

**CITY OF GRANITE FALLS
Granite Falls, Washington**

RESOLUTION 2021-06

A RESOLUTION OF THE CITY OF GRANITE FALLS, WASHINGTON, ADOPTING FINDINGS OF FACT IN SUPPORT OF THE INTERIM REGULATION AND MORATORIA ENACTED BY ORDINANCE 1015-2021 RELATING TO FILING WITH AND PROCESSING BY THE CITY OF APPLICATIONS FOR DEVELOPMENT ACTIVITIES REQUIRING CONNECTION TO THE CITY'S SEWER SYSTEM AND AMENDING GFMC 19.04.090 RESTRICTING CONCURRENCY DETERMINATIONS AND SEWER CONNECTIONS WITHIN THE CITY FOR A MINIMUM OF SIX MONTHS

WHEREAS, with the approval of Ordinance 1015-2021 by the City Council on October 20, 2021, six-month moratoria were imposed on the application for and the granting of connections to the City's sewer system with exemptions and interim regulations were adopted to GFMC 19.04.090 changing the conditions when and exemptions for concurrency determinations for connection to the City's sewer system; and

WHEREAS, RCW 36.70A.390 requires that the City Council conduct a public hearing and adopt findings of fact supporting the moratoria and interim regulations enacted by Ordinance 1015-2021; and

WHEREAS, following public notice as prescribed by applicable law, a public hearing was conducted before the City Council on November 3, 2021 and all persons in attendance wishing to be heard were heard; and

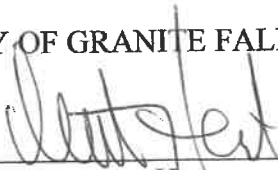
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANITE FALLS, WASHINGTON, AS FOLLOWS:

Section 1. Adoption of Findings of Fact. The Findings of Fact attached hereto as Exhibit A are incorporated herein and are hereby adopted.

PASSED by the City Council and **APPROVED** by the Mayor this 3rd day of November, 2021.


CITY OF GRANITE FALLS

By


Matthew Hartman, Mayor

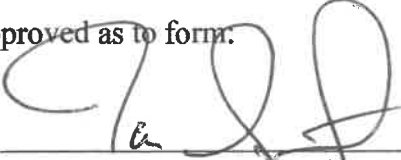
Attest:

By


Darla Reese, City Clerk

Approved as to form:

By



Thom H. Graafstra, City Attorney
Emily Guildner, City Attorney

Exhibit A - Resolution 2021-06

Findings of Fact Supporting Interim Regulation on Concurrency Determinations and Moratoria on Applications and non-Exempt Concurrency Determinations

1. The City of Granite Falls has completed several capacity and water quality upgrades to its treatment plant since 2003 including:
 - Two new clarifiers,
 - Disinfection upgrades and improvements,
 - Alkalinity adjustment system,
 - Retrofit of existing oxidation ditch to improve oxygen transfer,
 - Inflow and Infiltration reduction,
 - Land acquisition for future plant expansion,
 - Electrical upgrades.
2. The City of Granite Falls completed a Capacity Evaluation in March 2017. That memorandum recommended that the TSS (“total suspended solids”) loading limit be raised from 823 lb/day to 1,109 lb/day to be in parity with BOD₅ (“5 day biochemical oxygen demand”). An application was submitted to Department of Ecology for this regulatory change.
3. The City received a letter from the Department of Ecology on August 7, 2017 raising the TSS limit to 1,109 lb/day.
4. The City of Granite Falls’ current NPDES permit, and subsequent documentation, limits the loading to the wastewater treatment plant to:
 - Biochemical Oxygen Demand (BOD₅) - 1,109 lb/day.
 - Total Suspended Solids (TSS) - 1,109 lb/day.
 - Flow 0.555 million gallons per day.
5. The Capacity Study concluded that with the TSS adjustment the wastewater treatment permitted capacity is limited by flow to the wastewater treatment plant. At the time of the Capacity Study in 2017 the estimated available capacity at the plant was limited to 643 equivalent residential units.

Due to the limited excess capacity at the Wastewater Plant the City completed a Wastewater Facility Plan in November 2018 which was approved by the Department of Ecology on November 30, 2018. That Plan identified approximately \$15,000,000 in upgrades recommended to increase permitted treatment capacity.

6. The City has experienced rapid growth since the Capacity Study was completed with approximately 485 new residential units have been constructed and occupied. An additional units 67 are anticipated in 2021

Though improvements have been made to the plant since 2017, capacity improvements have not been made, and no current work has been approved or will be bid for capacity improvements in the foreseeable future.

7. The City of Granite Falls wishes to preserve the remaining capacity for single family or duplex development on existing lots, commercial development in the General

Commercial zones, and instances of failing septic systems or special hardships where connection may be allowed on a case-by-case basis by application for a concurrency variance.

8. The City previously adopted interim regulations and moratoria with Ordinance 945-2018. Ordinance 945-2018 was extended four times by Ordinances 957-2018, 964-2019, 971-2019 and 984-2-2020. Then interim regulations and a moratoria were adopted by Ordinance 992-2020 and extended by Ordinance 1006-2020.
9. Both Ordinances 945-2018 and 992-2020 contained interim revisions to GFMC 19.04.090 and moratoria on the acceptance and processing of new applications for development approval and on the making of concurrency determinations. Both Ordinances 945 -2018 and 992-2020 therefore temporarily restricted utilization of the uncommitted capacity to single family or duplex development on existing lots, commercial development in the General Commercial zone, and to provide relief for failing septic systems and special hardships.
10. Based on the testimony of City Manager Brent Kirk, there are additional single-family developments, not yet to the pre-application stage, that if allowed to proceed to application and a concurrency determination would fully exhaust the uncommitted capacity.
11. The City of Granite Falls purchased real property to expand the area of its waste water treatment plant. The city updated its Wastewater Facilities Plan. Development that had concurrency determinations has proceeded to completion, and the present capacity remains at no more than 100 units.
12. Since March 2020 a state of emergency has existed to deal with COVID 19 in the state of Washington. Federal, state and local resources have been used to address the impacts of that emergency. Despite previous requests for state funding for Wastewater treatment plant upgrades, no such funding has been received. A request was made to the 2020 legislature. Future requests will be made. Federal COVID -19 funds, in a limited amount, have become available for infrastructure planning and design.
13. Based upon the foregoing Findings of Fact, it is concluded that Ordinance 1015-2021 should remain in effect without modification for the balance of its stated duration. Pending future events, it may be necessary to extend the interim regulations and moratoria contained in Ordinance 1015-2021.