

ORDINANCE NO. 18-028

AN ORDINANCE Amending and Replacing Chapter 13.52 of the  
Camas Municipal Code relating to Water System Development  
Charges

WHEREAS, section 35.92.025 of the Revised Code of Washington provides the statutory authority for cities to charge property owners seeking to connect to the water system of the City; and

WHEREAS, the Council of the City of Camas commissioned Corollo Engineers to complete an update to its Water System Plan; and

WHEREAS, the Water System Plan Update includes a revised 20-year Capital Improvement Plan and is substantially complete and is anticipated to be submitted to the Washington State Department of Health for review and approval during the first quarter of the 2019 calendar year; and

WHEREAS, the City Council has commissioned FCS Group to prepare an update to the Water System Development Charges of the City; and

WHEREAS, FCS Group has completed an updated calculation of the maximum allowable Water System Development Charge based on the capital improvement plan provided for in the Water System Plan Update; and

WHEREAS, the City Council has held numerous city council meetings in which the calculation of the Water System Development Charges has been presented and discussed; and

WHEREAS, the City Council has considered the information provided by FCS Group and staff, including but not limited to the number of system development charge zones and classes to be used in the system development charge calculation, the length of time system development charge credits may be used, and the equitable financial share proposed developments have in the system; and

WHEREAS, taking all information into consideration, the City Council has elected to adopt a system-wide water system development charge that is less than the calculated maximum allowable.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CAMAS DO ORDAIN AS FOLLOWS:

## Section I

Chapter 13.52 of the Camas Municipal Code is hereby amended and replaced in its entirety as follows:

### Chapter 13.52 - WATER SYSTEM DEVELOPMENT CHARGES

#### 13.52.010 - Purpose.

Pursuant to the authority conferred upon cities and towns by RCW 35.92.025, the city council of the city finds that property owners who seek to connect their property to the water works system of the city should be assessed a charge in order that such property shall bear its equitable share of the cost of the water works system. The city council further finds that the charge should be based upon the property owners' anticipated use of the water works system as related to the historical cost of the water works system's capacity available to meet their demands. It is the intent of the city council that the charge imposed by this chapter shall be derived from the historical cost of the system as measured by the undepreciated value of the water works system and plant in service at the time the charge is imposed and the projected cost of additions to the system to meet new demands. The charge imposed by this chapter shall be denominated a "water system development charge" and shall be in addition to any water connection, installation, or permit fees imposed by other ordinances of the city.

#### 13.52.020 - Definitions.

Unless otherwise specifically defined, the terms used in this chapter shall have the following meanings:

- A. "Water System" means all facilities for collecting, transporting, pumping, treating and providing water.
- B. "Accessory Dwelling Unit" means one or more rooms with a private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An Accessory Dwelling Unit is distinguishable in that it is clearly subordinate to the primary dwelling unit, both in use and appearance.
- C. "Industrial or unusual requirement customer" means that use classification of a nonresidential property owner who uses a meter equal to or greater than 3-inches in size and has a non-standard peak flow, uses a significantly large daily volume of water that is in excess of the City's typical commercial customer, or who otherwise have an unusual water usage pattern.

#### 13.52.030 - Imposition.

- A. Except as provided herein, there is imposed on all properties in the City and all properties outside the boundaries of the city that connect to the water system of the city a water system development charge, which charge shall be assessed in accordance with the rates set forth in Section 13.52.070.
- B. There shall be no water system development charge imposed for the installation of an additional meter installed to an existing residential customer service line which meter is installed for irrigation purposes.
- C. Property owners that install a residential fire sprinkler system, which requires that the water meter size be increased to make the fire sprinkler system operational, shall not be charged the increased system development charge for the larger meter.

