

TO: MICHAEL S. LEBRUN  
GENERAL MANAGER

*MSL*

**AGENDA ITEM**

**E-3**

**MAY 27, 2015**

FROM: PETER V. SEVCIK, P.E.  
DIRECTOR OF ENGINEERING  
AND OPERATIONS

*P.V.S.*

DATE: May 21, 2015

**SERVICE REQUEST – APN 091-073-021 AND 091-073-022  
4-LOT RESIDENTIAL DEVELOPMENT**

**ITEM**

Consider request for water and solid waste service (Intent-to-Serve Letter) for a 4-lot residential development at 1650 Rocky Place, APN's 091-073-021 and 091-073-022 [RECOMMEND CONSIDER INTENT TO SERVE LETTER AND APPROVE WITH CONDITIONS].

**BACKGROUND**

The District received an application for water and solid waste service for the project on March 16, 2015. The project will consist of 4 residential lots on 2 existing parcels. Each existing parcel (APNs 091-073-021 and 091-073-022) will be split into 2 lots. APN 091-073-021 (10.86 acres) is zoned Residential Rural and the District currently provides water and solid waste service to the parcel. APN 091-073-022 (9.84 acres) is zoned Residential Rural and the District does not currently provide water service to the parcel.

All parcels, existing and planned, will be required to obtain water and solid waste service in compliance with current District standards. Any existing well(s) on the property will not be utilized to provide domestic water service to any part of the project.

In accordance with the District's Supplemental Water Accounting Policy, Resolution 2015-1372, water demand for the project will be tracked against the 500 AFY supplemental water project capacity reservation for new development. Based on the preliminary information provided, total water demand for the project is estimated at 2.11 acre-feet per year (AFY). After applying a credit of 1.06 AFY for the existing services (2 @ 1 inch), the project's supplemental water demand is estimated at 1.06 AFY.

Based on all projects approved since January 25, 2008, the quantity of water *reserved* for new development (Will-Serve issued) as well as the quantity of water *assigned* to new development (Intent-to-Serve Letter Issued but subject to expiration), including this project assuming the Board approves the Intent-to-Serve letter, is as follows:

<b>Available Supplemental Water</b>	<b>500 AFY</b>
Supplemental Water Reserved (Will-Serve Letter Issued)	-5.8 AFY
Subtotal Net Available Supplemental Water	494.2 AFY
Supplemental Water Assigned (Intent-to-Serve Issued, Subject to Expiration)	-206.3 AFY
<b>Total Remaining Supplemental Water</b>	<b>287.9 AFY</b>

**FISCAL IMPACT**

Water capacity fees will be based on the domestic meter sizes requested for the final County approved project as well as CAL FIRE's fire service requirements. Based on the information provided, the following services are proposed:

- Domestic: 4 @ 1 inch

The estimated fee deposit for the project is \$22,637 based on the current District fee schedule. Credit for the existing water service for APN 091-073-021 and fee credit for APN 091-073-022 (previously paid) was applied to the estimated fee deposit.

**RECOMMENDATION**

Staff recommends that the Board approve the Applicant's request for an Intent-to-Serve letter for the project with the following conditions:

**PROJECT-SPECIFIC CONDITIONS**

- Project shall obtain solid waste and water service for all parcels.
- Each new parcel shall be served by a single one (1) inch meter and backflow assembly for indoor use and fire sprinkler service, if approved by CAL FIRE of SLO County.

**STANDARD CONDITIONS**

- CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges are applicable if dedicated fire service laterals are required.
- Record a restriction, subject to District approval, on the property prohibiting the use of well(s) to provide water service to any parcel within the Project.
- Properly abandon any existing groundwater wells and provide documentation to District.
- Record a restriction, subject to District approval, on all parcels prohibiting use of self-regenerating water softeners.
- Comply with District water conservation program.
- Pay all appropriate District fees associated with this development.
- Applicant shall provide the District with a copy of County application approval and County project conditions of approval.
- Enter into a Plan Check and Inspection Agreement and provide a deposit.
- Submit improvement plans in accordance with the District Standards and Specifications for review and approval. Applicant shall provide plans consistent with current District Standards and based on the proposed lot configuration.
- Any easements required for water improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- Any easements required for private water laterals shall be recorded prior to final improvement plan approval and shall be subject to District approval.
- All water improvements to be dedicated to the District shall be bonded for or otherwise secured in the District's name.
- A Will-Serve letter for the Project will be issued after improvement plans are approved and signed by the District.
- Applicant shall make a non-refundable deposit ("Deposit") at the time the District issues a Will Serve Letter in an amount equal to the then calculated Fees for Connection.

- Fees for Connection shall be calculated and owing as of the date the District sets the water meter(s) to serve the affected property from which the amount of the Deposit shall be deducted.
- Construct the improvements required and submit the following:
  - Reproducible "As Builts" - A mylar copy and digital format disk (AutoCAD) which includes engineer, developer, tract number and water improvements
  - Offer of Dedication
  - Engineer's Certification
  - Summary of all water improvement costs
- Solid waste collection services are mandatory. Applicant shall provide proof that the Project is provided with solid waste removal services in accordance with District regulations.
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo, the District's acceptance of improvements to be dedicated to the District, if applicable, and the final payment of all charges and fees owed to the District.
- This letter is void if land use is other than residential use as defined by the District.
- Intent-to-Serve letters shall automatically terminate on the first to occur:
  - Failure of the Applicant to provide District with written verification that County application for the Project has been deemed complete within two hundred forty (240) calendar days of the date the Intent-to-Serve Letter is issued; or
  - Three (3) years, from date of issuance. However, Applicant shall be entitled to a one-year extension upon the following conditions:
    - Applicant makes written application for the extension prior to the expiration of the Intent-to-Serve Letter.
    - Applicant provides proof of reasonable due diligence in processing the Project.
    - Applicant agrees to revisions of the conditions contained in the Intent-to-Serve letter consistent with then existing District policies.
- This Intent-to-Serve letter shall be subject to the current and future rules, agreements, regulations, fees, resolutions and ordinances of the District.
- This Intent-to-Serve letter may be revoked, or amended, as a result of conditions imposed upon the District by a court or availability of resources, or by a change in ordinance, resolution, rules, fees or regulations adopted by the Board of Directors.
- The District reserves the right to revoke this "Intent-to-Serve letter at any time.
- The Applicant shall provide a signed copy of the Intent-to-Serve letter within thirty (30) days of issuance.

**ATTACHMENTS**

- A. Application
- B. Site Plan

May 27, 2015

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ATTACHMENT A



# NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET  
POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326  
(805) 929-1133 FAX (805) 929-1932  
Website: ncsd.ca.gov

Office use only:  
Date and Time  
Complete  
Application and  
fees received!  
MAR 16 2015

NIPOMO COMMUNITY SERVICES DISTRICT

## INTENT-TO-SERVE APPLICATION

- This is an application for: \_\_\_\_\_ Sewer and Water Service xx Water Service Only
- SLO County Planning Department/Tract or Development No.: Subdivision Application Pending
- Attach a copy of SLO County application.

**Note:** District Intent-to-Serve letters expire eight (8) months from date of issue, **unless** the project's County application is deemed complete.

- Project location: 1650 Rocky Place, Arroyo Grande
- Assessor's Parcel Number (APN) of lot(s) to be served: 091-073-021 & 091-073-022
- Owner Name: Carlos Castaneda
- Mailing Address: PO Box 430, Grover Beach, CA 93483
- Email: castaneda.charlie@gmail.com
- Phone: (805) 474-1743 FAX: \_\_\_\_\_

- Agent's Information (Architect or Engineer):  
Name: C.M. Florence, AICP Agent  
Address: Oasis Associates, Inc., 3427 Miguelito Court, San Luis Obispo, CA 93401  
Email: cmf@oasisassoc.com  
Phone: (805) 541-4509 FAX: (805-) 546-0525

11. Type of Project: (check box) (see Page 3 for definitions)

<input checked="" type="checkbox"/> Single-family dwelling units	<input type="checkbox"/> Multi-family dwelling units
<input type="checkbox"/> Commercial	<input type="checkbox"/> Mixed Use (Commercial and Residential)

- Total Number of Dwelling Units 5 Number of Low Income Units 0
- Does this project require a sub-division?  Yes  No  
If yes, number of new lots created 4

- Site Plan:  
**For projects requiring Board approval, submit six (6) standard size (24" x 36") copies and one reduced copy (8½" x 11"). Board approval is needed for the following:**
  - more than four dwelling units
  - property requiring sub-divisions
  - higher than currently permitted housing density
  - commercial developments

**All other projects**, submit three (3) standard size (24" x 36") and one reduced copy (8½" x 11").  
Show parcel layout, water and sewer laterals, and general off-site improvements, as applicable.

