



**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE
NORTH BEND PLANNING COMMISSION**
Wednesday June 18, 2025, 6:30 PM
City Hall, 920 SE Cedar Falls Way, North Bend, WA

AGENDA

- 1) Call to order and roll call, Planning Commission**
- 2) Opportunity for public comment on non-agenda items**
- 3) Approval of minutes from May 21, 2025**
- 4) Introduction, Hearing and Recommendation – Water and Sewer Regulation amendments
to Title 13 with regards to Accessory Dwelling Units**
- 5) Adjournment by 8:30 unless otherwise approved.**

PLEASE NOTE: Members of the public may choose to attend the meeting in person or by teleconference. Members of the public attending the meeting in-person will have an opportunity to provide public comment and if attending the meeting by teleconference may submit written comments via in-person drop off, mail, fax, or e-mail to planning@northbendwa.gov. All written comments must be received by 4 p.m. on the day of the scheduled meeting and must be 350 words or less. If an individual requires accommodation because of a difficulty attending the public meeting, the City requests notice of the need for accommodation by 3:30 p.m. on the day of the scheduled meeting. Participants can request an accommodation to be able to provide remote public comments by contacting the City by phone (425) 888-5633 or by e-mail to planning@northbendwa.gov. No other remote public comment will be permitted.

Those wishing to access the meeting by teleconference will be required to display your full name to be admitted to the online meeting.

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**REGULAR MEETING AND PUBLIC HEARING OF THE
NORTH BEND PLANNING COMMISSION
- ACTION MEETING MINUTES -
Wednesday, May 21, 2025, 6:30 PM**

5 This meeting was held at City Hall, 920 SE Cedar Falls Way, North Bend, WA, and was also available online. A
6 complete video recording of this meeting is available on the City of North Bend YouTube website, at
7 www.youtube.com, under "City of North Bend."

8
9 **AGENDA ITEM #1: CALL TO ORDER**

10 The meeting was called to order at 6:30 PM.

11
12 **ROLL CALL**

13 Planning Commissioners present: Hannah Thiel, Stephen Matlock, Juliano Pereira, and Sam White.
14 Commissioners Brian Fitzgibbon, James Boevers, and Olivia Moe were absent.

15
16 City Staff Present: Mike McCarty, Planning Manager

17
18 **AGENDA ITEM #2: Public Comment on Non-Agenda Items**

19 No comments

20
21 **AGENDA ITEM #3: Approval of minutes from May 7, 2025 meeting**

22 Motion by Commissioner White seconded by Commissioner Mattlock to approve the May 7, 2025 meeting minutes.
23 The motion passed unanimously.

24
25 **AGENDA ITEM #4: Introduction, Hearing and Recommendation – Form Based Code clean-up amendments
associated with Comp Plan update amendments for conformance to RCW 36.70A.630**

26 Planning Manager Mike McCarty provided a summary of the proposed amendments, as well as the purpose and
27 associated state requirements the amendments are based on.

28
29 Chair Thiel opened the public hearing at 6:46pm. No comment was provided. Chair Thiel closed the public hearing
30 at 6:46 pm.

31
32 Mr. McCarty noted the Community and Economic Development Council Committee reviewed this item at their
33 May 20, 2025 meeting and have provided direction regarding some of the provisions, which he identified.

34 Mr. McCarty addressed questions of the Commissioners. Commissioners requested a number of edits including the
35 following (page numbers referring to the Planning Commission packet):

36

- 37 • Throughout: Re-number sections with chronological numbers rather than letters corresponding to the names
38 of the section, and number sub-points rather than use bullets, replace Xs within tables (indicating allowed
39 use) with check-marks, and several minor grammatical edits.
- 40 • Introduction section p. 2 - Clarify better that the DC Zone Subdistricts come out of the concept of Transects
41 from the Center for Applied Transect Studies.
- 42 • Table RP-1 p. 8 – For the “General Use” row and the DC-MU Column, add notation that ground-floor
43 residential is not allowed west of the Cedar Falls Way Roundabout.
- 44 • DS.1A and DS.1B – Delete the standard in each of these sections requiring roof-height building setbacks
45 based on adjacent building height, as this conflicts with RCW 36.70A.630b.
- 46 • DS.1A and DS.1B - Commissioners do not recommend changing the maximum allowed unit sizes within
47 the DC-C and DC-MU Subdistricts at this time. They would like more information before considering that.
- 48 • Table FS.1 – Delete “Lightcourt” as this is not described as one of the frontage types in the section that
49 follows.

