

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: DECEMBER 7, 2007

AGENDA ITEM
E-6
DEC. 12, 2007

ADOPT SOLID WASTE EXEMPTION GUIDELINES

ITEM

Adopt solid waste fee exemptions guidelines [ADOPT RESOLUTION].

BACKGROUND

District Code Section 7.01.070 (A) enables the General Manager to grant exemptions from paying the mandatory solid waste fee where the strict application of the section are deemed unjust or inequitable (See attached excerpt). Since the adoption of this provision in 2005, various General Manager's have granted a total of 18 such exemptions and approximately 10 requests have been denied, however, the criteria for granting or denying exemptions has not been consistent. In the interim, our franchisee has created various programs for reducing charges where the house is vacant or being used as a second home.

Your Honorable Board set this hearing at your November 28, 2007 Meeting. At that meeting, Tom Martin indicated that state law requires transport of wet waste once per week. Attached is an excerpt from the California State Natural Resources Code detailing this requirement. Also attached is the text of draft policy revised to reflect this requirement and a draft resolution, which would adopt the policy. As previously stated, the policy is drafted such that property owners whose residence is either vacant or used as a secondary unit should interact directly with the franchisee, leaving the 7.01.070 process for situations that raise equity and justice issues.

RECOMMENDATION

Staff recommends that your Honorable Board review and edit the draft policy and then consider adopting the attached Resolution by roll call vote.

ATTACHMENTS

- Excerpt from District Code
- Excerpts from State Law
- Draft Exemption Policy Text (without Resolution)
- Draft Resolution

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\BOARD LETTER 2007\SOLID WASTE EXEMPTION POLICY2.DOC

NIPOMO COMMUNITY SERVICES DISTRICT
ORDINANCE 2005-104

AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
IMPLEMENTING MANDATORY SOLID WASTE COLLECTION, ADOPTING DISTRICT WIDE FEES FOR SOLID WASTE
SERVICE AND AMENDING CHAPTER 7.01 OF THE DISTRICT CODE TO
REQUIRE WASTEWHEELER SERVICE FOR GARBAGE, RECYCLING AND GREENWASTE COLLECTION

"Developed Properties" means real property within the District that is developed with a building or structure, that when used is capable of generating solid waste. Developed Properties include but are not limited to occupied residential property, multi-family property and commercial property.

"Property Owner" means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

"Waste Wheeler" means a covered plastic bin provided by Franchisee, varying in size and capacity equipped with wheels or casters. Such bins may be used for collection, storage and removal of solid waste.

Section 3.

District Code Section 7.01.070 (A), Appeals Process, is amended to read as follows:

- A. When any party, by reason of special circumstances, believes that the rules and regulations prescribed here are unjust or inequitable as applied to a particular person, place or business within the District boundaries, the applicant may make written application to the general manager stating the special circumstances, citing the provisions complained of and requesting suspension or modification of such provision or charges as applied to his or her place of business and/or premises. The general manager shall then forthwith consult with the collection service provider and cause an investigation of the conditions upon which the application is based. If after consultation with the collection service provider, the general manager finds that such provisions or charges are unjust or inequitable as applied to the applicant's place or premises within the specified area, the general manager may suspend or modify the provision or charge complained of as applied to such place or premises, so long as the modification does not materially affect the franchise agreement, to be effective as of a date specified and to continue during the period of the special circumstances so found.

Section 4.

District Code Section 7.04.030, Solid Waste Disposal Frequency, is amended to read as follows:

7.04.030 Solid Waste Disposal Frequency

- A. Except as provided in subsection B of this section, all solid waste created, produced or accumulated on Developed Properties shall be removed from the property on a weekly basis.
- B. All solid waste created, produced or accumulated at or about any restaurant, retail or wholesale market, food processing facility, hotel, motel or other business establishment where food is sold, prepared or served,

Bruce Buel

From: Tom Martin [TomM@WasteConnections.com]
Sent: Tuesday, December 04, 2007 8:50 AM
To: JON SEITZ (E-mail)
Cc: Bruce Buel
Subject: Section 17331. Frequency of Refuse Removal - 7 days

per your request

Regulations: Title 14, Natural Resources--Division 7, CIWMB

Chapter 3. Minimum Standards for Solid Waste Handling and Disposal

Article 5. Solid Waste Storage and Removal Standards

Section 17301. Applicability of Standards.

The standards in this Article shall apply to all facilities, equipment, or vehicles used for storage, removal, transport, and other handling of solid wastes.

Section 17302. Conformance with plan.

After the effective date of the county solid waste management plan required by Section 66780 of the Government Code, solid waste storage and removal shall be in conformance with said plan.

Section 17311. General.

The owner, operator and/or occupant of any premise, business establishment, industry, or other property, vacant or occupied, shall be responsible for the safe and sanitary storage of all solid waste accumulated on the property.

Section 17312. Storage.

(H) In all cases in which garbage and rubbish are combined, the standards for garbage shall prevail. The property owner or occupant shall store solid waste on his premises or property or shall require it to be stored or handled in such a manner so as not to promote the propagation, harborage, or attraction of vectors, or the creation of nuisances.

Section 17313. Design Requirements.

The design of any new, substantially remodeled or expanded building or other facility shall provide for proper storage or handling which will accommodate the solid waste loading anticipated and which will allow for efficient and safe waste removal or collection. The design shall demonstrate to local land use and building permit issuing authorities that it includes the required provisions.

Section 17314. Operator Responsibility.

Where the collection operator furnishes storage containers, he is responsible for maintaining the containers in good condition (ordinary wear and tear excepted) unless they are furnished under other

terms, conditions, or agreements. He shall plan with the property owner and/or occupant as to placement of storage containers to minimize traffic, Aesthetic and other problems both on the property and for the general public.

Section 17315. Garbage Containers.

Property owners and tenants shall deposit all garbage and putrescible matter or mixed garbage and rubbish in containers which are either non-absorbent, water-tight, vector-resistant, durable, easily cleanable, and designed for safe handling, or in paper or plastic bags having sufficient strength and water tightness and which are designed for the containment of refuse. Containers for garbage and rubbish should be of an adequate size and in sufficient numbers to contain without overflowing, all the refuse that a household or other establishment generates within the designated removal period. Containers when filled shall not exceed reasonable lifting weights for an average physically fit individual except where mechanical loading systems are used. Containers shall be maintained in a clean, sound condition free from putrescible residue.

Section 17316. Identification of Containers.

Containers of one cubic yard or more owned by the collection service operator shall be identified with the name and telephone number of the agent servicing the container.

Section 17317. Use of Container.

No person shall tamper with, modify, remove from, or deposit solid wastes in any container which has not been provided for his use, without the permission of the container owner.

Section 17331. Frequency of Refuse Removal.

(H) The owner or tenant of any premises, business establishment or industry shall be responsible for the satisfactory removal of all refuse accumulated by him on his property or his premises. To prevent propagation, harborage, or attraction of flies, rodents or other vectors and the creation of nuisances, refuse, except for inert materials, shall not be allowed to remain on the premises for more than seven days, except when:

(a) disruptions due to strikes occur, or

(b) severe weather conditions or "Acts of God" make collection impossible using normal collection equipment, or

(c) official holidays interrupt the normal seven day collection cycle in which case collection may be postponed until the next working day. Where it is deemed necessary by the local health officer because of the propagation of vectors and for the protection of public health, more frequent removal of refuse shall be required.


Section 17332. Regulation of Operators.

Each person providing residential, commercial, or industrial solid waste collection services shall comply with all local government licenses, permits, or written approval requirements applicable to the city or county in which such services are provided. Such written approval shall be contingent upon the operator's demonstrated capability to comply with these standards and use of equipment which is safe and sanitary. Each enforcement agency of solid waste collection shall maintain a complete listing of all persons holding written approvals to provide solid waste collection services within its jurisdiction. The listing shall contain the name, office, address, telephone number and emergency telephone number if different of each such person, the number and types of vehicles employed by such person in providing such solid waste collection services, and the types of materials authorized for handling.

Section 17333. Operator Qualifications.

When a city, county or special district authorizes or designates a person or firm to provide solid waste collection services within the territory under its jurisdiction through contract, franchise, permit, or license the local government shall obtain proof that such person or firm has adequate financial resources and experience to properly conduct the operation authorized. The facts needed to establish proof shall include but not be limited to the following:

- (a) The filing of a performance bond or equivalent security with the local government in a reasonable amount, together with
- (b) Evidence submitted to the local government and to the enforcement agency that the person or firm has experience sufficient to meet the needs of the situation within the jurisdiction.

[Go to Top](#) 

Section 17334. Ownership of Waste Materials.

Solid wastes subject to collection by a collection service operator shall become the property of the collection service operator subject to local ordinances or contract conditions after such time as the authorized collector takes possession of the wastes.

Section 17341. Equipment Construction.

(H) All equipment used for the collection and/or transportation of solid waste shall be durable, easily cleanable and designed for safe handling, and constructed to prevent loss of wastes from the equipment during collection or transportation. If such equipment is used to collect or transport garbage, other wet or liquid producing wastes, or wastes composed of fine particles, such equipment shall in all cases be non-absorbent and leak resistant. All equipment shall be maintained in good condition and cleaned in a frequency and in a manner so as to prevent the propagation or attraction of flies, rodents or other vectors and the creation of nuisances.

Section 17342. Equipment Safety.

(H) Vehicles and equipment used in the transport of garbage and rubbish shall be constructed and maintained in such a manner as to minimize the health and safety hazards to collection personnel and the public.

Section 17343. Equipment Parking.

A refuse collection service operator must designate an off-street location where all refuse collection vehicles will be parked when not in service, except in an emergency.

Section 17344. Identification of Operator.

Each vehicle used for the collection and transport of refuse shall be clearly marked with the name of the agency or firm operating the vehicle.

Section 17345. Inspection of Equipment.

(H) Equipment used for solid waste collection shall be made available for inspection as requested by the appropriate Enforcement Agency.

**NCS D POLICY REGARDING
PROCESSING OF SOLID WASTE APPEAL APPLICATIONS**

December 12, 2007

Subject to Board action directing otherwise, this policy shall apply to all Solid Waste Appeal Applications submitted pursuant to Section 7.01.070 (A) of the NCS D Code:

1. All applications based on vacancy of the service address will be processed directly with the solid waste franchisee.
2. All other applications shall be in writing, filed with the District General Manager, stating the name of the applicant, the service address, applicant's residence address if different than the service address, applicant's phone number and an explanation of the grounds or special circumstances for the appeal, (including the applicable NCS D Code Section).

All applications must be signed, including a verification of the facts therein stated.

3. General principals of consideration:
 - A. All applications based on exemptions from the mandatory provisions (other than vacancies) will require the applicant to include with the application the following:
 1. \$50 dollar application fee; and
 2. Proof that the applicant will haul and deposit solid waste generated at the service address to a recognized landfill every week (52 times per year). If the District approves the exemption, then receipts from the landfill shall be filed with the General Manager monthly, on or before the 10th day of the succeeding month.

