

601.2 Development Types and Their Associated Processes

For purposes of this policy, the District considers several types of developments and they may be treated differently. The least restrictive development type is the construction of a single residential unit. Development of up to four units (via parcel map) is treated by the District as a single residential unit development. Residential development of more than four units is considered a subdivision (via subdivision map) by the District and has special requirements by the District. Commercial development of less than or equal to 7,200 square feet in floor space is evaluated by the District as though it was a small residential unit development. Commercial development of more than 7,200 square feet of floor space is evaluated by the District as though it was a large subdivision development.

601.3 Variance to Development Policies

Any policy stated in Section 600 may be appealed to the District Board of Directors as a variance.

602 SMALL RESIDENTIAL & COMMERCIAL DEVELOPMENT

602.1 Introduction

The following section lays out the process for developing small residential (four or less lots) and small commercial (less than or equal to 7,200 square feet of floor space) development. Applicants should also review Articles V—*Application for Water Service, No Main* and VI—*Application for Water Service Main Extension* of the District's current Water Ordinance and Articles IV—*Private Sewers To Existing Service Stubs, Classification Of Users, Connection Fees And Charges* and V—*Sewer Main Extensions Including New Sewer Service Stubs* of the District's current Sewer Ordinance prior to submitting the application for development.

602.2 Applicability

Unless a water or sewer main extension is part of a District Capital Improvement Project, the Board, in most cases, expects the applicant for water and/or sewer main extension to complete all design and construction work at his expense. The applicant, or his duly authorized agent, must provide the required application and acceptable plans and specifications, which must be approved by the District prior to commencement of work.

602.3 Water/Sewer Main Extension Application

The applicant must complete the Application for GCSD Service (the template for this application is in Appendix 600-B) prior to initiating work. The application is the initial step a small residential or commercial developer will take. The information provided by the applicant will allow the District to determine if water and/or sewer service is feasible. The District will write a letter to the applicant to indicate if water and/or sewer service to the proposed development project is feasible. At this point, if

the applicant wishes to continue the project, he/she will execute the Agreement for Water/Sewer System Improvements (Small Developments) and pay all applicable fees.

602.4 Agreement for Water/Sewer System Improvements (Small Developments)

Agreement for Water/Sewer System Improvements (Small Developments) will assure that the District is reimbursed for all its incurred costs in reviewing the applications, plans and specifications for the improvements, including all administrative, engineering, design and associated legal costs; inspection of the construction; all required environmental documentation for the improvements; together with security, bonding and warranty provisions. The template for the Agreement for Water/Sewer System Improvements (Small Developments) is provided in Appendix 600-C.

The Agreement for Water/Sewer System Improvements (Small Developments) provides that the applicant shall advance an amount equal to the estimated costs to be incurred by the District in processing the application, reviewing the plans and specifications, and inspecting the construction of the improvements. If the amount of funds advanced by the Developer exceeds the District's actual costs of engineering, design, legal, inspection and other charges attributable to the extension, the balance shall be refunded to the applicant upon completion of the improvements. If the amount of the deposit is insufficient to pay all of the District's costs incurred with respect to the project with respect to engineering, design, legal, inspection and other costs attributable to the extension, the applicant shall replenish the funds advanced to the level specified in the Agreement to cover such additional costs, and the District shall have no obligation to continue its processing of the application or its acceptance of the project until such additional deposits have been received.

602.5 Fees, Deposits and Warranties

The applicant must provide security at four levels of the project in the form of an Irrevocable Letter of Credit, Performance Bond or a Deposit with the District, in a form suitable to the District.

A. Application Fees

Application fees are charged for the District Engineer to perform a feasibility level evaluation of the project and for the District to open a file for the applicant. The amount of the application fee for water service extension is shown in Exhibit A—*Water Rates, Charges & Fees*, of the District's current Water Ordinance. The amount of the application fee for sewer service extension is shown in Exhibit A—*Sewer Rates* of the District's current Sewer Ordinance. These fees are non-refundable.

B. Administration Fee and Engineering Deposit

Once the District Engineer has evaluated the feasibility of the proposed project and finds it feasible, the applicant must sign an Agreement for Water/Sewer System Improvements (Small Developments) which outlines the fees and charges, as well as contains an indemnification for the District. Once this agreement is signed, the applicant must pay the water and/or sewer administrative fee and engineering deposit to initiate work on the project. The fees and deposits will be made in cash, check or warrant (which must clear the bank before further work is done). The administrative fee is non-refundable and is used for administrative and legal costs associated with the project. The engineering deposit is used for engineering and

inspection costs and any funds remaining in the deposit will be returned to the applicant after the project is completed.

C. Participation and Meter Fees

The developer shall pay all water and/or sewer participation (connection) fees and meter fees. These fees are paid by the developer at the time they are ready to connect to the water and/or sewer mains. The amount of the participation and meter fees for water service extension is shown in Exhibit A—*Water Rates, Charges & Fees*, of the District's current Water Ordinance. The water participation fee is dependent on the size of the water meter required to serve the property. The amount of the participation fee sewer service extension is shown in Exhibit A—*Sewer Rates* of the District's current Sewer Ordinance. These fees are non-refundable.

D. Construction Performance Bond

The Construction Performance Bond is used to assure the District that the project is constructed and completed as planned. The form of the bond can be either an irrevocable letter of credit or a performance bond and a payment bond.