1 • Section FS.1 concerning Front Yards: Revise minimum depth from 20' to 10' as 20' conflicts with the
2 maximum front setback provided in DS.1A and DS.1B, and is greater than what is typical for a downtown
3 urban-residential context.

4
5 Motion by Commissioner White, seconded by Commissioner Mattlock, to recommend approval of the amendments
6 to the Form Based Code as presented, subject to the additional revisions requested at tonight's meeting. The motion
7 passed unanimously.

8
9 **AGENDA ITEM #6: Adjournment by 8:30 PM unless otherwise approved by the Commission**

10 The Meeting was adjourned at 7:49 p.m.

DRAFT

Community and Economic Development Department Staff Report



Proposal: Amendments to Water Regulations in NBMC 13.08.010-020 and Sewer Regulations in NBMC 13.20.020, 13.20.040, 13.20.080, and 13.20.130.

Date: June 17, 2025

Proponent: City of North Bend

Staff Recommendation:

A motion to approve of the proposed amendments to Water Regulations in NBMC 13.08.010-020 and Sewer Regulations in NBMC 13.20.020, 13.20.040, 13.20.080, and 13.20.130.

A. PROPOSED AMENDMENTS:

Amendments are proposed to the City of North Bend Water Regulations in NBMC 13.08.010-020 and Sewer Regulations in NBMC 13.20.020, 13.20.040, 13.20.080, and 13.20.130. The amendments are intended to address instances in which a separate water and sewer connection is appropriate for accessory dwelling units (ADUs) and to assess the impact of detached ADUs on utility usage with regard to capital facility charges.

The proposed code amendments are in response to recent legislative amendments to RCW 36.70A.680 and 681 passed by the legislature through House Bill 1337 (HB 1337), which updates the standards and laws local governments can impose on ADUs. The Council recently passed Ordinance 1825 adopting municipal code amendments addressing the requirements of RCW 36.70A.681. One of the key changes required by RCW 36.70A.681 is the allowance for ADUs to be rented and sold as independent residential units. The city's water and sewer regulations currently do not adequately address situations in which ADUs may be sold. The current water regulations (NBMC 13.08) and sewer regulations (NBMC 13.20) neither recognize an appropriate facility charge rate nor address instances in which ADUs should have a separate utility connection from the primary residential unit.

The amendments are intended to support the development of detached ADUs for sale by ensuring that future detached ADUs have separate meters and utility connections from the primary residential unit for

the purposes of fair and equitable utility service (ensuring that the ADU service isn't disrupted if the primary residential unit has not paid utility bills).

Amendments to the Water Regulations in NBMC 13.08 propose changes in NBMC 13.08.010 *Connection to public water required* and NBMC 13.08.020 *Water connection charge – Established*. In NBMC 13.08.010, amendments are proposed to address instances in which a new connection to the public water system is required through the approval of a condominium agreement. Under NBMC 13.08.020, proposed amendments provide clarity on a consistent water connection charge for both attached and detached ADUs, reflective of each ADU's respective levels of impact. Under the amendments, attached ADUs are not considered an increase in the intensity of use and therefore do not trigger additional water charges or a separate connection. Detached ADUs are considered an increase in the intensity of use and are considered to be 0.5 ERUs and require a separate connection.

Amendments to the Sewer Regulations in NBMC 13.20 propose changes to NBMC 13.20.020 *Connection to public sewer – Required – Exceptions*, NBMC 13.20.040 *Connection to public sewer – Waiver – Variance*, NBMC 13.20.080 *Sewer connection charge – Established*, and NBMC 13.20.130 *Separate sewer connection required*. In NBMC 13.20.020, amendments are proposed to address instances in which a new connection to the public sewer system is required through the approval of a condominium agreement, identify existing detached ADUs without a separate sewer connection as non-conforming structures, and amend Table 13.20-A to describe connection requirements for attached and detached ADUs.

Amendments to NBMC 13.20.040 clarify that sewer variances are not permitted for detached ADUs proposing on-site sewer. Proposed amendments in NBMC 13.20.080 provide clarity on a consistent sewer connection charge for both attached and detached ADUs, reflective of each ADU's respective levels of impact. Under the amendments, attached ADUs are not considered an increase in the intensity of use and therefore do not trigger additional sewer charges or a separate connection. Detached ADUs are considered an increase in the intensity of use and are considered to be 0.5 ERUs and require a separate connection. Amendments are additionally proposed in NBMC 13.20.130, which provide for consistent language on required separate sewer connections for ADUs under a new subsection C and provide conditions in which attached ADUs require a separate sewer connection.

The proposed municipal code amendments are provided within the attached Exhibit A.

B. FINDING AND ANALYSIS:

1. **Public Hearing:** A public hearing is scheduled for the June 17th, 2025 Planning Commission Meeting.
2. **Municipal Code Amendment Process:** Municipal code amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated below.
 - a. **Impacts of Proposed Amendment**
NBMC 20.08.070 and .080 requires that municipal code amendments be evaluated for

their environmental, economic and cultural impacts, as well as impacts to surrounding properties. These impacts are evaluated below.

- i. **Environmental Impacts.** No environmental impacts are anticipated from revising the water and sewer regulations concerning ADUs. Regulations protecting critical areas, managing storm water runoff (including maximum impervious surface limits per property based on zoning), and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of development that occurs on a site. Such review will occur upon submittal of an application for development.
- ii. **Economic Impacts.** The amendments have a positive economic impact for the City of North Bend by clarifying the city's standards on water and sewer connection requirements for ADUs. Proposed amendments enhance transparency on the city's policy for utility connection requirements and associated facility charges for ADUs. The amendments provide for a reduced cost impact for attached ADU projects which may encourage attached ADU development and help provide more housing stock and more affordable prices.
- iii. **Cultural Impacts.** No significant cultural impacts are anticipated from the proposed amendments. The amendments provide greater clarity in the application of utility connection and facility charge rates.

b. **Impacts to Surrounding Properties.** The proposed amendments are not specific to any particular properties. Individual projects will be evaluated under the Municipal Code and Public Works Standards to assess for potential impacts and appropriate mitigation on a project-by-project basis.

3. Compatibility of Proposed Amendment with North Bend Comprehensive Plan

In accordance with NBMC 20.08.070 and .080, applications for municipal code amendments must be evaluated for compliance with the Comprehensive Plan.

The North Bend Comprehensive Plan Housing Element calls for a mix of housing types and densities to help meet housing demands for the region. The proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

Housing Goal 1: Encourage a variety of housing types and densities compatibly located to meet the demands of a diverse population.

Housing Policy 1.2: Encourage the provision of a diversity of housing types and sizes to meet the needs of a wide range of economic levels, age groups and household make-up.

Housing Policy 4.9: Support and allow the development of a variety of housing types that increase the availability of housing affordable to all economic segments of the city's population.

Housing Policy 6.6: Encourage and support accessible design and housing strategies, such as ADUs, that provide seniors the opportunity to remain in their own neighborhood as their housing needs change.

4. Compatibility of Proposed Amendment with the North Bend Municipal Code (NBMC)

In accordance with NBMC 20.08.070 and .080, application for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code.

The amendments update North Bend's municipal code to formally recognize ADUs outside of the Zoning Code (Title 18) in the Water and Sewers Code (Title 13). Amendments to Title 13 address the unique impacts ADUs have on the public water and sewer system and associated facility charge rates reflective of the impact each ADU type.

