

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: SEPTEMBER 4, 2008

AGENDA ITEM
E-3
SEPTEMBER 10, 2008

SERVICE REQUEST – TRACT 2979

ITEM

Consider request for water and sewer service (Intent-to-Serve Letter) for an 8-lot subdivision of a .9 acre parcel on Butterfly Lane, pursuant to District's water allocation ordinance [APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water and sewer service to Tract 2979, APN 092-149-005, on April 8, 2008 and the application fee on July 10, 2008. The Applicants, Roger and Kathy Silva, are requesting water and sewer service for an eight-parcel subdivision. The existing .9 acre parcel is currently zoned Residential Multi-Family and has District water, sewer and solid waste service for the one existing residential unit. All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing agricultural well(s) 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 3.0 acre-feet per year (7 x .43). Individual lot sizes will be less than 4500 square feet. Attached is the current Water Allocation Accounting Summary for Water Year 2007-2008.

It should be noted that a previous intent-to-serve letter was issued to Mr. and Mrs. Silva on November 22, 2002 and has expired.

RECOMMENDATION

Staff requests your Honorable Board provide staff with direction to approve, deny or continue the application.

If the Board desires to approve the project, then staff should be directed to issue an Intent-to-Serve letter for the project with the following conditions:

- This project shall obtain solid waste, sewer and water service for all units, existing and planned.
- Each new parcel shall receive a single one-inch water meter.
- Any existing agricultural well(s) 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.

- Any easements required for water and sewer 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.
- 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
Water Year 2007-2008 Allocation Summary



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

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

RECEIVED

APR 08 2008

NIPOMO COMMUNITY SERVICES DISTRICT

INTENT-TO-SERVE APPLICATION

- This is an application for: X Sewer and Water Service _____ Water Service Only
- SLO County Planning Department/Tract or Development No.: Tract 2508 / 5020143T
- 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: 350 Butterfly lane, Nipomo CA 93444
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-149-005
- Owner Name: Podler and Katay Silva
- Mailing Address: 350 Butterfly lane
- Email: rsilva@concentric.net
- Phone: 805-929-1017 FAX: NA Cell 805-441-4144
- Agent's Information (Architect or Engineer):
Name: Craig R. Smith AIA Architect + Associates
Address: 890 Monterey St. Suite A
Email: kevinb@craigsmithaia.com
Phone: 805-544-3380 x204 FAX: 805-544-8625
- 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 7 new Number of Low Income units 0
- Does this project require a sub-division? Yes No
If yes, number of new lots created 7 new lots w/ Residences

- 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.

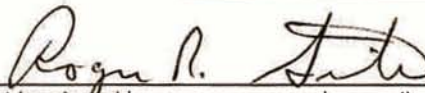
Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

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 9/8/2008 Signed 
(Must be signed by owner or owner's agent)
Print Name ROBERT R. SILVA

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best-management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

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> 7 </u>	X	0.29	=	<u> 2.03 </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> 2.03 </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

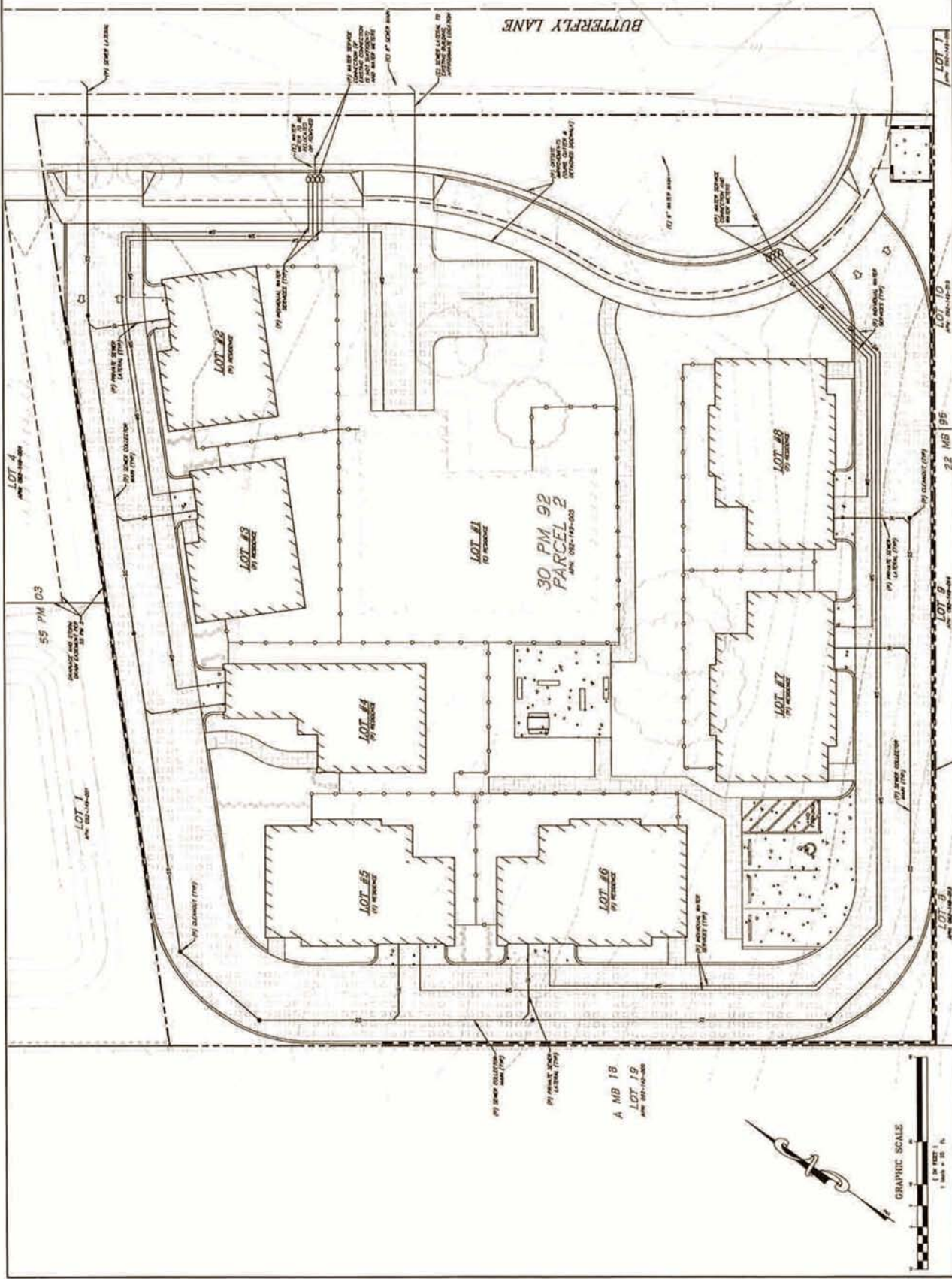
Signed  Date 3/31/08
Must be signed by project engineer/architect

Title Principal Architect License Number C13651

Project APN 092-149-005 (e.g. Tract Number, Parcel Map #, APN)

JOHN DE SOTO
 LAND SURVEYOR
 1000 W. SANTA ANA ST., SUITE 200
 SAN LUIS OBISPO, CA 95060
 (805) 461-1111
 www.johndesoto.com

DATE	04/07/08
BY	AS SHOWN
PROJECT	07/R/P
TRACT	11.00463
SECTION	11.00463
SHEET	1



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	3.4	6.9	2.1		34.3	Low I (low income) pulls from SFR/DUP and MF, proportional to their allotment.
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 5/25/5
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)	27.8	BOD Approved 5/10/06
Tract 2441, Blume&Grande, Phased 2/2			17			(5.1)	0.0	0.0	0.0	(5.1)	22.7	BOD Approved 10/25/06
Tract 2906, Allshouse, 1 Ave De Amigos					11	0.0	0.0	(2.0)	0.0	(2.0)	20.7	BOD Approved 2/28/07
APN 092-130-014 Euc Gardens, Phased 2/8					0	0	0.0	0.0	0.0	0.0	20.7	Project Terminated
Tract 2689, 691 W. Tefft, Flatley					11	0.0	0.0	(2.0)	0.0	(2.0)	18.7	BOD Approved 9/14/07
APN 092-142-034; 557 Grande; Moriarty			15			(4.4)	0.0	0.0	0.0	(4.4)	14.3	BOD Approved 12/12/07
335 North Thompson; Knox		2				(0.9)	0.0	0.0	0.0	(0.9)	13.4	GM Approved 10/3/07
561 Camino Caballo; Guterrez				1		0.0	(0.2)	0.0	0.0	(0.2)	13.2	GM Approved 10/15/07
375 Red Oak Way				1		0.0	(0.2)	0.0	0.0	(0.2)	13.0	GM Approved 10/25/07
131 E Vintage Street				1		0.0	(0.2)	0.0	0.0	(0.2)	12.8	GM Approved 12/7/07
781 W. Tefft Street; Kengel		2				(2.0)	0.0	0.0	0.0	(2.0)	10.8	GM Approved 12/11/07
782 Pomeroy; Bruce Davis				1		0.0	(0.2)	0.0	0.0	(0.2)	10.6	GM Approved 12/18/07
1235 Futura Lane		1				(0.6)	0.0	0.0	0.0	(0.6)	10.0	GM Approved 1/8/08
Tract 2734; DeBlauw, Phase 1/2		4				(4.1)	0.0	0.0	0.0	(4.1)	5.9	Board approved 7/9/08
Tract 2979; Butterfly Lane; Silva			7			(3.0)	0.0	0.0	0.0	(3.0)	2.9	PENDING BOARD APPROVAL
CO 06-0225; Blume at Flint; Kengle; Phase 1/10				2				(1.0)		(1.0)	1.9	PENDING BOARD APPROVAL
Tract 2855; Juniper; Mid-State Properties		3				(1.7)				(1.7)	0.2	PENDING BOARD APPROVAL
Totals	6	6	39	4	56	4	(21.8)	(0.8)	(10.8)	(0.7)	(34.1)	
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 17.15 AF)												
Phased allocation = 11.6												

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: SEPTEMBER 4, 2008

AGENDA ITEM
E-4
SEPTEMBER 10, 2008

SERVICE REQUEST – CO 06-0225

ITEM

Consider request for water and sewer service (Intent-to-Serve Letter) for a 20 unit multi-family development on Blume Street at Flint Street, pursuant to District's water allocation ordinance [APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water and sewer service to CO 06-0225, APN 092-130-012 on August 5, 2008. The Applicant, Mesa Dunes Investments, Inc. is requesting water and sewer service for a 20 unit multi-family development. The existing 2 acre parcel is currently zoned Residential Multi-Family and does not have District water or sewer service. All units, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing agricultural well(s) on the property shall not be utilized to provide domestic water service to any part of 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 10 acre-feet per year (20 x .5). Attached is the current Water Allocation Accounting Summary for Water Year 2007-2008.

Both the phasing and the calculation of the projected water demand are determined by the allocation ordinance. According to Section 3.05.06 of the allocation ordinance, the projected total demand shall be established as 0.50 AFY per multiple family dwelling. According to Section 3.05.040.A.2, a total of 6.86 AFY is reserved for multiple family dwelling units in any one allocation year. According to Section 3.05.110.A, the District will not allocate more than twenty percent (20%) of the use type allocation to any one project during any one allocation year. Thus, the allocation policy would project the total demand for 20 units at 10 AFY (20 times 0.5) and require that no more than 1.37 AFY (0.2 times 6.86) be allocated in the multi-family classification to any one allocation year. Thus, the water allocation needs to be phased over a ten year period at the rate of 1 AFY.

As set forth in the attached Water Allocation Accounting Summary, the District has previously approved 9.8 AF for other multiple family dwelling projects in Allocation Year 2007-08, leaving 0 AF available this allocation year. In accordance 3.05.040.B, the Board may reallocate unused allotments between categories. Water allocation is available in the Secondary Unit category.

RECOMMENDATION

Staff requests your Honorable Board provide staff with direction to approve, deny or continue the application.

If the Board desires to approve the project, then staff should be directed to issue an Intent-to-Serve letter for the project with the following conditions:

- This project shall obtain solid waste, sewer and water service for all units, existing and planned.

