

TO: James L. App, City Manager
FROM: Robert A. Lata, Community Development Director
SUBJECT: Use of Septic System – Vina Robles Hospitality Center, Mill Road
DATE: April 20, 2004

Needs: Consider a request to allow septic tank usage with the development of the Hospitality Center for the Vina Robles Resort Hotel located on Mill Road south of Highway 46 (APN 025-371-020).

- Facts:**
1. The owners of the Vina Robles Resort proposed to be located on Mill Road south of Highway 46 are seeking City Council approval for use of a septic tank and leach system to serve the hospitality center, which is the first phase of the resort hotel project. The hospitality center will be composed of a wine tasting room, retail area, restaurant and bar. The property is currently vacant. The Vina Robles resort hotel project was approved by the Planning Commission at their meeting of March 11, 2003. In accordance with the conditions of approval, the applicants must extend sanitary sewer to serve the hotel proposed in the second phase of the project.
 2. Pursuant to Municipal Code Section 14.08.020, construction of any septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage may be permitted only if sewer is not available.
 3. The nearest available sanitary sewer main is at the intersection of Dry Creek Road and Airport Road, approximately two miles to the north.
 4. Developed properties in this area 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 14.08.070, K, 1 states that “Permission to construct a septic tank and leach line or other private sewage disposal system may be granted only when the provisions of this code have been met.”

Municipal Code Section 14.08.070, K, 2 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 two hundred feet from the property) which is within the City, the owner meeting provisions of this code, may request of the City Council a permit granting permission for the construction of a septic tank and leach line or private disposal system to serve said property.”

Policy

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

Resolutions No. 94-116 and 95-02 – Memorandums of Understanding (MOU) between the City and the Regional Water Quality Control Board.

Fiscal

Impact: None.

Options:

- a. Adopt Resolution No. 04-xx authorizing use of a septic system for the Hospitality Center of the Vina Robles hotel and resort located on Mill Road south of Highway 46 (APN 025-371-020) subject to Conditions a through k as stated in Municipal Code Section 14.08.070 K 4 “Conditions.”
- b. Deny the request for use of a septic system for the Vina Robles Hospitality Center located on Mill Road south of Highway 46, and direct the applicants to extend a sanitary sewer main from the intersection of Dry Creek Road and Airport Road to the subject property.
- c. Amend, modify or reject the above options.

Attachments: (3)

- 1) Letter from Pults
- 2) Site Plan
- 3) Resolution



April 2, 2004

Mr. Robert Lata
Community Development Director
City of El Paso de Robles
1000 Spring Street
Paso Robles, CA 93446

RE: Vina Robles Hospitality Building

Dear Bob,

As we discussed in our recent meeting, we are looking forward to commencing construction of Phase 1 of the Vina Robles Hospitality Center. In review of the project Conditions of Approval, several items involve City participation. In order to satisfy those conditions, we request the following:

Condition # 6, Design Review: Please schedule the Design Review Committee for final review.

Condition # 63 Wastewater: As we have discussed previously at both the Planning Commission and City Council, we request Phase 1 be allowed to utilize onsite septic disposal. Please schedule the required Council Hearing for this item. Note also that the temporary tasting room/construction observation trailer shall also utilize this system.

Condition # 64 Well: We request that an onsite well be allowed for the irrigation of the proposed vineyards indicated approved masterplan. In addition, we request that the proposed landscaping be irrigated from the well. Please schedule the required Council Hearing for this item.

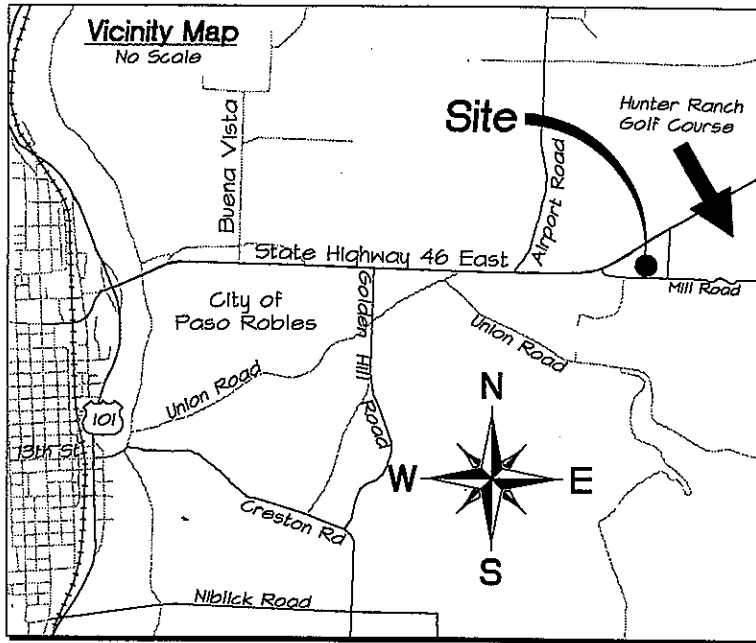
Thank you and your for your continued assistance with this project. I look forward to hearing from you regarding these items.

