ORDINANCE NO. 3454

AN ORDINANCE AMENDING
TITLE 19 OF THE SAN LUIS OBISPO COUNTY CODE

The Board of Supervisors of the County of San Luis Obispo, State of California, ordains as follows:

SECTION 1: Section _7_ of Title 19 of the San Luis Obispo County Code, is hereby amended to read as follows:

Chapter 19.07 - PLUMBING CODE

19.07.010 - Modifications of the California Plumbing Code.

(a) Delete Division II—Administration see 19.02.020. Administration of the Plumbing Code shall be as set forth in Chapter 1 of the California Building Code.

(b) Adopt Appendix A, Recommended Rules For Sizing The Water Supply System.

(c) Adopt Appendix H Table H 201.1(4). Estimated Waste/Sewage Flow Rates.

(d) Amend Section 603.0 to read as follows:

> **603.0 Cross-Connection Control.** Cross-connection control shall be provided in accordance with the provisions of this chapter and Chapter 8.30 of the San Luis Obispo County Code (Cross-Connections Control and Inspections).
>
> No person shall install any water-operated equipment or mechanism, or use any water-treating chemical or substance, if it is found that such equipment, mechanism, chemical or substance may cause pollution or contamination of the domestic water supply. Such equipment or mechanism may be permitted only with an approved backflow prevention device or assembly.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.020 - Sewage disposal systems.

The design and installation of sewage disposal systems within the unincorporated areas of San Luis Obispo County are subject to the provisions of the following sections:

19.07.22 Private Sewage Disposal Systems.

19.07.23 Alternative and Supplemental Treatment Systems

19.07.24 Community Sewage Disposal Systems

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.22 - Private sewage disposal systems.

The use of a private, on-site sewage disposal system, herein known as onsite wastewater treatment system (OWTS), is allowed only within the rural areas of the county and within urban and village areas where no community sewage collection, treatment and disposal system exists. Private sewage disposal systems shall be designed and constructed as provided by this section, in addition to satisfying all applicable requirements of the County of San Luis Obispo Local Agency Management Program (LAMP) and California Plumbing Code (CPC). In the event of any conflict between the provisions of this section, the LAMP, and the California Plumbing Code, the most restrictive shall govern.~~California Plumbing Code. In the event of any conflict between the provisions of this section and the California Plumbing Code, the most restrictive shall govern.~~

(1) Legislative Findings. These regulations are enacted in part to implement the requirements of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board. To the extent that these regulations change applicable provisions of the California Health and Safety Code and California Code of Regulations as they would otherwise apply to local construction, the board of supervisors finds that the changes herein are necessary because of local geological and topographic conditions which change applicable provisions of the California Health and Safety Code and California Code of Regulations as they would otherwise apply to local construction, the board of supervisors finds that the changes herein are necessary because of local geological and topographic conditions which involve limitations on the capability of soils in the unincorporated areas of San Luis Obispo County to effectively handle sewage effluent disposal from private sewage disposal systems. ~~Such limitations include high groundwater, soils with poor percolation capability and steep slopes.~~

(2) General Requirements.

See: San Luis Obispo Local Agency Management Program

~~a. Percolation Tests. Percolation tests may be required by the chief building official pursuant to Appendix B of this section.~~

~~b. Minimum Site Area with Well. As required by the Land Use Ordinance, Title 22 of this code, or the Coastal Zone Land Use Ordinance, Title 23 of this code. An existing parcel that contains a water well may be approved for a private sewage disposal system only if the parcel is one acre or larger. A parcel smaller than one acre may use a private sewage disposal system only where the well servingthe parcel is a public water supply or is located on another parcel that is one acre or larger. The minimum site area for a new parcel where a well and septicsystem are both proposed is determined by the Land Use Ordinance, Title 22 ofthis code, and the Coastal Zone Land Use Ordinance, Title 23 of this code. The average density for any subdivision of property served by onsite wastewater~~

treatment systems, occurring after May 13, 2018 shall not exceed the allowable density of the values in the table below.

Average Annual Rainfall (in/year)	Allowable Density (acres/single family dwelling unit)
0—15	2.5
>15—20	2.0
>20—25	1.5
>25—35	1.0
>35—40	0.75
>40	0.50

c. Minimum Site Area in Reservoir Watershed. Within any domestic reservoir watershed, all private sewage disposal systems shall be located not be located within a horizontal distance of two hundred feet from a reservoir, as determined by the spillway elevation, shall qualify for computing parcel size or density, or for septic system sitting.

(3) Septic Tank and Leach Area Systems. On-site sewage disposal systems that utilize a buried tank for the processing of solids, and leaching areas, trenches or seepage pits for the disposal of liquid waste through soil infiltration shall be located, designed and constructed in accordance with all of the following standards:

a. Minimum Site Characteristics. Septic tank and leach area systems shall be used only where the proposed site can maintain subsurface disposal, and satisfy the following standards on a continuous basis, unless an exception is approved as set forth in subsection (4) of this section.

1. Subsurface Geology. The proposed site for a soil absorption disposal area shall be free from soils or formations containing continuous channels, cracks or fractures, unless a setback distance of at least two hundred fifty feet to any domestic water supply well or surface water is assured.

2. Site Flooding. No sewage disposal system shall be allowed within an area subject to inundation by a 25-year flood.

3. Minimum Percolation Required. A percolation rate from one to one hundred twenty minutes per inch of fall is sufficient to permit the use of leaching systems. Such systems shall not be used where percolation rates are slower than one hundred twenty minutes.

4. Site Slope. Septic systems installed on slopes of twenty-five percent or greater shall minimize grading; no more than two feet cut or fill in the area of the leach field. No disposal area shall be located where the natural slope is thirty percent or greater without slope stability report. Slopes greater than twenty-five percent shall require an alternative septic disposal system and is not permittable through the County of San Luis Obispo Planning and Building Department and permitting must through the Central Coast Water Board.

5. Separation from Impermeable Strata. A minimum distance of ten feet shall be maintained from the bottom of leaching systems to impermeable strata. This distance shall be verified by test borings pursuant to the California Plumbing Code where required by the building official.

6. Groundwater Separation. Depth from the bottom of the leach area to usable groundwater (including usable perched groundwater) shall be as follows, based upon the percolation rate found at the site:

Percolation rate, minutes per inch	Minimum distance to groundwater (feet)
Less than 1	No County Permitting
1—4	20 feet*
5—29	8 feet
30—129	5 feet
120 or more	No County Permitting

The chief building official may require a piezometer test or other appropriate documentation to verify the groundwater separation required by this section.

b. System Location. A private sewage disposal system shall be located on the parcel it serves. Soil absorption disposal systems, including, but not limited to, leach areas and seepage pits, shall be located in accordance with the setbacks in the following table, except that where disposal system location is proposed with less groundwater separation than required by subsections (3)a.5. or (3)a.6. of this section, the increased setbacks required by those subsections shall be provided.

Min. Distance Required From:	Building Sewer Line	Septic Tank	Disposal Field
Buildings or Structures	2 feet	5 feet	8 feet
Property Line Private Property	Clear	5 feet	5 feet
Water Supply Wells	50 feet	100 feet	100 feet
Streams, Springs & Water Migration	50 feet	100 feet	100 feet
Large Trees	-	10 feet	-
Reservoir, Spillway Elevation	-	200 feet*	200 feet*
Vernal Pools, Wetlands, lakes or Ponds	-	200 feet	200 feet
Disposal Field	-	5 feet	3 feet
Domestic Water Line	1 foot	5 feet	5 feet
Public Wells	-	150 feet	150 feet
Unstable Land Mass (bluff edge or slide)	100 feet	100 feet	100 feet
Distribution Box	-	-	5 feet

~~c. System Design and Sizing.~~

~~1. Replacement Area Required. Individual OWTS shall be designed and constructed to either reserve sufficient site area for dual leachfields (one hundred percent replacement area) or construct the dual leach fields with a diverter valve at the time of initial septic system installation. Installation of dual leachfields will be required if site access for installation of the expansion area could be limited after initial site development.~~

~~2. Non-Residential Systems. Commercial, institutional, or sanitary industrial systems shall be designed based upon the daily peak flow estimate for the proposed use. Commercial septic system leachlines are to be designed at two hundred percent of standard leachlines.~~

~~3. Residential Systems. Residential systems shall be designed for a flow rate of at least three hundred seventy-five gallons per day based on the regional water quality control board's basin plan requirement.~~

~~4. Replacement of Failed Private Sewage Disposal Systems. Where an existing OWTS has failed and a replaced system cannot be installed to meet the criteria of this section, the system is not permittable through the County of San Luis Obispo Planning and Building Department and permitting must be through the central coast water board.~~

~~(4) Seepage Pit Standards. Seepage pits are not permittable through the County of San Luis Obispo Planning and Building Department and permitting must be through the central coast water board.~~

~~(5) Use of Non-Standard Engineered Systems. Systems proposed under Appendix H of the California Plumbing Code, including mound and evapotranspiration systems shall be designed as provided by the "Water Quality Control Plan, Central Coastal Basin," adopted and as amended by the California Regional Water Quality Control Board, by an engineer or sanitarian registered by the State of California competent in sanitary engineering, and shall be approved by the building official and the regional water quality control board.~~

(1) Relief from Standards. Any applicant for a permit to install, repair or replace a private sewage disposal system who is aggrieved by the administration of the requirements of this section by the building official may appeal the matter to the board of appeals as provided in Section 19.02.020. In cases where an exception is requested to any provision of this section that prohibits use of a private sewage disposal system under specified conditions, no exception granted by the board of appeals shall be effective unless the California Regional Water Quality Control Board has also approved an "Exemption to Basin Plan Prohibitions" for the proposed exception.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.23 - Alternative or nonconventional OWTS and supplemental treatment systems.

See: San Luis Obispo Local Agency Management Program

(a) Alternative Systems or Nonconventional OWTS. An on-site treatment system that includes components different from those used in a conventional septic tank and drain field system. An alternative systems or nonconventional OWTS is used to achieve acceptable dispersal/discharge of wastewater where conventional systems may not be capable of meeting established performance requirements to protect public health and water resources. (e.g., at sites where high ground water, low permeability soils, shallow soils, or other conditions limit the infiltration and dispersal of wastewater). Components that might be used in alternative systems include mounds and pressure and drip distribution systems.

(b) Supplemental Treatment System. An onsite sewage treatment system that utilizes engineered design and/or technology to treat effluent and reduce one or more constituents of concern in wastewater. Supplemental treatment systems include, sand filters, aerobic treatment units, and disinfection devices. A supplemental treatment system shall be required in each of the following locations:

(1) On a site where geologic conditions permit water migration.

(2) In any area determined by the regional water quality control board, county environmental health or the board of supervisors to be experiencing surface or groundwater degradation caused in part by on-site wastewater treatment systems.

(c) Permit Required for Alternative or Nonconventional OWTS and Supplemental Treatment Systems. Alternative systems, systems providing supplemental treatment, and systems in specific areas of concern as identified by the board of supervisors or the regional water quality control board (RWQCB), shall require an operating permit. All on-site wastewater treatment systems requiring operating permits are not permittable through the County of San Luis Obispo Planning and Building Department and permitting must be obtained through the RWQCB.

(d) Recorded Notice Required for Alternative or Nonconventional OWTS and Supplemental Treatment Systems. Prior to final inspection approval of an on-site system with alternative components or supplemental treatment, a "Notice of Installation of an Alternative or Supplemental On-Site Wastewater Treatment System" shall be recorded with the San Luis Obispo County Clerk-Recorder's office and shall be placed with the deed of record. This notice shall inform future owners, heirs, executors, administrators or successors that the subject property is served by an alternative or supplemental treatment system and shall bind current and future owners to maintain an operating permit and comply with all established monitoring, reporting, inspection, and maintenance requirements of that operating permit.

(e) Operation and Maintenance Manual Required for Alternative or Nonconventional OWTS and Supplemental Treatment Systems. The owner of a site on which a new alternative or supplemental OWTS is installed or an existing OWTS is replaced or significantly repaired with an alternative or supplemental treatment system, shall have a waste discharge requirements and transmittal of monitoring and reporting program prepared by the RWQCB.

(f) Alternative Systems or Nonconventional OWTS. The following general requirements apply to all alternative systems or nonconventional OWTS.

(1) All OWTS systems in which pumps are used to move effluent shall be equipped with a visual and audible alarm. Telemetric alarm systems which alert the owner or service provider in the event of pump failure are also recommended. All pump systems shall, at a minimum, provide for storage in the pump chamber during a 24-hour power outage or pump failure and shall not allow an emergency overflow discharge. All pumped systems shall be designed by a qualified professional.

(2) The RWQCB shall adopt and periodically update design standards for alternative or nonconventional OWTS systems.

(3) The owner shall monitor and maintain the system under the direction of a qualified service provider, as required by the waste discharge requirements and transmittal of monitoring and reporting program.

(4) Alternative or nonconventional OWTS systems shall be designed in conformance with currently adopted state guidelines or other guidelines jointly approved by the regional water quality control board and the chief building official. The county shall inspect each system during the construction phase as described in this section. In addition, the qualified professional who designed the system shall submit to the chief building official a letter indicating the alternative or nonconventional OWTS has been constructed per the approved plans.

(g) Supplemental Treatment Systems. Supplemental treatment systems shall comply with the following:

(1) The RWQCB shall review and approve the method of supplemental treatment proposed prior to construction. Treatment systems shall be listed by anindependent testing agency, such as IAPMO, ANSI, NSF, or similar and shall conform to the standards adopted by the county.

(2) A supplemental treatment system shall meet the requirements in the waste discharge requirements and transmittal of monitoring and reporting program. The listing agency shall certify that the system can continually meet these performance standards.

(3) Operation, maintenance and monitoring specifications shall be provided for review and approval for any supplemental treatment system. The manufacturer's

maintenance requirements shall be incorporated into the mandatory conditions of the operating permit.

(4) The property owner shall comply with all maintenance requirements of the manufacturer and shall ensure that a qualified service provider, qualified professional or manufacturer's representative conducts a visual and operational inspection of the system a minimum of once a year or more frequently if required by the manufacturer to determine if the system is functioning properly.

(5) The property owner shall submit a report, prepared by a qualified professional, or manufacturer's representative, a minimum of once a year, and meet the requirements in the waste discharge requirements and transmittal of monitoring and reporting program.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.24 - Community sewage disposal systems.

See: San Luis Obispo Local Agency Management Program

Community sewage disposal systems may be reviewed and approved by the county health and engineering departments only when a proposed system is designed and constructed as follows and is approved by the California Regional Water Quality Control Board. The county does not have the authority to permit systems discharging three thousand five hundred gallons per day or more. Applicants must seek approval from the central coast water board for installation of systems that exceed three thousand five hundred gallons per day.

(1) Public Agency Operation Required. Sewerage facilities shall be operated by a public agency unless the county engineer or the regional water quality control board finds that an existing agency is unavailable, and formation of a new agency is unreasonable. If such finding is made, a private entity shall be established with adequate financial, legal and institutional resources to assume responsibility for waste discharges.

(2) Disposal System Design and Performance. Community sewage disposal systems shall be designed and shall discharge effluent of a quality pursuant to the provisions of the "Water Quality Control Plan, Central Coastal Basin," adopted by the California Regional Water Quality Control Board.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.25 - Appendices.

APPENDIX A. ON SITE WASTEWATER TREATMENT SYSTEM REQUIREMENTS FOR SECONDARY DWELLING UNITS ON PARCELS LESS THAN TWO ACRES IN SIZE

See: San Luis Obispo Local Agency Management Program

~~The regional water quality control board criteria for a new septic system specifies a maximum density of one residence per acre unless soil and other constraints for sewage disposal are found to be "particularly favorable." Septic system density may then be increased to one residence per half acre.~~

~~(1) An application, plans, and a site evaluation report meeting the requirements of this title shall be submitted for each system.~~

(1) All other technical requirements of this title, and Titles 22 and 23 shall be met.

APPENDIX B. PERCOLATION TEST AND BORING PROCEDURES

See: San Luis Obispo Local Agency Management Program

~~Percolation and boring tests shall be performed by or under the supervision of a licensed qualified engineer.~~

~~(1) Percolation Test Procedure:~~

~~a. Test hole openings shall have an eight 12-inch diameter, or be seven 11-inches on the side, if square. The walls should be vertical.~~

~~b. The bottom of the test hole should correspond with the bottom of the proposed trench and shall be covered with two inches of gravel.~~

~~c. Presoak the test hole overnight, prior to testing. For sandy soils, presoak until water level stabilizes, see (2)a. below.~~

~~d. The height of the water shall be re filled to initial height of between eight and ten inches over the gravel after each reading.~~

~~e. The surface of the hole shall be uncompacted: any cobbles protruding from the surface shall be left in place.~~

~~(2) Measurements:~~

~~a. In sandy soils in which two consecutive measurements show that six inches of water seeps away in less than twenty-five minutes, the test shall be run for an additional hour with measurements taken every ten minutes, making sure to re-fill the hole after each measurement. The drop that occurs during the final ten minutes shall be used to calculate the percolation rate. Field data shall show the two 25-minute readings, along with the six 10-minute readings.~~

~~b. In all other than sandy soils, pre-soak (fill) and wait overnight. If necessary, refill the hole the next day. Obtain at least twelve measurements per hole over at least six hours with a precision of at least 0.25 inch. Intervals between readings shall be approximately thirty minutes. The drop that occurs during the last thirty~~

minutes is used to calculate the percolation rate. Field data shall show the twelve 30-minute readings.

