

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DENYING THE INSTALLATION OF ONE (1) NEW DOMESTIC SUPPLY WELL ON PROPERTY ZONED PLANNED DEVELOPMENT; LOCATED NORTHEAST OF THE INTERSECTION OF NOYES ROAD AND EQUESTRIAN WAY (APN: 007-781-055); APPLIED FOR BY MICHAEL HARRIS, AND FINDING THE ACTION EXEMPT FROM CEQA

WHEREAS, Michael Harris has submitted an application (see Exhibit “A”) to drill and install one (1) new domestic supply well at a property on an unaddressed parcel on Noyes Road in Arroyo Grande (“Well Application”); and

WHEREAS, the Well Application would be on unaddressed property on Noyes Road (APN: 007-781-055), northeast of the intersection of Noyes Road and Equestrian Way (“Subject Property”); and

WHEREAS, Arroyo Grande Municipal Code (“AGMC”) Chapter 13.08 requires City Council to discretionarily review and approve or deny all new or replacement wells in the City; and

WHEREAS, specifically, AGMC section 13.08.040 requires the City Council to consider, in its discretion, approval for new or replacement wells or abandonment of existing wells. Approval to drill a well within the City boundaries may be granted if the City Council determines: 1) the well will neither deplete nor contaminate the City water supply; and 2) service from the City’s water system is neither practical nor feasible; and

WHEREAS, the City Council held a noticed, continued public hearing on February 27, 2024, to consider the Well Application; and

WHEREAS, as described in additional detail below and as incorporated by the accompanying Staff Report, the City Council finds that service from the City’s water system is both practical and feasible to Subject Property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Arroyo Grande hereby incorporates the recitals herein in full and denies the application to drill and install one (1) new domestic supply well at an unaddressed property on Noyes Road (APN: 007-781-055), requested in Exhibit "A", attached hereto and incorporated herein by this reference.

1. The City Council finds that pursuant to Arroyo Grande Municipal Code Chapter 13.08, the following required finding cannot be made to approve the Well Application: “service from the City’s water system is neither practical nor

feasible.” The City Council finds that it is both feasible and practical to connect the City’s water supply to the Subject Property, as:

- a. The Subject Property is immediately adjacent to the City’s Reservoir No. 5, which is a 1.2 million gallon above-ground storage tank; and
 - b. A residential water service connection can be made directly to the City owned water main from the tank and a connection placed to Mr. Harris’s property line with a standard water meter on the property; and
 - c. The connection to City’s water supply would not require any easements or improvements to existing City infrastructure; and
 - d. The connection at the Subject Property is within the City’s boundaries.
2. **CEQA.** The City Council determines that if the application is denied, the item does not qualify as a “project” under CEQA, because CEQA does not apply to the disapproval or rejection of projects. (Pub. Resources Code, § 21080, subd. (b)(5); State CEQA Guidelines, § 15270, subd. (a).). There will be no construction or development as a result of the denial of this application for a domestic water well, and therefore the denial has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (c)(2)-(3); 15378.)

In the alternative, should City Council approve the installation of a domestic water well, this project is categorically exempt from CEQA under the Class 3 exemption, which applies to the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. (State CEQA Guidelines, § 15303.). This project falls within the Class 3 exemption because approval of the project would result in the installation of one small well structure. Furthermore, none of the exceptions outlined in State CEQA Guidelines section 15300.2 apply here. The project is not located in a particularly sensitive environment because the project site is zoned for residential use. There will be no cumulative impact of successive projects of the same type in the same place, over time, because only one domestic well is necessary to serve any future proposed residential uses on the project site. There are no unusual circumstances such that the project will have a significant environmental impact. The project will not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The project is not located on a site included on any list compiled pursuant to Government Code section 65962.5. In addition, the project will not cause a substantial adverse change in the significance of a historical resource. Therefore, the project is categorically exempt from CEQA and no further environmental review is required.

City Council directs staff to file a Notice of Exemption with the County Clerk and State Clearinghouse within five days of this Resolution.

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

AYES:

NOES:

ABSENT:

The foregoing Resolution was passed and adopted this 27th day of February 2024.

CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

MATTHEW DOWNING, CITY MANAGER

APPROVED AS TO FORM:

ISAAC ROSEN, CITY ATTORNEY

EXHIBIT A



SLO Civil Design, LLC

February 7, 2023

PROJECT: Harris Domestic Well – APN 007-781-055
Permit# PPR23-000001

Property owners of APN 007-781-055, located at the corner of Equestrian and Noyes in the City of Arroyo Grande are requesting approval for the drilling of a domestic water well onsite to support the future residential development of a single-family home.

The city does not currently have a water service connection to the parcel where the well will be drilled and constructed, and a future residence is to be located.

Connecting to the existing city water system would require a private water line to cross two parcels, APN 007-781-056 and APN# 007-851-049. In addition, potential build sites for a residence on this parcel are up to a half mile away from existing city service lines making connection infeasible.

Sincerely,

A handwritten signature in blue ink, appearing to read "Richard Burde".

Richard Burde, PE
Principal Civil Engineer
C 88309

Enc.



**CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPARTMENT
MINOR PROJECT APPLICATION**

The purpose of this form is to advise the City of the basic components of the proposed project so that the City can accurately evaluate the proposal for compliance with applicable ordinances and policies. **Providing accurate and complete information and plans will help ensure prompt processing of this application.** Use additional sheets when necessary. Please be aware that applications that are inconsistent with the City's General Plan or Development Code will not be accepted as complete. The City is available to assist in filling out this form; please refer any questions to the Community Development Department and we will be happy to assist you.

