

ORDINANCE NO. _____ (2026 SERIES)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, AMENDING TITLE 13, CHAPTER 13.08, SECTION 13.08.395 (PRIVATE SEWER LATERALS/SYSTEMS) AND SECTION 13.08.396 (WASTEWATER FLOW OFFSET) OF THE SAN LUIS OBISPO MUNICIPAL CODE

WHEREAS, the City's General Plan supports development and redevelopment of sites that will accommodate the community's future growth in areas with capacity constraints in the wastewater collection system; and

WHEREAS, General Plan Water and Wastewater Element Policies state that the City's wastewater collection system shall support population and related service demands consistent with the General Plan (Policy B 2.2.2), and the City shall collect and convey all wastewater under safe and sanitary conditions to the Water Resource Recovery Facility (Goal B 4.1); and

WHEREAS, the City must provide capacity assurance consistent with its adopted Sewer System Management Plan and Statewide General Waste Discharge Requirements; and

WHEREAS, the City of San Luis Obispo has completed the 2025 Wastewater Collections System Infrastructure Renewal Strategy, which includes an updated wastewater flow model and data analysis; and

WHEREAS, private sewer laterals in failed and poor condition contribute significant inflow and infiltration contributing to capacity constraints, surcharging, and overflows in the wastewater collection system during peak wet weather events; and

WHEREAS, private sewer laterals in failed and poor condition are at high risk for backups and overflow due to roots and debris that enter the system, which poses a significant risk to the property owner, tenants, public and environment; and

WHEREAS, in combination with the implementation of capital sewer projects, the replacement of failed and poor-condition private sewer laterals will improve capacity in the municipal collection system during peak wet weather events and reduce potential for sewer surcharging and overflows.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of San Luis Obispo that:

SECTION 1. Environmental Review. The proposed Municipal Code amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15307 (Actions by Regulatory Agencies for Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for the Protection of the

Environment) because the proposed modifications are anticipated to result in a significantly greater number of replacements of private sewer laterals in failed or poor condition (both within capacity-constrained areas and citywide), which will result in a reduction in inflow and infiltration from groundwater and stormwater affecting the City's wastewater collection system, and a reduction in wet weather sewer spills within capacity-constrained areas. The physical construction of private sewer lateral replacements resulting from the Municipal Code amendment would be exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities), and 15303 (New Construction or Conversion of Small Structures) as the new lateral would have substantially the same purpose as the lateral to be replaced, and would involve negligible or no expansion of the existing use.

SECTION 2. Municipal Code Section 13.08.395 of the San Luis Obispo Municipal Code and Ordinance Number 1734 (2024 Series) is hereby amended to read as follows and superseded to the extent inconsistent herewith:

13.08.395 Private sewer laterals/systems.

A. *Purpose.* Inflow and infiltration (I/I) is a serious problem for the city in that during wet weather events, a significant amount of water is introduced into the city's wastewater collection system from breaches in the public and private sewer pipeline system. Studies have shown that private sewer laterals are a significant source of I/I for the city. The city has determined that it is in the interest of the public's health, safety, and welfare to address I/I contributed by private sewer laterals and, as such, it is a city priority to require the inspection of private sewer laterals.

B. *Ownership, Maintenance, and Repair.*

1. The entire lateral, from the building connection up to and including the "wye" connection or other tie-in to the city-owned sewer main, shall fall within the owner's responsibility for installation, maintenance, repair, and replacement.

2. Each property owner shall be responsible for maintenance and repair of their private sewer lateral in compliance with this section in a safe and sanitary condition, including:

a. Private sewer laterals shall be free of displaced joints, breaks, offsets, structural defects, damage, open joints, missing portions of pipe, root intrusion, cracks, leaks, sediment deposits, bellies in the pipe or any other similar conditions, defects or obstructions likely to cause or contribute to blockage of the private sewer lateral or the public sewer.

b. Private sewer laterals shall be equipped with cleanouts.

c. Private sewer laterals shall not be constructed, either in whole or in part, of "Orangeburg pipe."

d. As described in Section 13.08.030(A), it is unlawful for any individual to connect the following to a private sewer lateral: storm drains, roof drains, yard drains, surface or subsurface drainage, groundwater, or other non-sewage pipes or drains.