- B. All applications based on the service address exceeding 2.5 gross acres shall include proof of the acreage area, to the satisfaction of the General Manager.
 - C. All approved exemptions shall be in writing and may include conditions. Failure to comply with conditions constitutes a revocation of the exemption and restoration of service, and all further applications for exemptions to the service address shall be suspended, for a one (1) year period.
 - D. Each service address is limited to one (1) application for exemption per twelve (12) month period.
4. Applicants may appeal the decision of the General Manager to the District Board of Directors, by written application filed with the General Manager within fifteen (15) days of the General Manager's written decision. The appeal will be heard within a reasonable period of time, not to exceed forty-five (45) days. Failure to comply with conditions of an exemption cannot be appealed to the Board of Directors.

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2007-xxxx**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ADOPTING GUIDELINES FOR PROCESSING SOLID WASTE FEE EXEMPTIONS**

WHEREAS, the Nipomo Community Services District (herein "District") in 2005 adopted Ordinance 2005-101, which establishes mandatory solid waste collection within the District (now codified as Section 7 of NCSD's Code); and

WHEREAS, Section 7.010.070 (A) of the NCSD Code enables the General Manager to consider appeals from property owners who consider the strict application of the code to their property to be unjust or inequitable; and

WHEREAS, the Board desires to establish guidelines for processing such requests that complies with the provisions of State Law; and

WHEREAS, based on the staff report, staff presentation and public comment at both the November 28, 2007 hearing and the December 12, 2007 hearing, the District finds that the policy established by this Resolution is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT ADOPTS THE ATTACHED POLICY AND DIRECTS STAFF TO IMPLEMENT IT.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 28th day of December, 2007.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

**NCS D POLICY REGARDING
PROCESSING OF SOLID WASTE APPEAL APPLICATIONS**

December 12, 2007

Subject to Board action directing otherwise, this policy shall apply to all Solid Waste Appeal Applications submitted pursuant to Section 7.01.070 (A) of the NCS D Code:

1. All applications based on vacancy of the service address will be processed directly with the solid waste franchisee.
2. All other applications shall be in writing, filed with the District General Manager, stating the name of the applicant, the service address, applicant's residence address if different than the service address, applicant's phone number and an explanation of the grounds or special circumstances for the appeal, (including the applicable NCS D Code Section).

All applications must be signed, including a verification of the facts therein stated.

3. General principals of consideration:
 - A. All applications based on exemptions from the mandatory provisions (other than vacancies) will require the applicant to include with the application the following:
 1. \$50 dollar application fee; and
 2. Proof that the applicant will haul and deposit solid waste generated at the service address to a recognized landfill every week (52 times per year). If the District approves the exemption, then receipts from the landfill shall be filed with the General Manager monthly, on or before the 10th day of the succeeding month.

- B. All applications based on the service address exceeding 2.5 gross acres shall include proof of the acreage area, to the satisfaction of the General Manager.
 - C. All approved exemptions shall be in writing and may include conditions. Failure to comply with conditions constitutes a revocation of the exemption and restoration of service, and all further applications for exemptions to the service address shall be suspended, for a one (1) year period.
 - D. Each service address is limited to one (1) application for exemption per twelve (12) month period.
4. Applicants may appeal the decision of the General Manager to the District Board of Directors, by written application filed with the General Manager within fifteen (15) days of the General Manager's written decision. The appeal will be heard within a reasonable period of time, not to exceed forty-five (45) days. Failure to comply with conditions of an exemption cannot be appealed to the Board of Directors.

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *B8D*
DATE: DECEMBER 7, 2007

**AGENDA ITEM
E-7
DEC. 12, 2007**

APPLICATION FOR SERVICE – APN 092-142-034 – 557 GRANDE

ITEM

Consider Moriarty water and sewer intent-to-serve letter application for 18-Unit Condominium Project at 557 Grande Avenue [RECOMMEND APPROVAL].

BACKGROUND

The applicant for this project, Kerry Moriarty, on November 16, 2007 requested an Intent-to-Serve letter for water and sewer service to an 18 Unit Condominium subdivision for his 1.14 acre property located at the South East corner of Grande and Avenida de Amigos. Attached is his application, a Site Map, a sheet from NCSD's water atlas illustrating water utilities and a sheet from NCSD's sewer atlas illustrating sewer utilities. Also attached is a printout illustrating the current status of the AY 2007-2008 water allocation for single family homes.

It should be noted that previous intent-to-serve and will serve letters have been issued to various applicants at this site for multi-family projects. This applicant is applying for a new Intent-To-Serve Letter for single family condominium units. The earlier approvals occurred before the District implemented its allocation program.

The calculation of the projected water demand are determined by the allocation policy. According to Section 3.05.030(A) in page 2 of the Allocation Policy, the projected "total demand, including landscaping" shall be established as .29 AFY per single family dwelling unit located on a parcel size of 4,500 square feet or less. Thus, this project would consume 5.22 acre feet of water (18 times .29). As set forth in the attached Water Allocation Accounting Summary, the District has approved 5.1 acre feet in other single family dwelling projects in Allocation Year 2007-08, leaving 16.76 AF available this allocation year. The Allocation Ordinance, however, prohibits any one project from using more than 20% of the available allotment for its use type. For this AY, the maximum number of single family dwelling units permitted is 15, thus the project must be phased with 15 units permitted in AY07-08 and 3 units permitted in AY08-09.

RECOMMENDATION

Staff recommends your Honorable Board direct staff to allocate water to the project in accordance the District's water allocation policy (15 units in AY07-08 and 3 units in AY08-09) and authorize issuance of the Intent-to-Serve (ITS) letter for the project with the following conditions:

- Applicant shall install separate water and sewer plumbing for each residential unit.
- A Will-Serve letter for the project will be issued after development plans are approved and signed by General Manager.
- 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 meters to serve the affected property from which the amount of the Deposit shall be deducted.
- The District will set water meters upon proof of a building permit from the County of San Luis Obispo and that the District has accepted improvements to be dedicated to the District, if applicable.