Sincerely,

Tim Mark Woodle, AIA
Principal

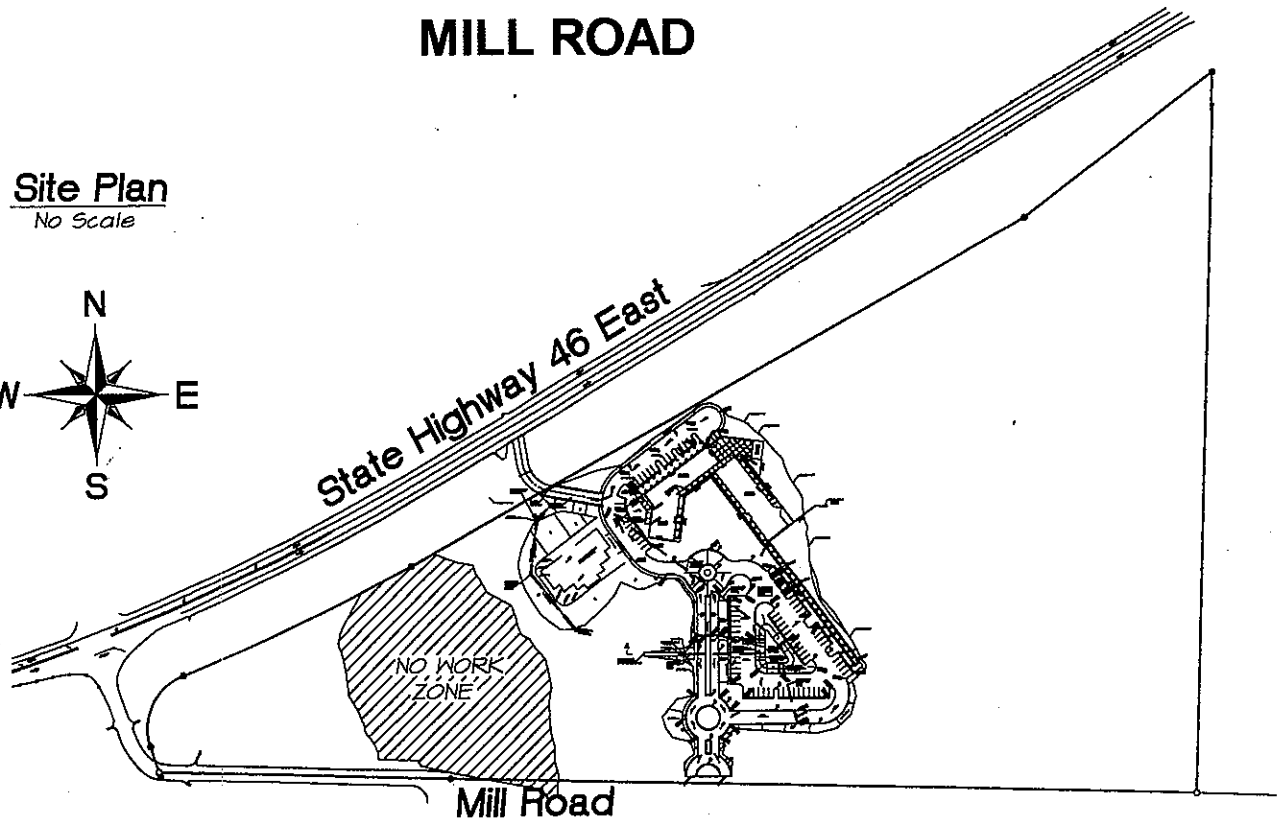
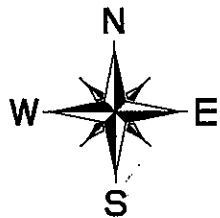
Cc: Hans Michel, Vina Robles
Creighton MacDonald, Vina Robles
Darren Nash, City of El Paso de Robles
John Falkenstein, City of El Paso de Robles

Architecture, Planning & Graphics
3450 Broad Street - Suite 106
San Luis Obispo, CA 93401
(805) 541-5604
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VINA ROBLES HOSPITALITY CENTER MILL ROAD

Site Plan
No Scale



RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

CITY OF PASO ROBLES
DEPT. OF COMMUNITY DEVELOPMENT
1000 SPRING STREET
PASO ROBLES, CA 93446

ATTN.: CITY ENGINEER

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING USE OF A SEPTIC SYSTEM AT PROPERTY
LOCATED ON MILL ROAD SOUTH OF
HIGHWAY 46 (APN 025-371-020) (VINA ROBLES)

WHEREAS, the City of Paso Robles has received an application to use a septic tank to serve the hospitality center for the Vina Robles Resort Hotel, a resort facility, located on Mill Road south of Highway 46 (APN 025-371-020); and

WHEREAS, Code Section 14.08.020 prohibits septic systems within the City limits, unless sewer facilities are not available; and

WHEREAS, the nearest sewer system is approximately two miles from the property line of the proposed development; and

WHEREAS, Code Section 14.08.070, "Sewerage System Operations" states that sewers "are not reasonably available to serve a given property (generally more than two hundred feet from the property)".

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. That the City Council approves continued use of a septic tank for the Vina Robles hospitality center on Mill Road south Highway 46 (APN 025-371-020).

SECTION 2. That the applicant complies with conditions as stated in Municipal Code Section 14.08.070, K, 4 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. 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 this 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 in the time established in this section 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.

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.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of April 2004 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk