



CITY OF SEBASTOPOL  
CITY COUNCIL  
AGENDA ITEM

Meeting Date: January 7, 2020  
To: Honorable Mayor and Honorable City Councilmembers  
From: Henry Mikus, Engineering Manager  
Subject: Approval of Out of Service Area Agreement for Water and Sewer at 647 Lyding Lane  
Recommendation: Adopt a Resolution authorizing Connection to the City Water System and City Sewer System for the parcel at 647 Lyding Lane, APN 060-250-036-000  
Funding: Currently Budgeted: \_\_\_\_\_ Yes No X N/A  
Net General Fund Cost: None, All costs shall be paid for by the property owners  
Account Code/Costs authorized in City Approved Budget (verified by Administrative Services Department)

**INTRODUCTION** This item is to request the City Council approve and adopt a Resolution allowing the property at 647 Lyding Lane to connect with the City Water System and to connect with the City Sewer System.

**BACKGROUND:** Mr. Wolfgang Dilger (representing property owner Sacco Dilger Trust) has submitted an application for outside water service and outside sewer service from the City of Sebastopol for the property at 647 Lyding Lane. A copy of the application is attached.

**DISCUSSION:** 647 Lyding Lane is outside City limits which would require an "Outside Service Area Agreement" (OSAA) with the City. Currently for an OSAA to qualify, the property must fall within the City "Urban Growth Boundary" (UGB). Although it is not within the UGB, the property is worthy of consideration for City water and sewer services. One clear benefit would be elimination of a septic system adjacent to City residences. The property is directly adjacent to the City line and is tucked into a corner between the City boundary and the West County Trail. Water and sewer lines are nearby. Engineering staff has received concurrence from the City Manager that this OSAA request should at least be given consideration.

The property at 647 Lyding Lane contains a dwelling and an outbuilding. The house is currently served by a water well and a septic system. The owner wishes to upgrade the water and sewer service before problems begin to occur due to age.

**RECOMMENDATION:** That the City Council Adopt a Resolution allowing the property at 647 Lyding Lane to connect with the City Water System and the City Sewer System

**Attachment(s):**

Resolution

Conditions of Approval

Outside Service application including acknowledgement of deposit and receipt

Location diagrams

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL AUTHORIZING CONNECTION TO BOTH THE CITY WATER SYSTEM AND CITY SEWER SYSTEM AND AUTHORIZING THE CITY MANAGER TO EXECUTE A DEFERRED ANNEXATION AGREEMENT FOR THE PROPERTY LOCATED AT 647 LYDING LANE, SEBASTOPOL, CALIFORNIA 95472 (APN 060-250-036-000)

WHEREAS, The Sacco Dilger Trust owns Assessor's Parcel Number 060-250-036-000 ("Parcel"), located at 647 Lyding Lane, Sebastopol, California, 95472; and

WHEREAS, The Sacco Dilger Trust has submitted an Outside Service Agreement Application (OSAA) for Water Service and Sewer Service, to the City; and

WHEREAS, the Parcel is located outside the City of Sebastopol (City) Boundaries; and

WHEREAS, although the Parcel is not within the Urban Growth Boundary of the City of Sebastopol (as shown on the City's General Plan Land Use Map), connecting the property to City Water and Sewer Services would be of positive Public Benefit via elimination of a septic system adjacent to City residents; and

WHEREAS, the Owner desires to connect an existing single family residence to the public water system and public sewer system, prior to any issues or failures with the current well or septic system;

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Sebastopol hereby finds, declares, determines, and orders as follows:

1. The foregoing recitals are true and correct.
2. The owner desires a connection to the City water system, in order to abandon and decommission a water well on the property.
3. The owner desires a connection to the City sewer system, in order to abandon and decommission a septic system on the property.
4. That a City water main and a sewer main are located along Lyding Lane, a City street, located along and adjacent to the subject parcel.
5. That the preferred alternative is to extend water and sewer services from the City through an Outside Service Area Agreement ("OSAA") because the Parcel is not at this time subject to annexation to the City.
6. That the Parcel is not subject to subdivision or further development now or during the duration of the proposed OSAA; therefore, that the extension of water service to the Parcel does not increase the potential for development within the subject territory.
7. That the City has the capacity to provide the requested water services.
8. That the City has the capacity to provide the requested sewer services.

