



Council Agenda Report

From: John Falkenstien, City Engineer

Subject: Approve use of an onsite wastewater disposal system located at 729 Renate Way as requested by the Kendall Family Trust.

Date: October 4, 2016

Facts

1. The Kendall Family Trust, property owner, located at 729 Renate Way, requests City Council approval of continued use of an on-site wastewater disposal system comprised of a septic tank and leach field (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, directly adjacent to the northerly property boundary and fronting the property.
4. Adjacent lots to the Kendall property on Renate Way are serviced by septic systems.
5. Connection to the sewer line in Union Road is compromised by the depth of the existing sewer and its location with the roadway. Closure of eastbound Union Road for an extended period of time will be required in order to make the sewer line tie-in connection.

Options

1. Do nothing
2. Approve Draft Resolution A authorizing continued use of an on-site wastewater disposal system for an existing single family residence at 729 Renate Way (APN 025-031-013) subject to "Conditions of Permit" as outlined in Municipal Code Section 14.08.240.
3. Refer back to staff for additional analysis.
4. Deny the request and advise staff to inform the applicant of the requirement to connect to City sewer.

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 Kendall property, the sewer is in close proximity to the property boundary, but construction logistics for connection are exceptional and include the closure of eastbound Union Road. According to the contractor retained by the Kendall family, the closure of Union Road could be four days. In this case, findings can be made that City sewer is not reasonably available to the Kendall property. In terms of consistency, it should be noted that all adjacent properties are serviced by on-site wastewater disposal systems.

Fiscal Impact

None

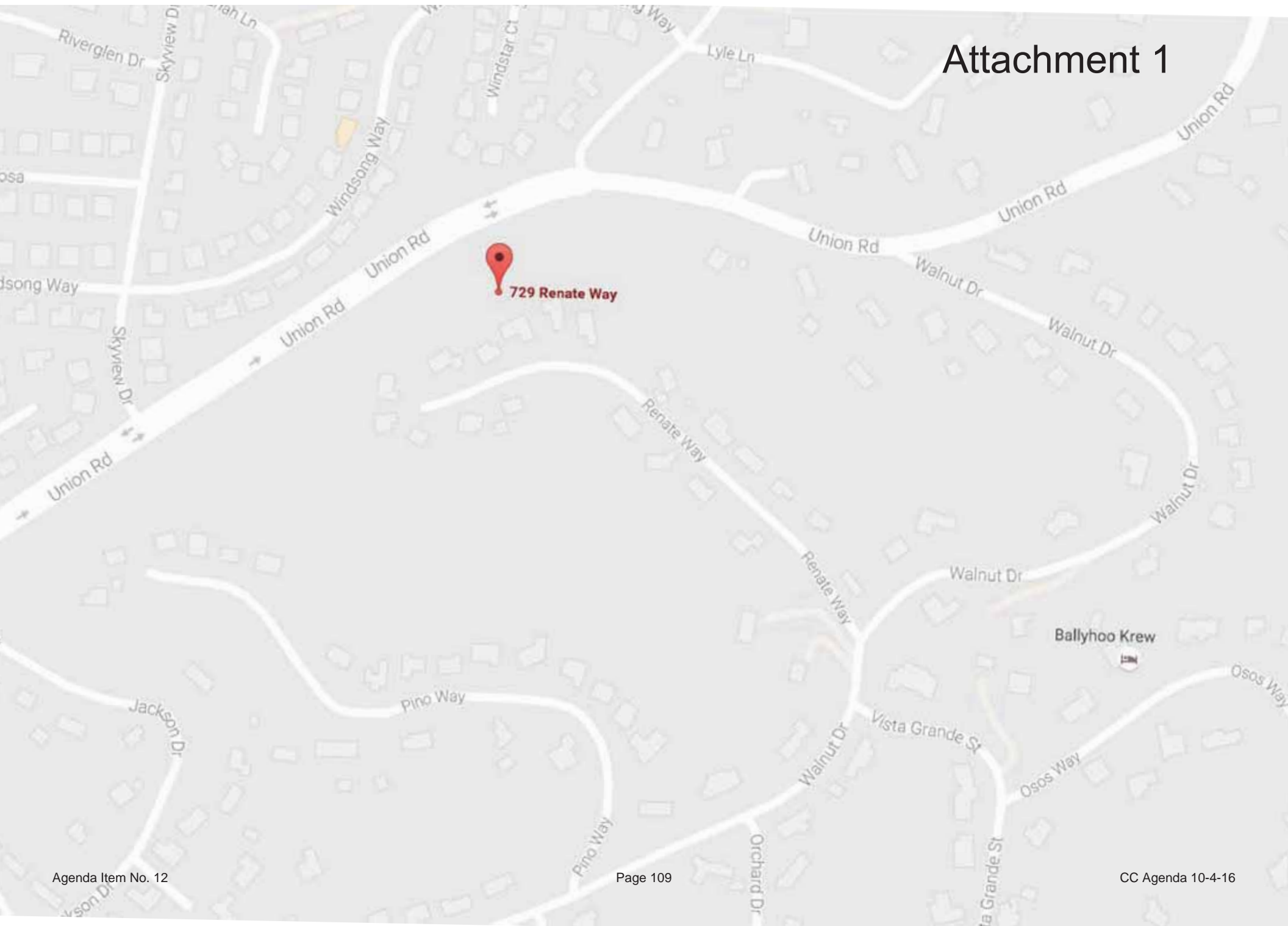
Recommendation

Approve Draft Resolution A authorizing continued use of an on-site wastewater disposal system for an existing single family residence at 729 Renate Way (APN 025-031-013) subject to "Conditions of Permit" as outlined in Municipal Code Section 14.08.240

Attachments (3)

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

Attachment 1



APPLICATION FOR PRIVATE WASTEWATER DISPOSAL SYSTEM APPROVAL – MUNICODE SEC 14.08.230

Owner: Kendall Family Trust Date: 9-15-16
Property Address: 729 Renate Way, Paso Robles 93446
Assessors Parcel Number: 025-031-013

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 private wastewater disposal system for my property, I hereby agree to:

14.08.240 - Conditions of permit.

The property owner shall enter into an agreement with the city in a form acceptable to the city attorney. The agreement shall be recorded in the county recorder's office and shall include the following provisions:

1. 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.
2. Connect said property to the City sewer system, obtain appropriate permits and pay connection fees and special fees as applicable, when available and when 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.
3. Construct septic tank and appurtenances in accordance with requirements of the California Water Quality Control Board, Central Coast Basin Plan, County Health Department, California Plumbing Code as modified within Title 17 of this Code, and City's Standard Details and Specifications.
4. Operate and maintain the private wastewater disposal system and facilities in a safe and sanitary manner at all times, at no expense to the City.
5. 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.

September 15, 2016

Dear Devon,

Monica asked me to send this to you so that the check can be processed and the form given to John. I am asking the City Council to approve replacing the septic tank system at 729 Renate Way, Paso Robles. Unfortunately, tying the existing system into the city sewer system is not feasible due to a long, steep, hillside and the major traffic disruption that would be necessary to access the sewer line on Union Road.

If you have any questions, feel free to call, text, or email me.

Sincerely,



Carrie Johnson

Trustee, Kendall Family Trust

(951) 570-6965

crittermom.cj@gmail.com

Attachment 3

Draft Resolution A

RESOLUTION NO. 16-XXX

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 (Kendall Family Trust)

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 Kendall Family Trust residence and separated from the Kendall Family Trust 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 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 this 4th day of October, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Steven W. Martin, Mayor

Kristen L. Buxkemper, Deputy City Clerk