

TO: Thomas Frutchey, City Manager

FROM: Warren Frace, Community Development Director

SUBJECT: Use of Septic System 739 Renate Way (Brown)

DATE: August 2, 2016

Needs: Consider a request to allow the replacement of a septic tank at an existing single-family residence at 739 Renate Way, south of Union Road. (APN 025-041-008)

- Facts:**
1. Karen Brown, property owner, located at 739 Renate Way, requests City Council approval of continued use of a septic tank and leach field and installation of a replacement septic tank on her property (see application). The property is occupied by a single-family residence.
 2. Pursuant to Municipal Code Section 14.08.230, when it has been determined that sewers are not reasonably available to serve a given property (generally within 200 feet) the owner of the property may request of the City Council a permit for the construction of a private wastewater disposal system.
 3. The nearest available sanitary sewer main is in Union Road, near the intersection of Walnut Avenue, more 200 north of the Brown property and not available to Brown without acquisition of an easement over private property.
 4. Adjacent lots to Brown on Renate Way are serviced by septic systems.

**Analysis
and**

Conclusion: The applicant is formally requesting permission from the City Council for use of a septic system at the referenced location. Municipal Code Section 14.08.230 states that “When it has been determined by the City Council that sewers are not reasonably available to serve a given property (generally more than 200 feet from the property) within the City, the owner of said property may request of the City Council a permit for the construction of a private wastewater disposal system”.

In the case of the Karen Brown property, access to sewer not only exceeds 200 feet, but Brown has no access to City sewer without acquisition of an easement over private property. Findings can be made that City sewer is not reasonably available to the Brown property.

Policy

Reference: Paso Robles Municipal Code Section 14.08.070 – Sewerage System Operations

Fiscal

Impact: None.

Options:

- a. Approve Draft Resolution A authorizing continued usage of a septic system for an existing single family residence at 739 Renate Way (APN 025-041-008) subject to “Conditions of Permit” as outlined in Municipal Code Section 14.08.240.
- b. Amend the above option.
- c. Refer back to staff for additional analysis.
- d. Deny the request based on findings to be incorporated into a revised resolution of denial

Attachments: (3)

- 1) Location Map
- 2) Application for Septic Tank Use
- 3) Draft Resolution A

Attachment 1 - Location Map



CITY OF EL PASO

SEWER SYS
TILE

Agenda Item No. 11

Geographic Info

12/29/09	Full map series revision	DL
09/07/11	Comprehensive sewer data cleanup	DL
DATE	DESCRIPTION	INTL

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1" = 200'

0 100 200 400 Feet
GC Agenda 8-2-16



Attachment 2

CITY OF EL PASO DE ROBLES

"The Pass of the Oaks"

APPLICATION FOR SEPTIC TANK USE

Owner: Karen L. Brown Date: 7-20-15 Permit No.: _____
Property Address: 739 Renate Way
Assessors Parcel Number: 025-041-008

Permit Fee: \$240

City Council Approval: Resolution No. _____

Approved By: _____ Date: _____
City Engineer

AGREEMENT

In return to the City's approval for allowing me to use a septic tank system for my property, I hereby agree to:

- a) Consent to future formation of an assessment district if said district is established by the City Council for the purpose of constructing sewers to serve said property. Said agreement shall be in a form acceptable to the City Attorney and recorded as affecting real property interests.
- b) Connect said property to the city sewer system, when available and directed to do so by the City Council, unless otherwise specified by the City, such connection shall be completed within six months of the date of receipt of said notification.
- c) Construct septic tank and appurtenances in accordance with requirements of the State Water Quality Control Board, Central Coast Basin, County Health Department, Uniform Plumbing Code as modified within Title 17 of the Municipal Code, and Department of Public Works standard details and specifications.
- d) Operate and maintain the private sewage disposal system and facilities in a sanitary manner at all times, at no expense to the City.
- e) Grant to the City authority to enter premises for periodic inspection to ensure proper operation and maintenance. Said authority shall be conveyed in writing by the owner of the property and shall be binding upon all future owners, heirs, lessees, or occupants.