15. **Water Demand Certification:**

A completed Water Demand Certification, signed by project engineer/architect, must be included for all residential and the residential portion of mixed-use projects.

16. **Commercial Projects Service Demand Estimates:**

Provide an estimate of yearly water (AFY) and sewer (gallons) demand for the project prepared by a licensed Engineer/Architect. **Please note:** All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

17. **Agreement:**

The Applicant agrees that in accordance with generally accepted construction practices, Applicant shall assume sole and complete responsibility for the condition of the job site during the course of the project, including the safety of persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and the Applicant shall defend, indemnify, and hold the District and District's agents, employees and consultants harmless from any and all claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities arising out of the performance or attempted performance of the work on this project; except those claims, demands, damages, costs, expenses (including attorney's fees) judgments or liabilities resulting from the negligence or willful misconduct of the District.

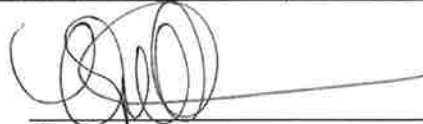
Nothing in the foregoing indemnity provision shall be construed to require Applicant to indemnify District against any responsibility or liability or contravention of Civil Code §2782

Application Processing Fee.....See Attached Fee Schedule

The District will only accept cashier's check or bank wire for the payment of Water Capacity, Sewer Capacity and other related development fees.

Date 16 MARCH 2015

Signed



(Must be signed by owner or owner's agent)

Print Name C.M Florence, AICP Agent



**PROPERTY INFORMATION FOR INTENT TO SERVE APPLICATION  
FOR RESIDENTIAL SUBDIVISION**

1650 Rocky Place  
Arroyo Grande, CA 93420  
16 March 2015

**I. PROPERTY INFORMATION**

**APNs:** 091-073-021 & 091-073-022  
**Parcel Size:** 10.68 & 9.84 Acres  
**Zoning:** Residential Rural (RR)

**II. EXISTING CONDITIONS**

The subject properties are located within the Summit Station area of the Nipomo Community Service District. This area receives NCS D water service with on-site wastewater disposal.

The southern property has one (1) active water service for the existing residential development. There are two (2) single family residences and one (1) secondary dwelling unit on the southern property. The vacant north property does not currently have an active water service, however service and annexation fees have been paid for one water service.

**III. PROPOSED SUBDIVISION**

- The proposed subdivision will create four (4) 5± acre parcels and require two (2) new water services and utilize the two (2) existing services;
- No new development is proposed as part of the subdivision;
- The subdivision will separate the three (3) existing residences. The southwest parcel will have one (1) single family resident and one (1) secondary dwelling unit, while the southeast parcel will have one (1) single family residence;
- The number of dwelling units, as provided on item 12 of the *Intent-to-Serve Application*, is the sum of the existing (3) units plus one (1) additional potential dwelling unit for the two (2) undeveloped parcels created for a total of 5 dwelling units.
- New parcel access and utility services will be provided via a flag configuration or by easement.



*Sketch of existing (yellow) and proposed (blue) property lines*

**Attachments**

NSCD Intent-to-Serve Application

Topographic Map/Site Plan MBS Land Surveys. 9 March 2015

c: C. Castaneda  
14-0089

May 27, 2015

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ATTACHMENT B





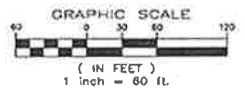
**SYMBOL LEGEND:**

—	1" FENCE LINE	—	RETAINING WALL
—	SEWER MAIN	—	POLE BOX
—	WATER MAIN	—	GAS METER
—	GAS MAIN	—	TELEPHONE BOX
—	ELEC/TELEPHONE/CABLE	—	SIGNAL BOX
—	OVERHEAD ELECTRIC	—	CABLE T.V. BOX
—	DROP INLET AT CURB	—	ELECTRIC BOX
—	STORM DRAIN MANHOLE	—	TELEPHONE MANHOLE
—	FIRE HYDRANT	—	STREET LIGHT
—	WATER WELL	—	JOINT POLE
—	WATER VALVE	—	POWER POLE
—	WATER METER	—	CUT WIRE
—	SEWER MANHOLE		
—	SEWER CLEANOUT		

