



Planning and Land Services Department Planning Section Policy

Policy Number:	CP2016-01
Title:	Dry Sewer Facility Exceptions
Date:	September 19, 2016 (replacing August 3, 2016 Policy)
Management Approval:	Sean Gaffney, Planning Manager
Related Documents:	PCC Title 18J

Purpose

Identify a process and documentation that must be followed for residential projects to be exempted from the installation of dry sewers.

Existing Regulation

18J.15.160 Dry Sewer Lines, states that new urban development proposing to utilize interim on-site septic systems shall be required to install dry sewer facilities. When dry sewer lines are installed, a residential development up to the maximum density may be allowed, provided that lots in excess of the density permitted utilizing on-site sewer disposal shall not be built upon until the sewer line is extended and connected to all the lots.

18A.15.020 B.2. Residential Density, states that if a lot is more than 300 feet from a sewer hook-up, the minimum density requirement shall not apply if: 1) only one lot of a proposed short plat or subdivision exceeds 7,260 feet; and, 2) the improvements associated with the land division do not preclude future access or other improvements needed to achieve minimum density for any future land division. (*P.C. Ordinance 2016-14s, effective June 30, 2016*)

Discussion

Many properties within the urban area are not within close proximity to sanitary sewer which makes it infeasible for a developer to extend infrastructure to serve new residential projects. Absent sanitary sewer extensions, projects are not able to be developed at the highest density allowed. As a means to facilitate future infill at the time sanitary sewer is installed adjacent to these projects, dry sewer facilities are required. The design and installation of the dry sewer must be done in a manner that enables future connection to the public sanitary sewer system with minimal costs and construction. An obstacle in designing a dry sewer facility is not knowing the location or depth of a future sewer line. It is highly possible that this situation will lead to a misalignment between installed dry infrastructure and future sewer lines. This scenario is counter to the purpose of the dry sewer requirement.

Other design strategies are available to facilitate additional housing within a residential project that is not initially connected to sanitary sewer. These strategies include, but are not limited to, the use/design of community septic systems and shadow platting (recording lots that are unbuildable until sewers are available). As each project has unique site characteristics and proximity to existing sewer infrastructure, it is not possible to list all possible scenarios and solutions. For projects in which the appropriate Sewer Utility cannot provide the location and depth of a future sewer line, an exemption to the dry sewer requirement is acceptable if the stipulations, process, and documentation identified below is followed.

Exemption Stipulations	
1	The applicable sewer service provider agrees to the dry sewer facility exemption.
2	The depth and location of a future sewer line that would serve the project cannot be provided by the applicable sewer service provider.
3	All lots within a project shall be connected to the sanitary sewer system at the time a sewer line is installed adjacent to the proposed development.
4	The plat calls out a “no objection” to sewer clause.

Exemption Process	
1	The planner assigned to a residential project shall notify the PALS Director or appointed designee at the time a project application is submitted and proposes an on-site sanitary system and no dry sewer installation.
2	The planner shall contact the appropriate sewer utility and solicit confirmation that the exemption of the dry sewer requirement is acceptable.
3	If the sewer utility does not agree to the exemption, it must provide the applicant the depth and location of the future sewer line within 60 days of the initial request for acceptance. If the sewer utility does not provide the requested information, the exemption shall be allowed.
4	The applicant shall document how the design of the project or infrastructure supports future residential in-fill and possible options for future connections to sewer.
5	In review of the proposed development, the planner shall determine if its design provides for the future connection (i.e. easements, general provisions, plat notes) to sanitary sewer and facilitates future infill development.
6	The exemption documentation shall be reviewed and approved by the PALS Director or appointed designee.

Exemption Documentation

1	The staff report shall include correspondence from the appropriate sewer utility supporting the exemption.
2	The staff report shall review and accept possible strategies which will support in-fill development for the specific project. The strategy should be reflective of the unique site characteristics of the project.
3	A recommended finding shall include why the project is exempt from the dry sewer facilities requirement and how its design facilitates future residential in-fill.
4	A recommended condition of approval shall require all lots within the project to be connected to the sanitary sewer system at the time a sewer line is installed adjacent to the development and agree to a no contest clause.