



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** April 11, 2017

From: Lori Lamson, Assistant Town Manager **Item No:** 9

Subject: DISCUSSION REGARDING SEWER REQUIREMENTS FOR
RESIDENTIAL MULTI-FAMILY INFILL LOTS

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

Discuss and provide direction to staff.

SUMMARY:

At the March 14, 2017 Town Council meeting, Mayor Pro Tem Bishop requested that the issue of multi-family, infill development and the requirements for sewer, be discussed at a future meeting. In 1990, the California Water Board, Lahontan Region and the Town of Apple Valley entered into a Memorandum of Understanding (MOU) regarding wastewater disposal from land developments. This MOU gave the Town the authorization to issue construction permits for projects that utilize individual subsurface disposal systems without Regional Board approval under the conditions that the Town could only approve a septic system for single-family homes with a minimum net lot area of 15,000 square feet or greater.

With the adoption of the MOU, multi-family projects were no longer allowed to use septic systems. In 2015, the Town adopted Ordinance 478, which also mandates public sewer connection for any residential projects that exceeds two (2) dwelling units per acre. Although all multi-family development is required to connect to sewer, single-family infill development may use septic, unless there is existing sewer within 200 feet. If sewer is located within 200 feet, the line must be extended and the single-family residence connected.

The requirement for sewer is considered a significant development constraint for multi-family infill projects. Connection to the public sewer can be cost prohibitive due to the proximity of existing wastewater facilities. In addition to the building constraints, many of these multi-family zoned areas contain existing single-family homes that are considered legal nonconforming uses. Property owners trying to sell or refinance these homes have experienced difficulties due to the legal nonconforming status. Further study and future land use amendments may allow vacant properties in these areas to be developed in the appropriate density and will also address, by elimination, the legal nonconformity of developed lots.

Areas worthy of further study include the neighborhoods surrounding Kiowa Road, between Highway 18 and Bear Valley Road. Other areas that should be studied include pockets of multi-family south of Bear Valley Road and some areas south of Highway 18 and east of Central Road. The lots within the potential study areas range from one-third (1/3) of an acre to one (1) acre in size. These neighborhoods contain scattered development of both multi-family and single-family residences and are characterized by Single Family Residential land uses that interface with Multi-Family Residential land uses. Wastewater facilities are not within a reasonable distance, resulting with numerous multi-family lots that are essentially unbuildable.

FISCAL IMPACT:

Not Applicable