



City Hall
601 4th Avenue E.
Olympia, WA 98501
360-753-8244

City Council

Approval of Ordinance Amending Wastewater Regulations for Septic Systems

Agenda Date: 6/21/2016
Agenda Item Number: 4.H
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Title

Approval of Ordinance Amending Wastewater Regulations for Septic Systems

Recommended Action

Committee Recommendation:

The Land Use and Environment Committee recommends approval of the ordinance amending the wastewater regulations for septic systems.

City Manager Recommendation:

Move to approve the ordinance amending Olympia Municipal Code Chapter 13.08 and Chapter 18.75.020 on first reading and move to second reading

Report

Issue:

Whether to approve the ordinance amending Olympia Municipal Code Chapter 13.08 and Chapter 18.75.020 regarding septic systems.

Staff Contacts:

Diane Utter, P.E., Water Resources Engineer, 360.753.8562

Andy Haub, P.E., Director of Water Resources, 360.753.8475

Presenters:

Diane Utter, P.E., Water Resources Engineer

Andy Haub, P.E., Director of Water Resources

Background and Analysis:

About 4,200 septic systems (also known as onsite sewage systems or OSS) are within Olympia and its Urban Growth Area. As Olympia continues to grow, these systems may pose a long-term public and environmental health risk.

The 2007 Wastewater Management Plan and related regulatory changes placed limits on property owners when repairing existing septic systems and installing new ones. With few exceptions, new septic systems are not allowed in the City of Olympia. Some property owners have contacted the City to find a way to build on lots within subdivisions that are far from sewer pipes. The owners have held

these lots for years as an investment. City staff has re-evaluated the regulations enacted after the 2007 Wastewater Management Plan. Staff determined the current regulations unnecessarily restrict development of these lots because they aren't allowed to use septic systems.

The Thurston County Health Department determined in 2013 that contamination due to septic systems in Olympia may be limited to specific locations rather than result in widespread groundwater and surface water contamination. The 2013 Wastewater Management Plan anticipated modifications of the current Olympia Municipal Code (OMC) to allow limited development with septic systems. The amended regulations will still ensure that public and environmental health is maintained. Objective 1B from the Plan reads:

Manage existing and potential OSS so there is no net annual increase in the total number of OSS in Olympia's sewer service area.

Further, Strategy 1B1 from the plan reads:

Refine regulations regarding new OSS and repairs of existing OSS in order to accommodate the limited use of new OSS systems in appropriate circumstances.

Staff presented the proposed amendments to the Utility Advisory Committee (UAC) and the Land Use and Environment Committee in 2014. Both committees recommended forwarding the OMC amendments to Council.

Amending regulations to allow more, but still few, new septic systems will require clear criteria. The proposed amendments are summarized below:

- Allow construction of septic systems on vacant lots larger than 12,500 square feet in existing neighborhoods. The lot must be more than 200 feet from sewer, served by public water, and not in a high risk area for contamination of surface water and groundwater by septic systems.
- Reduce the requirement to connect to sewer in the case of a failing septic system from 300 feet to 200 feet. The City found the 300 foot distance required sewer extensions that were unaffordable to property owners. Reducing the requirement to 200 feet is in alignment with Tumwater and Lacey and WAC 246-272A.
- Provide an appeal process for property owners who are required to connect to sewer due to a septic system failure. This appeal process is required by a state law passed in 2015.

The proposed OMC amendments will be followed by a proposal to Council to expand the City's Septic to Sewer program. The proposal will make it easier and more affordable for property owners to connect to the public sewer. The proposal will likely include:

- City funding and construction of sewer extensions to high-risk areas and to areas where septic systems are failing. Property owners would reimburse the City for a portion of the cost. The City may offer discounts for home owners connecting within two years of the sewer project.
- A monthly payment system for the City's general facility charge and LOTT's capacity development charge for properties converting from septic systems to sewer. This will decrease the up-front cost of sewer connection.

The combination of proposed amendments and the proposed Septic-to-Sewer changes will help the

wastewater utility meet the objective of no net annual increase in septic systems in its service area.

Neighborhood/Community Interests (if known):

Current wastewater regulations regarding septic systems do not facilitate single lot development. Multiple property owners have contacted the City looking for a way to build on vacant lots in neighborhoods served by existing septic systems. Costs of sewer service to those neighborhoods are extremely high.

Options:

1. Approve an ordinance amending Olympia Municipal Code Chapter 13.08 and Chapter 18.75.020 regarding regulations to septic systems. The revisions are consistent with the direction set forth by the 2013 Wastewater Management Plan.
2. Request staff to revise OMC amendments based on Council feedback. This would address Council's concerns, but would delay the OMC amendments consistent with the 2013 Wastewater Management Plan.
3. Do not adopt OMC amendments as presented. This would require staff to re-evaluate regulations regarding septic systems.

Financial Impact:

The City would see increased revenue for the drinking water and storm and surface water utilities by allowing additional houses to be built on vacant lots. This would also result in the collection of impact fees and property taxes.

Attachments:

Ordinance

Excerpt from June 19, 2014 Land Use & Environment Committee meeting minutes
UAC Letter of Support for Septic System OMC Changes