



AGENDA MEMORANDUM

One-Reading for the City Council Meeting of 6/25/19

DATE: May 20, 2019

TO: Peter Zaroni, City Manager

FROM: Nina Nixon-Méndez, FAICP,
Director, Development
Services Department
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Ordinance Exempting Ybarra Terrace Lot 1 from Wastewater Acreage Fees

CAPTION:

Ordinance exempting Ybarra Terrace Lot 1 located north of Weber Road and east of Oso Creek, from the payment of the wastewater lot/acreage fees under section 8.5.2.G.1 of the Unified Development Code; and declaring an emergency for a one-reading action.

PURPOSE:

Exempt the owner/developer of Ybarra Terrance Lot 1 from paying \$14,201.84 wastewater acreage fees subject to execution of a Sanitary Sewer Connection Agreement.

BACKGROUND AND FINDINGS:

Esther Castillo Ybarra, property owner, submitted a request for an exemption from the wastewater acreage fees in accordance with UDC Section 8.5.2.G.1. The potential wastewater acreage fee is \$14,201.84, based on the rate of \$1,571 per acre. The subject property consists of 9.04 acres.

Ybarra Terrance Lot 1 is a final plat of 9.04 acres, consisting of one (1) lot, Zoned Farm Rural. The final plat was approved by Planning Commission on May 15, 2019. The subject property is located North of Weber Road and East of Oso Creek.

On May 15, 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 Section UDC 8.5.2.G.1, areas exempt from the payment of lot or acreage fee 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 \$14,201.84 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:

Trust fund contributions and exemptions will continue to be evaluated in the future.

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):

Funding Detail:

Fund:

Organization/Activity:

Mission Element:

Project # (CIP Only):

Account:

RECOMMENDATION:

On April 3, 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 connecting to public wastewater, and payment of the pro-rata fee, 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