5. Consistency with NBMC 20.08.100

Pursuant to NBMC 20.08.100, the City Council shall consider the proposed amendment against the criteria in NBMC 20.08.100 (B). A staff analysis is provided in italics under each criterion below.

1. Is the issue already adequately addressed in the Comprehensive Plan?
The amendments are to the North Bend Municipal Code and not the Comprehensive Plan. See further description on compatibility of the proposed amendments to the Comprehensive Plan above.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. As described further under section A, the amendments are proposed to provide greater transparency on utility connection and facility charge requirements for both attached and detached ADUs within the City of North Bend. The amendments are intended to clarify the cost impact to develop an ADU with North Bend and help homeowners financially plan for ADUs, which is intended to help fill the need for more housing.
3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments are the best means to meet recent state legislative amendments with regard to restrictions on ADUs imposed by the state.
4. Will the proposed change result in a net benefit to the community
Yes. The proposed regulations will result in a net benefit to the community by allowing for a higher quantity of alternative housing that serves different needs for housing while also being relatively more affordable than a detached single-family home.

C. SUMMARY FINDINGS

- 1) Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on May 30, 2025.
- 2) A State Environmental Policy Act Determination of Non-significance on the proposed amendments was issued on May 30, 2025 and noticed appropriately.
- 3) The Planning Commission considered the proposed draft amendments at their June 17th, 2025 Commission meetings and held a public hearing on the draft regulations at their June 17th, 2025 meeting.

- 4) The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.
- 5) The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.

D. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the development regulation amendment procedures in NBMC 20.08 and is supported by policies within the Comprehensive Plan. Staff recommends approval of the amendments to Water Regulations in NBMC 13.08.010-020 and Sewer Regulations in NBMC 13.20.020, 13.20.040, 13.20.080, and 13.20.130.

Planning Commission Recommendation

Based on the findings above and after consideration of the public comment received at the public hearing, the North Bend Planning Commission recommends **approval** of the proposed amendments to Water Regulations in NBMC 13.08.010-020 and Sewer Regulations in NBMC 13.20.020, 13.20.040, 13.20.080, and 13.20.130.

Exhibits:

Exhibit A: Municipal Code Amendments

Exhibit B: Written comment(s) received (if received)

Proposed Amendments to NBMC 13.20

NBMC 13.20.020 Connection to public sewer – Required – Exceptions.

A. New Construction. The owner of all new houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, is required at his or her sole cost and expense to connect toilet and wastewater facilities, ~~therein directly with the proper~~

1. Connection to a public sewer is required prior to one of the following:
 - a. ~~T~~he issuance of a certificate of occupancy of any occupied building or structure; or, in the case of
 - b. ~~Final Plat or final short plat approval for~~ residential subdivisions, short plats or binding site plans; or, prior to final plat or final short plat approval.
 - c. Condominium agreement approval or other form of approved lot segregation for the purpose of sale of detached Accessory Dwelling Units ("ADUs") proposed for sale where such detached ADUs are not already independently connected to public sewer.

2. Exceptions. The requirement to connect to public sewer imposed by this subsection shall not apply in the following circumstances:

- a. New construction of one single-family detached dwelling on an individual parcel, when no existing sewer line is located within 150 feet of the property line of said parcel as measured along the public right-of-way or dedicated easements. This exception is intended for individual property owners, and shall not apply to any parcel being developed under a plat or short plat.
- b. New construction of an attached accessory dwelling unit ("ADU") ADU on a parcel served by an existing on-site sewage system ("OSS"), when (i) no existing sewer line is located within 150 feet of the property line of said parcel as measured along the public right-of-way or dedicated easements; or (ii) the property owner can demonstrate, by producing written approval from the King County health department, that the addition of the ADU will not require expansion or alteration of the existing OSS.
- c. New construction of accessory buildings for residential accessory uses, such as a garage or storage shed, which are not used for human occupancy.

