



November 7, 2019

**TO:** LOCSD Board of Directors  
**FROM:** Ron Munds, General Manager

**SUBJECT: Agenda Item 8C – 11/7/19 Board Meeting**

Consider a request from the property owners of 1748 Mountain View Drive to develop a parcel within the District's water service area using an existing well.

**President**  
Marshall E. Ochylski

**Vice President**  
Charles L. Cesena

**Directors**  
Matthew D. Fourcroy  
Vicki L. Milledge  
Christine M. Womack

**General Manager**  
Ron Munds

**District Accountant**  
Robert Stilts, CPA

**Unit Chief**  
Scott M. Jalbert

**Battalion Chief**  
George Huang

**Mailing Address:**  
P.O. Box 6064  
Los Osos, CA 93412

**Offices:**  
2122 9<sup>th</sup> Street, Suite 110  
Los Osos, CA 93402

**Phone:** 805/528-9370  
**FAX:** 805/528-9377

[www.losososcsl.org](http://www.losososcsl.org)

**DESCRIPTION**

The property owners of parcel number 074-281-016, 1748 Mountain View Drive are requesting a Conditional Intent to Serve approval from the District to construct a single family residence on their 0.8 acre lot. The parcel is outside the Prohibition Zone but within the District's water service area and has a County certified onsite well.

**STAFF RECOMMENDATION**

Staff recommends that the Board consider the three proposed alternative and provide direction to staff on the preferred option with Alternative 2 being the staff recommendation.

***Motion: I move that the Board allow the project to proceed and provide a Conditional Intent to Serve Letter with the conditions (Alternative 2) that the project install a water service line to the property, all appurtenances required to connect the property to the water system, pay the appropriate fees and establish a water account when the District exits Stage III drought restrictions.***

**DISCUSSION**

District staff in April 2019 received an inquiry from Mr. and Mrs. Krause, the property owners of 1748 Mountain View Drive, asking if the District would object to their parcel being developed using the existing well on the property as their potable source of water. This property is unique in that it is outside the Prohibition Zone but inside the District's water service area and has its own County certified onsite well.

The initial response from the District to the Krause's was that the District would have no objections to the requested variance and allow the well to be the sole water source given the unique circumstance described above, the fact that the District code is silent on allowing or disallowing the use of wells in the District's service area for new development and that the District is currently not providing new water services because of the Stage III drought declaration. When the property owners submitted their building application and the County

Building Division requested the “official” approval of the variance to not connect to the District’s water system in September 2019, it was evident that staff did not have the authority to make this decision without Board direction. Per County code, Title 19.07.041, the County requires District action on this issue and will not accept a building application from the property owner until such action is received. Upon further discussions with the Krause’s, they would like to proceed with their project using their well as their source of potable water but are agreeable to connect to the District’s water system when new service is available.

Taking into account the circumstances, staff has three alternatives for the Board to consider to address the Krause’s request to proceed with their project with the District’s approval:

**Alternative 1.** Approve the requested variance and allow the Krause’s to use their well as their sole potable water supply source without any future connection to the District’s water system;

**Alternative 2.** Provide a Conditional Intent to Serve approval with the conditions that the project install a water service line to the property, all appurtenances required to connect the property to the water system, pay the appropriate fees and establish a water account when the District exits Stage III drought restrictions; or

**Alternative 3.** Deny the variance request at this time and have the Krause’s wait until water service is available from the District.

### **OTHER RELEVANT INFORMATION**

It is important to note that the Krause’s are subject to all County Title 19 requirements to offset the estimated water use of their proposed single family home at a 2:1 ratio (water supply neutral), adhere to the County’s water efficient landscape standards and all other codes that apply to this type of development. Additionally, of the six developed parcels on this block of Mountain View Drive, four have water service and two do not and use private wells for their water needs. Of the four that have water service, two have wells and either intermittently or rarely use the District’s water service but do pay the base fee. All properties in this area are provide fire protection through the District’s water distribution system.

### **COMMITTEE ACTION**

Because of the special circumstances surrounding the property owner’s request, the Utilities Advisory Committee deliberated for some time on this project. Ultimately, the Committee concurred with the staff recommendation (Alternate 2) based on the unique situation summarized in this report.

### **FINANCIAL IMPACT**

There is no direct fiscal impact associated with the recommended action at this time. If this project proceeds through the County building process, the property owner will be required all water related connections fees and costs for the appurtenances needed to connect to the District’s water system prior to building permit issuance.

Attachments



