

CITY OF DUNN
WASTEWATER ALLOCATION POLICY

A. PURPOSE

The City of Dunn has made significant public investment in improvements and increased capacity to the City's wastewater (sewer) treatment facilities to support future growth and avoid the environmental damage and danger to the public health caused by limited or inadequate collection and treatment of wastewater. Recognizing that the capacity of the treatment and disposal facilities is finite and adding additional capacity is expensive, this Wastewater Allocation Policy is established to direct growth to areas most appropriate for the efficient provision of the City's wastewater service while also establishing a framework for tracking this limited resource. This policy is to effectively allocate available wastewater capacity to new developments as a means of maintaining a reasonable balance of land-uses in a fair manner.

B. TERMS

The following terms have the meanings below when used in this policy:

1. Allocation - A conditional designation of estimated wastewater treatment capacity to a specific project, subject to the provisions of this policy and any document of approval.
2. Allocation Phase - A provision included as part of an allocation to a specific development that defines the amount of the total allocation which may be used in a specific timeframe.
3. Development - An undertaking involving real property improvement put forth for consideration or acceptance for which City and/or State approvals, authorizations, or permits are required.
4. Development Proposal - An application for approval of a specific plan (subdivision, special use permit, site plan) or any other development or entitlement application which has been filed with and is pending consideration by the City.
5. GPD - Measurement of the flow or discharge of wastewater in gallons per day.
6. Infill Development - Development within a previously developed area that is served by the City's existing wastewater collection and does not require a permit or permit modification for new or existing sewer main(s) to serve the development.
7. NCDEQ - The North Carolina Department of Environmental Quality or its successors.
8. PWS - The Public Water Supply Section, which is part of the North Carolina Department of Environmental Quality, or its successors, regulates public water systems within the state under the statutory authority of North Carolina General Statute 130A Article 10.
9. Redevelopment - Converting an existing built property into another use. Ideally, redevelopment aims for better use of the property that provides an economic return to the community.

C. 15A NCAC 02T .0118 ACKNOWLEDGEMENT

This policy acknowledges the requirements of Title 15A of the North Carolina Administrative Code, Chapter 02, Subchapter T, Section .0118 titled “Demonstration of Future Wastewater Treatment Capacities” (15A NCAC 02T .0118).

D. POLICY

1. All wastewater allocation requests, unless specified herein, must be approved by the Dunn City Council. The City Council will only consider wastewater allocation requests that are completed and contain the necessary project-related information. The approval of the City’s wastewater allocation request shall be contingent on all major subdivision plans (residential developments) or site plans (non-residential) and in conjunction with pending state wastewater permits.
2. Wastewater allocation requests will be submitted for residential, commercial, institutional, or industrial use with the first major subdivision development or site plan submittal.
3. All wastewater allocation requests shall be based on flow rates as determined in Section 15A of the North Carolina Administrative Code 02T.0114 - Wastewater Design Flow Rates.
4. An allocation request shall only be granted if conveyance and treatment capacity is available or plans for upgrading capacity relative to the project have been approved.

E. PRIORITIZATION

1. All wastewater allocation requests shall be considered on a prioritized basis.
2. Projects must receive a minimum of 55 points or more to merit wastewater allocation.
3. Evaluation of projects will be based on the scoring chart attached hereto as **Exhibit A**, which is incorporated in this policy by reference.
4. Proposed projects can gain bonus points by the applicant offering to provide items listed on the chart as part of their development proposal.
5. Additional factors which the City Council may consider:
 - a. Whether in the City Council’s opinion, the application is for a land use which is consistent with the City’s adopted policies concerning growth and development, and
 - b. Such other factors as may be identified by the City Council in its deliberations, which either suggest that a particular application promotes or undermines the public health or safety, or the general welfare of the city.