3. If a property owner fails to maintain the abovementioned wastewater facilities in a safe and sanitary condition, the director may order and require termination of water service to the parcel and all structures connected to the sewer outlet subject to these conditions. The water service shall not be reinstated until the maintenance or installation of appropriate wastewater disposal facilities has been approved by the director.

4. Before granting any permit authorizing construction of a private sewer lateral or private sewer main serving multiple properties, the city shall require a private easement setting forth responsibilities for each parcel served (including responsibility for maintenance, inspection, and improvement of the shared sewer lateral).

C. *Inspection of Existing Private Sewer Laterals.*

1. Except as set forth in subsection (C)(2) of this section, after January 1, 2020, all private sewer laterals connected to the city's sewer system shall be inspected per subsection F of this section at the property owner's sole expense, when any of the following events occur:

- a. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a property's private sewer lateral.
- b. Upon submittal of a building permit for the addition of a bedroom, bathroom, or kitchen in a residential structure or the addition of nonresidential space or an additional plumbing fixture unit in nonresidential structures.
- c. A change of the use of the structure from: (i) residential to nonresidential use; (ii) to a nonresidential use that will result in a higher flow than the previous nonresidential use; or (iii) to a nonresidential use where the structure served has been vacant or unoccupied for more than three years.
- d. Increase in size of the domestic water meter serving the property or adding a new domestic water meter.
- e. Whenever property located in the city and containing one or more structures which are served by a private sewer lateral or laterals is subdivided. The inspection shall occur prior to recordation of the final map.
- f. Within thirty days of notification by the city that "smoke testing" or closed-circuit television (CCTV) sewer main inspection indicates the presence of inflow or infiltration from private property that impacts the operation of the public wastewater collection system.
- g. Upon any change in ownership of real property within the city, which shall be implemented as follows:

- i. "Change in ownership" shall have the meaning set forth in California Revenue and Taxation Code Sections 60 and 61. A change in ownership

shall not include those transactions as set forth in California Revenue and Taxation Code Section 62.

- ii. Before close of escrow for any change in ownership of real property within the city, the seller(s) of such property shall disclose to the buyer(s) the results of the private sewer lateral inspection as set forth in subsection F of this section.
 - h. For events identified in subsections (C)(1)(a) through (C)(1)(g) of this section, repair or replacement shall be made pursuant to subsection G of this section.
 - i. For events identified in subsection (C)(1)(g), repair or replacement requirements pursuant to subsection G of this section shall not be effective until January 1, 2027.
- D. *Private Sewer Laterals Within Common Interest Developments.*
1. For purposes of this section, the term “common interest development” shall include any community apartment project, condominium project, planned development, or stock cooperative.
 2. Private sewer laterals located within a common interest development shall be inspected pursuant to the requirements of subsection E of this section as follows:
 - a. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a common interest development’s private sewer lateral.
 - b. Increase in size of the water meter serving the common interest development.
 3. *Exceptions.* An inspection required pursuant to subsection (D)(1) of this section shall not be required in the following circumstances:
 - a. *Prior Replacement of Lateral.* If the private sewer lateral serving the common interest development in its entirety was installed or replaced within the twenty years prior to the date the inspection would otherwise be required.
 - b. *Prior Inspection or Repair of a Lateral.* If the private sewer lateral serving the common interest development in its entirety was inspected in accordance with the inspection requirements of subsection F of this section within the five years prior to the date the inspection would otherwise be required.
- E. *Inspection of Shared Private Sewer Laterals.* Each property owner served by a shared private sewer lateral shall be responsible for compliance with subsection B of this section and shall be subject to the inspection requirements identified in subsection C of this section. For purposes of this subsection E, a “shared private sewer lateral” shall mean laterals serving more than one property that are not part of a common interest development.
- F. *Inspection Requirements.*

1. Property owners must submit documentation of the sewer lateral inspection to the city prior to the close of escrow. Testing may be accomplished by either a water exfiltration test, an air test, or closed-circuit video recording observation. Installation of cleanouts and removal of existing P-traps may be necessary to accomplish the video inspection. If a closed-circuit video recording observation is selected as the method of inspection, then the video shall meet the following requirements:

- a. Shall be in digital format.
- b. Shall be in color (black and white or otherwise unclear video will not be accepted).
- c. Shall show the address of the lateral.
- d. Shall show the date the video was taken.
- e. Shall inspect the entire lateral from the house connection to the city-owned sewer main.
- f. Shall have a running foot or time marker clearly visible on the screen.
- g. Where joints are present, shall briefly stop the camera at each to clearly indicate their integrity.
- h. Shall have the telephone number for the point of contact for the company providing the inspection.
- i. A map shall be provided with the video inspection to clearly show the lateral location including the cleanout or access point at the house connection used to insert the camera into the lateral and the wye connection to the city-owned sewer main.

