

# CITY OF HIGH POINT

## AGENDA ITEM



**Title:** Request for authorization to provide water service to the proposed Guilford County Animal Shelter.

**From:** Lee Burnette, Planning and Development  
Director

**Meeting Date:** August 19, 2019

**Advertising Date:** N/A

**Public Hearing:** No

**Advertised By:** N/A

**Attachments:**

- Water & Sewer Utility Extension Policy
- Location Map of proposed water service

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### PURPOSE:

To request authorization to provide water service to the proposed Guilford County Animal Shelter.

### BACKGROUND:

The new Guilford County Animal Shelter, proposed for property at 980 Guilford College Road, is outside the City's corporate limits but within High Point's planning jurisdiction. An agreement was reached between High Point, Greensboro and Guilford County for services to the facility located on the northwest side of Guilford College Road, southwest of Interstate 73 and north of W. Wendover Avenue. The property is proposed to remain within Guilford County's zoning jurisdiction at this time with the City of High Point providing water service and Greensboro providing sewer service to the facility.

The general policy of the City of High Point is to provide water and sewer utility services only to properties within the City's corporate limits and to allow the extension of such lines to serve properties only within the corporate limits. However, the policy allows the City Council to approve the extension of such services to serve governmental property in lieu of annexation, as provided within the attached Water and Sewer Utility Extension Policy, Section VI.

The City Council is requested to authorize the extension of water service to the new Guilford County Animal Shelter.

### BUDGET IMPACT:

There is no budget impact.

### RECOMMENDATION / ACTION REQUESTED:

Staff recommends *authorization* of this service request.







## **City of High Point**

### **Water and Sewer Utility Extension Policy**

#### **I. Authority**

Sections 8-2-26 and 8-2-69 of the High Point City Code authorize the provision of water and sewer utility services outside the City of High Point corporate limits under specified circumstances and with the approval of the City Council. This policy establishes the process by which such provision for services may be approved.

#### **II. Purpose**

This water and sewer utility extension policy is established to ensure a utility infrastructure that is efficient and operates in the best interests of the City and its residents.

#### **III. General Policy**

It is the general policy of the City of High Point to provide water and sewer utility services only to properties within the City's corporate limits and to allow the extension of such lines to serve properties only within the corporate limits. For water or sewer service to be provided to a property outside the corporate limits and within the City's planning area, as defined by the City's adopted Land Use Plan, the owner(s) of the property shall petition for voluntary annexation. An exception to this policy may be approved as provided herein.

#### **IV. Exception to the General Policy**

A property that is located outside the corporate limits and within the City's planning area may be connected to City water and sewer lines for service without annexation when the owner(s) apply for an exception to the general policy and it is approved as follows.

##### **A. Conditions for Approval**

The City's Technical Review Committee (TRC) determines that the property meets one of the following conditions:

1. Annexation of the property is prohibited due to statutory or legal constraints; or
2. The City is unable to effectively deliver all services (other than water and sewer) to the property; or
3. The location of the property, relative to the location of the primary corporate limits and City services, makes the delivery of City services to the property impractical due to costs or physical constraints.

##### **B. Requirements**

All the following requirements are met:

1. All plumbing fixtures and facilities shall comply with the appropriate building codes and/or County Health Department regulations.

2. The use of the property is limited to one dwelling unit or nonresidential establishment located on a property that is three acres or less in size. However, upon a written request by the owner(s), the City Council may approve service to a larger property or for more than one dwelling unit on a property if the City Council determines that such actions are not in conflict with City interests.
3. The owner(s) execute a written agreement with the City, in accordance with Section IV C., Written Agreement, committing to submit a voluntary annexation petition and the Planning & Development Department records the agreement in the respective office of the county register of deeds.

C. Written Agreement

The owner(s) must execute a written agreement with the City prior to a property receiving services that states while the property remains outside the corporate limits:

1. The property shall be subject to the City's outside rate schedule for water and sewer service;
2. The property shall not be further divided to create more lots or principal building sites;
3. The owner(s), or their successors or assigns, upon sufficient notice by the City, shall execute all documents required to accomplish voluntary annexation;
4. If following notice, the owner(s) fail to execute action to accomplish voluntary annexation, then the City shall terminate service to the property; and
5. The owner(s) shall not oppose or support opposition to an annexation initiated by the City that includes the property to which City water and sewer service was provided pursuant to this policy.

D. Service Connection

Connections to City water or sewer lines shall not be authorized until the Technical Review Committee approves the requested exception in accordance with this policy and the written agreement is executed and properly recorded.

E. Notification

The Planning & Development Department shall provide written notification of the Technical Review Committee's decision to the property owner(s), City Manager's Office, and the Public Services Department.

F. Appeal

If a request for an exception to the is denied by the Technical Review Committee, the owner(s) may appeal the decision to City Council for review and consideration in accordance with this policy, provided the appeal is submitted in writing to the City Clerk within 30 days of the decision.

V. Randleman Lake Water Supply Watershed

High density or intensive development is prohibited in most of the Randleman Lake Watershed Critical Area through the adoption of the "Deep River I Watershed Assessment and Stormwater Plan" and the NC Environmental Management Commission's approval of the City's alternative high-density option regulations, which is part of the City's watershed protection standards. As required by the State approved plan, the City cannot allow the extension of water and sewer lines for new development in the Randleman Lake Watershed Critical Area except in portions of the Richland Creek and Business 85/Riverdale Road sub-basins, as provided for in Section 6.2., Watershed Protection, of the High Point Development Ordinance. And, where such utility lines are present in the Randleman Lake Watershed Critical Area, service for new development is not allowed. However, a connection to the City's water and sewer lines for an existing dwelling or nonresidential establishment may be approved in accordance with Section III, General Policy or Section IV, Exception to the General Policy.

VI. Service to Government Property and Other Jurisdictions

Nothing in Section III, General Policy, shall preclude the City Council from approving the provision of water and sewer utility services to serve governmental property or to serve areas outside the City's planning area.

Approved this 4th day of October 2001  
High Point City Council

Amended December 19, 2002  
Amended August 20, 2018