FOR STAFF USE ONLY			
DATE SUBMITTED	DATE DEEMED COMPLETE	CHECKED BY	CASE NUMBER
01/26/2023	October 16, 2023	Patrick Holub	PPR23-000001

COMPLETION OF THIS FORM IS NECESSARY FOR THE FOLLOWING APPLICATIONS. PLEASE INDICATE THE TYPE OF APPLICATION(S) YOU ARE REQUESTING:

Permit Type: Plot Plan Review
Permit Subtype: Plot Plan Review

INFORMATION TO BE SUBMITTED WITH THIS APPLICATION

A. Refer to the checklist (available from the Community Development Department) for those items required to be submitted for each type of project.

B. Include any other information that will help explain your proposal or better clarify your particular situation.

I. GENERAL INFORMATION

Applicant: SLO Civil Design LLC	Phone: (H): (805) 548-1770
Applicant's Address: 615 Clarion Ct. Suite #2 San Luis Obispo , CA 93401	Email: richard@slocivildesign.com
Representative: SLO Civil Design LLC	Phone: (805) 548-1770
Representative's Address: 615 Clarion Ct. Suite #2 San Luis Obispo , CA 93401	Email: richard@slocivildesign.com
Property Owner: AGC HOLDING CORP A CA CORP	Phone:
Owner's Address: 445 GREEN GATE RD SLO, CA 93401	
Architect (if any):	Phone:
Architect's Address:	Email:
Engineer (if any): SLO Civil Design LLC	Phone: (805) 548-1770
Engineer's Address: 615 Clarion Ct. Suite #2 San Luis Obispo , CA 93401	Email: richard@slocivildesign.com

Please indicate if **all** correspondence should be sent to:

<input checked="" type="checkbox"/> Applicant	<input checked="" type="checkbox"/> Representative	<input type="checkbox"/> Property Owner	<input type="checkbox"/> Architect	<input type="checkbox"/> Engineer
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**CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPARTMENT
MINOR PROJECT APPLICATION**

II. PROJECT DESCRIPTION

Street Address: 0 NOYES RD Development		Zoning: Planned
Assessor Parcel No.: 007781055 acres		Parcel Size: 26.54
General Plan Land use Designation:		
Legal Description of Existing Lot: CY AG PM 28-85 PTN LT 11		
Building Sizes in Square Feet:		
Existing	no buildings currently exist on the property	Proposed To be determined
Describe the Proposed Project in Detail. For Vacation Rental applications, please include the emergency contact person's name, address and phone number below:		

Drilling of a water well for future domestic use.



**CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPARTMENT
MINOR PROJECT APPLICATION**

III. COMPLETE THIS SECTION FOR LARGE FAMILY DAY ACRE PERMITS, PLOT PLAN REVIEWS, AND TEMPORARY USE PERMITS ONLY. NOT REQUIRED FOR SHORT TERM RENTAL APPLICATIONS (VACATION RENTALS AND HOMESTAYS).

1. Indicate the proposed hours of operation (DAYS AND TIMES):			
2. Estimate the number of employees			
Total:	Maximum Shift:	Time of Maximum Shift:	
3. Indicate the number of patrons, clients, customers, etc. anticipated:			
Average per day:		Peak Hours:	
4. Number of off street parking spaces to be provided: (if applicable show breakdown as to use)			
Total:	Garage (enclosed):	Covered:	Open:
5. Describe any night-time lighting that will be provided, including the type of lighting to be installed:			

IV. COMPLETE THIS SECTION FOR CERTIFICATES OF COMPLIANCE, LOT LINE ADJUSTMENTS, AND LOT MERGERS ONLY

Number of existing lots:
Size of existing lots (in square feet):
Number of proposed lots:
Size of proposed lots (in square feet):



CITY OF ARROYO GRANDE
COMMUNITY DEVELOPMENT DEPARTMENT
MINOR PROJECT APPLICATION

V. COMPLETE THIS SECTION FOR ALL PROJECTS

Due to recent interpretation and legal amendments to the Political Reform act of 1974, the City needs to be aware of all entities (i.e. corporations, lending institutions, etc. or individuals that may have a financial interest in the proposed project. All LLCs shall provide relevant Articles of Incorporation in order to disclose all financially interested entities. Please complete the following certification and provide your signature:

The following entities and/or individuals have financial interest in this project:

<p>APPLICANT/REPRESENTATIVE:</p> <p>I certify under penalty of perjury that the foregoing statements and answers herein made and all data, information, and evidence herewith submitted are in all respects, to the best of my knowledge and belief, true and correct. I understand that the submittal of incorrect or false information is grounds for invalidation of application completeness determination or approval. I understand that the city might not approve what I am applying for, or might set conditions of approval.</p> <p style="text-align: center;"></p> <hr/> <p>Signed _____ Date _____</p>	<p>PROPERTY OWNER/AUTHORIZED AGENT:</p> <p>I certify under penalty of perjury that I am the owner of the property that is the subject of this application and consent to its filing. (If signed by the authorized agent, a letter from the property owner must be provided indicating that the agent is authorized to act on his/her behalf.)</p> <hr/> <p> _____</p> <p>Signed _____ Date _____</p>
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