

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: CONOR MCKAY, SENIOR PLANNER  
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
SUBJECT: UTILITY CERTIFICATE – 1793 FULTON ROAD

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by the Planning and Economic Development Department that the Council, by resolution, approve a Utility Certificate (UC16-005) to extend City sewer services to the property located at 1793 Fulton Road (APN 034-091-023), which is outside the City limits and outside the Urban Growth Boundary.

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EXECUTIVE SUMMARY

The project consists of a Utility Certificate request that would allow for a property that is outside of Santa Rosa City limits and Urban Growth Boundary to be connected to City sewer service. The property is currently served by an existing, damaged septic system, but as demonstrated by the evaluation performed by Apex Septic Design (Attachment 6) repairs are unlikely to be successful due to the septic system's age and high groundwater level present at the property. Further, there is not sufficient space to install a new septic system when accounting for required setbacks to property lines.

BACKGROUND

In 1947, the subject property, consisting of a single-family residence, guest house, and workshop, located at 1793 Fulton Road, was developed.

On July 20, 2016, a Utility Certificate application was submitted requesting the connection of the property's water and sewer utilities to City service.

On March 9, 2022, the applicant modified their application to remove the request for City water connection and maintain the request for City sewer connection due to further testing being needed to verify the need for City water connection.

PRIOR CITY COUNCIL REVIEW

None.

ANALYSIS

Council Policy 300-02, *Utility Certificates for the Extensions of Water or Sewer Service to Unincorporated Areas*, sets forth the circumstances under which the City will consider approving the extension of water or sewer services to property situated outside of the City limits and/or outside the City's Urban Growth Boundary, and the conditions that will be attached to any approval which is granted.

Council Policy No. 300-02(C)(8), Requests for the Extension of Service Outside the Ultimate Urban Boundary under Circumstances not Contemplated by Rules, is applicable to this Utility Certificate Request and provides as follows:

*“A request for City sewer and/or water service outside the Ultimate Urban Boundary under circumstances not contemplated by Rules 1-6, shall be presented to the City Council for consideration and determination. Such requests are not favored and will be granted only under extraordinary circumstances. In accordance with this limitation, the City Council shall deny, approve, or approve subject to conditions any such request.”*

Staff Response:

The property at issue is outside the Ultimate Urban Boundary and the request for service does not fall within Council Policy 300-02 Rules 1-6. As such, the Council may grant the request only under extraordinary circumstances. Staff has identified the following circumstances to justify granting the request to extend City sewer services to the property located at 1793 Fulton Road.

Upon purchasing the subject property in 2014, the applicant contracted with Apex Septic Design to analyze the status of the existing septic system on site. The septic evaluation (Attachment 6) indicates that the septic system is failing due to cracking, and repair would likely be unsuccessful due to the age of the septic system and high level of groundwater at the property. The applicant did not move into the home on the project site due to these issues. The applicant was interested in connecting to City sewer at this time in order to move into the house; however, to reduce the financial burden of connecting to City sewer, the applicant has aligned their application with the City's widening project that is planned for Fulton Road in 2022. This timing allows for the necessary work in the public right of way for sewer connection to occur concurrently with the City's street improvement project which reduces the overall impact to the street and traffic delays due to multiple construction projects.

FISCAL IMPACT

Connections to City sewer would be paid for by the applicant. As such, approval of this action would not have a fiscal impact on the General Fund.

### ENVIRONMENTAL IMPACT

The project complies with provisions of the California Environmental Quality Act in that the granting of a Utility Certificate qualifies for a Class 1 Categorical Exemption under Section 15301, in that the project involves minor alterations to existing facilities and includes negligible or no expansion to an existing use. The project also qualifies for a Class 3 Categorical Exemption in that the project consists of the extension of a sewage utility.

### BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

### NOTIFICATION

Not applicable.

### ISSUES

None.

### ATTACHMENTS

Attachment 1 - Disclosure Form  
Attachment 2 - Location Map  
Attachment 3 - Neighborhood Context Map  
Attachment 4 – City Council Policy 300-02  
Attachment 5 – Project Narrative  
Attachment 6 – Septic System Evaluation received July 20, 2016  
Attachment 7- Site Plan  
Attachment 8 – Preliminary Title Report  
Attachment 9 – Email from Applicant explaining timing of UC Application  
Resolution / Exhibit A - Utility Certificate for 1793 Fulton Rd (UC16-005)

### CONTACT

Conor McKay, Senior Planner  
[CTmckay@srcity.org](mailto:CTmckay@srcity.org)  
(707) 543-4351