CITY OF KING
CITY COUNCIL

MEETING DATE:
November 2nd, 2026

OCTOBER

Subject:	REQUEST BY MJ SILMSER PROPERTIES FOR CITY SEWER PER OUR UTILITIES EXTENSION POLICY WITH A REQUEST FOR NO VOLUNTARY ANNEXATION.
Action Requested:	Decide on this request based on our utilities extension policy in Sec 29-232 listed below to allow sewer to the property without voluntary annexation request.
Attachments:	

Benjamin Marion, PE – City Engineer

This abstract requires review by:

City Manager	**City Engineer**

PART B

Introduction and Background:

We have a development company (MJ Silmser) that bought a tract of land on Tuttle Road. The tract contains 52.46 acres, and the developer would like to create a 77-lot subdivision. This site plan has already been approved with Forsyth County and meets their subdivision requirements. The developer is requesting that they be allowed to hook to city sewer without submitting a voluntary annexation petition because this tract is outside of the city's jurisdiction and is noncontiguous to any of King's corporate limits. The only available municipal water and sewer in the area is the City of King's. By allowing connection to city sewer without annexation would allow the developer a higher density of lots verses the city's current development requirements that would only allow for approximately 28 lots. This lower number makes the project unfeasible due to developmental cost. The developer understands that the future owners would pay the outside rates for water and sewer.

Sec. 29-232. - General policies regarding extensions.

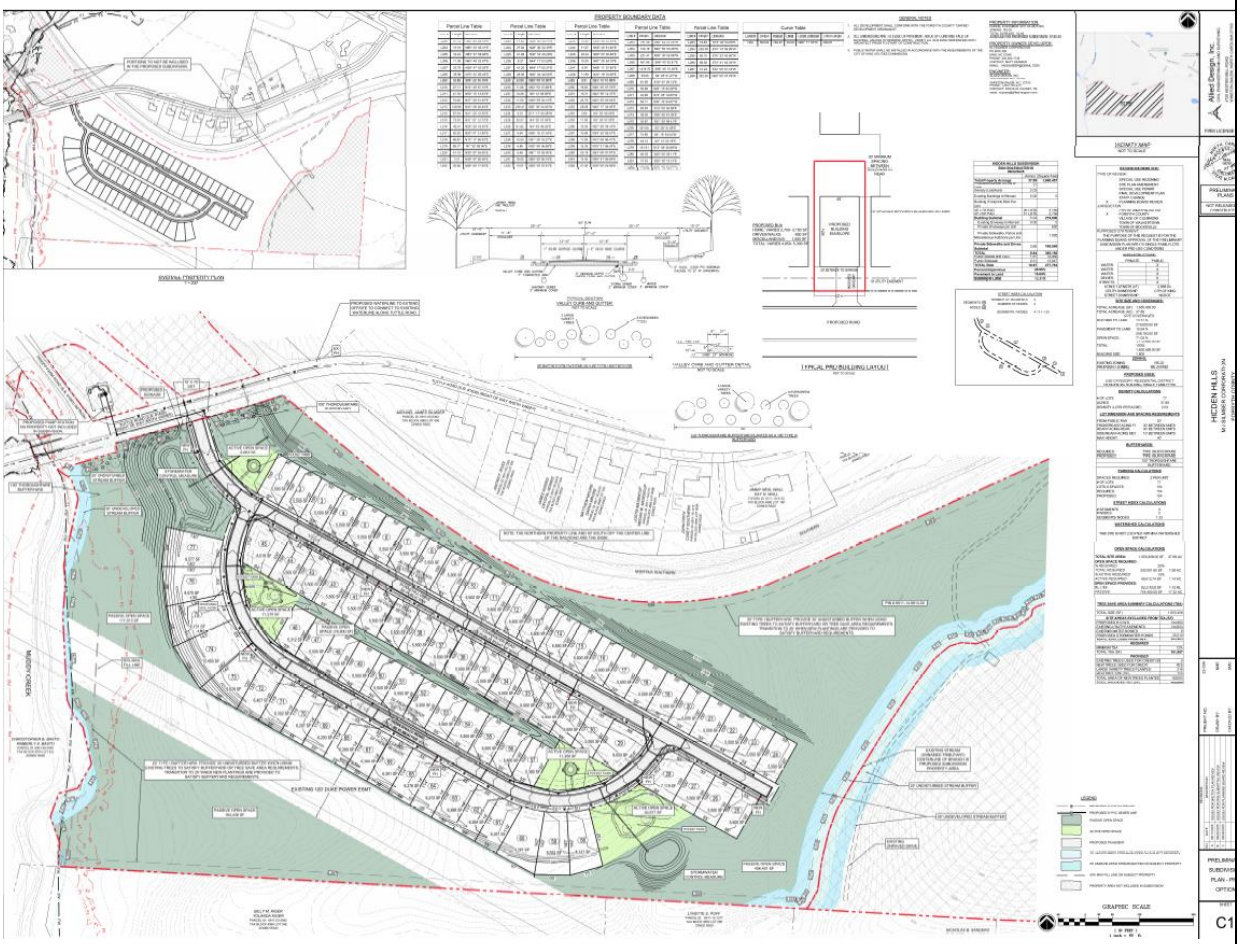
(a) It shall be the general policy of the city to permit extensions of water and sewer service to areas within the city's corporate limits without restriction, provided that all applicable fees shall be paid and all construction shall adhere to the city's construction standards. The board and the director shall have the authority to reject plans for any extension which would not be in the best interest of the city. (b)It shall be the general policy of the city to permit extensions of water and sewer service to areas outside the city's corporate limits, but within the city's adopted area of consideration for annexation, only when such areas or developments simultaneously with the request for water and/or sewer service agree to petition the city for annexation, where

practical, prior to the extension of such service. The board shall have the authority to waive this requirement when annexation would be impractical, legally impossible, or would not be in the best interest of the city. (c)For areas which are outside the city's corporate limits and outside the city's adopted area of consideration for annexation, water service may be extended when it is considered by the director to be in the best interest of the water system, and not detrimental to the interests of the city. Normally, sewer service will not be extended to areas outside the corporate limits of the city which do not request voluntary annexation, regardless of location. (d)The board shall have the authority to make exceptions to these policies for reasons determined to be in the best interest of the city.

(Ord. No. 7-98, § 1, 5-12-98)

Discussion and Analysis:

Staff have reviewed the developer's request and understand their request to stay in Forsyth County. In reviewing the city's extension policy, it is determined that the board can make exceptions to the policy under item (d) of Chapter 29-232 of the city's ordinance. Staff does not see any benefit in annexation of this property.



Budgetary Impact:

Water/sewer info if annexed –
Tap fees = $5,200/home = $145,600
Water rates – inside - $29.86
Sewer rates – inside - $109.25
City taxes - .47/$100 in valuation = $1,410/home/year based on a $300,000 home value.
Based on a 28-lot S/D that would be $39,480 in city taxes and $23,370 in water/sewer bills.

Water/sewer info if not annexed –
Tap fees = $5,200/home = $400,400
Water rates – outside - $41.80
Sewer rates – inside - $152.95
Based on a 77-lot S/D that would be $89,974.50 in water/sewer bills.

Please note that an approved change in the water and sewer rates would change these numbers based on usage. Tap fees will remain the same.

Recommendation:

Staff recommend that the council approve the developers request to access our sewer without voluntarily annexing the property and developing in Forsyth County.