9. That the proposed agreement for water and sewer service to the Parcel is consistent with the provisions of the City of Sebastopol General Plan, and with other City policies and resolutions.
10. That the Parcel is not located within the service area of any other City or District having the ability to provide the requested water or sewer service.
11. That the Owner agrees to annex or support annexation proceedings that would lead to the annexation of the Parcel to the City, and to waive all rights to protest such annexation proceedings, whenever such annexation proceedings are commenced.
12. That the proposed OSAA is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15301(b) of the CEQA Guidelines (Title 14 of the California Code of Regulations).
13. That the City's approval of the proposed OSAA with the Owner of the Parcel is conditioned in part on the review and approval of the agreement by the Sonoma Local Agency Formation Commission ("LAFCO"). The proposed agreement is based on and appears to be consistent with the criteria adopted by LAFCO for OSAA's in a case such as this.
14. That it is in the City's interest to provide sewer service to the Parcel because doing so would result in removal of a septic system adjacent to City residences. Such service will not disadvantage properties within the City boundaries and, in fact, should provide advantage to such properties. Doing so would also reasonably increase the City's revenue base with a minimal commitment of system capacity.
15. That it is in the City's interest to provide water service to the Parcel in that it reasonably increases the City's revenue base with a minimal commitment of system capacity, and that such service will not disadvantage properties within the City boundaries.
16. That the City Council of the City of Sebastopol authorizes water and sewer services to be provided to the Parcel pursuant to the recommended Conditions of Approval and approval of the proposed OSAA.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute an agreement with the Owner to serve the Parcel with water and sewer service limited to the existing single-family residence only.

BE IT FURTHER RESOLVED that staff is directed to file a Notice of Exemption following approval by LAFCO.

IN COUNCIL DULY PASSED THIS 7th day of January 2020

Vote:

Ayes:

Noes:

Abstain:

Absent:

APPROVED:

\_\_\_\_\_  
Mayor Patrick Slayter

ATTEST:

\_\_\_\_\_  
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

\_\_\_\_\_  
Larry McLaughlin, City Attorney

**Conditions of Approval**  
Outside Service Area Agreement for Water and Sewer Service  
647 Lyding Lane

**General:**

1. Improvement Plans for construction shall be prepared by a Registered Civil Engineer and submitted to the Sebastopol Engineering Department for Engineering Plan Check. All work shall be in accord with City standards.
2. Contractor shall secure all necessary permits prior to beginning construction. **Encroachment Permits from the Sebastopol Public Works Department, Sonoma County Public Works Department and Caltrans are/may be required for construction within the public right of way.**
3. Contractor shall secure a Building Permit from the Sebastopol Building Department for construction of the water and sewer laterals on private property and connection to the existing structures.
4. Applicant shall obtain, and present to the City of Sebastopol, any and all easements or other such agreements required for applicant to be able to install water and sewer lines between the subject property and a connection with the City water or sewer systems, prior to issuance of the Building Permit.
5. All applicable City fees shall be paid by applicant Prior to issuance of the Building Permit.
6. Applicant shall file an Out of Agency Service Agreement with Sonoma County Local Agency Formation Commission prior to issuance of the Encroachment Permit.
7. Applicant shall execute a Deferred Annexation Agreement prior to issuance of the Encroachment Permit.

