

**COAL CREEK UTILITY DISTRICT
KING COUNTY, WASHINGTON**

RESOLUTION NO. 1718

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF COAL CREEK UTILITY DISTRICT, KING COUNTY, WASHINGTON REVISING AND ESTABLISHING UNIFORM WATER AND SEWER SERVICE GENERAL AND LOCAL FACILITY CONNECTION CHARGES AND AMENDING CHAPTER 5.40 OF THE DISTRICT CODE OF REGULATIONS.

WHEREAS, RCW 57.08.005(10) authorizes the Coal Creek Utility District ("District") to charge property owners seeking connection to the District's water and sewer systems, as a condition to granting the right to so connect, in addition to the cost of the connection, such reasonable connection charges as the District Board of Commissions shall determine to be proper in order that those property owners shall bear their equitable share of the cost of the systems; and

WHEREAS, the District Board of Commissioners previously approved uniform water and sewer general and local facility connection charges by the adoption of Resolution No. 1534 on August 27, 1999; and

WHEREAS, the District Board of Commissioners now desires to update and amend such uniform water and sewer general and local facility connection charges; and

WHEREAS, PACE Engineers, the District's consulting engineer, by report entitled "2009 General Facility Charge and Local Facility Charge Study" recommended that the District's water and sewer general and local facility connection charges be revised for all customer classifications; and

WHEREAS, the District Board of Commissioners having considered such consultant recommendations related to the proposed revision of the District's water and sewer general and local facility connection charges and having held a public hearing on March 11, 2009 for public comment on such proposed revisions pursuant to public notice regarding such hearing published in the Daily Journal of Commerce and the Seattle Times and the District Board of Commissioners having considered such consultant recommendations and oral and written public comments; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Coal Creek Utility District as follows:

1. Section 5.40.010 entitled "Local Facility Connection Charges" of the District's Code of Regulations is hereby amended and modified as follows:

Section 5.40.010. Local Facility Connection Charges.

Property owners seeking to connect to the District's water and/or sewer systems to serve real property abutting or adjacent to local water and/or sewer facilities for which the property owner has not paid an equitable share of the cost of such system by either the (a) installation of such facility by developer extension agreement; (b) payment of a latecomer reimbursement obligation as set forth in Section 5.40.020 below; (c) participation in a ULID which installs such system, subject to Section 5.40.030 below; or (d) payment of a charge for such system as established by the District for a District revenue facility subject to Section 5.40.040 below, shall pay the following local facility connection charges in addition to District water and sewer general and special facility connection charges:

A. Water Local Facilities Charge. \$6,900.00 per lot or \$92.00 per lineal foot of frontage on the water main of the real property to be served, whichever amount is greater; provided, a minimum front footage of seventy-five (75) feet shall be utilized for the purposes of calculating the local facilities charge owing under this provision for lots with front footage on the main of less than seventy-five (75) feet.

B. Sewer Local Facilities Charge. \$10,125.00 per lot or \$135.00 per lineal foot of frontage on the sewer main on the real property to be served, whichever amount is greater; provided, a minimum front footage of seventy-five (75) feet shall be utilized for the purposes of calculating the local facilities charge owing under this provision for lots with front footage on the main of less than seventy-five (75) feet.

2. Section 5.40.050 entitled "Periodic Adjustment of Charges" is hereby amended and modified as follows:

Section 5.40.050. Periodic Adjustment of Charges.

The water and sewer general and local facility connection charges referenced in this chapter shall be reviewed and adjusted on an annual basis based on the change in the Seattle Engineering News Record Index for construction (ENR), and that every three years the District shall consider the preparation of a comprehensive water and sewer connection charge study to consider, determine and update the actual cost of existing District water and sewer facilities and facilities planned for construction within the next ten (10) years as contained in the District's adopted water and sewer comprehensive plan and any amendment thereto.

3. Section 5.40.060 entitled "General Facility Connection Charges" is hereby amended and modified as follows:

Section 5.40.060. General Facility Connection Charges.

Property owners seeking to connect to or increased service from (such as a new service or change in service) the District's water and sewer systems to serve real property abutting or adjacent to general water and sewer facilities for which the property owner has not paid an equitable share of the cost of such system shall pay the following general connection charges in addition to the District's water and sewer local and special facility connection charges:

A. Water General Facility Charge.

1. Residential: \$ 5,000.00/lot
2. Multi-residential: 3,500.00/unit
3. Commercial: 73,500/acre
4. Other Uses: The water general facilities connection charges for other uses in the District not included above shall be assessed as follows:

(i) The "developed area" and "non-developed area" shall be determined by the District for the proposed use. The "Developed area" shall include that area that comprises all structures, parking, Code-required buffers, and other frequently used areas. Non-developed areas shall include non-Code required buffers, such as play fields, steep slopes, and other natural undeveloped areas. The District shall then develop an exhibit depicting the developed and non-developed areas for the purpose of determining the water general facilities connection charge which will be recorded by the District with King County. The property owner shall be required to pay an additional water general facility connection charge for any future increased development in the non-developed areas as determined by the District at the time of such increased development.