F. RESIDENTIAL ALLOCATION

1. Residential Allocation will be considered for all single family detached & attached (townhomes), duplex, and multi-family apartment projects and shall be allocated over two categories.
 - a. **Single-family Development.** Single-family detached, attached (townhomes) & duplexes development consisting of 20 lots or less shall be granted wastewater allocation by the City Manager at his/her discretion. Developments consisting of more than 20 lots shall be subject to a phased wastewater allocation as approved by the City Council. Each phased approach shall not exceed 50 lots per utility allocation request. Subsequent utility allocation requests may only be submitted for approval once development has attained Certificate of Occupancies on 70% of the lots in each phase approved for utility allocation.
 - b. **Multi-family Development.** Multi-family developments consisting of 100 units or less shall be considered for utility allocation. Developments consisting of more than 100 units shall be subject to a phased wastewater allocation. Each phased approach in a multi-family development shall not exceed 100 units per utility allocation request. Subsequent utility allocation requests may only be submitted for approval once development has attained Certificate of Occupancies on 70% of the units for each phase approved for utility allocation.
2. Residential Allocation shall be considered allocated when the City receives and approves the official authorization to construct the wastewater improvements serving the project development phase that was granted. Release of allocation for a subsequent phase of the development will not occur until the allocation for the prior phase has been used.

G. NON-RESIDENTIAL ALLOCATION

1. Non-residential developments shall include all developments that are commercial or industrial in nature. The maximum allocation per development phase for commercial and industrial projects will be granted by the City Manager for projects less than 10,000 gpd, without prior approval of the City Council, and by City Council approval for developments requesting allocation capacity greater than 10,000 gpd.
2. Allocation requests shall be considered allocated when the water meter is installed for the structure to which the allocation was committed, and a Certificate of Occupancy has been attained.

H. PROCEDURE

1. All wastewater allocation requests shall be made by submitting a complete Wastewater Allocation Request application to the City. The complete application shall be submitted with the subdivision or site plan development plan submittal. Once submitted, the City

staff will evaluate allocation capacity requests and notify the applicant of the City's recommendation for allocation capacity.

2. Wastewater allocation approvals shall be contingent upon annexation of the subject property into the City's corporate limits.
3. The City Manager shall have the authority to grant allocations of no more than 10,000 gpd to infill developments located within the City's corporate limits, projects to be located within the City's corporate limits for which the development plans are eligible for approval by City staff because they do not require consideration by the City Council. In addition, staff may grant additional allocation to serve subsequent phases of developments approved prior to the effective date of this policy if:
 - a. the approved plan is still valid;
 - b. previous allocations have been used; and
 - c. the allocation being requested does not exceed the allocation limits per development phase as prescribed by this Policy.

I. EXPIRATION

Wastewater allocation granted for initial upfront allocation for a development shall be allocated within thirty-six (36) months of approval. Thereafter, any allocation reserved for a subsequent phase of development must be used within twelve (12) months of the allocation being released for that phase. If allocation has not been used within the stipulated time periods it shall automatically revert to the City.

J. EXTENSIONS

The City Council may grant a 6-month extension to a development unable to use the initial allocation within the 24-month period. The request for such extension must be provided a minimum of thirty (30) days of expiration and shall be accompanied by documentation demonstrating use of allocation before the expiration date is unavoidable due to factors beyond the applicant's control. The 6-month extension may be granted if, at the sole discretion of the City Council, the delay is a result of factors beyond the applicant's control.

K. APPEALS

Staff decisions may be appealed to City Council. Appeal requests must be in writing and include a detailed description of the proposed development, allocation requested, and reason for the appeal. All decisions rendered by the City Council shall be final.

L. REVOCATION

1. Wastewater allocation is granted to a specific development to be located on a specific parcel or parcels of land and based on the approved development which received wastewater allocation.

2. Upon completion of the development or permit expiration, the unused allocation (adjusted to the actual development constructed, if necessary), will automatically revert to the City.
3. Allocation granted to a development may be immediately revoked and forfeited immediately upon written notice to the applicant that City staff has determined the allocation was granted based on false or misleading information.
4. The City Council reserves the right to revoke allocation, if deemed necessary, on projects (or portions thereof) with excess capacity or where system development fees have not been paid within twenty-four (24) months of the original allocation.
5. Any wastewater allocation granted outside the provisions of this Policy from the effective date forward shall be null and void within one (1) year from the effective date of this Policy unless approved by the City Council pursuant to this policy.

M. TRANSFERABILITY

Wastewater Allocation may only be used for the specific development or the parcel(s) for which it was originally granted. Under no circumstances shall allocation be used for any other development.

N. POLICY REVIEW

The City Council hereby reserves all rights to review, modify, or deviate from this policy at the sole discretion of the City Council. This shall include, but is not limited to:

1. Granting modifications to the policy;
2. Determining sewer capacity available per category to maintain a fair and equitable balance between categories and to promote growth deemed in the best interest of the City;
3. The release of additional allocation;
4. Other relevant factors as determined by the City Council.

O. SEVERABILITY

If any portion of this policy and any amendments made hereto are held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Policy and any amendments made hereto shall not be affected and shall remain in full force and effect.

P. EFFECTIVE DATE

This policy shall become effective upon adoption by the City of Dunn City Council on *August 9th 2022*. This policy does not supersede or nullify any agreement concerning the allocation of wastewater which existed at the time of adoption of this policy.

EXHIBIT A

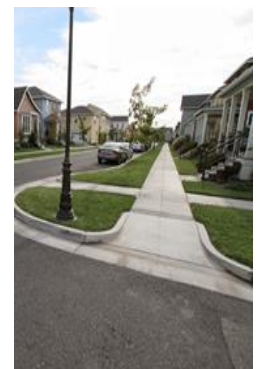
WASTEWATER ALLOCATION CRITERIA			
	Category	Point Value	Notes
Development Type (choose 1 from this category)	Non-residential - Retail & Restaurant	20	
	Non-residential - Office	20	
	Non-residential - Warehouse	15	
	Non-residential – Medical	20	
	Non-residential – Hotel/Motel/Inn/Travel Trailer Campground	20	
	Industrial/Manufacturing	30	
	Institutional	15	
	Residential – Existing Lot (SF Detached)	45	Individual existing lot construction.
	Residential Subdivision - SF Detached (10,001 sf or larger lot sizes)	20	
	Residential Subdivision - SF Detached (10,000 – 7,001 sf lot sizes)	15	
	Residential Subdivision – SF Detached (7,000 sf lot size and under)	10	
	Residential Subdivision – SF Attached (1,500 sf or larger heated space)	15	
	Residential Subdivision – SF Attached (under 1,500 sf heated space)	10	
	Residential – Multi-family	10	
	Mixed-Use Residential	20	
Mixed-Use Commercial & Residential	30		
Downtown Redevelopment	30		
Infill Development	30		
Future Tax Status (choose 1 from this category)	Exempt	0	
	Residential	5	
	Non-residential	10	
	Industrial	10	
Community Improvements Bonus Points (choose all that apply from this category)	Public or private sports/recreation (tennis courts, basketball courts, soccer field, etc.)	10	
	Expansion of non-residential use	10	
	Re-development of an existing property in conformance with City’s current land development standards	5	
	Residential Subdivision – Centralized high-quality recreational amenities	5-15	Pool, clubhouse, large playground (>1,000 sf), sports courts – 5 points per (15 points max.)

	Job Creation – 30 or less new jobs	5	
	Job Creation – 31 to 100 new jobs	10	
	Job Creation – more than 100 new jobs	15	
	Residential Design – Multiple-car garages provide	5	
	All residential structures constructed with crawlspaces.	15	
	All residential structures constructed with raised slab foundations (Minimum two (2) code approved steps above grade).	10	
	50% of residential structures constructed with crawlspaces or raised slab foundations (Minimum two (2) code approved steps above grade).	5	
	Residential structures constructed with exterior material such as hardi-plank, masonry, or similar material on at least 50% of the front and sides of all structures.	10	
	Non-residential Structures constructed exterior material such as hardi-plank, masonry, or similar material on at least 80% of the front and sides of the structures.	10	
	Design - Utilizing of Traditional Neighborhood design standards including alley loaded lots/units, pocket parks, on street parking & street trees located between the curb and sidewalks.	10	
	Abatement of nonconforming structures, land or lots.	5	
	Pedestrian Facilities (on-site): Will improve, construct or implement planned public pedestrian infrastructure (within site or along frontages of subject property) such as sidewalks, greenway trails, pedestrian paths, etc. per City, County or State adopted plans and polices.	5	
	Pedestrian Facilities (off-site) - Will improve, construct or implement planned public pedestrian infrastructure (off site) such as sidewalks, greenway trails, pedestrian paths, etc. per City, County or State adopted plans and polices.	10	
	Transportation Improvements (on-site) - Will improve, construct or implement planned public transportation infrastructure (within site or along	5	

	frontages of subject property) such as intersection improvements, traffic signal improvements, road widening, traffic calming measures, etc. per City, County or State adopted plans and polices.		
	Transportation Improvements (off-site) – Will improve, construct or implement planned public transportation infrastructure (off-site) such as intersection improvements, traffic signal improvements, road widening, traffic calming measures, etc. per City, County or State adopted plans and polices.	10	
	Located adjacent to existing sewer line.	5	
	Use of conservation style/low impact stormwater development practices	5	

Example: #1 Single-family detached subdivision

Residential Subdivision - SF Detached (10,000 – 7,001 sf or larger lot sizes)	15 points
Residential Tax Status	5 points
Centralized playground >1,000 sf	5 points
All Residential structures constructed with crawlspaces.	15 points
Multiple car garages provided	5 points
Pedestrian Facilities (on-site): Will improve, construct or implement planned public pedestrian infrastructure (within site or along frontages of subject property) such as sidewalks, greenway trails, pedestrian paths, etc. per City, County or State adopted plans and policies.	5 points
Transportation Improvements (on-site) - Will improve, construct or implement planned public transportation infrastructure (within site or along frontages of subject property) such as intersection improvements, traffic signal improvements, road widening, traffic calming measures, etc. per City, County or State adopted plans and policies.	5 points
TOTAL	55 points



Example: #2 Townhome development

Residential Subdivision – SF Attached (1,500 sf or larger heated space)	15 points
Residential Tax Status	5 points
Centralized clubhouse	5 points
Design - Utilizing of Traditional Neighborhood design standards including alley loaded lots/units, pocket parks, on street parking & street trees located between the curb and sidewalks.	10 points
Residential structures constructed with exterior material such as hardi-plank, masonry, or similar material on at least 50% of the front and sides of all structures	10 points
Pedestrian Facilities (on-site): Will improve, construct or implement planned public pedestrian infrastructure (within site or along frontages of subject property) such as sidewalks, greenway trails, pedestrian paths, etc. per City, County or State adopted plans and polices.	5 points
Transportation Improvements (off-site) – Will improve, construct or implement planned public transportation infrastructure (off-site) such as intersection improvements, traffic signal improvements, road widening, traffic calming, etc. per City, County or State adopted plans and polices.	10 points
TOTAL	60 points



Example: #3 Commercial Development

Non-residential - Retail & Restaurant	20 points
Non-Residential Tax Status	10 points
Job Creation – 30 or less new jobs	5 points
Non-residential structure constructed exterior material such as hardi-plank, masonry, or similar material on at least 80% of the front and sides of the structures.	10 points
Pedestrian Facilities (on-site): Will improve, construct or implement planned public pedestrian infrastructure (within site or along frontages of subject property) such as sidewalks, greenway trails, pedestrian paths, etc. per City, County or State adopted plans and polices.	5 points
Transportation Improvements (on-site) - Will improve, construct or implement planned public transportation infrastructure (within site or along frontages of subject property) such as intersection improvements, traffic signal improvements, road widening, traffic calming measures, etc. per City, County or State adopted plans and polices.	5 points
Located adjacent to existing sewer line.	5 points
TOTAL	60 points