- Will-Serve letters for the project will be issued in "phases" as follows:
 - No more than 2 units (1 acre-feet) prior to September 30, 2008;
 - No more than 4 units (2 acre-feet), cumulative, prior to September 30, 2009;
 - No more than 6 units (3 acre-feet), cumulative, prior to September 30, 2010;
 - No more than 8 units (4 acre-feet), cumulative, prior to Sept. 30, 2011;
 - No more than 10 units (5 acre-feet), cumulative, prior to Sept. 30, 2012;
 - No more than 12 units (6 acre-feet), cumulative, prior to Sept. 30, 2013.
 - No more than 14 units (7 acre-feet), cumulative, prior to September 30, 2014;
 - No more than 16 units (8 acre-feet), cumulative, prior to September 30, 2015;
 - No more than 18 units (9 acre-feet), cumulative, prior to Sept. 30, 2016;
 - No more than 20 units (10 acre-feet), cumulative, prior to Sept. 30, 2017;
- Water service for the entire project shall be served by a single meter for indoor uses and a separate meter for landscape areas.
- On-site fire service (e.g. fire sprinklers) will require a dedicated service lateral. CAL FIRE of SLO County must approve the development plans prior to District approval. Fire capacity charges will be applicable.
- Any existing agricultural well(s) 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.
- Any easements required for water and sewer 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.
- 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 multi-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.

ITEM E-4, SERVICE REQUEST
September 10, 2008

PAGE 3

- 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 Site Plan
Water Year 2007-2008 Allocation Summary

T:\BOARD MATTERS\BOARD MEETINGS\BOARD LETTER\2008\SERVICE REQUESTS\SERVICE REQUEST CO 06-0225.DOC



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

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

RECEIVED

AUG 05 2008

INTENT-TO-SERVE APPLICATION

NIPOMO COMMUNITY SERVICES DISTRICT

- This is an application for: Sewer and Water Service Water Service Only
- SLO County Planning Department/Tract or Development No.: CO 06-0225
- 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: 719 W. TEST ST. Nipomo, Ca 93444
- Assessor's Parcel Number (APN) of lot(s) to be served: 092-130-012
- Owner Name: Mesa Danes Investments, Inc.
- Mailing Address: PO. Box 267 Avila Beach, Ca 93424
- Email: _____
- Phone: 805-929-6288 FAX: 805-929-1047
- Agent's Information (Architect or Engineer):
Name: Westland Engineering
Address: 3480 S. Higuera St, Suite 130, San Luis Obispo, CA 93401
Email: torton@westlandengr.com
Phone: 805-541-2394 FAX: 805-541-2439
- Type of Project: (check box) (see Page 3 for definitions)

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

- Number of Dwelling Units 20 Number of Low Income units _____
- 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 10/16/08 Signed William G. Kengel, Pres.
(Must be signed by owner or owner's agent)
Print Name William G. Kengel

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best-management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

- - - Go to next page for demand calculation and certification - - -

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	<u>20</u>	X	0.33	=	<u>6.60</u>
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.	_____	X	0.69	=	_____
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 Terence K. Ortan Date 6.16.08
Must be signed by project engineer/architect

Title Pres / Westland Engineering, Inc License Number PC 21,807

Project CO 06-0225 (e.g. Tract Number, Parcel Map #, APN)

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 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP	SEC	MF			
						21.9	3.4	6.9	2.1		34.3	
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 5/25/5
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)	27.8	BOD Approved 5/10/06
Tract 2441, Blume&Grande, Phased 2/2			17			(5.1)	0.0	0.0	0.0	(5.1)	22.7	BOD Approved 10/25/06
Tract 2906, Alishouse, 1 Ave De Amigos					11	0.0	0.0	(2.0)	0.0	(2.0)	20.7	BOD Approved 2/28/07
APN 092-130-014 Euc Gardens, Phased 2/6					0	0	0.0	0.0	0.0	0.0	20.7	Project Terminated
Tract 2689; 691 W. Tefft; Flatley					11	0.0	0.0	(2.0)	0.0	(2.0)	18.7	BOD Approved 9/14/07
APN 092-142-034; 557 Grande; Mortarty			15			(4.4)	0.0	0.0	0.0	(4.4)	14.3	BOD Approved 12/12/07
335 North Thompson; Knox		2				(0.9)	0.0	0.0	0.0	(0.9)	13.4	GM Approved 10/3/07
561 Camino Caballo; Guitierrez				1		0.0	(0.2)	0.0	0.0	(0.2)	13.2	GM Approved 10/15/07
375 Red Oak Way				1		0.0	(0.2)	0.0	0.0	(0.2)	13.0	GM Approved 10/25/07
131 E Vintage Street				1		0.0	(0.2)	0.0	0.0	(0.2)	12.8	GM Approved 12/7/07
781 W. Tefft Street; Kengel		2				(2.0)	0.0	0.0	0.0	(2.0)	10.8	GM Approved 12/11/07
782 Pomeroy; Bruce Davis				1		0.0	(0.2)	0.0	0.0	(0.2)	10.6	GM Approved 12/18/07
1235 Futura Lane			1			(0.6)	0.0	0.0	0.0	(0.6)	10.0	GM Arroved 1/8/08
Tract 2734; DeBlauw; Phase 1/2		4				(4.1)	0.0	0.0	0.0	(4.1)	5.9	Board approved 7/9/08
Tract 2979; Butterfly Lane; Silva			7			(3.0)	0.0	0.0	0.0	(3.0)	2.9	PENDING BOARD APPROVAL
CO 06-0225; Blume at Flint; Kengle; Phase 1/10				2				(1.0)		(1.0)	1.9	PENDING BOARD APPROVAL
Tract 2855; Juniper; Mid-State Properties			3			(1.7)				(1.7)	0.2	PENDING BOARD APPROVAL
Totals	6	6	39	4	56	4	(21.8)	(0.6)	(10.8)	(0.7)	(34.1)	
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 17.15 AF)												
Phased allocation = 11.6												

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: SEPTEMBER 4, 2008



SERVICE REQUEST – TRACT 2855

ITEM

Consider request for water and sewer service (Intent-to-Serve Letter) for a 4-lot subdivision of a .6 acre parcel on Juniper Street, pursuant to District's water allocation ordinance [APPROVE, DENY OR CONTINUE].

BACKGROUND

The District received an application for water and sewer service to Tract 2855, APN's 092-136-068, 092-136-071, and 092-136-072 on August 18, 2008. The Applicant, Mid-State Properties, LLC, is requesting water and sewer service for a four-parcel subdivision. The existing .6 acre parcel is currently zoned Residential Multi-Family and has District water, sewer and solid waste service for the one existing residential unit. All parcels, existing and planned, will be required to obtain water, sewer and solid waste service in compliance with current District standards. Any existing agricultural well(s) 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 1.7 acre-feet per year (3 x .58). Individual lot sizes will be approximately 6000 square feet. Attached is the current Water Allocation Accounting Summary for Water Year 2007-2008.

It should be noted that a previous intent-to-serve letter was issued to Mid-State Properties, LLC on May 23, 2006 and has expired.

RECOMMENDATION

Staff requests your Honorable Board provide staff with direction to approve, deny or continue the application.

If the Board desires to approve the project, then staff should be directed to issue an Intent-to-Serve letter for the project with the following conditions:

- This project shall obtain solid waste, sewer and water service for all units, existing and planned.
- Each new parcel shall receive a single one-inch water meter.
- Any existing agricultural well(s) 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.

- Any easements required for water and sewer 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.
- 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
Water Year 2007-2008 Allocation Summary



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

Office use only:
Date and Time
Complete
Application and
Fees Received:

RECEIVED

AUG 18 2008

INTENT-TO-SERVE APPLICATION

NIPOMO COMMUNITY SERVICES DISTRICT

1. This is an application for: X Sewer and Water Service Water Service Only
2. SLO County Planning Department/Tract or Development No.: Tract 2855
3. 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.

4. Project location: Juniper Street
5. Assessor's Parcel Number (APN) of lot(s) to be served: 092-136-068, 071 & 072
6. Owner Name: Mid-State Properties, LLC
7. Mailing Address: 1320 Archer Street, San Luis Obispo, CA 93401
8. Email:
9. Phone: (805) 543-1500 FAX:
10. Agent's Information (Architect or Engineer):
Name: Westland Engineering, Inc.
Address: 3480 S. Higuera Street, Ste 130, San Luis Obispo, CA 93401
Email: info@westlandengr.com
Phone: (805) 541-2394 FAX: (805) 541-2439

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)

12. Number of Dwelling Units 4 Number of Low Income units 0

13. Does this project require a sub-division? Yes No
If yes, number of new lots created 4

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.

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:

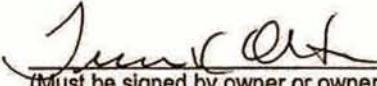
Provide an estimate of yearly water (AFY) and sewer (MGD) demand for the project.
Please note: All commercial projects are required to use low water use irrigation systems and water conservation best management practices.

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 8-15-08 Signed 
(Must be signed by owner or owner's agent)
Print Name Terence K. Orton

WATER DEMAND CERTIFICATION

Supplement to Intent-to-Serve/Will Serve Application

Definitions

(Please note – these definitions do NOT reconcile with standard SLO County Planning department definitions)

Multi-family dwelling unit – means a building or portion thereof designed and used as a residence for three or more families living independently of each other under a common roof, including apartment houses, apartment hotels and flats, but not including automobile courts, or boardinghouses.

Two-family dwelling units (duplex) – means a building with a common roof containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other.

Single-family dwelling unit – means a building designed for or used to house not more than one family.

Secondary dwelling units – means an attached or detached secondary residential dwelling unit on the same parcel as an existing single-family (primary) dwelling. A secondary unit provides for complete independent living facilities for one or more persons.

Commercial Projects

Commercial projects are exempt from Water Demand Certification; however, low water-use irrigation systems and water conservation best-management practices are required. The dwelling component of Mixed-Use projects (e.g. commercial and residential), are required to provide Water Demand Certification for the dwelling unit portion of the project.

Non-Commercial Projects

Water Demand Certification is required for all non-commercial projects and for the dwelling units of Mixed-Use. Certification must be signed by a licensed Engineer/Architect.

-- - Go to next page for demand calculation and certification - - -

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.	<u> 4 </u>	X	0.39	=	<u> 1.56 </u>
Parcel greater than 10,000 sq. ft.	_____	X	0.69	=	_____
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: Terence K. Orton Date 8-15-08
Must be signed by project engineer/architect

Title Civil Engineer License Number P.E. 21807

Project Tract 2855 (e.g. Tract Number, Parcel Map #, APN)



2
TRACT 1427

TRACT 1854
19 MAPS 45

PARCEL 3
30 PM 69

DAFFODIL AVE

JUNIPER STREET

OWNER'S STATEMENT

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SHOWN ON THIS PLAT AND STATE THAT I AM THE LEGAL OWNER OF SAID PROPERTY OR THE AUTHORIZED AGENT OF THE LEGAL OWNER AND THAT THE INFORMATION SHOWN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