(ii) The water general facility connection charge will be based on the area determined by the District to be the "developed area." If the developed area is commercially zoned, the commercial rate will be applied to determine the general facility connection charge owing. If the developed area is zoned residential or multi-residential, the general facility

connection charge shall be determined by the District based on such zoning and the appropriate residential or multi-residential rate. A 20 percent reduction in area may be applied in determining the number of residential equivalents or units, providing the developed area is greater than one-half acre in size.

Example calculation: Assume a ten-acre school site is developed in which two acres is determined to be the "developed area." In the event the underlying zoning is RS-7200, the water general facility connection charge owing the District is determined as follows:

$$\text{GFC} = \frac{2 \times 43,560 \times .8 \times \$ 5,000/\text{RE}}{7200}$$

Therefore, the general facility connection charge owing for this example is \$48,400.00 for the two developed acres.

B. Sewer General Facility Charge.

- 1) Residential: \$ 2,900/lot
- 2) Multi-residential: 2,040/unit
- 3) Commercial: 21,800/acre
- 4) Other Uses: The sewer general facilities connection charges for other uses in the District areas shall be assessed as follows:

- (i) The "developed area" and "non-developed area" shall be determined for the proposed use. The "Developed area" shall include that area that comprises all structures, parking, Code-required buffers, and other frequently used areas. Non-developed areas shall include non-Code required buffers, such as play fields, steep slopes, and other natural underdeveloped areas. The district shall then develop an exhibit depicting the developed and non-developed areas for the purpose of determining the sewer general facilities connection charge to be recorded by the District with King County. Any future increased development in the non-developed areas will be required to pay an additional sewer general facility connection charge as determined by

the District at the time of such increased development.

- (ii) The sewer general facility connection charge will be based on the area determined to be the "developed area." If the developed area is commercially zoned, the commercial rate will be applied to determine the general facility connection charge owing. If the developed area is zoned residential or multi-residential, the general facility connection charge shall be determined by the District based on such zoning and the appropriate residential or multi-residential rate. A 20 percent reduction in area may be applied in determining the number of residential equivalents or units, providing the developed area is greater than one-half acre in size.

Example calculation: Assume a ten-acre school site is developed in which two acres is determined to be the "developed area." In the event the underlying zoning is RS-7200, the sewer general facility connection charge owing the District is determined as follows:

$$\text{GFC} = \frac{2 \times 43,560 \times .8 \times \$2,900/\text{RE}}{7200}$$

Therefore, the general facility connection charge owing for this example is \$28,072.00 for the two developed acres.

4. Section 5.40.065 entitled "Effective Date" is hereby added to the District's Code of Regulations as follows:

Section 5.40.065. Effective Date.

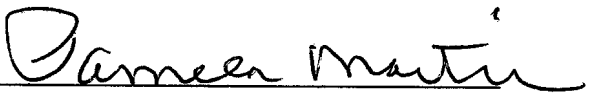
The water and sewer general and local facility connection charges set forth herein shall be effective April 1, 2009.

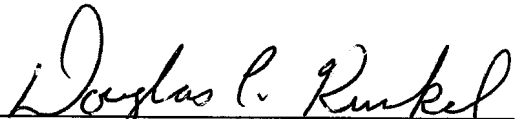
5. All prior and existing District resolutions, policies and procedures and specifically Resolution No. 1534 relating to the District's existing water and sewer general and local facility connection charges are hereby revised, modified and superseded to be in accordance with the charges set forth herein as of the applicable effective dates of this Resolution.

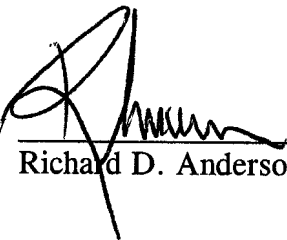
6. Notice of the foregoing adoption of the Uniform Water and Sewer General and Local Facility Connection Charges shall be recorded with the King County office of Records and Elections pursuant to the provisions of RCW 65.06 et sec. together with exhibits describing the real property affected by such general and local facility connection charges.

ADOPTED by the Board of Commissioners of the Coal Creek Utility District, King County, Washington, at the regular open public meeting thereof held the 11th day of March, 2009.

BOARD OF COMMISSIONERS
COAL CREEK UTILITY DISTRICT

By 
Pamela A. Martin, Commissioner

By 
Douglas C. Kunkel, Commissioner

By 
Richard D. Anderson, Commissioner