E. Construction Warranty

After the project is completed, but prior to District acceptance of the project, the applicant shall furnish to the District, the actual cost of constructing the project and a maintenance bond or warranty in the amount of 25% of the actual cost. This bond shall remain in effect for one year after final acceptance (Notice of Completion) by the District as a warranty for the construction of the water and/or sewer main extensions by the developer. Either an irrevocable letter of credit or a surety bond will be required for warranty purposes.

602.6 Provisions for Water and Sewer Main Extensions

Appendix 600-D contains the check list that the District will use for processing an application for GCSD services. The following rules are established for water and sewer service main extension:

- A. Determination. After receipt of any application for GCSD services, the General Manager shall determine whether a main extension is necessary to provide service. A main extension shall be installed in the manner provided in this section whenever the District determines that such main extension is necessary to provide regular water and/or sewer service to property described in such application.
- B. Application. Any owner of a land parcel where, in the opinion of the District, water and/or sewer main extensions are required, shall submit a written application for such service to the District. Said application shall contain the legal description of the property to be served and Assessor's Parcel Number thereof, any additional information which may be required by the District and be accompanied by a map or plot plan showing the location of the proposed connections. The application form for this type of development shall be made available to customers at the District office. The District may modify forms from time to time without modification to the policies contained herein.

- C. Investigation. Upon receipt of the application, the District Engineer shall make an investigation of the proposed water and/or sewer extensions and submit his opinion and the estimated cost thereof to the General Manager.
- D. Plans and Specifications. Design and construction shall be as required by this ordinance, District Standard Specifications and Details, and as may be required by statutes and ordinances of governing bodies other than the District. The most stringent requirements shall take precedence. Features not covered by any of the above ordinances, specifications, details or statutes shall be established by a California Registered Civil Engineer and be submitted to the District for review and approval.
- E. Ruling. The General Manager shall thereupon consider such application and report and, after such consideration, shall reject, amend, or approve the application.
- F. Variances. Should the applicant request a variance from the provisions set forth in the standard application, then the General Manager shall bring such request to the Board and, after such consideration, shall reject, amend or approve the application.
- G. District Lines. All extensions thus provided for in accordance with these policies and regulations shall be and remain the property of the District. All such lines shall be installed in easements or rights-of-way accepted by the District and recorded by the County.
- H. Dead-End Water Lines. No dead-end water lines shall be permitted except as approved by the General Manager. In cases where subsequent to the approval of a dead-end water line by the General Manager, another water dead-end line is planned in sufficient proximity to make connection feasible and such connection is recommended by the District Engineer, and approved by the General Manager, the dead-end water lines shall be connected. In cases where circulation lines are necessary, they shall be designed and installed by the District as a part of the cost of the extension.
- I. Extent and Design. All main extensions shall extend to the far property line of the developed property. If additional property is developed adjoining the same lot after installation of a main extension, the main extension shall be extended to the far property line of the additionally developed property. All standard main extensions shall be subject to design approval by the District Engineer and General Manager. Any variation to the standard main extension agreement shall be referred to the Board by the General Manager for approval, rejection or amendment.
- J. Water Service Connection. Water service connections and meters will be installed in accordance with applicable provisions as provided in Article IV—*Meters and Metered Service Connections* of the then-current Water Ordinance. All new water meters shall be of the automatic reading type.
- K. Project Acceptance. Prior to final acceptance of the project by the District, the District shall perform a final inspection and complete an Inspection Report. The template for the Inspection Report for Water/Sewer Extensions is contained in Appendix 600-E.

- L. Facilities Reimbursement Agreement. If the applicant extends the water and/or sewer mains past parcels or properties that are not currently connected to the District's water and/or sewer service, then the applicant for main extension may request entering into a Facilities Reimbursement Agreement (Appendix 600-A—Standard Reimbursement Agreement) with the District. This agreement allows the District to collect a pro-rata share of the cost for the main extension as new parcels and properties accept water service and reimburse the applicant a proportionate amount of the original cost of the extension. The District may modify the Standard Reimbursement Agreement from time to time without modification to the policies contained herein.

602.7 Water and Sewer Main Extensions by the District for Applicant

The Board and applicant may agree, under special circumstances, to have the District design and construct the water and/or sewer main extension. The terms and conditions of such agreement shall be determined at the time of application by the applicant. The applicant shall advance the amount estimated by the District that the water and/or sewer main extension will cost, after which, the District shall install the line(s). If the amount of the advance deposit exceeds the actual cost of engineering, design, legal, construction, inspection, and other charges attributable to the extension, the balance shall be refunded to the applicant. If the amount of the deposit is insufficient to pay all the costs of engineering, design, legal, construction, inspection and other charges attributable to the extension, the applicant shall pay in advance all such costs to the District prior to the acceptance of the extension by the District.

603 SUBDIVISION & LARGE COMMERCIAL DEVELOPMENT PROCESS

603.1 Introduction

The following section lays out the process for developing residential subdivisions (more than four lots) or large commercial development (more than 7,200 square feet of floor space). Applicants should also review Article VII—*Subdivision* of the District's current Water Ordinance prior to submitting the application for development. The process is divided into the following four major steps:

- A. Preliminary Information Exchange & Indemnification
- B. Feasibility Study (Sub-Area Master Plan) and Environmental Documentation
- C. Final Design and Construction
- D. Performance Guarantee Period

Each of these steps will also require interface with the Tuolumne County Community Development Department. The following outlines the process in each step of the overall development process.