


CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: November 22, 2021

AGENDA ITEM:	
An Ordinance Amending Chapter 14.07 of the Marysville Municipal Code by Amending Section 14.07.010 to Establish Utility Capital Charges for Accessory Dwelling Units.	
PREPARED BY: Karen Latimer, Director of Public Works Services and Utilities	DIRECTOR APPROVAL: 
DEPARTMENT: Public Works	
ATTACHMENTS: Proposed Ordinance	
BUDGET CODE: N/A	AMOUNT: N/A
SUMMARY:	

Accessory dwelling units (ADU) are a form of affordable housing that are supported by the City and that will help fulfill the City’s growth management requirements. One ADU is allowed per single-family home on a single-family lot. Per Chapter 22 Marysville Municipal Code (MMC), the ADU floor area cannot exceed 35 percent of the total floor area of the single-family home, cannot have more than two bedrooms, and cannot be less than 300 square feet in size.

Section 14.07.010 of Marysville Municipal Code (MMC) contains definitions and associated utility capital charges for single-family homes and multi-family dwelling units, however there is not any language that pertains specifically to ADUs. Therefore, connection of an ADU to city water, sewer, and storm water utilities is at the full cost of a single-family home. The disproportionate utility capital charges for an ADU generate a barrier to construction of this type of affordable housing.

Staff is recommending an amendment to Chapter 14.07 MMC to establish equitable utility capital charges for ADUs. The proposed utility capital charges are 35 percent of the cost of a single-family dwelling unit and represent a proportionate charge based on maximum ADU square footage compared to a single-family home.

RECOMMENDED MOTION:
I move to approve Ordinance No. _____.

CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING SECTION 14.07.010 OF THE MUNICIPAL CODE
TO SET CAPITAL IMPROVEMENT CHARGES FOR ACCESSORY
DWELLING UNITS.**

WHEREAS, the City assesses capital improvement charges on new construction to reflect the impact of that construction on the City's capital facilities; and

WHEREAS, accessory dwelling units (ADU) are a form of affordable housing that are supported by the City and that will help fulfill the City's growth management requirements; and

WHEREAS, ordinarily only one or two persons reside in an accessory dwelling unit; and

WHEREAS, under the current municipal code a single-family residence and an accessory dwelling unit are assessed the same charges; and

WHEREAS, the disproportionate utility capital charges for an ADU generate a barrier to construction of this type of affordable housing; and

WHEREAS, this ordinance would adjust utility capital improvement charges to 35 percent of those for a single-family dwelling unit as that represents a proportionate charge based on maximum ADU square footage compared to a single-family home.

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

SECTION 1. Section 14.07.010 of the municipal code is amended as set forth in Exhibit A.

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 3. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 4. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2021.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
_____, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

Date of publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

14.07.010 Capital improvement charges.

(1) Capital improvement charges shall be assessed on all new connections to the water, sewer and storm water systems. Capital improvement charges shall also be assessed for a remodel or expansion of an existing building or use. For purposes of this section, an “existing building or use” shall mean all commercial or industrial buildings or uses, churches, schools or similar uses, and all residential buildings or uses where a remodel or expansion increases the number of dwelling units. The capital improvement charge constitutes an equity payment by new and existing customers for a portion of the previously existing capital assets of the system. Capital improvement charges also constitute a contribution to a long-term capital improvement program for the utility system which includes acquisition of new or larger water sources, construction of water storage and transmission facilities, and construction of sewer and storm water trunk lines and treatment facilities. Capital improvement charges shall be paid in full before a new connection or expansion or remodel to an existing building or use shall be approved. All payments shall be deposited in the utility construction fund and shall be made prior to building permit issuance for residential construction and prior to issuance of a certificate of final occupancy for commercial/industrial construction.

(2) The following capital improvement charges are established:

Residential Units

Connection Charges

Type of Connection		City Water	Outside Water	City Sewer	Outside Sewer	Storm Water
Residential*						
Effective Date	1/1/2005	\$3,675	\$4,305	\$3,120	\$3,495	
	1/1/2006	\$4,750	\$5,490	\$4,490	\$4,890	
	1/1/2011					\$95.00
Multifamily Residential**						
Effective Date	8/1/2012 through 8/1/2015	\$3,000	\$5,490	\$3,000	\$4,890	
<u>Accessory Dwelling Unit***</u>						
<u>Effective Date</u>	<u>11/30/2021</u>	<u>\$1,662.50</u>		<u>\$1,571.50</u>		

*Residential living units include multi-unit housing and mobile homes for the purpose of water and sewer charges. For the purpose of the storm connection charge, only single-family units will be charged a flat fee; all other land uses will be charged based on the equivalent residential unit (ERU), as described below.