Dec. 12, 2007

- Intent-to-Serve letters shall automatically terminate in Two (2) years. However, applicant shall be entitled to a one-year extension upon proof of reasonable due diligence in processing the project.
- 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.
- SPECIAL CONDITION – Applicant shall supply District with As-Built Drawings for portions of Grande and Avenida de Amigos promised by Pruitt to NCSD as a condition of building this project PRIOR to issuance of a Will Serve Letter.

Should your Honorable Board not wish to approve this intent to serve letter, this matter should be continued and policy direction provided to staff regarding the policy changes that the Board wishes to consider before it considers this application.

ATTACHMENT

- Current Application
- Reference Materials
- Water Allocation Accounting Summary

T:\BOARD LETTER 2006\SERVICE REQUEST APN 092-142-034.DOC



NIPOMO COMMUNITY SERVICES DISTRICT

148 SOUTH WILSON STREET
POST OFFICE BOX 328 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1832 email hbuel@ncsd.ca.gov
Website: ncsd.ca.gov

Office use only:
Date and Time
Complete
Application and
fees received:

INTENT-TO-SERVE APPLICATION

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: SUB2006-00205
- 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: 557 Grande Avenue
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-142-03A
- Owner Name: Kerry Moriarty
- Mailing Address: 140 Hot Springs Road, Santa Barbara CA 93108
- Email: KSMoriarty@aol.com
- Phone: 565 7977 FAX: 565 8770

- Agent's Information (Architect or Engineer):
Name: Parkert Group Architects, LLP - Lisa Plowman
Address: 1012. Figueroa St. Santa Barbara CA 93101
Email: lisa@parkertgroup.com
Phone: 963 8283 FAX: 963 8184

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)

- Number of Dwelling Units 10 Number of Low Income units _____
- Does this project require a sub-division? Yes No
If yes, number of new lots created _____

14. 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.

**NIPOMO COMMUNITY SERVICES DISTRICT
Intent to Serve Application**

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.

16. Commercial Projects Service Demand Estimates:


Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.
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

Date 11/15/07 Signed 
(Must be signed by owner or owner's agent)

Print Name Lisa Plowman

**NIPOMO COMMUNITY SERVICES DISTRICT
Intent to Serve Application**

Demand Calculation (for new dwelling units only)

Total project water demand (dwelling units including irrigation), by District standard, is as follows:

Number of Multi-family Units	-	X	0.33	=	_____
Number of Duplexes/Secondary Units	-	X	0.24	=	_____
Number of Single Family Units with:					
Parcel less than 4,500 sq. ft.	<u>10</u>	X	0.29	=	<u>5.22</u>
Parcel between 4,500 and 10,000 sq. ft.	_____	X	0.39	=	_____
Parcel greater than 10,000 sq. ft.	_____	X	0.69	=	_____
Total demand all dwelling units including irrigation				=	<u>5.22</u>

Certification

I the undersigned do here by certify:

Project design incorporates low water use landscape and landscape irrigation systems.

The design maximum total water demand, including landscaping does not exceed the following:

- 0.33 AFY per Multi-Family Dwelling Unit;
- 0.24 AFY per Dwelling Unit for duplexes and Secondary Dwellings;
- 0.29 AFY per Single Family Dwelling Unit located on a parcel size of four thousand five hundred (4,500) square feet or less;
- 0.39 AFY per Single Family Dwelling Unit located on a parcel size between four thousand five hundred (4,500) and ten thousand (10,000) square feet.
- 0.69 AFY per Single Family Dwelling Unit located on a parcel size that exceeds ten thousand (10,000) square feet.
- 0.69 AFY for the entire parcel when a secondary home is being added.

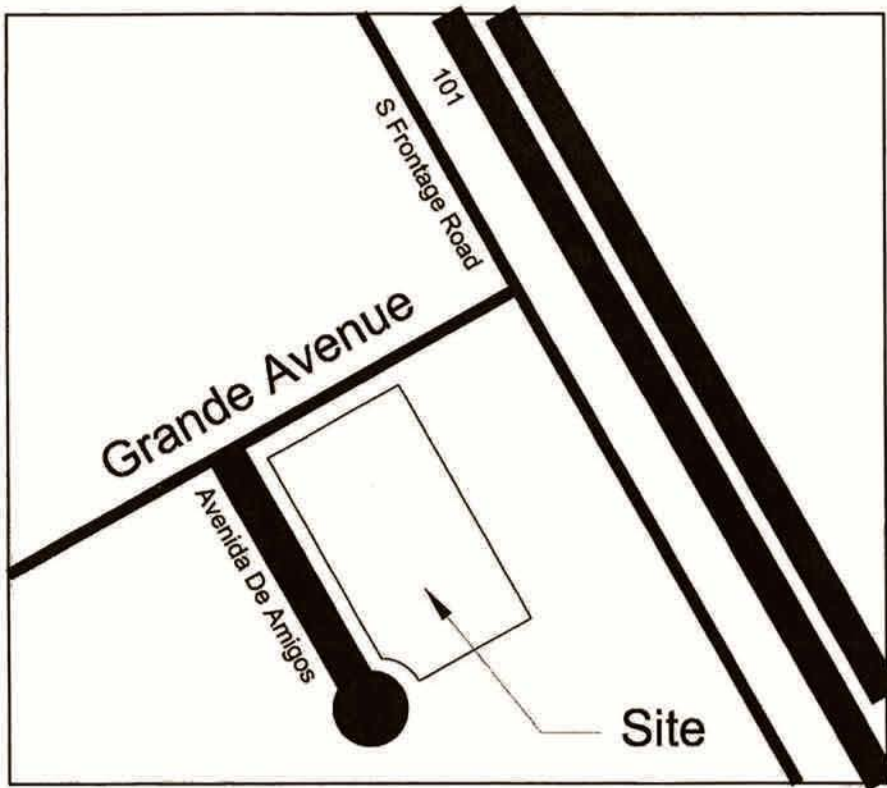
Note: *AFY* = acre-foot per year
Parcel size is net area