**Water:**

8. Existing water system (other than house plumbing), shall be abandoned under permit from and in accord with the requirements of the County of Sonoma.
9. If the Applicant desires to maintain a private water well on the property, the connection to the City water shall be protected with a Reduced Pressure Backflow Prevention device per City standards.
10. Applicant shall be responsible for construction of City water main extension to serve this property. The watermain extension shall terminate in a blowoff.
11. Applicant shall be responsible for construction of water lateral connections to City main in accord with City standards.

**Sewer:**

12. Existing sewer system (other than house plumbing), shall be abandoned under permit from and in accord with the requirements of the County of Sonoma.
13. Applicant shall remove the existing cleanout at the north end of the sewer in Lyding Lane and install a City-standard manhole.
14. Applicant shall be responsible for construction of a pressurized sewer connection to City main in accord with City standards.
15. Applicant shall place a Termination Manhole on-property as a place for the pressurized sewer connection to terminate. A gravity flow sewer line shall connect the applicant's termination manhole with the new manhole at the end of the sewer main.
16. Prior to connection of the existing structures to the City sewer system, Owner shall demonstrate to the satisfaction of the Sebastopol Building Official that all structures have been retro-fit with low-flow fixtures in accord with current City requirements.



CITY OF SEBASTOPOL  
 Engineering Division  
 714 Johnson Street  
 Sebastopol, CA 95472  
 (707) 823-2151 Phone  
 (707) 823-4721 Fax

APPLICATION FORM FOR  
**OUTSIDE SERVICE AREA AGREEMENT**  
 (Outside of City Sewer and Water Services)

Property Address: 647 LYDING LN Assessor's Parcel No: 060-250-036-000

Type of Service Requested:  Sewer Only  Water Only  Sewer and Water

**Owner of Record**

**Applicant (if other than Owner)**

Name:	<u>SARCO DILGER TRUST</u>	Name:	_____
Mail Address:	<u>647 LYDING LN</u>	Mail Address:	_____
City, State, Zip:	<u>SEBASTOPOL, CA 95472</u>	City, State, Zip:	_____
Phone:	<u>707-290-8311</u>	Phone:	_____
Fax:	_____	Fax:	_____
e-mail:	<u>WOODDILGER@ZARRCO.COM</u>	e-mail:	_____
	<u>[Signature]</u> Signature		_____
Date:	<u>11/04/19</u>	Date:	_____

**Parcel Information**

1. Parcel Size (Acres): 1.9 Existing Land Use: SFR

2. Describe existing development on the parcel. (Outside of City services are for existing development only.)

Status of Existing Development (Check One):  Legal  Legal Non-Conforming

Documentation of Legal Status of Existing Development is attached (required).

NOTE: You must provide documentation from the Sonoma County Permit and Resource Management Department (PRMD) regarding the status of existing development. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

3. Reason for Requesting City Services:

DEVELOPMENT OF ADDITIONAL SFR,  
ENVIRONMENTAL IMPACT OF NEW WELL /  
SEPTIC SYSTEM VERSUS PUBLIC WATER / SEWER  
WITHIN 80'

Documentation of existing or potential threat to public health and safety is attached (required).

NOTE: You must provide documentation from PRMD Well and Septic Division of an existing or potential threat to public health or safety as a part of your complete application. (See Attachment entitled "City of Sebastopol, Outside of Service Area Agreements")

4. Additional Information: (Please attach additional sheets as necessary.)

PUBLIC SEWER / WATER AT END OF LYDING LN  
IS LESS THEN 80' FROM PROPOSED NEW  
SFR.

For Office Use Only

Deposit Received: \$ 1,500

Receipt No: 709897

Date: 11/5/19

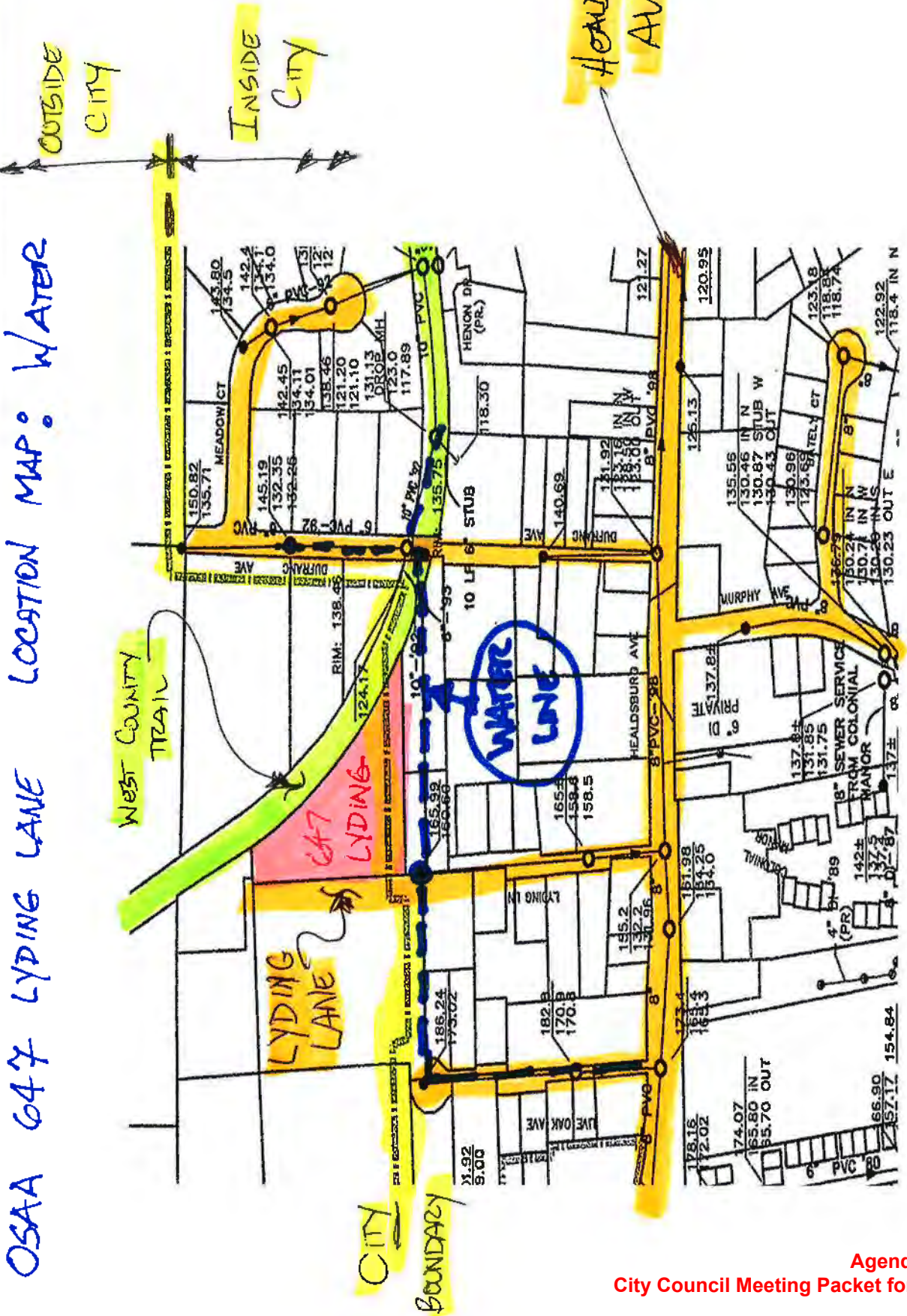
Application Complete

Engineering File No: \_\_\_\_\_



OSAA 647 LYDING LANE LOCATION MAP: WATER

HJM  
12/11/21



OSAA 647 LYDING LANE LOCATION MAP: SEWER

OUTSIDE CITY  
INSIDE CITY

HEALDSBURG AVENUE

HJM  
12/11/2019