**The connection charges for multifamily residential development shall be in effect for a three-year period from August 1, 2012, through August 1, 2015. Thereafter, the connection charges for multifamily residential development shall be the same as the connection charges for residential development.

***Connection charges shall apply to attached or detached Accessory Dwelling Units that are a detached structure or expand the existing single-family dwelling or that convert non-residential space, such as a garage or part of garage into an Accessory Dwelling Unit. Connection charges shall not apply to interior remodels that do not expand the existing single-family footprint of permitted residential space.

Water, sewer and storm water monthly utility billing charges for a single-family residential unit can also serve a single Accessory Dwelling Unit as defined in MMC 22C.180.030. Each single-family residential unit with an Accessory Dwelling Unit shall be charged a minimum of one base charge plus a charge based on the amount of water consumption. Accessory Dwelling Units with a separate water meter shall pay separate monthly water, sewer and storm water utility billing charges

Commercial/Industrial

Connection Charges

Water

City	
Effective Date	1/1/2005
0 – 2,000 gpm	\$1.64/sf
2,001 – 4,000 gpm	\$2.40/sf
4,001+ gpm	\$3.16/sf

Outside City	
Effective Date	1/1/2005
0 – 2,000 gpm	\$1.99/sf
2,001 – 4,000 gpm	\$2.87/sf
4,001+ gpm	\$3.80/sf

Warehouses

City	
Effective Date	7/15/2016
Warehouses/Storage	\$0.48/sf

Outside	
Effective Date	7/15/2016
Warehouses/Storage	\$0.65/sf

25% rate reduction for automatic sprinkler system.

Sewer

City	
Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.03/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$1.67/sf
Warehouses/Storage	\$0.49/sf
Restaurants/Taverns	\$2.38/sf

Outside City	
Effective Date	1/1/2005
Retail Sales/Manufacturing/ Churches/Schools/Day Care	\$1.24/sf
Offices/Medical/Dental/Nursing Homes and all other uses not listed	\$2.00/sf
Warehouses/Storage	\$0.65/sf
Restaurants/Taverns	\$2.86/sf

25% rate reduction for schools without kitchens.

Storm Water

Effective Date	1/1/2011
1 ERU*	\$95.00

*An equivalent residential unit (ERU) equals 3,200 square feet of impervious surface area. Nonresidential projects will be charged \$95.00 per ERU. See Chapter [14.19](#) MMC for definitions.

Water Service Installation Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$1,050
3/4" x 3/4"	\$1,075
1"	\$1,200
1-1/2"	\$1,600
2"	Time and materials costs/ minimum of \$1,900

Drop-in Meter Fee

Effective Date	11/1/2006
5/8" x 3/4"	\$500.00
3/4" x 3/4"	\$525.00
1"	\$560.00
1-1/2"	\$750.00
2"	\$850.00
3" and over	Charge time and material/ \$3,500 minimum

Hotel/Motel Connection Charges

		City Water	Outside Water	City Sewer	Outside Sewer
Effective Date	1/1/2005	\$1,405	\$1,646	\$1,193	\$1,336
	1/1/2006	\$1,816	\$2,099	\$1,717	\$1,870

(3) "Floor space" is defined as the net square footage measured from the interior walls, including interior partitions.

(4) The capital improvement charges for sewer connections shall be reduced by \$50.00 per unit or \$0.045 per square foot when the affected property participated in a utility local improvement for the construction of the sewer main.

(5) Capital improvement charges for sewer connections to commercial and industrial units shall be reduced by 50 percent for any floor space in the premises which is committed to being used as warehouse space for storage purposes only.

(6) If the use of any premises connected to city utilities is converted from a residential occupancy to a commercial or industrial occupancy (as defined in subsection (2) of this section), or from a warehouse use to an active commercial or industrial use, the owner of the premises shall immediately report such conversion to the city and shall pay the extra capital improvement charge which is then required for such an occupancy. Failure to report such a conversion, and pay the extra charge, within 90 days of the new occupancy shall result in the extra charge being doubled as a penalty.

(7) The capital improvement charge for utility connections in recreational vehicle parks shall be calculated as follows:

(a) For each connection to a recreational vehicle pad, the charge shall be 50 percent of the charge provided in subsection (2) of this section relating to residential living units.

(b) For every other connection in a recreational vehicle park, the charge shall be the same as provided in subsection (2) of this section for residential living units.

(8) If a building with a lawful water and/or sewer connection to the city utility system is demolished and replaced with a new building requiring utility connections, the capital improvement charges assessed for the new connections shall be discounted by the amount which would have been paid, under current schedules, for the connections which previously served the demolished building.