WESTLAND ENGINEERING INC.
3480 S HIQUERA, SUITE 130, SAN LUIS OBISPO, CA 93401
(805) 541-2394

RECORD OWNER:
PHIL GRAY / MID STATE PROPERTIES
1320 ARCHER STREET
SAN LUIS OBISPO, CA 93401

ENGINEER'S STATEMENT

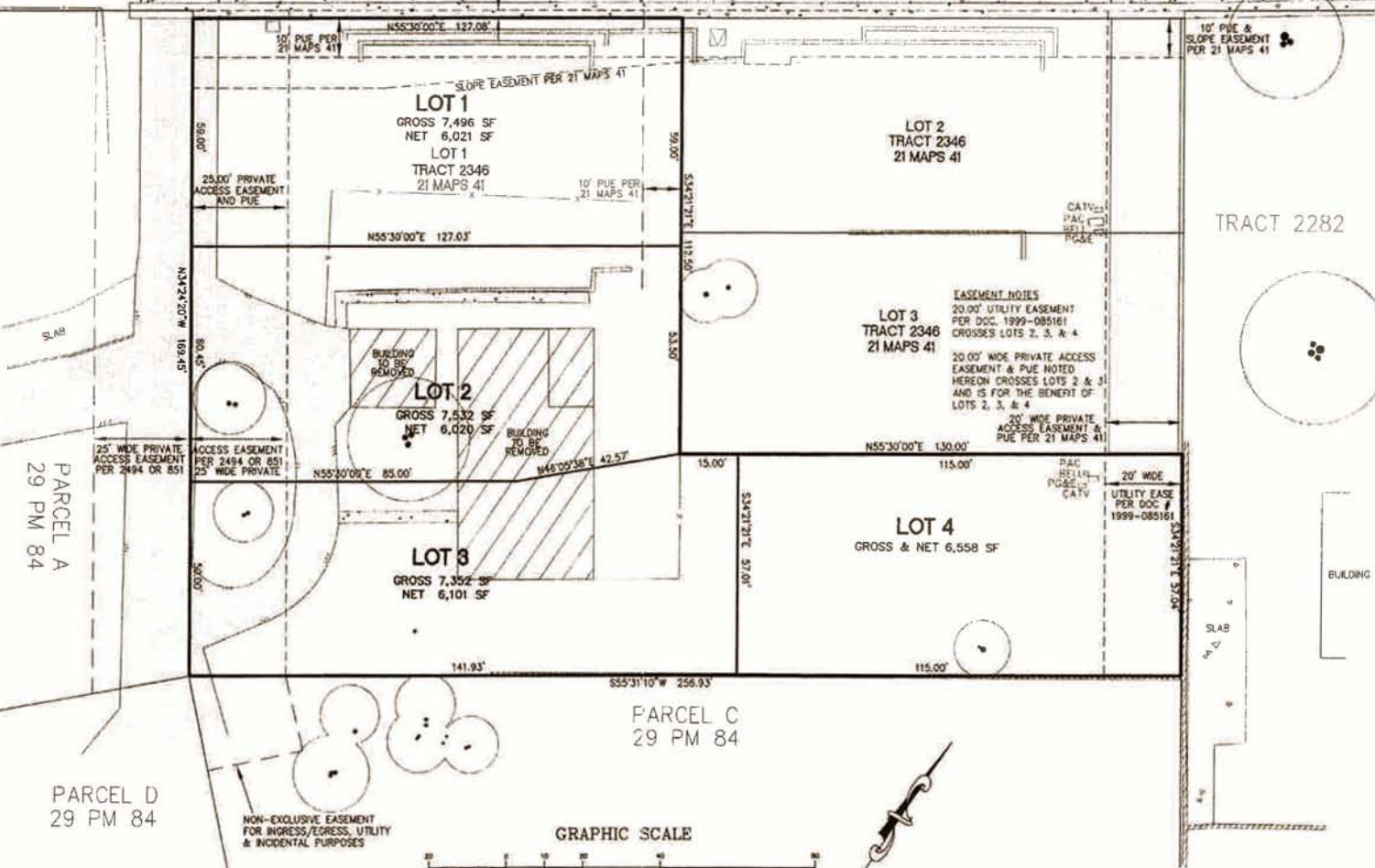
I HEREBY STATE THAT THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLIED WITH THE LOT DIVISION ORDINANCE OF THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.

TERENCE K. ORTON, P.E. 21807, EXPIRES 9-30-2007
WESTLAND ENGINEERING INC.
3480 S HIQUERA, SUITE 130, SAN LUIS OBISPO, CA 93401
(805) 541-2394

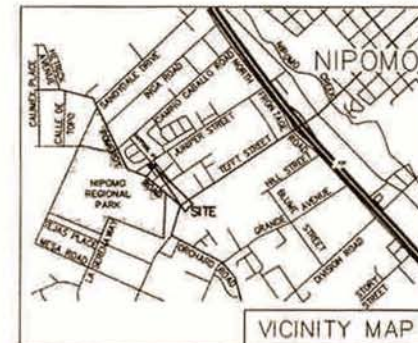
NOTES

1. THE PROPERTY LINES SHOWN ON THIS MAP ARE FROM RECORD INFORMATION ONLY AND DO NOT REPRESENT A RECORD OF SURVEY AS SUCH, THE ACTUAL PROPERTY LINES MAY VARY FROM THOSE SHOWN HEREON.