#### 13.52.040 - Credits.

- A. Development Credit:

- 1) A developer (as defined in CMC 3.88.030.K) shall be entitled to a credit against the applicable system development charge for the dedication of land or for the design or engineering or construction of an "eligible improvement". For purposes of this section, an eligible improvement shall mean an improvement or real property that is: required as a condition of development approval; identified in the Water System Plan or Capital Improvement Plan; and included in the current system development charge calculation as being funded by system development charges.
- 2) The amount of the credit shall be the dollar amount assigned to the improvement or to the land in the system development charge calculation. Where only a portion of the improvement is constructed, or a portion of the land is dedicated, the amount of the credit shall be pro-rated.
- 3) Credits earned for one category of system development charge, e.g. water, may not be applied against a different system development charge, e.g. sewer.
- 4) Approval from the city council shall be required prior to the start of construction or dedication of any eligible improvement. "Approval" in the context of this subsection (4) shall be satisfied if the city requires the construction or dedication of the eligible improvement as a condition of approval for a land use application. If a developer wishes to construct an eligible improvement that is not otherwise a condition to an approved land use application, prior approval must be obtained from the city council. No system development charge credit shall be granted until either the eligible improvements have been designed, engineered, or constructed by the developer, and such work has been accepted by the city; or until the land has been dedicated by the developer and such dedication has been accepted by the city.
- 5) If system development charges become due and payable prior to the developer becoming eligible for the issuance of credits as provided in section (4), the developer may apply to the public works director to defer collection of the charges until construction or dedication is completed. The public works director may condition deferral upon:
  - a) The developer posting a bond or other financial security satisfactory to the city in an amount equal to one hundred twenty-five percent (125%) of the deferred system development charges, which bond or other financial security shall be conditioned upon the developer either paying the deferred system development charges or completing construction or dedication within a specified time,
  - b) The withholding of an occupancy permit, or
  - c) Such other conditions acceptable to the city.

If the developer is dissatisfied with the decision of the public works director, the developer may seek to have that decision reviewed by the city council.

- 6) Upon acceptance of the eligible improvement, the developer may submit an application for the system development charge credit to the public works department. After submission of the application and verification of entitlement thereto, the public works director shall submit to the City Council for concurrence. Upon ratification, the finance department shall issue a credit voucher to the developer specifying the amount of the system development charge credit and the type of credit.
- 7) The credit may, at the option of the developer, be applied all or in part to the system development charges owing for the developer's project.
- 8) To the extent the credit exceeds the amount of the system development charges owed by the developer, or the developer chooses not to apply the credit to the developer's project, the unused credit may be applied to a different project of the developer or to the project of a different developer.
- 9) Before the system development charge can be transferred to a different project or a different developer, the holder of the system development charge credit shall file with the finance department an application to transfer the credit on a form to be created by the finance department. The application shall identify the transferee, and the amount of the system

development charge credit being transferred. The transfer application shall be accompanied by an administrative fee in an amount as may be set by resolution of the city council.

- 10) When credits are to be redeemed, the holder of the system development charge credit shall file an application for redemption on a form to be created by the finance department. Redemption shall be permitted only in increments equal to a whole system development charge, or when redemption will exhaust the entire system development charge credit. The application for redemption shall be accompanied by an administrative fee in such amount as may be set by resolution of the city council. When system development charge credits are being redeemed, such redemption shall not allow for system development charge credits to be pro-rated among more than one residential lot in amounts that are less than the existing system development charge per lot. For example, where system development charges are five thousand dollars per residential lot and a developer wishes to redeem eleven thousand dollars' worth of credits, the developer shall not be allowed to apply one thousand dollars per residential lot over eleven lots. The developer may apply five thousand dollars to two residential lots and the remaining one thousand dollars to one residential lot.
- 11) The finance department shall be responsible for maintaining appropriate records documenting the issuance, transfer, and redemption of system development charge credits.
- 12) Expiration of Credits. Any Credits issued after the effective date of this ordinance shall expire and become null and void ten years from the date of approval of the original credit by the City Council. Transfer of credits or partial use of credits shall in no event extend the expiration date of those credits.

#### 13.52.050 – Accessory Dwelling Units

There shall be no Water System Development Charge for connection of Accessory Dwelling Units to the city water system.

#### 13.52.060 - Application for connection—Use classification of property.

- A. Any property owner seeking to connect his property to the water system of the city shall file with the city an application to be on a form provided by the city. The application shall contain the name and address of the property owner, the location of the property to be connected to the water system, the nature of the structure to be constructed on the subject property, the proposed use of the subject property, and any relevant information deemed necessary by the city to process the application.
- B. Upon receipt of the completed application, the applicant shall then be informed by the city of the amount of the water system development charge, which shall be based upon the use classification of the property and shall be in accordance with the rates set forth in Section 13.52.070.