2. The lateral inspection and lateral inspection report shall be prepared and signed by a contractor, plumber, or a person experienced in lateral inspections who shall declare that the report is true and correct. At a minimum, the inspection report shall include the information in Exhibit A:

EXHIBIT A: PRIVATE SEWER LATERAL INSPECTION REPORT	
Property Address (or Addresses): _____	
Inspection Date: _____	Inspection Method: _____
Company Name/Point of Contact: _____	
Phone Number/Email Address: _____	

EXHIBIT A: PRIVATE SEWER LATERAL INSPECTION REPORT	
Lateral Length (in feet): _____	Lateral Material: _____
Installation date (if known): _____	Lateral Age: _____
Describe deficiencies (if any): _____	
Plumber/Contractor Signature: _____	
License # of Plumber/Contractor: _____	
Property Owner Signature: _____	
Property Owner interest in participating in city Wastewater Flow Offset Program: * YES NO	
<i>* If Property Owner indicates "Yes", city would include address on eligibility list for Wastewater Flow Offset Mitigation requirement.</i>	

3. A contractor, plumber, or a person experienced in lateral inspections who prepares a false lateral inspection report shall be subject to punishment under Article XII of this chapter in addition to any other legal remedies or punishment provided by law.

4. *Verification.* The city reserves the right to verify the sewer lateral inspection results prior to being accepted.

G. *Sewer Lateral Repair or Replacement Requirements.* Upon receipt of the private sewer lateral inspection report pursuant to this chapter, the city shall review the private sewer lateral inspection and lateral inspection report to verify the plumber/contractor findings and provide the owner with a determination on whether the lateral meets the criteria described in subsection B of this section. If the private sewer lateral is not in compliance with subsection B of this section, then it shall be repaired or replaced to conform to such standards within one hundred eighty days of the city’s determination. If an inspection of a noncompliant lateral was conditioned due to a sanitary sewer

overflow or from findings of infiltration and intrusion, or a lateral with defects having not met the required pipe material requirements, it must be completely replaced rather than repaired. No person shall repair or replace a sewer lateral without first obtaining a permit from the city.

H. *Punishment for Violation of This Chapter.* Violations of this article shall be punishable pursuant to the remedies identified in Article XII of this chapter. It is considered a violation for any property owner to have a sewer lateral system that does not comply with subsection B of this section, unless the repair or replacement of such system is being pursued in good faith. The city may withhold building permits or other discretionary approvals for a property with a private sewer lateral that is determined to be not in compliance with subsection B of this section until the private sewer lateral is brought into compliance with city standards. Final building approval will be conditioned upon repair or replacement of any noncompliant lateral systems to the satisfaction of the director.

I. *Rebate Programs.* The city may establish by resolution one or more programs to assist owners with the replacement of private sewer laterals.

J. *Fees.* The city council may from time to time establish, by resolution, fees for issuing permits, reviewing inspection reports and other activities of the city performed pursuant to this chapter.

SECTION 3 Municipal Code Section 13.08.396 of the San Luis Obispo Municipal Code and Ordinance Number 1734 (2024 Series) is hereby amended to read as follows and superseded to the extent inconsistent herewith:

13.08.396 Wastewater flow offset.

A. *Discretionary Review.* As contemplated and consistent with the City's Wastewater Collection System Infrastructure Renewal Strategy, current and as may be amended, the City reserves the right to conduct discretionary review of development, subdivision, and land use entitlements that contribute wastewater flow to the municipal wastewater collection system. Nothing in this Municipal Code Chapter shall prohibit the City from imposing conditions of approval for wastewater flow capacity offsets deemed proportional, reasonable, and necessary to protect the public health, safety, and general welfare and ensure compliance with this Chapter and all applicable City regulations and policies.