B. Existing Structures. Any expansion, remodel, restoration, alteration, or changes in use (collectively, "alteration") to an existing structure served by an on-site sewage system shall require connection to public sewer, at the property owner's sole cost and expense.

- 3.1. Existing structures operating as detached ADUs that do not connect to public sewer shall be considered non-conforming structures as described in NBMC 18.30. The ADU may continue to operate and be maintained, however sewer connection will be required for a proposed condominium agreement or other approved form of lot segregation for the purpose of sale of the detached ADU.

4.2. Exceptions. The requirement to connect to public sewer imposed by this subsection shall not apply in the following circumstances:

- a. The existing structure is a single-family residential use or attached ADU, and no existing sewer line is located within 150 feet of the property line as measured along the right-of-way or dedicated easements;¹⁷
- b. The property owner can demonstrate, by producing written approval from the King County health department, that the alteration of the existing structure will not require expansion or alteration of the existing OSS; and,
- c. The alteration of the existing structure is intended to create an accessory building for residential accessory uses, such as a garage or storage shed, which is not used for human occupancy.

B-C. OSS Failure. Upon the city's receipt of a letter from a King County health department registered sanitarian indicating that an OSS for an existing structure within the city limits has experienced a failure, the property owner shall be required, at his or her sole cost and expense, to disconnect and abandon the OSS in accordance with all applicable King County health regulations, and to connect to public sewer; provided, that if no existing sewer line exists within 150 feet of the property as measured along the public right-of-way and dedicated easements, the property owner shall be required to repair the failing OSS in accordance with all applicable King County health regulations. Failure to connect to public sewer or repair a failing OSS as required by this subsection shall be a violation of this title subject to enforcement under Chapter 1.20 NBMC and applicable provisions of this title.

C-D. Threat to Public Health. Notwithstanding anything to the contrary herein, existing structures shall be required to connect to public sewer when the King County health department, city of North Bend, or other agency with jurisdiction determines that a condition exists affecting the OSS which constitutes a health hazard or threat to public safety.

D-E. King County Health Department Approval Required. Any installation, construction, expansion, rehabilitation, repair or replacement of an existing OSS permitted under this chapter shall be approved by the King County health department prior to issuance of an associated city permit.

E-F. Regular Maintenance Permitted. Nothing in this chapter shall be construed to prevent or condition the regular maintenance and upkeep of a functioning OSS in accordance with applicable King County health regulations.

F-G. Table of Sewer Connection Requirements. The following Table 13.20-A sets forth connection requirements for specified development activities, consistent with the provisions of this section.

Table 13.20-A: Table of Sewer Connection Requirements

Proposed Development Activity	Property where an existing sewer line is located within 150' of the property line as measured along the public	Property where no existing sewer line is located within 150' of the property line as measured along the public
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	right-of-way and dedicated easements.	right-of-way and dedicated easements
NEW CONSTRUCTION		
Commercial or multifamily	Connection to public sewer required	Connection to public sewer required
Plat or short plat	Connection to public sewer required	Connection to public sewer required
<u>Single-family detached dwelling and Attached ADU</u>	Connection to public sewer required	Installation of OSS permitted ^{1,4}
Accessory dwelling unit which necessitates expansion of existing OSS <u>Detached ADU</u>	Connection to public sewer required ²	Expansion or replacement of existing OSS permitted ³
Accessory dwelling unit which does not necessitate expansion of existing OSS	Continued use of existing OSS permitted	Continued use of existing OSS permitted⁴
EXISTING STRUCTURES		
Alteration of commercial or multifamily structure which necessitates expansion of existing OSS	Connection to public sewer required	Connection to public sewer required
<u>Alteration of a single-family detached dwelling, or attached ADU, or residential accessory building which necessitates expansion of existing OSS</u>	Connection to public sewer required	Expansion or replacement of existing OSS permitted ³
<u>Alteration exceeding nonconforming use allowances of NBMC 18.30.050 or condominiumization of detached ADU</u>	<u>Connection to public sewer required</u>	<u>Connection to public sewer required</u>
OSS Failure		
Letter received from a KCHD-registered sanitarian indicating that an existing OSS has experienced a failure	Connection to public sewer required	Repair or replacement of existing OSS permitted ³

¹ See NBMC 13.20.020(A)(1)(a) – intended for individual property owners constructing one OSS on one parcel.