#### 13.52.070 - Rates.

- A. The rates for water system development charges shall be determined based on the meter size installed as set forth in Table 13.52.070.

**Table 13.52.070**

**CITY OF CAMAS WATER SYSTEM DEVELOPMENT CHARGES**

**Effective January 1, 2019 to December 31, 2019**

<b>Meter Size</b>	<b>South Shore Water System Development Charge</b>	<b>North Shore Water System Development Charge</b>
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¾"	\$6,044	\$7,310
1"	\$10,373	\$12,183
1.5"	\$20,145	\$24,365
2"	\$32,232	\$38,948
3"	\$64,464	\$77,968
4"	\$100,725	\$121,825
6"	\$201,450	\$243,650
8"	\$322,320	\$389,840

**CITY OF CAMAS WATER SYSTEM DEVELOPMENT CHARGES**  
**Effective January 1, 2020**

<b>Meter Size</b>	<b>City-Wide Water System Development Charge</b>
¾"	\$7,310
1"	\$12,183
1.5"	\$24,365
2"	\$38,948
3"	\$77,968
4"	\$121,825
6"	\$243,650
8"	\$389,840

- B. The Water System Development Charge shall be indexed yearly on January 1st to address inflation based on the Engineering News Record Construction Cost Index for the City of Seattle. Effective January 1, 2020, and annually thereafter, the Water System Development Charge shall be adjusted pursuant to the adopted cost index as set forth herein.
- C. The water system development charge for properties classified as industrial or unusual requirement customer shall be based on a separate engineering study completed by the applicant and approved by the city. The factors used in the study to determine the system development charge shall include

the size of meter, the average and peak volumes of water used by the customer, seasonal variations, the calculated meter customer equivalents as compared to the City's current system development charge calculation and other pertinent factors deemed necessary by the city.

#### 13.52.080 - Payment of water system development charge.

- A. The water system development charge owing under the provisions of this chapter shall be paid by the applicant at the time of issuance of the plumbing permit or building permit, whichever shall first occur, or as scheduled by a separate agreement with the city. The amount of the charge shall be based on the System Development Charge in effect at the time of permit issuance.
- B. No water service shall be furnished to the property of any person seeking to connect to the water system of the city until the water system development charge imposed by this chapter has been paid to the city or until such time as the city and the applicant have entered into a separate agreement providing for the payment of such water system development charge.

#### 13.52.090 - Revenue disposition.

All revenues collected pursuant to this chapter shall be paid into the water and sewer capital reserve fund and shall be used for the purpose of financing system improvements. Such revenues shall not be used to offset current operation or maintenance costs.

#### 13.52.100 - Appeals.

- A. Any applicant aggrieved by the amount of the water system development charge found by the city to be required under the provisions of this chapter, may appeal to the board of adjustment from such finding by filing a written notice of appeal with the city clerk within twenty days from the time such property owner is given notice of such amount. The chairman of the board of adjustment shall cause a notice of the time and place of hearing to be mailed to the applicant. At such hearing, the applicant shall be entitled to be heard and to introduce evidence on his own behalf. The board of adjustment shall thereupon ascertain the correct amount of the water system development charge, and the city clerk shall immediately notify the appellant thereof, by mail, which amount, together with the costs of appeal, if appellant is unsuccessful therein, must be paid within ten days after such notice is given.
- B. The chairman of the board of adjustment may, by subpoena, require him to produce any pertinent books and records. Any person served with such subpoena shall appear at the time and place therein stated, and shall produce the books and records required, if any, and shall testify truthfully under oath administered by the chairman in charge of the hearing on appeal, as to any matter required of him pertinent to the appeal, and it is unlawful for him to fail or refuse to do so.

#### 13.52.110 - Recording of notice.

Pursuant to RCW 65.08.170, the city shall cause to be recorded in the office of the auditor of Clark County, a notice in the form and containing the information prescribed by said statute.

Section II

This Ordinance shall take force and be in effect five days from and after its publication according to law.

PASSED BY the Council and APPROVED by the Mayor this 17th day of December, 2018.

SIGNED: \_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
Clerk

APPROVED as to form:

\_\_\_\_\_  
City Attorney