



Agenda Item No. _____

File Code No. _____

CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

Item 9

AGENDA DATE: March 17, 2015

TO: Mayor and Councilmembers

FROM: Water Resources Division, Public Works Department
Planning Division, Community Development

SUBJECT: Potential Stage Three Water Use Regulations And Development Restrictions

RECOMMENDATION:

That Council receive a presentation and provide input to staff on potential Stage Three water use regulations and development restrictions.

DISCUSSION:

On February 11, 2014, Council adopted Resolution No. 14-009, declaring a Stage One Drought Condition, because the City was in the midst of a third consecutive dry year. On May 20, 2014, with no improvement in water supply during the last half of the rainy season, Council adopted Resolution No. 14-027, declaring a Stage Two Drought Condition. Consistent with the City's Water Shortage Contingency Plan and the 2011 Long-Term Water Supply Plan, these actions triggered the following Stage Two responses:

- An increase in public information efforts to alert the public about the drought status and extraordinary conservation measures needed;
- Establishment of a 20 percent water use reduction goal for City customers;
- Implementation of Stage Two water use regulations;
- Adoption of drought water rates, based on added costs of water supplies and anticipated water use reductions;
- Pursuit of water purchases to replace depleted surface water supplies; and
- Initiation of preliminary design and solicitation of Design/Build/Operate proposals for the reactivation of the City's desalination facility.

Even with median rainfall for the balance of the 2015 rainy season, it is likely that the current year will complete the driest four-year period on record. As described in recent Council presentations, this will put significant additional strain on the City's water supplies. Accordingly, Water Resources staff and the Water Commission have been

preparing recommendations for a potential declaration of a Stage Three Drought Condition, which is the highest level in the City's Water Shortage Contingency Plan. Additionally, staff met with the Planning Commission to discuss potential development restrictions.

This report reviews current Stage Two water use regulations and discusses potential changes that could accompany a Stage Three Drought Condition declaration. A separate report on enforcement methodology is planned for an upcoming Council meeting.

Water Use Regulations

The Stage Two water use regulations currently in effect are summarized as follows:

- Running water for irrigation requires a self-closing nozzle.
- Running water for cleaning is generally limited to the use of a pressure washer for preventive maintenance or correction of health and safety hazards.
- Irrigation by any means is generally limited to the hours of 6:00 PM to 8:00 AM for automatic systems, and 4:00 PM to 10:30 AM for manual systems, including hand-held hoses.
- Vehicle and boat washing is limited to commercial facilities with water recycling equipment, or a hose with self-closing nozzle.
- Water use in fountains is limited to those that are indoor, on residential property, less than 25 square feet in surface area, or home to aquatic life as of date of adoption.
- Swimming pools are required to be covered when not in use and may be drained only one third, except as authorized for necessary repairs.
- Hotels, motels, restaurants, and establishments are required to post a notice of the drought condition; restaurants must serve water only on request.

For a potential Stage 3 Drought Condition, staff is weighing options for additional water use regulations, pending the water supply outlook and community water use reductions. An inter-departmental staff team has been considering a range of options for possible action by Council to manage water use, should a Stage Three Drought Condition be declared. Primary considerations include understanding the context of the water demand associated with new water rates and the potential water savings that may be achieved through various actions. Staff will discuss potential additional water use regulations, should they be necessary, including restrictions on:

- Method of irrigation
- Irrigation of certain types of landscaping
- The use of running water for cleaning buildings and commercial pedestrian areas
- Large residential fountains

Development Restrictions

In December 2014, Council directed staff to discuss potential development restrictions with the Planning Commission and the public in order to inform them of Council's decision on these potential development restrictions.

On February 12, 2015, the Planning Commission held a discussion on potential drought-related development restrictions (refer to Attachment 1 – Planning Commission Staff Report). Outreach to the public and affected property owners/applicants was done in advance of the meeting. The Planning Commission's review focused on the following:

- Landscape Deferral (voluntary and mandatory)
- Suspension of building permits for new pools
- Suspension of building permits for projects with net new water use
- Zoning Ordinance Amendments to support water conservation

The Planning Commission's general consensus was that the City should:

- Move forward with a mandatory landscape plant deferral as soon as possible;
- Implement a suspension on permits for new pools, understanding that this measure would be more symbolic than beneficial and would bring consistency to the way new pools are treated compared to existing pools;
- Not implement a suspension on permits for projects with net new water use because the water savings benefit would be much less than the impact to the economy; and
- Move forward with zoning ordinance amendments to support water conservation.

The Planning Commission suggested that if a suspension on building permits for projects with net new water use were to be implemented, the suspension should only apply to projects that have yet to be submitted for review by Community Development. It was suggested that when an applicant submits a project review application, the applicant should be informed of any potential drought-related development restrictions. The applicant can then make an economic decision of whether or not to move forward with their project. Some Commissioners suggested creating options for projects with a "large" net new water demand to offset their new demand. Refer to Attachment 2 for the Planning Commission Minutes.

Conclusion

Following a presentation on the potential Stage Three water use regulations and development restrictions, staff will request input from Council, with the goal of incorporating Council's input into a recommended Stage Three Drought Resolution for adoption on May 12, 2015.

ATTACHMENT(S): 1. Planning Commission Staff Report, February 12, 2015
2. Planning Commission Minutes, February 12, 2015

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