

RESOLUTION NO. 6159(18)

A Resolution of the Council of the City of Lompoc, County of Santa Barbara, State of California, Amending the Standards and Guidelines Relating to Development Project Impact on Water Supply (Water Conservation In-Lieu Payment Program), Authorizing Supplemental Appropriations and Rescinding Resolution No. 5629(10)

WHEREAS, in 1990, the City Council adopted Lompoc Municipal Code (LMC) section 13.04.070, prohibiting new development unless it participates in, and provides, water conservation measures and remedies to the existing City of Lompoc (City) water supply and distribution systems that will result in a decrease in the demand on the existing system equal to the proposed project demand; and

WHEREAS, implementation of the requirements of LMC section 13.04.070 to achieve “zero impact” was based upon standards and guidelines adopted by Resolution No. 5629(10); and

WHEREAS, based upon ongoing evaluation of the Water Conservation In-Lieu Payment Program (Program), several adjustments are recommended to the Program standards and guidelines, in order to continue to decrease the new water demand by participating in, and providing, water conservation measures and remedies that result in a decrease in the new demand equal to proposed demand from new development; and

WHEREAS, for purposes of evaluating and calculating net consumptive water use for developments, approximately 60% of the wastewater sent to the Lompoc Regional Wastewater Reclamation Plant (LRWRP) percolates into the Lompoc Plain Sub-Basin, and is considered recharge, not consumption; and new development’s net consumption is 40%; and

WHEREAS, in order to continue to decrease the new development’s consumptive water use, the following is needed: (i) review of residential (single- and multi-family) water usage, (ii) review of the impact of current water conservation programs, and (iii) development of new water conservation programs; and

WHEREAS, Governor Brown declared water conservation is a “California Way of Life;” and

WHEREAS, groundwater is the City’s only source of water, and the City is currently in a very dry year with 8.20 inches of rainfall recorded through seven months of the current water year compared with the City’s mean annual rainfall of 14.59 inches (average based on annual rainfall between 1955 and 2017) for a full water year; and

WHEREAS, as of April 1, 2018, Cachuma Reservoir’s water storage is 40% of capacity; and

WHEREAS, the City Council, at a regularly scheduled meeting, held a Public Hearing on April 17, 2018, to review and consider proposed changes to the Program; and

WHEREAS, the proposed adjustments to the Program are exempt from environmental review as actions authorized by local ordinance to assure the maintenance, restoration, or enhancement of a natural resource, as provided by CEQA Guidelines Section 15307.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, STATE OF CALIFORNIA, HEREBY RESOLVES:

SECTION 1. Resolution No. 5629(10) is hereby rescinded.

SECTION 2. Intent. The City Council intends this Resolution to implement and facilitate the administration of LMC section 13.04.070. The Urgency Water Conservation Regulations continue to apply to the application for an issuance of any building permit, which in the determination of the Utility Department, may result in increased consumption. It is determined that 60% of water usage in the City is recharge, and is not considered consumptive water use.

SECTION 3. Prohibitions. LMC section 13.04.070 authorizes the Building Inspection Division to issue building permits, and allow processing of parcel maps and subdivision maps, only for those new construction projects which have demonstrated, to the satisfaction of the Utility Director, they have provided water conservation measures and/or remedies for decreasing project water usage in the existing City water demand equal to the proposed project water demand. LMC section 13.04.070 also authorizes the Building Inspection Division to issue building permits only to those projects that have participated in, or provided, such measures, remedies, or payments. Those prohibitions mean the applicant shall, from the City's existing and projected new demand, reduce, through conservation measures and remedies, their projected water demand.

The City's Old Town Commercial District (OTC) area is exempt from this Program, due to the City Council's suspension of the Program for development in that zone from November 9, 2015, forward, to encourage economic development in the OTC area.

Any area of the City where water is provided by other than the City is also excluded from this Program. For new development in areas of the City, where water is provided by other than the City, in-lieu payments do not apply. Residents or customers in areas of the City where water is provided by a water utility other than the City, are ineligible to participate in Program incentives of the City.

SECTION 4. Consumptive Quantity. The following average water consumption quantity is assigned to projects within the City for the purpose of this Resolution:

- A. Each residence (single- and multi-family) uses an average 26,928 gallons of water per year. 60% of this water is estimated as recharge to the LRWRP; therefore, the remaining 10,771 gallons is considered the project water demand of each proposed new residence.
- B. Any other project, or any other form of commercial, industrial, or institutional development, may require the submission of one year calculation of expected water consumption for verification and approval by the Utility Director, or his/her designee. This must be submitted prior to issuance of permits for new construction. 60% of the water usage will be considered recharge; therefore, the remaining 40% will be considered the project demand for the development.

SECTION 5. Guidelines.

- A. Applicants building a new residential unit (single- or multi-family) will pay \$726.00 per unit to offset the annual water usage. This payment is subject to change annually, due to changes in the administration cost of the rebate program; however, no such increase shall exceed an average of 5% per year. Calculation of payments is described in Exhibit A attached hereto and incorporated herein. The determination of the number of units subject to the payment will be consistent with the number of units determined in the Building Inspection review process.
- B. Applicants for all development projects other than new residential construction, will be charged \$0.07 per annual gallon saved of the project demand. This payment is subject to change annually due to changes in the administration cost of the rebate program; however, no such increase shall exceed an average of 5% per year.
- C. Payments collected in the Program are to be expended only for water conservation measures and remedies approved by the City Council.
- D. Calculation of the payments and conservation programs funded by the Program are described in Exhibits A and B attached hereto.

SECTION 6. Supplemental Appropriations.

- A. Supplemental appropriations for the Biennial Budget Fiscal Years 2017-19 are approved in the amount of \$518,240 in account 751WCR-572180, Water Conservation In-Lieu Payment Program. Funding to provide for the supplemental appropriations are from previously collected Program revenues retained in the Water Division's Fund Equity (account 751-340990).
- B. Approved Program projects utilizing the full appropriations of \$718,240 in account 751WCR-572180 include the following summarized projects in Exhibit B attached hereto and incorporated herein:

- a. Water Meter Encoder Receiver Transmitter (ERT) replacement project;
- b. Leak detection survey with service line, water main and hydrant leak repairs;
- c. Santa Barbara County Water Agency program contract;
- d. Water Conservation temporary staffing;
- e. Recycled water permit reimbursement;
- f. Community Promotions – Water Conservation Program; and
- g. Existing Water Conservation Rebate and Other Programs, as provided for in Exhibits A and B attached hereto, funded as part of the Biennial Budget Fiscal Years 2017-19 at \$100,000 per year.

SECTION 7. Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Council Member _____, seconded by Council Member _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on April 17, 2018, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):

Bob Lingl, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Attachments:

Exhibit A: [Customer Water Rebate Programs, Savings & Water Conservation In-Lieu Payment Calculation](#)

Exhibit B: [Water Conservation In-Lieu Payment Expenditures-Current and Proposed Programs](#)