

# UNION COUNTY

## SHORT-TERM WATER ALLOCATION PLAN (AMENDED AND RESTATED)

### AMENDMENT #2

**DATE:** JULY 11, 2011

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#### PREFACE

In September 2009, Union County's Board of Commissioners adopted an Amended and Restated Short-Term Water Allocation Plan (Amended and Restated Plan). This Plan defined and set forth allocation of the limited remaining water treatment capacity in Union County's (the County) Catawba River Water Treatment Plant (CRWTP) service area.

In March 2011 the Board adopted Amendment #1 to this policy in recognition a variety of changed conditions the original adoption in 2007 including:

- Completion of the Anson County water distribution system service area project that allows for additional water to be moved into the Union County water system, and offsets demand in the CRWTP service area.
- Design and permitting progress associated with the CRWTP raw water reservoir project.
- Success with water conservation and water use restrictions.
- Much slower growth of private development resulting from the recent economic downturn.
- Recovery of capacity from projects that have failed to move forward along stipulated schedules.

As a result of these changes, the County amended the Amended and Restated Plan to allocate an additional 300,000 gpd of water treatment capacity for Nonresidential/Government Facilities Reserve (bringing the total to 443,000 gpd) and set forth criteria for the allocation for non-residential projects based upon their readiness to move forward with construction

At this time several projects have come forward that will require a phased approach to construction due to the size and nature of development that would not conform to the

criteria established in Amendment #1. To accommodate these multi-parcel commercial projects the Policy for Allocated Wastewater Treatment Capacity is amended as follows.

Delete the REVISIONS TO SECTION 6.1.2 from Amendment #1 and replace it with the following:

As of the Effective Date of this Amendment, Section 6.1.2 shall be replaced in its entirety with the following:

It is the intent of this Plan to award allocation under the Nonresidential/Government Facilities Project Reserve to multiple owners or developers. This allocation will be utilized for Projects that are estimated to use 60,000 gpd or less (as determined by UCPW) and are located in the CRWTP service area. This allocation shall be assigned to Nonresidential/Government Facilities Projects on a first come, first serve basis. The amount available shall be tracked by UCPW and shall include the amount of water allocation secured from other Category A Projects that fail to move forward as outlined in Section 7.0 of the Amended and Restated Plan.

To qualify for this water treatment capacity, owners or developers of these new Nonresidential/Government Facilities Projects shall:

- Confirm that their water treatment capacity needs are estimated to be 60,000 gpd or less (as determined by UCPW).
- Confirm that existing water lines are contiguous to the Project site directly or through an existing right-of-way.
- Confirm proper land use permitting (including zoning) from all applicable jurisdictions to allow the proposed development to occur.
- Submit a detailed written description of the Project to UCPW for approval (including type of project, expected water capacity needs, and any other special conditions). Such written description shall include sufficient detail to enable UCPW to make a reasonable determination that it is more likely than not that the Project will proceed within the time constraints for obtaining a building permit, as outlined below.
- Obtain building permits within 270 days from written approval of the Nonresidential Development Project for such portion of the Project as will result in the use of a minimum of 25% of the water capacity allocation, and commence actual construction within 180 days from issuance of the building permit. Failure to obtain building permits within the prescribed time period shall result in termination of the water capacity allocation for those facilities for which building permits have not been obtained. If building permits, whether issued within 270 days or thereafter, expire or are otherwise terminated without issuance of a certificate of occupancy, such event shall result in termination of the water capacity allocation for the facilities that were subject to the expired or terminated building permit. For purposes of this paragraph, actual construction means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, or the construction of

columns. Permanent construction does not include (i) land preparation, such as clearing, grading, and filling, (ii) the installation of streets and/or walkways, (iii) excavation for a basement, footings, piers, or foundations, or (iv) the erection of temporary forms.

- Obtain certificate(s) of occupancy for all facilities comprising the Nonresidential Development Project within five (5) years from written approval of the Project. If, within five (5) years, owners or developers fail to secure certificate(s) of occupancy for all facilities comprising the Project, such failure shall result in termination of the water capacity allocation for the facilities for which certificate(s) of occupancy have not been obtained.

UCPW staff may, if desired, request additional information from the Project's owner in order to make a final determination. If approved, UCPW will issue, in writing, a water capacity allocation for the proposed Project.

These new Nonresidential Development Projects shall be processed on a first come, first serve basis.

## **EFFECTIVE DATE**

This Amendment #2 shall become effective upon adoption by the Union County Board of Commissioners and may be repealed or modified at any time, without notice.