1. Major development review entitlements and General Plan and Zoning Amendments citywide and Moderate development review projects within wastewater system capacity constrained areas shall be subject to engineering analysis, such as wastewater flow estimates and wastewater flow modeling provided by the applicant with the entitlement application to determine available sewer system capacity and the project's effect on the municipal wastewater collection system. Subdivision and use permit entitlements resulting in the range

of development as identified in the Major and Moderate Development review tiers shall be subject to this requirement.

- 2. The results of the engineering analysis and flow modeling shall determine associated conditions of approval, which may include but not be limited to public or private sewer improvements, such as upsizing sewer mains, and/or replacing private sewer laterals to offset capacity deficiencies.

SECTION 4. A summary of this ordinance, together with the names of Council members voting for and against, shall be published at least five (5) days prior to its final passage, in The New Times, a newspaper published and circulated in this City. This ordinance shall go into effect at the expiration of thirty (30) days after its final passage.

INTRODUCED on the ____ day of ____, 2026, **AND FINALLY ADOPTED** by the Council of the City of San Luis Obispo on the ____ day of ____, 2026, on the following vote:

AYES:
 NOES:
 ABSENT:

 Mayor Erica A. Stewart

ATTEST:

 Teresa Purrington
 City Clerk

APPROVED AS TO FORM:

 J. Christine Dietrick
 City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

 Teresa Purrington
 City Clerk

EXHIBIT A
SECTIONS 13.08.395 AND 13.08.396
LEGISLATIVE DRAFT

13.08.395 Private sewer laterals/systems.

A. *Purpose.* Inflow and infiltration (I/I) is a serious problem for the city in that during wet weather events, a significant amount of water is introduced into the city's wastewater collection system from breaches in the public and private sewer pipeline system. Studies have shown that private sewer laterals are a significant source of I/I for the city. The city has determined that it is in the interest of the public's health, safety, and welfare to address I/I contributed by private sewer laterals and, as such, it is a city priority to require the inspection of private sewer laterals.

B. *Ownership, Maintenance, and Repair.*

1. The entire lateral, from the building connection up to and including the "wye" connection or other tie-in to the city-owned sewer main, shall fall within the owner's responsibility for installation, maintenance, repair, and replacement.
 2. Each property owner shall be responsible for maintenance and repair of their private sewer lateral in compliance with this section in a safe and sanitary condition, including:
 - a. Private sewer laterals shall be free of displaced joints, breaks, offsets, structural defects, damage, open joints, missing portions of pipe, root intrusion, cracks, leaks, sediment deposits, bellies in the pipe or any other similar conditions, defects or obstructions likely to cause or contribute to blockage of the private sewer lateral or the public sewer.
 - b. Private sewer laterals shall be equipped with cleanouts.
 - c. Private sewer laterals shall not be constructed, either in whole or in part, of "Orangeburg pipe."
 - d. As described in Section 13.08.030(A), it is unlawful for any individual to connect the following to a private sewer lateral: storm drains, roof drains, yard drains, surface or subsurface drainage, groundwater, or other non-sewage pipes or drains.
 3. If a property owner fails to maintain the abovementioned wastewater facilities in a safe and sanitary condition, the director may order and require termination of water service to the parcel and all structures connected to the sewer outlet subject to these conditions. The water service shall not be reinstated until the maintenance or installation of appropriate wastewater disposal facilities has been approved by the director.
 4. Before granting any permit authorizing construction of a private sewer lateral or private sewer main serving multiple properties, the city shall require a private easement setting
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forth responsibilities for each parcel served (including responsibility for maintenance, inspection, and improvement of the shared sewer lateral).

C. *Inspection of Existing Private Sewer Laterals.*

1. Except as set forth in subsection (C)(2) of this section, after January 1, 2020, all private sewer laterals connected to the city's sewer system shall be inspected per subsection F of this section at the property owner's sole expense, when any of the following events occur:

- a. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a property's private sewer lateral.
 - b. Upon submittal of a building permit for the addition of a bedroom, bathroom, or kitchen in a residential structure or the addition of nonresidential space or an additional plumbing fixture unit in nonresidential structures.
 - c. A change of the use of the structure from: (i) residential to nonresidential use; (ii) to a nonresidential use that will result in a higher flow than the previous nonresidential use; or (iii) to a nonresidential use where the structure served has been vacant or unoccupied for more than three years.
 - d. Increase in size of the domestic water meter serving the property or adding a new domestic water meter.
 - e. Whenever property located in the city and containing one or more structures which are served by a private sewer lateral or laterals is subdivided. The inspection shall occur prior to recordation of the final map.
 - f. Within thirty days of notification by the city that "smoke testing" or closed-circuit television (CCTV) sewer main inspection indicates the presence of inflow or infiltration from private property that impacts the operation of the public wastewater collection system.
 - g. Upon any change in ownership of real property within the city, which shall be implemented as follows:
 - i. "Change in ownership" shall have the meaning set forth in California Revenue and Taxation Code Sections 60 and 61. A change in ownership shall not include those transactions as set forth in California Revenue and Taxation Code Section 62.
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ii. Before close of escrow for any change in ownership of real property within the city, the seller(s) of such property shall disclose to the buyer(s) the results of the private sewer lateral inspection as set forth in subsection E of this section.

h. For events identified in subsections (C)(1)(a) through ~~(C)(1)(f)~~ **(C)(1)(g)** of this section, repair or replacement shall be made pursuant to subsection G of this section.

i. **For events identified in subsection (C)(1)(g), repair or replacement requirements pursuant to subsection G of this section shall not be effective until January 1, 2027.**

2. *Exceptions.* An inspection required pursuant to subsection (C)(1) of this section shall not be required in the following circumstances:

a. *New Construction or Prior Replacement of Lateral.* If the owner(s) (or the owner's predecessor-in-interest) has originally installed or has replaced the private sewer lateral within the twenty years prior to the date the inspection would otherwise be required.

b. *Prior Inspection of a Lateral.* If the owner(s) (or the owner's predecessor-in-interest) has completed an inspection of the sewer lateral in accordance with the inspection requirements of subsection E of this section within the past five years.

c. The private sewer lateral is located within a common interest development system that is not owned and operated by the city, which is regulated under subsection D of this section and serves more than two separate units or properties within the common interest development.

The owner shall bear the burden of proving that the inspection requirements of subsection (C)(1) of this section do not apply. The owner shall provide proof of any prior replacement, inspection or repair of a private sewer lateral in the form of a validly issued permit or other documentation that ensures such prior replacement, repair or inspection of a private sewer lateral occurred pursuant to the exceptions above. The form and content of the document or proof must be deemed sufficient by the city's utilities director.

D. *Private Sewer Laterals Within Common Interest Developments.*

1. For purposes of this section, the term "common interest development" shall include any community apartment project, condominium project, planned development, or stock cooperative.

2. Private sewer laterals located within a common interest development shall be inspected pursuant to the requirements of subsection F of this section as follows:

a. Whenever the city has issued a notice of violation following a sanitary sewer overflow event from a common interest development's private sewer lateral.

b. Increase in size of the water meter serving the common interest development.

3. *Exceptions.* An inspection required pursuant to subsection (D)(1) of this section shall not be required in the following circumstances:

a. *Prior Replacement of Lateral.* If the private sewer lateral serving the common interest development in its entirety was installed or replaced within the twenty years prior to the date the inspection would otherwise be required.

b. *Prior Inspection or Repair of a Lateral.* If the private sewer lateral serving the common interest development in its entirety was inspected in accordance with the inspection requirements of subsection F of this section within the five years prior to the date the inspection would otherwise be required.

E. *Inspection of Shared Private Sewer Laterals.* Each property owner served by a shared private sewer lateral shall be responsible for compliance with subsection B of this section and shall be subject to the inspection requirements identified in subsection C of this section. For purposes of this subsection E, a "shared private sewer lateral" shall mean laterals serving more than one property that are not part of a common interest development.

F. *Inspection Requirements.*

1. Property owners must submit documentation of the sewer lateral inspection to the city prior to the close of escrow. Testing may be accomplished by either a water exfiltration test, an air test, or closed-circuit video recording observation. Installation of cleanouts and removal of existing P-traps may be necessary to accomplish the video inspection. If a closed-circuit video recording observation is selected as the method of inspection, then the video shall meet the following requirements:

a. Shall be in digital format.

b. Shall be in color (black and white or otherwise unclear video will not be accepted).

c. Shall show the address of the lateral.

d. Shall show the date the video was taken.

e. Shall inspect the entire lateral from the house connection to the city-owned sewer main.

f. Shall have a running foot or time marker clearly visible on the screen.

g. Where joints are present, shall briefly stop the camera at each to clearly indicate their integrity.

h. Shall have the telephone number for the point of contact for the company providing the inspection.

i. A map shall be provided with the video inspection to clearly show the lateral location including the cleanout or access point at the house connection used to insert the camera into the lateral and the wye connection to the city-owned sewer main.

