

EXCESS CAPACITY INFRASTRUCTURE ALLOCATION POLICY

A. Background

The City of Redmond has adopted master plans for the development of transportation, water, and sewer facilities. A basic assumption in the master plans is that infrastructure will be constructed in an orderly manner to meet development demands, but this is not always practical. To accommodate development in advance of extensive and costly master planned infrastructure, excess capacity may be available in existing infrastructure. Thus, the City may find it is appropriate to evaluate interim connections and improvements on a case-by-case basis when demand is ahead of City's planned master plan improvements.

B. Purpose

This policy is designed to utilize a valuable and limited resource for:

1. Encouraging the development and availability of essential and desirable community services;
2. Promoting the financial health and stability of the community;
3. Insuring the orderly growth and development of the community; and,
4. Encouraging high quality, attractive and livable development, especially in key areas of the community.

C. Evaluation Criteria

Requests for the allocation of infrastructure capacity shall be evaluated on the applicable criteria, as applicable:

1. Location of the project must be within the Urban Growth Boundary, but preference is given to projects within the City limits.
2. The project provides critical, essential, or highly desirable community services.
3. The project provides a high ratio of added property tax base in relation to the estimated cost of community services and/or significant generation of other, additional revenues to help support City services.
4. The project is on a site(s) that promotes needed infill, adherence to the Great Neighborhood Principles, and efficient, cost-effective provision of community services and is consistent with and/or advancement of the Comprehensive Plan and/or implementing ordinances.
5. The project provides desirable, high-quality community amenities as well as provision of desirable public facilities, extensions, easements, or rights-of-way.
6. Evidence of an agreement to develop the property in a specific fashion that exhibits high quality site, building, amenities, gravity flow sewer, and landscaping design.
7. The project includes preservation of key natural resources and/or structures that are part of the unique character of the community.
8. Evidence of the project's ability to utilize the requested allocation within 2 years of City land use and/or annexation agreement approval.
9. Mitigation of significant identified public health or environmental problems.
10. The availability of and/or investment in significant infrastructure required to

support the proposed development and use. (To be considered, any investments must be pursuant to approval of required plans and permits by the City or other appropriate agency.)

11. Due to the nature of the wastewater collection system and reliance on gravity flow, there are a number of specific factors that will be included in capacity allocation decisions.

- Sewer flow estimates from the site will be provided by the developer's engineer based on a preliminary development plan and Redmond's sewer design parameters (Design Standards II.C.2.8 and 9).
- Only areas that can be served by gravity flow will be considered unless the parcel in question is in a master planned pressure sewer area or otherwise approved by the City Engineer.
- Engineering Department staff will evaluate whether the expected flow can be accommodated in the downstream sewer lines. If the development is large or sewer capacity limited, it may be necessary to run the wastewater system model. In that case, the developer will be required to reimburse the City for the cost of having the consultant run the model.
- At the City's discretion, an interim pump station may be considered for areas outside of a master plan pressure service area, but this is not preferred. If the city considers an interim pump station, estimated volume and timing of peak flow will be provided by the developer's engineer. A model run will be required with the cost borne by the developer.
- The Engineering Department will track tentative and approved excess capacity allocation. At the City's expense, the model will be run on an annual basis or when total allocations approach the capacity available.
- Whenever possible, the development collection system will be designed to allow connection to the master planned interceptor with interim connection to the existing system.
- If a portion of the master planned line fronts or crosses the proposed development, the developer will be required to construct or provide a cash contribution equal to the local portion of the master plan line construction.

D. Applications

1. General. All applicants are encouraged to review the criteria set forth in this policy and the application requirements before submitting an application.

2. Form. The owner of any project or property who desires to apply for an allocation of infrastructure capacity shall submit a written application, in a form required by the City, which provides key ownership, property, and project information, indicating the amount of capacity being requested (uses proposed), setting forth the proposed timetable for the project, and provides sufficient factual information to address the evaluation criteria in this policy. All applications and any approvals shall be subject to the standard terms and conditions set forth in this policy. No letters or other communications may be substituted for submission of a proper and complete application.