(3) Exploratory Borings. An exploratory boring is a hole excavated or drilled in the area where the disposal field is proposed in order to determine the type of soil, moisture content, and depth of the seasonal high water table or impervious material.

a. All borings must extend to a minimum depth of ten feet below the bottom of the proposed disposal system so as to determine the depth of the water table, bedrock, and all impervious material within ten feet of the bottom of the disposal system. Minimum depth of any boring is fifteen feet or stated refusal.

b. When percolation results are faster than one minute an inch, the exploratory boring shall be drilled to a depth of fifty feet below the depth of the proposed disposal system. For percolation results between one—four minutes an inch, the boring shall be drilled to a depth of twenty feet below the proposed disposal system.

c. A log of the soil profile shall be conducted and included as part of the written percolation test.

d. All borings used to check for groundwater shall stay open a minimum of twenty-four hours prior to the final reading and groundwater check. Water levels are to be recorded at the highest discovered level following the twenty-four hour period. If any groundwater is encountered that may affect the subsurface sewage disposal, an evaluation by a qualified professional, shall be given in the conclusion section of the percolation report.

e. Measurements of depth to seasonal high groundwater shall be conducted from November 1 to April 1 unless otherwise specified by the building official.

f. In areas with seasonal high groundwater, a groundwater level monitoring well shall be installed to a minimum depth of ten feet in the area of a proposed wastewater dispersal system. Groundwater monitoring wells shall be a minimum of 3-inch PVC pipe and shall have a removable cap. The top eighteen inches around the pipe shall be sealed with Bentonite or other suitable sealer to prevent surface pollutants from intruding into the well. Below eighteen inches, the pipe shall be perforated. Monitoring wells shall not be deeper than fifteen feet, unless required by the building official. If an impermeable layer is present at a depth of less than ten feet below the ground surface, the depth of the groundwater level monitoring well shall be decreased to the depth of the impermeable layer.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.027 - Septic tank abandonment.

(a) Every cesspool or septic tank that has been abandoned or has been discontinued otherwise from use, or which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed therefrom and be completely filled with earth, sand, gravel, concrete or other approved material.

Exception: Septic tanks may be re-used as rainwater storage cisterns if all the following conditions are met.

(1) The applicant shall obtain a system abandonment permit from county building department. The permit application shall specify the intended use of the septic tank.

(2) The activities related to abandoning the onsite sewage treatment and disposal system shall not create a sanitary nuisance.

(3) The septic tank shall be disconnected from the drain field and from the building sewer pipe.

(4) All work to disconnect, clean and sanitize the septic tank shall be conducted by a registered septic tank contractor or a state-licensed plumber or by the owner of the owner-occupied single family residence being served by the septic tank.

(5) All septage, wash water, and other liquids removed from the tank shall be removed and handled as septage by an approved disposal service and disposed of at an approved regulated wastewater treatment facility.

(6) The planning and building department shall inspect the tank once it is disconnected, emptied, cleaned, disinfected and filled with water. The inspection shall determine that:

a. The tank has been disconnected from the drainfield and the building sewer.

b. The tank is full of water within twelve inches from the top of the tank.

c. The clarity of the water is such that a Secchi disk is visible at the bottom of the tank.

d. The pH of the water is between 6.0—8.0.

e. The free Chlorine residual of the water in the tank is >5.0ppm.

f. The total coliform count <1,000 per 100 ml.

g. The fecal coliform count is <200 per 100 ml.

h. No sanitary nuisance condition exists on the property related to the abandonment activities.

(7) While one inspection is included in the abandonment permit fee, the applicant shall pay a re-inspection fee for any additional inspection visits necessary until all of the criteria in (6) are met and final approval of the abandonment is granted by the county planning and building department.

(8) The applicant shall be responsible for all required laboratory fees. All sampling shall be conducted by county planning and building department staff during the final inspection.

(9) The abandonment permit shall be valid for twelve months. The septic tank shall be properly abandoned within ninety days after the connection to the sanitary sewer.

(10) The tank shall not be connected to any irrigation components nor the water used for irrigation purposes until final approval of the abandonment has been granted by the county planning and building department.

(11) Upon final approval of the abandonment, use of the tank or the drain field for sewage storage, treatment or disposal is prohibited.

(12) Upon final approval of the abandonment, the water collected in the tank shall be utilized for non-potable, irrigation purposes only.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.030 - Toilet facilities for workers required.

(a) Suitable toilet facilities shall be provided and maintained in a sanitary condition for the use of workers during construction. Portable toilet facilities shall conform to ANSI Z4.3.

(b) The number of toilet facilities to be provided shall be in accordance with Table 19.07.030(b) It shall be the responsibility of each employer to provide toilet facilities sufficient for the number of his own employees.

TABLE 19.07.030(b)

Number of Employees	Minimum Number of Toilet Facilities
1—10	1
11—20	2
21—30	3
31—40	4
Over 40	1 additional facility for each 10 additional employees

(c) It shall be the responsibility of the employer to ensure that all toilet facilities are maintained in a clean and sanitary condition. If toilet facilities are of the type that require a periodic servicing, it shall be the responsibility of the employer to provide sufficient toilet facilities and servicing to prevent the stated capacity of those facilities from being exceeded; the employer shall also assure ready access to the toilet facilities by the required servicing equipment.

(d) Toilet facilities shall be located so as to be readily accessible to the employees for whom they are furnished.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.40 - Minimum water supply for single-family dwellings.

