

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JULY 3, 2008

**AGENDA ITEM
E-1
JULY 9, 2008**

SERVICE REQUEST – TRACT 2734

ITEM

Consider request for water service (Intent-to-Serve Letter) for a 6-lot subdivision of a 6.9 acre parcel on Pomeroy Road and Hunter Ridge Lane, pursuant to District's water allocation ordinance.

BACKGROUND

The District received an application for water service to Tract 2734, APN 091-292-001, on June 12, 2008. The Applicants, Richard and Carolyn DeBlauw, are requesting water service for a six-parcel subdivision. The existing 6.9 acre parcel is currently zoned Residential Suburban and has no District service. All parcels, existing and planned, will be required to obtain water and solid waste service in compliance with current District standards for residential single-family development. The existing agricultural well on the property shall not be utilized to provide domestic water service to any parcel within the project. A Water Demand Certification is included with application.

This application is subject to the District's annual water-year allocation limits (34.3 acre-feet). Water allocation for the project is 4.14 acre-feet per year (6 x .69). Individual lot sizes will be ±1 acre.

It should be noted that a previous intent-to-serve letter was issued to Mr. and Mrs. DeBlauw on May 13, 2005. While the project has been processed through the plan approval stage, the earlier ITS approval has expired. In addition, the applicant was granted a variance to the District's looping requirement on January 24, 2007 subject to several conditions.

RECOMMENDATION

Staff recommends your Honorable Board direct staff to issue an Intent-to-Serve letter for the project with the following conditions:

- This project shall obtain solid waste and water service for all units, existing and planned.
- Each new parcel shall receive a single one-inch water meter.
- The existing agricultural well shall not be utilized to provide domestic water service to any parcel within the project.
- 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.
- Easements required for water improvements that will be dedicated to the District shall be offered to the District prior to final improvement plan approval.
- A Will-Serve letter for the project will be issued after improvement plans are approved and signed by General Manager.
- 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.

July 9, 2008

- 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 and sewer improvements
 - Offer of Dedication
 - Engineer's Certification
 - A summary of all water and sewer improvement costs
- The District will set water meter(s) upon proof of a building permit from the County of San Luis Obispo and provided that the District has accepted improvements to be dedicated to the District, if applicable.
- This letter is void if land use is other than single family residential.
- 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
 - 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.

ATTACHMENTS

Application
Proposed Vesting Tentative Tract Map



NIPOMO COMMUNITY SERVICES DISTRICT

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



INTENT-TO-SERVE APPLICATION

4-12-08

- This is an application for: _____ Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: TRACT # 2734
- 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: POMEROY RD & HUNTER RIDGE RD.
- Assessor's Parcel Number (APN) of lot(s) to be served: 091-292-001
- Owner Name: CAROLYN & RICHARD DEBLAUW.
- Mailing Address: 411 EL CAMINO REAL A.G. CA, 93420
- Email: DEBLAUW CON @ SBC GLOBAL .NET
- Phone: 489-7448 FAX: 489-1270

- Agent's Information (Architect or Engineer):

Name: DAVIS ENGINEERING
 Address: 5815 TRAFFIC WAY ATASCADERO CA.
 Email: MARK@DAVISCIVILENG.COM
 Phone: 423-1191 FA X: _____

- 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 6 Number of Low Income units 0

- Does this project require a sub-division? Yes No
If yes, number of new lots created _____

- 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.

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 6-12-08 Signed Richard DeBlauw
(Must be signed by owner or owner's agent)
Print Name RICHARD DE BLAUW

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.	_____	X	0.29	=	_____
Parcel between 4,500 and 10,000 sq. ft.	_____	X	0.39	=	_____
Parcel greater than 10,000 sq. ft.	<u>10</u>	X	0.69	=	<u>4.14</u>
Total demand all dwelling units including irrigation				=	_____

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  Date 7/2/08
 Must be signed by Project engineer/architect DIANE P. DEBLAUW
 Title R.C.E. License Number 48215
 Project TRACT # 2734 (e.g. Tract Number, Parcel Map #, APN)

**TRACT # 2734
PROPOSED VESTING
TENTATIVE TRACT MAP**

OWNER: RICHARD DEBLAUW

LEGAL DESCRIPTION: LEGAL DESCRIPTION: LOTS 51 AND 52 IN DIVISION B OF POMEROY'S RESUBDIVISION OF PART OF LOS BERROS TRACT, IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED IN BOOK A, PAGE 109 OF MAPS

