

## **RESOLUTION NO. 5629 (10)**

### **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 (Retrofit/Rebate Program)**

**WHEREAS**, in 1990 the City Council adopted Lompoc City Code Section 13.04.070, prohibiting new development unless it participates in and provides water conservation measures and remedies to the existing 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 Section 13.04.070 to achieve "zero impact" was based upon standards and guidelines adopted by Council Resolution No. 4000(90) as amended by Resolution No. 4286(93) and superseded by Resolution No. 4397(94) to provide for a Retrofit/Rebate Program (the "Program"); and

**WHEREAS**, based upon ongoing evaluation of the Program, City staff has recommended several adjustments be made to the Program standards and guidelines, in order to continue to achieve the mandate of "zero impact"; and

**WHEREAS**, the City Council reviewed and considered the Program and proposed changes to the Program at a regularly scheduled meeting of the City Council; and

**WHEREAS**, the City Council considered the above-described financial data, heard oral testimony, and received documentary evidence from City staff and members of the public regarding the proposed Program revisions; 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 COUNCIL OF THE CITY OF LOMPOC DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. Resolution 4988 (02) is hereby rescinded.

SECTION 2. Intent. Council intends this Resolution implement and facilitate the administration of Lompoc City Code 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 water consumption.

SECTION 3. Prohibitions. Lompoc City Code Section 13.04.070 authorizes the Building Official to issue building permits and allows processing of parcel maps and subdivision maps only to those projects where it has been demonstrated to the satisfaction of the Utility Director the applicant can and will participate in and provide water conservation measures and remedies to the existing City supply and distribution system that result in a decrease in the existing City water demand equal to the proposed project demand, and to issue Certificates of Occupancy only to those projects that have participated in or provided such measures and remedies. Those prohibitions mean the applicant shall, from the City's existing demand, release through conservation and retrofit measures as much water as is expected to be used by the project.

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

- A. Each single-family residence, condominium, and apartment unit- .33 acre-feet per year (AFY).
- B. The number of retrofitted units required to build a single-family residence, condominium, and apartment unit is described in the attached Appendix A, "City of Lompoc Retrofit Program Schedule, Retrofit Requirements".
- C. Any other projects or any other form of commercial or residential development may require the submission of calculations of expected consumption for verification and approval by the City's Water Division prior to issuance of permits. Each project shall provide offsetting retrofits sufficient to save an amount of water equal to the annual average use of the proposed project.

SECTION 5. Guidelines.

- A. Applicants will purchase and install/retrofit sufficient numbers of showerheads, kitchen and bathroom sink faucets, and low flow toilets to offset the expected water use of their respective developments. The City of Lompoc shall maintain a list of property owners desiring retrofits which may be utilized by the applicant to accomplish this requirement, or the applicant may develop a separate list. City staff will verify that the retrofitted units have been properly installed and estimate the savings achieved.
- B. Applicants also will be assessed a charge based on the hourly rate of costs plus benefits for City staff/representative to verify that all properties were properly retrofitted for the applicant's project. This charge is hereby established at \$10.22 per retrofitted unit. This cost is subject to change as

the salary of the City representative changes; however, no such increase shall exceed five percent her annum.

SECTION 6. Guidelines.-In-Lieu Program.

- A. In-lieu of compliance with Section 5 Guidelines above, applicants may make a payment to the City for the complete material costs of retrofitting sufficient showerheads, kitchen and bathroom sink faucets, and a maximum of \$80.00 of the material cost and \$50.00 of the installation cost of each toilet, to offset the expected water use of their respective developments. Payment shall be based on the City's cost of providing materials. Such payments will be placed in the Retrofit Program Account and used for the operation of the Retrofit/Rebate Program. A City of Lompoc representative will work directly with property owners who desire to retrofit properties. Staff/representative will verify that the retrofitted units have been installed, and estimate the savings achieved.
- B. Applicants will be assessed an operational cost for the in-lieu program, which is directly related to the number of units that are retrofitted for the applicant's project. That is hereby established as \$10.22 per retrofitted unit. This cost is subject to change as the salary and benefits of the City representative changes, however, no such increase shall exceed five percent (5%) per annum.
- C. Developer in-lieu fees collected in the City's Retrofit/Rebate Program Account are to be expended only for water conservation measures addressed in this Retrofit Program or other identified water conservation measures as approved by the City Council.

SECTION 7. Due to the current Federal, State and local economic crisis, the requirements for payment of the in-lieu fees set forth above, shall be suspended until June 30, 2011.

SECTION 8. This Resolution is effective upon its adoption

The foregoing Resolution was proposed by Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and was passed and adopted by the Council of the City of Lompoc at its duly noticed regular meeting on June 1, 2010, by the following electronic vote:

AYES: Council Member(s):

NOES: Council Member(s):

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Michael A. Siminski, Mayor  
City of Lompoc

ATTEST:

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Donna N. Terrones, CMC  
City Clerk, City of Lompoc