 15-year term.

ALTERNATIVE:

Require the owner to pay the applicable wastewater acreage fee in the amount of \$70,531.62 prior to the recording of the plat. If wastewater services are not available within 15 years from the date of the filing of the plat, the property owners may request a refund.

OTHER CONSIDERATIONS:

None

CONFORMITY TO CITY POLICY:

N/A

EMERGENCY / NON-EMERGENCY:

Non-emergency

DEPARTMENTAL CLEARANCES:

This item was coordinated with the Utilities Department.

FINANCIAL IMPACT:

Operating Revenue Capital Not applicable

Fiscal Year: 2018-2019	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget				
Encumbered / Expended Amount				
This item				
BALANCE				

Fund(s):

COMMENTS:

None

RECOMMENDATION:

On January 9, 2019, the Planning Commission recommended that City Council approve the exemption of the wastewater acreage fee subject to a Sanitary Sewer Connection Agreement. The agreement will require payment of the pro-rata fee in effect when public wastewater service becomes available. The agreement will also require payment of the wastewater lot or acreage fee in effect if public wastewater becomes available within 15 years of the plat being filed for record.

LIST OF SUPPORTING DOCUMENTS:

Ordinance
Presentation