² The addition of an ADU requiring connection to public sewer shall not create an independent requirement that the primary dwelling or building also connect to public sewer.

³ Subject to NBMC 13.20.060(A) through (C).

⁴ Certification of available capacity shall be approved by the King County ~~Health~~ department prior to issuance of an associated city permit.

NBMC 13.20.040 Connection to public sewer – Waiver – Variance

A. Waiver. The public works director may, at his or her discretion, waive the requirement to connect to public sewer under NBMC 13.20.020(A) if:

1. The building or property is a public facility funded by tax dollars; and
2. The building or property is owned and operated by a public agency for the public benefit; and
3. The septic drainfield is located on a lot area greater than or equal to 10 acres; and
4. The septic drainfield is located on publicly owned property and is operated and maintained by a public agency; and
5. The septic system complies with the requirements of NBMC 13.20.060(A) through (C).

B. Variance. Any property owner may apply for a variance from the sewer connection requirements contained in NBMC 13.20.020 to allow for an on-site sewage (septic) system, which application shall be made on a form provided by the city and evaluated by the public works director. Applicants for preliminary plats or preliminary short plats may not apply for a variance under this subsection.

1. Applications for a variance requested under this subsection shall be granted only if the public works director finds that all of the following criteria are met:
 - a. The property is more than 150 feet (or such other distance as may be required by King County health department on-site sewage regulations) from the existing public sewer system, as measured along the right-of-way or dedicated easements; and
 - b. The proposed OSS complies with the requirements of NBMC 13.20.060(A) through (C); and
 - c. The cost of extending sewer to the property would result in an economic hardship to the property owner. For the purposes of this subsection, “economic hardship” means an unrecoverable cost equal to or exceeding 20 percent of the fair market value of the building site with sewer facilities installed, or if the property is already developed, 20 percent of the fair market value of the building and building site with sewer facilities installed; and
 - d. The application satisfies the variance criteria set forth in NBMC 18.26.040(A) through (G).
2. Applications for sewer variances are not eligible for detached ADU projects that propose OSS.

NBMC 13.20.080 Sewer connection charge – Established.

Payment of a sanitary sewer system general facility charge (GFC) is required for connection to the city's sanitary sewer system. The sanitary sewer system GFC shall be set forth in the city's taxes, rates and fees schedule, and shall be deposited in the city's sanitary sewer capital improvement fund, which shall be used for the purpose of providing capital improvements to the city's sanitary sewer system, including the city's wastewater treatment plant.

A. New Construction.

1. Each single-family dwelling (NBMC 18.06.030) together with permitted associated accessory dwelling units shall be one ERU. Each multifamily dwelling (NBMC 18.06.030) shall be 0.7 ERU. For development other than single-family or multifamily, an ERU shall be 23 cubic meters per month of anticipated wastewater flow. For development other than single family or multifamily, the general facility charge is based on the water meter size and the 2016 rate study prepared by Tetra Tech, Inc., and FCS Group. Anticipated flow shall be determined by the city engineer based upon anticipated property use, water supply line size, plumbing fixture count, and after consultation with accepted state and federal manuals.
 - i. When a single-family dwelling proposes an attached ADU, they shall together be considered one ERU.
 - ii. If two attached ADUs are proposed on a property with one principal dwelling unit, only one attached ADU may share a connection charge with the principal dwelling unit.
2. Each multifamily dwelling (NBMC 18.06.030) shall be 0.7 ERU. For development other than single-family or multifamily, an ERU shall be 23 cubic meters per month of anticipated wastewater flow.
 - i. When attached ADUs are proposed with another principal dwelling unit type (other than single-family), the ADU shall not be considered an increase in the intensity of use and therefore does not require additional sewer charges.
 - ii. If two attached ADUs are proposed on a property with multiple primary dwelling units (such as, but not limited to, a duplex or cottage), then each ADU may share a connection charge with a single principal dwelling unit.
3. For development other than single-family or multifamily, the general facility charge is based on the water meter size and the most recent rate study prepared by the City or its selected consultant. Anticipated flow shall be determined by the city engineer based upon anticipated property use, water supply line size, plumbing fixture count, and after consultation with accepted state and federal manuals.
4. Detached ADUs shall be considered 0.5 ERU.

B. Existing Structures. In the case of an existing sanitary sewer service where there is an intended change in use, or an increase in the intensity of use, then additional connection charges shall be paid equal to the number of ERUs in increased anticipated wastewater flow.

NBMC 13.20.130 Separate sewer connection required.

- A. Single-Family Residential. A separate and independent sewer connection shall be provided for every single-family tax parcel, unless an OSS is permitted by King County Health Department, and an accessory dwelling unit may share a sewer with the primary dwelling on the same parcel, which together shall be subject to one connection charge. Provided, that where one single-family dwelling stands at the rear of another or on an interior lot, and no private sewer can be constructed to the rear dwelling, only one sewer shall be required for both the front and rear primary dwellings, with associated accessory dwelling units.
- B. Commercial or Multifamily. A separate and independent sewer connection shall be provided for every building.
- C. ADUs.
 - a. A separate and independent sewer connection shall be provided for any detached ADU.
 - a-b. Attached ADU may share a sewer with a primary dwelling unit on the same parcel.

Proposed Amendments to NBMC 13.08

NBMC 13.08.010 Connection to public water required.

The owner of all new houses, buildings, or properties used for human occupancy, employment, recreation or other purposes, is required at his or her expense to install suitable plumbing facilities therein and connect such facilities directly with the city water system prior to the following:

- A. The issuance of a certificate of occupancy, ~~or;~~
- B. Final plat approval, in the case of residential subdivisions containing five or more lots; ~~prior to final plat approval~~. Provided, that the construction of accessory buildings, such as a garage or storage shed, that do not include plumbing shall be exempt from the requirements of this section; ~~or~~
- A.C. The approval of a condominium agreement or other approved form of lot segregation for the purpose of sale of detached Accessory Dwelling Units (ADUs) where such detached ADUs are not already independently connected to public water.

NBMC 13.08.020 Water connection charge – Established.

Payment of a water system general facility charge (GFC) is required for connection to the city's water system. The water system GFC shall be set forth in the city's taxes, rates and fees schedule, and shall be deposited in the city's water system capital improvement fund, which shall be used for the purpose of providing capital improvements to the city's water system.

- A. New Construction. Each single-family dwelling (NBMC 18.06.030) shall be one equivalent residential unit (ERU).
 - 1. When a single-family dwelling proposes an attached ADU, they shall together be considered one ERU.
- B. Each multifamily dwelling (NBMC 18.06.030) shall be 0.7 ERU. For development other than single-family or multifamily, an ERU shall be 28 cubic meters per month of anticipated water usage.
 - 1. When attached ADUs are proposed with another principal dwelling unit type (other than single-family), the ADU shall not be considered an increase in the intensity of use and therefore does not require additional water charges.
- C. Detached ADUs shall be considered 0.5 ERU and require an independent connection to public water.
- A.D. For development other than single-family or multifamily, the general facility charge shall be calculated by dividing the anticipated monthly cubic meter water usage by 28 then multiplying the quotient by the required general facility charge per ERU. Anticipated use shall be determined by the city engineer based upon anticipated property use, water supply line size, plumbing fixture count, and after consultation with accepted state and federal manuals.
- B.E. Existing Structures. In the case of an existing water service where there is an intended change in use, or an increase in the intensity of use, then an additional general facility charge shall be paid equal to the number of ERUs in increased anticipated water use.