All commercial buildings and dwellings shall be provided a potable water supply system as required by this section. Such system shall also satisfy all applicable requirements of the California Plumbing Code and the San Luis Obispo County Health Department.

(1) Community System or On-Site Well. Subject to the approval of the chief building official, a commercial building or dwelling may be supplied potable water from either:

A public water supply or domestic water system approved by the health department or operated by a state licensed water purveyor; or

An on-site well, water storage and delivery system in accordance with this section.

(2) On-site Wells. When an on-site well is the proposed potable water supply, a building permit may be issued only where the building site is located outside the service boundary of a community water system, and where the well, together with any on site water storage, satisfies all the following requirements:

a. Health Department Approval. All water wells shall be designed constructed and shall obtain health department approval as required by Chapter 8.40 of this code.

b. Minimum Capacity—Residential: A domestic well shall provide a minimum capacity of five gallons per minute (GPM) in order to be approved for use as a source of potable water for a single family dwelling. Use of a well with a minimum capacity of 2.5 gallons per minute may be approved by the chief building official where one thousand gallons of approved on site water storage is also provided. (Note: onsite water storage for fire protection may also be required by the Land Use Ordinance or, where applicable, the Coastal Zone Land Use Ordinance regardless of the requirements of this section.) A building permit may be issued where use of a well with less capacity than 2.5 gpm is proposed only where authorized by the director of environmental health.

c. Minimum Capacity—Commercial: A domestic well for commercial use shall provide proof that the on-site wells will meet the demand requirements of the intended use. Unless an engineered design is submitted, each structure shall use Appendix A of the California Plumbing Code to determine the gallons per day requirements. Outdoor areas used for events shall be sized the same as stores. Storage tanks shall be sized the same as septic tanks. If applicable, additional demand requirements for process water shall be submitted with the construction drawings by the engineer/architect of record (wine processing, industrial processing, etc).

d. Testing of Capacity. The capacity required by subsection (2)b., c. of this section for a residential or commercial domestic well shall be verified by a minimum four hour pump test with drawdown and recovery data by a licensed and bonded well driller or pump testing company. The pump test shall not be more than five years old.

e. Potability. All residential or commercial domestic water wells intended to provide potable water to residential or commercial buildings shall meet the requirements of the health department for potability.

f. Testing for Potability. All new residential or commercial uses which use domestic water wells shall test the wells for potability as required by the health department. A report of the potability test shall be submitted and approved by the health department prior to granting temporary or permanent occupancy or final inspection approval of a project.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.41 - Verification of water supply required.

No grading, building or plumbing permit application or plans for a project which will require new service with potable water shall be issued unless:

(1) The chief building official is provided a written statement from the operator of a community or domestic water system that the purveyor will provide potable water service to the dwelling and that the water purveyor has sufficient water resource and system capacity to provide such service; or

(2) The chief building official is provided evidence that a permit or other authorization has been granted by the water purveyor for the proposed project to connect to and use the community or domestic water system; or

(3) An on-site well is installed, tested, and is certified to satisfy the requirements of Section 19.07.040(2), or the chief building official is provided evidence showing that potable water adequate to satisfy the standards of Section 19.07.040(2) is available on site. Evidence provided to prove availability of potable water shall include:

a. Existing county data; or

b. A report submitted by a registered hydrologist, geologist; or

c. Satisfactory evidence from a test well drilled on the parcel.

d. No final building inspection for a dwelling shall be approved until the dwelling is connected to an operating water supply approved pursuant to this section.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3400, § 1, 11-19-19)

19.07.42 - Water conservation provisions.

The requirements in this section shall apply to all new installations and, where specifically required, to existing structures.

(1) Water Fixtures. Water fixtures shall comply with current requirements of the California Green Building Standards and Department of Water Resources.

(2) Existing Structures. In existing buildings, including replacement water fixtures, shall conform to the above requirements.

(3) Other Requirements.

a. Spas, hot tubs, fountains and other decorative bodies of water shall be equipped with recirculating systems and shall be designed to operate without a continuous supply of water.

b. Vehicle wash facilities shall have approved water reclamation systems which provide for reuse of a minimum of fifty percent of the wash water. Hoses, pipes, and faucets for manual application of water to vehicles at such facilities shall be equipped with positive shut-off valves designed to interrupt the flow of water in the absence of operator applied pressure.

c. Water supply piping shall be installed so that each dwelling unit may be served by a separate water meter.

(4) Paso Robles Groundwater Basin and Nipomo Mesa Water Conservation Area. In addition to the requirements in Subsections a, b and c above, the requirements in subsections (4)a. through (4)d. below shall apply to all new development that uses water from the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) and the Nipomo Mesa Water Conservation Area as shown on maps in this subsection.

a. Offset Required. Prior to issuance of a construction permit for a new structure with plumbing fixtures on property that overlies and/or uses water from the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) or the Nipomo Mesa Water Conservation Area, the developer of such new structure shall obtain an offset clearance from the department of planning and building

verifying that new water use has been offset at a 1:1 ratio. Water savings must come from the same groundwater basin as the proposed new development. Applicants shall meet offset requirements by complying with subsection 2. or 3. below.

1. Applicability: Construction permits for development approved through discretionary permits in the Paso Robles Groundwater Basin (excluding the Atascadero sub-basin) shall instead comply with the offset ratio required in Section 22.94.025 of the Land Use Ordinance.