2. The lateral inspection and lateral inspection report shall be prepared and signed by a contractor, plumber, or a person experienced in lateral inspections who shall declare that the report is true and correct. At a minimum, the inspection report shall include the information in Exhibit A:

EXHIBIT A: PRIVATE SEWER LATERAL INSPECTION REPORT	
Property Address (or Addresses): _____	
Inspection Date: _____	Inspection Method: _____
Company Name/Point of Contact: _____	
Phone Number/Email Address: _____	
Lateral Length (in feet): _____	Lateral Material: _____
Installation date (if known): _____	Lateral Age: _____
Describe deficiencies (if any): _____	

EXHIBIT A: PRIVATE SEWER LATERAL INSPECTION REPORT

Plumber/Contractor

Signature: _____

License # of

Plumber/Contractor: _____

Property Owner

Signature: _____

Property Owner interest in participating in city Wastewater Flow Offset Program: *

YES NO

** If Property Owner indicates "Yes", city would include address on eligibility list for Wastewater Flow Offset Mitigation requirement.*

3. A contractor, plumber, or a person experienced in lateral inspections who prepares a false lateral inspection report shall be subject to punishment under Article XII of this chapter in addition to any other legal remedies or punishment provided by law.

4. *Verification.* The city reserves the right to verify the sewer lateral inspection results prior to being accepted.

G. *Sewer Lateral Repair or Replacement Requirements.* Upon receipt of the private sewer lateral inspection report pursuant to this chapter, the city shall review the private sewer lateral inspection and lateral inspection report to verify the plumber/contractor findings and provide the owner with a determination on whether the lateral meets the criteria described in subsection B of this section. If the private sewer lateral is not in compliance with subsection B of this section, then it shall be repaired or replaced to conform to such standards within one hundred eighty days of the city's determination. If an inspection of a noncompliant lateral was conditioned due to a sanitary sewer overflow or from findings of infiltration and intrusion, or a lateral with defects having not met the required pipe material requirements, it must be completely replaced rather than repaired. No person shall repair or replace a sewer lateral without first obtaining a permit from the city.

H. *Punishment for Violation of This Chapter.* Violations of this article shall be punishable pursuant to the remedies identified in Article XII of this chapter. It is considered a violation for any property owner to have a sewer lateral system that does not comply with subsection B of this section, unless the repair or replacement of such system is being pursued in good faith. The city may withhold building permits or other discretionary approvals for a property with a private

sewer lateral that is determined to be not in compliance with subsection B of this section until the private sewer lateral is brought into compliance with city standards. Final building approval will be conditioned upon repair or replacement of any noncompliant lateral systems to the satisfaction of the director.

I. *Rebate Programs.* The city may establish by resolution one or more programs to assist owners with the replacement of private sewer laterals.

J. *Fees.* The city council may from time to time establish, by resolution, fees for issuing permits, reviewing inspection reports and other activities of the city performed pursuant to this chapter. (Ord. 1734 § 8, 2024; Ord. 1704 §§ 16—18, 2021; Ord. 1665 § 3, 2019)

13.08.396 Wastewater flow offset.

A. *Discretionary Review.* As contemplated and consistent with the City's Wastewater Collection System Infrastructure Renewal Strategy, current and as may be amended, the City reserves the right to conduct discretionary review of development, subdivision, and land use entitlements that contribute wastewater flow to the municipal wastewater collection system. Nothing in this Municipal Code Chapter shall prohibit the City from imposing conditions of approval for wastewater flow capacity offsets deemed proportional, reasonable, and necessary to protect the public health, safety, and general welfare and ensure compliance with this Chapter and all applicable City regulations and policies.