2. TREE DIAMETERS ARE MEASURED AT FOUR FEET ABOVE GROUND LEVEL AND BECAUSE OF IRREGULARITIES IN GROWTH MAY VARY SLIGHTLY FROM DIMENSIONS SHOWN. TREES THAT FORK BELOW FOUR FEET ARE MEASURED ON THEIR FORKS AT THE FOUR FOOT LEVEL.



TRACT 2282



TRACT 2855
VESTING TENTATIVE MAP
BEING A SUBDIVISION OF LOT 1, LOT 4 AND LOT 5 OF TRACT 2346 AS RECORDED IN BOOK 21 AT PAGE 41 OF MAPS IN THE COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA.
PREPARED FOR:

MID-STATE PROPERTIES, LLC
PREPARED BY:
WESTLAND ENGINEERING COMPANY
3480 S HIQUERA, SUITE 130
SAN LUIS OBISPO, CALIFORNIA 93428
(805) 541-2394
MAY 2006 JOB NO: 05-019
SHEET 1 OF 1

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 - 10	SFR < 4.5	SEC	MF	Low I	SFR/DUP/SEC	MF	Low I			
						21.9	3.4	6.9	2.1		34.3	
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 5/25/5
APN 092-130-043, GRANDE-PHASE (year 3 of 3)					10	0.0	0.0	(1.8)	0.0	(1.8)	39.5	BOD approved 10/26/05
APN 092-130-044 ROOSEVELT apts, Phased 3/4					11	4	0.0	0.0	(2.0)	(0.7)	27.8	BOD Approved 5/10/06
Tract 2441, Blume&Granda, Phased 2/2			17			(5.1)	0.0	0.0	0.0	(5.1)	22.7	BOD Approved 10/25/06
Tract 2906, Ailshouse, 1 Ave De Amigos					11	0.0	0.0	(2.0)	0.0	(2.0)	20.7	BOD Approved 2/28/07
APN 092-130-014 Euc Gardens, Phased 2/6					0	0	0.0	0.0	0.0	0.0	20.7	Project Terminated
Tract 2689; 691 W. Tefft; Flatley					11	0.0	0.0	(2.0)	0.0	(2.0)	18.7	BOD Approved 9/14/07
APN 092-142-034; 557 Grande; Moriarty			15			(4.4)	0.0	0.0	0.0	(4.4)	14.3	BOD Approved 12/12/07
335 North Thompson; Knox		2				(0.9)	0.0	0.0	0.0	(0.9)	13.4	GM Approved 10/3/07
561 Camino Caballo; Guterrez				1		0.0	(0.2)	0.0	0.0	(0.2)	13.2	GM Approved 10/15/07
375 Red Oak Way				1		0.0	(0.2)	0.0	0.0	(0.2)	13.0	GM Approved 10/25/07
131 E Vintage Street				1		0.0	(0.2)	0.0	0.0	(0.2)	12.8	GM Approved 12/7/07
781 W. Tefft Street; Kengel		2				(2.0)	0.0	0.0	0.0	(2.0)	10.8	GM Approved 12/11/07
782 Pomeroy; Bruce Davis				1		0.0	(0.2)	0.0	0.0	(0.2)	10.6	GM Approved 12/18/07
1235 Futura Lane		1				(0.6)	0.0	0.0	0.0	(0.6)	10.0	GM Arroved 1/8/08
Tract 2734; DeBlauw; Phase 1/2		4				(4.1)	0.0	0.0	0.0	(4.1)	5.9	Board approved 7/9/08
Tract 2979; Butterfly Lane; Silva			7			(3.0)	0.0	0.0	0.0	(3.0)	2.9	PENDING BOARD APPROVAL
CO 06-0225; Blume at Flint; Kengle; Phase 1/10				2				(1.0)		(1.0)	1.9	PENDING BOARD APPROVAL
Tract 2855; Juniper; Mid-State Properties		3				(1.7)				(1.7)	0.2	PENDING BOARD APPROVAL
Totals	6	6	39	4	56	4	(21.8)	(0.8)	(10.8)	(0.7)	(34.1)	
Abbreviations defined:												
	SFR = single family residence											
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Phasing Limit Check (Max 50% of annual allocation or 17.15 AF)												
Phased allocation = 11.6												