



# Council Business Meeting

April 16, 2024

<b>Agenda Item</b>	Approval of a Sewer Service Connection Use Outside of City Limits, 1348 Ashland Mine Road	
<b>From</b>	Scott Fleury PE	Public Works Director
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<b>Item Type</b>	Requested by Council <input type="checkbox"/> Update <input type="checkbox"/> Request for Direction <input checked="" type="checkbox"/> Presentation <input type="checkbox"/>	

## **SUMMARY**

The Council is being asked to approve a sewer service connection for the property located at 1348 Ashland Mine Road. The property is outside city limits and within Urban Growth Boundary (UGB) with an existing 6" sewer main running through the property via a public utility easement. The owners are currently working through the Jackson County Development services process to build a single family residence onsite.

There is no septic system on the premise and per OAR 340 Division 71, the Department of Environmental Quality will not issue a permit for a repair or **new system** if the property is within 300 feet of a sewer mainline and service can be provide by the local municipality. The owners of the property are formally requesting approval of a new service connection.

Ashland Municipal Code (AMC) Section 14.08.030 lists the conditions and requirements for sewer service connections of properties located outside the City limits and the UGB. The current request for connection currently meets or will meet all conditions of the code for connection to the City sewer system.

## **POLICIES, PLANS & GOALS SUPPORTED**

Department Goals:

- Maintain existing infrastructure to meet regulatory requirements and minimize life-cycle costs
- Deliver timely life cycle capital improvement projects
- Maintain and improve infrastructure that enhances the economic vitality of the community
- Evaluate all city infrastructure regarding planning management and financial resources

## **PREVIOUS COUNCIL ACTION**

The Council has previously approved sanitary sewer service connections outside City limits and within the UGB.





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## **BACKGROUND AND ADDITIONAL INFORMATION**

Public Works staff was contacted by the property owner at 1348 Ashland Mine Road who is currently working through the Land Development process with Jackson County for construction of a single family residence, regarding a sanitary sewer connection. The property owner was informed by the Department of Environmental Quality (DEQ), who regulates septic systems that DEQ couldn't not issue a septic permit for the property because of OAR 340-071-0160 (4)(i).

(4) Permit denial. The agent must deny a permit if any of the following occurs:

(i) For a single family dwelling or other establishment with a maximum projected daily sewage flow not exceeding 899 gallons, the nearest sewerage connection point from the property to be served is within 300 feet.

Public Works informed the property owner of a path forward for connection to the City's sewer main following Ashland Municipal Code (AMC) 14.08.030, which establishes the process for a sewer service connection outside of the City Limits and within the Urban Growth Boundary. The property owner has or will complete all requirements and upon Council approval will record the required documents and pay the appropriate fees. The conditions which must be satisfied include:

Ashland Municipal Code 14.08.030:

An occupied dwelling or building located outside the City of Ashland and inside the urban growth boundary may be connected to the sewer system when such connection is determined by the Ashland City Council to be in the best interest of the City of Ashland and to not be detrimental to the City's sewerage facilities. Such connection shall be made only upon the following conditions:

A. The applicant for sewer service pays the sewer connection fee and the systems development charges established by the City Council.

**This condition will be satisfied upon approval.**

B. The applicant pays the full cost of extending the City of Ashland sewer main or line to the property for which sewer service is being requested.

**This condition will be satisfied upon approval.**

C. The applicant secures, in writing, statements from the appropriate regulatory authority that the existing sewage system has failed and that the provision of sewer by the City of Ashland does not conflict with the state and local laws, rules and regulations.

**Reference OAR 340-071-0160 (4)(i).**





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D. The applicant furnishes to the City a consent to the annexation of the land, signed by the owners of record and notarized so that it may be recorded by the City and binding on future owners of the land.

**This condition will be satisfied upon approval.**

E. The applicant provides payment to the City, at the time of annexation, an amount equal to the current assessment for liabilities and indebtedness previously contracted by a public service district, such as Jackson County Fire District No. 5, multiplied by the number of years remaining on such indebtedness, so that the land may be withdrawn from such public service districts in accord with ORS [222.520](#) and at no present or future expense to the City.

**This condition will be satisfied when required.**

F. The owner executes a deed restriction preventing the partitioning or subdivision of the land prior to annexation to the City.

**This condition will be satisfied upon approval.**

G. The land is within the Urban Growth Boundary.

**This condition is satisfied.**

H. In the event of connecting a replacement dwelling or building to the sewer system, the connection does not increase use of the sewer system as determined by the Director of Public Works.

**This condition will be satisfied when required.**

## **FISCAL IMPACTS**

The only resource is staff time expended to bring forth the request to the City Council. The property owner will be required to pay the recording fees associated with the deed restrictions, pay the appropriate system development charge (SDC) and the monthly sewer bill charges. Per Resolution 2019-11; sewer rates outside City limits shall be two times the sewer charge for inside City limits. The quantity charge for unmetered accounts will be calculated on an average winter time usage of 700 cubic feet per month.

The SDC fee for residential is calculated on a square foot basis for livable space (\$2.3316/square foot). The SFR square footage for 1348 Ashland Mine Road is 3829 sq-ft, generating a SDC of \$8,927.70.

## **STAFF RECOMMENDATION**

Staff recommends approval of the sewer service water service connection for 1348 Ashland Mine Road as the property owner has or will meet all conditions specified in AMC 14.08.030.

## **ACTIONS, OPTIONS & POTENTIAL MOTIONS**



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I Move to approve a sanitary sewer service connection for 1348 Ashland Mine Road.

## **REFERENCES & ATTACHMENTS**

None.