

| <b>COUNCIL POLICY</b>  |                      |                       |                        |
|--|----------------------|-----------------------|------------------------|
| <b>Subject:</b>  | <b>Policy Number</b> | <b>Effective Date</b> | <b>Number of Pages</b> |
| <b>PROVISION OF PRIORITY SEWER SERVICE TO RESIDENTIAL DEVELOPMENTS WITH AFFORDABLE HOUSING UNITS</b> | 200-21               | 12/5/2017             | Page 1 of 2            |

**I. PURPOSE**

The purpose of this policy is to provide the City of Santa Rosa’s written policy on the prioritization of providing sewer services to residential developments with affordable housing units.

**II. BACKGROUND**

Government Code Section 65589.7 requires agencies which provide water or sewer services to adopt written policies and procedures which provide for priority of the provision of water and sewer services to proposed housing developments that help meet the regional need for extremely-, very-, and low-income housing and bans the denial or the conditioning of approval of an application for services, or reducing the amount of the services applied for, merely because a proposed development includes affordable housing components, except in limited circumstances.

**III. POLICY**

**A. Sewer Service**

The City of Santa Rosa, to the extent practical, will provide sewer service when:

- 1) Sufficient capacity is available to accommodate the demand approved by the City within the service area, in accordance with the General Plan;
- 2) The proposed development can be served sewer in a fashion that meets the City’s criteria. Approval of applications for connection to the City’s sewer system shall not be based on the presence or absence of affordable housing or low-income households.

**B. Provision of Service During Times of Available Capacity**

In times where the City of Santa Rosa has available capacity in its sewer collection, treatment and disposal facilities, the provision of public sewer service to eligible residential housing developments will be on an income neutral basis.

**C. Provision of Service During Times of Limited Capacity**

In the event of service limitations due to capacity or regulatory constraints, sewer service priority shall be given to planned developments that include housing units affordable to extremely-, very-, and low-income households in accordance with Government Code Section 65589.7 (SB 1087, 2005), and the limitations set therein.

**D. Service Approval and Application Review**

The City shall not deny or condition approval of an application for services to or reduced the amount of services applied for by a proposed development that includes housing units affordable to extremely-, very-, and low-income households, unless the City makes specific written findings

| <b>COUNCIL POLICY</b>   |               |                |                 |
|---|---------------|----------------|-----------------|
| Subject:  | Policy Number | Effective Date | Number of Pages |
| PROVISION OF PRIORITY SEWER SERVICE TO RESIDENTIAL DEVELOPMENTS WITH AFFORDABLE HOUSING UNITS | 200-21        | 12/5/2017      | Page 2 of 2     |

that the denial, condition or reduction is necessary due to the existence of one or more of the following:

- 1) The City does not have sufficient treatment or collection transmission capacity, as demonstrated by written engineering analysis and a report on the condition of the treatment or collection system capacity, to serve the needs of the proposed development.
- 2) The Santa Rosa subregional sewerage system is under an order issued by the Regional Water Quality Control Board that prohibits new sewer connections.
- 3) The applicant has failed to agree to reasonable terms and conditions relating to the provision of sewer service generally applicable to development projects seeking sewer service from the City, including but not limited to, the requirements of local, state or federal laws and regulations or payment of permit connection fees.

**E. Review and Adoption/Readoption**

At least once every five years after July 1, 2006, the City Council shall review and adopt, or readopt, a policy and procedures regarding the prioritization for provision of sewer services to proposed developments that include housing units affordable to lower income households. This policy and procedures shall take into account the following information:

- 1) Regulations and restrictions adopted by the City relating to water shortage emergencies;
- 2) The availability of water supplies as determined by the City pursuant to its most recently adopted Urban Water Management Plan; and
- 3) Plans, documents and information relied upon by the City that provide a reasonable basis for making service determinations.