Signed *Sara Hopkins* Date 11.16.2007
Must be signed by project engineer/architect

Title ARCHITECT License Number 29093

Project 092-142-034 (e.g. Tract Number, Parcel Map #, APN)

VICINITY MAP



Scale: N.T.S.

OWN

KSM

140 Hot

Santa Ba

(P) 565.7

(F) 565.8

Contact:

Vista Grande Villa

557 Grande Avenue at Avenida
Nipomo, CA

PROJECT DESCRIPTION

Project Address: 557 Grande Avenue
Nipomo, California

Applicant: Kerry Moriarty

Architect: Peikert Group Architects
10 East Figueroa St., Suite 1
Santa Barbara, CA 93101
P: 805.963.8283
F: 805.963.8184

APN: 092-142-034

Legal Description: Parcel 2 of PM CO-76-206 (23-PM-24), County of San Luis Obispo
Area: 1.14 acre, 49,658 (SF)

Land Use Zone: Residential Multifamily

Existing Use: Vacant

Project Description: Previously approved 20 unit apartment complex (Mesa Vista Town homes, C-2004-00179). Parcel has changed owner; new owner plans to modify the project to an 18 unit condominium project.

Slope:

Preliminary Earthwork Estimate: Cut: 0, Fill: 2200 CY, Import: 2200 CY

Height of Proposed Construction: 32 ft. maximum (35 ft. allowed)

PROJECT DATA

Lot Coverage:	(Gross)	%
Buildings:	16,704 SF	33.6%
Driveway/Parking:	11,605 SF	23.4%
<u>Open Area:</u>	<u>21,472 SF</u>	<u>43.2% (45% Req.)</u>
Total Lot:	49,781 SF	100%

Residential Density: 20 unit/acre = 22.8 units allowable per 1.14 acre
48% max. floor area (23,853 SF allowed)

Proposed Dwellings (SF):

Building Area Gross (Excluding Garage)

- (4) 3-BR Type A Units V1 @ 1,551 SF = 6,204 SF (w/ Elec. Att.)
- (4) 3-BR Type A Units V2 @ 1,536 SF = 6,144 SF
- (3) 3-BR Type B Units V1 @ 1,564 SF = 4,692 SF
- (3) 3-BR Type B Units V2 @ 1,635 SF = 4,905 SF
- (1) 3-BR Type B Units V3 @ 1,582 SF = 1,582 SF (w/ Elec. Att.)
- (1) 2-BR Type C Units V1 @ 1,364 SF = 1,364 SF (w/ Elec. Att.)
- (2) 2-BR Type C Units V2 @ 1,348 SF = 2,696 SF
- (18) Total Proposed Units = 27,587 SF
(= 55.4%, exceeds allowed 48%)

Open Space:

Private Patios:

Required: Ground Level: min. 15' x 15'
Upper Level: min. 6' x 15'

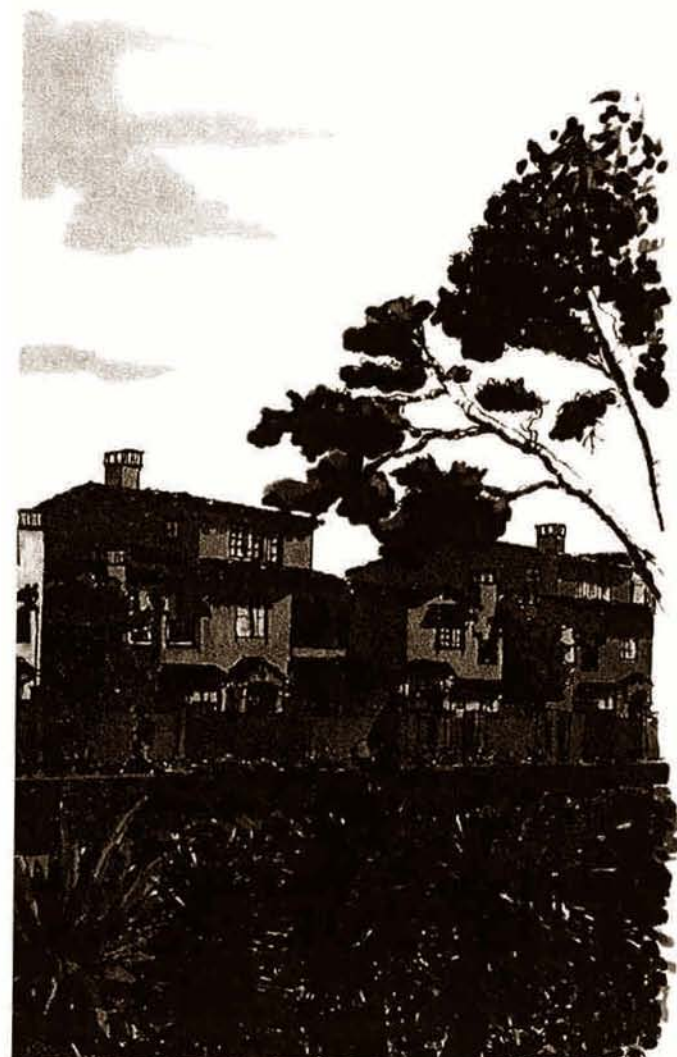
Proposed: Ground Level: min. 15' x 15'
Upper Level: min. 6' x 15'