2. Offset Clearance Process: Applications for an offset clearance shall include evidence that project water use (based on actual water data or by approved assumptions about the water demand for that use) has been offset at a 1:1 ratio through verifiable evidence or through a county approved water conservation program. Water savings must come from the same groundwater basin as the proposed new development.

b. County Approved Water Conservations Programs. Applicants shall meet the offset requirement by purchasing credits from a county approved water conservation program operating in the same groundwater basin as the proposed project or by complying with one of the alternatives in Section 3. Approved programs achieve water savings in existing development and make credits available for purchase. The cost of offset credits is set so as to be equal to the cost of achieving water savings. Programs may include but are not limited to plumbing retrofit programs and turf removal incentive programs.

c. Alternatives. As an alternative to a county approved water conservation program, or in areas where such a program is not available, applicants for new development may meet the offset requirements for their project through one of the following alternatives.

1. Applicant-performed plumbing retrofits. Applicants may meet the water offset requirement for their proposed project by retrofitting existing fixtures in homes within the same groundwater basin as the proposed project. Applicants shall adhere to the following:

i. Retrofit work must be performed and verified by a licensed plumber.

ii. The water savings credits that will result from each retrofitted fixture shall be established by resolution for each geographic area. After retrofit work has been completed and verified, applicants shall submit detailed evidence that enough fixtures have been retrofit to offset the water use of the proposed new development.

Water Conservation Program for Public Facilities. Applicants may choose to fund a water conservation program for public parks, school grounds, or other public facilities in the same groundwater basin as the proposed project. The program to be funded will have been

prepared by a California-licensed landscape architect for the county parks department, a school district or another public entity, as applicable. The program shall be reviewed and approved by the owner of the public facility, and shall identify water savings and associated costs of conservation measures such as irrigation system replacement and/or repairs, installation of "smart controllers," removal of turf, replacement of high water using landscape material, and amendments to soils. The water conservation program shall clearly identify the expected water savings from implementation of the program.

Areas Served by a Community Service District. In areas served by a community service district (CSD), the CSD may certify that equivalent water use has been offset through an approved program or project.

Termination. The provisions of this section for the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) shall expire on January 1, 2022.

(5) Water Meter Installation and Reading. All new or existing wells that serve new development that overlie or use water from the Paso Robles Groundwater Basin (excluding the Atascadero Sub-basin) or the Nipomo Mesa Water Conservation Area must have a well meter installed. The meter shall be used to measure all groundwater used from that well.

(6) Meter installation must be verified by the county public works department prior to building permit issuance. The configuration of the installation shall conform to the water well metering standards and installation guidelines set forth by the department of public works and incorporated into the public improvement standards.

(7) Property owners or responsible party designated by the property owner must read the water meter and record the water usage on or near the first day of the month. These records must be maintained by the property owner or responsible party and may be subject to inspection only by code enforcement pursuant to a violation investigation.

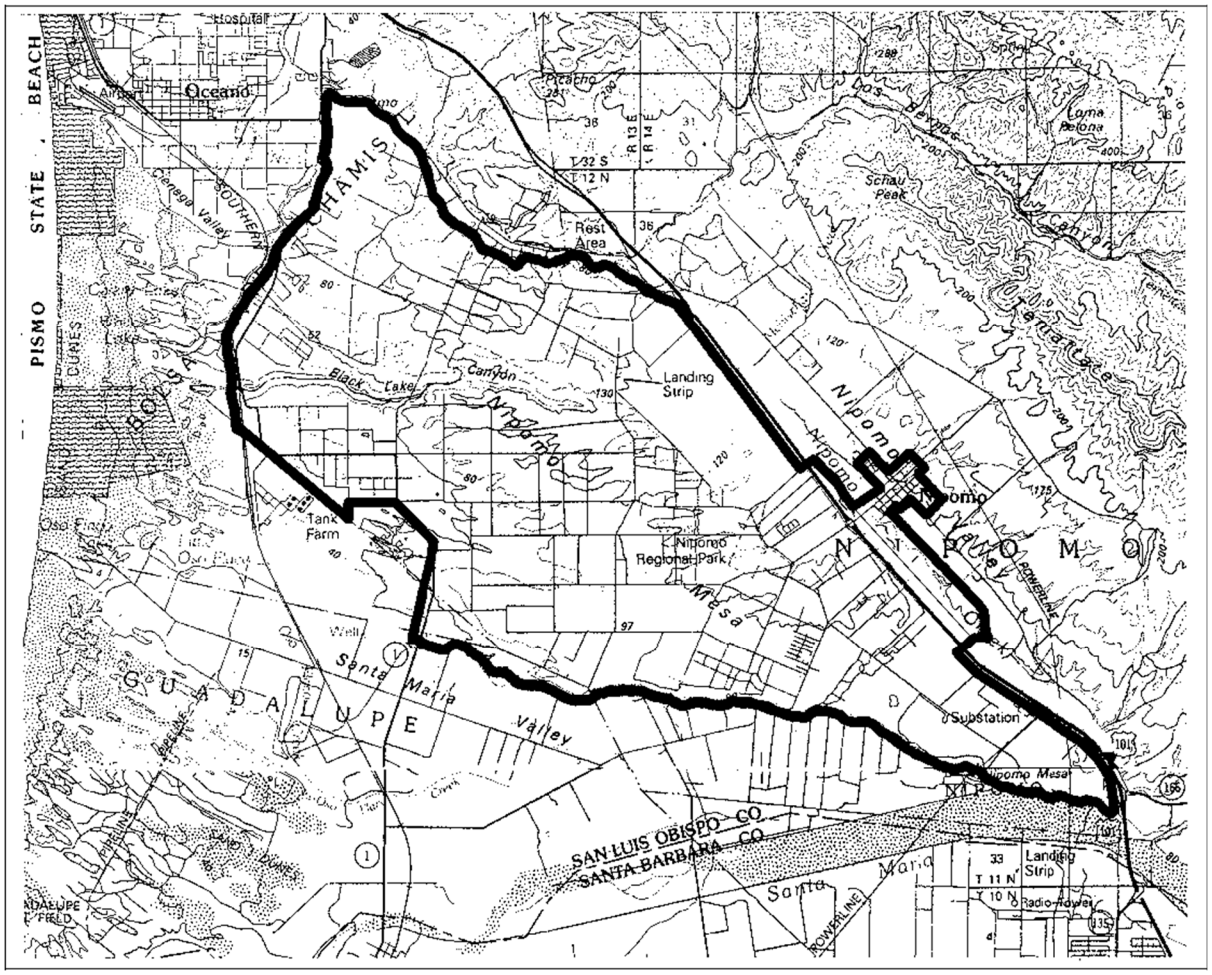

Figure 7-1 — Nipomo Mesa Water Conservation Area

(8) Los Osos Groundwater Basin: In addition to the requirements in sections a, b and c above, the requirements in subsections (8)a. through (8)j. below shall apply to all new development that uses water from the Los Osos Groundwater Basin shown in Figure 7-2.