**ABBREVIATIONS**

AC	ASPHALT CONCRETE	SP	IRON PIPE
AP	ANGLE POINT	ST	STEEL STRAKE
BM	BENCH MARK	GM	GAS METER
BS	BUILDING	HP	HIGH POINT
BSW	BACK OF WALL	LT	LIGHT
CB	CATCH BASIN	MANHOLE	MANHOLE
CF	CLUB FACI	PP	POWER POLE
CO	CLEAN OUT	PMD	POLYETHYLENE PIPE
COL	COLUMN	REBAR	REBAR
CON	CONCRETE	RCF	REINFORCED CONCRETE PIPE
CMP	COMPACTED METAL PIPE	SCF	REINFORCED CONCRETE PIPE
CMU	CONCRETE MASONRY UNIT	SD	STORM DRAIN
CS	CROWN OF STREET	SL	SLOPE ON SLOPE
DN	DROP INLET	SS	SEWER
EG	EXISTING GRADE	STP	STOP
EP	EDGE OF PAVEMENT	STR	STAKE
FD	FOUNDS	TS	TOP OF SLOPE
FL	FLOW LINE	TS	TOP OF WALL
FR	FRESH FLOOR	W	WATER
FW	FACE OF WALL	WM	WATER METER
HSE	HATCH	WV	WATER VALVE
IS	IRON PIPE		
GM	GAS METER		
HP	HIGH POINT		

② = 1.5xL TOP OF GRATE - 1.5' FLOW LINE



**SURVEYOR'S STATEMENT:**  
 THIS MAP REPRESENTS A FIELD SURVEY OF SURFACE FEATURES AND ELEVATIONS PERFORMED ON 2-3-2013.

*Michael B. Stanton*  
 MICHAEL B. STANTON, PLS 5702 DATE 2-8-2013

**SURVEYOR'S NOTES:**

- NO EASEMENTS ARE LISTED OTHER THAN THE ROAD EASEMENTS FOR POMEROY ROAD AND ROCKY PLACE PER 1/MB/33 IN PELICAN TITLE REPORTS FROM FIDELITY NATIONAL TITLE COMPANY, TITLE No. 12-401920-88 DATED JUNE 6, 2012 AND TITLE No. 12-40192171-098 DATED MAY 21, 2013.
- ONLY THE SURFACE EVIDENCE OF UNDERGROUND UTILITIES HAVE BEEN MEASURED BY THE FIELD ON THIS SURVEY. IF APPROXIMATE UNDERGROUND ALIGNMENTS ARE SHOWN, I MAKE NO WARRANTY AS TO THE ACTUAL LOCATION, TYPE OR DEPTH OF THOSE UNDERGROUND UTILITIES. CALL UNDERGROUND SERVICE ALERT (USA) AT 1-800-842-2444 TO VERIFY THE ACTUAL LOCATION OF UTILITIES PRIOR TO ANY EXCAVATION. THE SURVEYOR ALSO HAS MADE NO INVESTIGATION AS TO SUBSURFACE ENVIRONMENTAL CONDITIONS THAT WOULD AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY.
- IT WILL BE THE ADVERTISER'S RESPONSIBILITY TO VERIFY SETBACK AND HEIGHT RESTRICTIONS WITH THE LOCAL GOVERNING AGENCY.
- THE SIGNED AND SEALED ORIGINAL DRAWING OF THIS MAP CONSTITUTES THE FINAL WORK PRODUCT. MBS LAND SURVEYS WILL NOT BE LIABLE FOR ELECTRONIC VERSIONS OF THIS MAP PROVIDED TO OTHER PARTIES.
- THE BOUNDARY LINES SHOWN HEREIN WERE COMPILED FROM RECORD INFORMATION (I.E. RECORDS MAPS OR DEEDS) AND ARE NOT INTENDED TO REPRESENT THE TRUE OR ACTUAL BOUNDARY LINES OF THE SUBJECT PROPERTY. TO DETERMINE THE ACTUAL BOUNDARIES OF THE PARCEL, THE ADVERTISER SHOULD OBTAIN A COMPLETE BOUNDARY SURVEY. THE SETTING OF PROPERTY MONUMENTS AND THE PLACING OF A CORNER RECORD OR RECORD OF SURVEY IN CONFORMANCE WITH STATE LAW (S.L.S. ACT SEC. 8782), APPROXIMATE DIMENSIONAL DECS FROM THE BOUNDARY LINES SHOWN TO PHYSICAL FEATURES (E.G. BURNINGS, FENCES, WALLS OR TREES, ETC.) SHOWN ON THIS MAP CAN BE DERIVED BY SCALING THE FINISHED WORK PRODUCT WHICH IS PLOTTED AT THE SCALE INDICATED. HOWEVER, DIMENSIONAL DECS DERIVED DIRECTLY FROM THE DIGITAL PRODUCT (AUTOCAD DRAWING) ARE NOT ACCURATE AND CANNOT BE RELIED UPON FOR DETERMINING BUILDING SETBACKS OR THE PLACEMENT OF ANY PROPOSED NEW CONSTRUCTION. THE LOCATION OF NEW CONSTRUCTION CAN ONLY BE PROPERLY DETERMINED WHEN IT IS BASED ON AN ACTUAL BOUNDARY SURVEY OF THE PARCEL. OTHERWISE, MODIFICATIONS TO THE STRUCTURE MAY BE NECESSARY DURING CONSTRUCTION TO COMPLY WITH AGENCY SETBACK REQUIREMENTS.

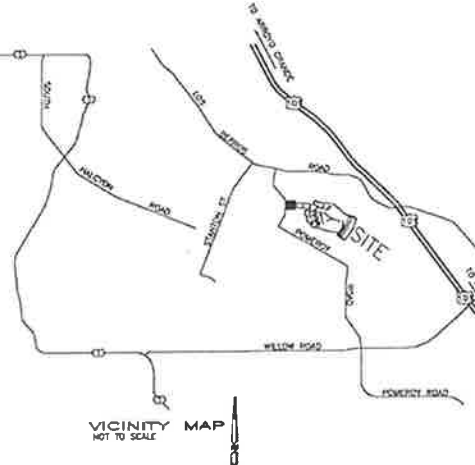
**BENCH MARK:**  
 NON CONTROL POINT  
 DESIGNATION - T 529  
 PD - 170448  
 BEING A BRASS DISC STAMPED "T 529 1856" SET IN TOP OF CONCRETE POST, ON NORTHEAST SIDE OF THOMPSON ROAD, 136.5 FEET SOUTHWEST OF THE SOUTHWEST END OF THE NORTHEAST ROAD WALL OF CONCRETE BOX CULVERT F-363-77 F-41.  
 ELEVATION = 380.50 NAVI HAYDORS

**BASIS OF BEARINGS**  
 THE BASIS OF BEARINGS FOR THIS SURVEY IS GEODETIC NORTH BASED ON A GPS OBSERVATION AT THE FOUND TIRON PIPE TAGGED "ICE MARK" AT THE NORTHWEST CORNER OF THE SUBJECT PROPERTY.

**SITE DATA:**  
 ADDRESS: 1850 ROCKY PLACE, MPO40  
 ADJACENT'S PARCEL NO. APN 061-073-021, 022

**TOPOGRAPHIC MAP**  
 LOT 50 AND LOT 51 OF THE PORTER PACIFIC EUCALYPTUS TRACT SUBDIVISION No. 1, AS SHOWN ON MAP FILED IN BOOK 1 AT PAGE 33, COUNTY OF SAN LUIS OBISPO, CALIFORNIA

AT THE REQUEST OF OADS ASSOCIATES, INC.  
 MARCH 2013 SCALE: 1"=80'  
 MICHAEL B. STANTON, PLS 5702  
 32103 SUELDIO ST., UNIT D  
 SAN LUIS OBISPO, CA 93401  
 805-394-1950  
 March 9, 2013 JOB #13-010



M:\13-010 1850 Rocky Place - Pelican\13-010-2013\Rocky Place.dwg, 2/4/13, Apr 05, 2013 2:24pm, MBS\mbs