3. Fees. Infrastructure allocation applications shall be accompanied by a non-refundable application fee and any fees needed to perform infrastructure model runs.

4. Review. Applications will be reviewed and evaluated by the City staff to insure

completeness of needed information and to determine the extent to which the application addresses the evaluation criteria.

5. Approval or Denial. After required application information and the initial evaluation are complete, applications shall be considered for approval at the discretion of the City.

6. Re-Application. Applications that are denied may not normally be re-submitted for at least 90 days and should submit evidence of significant changes in their applications that may justify reconsideration.

E. Terms and Conditions

All approvals for infrastructure allocation shall be subject to the following conditions and any other conditions set forth in the action of approval.

1. Form of Approval. Any approved allocations shall be issued in writing and shall be subject to all of the terms, conditions, and provisions of this policy, as well as any specific conditions related to project that are stipulated by the City, including land use approval. Such conditions may include requirements for expeditious completion of projects or other requirements, which, if not fulfilled, will cause the allocation to become null and void.

2. Changes in Use, Design, or Location. Allocations are limited to the project use, design, and location described in an approved allocation. Proposed changes in use, design, or location require submission of and evaluation of a new application.

3. Duration and Expiration. All approved allocations shall be for a period of 2 years from the date of approval, unless availability is scheduled for a specific date. After the standard allocation duration or other period specified in the approval, the allocation will expire (unless extended) and the allocation will be subject to re-allocation. No allocation shall occur until land use approval is secured.

4. Extensions. Updated applications are required to consider any extensions of allocations, and requests for extensions will be based on updated conditions at the time of the request. All requests for extensions shall be based on substantial justification of the need for the extension and a substantial explanation of the applicant's failure to perform under original application for allocation. The City may, if such extensions are approved, make approvals conditional on terms or conditions different from those in the original approval. Extensions, if approved, shall normally be for a period of six months only.

5. Capacity Accounting. Calculation of availability of infrastructure capacity is, by its nature, an inexact science, due to the dynamic nature of each facility, weather, seasonal use, the regulatory environment, and other factors. The City will make its best efforts to track the amount of capacity that may be available for allocation, but any calculations or reports shall not be construed as a policy statement, commitment, or guarantee of the amount of capacity available for allocation.

6. Actions Adversely Affecting Capacity. Any allocation approvals are subject to potential actions of legislative bodies or regulatory agencies that may affect the actual availability of capacity. Capacity may also be adversely affected by operational practices, severe weather events, other disaster, and acts of intentional or unintentional damage to facilities. The City assumes no responsibility for actions or events beyond its control that have an adverse effect on actual capacity.

7. Cancellation. Failure to comply with the specific terms and conditions of any

allocation and/or this policy shall render an allocation null and void.

F. Previous Allocations

In consideration of any requested extensions, it is the intent of the City to give priority to projects or portions of projects for which infrastructure installations are complete at the time of allocation expiration. Portions of planned projects for which infrastructure is not complete will be fully subject to the terms, conditions, and criteria of this policy and may, if re-approved, be subject to (a) scheduling of any re-approved allocations and/or (b) re-approval as contingent allocations.

G. Definitions

1. "Allocation" or "capacity allocation" is a conditional designation of estimated infrastructure capacity to a specific owner and project, subject to all of the provisions of this policy and any document of approval.
2. "Critical, essential, or highly desirable community services" are commercial, institutional, or public services that have been identified by an official planning document or which are found by the City to be vital, under-provided needs for the residents of the community.
3. "Evaluation criteria" are the factors and findings by which applications for infrastructure capacity allocations are analyzed and evaluated to assist in decisions regarding allocations.
4. "Impact fee" is a fee levied to recover past or future capital cost required to provide increased capacity of City infrastructure facilities.
5. "Infill" is building or development that is significantly surrounded by existing improved property, particularly developed property located within the City limits.
6. "Scheduling" means designation of a specific time or time period during which an approved allocation is available for use.