Common Outdoor Areas:

Min: Required: 250 SF for every 4 units (18 units) = 1,125 SF
Proposed: 1,523 SF

Required Parking: 18 Total proposed Units
2 spaces x 15 3BR = 30
1.5 spaces x 3 2BR = 5
1 guest space per 4 units = 5
1 guest space for project = 1
Total Proposed Parking Spaces = 41

Proposed Parking: (36) Private garage spaces
(6) Guest spaces including (1) van-accessible
(42) Total proposed parking spaces



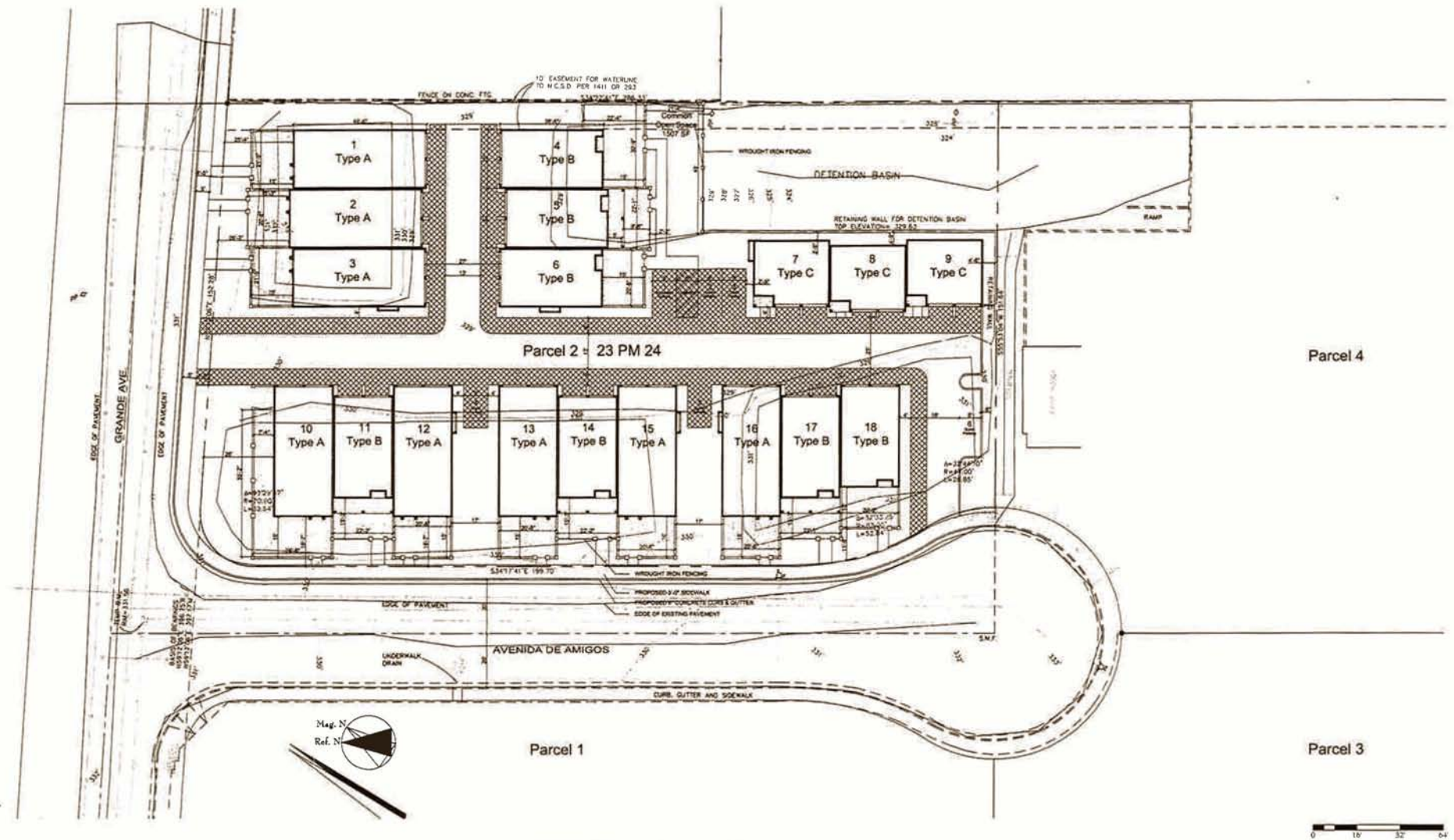
INDEX

- COVER SHEET
- GENERAL PLAN
- RESIDENTIAL UNIT PLANS
- RESIDENTIAL UNIT PLANS
- RESIDENTIAL UNIT PLANS
- RESIDENTIAL UNIT PLANS
- EXTERIOR PATIOS
- EXTERIOR PATIOS
- LANDSCAPE PLAN
- EXTERIOR SHEETS 1-3

PGA Peikert Group Architects, LLP
10 East Figueroa St. Santa Barbara, CA 93101
Phone 805 963 8283 Fax 805 963 8283
www.peikertgroup.com

03/08/07

1



Nipomo Grande
 557 Grande Avenue at Avenida de Amigos
 Nipomo, CA

SITE PLAN

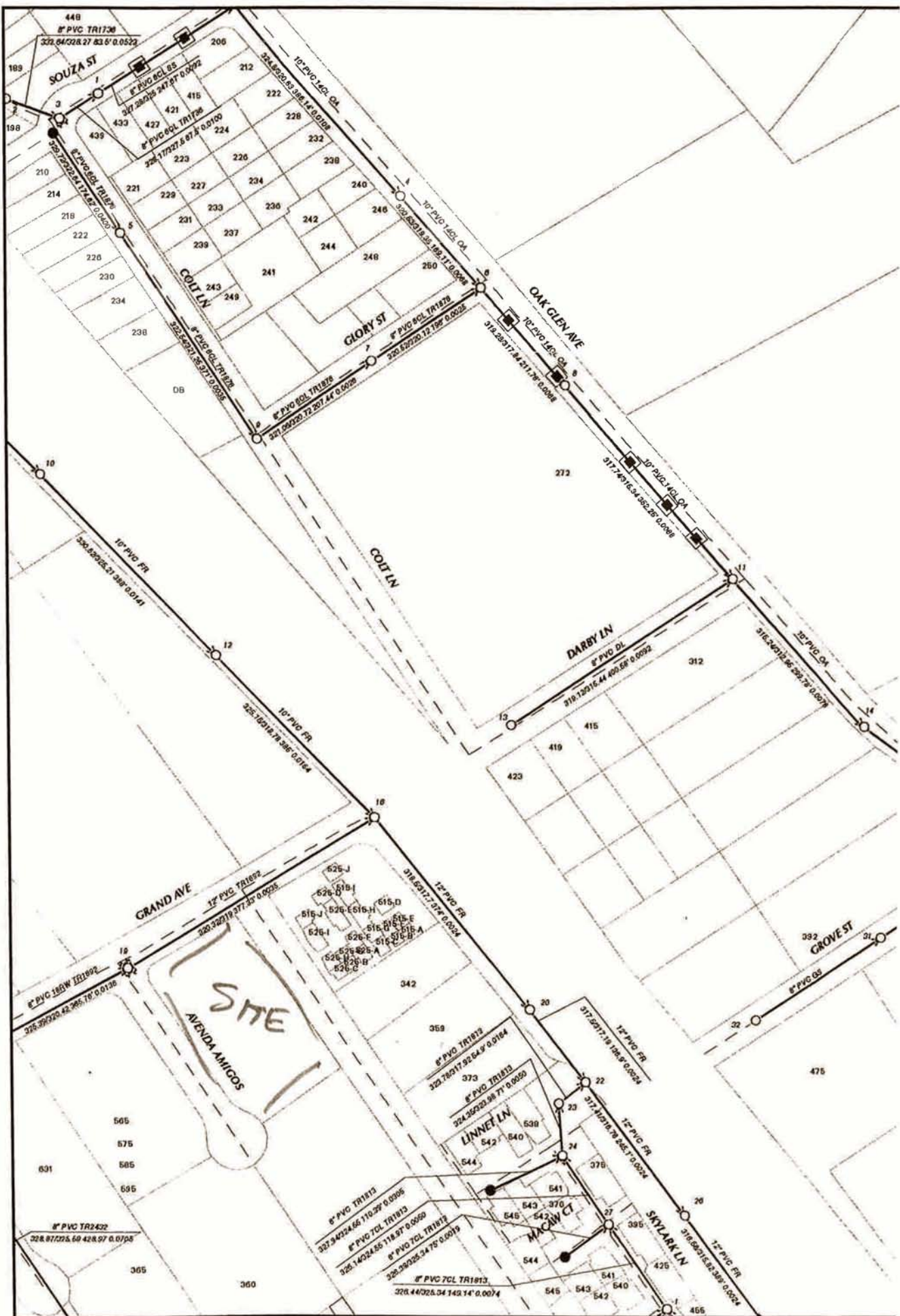
Scale: 1/16" = 1'-0"

PGA Peikert Group
 Architects, LLP
 10 East Figueroa St. Santa Barbara, CA 93101
 Phone 805 963 8283 Fax 805 963 8263
 www.peikertgroup.com

03/08/07

2

2014

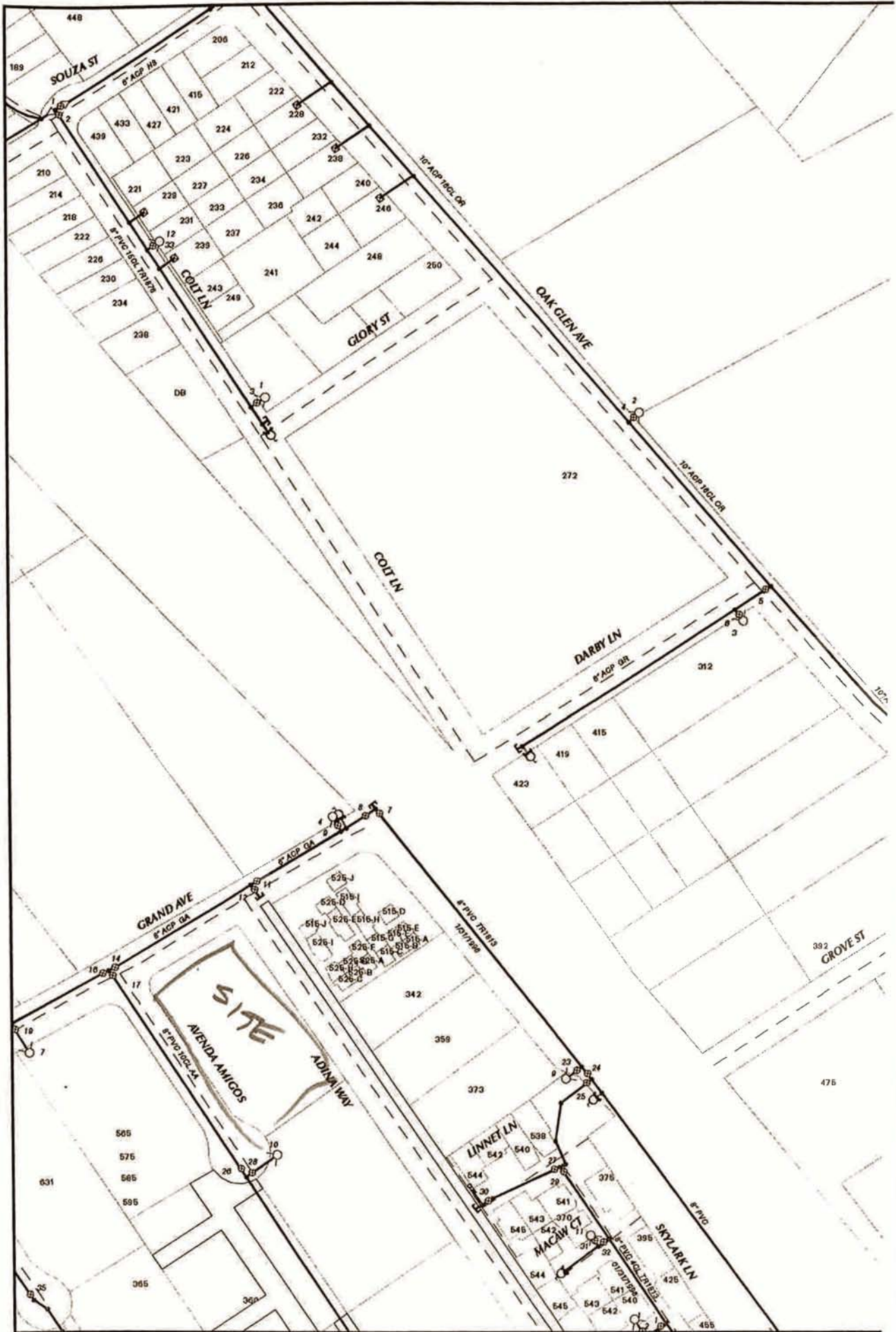


2015

SCALE: 1" = 200'
Copy of document found at www.NoNewWipTax.com
NOT FOR CONSTRUCTION USE



2014



2015

SCALE: 1" = 200'

Copy of document found at www.NoNewWpTax.com

NOT FOR CONSTRUCTION USE



Nipomo Community Services District
Water Allocation Accounting Summary

WATER YEAR 2007-2008												
Project	Dwelling units per category				Water allotment (acre-feet)				Total	Tally	Notes:	
	SFR > 10	SFR 4.5 - 1	SFR < SEC	MF	Low I	SFR/DUP	SEC	MF				Low I
						21.9	5	12	3.3		34.3	Low I (low income) pulls from
APN 092-083-009/010 - PHASED (year 4 of 4)				11		0.0	0.0	(2.0)	0.0	(2.0)	32.3	Board approved 5/25/05
APN 092-130-043, GRANDE-PHASE (year 3 of 3)				10		0.0	0.0	(1.8)	0.0	(1.8)	30.5	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 3/4				11	4	0.0	0.0	(2.0)	(0.7)	(2.7)	27.8	BOD Approved 5/10/06
Tract 2441, Blume&Grande, Phased 2/2			17			(5.5)	0.0	0.0	0.0	(5.5)	22.3	BOD Approved 10/25/06
Tract 2906, Allshouse, 1 Ave De Amigos				11		0.0	0.0	(2.0)	0.0	(2.0)	20.3	BOD Approved 2/28/07
APN 092-130-014 Euc Gardens, Phased 2/6				11	4	0.0	0.0	(2.0)	(0.1)	(2.1)	18.3	BOD Approved 5/25/07
Tract 2689; 691 W. Tefft; Flatley				11		0.0	0.0	(2.0)	0.0	(2.0)	16.3	BOD Approved 9/14/07
APN 092-142-034; 557 Grande; Moriarty			15			(4.4)	0.0	0.0	0.0	(4.4)	12.0	
						0.0	0.0	0.0	0.0	0.0	12.0	
Totals	0	0	32	0	65	8	(9.9)	0.0	(11.7)	(0.8)	(22.3)	
Abbreviations defined:												
SFR = single family residence												
SEC = secondary dwelling (a.k.a. Granny Unit)												
DUP = Duplex												
MF = multi-family development (e.g. multiple dwelling units sharing a common roof)												
Low I = Low income housing in accordance with County housing definition.												
Phasing Limit Check (Max 50% of annual allocation or 25.5 AF)												
Phased allocation = 6.5												

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: DECEMBER 7, 2007

**AGENDA ITEM
E-8
DECEMBER 12, 2007**

ELECTION OF OFFICERS

ITEM

Election of Board President and Vice President for 2008

BACKGROUND

Section 1.4 of the Board By-Laws requires the Board of Directors elect a President and a Vice President for the upcoming year at the last regular meeting of the calendar year. The term of office for the President and Vice President shall commence on January 1, 2008 and end on December 31, 2008.

RECOMMENDATION

Staff recommends that the General Manager administer the election of officers of the Board of Directors.

The following is the recommended procedure:

- Nominations taken for the President of the Board
- Public Comment is taken
- Voice vote taken for the President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (ballots become part of the public record)
- Nominations taken for the Vice President of the Board
- Public Comment is taken
- Voice vote taken for the Vice President, if by acclamation
- If there are two or more candidates, Staff will distribute ballots
- Staff will announce the results of the ballots (Ballots become part of the public record)

ATTACHMENTS

None