1. Major development review entitlements and General Plan and Zoning Amendments citywide and Moderate development review projects within wastewater system capacity constrained areas shall be subject to engineering analysis, such as wastewater flow estimates and wastewater flow modeling provided by the applicant with the entitlement application to determine available sewer system capacity and the project's effect on the municipal wastewater collection system. Subdivision and use permit entitlements resulting in the range of development as identified in the Major and Moderate Development review tiers shall be subject to this requirement.
2. The results of the engineering analysis and flow modeling shall determine associated conditions of approval, which may include but not be limited to public or private sewer improvements, such as upsizing sewer mains, and/or replacing private sewer laterals to offset capacity deficiencies.

~~A. *Purpose.* The city experiences surcharging in the wastewater collection system and sanitary sewer overflows during wet weather events due to inflow and infiltration. The purpose of these regulations is to establish a methodology whereby new or intensified development in capacity-constrained areas as established by the city council could offset new wastewater flow to~~

mitigate capacity constraints in the existing wastewater collection system to accommodate the project's additional demand. Without a reduction in inflow and infiltration in these areas, the city will not be able to serve new or intensified development until a significant number of private sewer laterals are replaced or public sewer mains are upsized. Wastewater flow offset through private lateral replacement provides a benefit to the wastewater collection system and the community by reducing public and environmental health concerns by reducing potential SSOs.

B. *Application.* The provisions of this article shall apply to new or intensified development in capacity constrained areas of the wastewater collection system as established by the city council.

C. *Calculating the Wastewater Flow Offset.* An applicant shall calculate a development's wastewater flow offset (Exhibit B) using the domestic sewage generation factors and peaking factor identified in the uniform design criteria, found in the city's adopted engineering standards.

D. *Wastewater Flow Offset Through Private Lateral Replacement.* The city determined that replacement of a private sewer lateral serving an existing single-family residence (one equivalent dwelling unit) would create a wastewater flow offset of three hundred ninety gallons per day. This is equal to the wastewater generation rate of one single-family residence (one hundred fifty gallons per day), at a peaking factor of 2.6.

EXHIBIT B: Wastewater Flow Offset Calculation Worksheet	
Residential Development:	
Studio Units:	=====
Multi-Family Units:	=====
Single-Family Units:	=====
Residential Wastewater Flow:	
Studio Units:	=====
Multi-Family Units:	=====
Single-Family Units:	=====

EXHIBIT B: Wastewater Flow Offset Calculation Worksheet

RESIDENTIAL FLOW TOTAL (gallons per day): _____

Non-Residential Development:

Commercial Square Footage: _____

Industrial Square Footage: _____

Manufacturing Square Footage: _____

Business Park Square Footage: _____

Hotel/Motel Rooms: _____

Non-Residential Wastewater Flow:

Commercial: _____

Industrial: _____

Manufacturing: _____

Business Park: _____

Hotel/Motel: _____

NON-RESIDENTIAL FLOW TOTAL (gallons per day): _____

(Proposed Residential Flow + Proposed Non-Residential Flow) x Peaking Factor =

EXHIBIT B: Wastewater Flow Offset Calculation Worksheet

Total Wastewater Flow Offset

TOTAL WASTEWATER FLOW OFFSET
(gallons per day): _____

~~* Replacement of a private sewer lateral serving an existing single-family residence (one-equivalent dwelling unit) would offset 390 gallons per day of additional wastewater flow.~~

~~E. Wastewater flow offset must occur off-site, within the same capacity constrained wastewater flow basin as the proposed new or intensified development. Developers required to complete an offset must complete a wastewater flow offset program application to obtain a building permit for the offset. Underlying building permits for the project triggering the offset may be withheld until completion of the wastewater offset.~~

~~F. Construction of off-site public sewer main improvements, including replacement or rehabilitation of sewer manholes, providing the equivalent or greater reduction in inflow and infiltration within the same capacity constrained wastewater flow basin may be allowed as an alternative to wastewater flow offsets (replacement of private sewer laterals) at the discretion of the utilities director.~~

~~G. Single-family residences applying for an ADU building permit may be allowed to submit for an offset in a different capacity constrained basin, provided there is an equivalent or greater reduction in inflow and infiltration, at the discretion of the utilities director.~~

~~H. Sewer capacity offsets within the same parcel boundary (on-site) may be considered as an offset credit for a residential intensification project, at the discretion of the utilities director. (Ord. 1734 § 8, 2024; Ord. 1704 § 19, 2021; Ord. 1665 § 3, 2019)~~