APN: 091-292-001

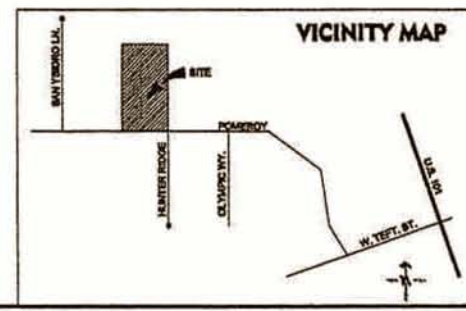
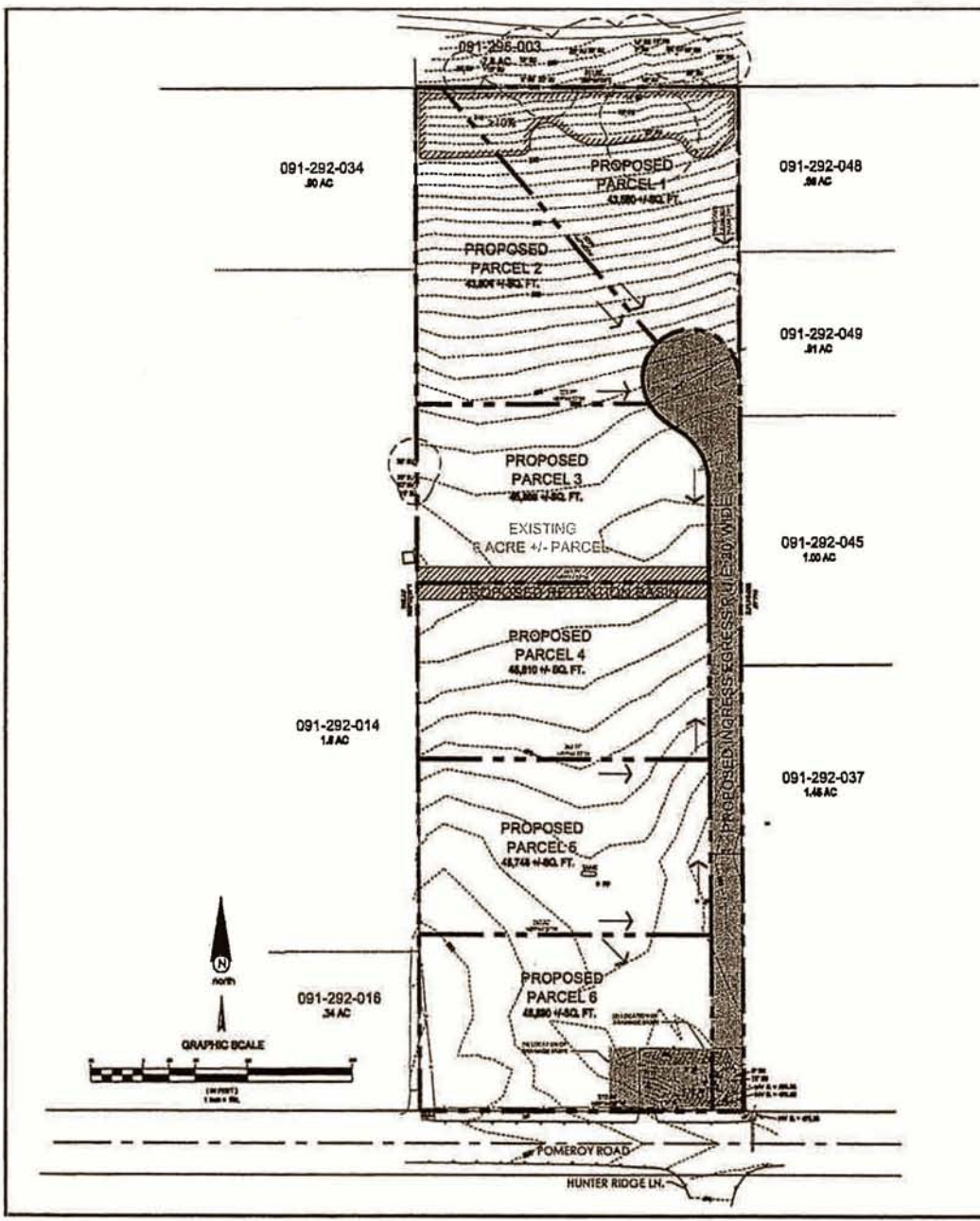
AGENTS NAME: STEVE BABCOCK
SB PLANNING
1425 14TH STREET
LOS OSOS, CALIFORNIA 93402
805-528-5014

DEVELOPERS NAME: DEBLAUW BUILDERS INC.
411 EL CAMINO REAL
ARROYO GRANDE, CALIFORNIA 93420
805-489-7448

SURVEYOR: GEO WEST
CONTACT: BARAK MILES
7250 CRISTOBAL AVE.
ATASCADERO, CA 93422
TEL: (805) 305 0438

ARCHEOLOGIST: HERITAGE DISCOVERIES INC.
CONTACT: THOR CONWAY
793 EAST FOOTHILL BLVD.
SUITE A, PMB 108
SAN LUIS OBISPO, CA. 93405-1699
TEL: (805) 545-0724

NOTES: 1.) BOUNDARY SURVEYED BY GEO WEST
2.) TOPO SURVEYED BY GEO WEST
3.) TOTAL SITE ACREAGE IS 8.9+/- ACRES



STATE BOARD AT ARROYO GRANDE, CA 93420 TEL: (805) 489-7448	
TRACT 2734	
HUNTER, CA	
RICHARD DEBLAUW 411 EL CAMINO REAL ARROYO GRANDE, CA 93420	
DATE: FEBRUARY 10, 2009	APPROVED:
SCALE: 1" = 200'	
PROJECT:	
PREPARED BY:	
DATE:	
TENTATIVE TRACT MAP	S-1

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: JULY 3, 2008



BLACKLAKE PROPOSITION 218 PROTEST PROCEEDING

ITEM

Discuss mechanics of Proposition 218 protest proceeding re Blacklake and Town Water Fund merger [PROVIDE POLICY GUIDANCE].

BACKGROUND

Your Honorable Board, on June 25, 2008, directed staff to consult with Bob Reed to provide feedback on the impact on future combined system rates if the Blacklake merger were to proceed with various buy-in contributions (\$1,672; \$928; and \$756 per equivalent 1" meter). Mr. Reed is expected to provide this feedback by the Board meeting and staff will forward it to the Board as soon as it is available.

RECOMMENDATION

Staff recommends that your Honorable Board discuss the mechanics of the Proposition 218 Protest Proceeding.

ATTACHMENTS

- None

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