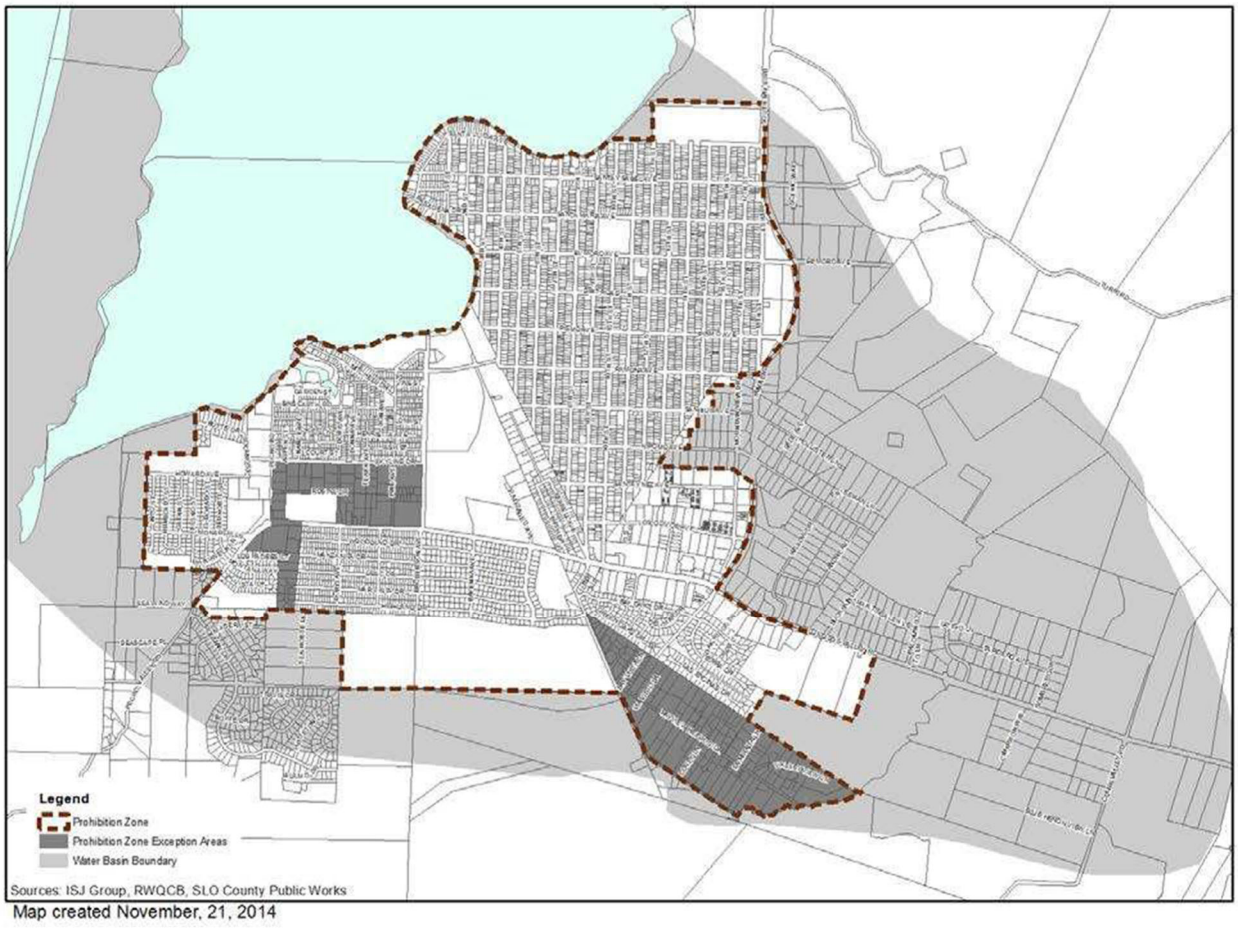

Figure 7-2—Los Osos Groundwater Basin and Prohibition Zone

a. The developer of any new structure that uses water from the Los Osos Groundwater Basin shall install plumbing fixtures that meet the following requirements:

1. Toilets rated at no more than 1.28 gallons per flush (HET);
2. Showerheads rated at no more than 1.8 gallons per minute;
3. Bathroom sink aerators with a volume of no more than 1.2 gallons per minute;
4. Hot water circulation systems for master bathrooms and kitchens if the furthest plumbing fixture unit in these rooms is greater than twenty pipe-feet from the hot water heater;
5. Commercial structures shall use urinals rated at no more than 0.5 gallons per flush;

6. New residences shall be plumbed for grey-water systems pursuant to Chapter 16 of the Uniform Plumbing Code.

b. Prior to issuance of a construction permit for a new structure with plumbing fixtures that uses water from the Los Osos Groundwater Basin, the developer of such new structure shall retrofit plumbing fixtures in existing structures within the Los Osos Groundwater Basin, but outside the Prohibition Zone as shown in figure 7-2. The number and type of plumbing fixtures to be installed shall be as required in the equivalency table as adopted and codified in Appendix A. The equivalency table indicates the point values of existing fixtures which may be retrofitted and the corresponding point requirements for each newly constructed or remodeled structure. A package of proposed retrofits and water conservation requirements must add up to no less than the minimum requirements established in Appendix C.

c. Any addition of one hundred twenty square feet or more to an existing structure that uses water from the Los Osos Groundwater Basin shall require the replacement of plumbing fixtures in the entire structure with the following types of plumbing fixtures:

1. Toilets rated at no more than 1.28 gallons per flush (HET);
2. Showerheads rated at no more than 1.8 gallons per minute;
3. Bathroom sink aerators with a volume of no more than 1.2 gallons per minute;
4. All urinals in commercial structures shall be replaced with urinals rated at no more than 0.5 gallons per flush.

d. Any remodel of an existing structure that uses water from the Los Osos Groundwater Basin that requires a construction permit pursuant to this title shall require the replacement of plumbing fixtures in the entire structure with the following types of plumbing fixtures:

1. Toilets rated at no more than 1.28 gallons per flush (HET);
2. Showerheads rated at no more than 1.8 gallons per minute;
3. Bathroom sink aerators with a volume of no more than 1.2 gallons per minute;
4. All urinals in commercial structures shall be replaced with urinals rated at no more than 0.5 gallons per flush.

e. The planning director (or designee) is authorized to make determinations for fixtures or projects not specifically designated in the equivalency table in Appendix A.

f. The equivalency table in Appendix A may be amended by the planning director from time to time to reflect changes in water use and/or water savings.

g. Owners of existing structures that are retrofitted under this program shall agree to allow their water purveyors to release water use figures to the department of planning and building in order to gauge the effectiveness of the program to the extent allowed by California Law.

h. Upon retrofitting of the required number of fixtures, the developer shall submit evidence of the completed retrofits to the department of planning and building. This evidence shall consist of a retrofit verification declaration completed and executed by a licensed plumber and/or contractor. The retrofit verification declaration shall be assigned to and used for development of a specific property or properties or land use permit and shall not be transferred to another parcel.

i. Upon submittal to the San Luis Obispo County Department of Planning and Building of a completed and executed retrofit verification declaration accompanied by the required fee, the developer shall be issued a water conservation certificate from the department of planning and building. Once the water conservation certificate is issued, the new structure may receive final occupancy approval. The water conservation certificate shall be assigned to and used for development of a specific property or properties or land use permit and shall not be transferred to another parcel, except as provided in the following subsection (8)j.

j. Water conservation certificates that were issued for vacant parcels inside the prohibition zone prior to the effective date of this ordinance may be transferred to specified vacant parcels or land use permits for vacant parcels outside the prohibition zone one time before January 1, 2019, except when the county is in a drought emergency as proclaimed by the board of supervisors. These water conservation certificates are encouraged to be transferred to vacant parcels with approved minor use permits.

(Ord. No. 3343, § 1, 12-6-16; Ord. No. 3398, § 2, 11-5-19; Ord. No. 3400, § 1, 11-19-19)

Los Osos Plumbing Retrofit Program

RESIDENTIAL				
Existing Toilet	Replacement Toilet	Single-Family Residential Gallons Saved Per Day (Credits)	Multi-Family Residential Credits [1]	Mobile Home Credits [2]

6 gallons per flush	1.28 gpf	52	39	26
6 gpf	1.1 gpf	54	40	27
3.5 gpf	1.28 gpf	30	22	15
3.5 gpf	1.1 gpf	31	23	16
1.6 gpf	1.28 gpf	14	10	7
1.6 gpf	1.1 gpf	15	11	8
[1] Multi-Family Residential (MFR) is 75% of Single-Family Residential Water Use [2] Mobile Home is 50% of Single-Family Residential Water Use				
Existing Shower	Replacement Shower	Single-Family Residential Gallons Saved Per Day (Credits)	Multi-Family Residential [1] Credits	Mobile Home [2] Credits
5 gallons per minute	2.5 gpm	19	14	10
5 gpm	1.5 gpm	26	20	13
2.5 gpm	1.5 gpm	13	10	7
Gallons Saved Per Day (Credits)				
Installation of a Hot Water Recirculation System				17

Total retrofit credits needed for a new single family is 300 gallons

[1] A structures on a parcel must be retrofitted at the same time.

[2] A third bathroom in a house does not have to be retrofitted.

[3] Replacement toilets must be rated at no more than 1.28 gpf

[4] If two toilets are replaced in one household, the average gallons (credits) saved between the two will be used.

SECTION 4: If any section, subsection, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity or constitutionality of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions be declared invalid or unconstitutional.

SECTION 5: Before the expiration of 15 days after the adoption of this ordinance by the San Luis Obispo County Board of Supervisors, it shall be published once in a newspaper of general circulation published in the County of San Luis Obispo, State of California, together with the names of the members of the Board of Supervisors voting for and against the ordinance.

SECTION 6: This Ordinance shall become effective thirty (30) days after its enactment by the Board of Supervisors.

SECTION 7: These ordinance amendments are covered by a general rule exemption (State CEQA Guidelines section 15061(b)(3)) from the California Environmental Quality Act (CEQA) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 8: In accordance with Government Code Section 25131, after reading the title of this Ordinance, further reading of the Ordinance in full is waived.

PASSED AND ADOPTED by the Board of Supervisors of the County of San Luis Obispo, State of California, on the 8th day of June, 2021, by the following roll call to vote, to wit:

AYES: Supervisors Bruce S. Gibson, Dawn Ortiz-Legg, John Peschong, Debbie Arnold and Chairperson Lynn Compton

NOES: None

ABSENT: None

ABSTAINING: None

Lynn Compton

Lynn Compton
Chairperson of the Board of Supervisors

ATTEST:

WADE HORTON
Ex-Officio Clerk of the Board of Supervisors

By: _____
Deputy Clerk