- f) Grant to the City authority to enter premises in the event of an emergency involving the system or a nuisance created by the system, which, in the sole opinion of the City, County Health Department or State Water Quality Control Board creates a hazard, which threatens the health and safety of the citizens. The owner shall follow the instructions of the City and any service rendered pursuant to such instructions shall be paid for by the owner. When a health hazard or nuisance is determined to exist or water quality is threatened, the City may revoke certificates of occupancy for buildings utilizing the private system.
- g) Abandon private system a reasonable time when an order to do so has been issued by the City Council or its designated representative.
- h) When a sewer main is available and owner is directed to connect to said main, the owner shall reimburse City, or the installer through the city reimbursement account, for a prorated share of the cost of the installation of sewer mains which provide service to the applicant's property, as directed by City. City shall determine the rate of proration shares of reimbursement.
- i) Concurrently with the installation of a private septic system, construct a dry sewer lateral from building plumbing system to the adjacent right-of-way or property line as directed by the city engineer. The line, grade, size and provision for clean-outs of said dry sewer lateral line shall be reviewed by and approved by the city engineer.
- j) For private septic systems that are approved for permanent use, dual leach fields shall be installed with initial construction. A diverter valve shall be installed to control drainage into either or both leach fields. Each leach field shall be designed to handle one hundred percent of the design flow.
- k) For private septic systems that are approved for temporary use (i.e., five years or less), only one leach field may be required. However, an additional area shall be designated, tested for adequacy as a leach field for use and maintained free from any installation which could inhibit the potential use of said area as a leach field should the first leach field installed be determined by the state, county, or city to have failed or be inadequate in any way.

I hereby acknowledge that I am the owner of this property. This Agreement shall be binding upon my heirs and successors in title for this property.

SIGNATURE: Karen L. Brown

Print Name: Karen L. Brown

Attachment 3

Draft Resolution A RESOLUTION NO. 16-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES AUTHORIZING CONTINUED USE OF A SEPTIC SYSTEM AT PROPERTY LOCATED AT 739 RENATE WAY (BROWN)

WHEREAS, the City of Paso Robles has received an application to continue use of a private wastewater disposal system for an existing single family residence located at 739 Renate Way, south of Union Road (APN 025-041-008); and

WHEREAS, Code Section 14.08.230 provides for City Council approval of permits for private wastewater disposal systems where City sewers are not reasonably available; and

WHEREAS, the nearest sewer system is more than 200 feet from the site of the Brown residence and separated from the Brown property by private properties; and

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council approves continued use of a private wastewater disposal system at 739 Renate Way (APN 025-041-008).

SECTION 2. That the applicant complies with “Conditions of permit” as stated in Municipal Code Section 14.08.240 as follows:

- a. Consent to future formation of an assessment district if said district is established by the City Council for the purpose of constructing sewers to serve said property.
- b. Connect said property to the city sewer system, obtain appropriate permits and pay connection fees and special fees as applicable, when available and directed to do so by the Director of Public Works. Such connection shall be completed within six months of the date of receipt of said notification.
- c. Construct septic tank and appurtenances in accordance with requirements of the California Water Quality Control Board, Central Coast Basin, County Health Department, California Plumbing Code as modified within Title 17 of this code, and City’s Standard Details and Specifications.
- d. Operate and maintain the private sewage disposal system and facilities in a sanitary manner at all times, at no expense to the city.
- e. Grant to the city authority to enter premises for periodic inspection to ensure proper operation and maintenance. Said authority shall be conveyed in writing by the owner of the property and shall be binding upon all future owners, heirs, lessees, or occupants.

- f. Grant to the city authority to enter premises in the event of an emergency involving the system or a nuisance created by the system, which, in the sole opinion of the City, County Health Department or California Water Quality Control Board creates a hazard that threatens the health and safety of the citizens. The owner shall follow the instructions of the city, and any service rendered pursuant to such instructions shall be paid for by the owner. When a health hazard or nuisance is determined to exist or water quality is threatened, the City may revoke certificates of occupancy for buildings utilizing the private system.
- g. Upon connection to the City sewer, abandon the septic tank and leach field per Code requirements when an order to do so has been issued by the City Council or its designated representative, and within the time set forth in such order.
- h. When a sewer main is available and owner is directed to connect to said main, the owner shall reimburse City, or the installer through the City reimbursement account, for a prorated share of the cost of the installation of sewer mains, which provide service to the applicant's property, as, directed by City. City shall determine the rate of proration shares of reimbursement.
- i. For private septic systems that are approved for use for five years or longer, dual leach fields shall be installed with initial construction. A diverter valve shall be installed to control drainage into either or both leach fields. Each leach field shall be designed to handle one hundred percent of the design flow. For private wastewater disposal systems where use can be reasonably demonstrated to be five years or less, only one leach field may be required. However, an additional area shall be designated, tested for adequacy as a leach field for use and maintained free from any installation which could inhibit the potential use of said area as a leach field should the first leach field installed be determined by the state, county, or city to have failed or be inadequate in any way.

SECTION 3. The obligations and covenants of the applicant shall run with the land and shall be binding on the successors and assigns of the applicant and shall inure to the benefit of the City of Paso Robles, its successors and assigns.

BE IT FURTHER RESOLVED that the City Clerk of the City of Paso Robles cause a certified copy of this Resolution to be recorded in the Office of the County Recorder of the County of San Luis Obispo, State of California.

Approved by the City Council of the City of Paso Robles this 2nd day of August 2016 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk