



**Public Hearings: Item 9**  
**Consider Second Reading and Adoption of Ordinance**  
**No. 151-- Amending Definitions, the Residential**  
**Fixture Unit Count, High Efficiency Appliance Credits,**  
**the Variance Process, Water Efficiency Standards and**  
**the Landscape Water Audits Rule**

Presented by Stephanie Pintar  
November 19, 2012

# Summary

- Ordinance No. 151 adds definitions for Alternative Water Sources and Open Space
- Amends Table 1, Residential Fixture Unit Count
  - Deletes 1.6 gpf toilet and 1 gpf Urinal from Table
  - High Efficiency Toilet (HET) becomes the standard
  - Adds a fixture unit value for Ultra HET (0.8 gpf)
  - These actions are consistent with District Rules 142, Water Efficiency Standards

# Summary

- Minor edit to Rule 24-B-1-c, Non-Residential Calculation of Water Use Capacity, related to State Model Water Efficient Landscape Ordinance
- Amendments to Table 4, Water Use Efficiency Credits
  - Deletes credit for HET on December 31, 2013
  - Clarifies credit for Instant-Access Hot Water Systems on Multi-Family Residential Sites
- Amendment to Rule 90, Variance (*Board direction 8/15/11*)
  - Variance must be requested no later than 90 days after an appealable decision

# Summary

- Amendments to Rule 142, Water Efficiency Standards for New Construction
  - Removes requirement for 3-minute timers on multiple Showerhead installations
  - Adds requirement for High Efficiency Clothes Washers (HECW) and High Efficiency Dishwashers (as applicable) in new structures
  - Amends Non-Residential faucet flow rates to be consistent with building code
  - Encourages use of Alternative Water Sources for uses allowed by County Health Department

# Summary

- Amendments to Rule 142, Water Efficiency Standards for New Construction and Change of Ownership/Use
  - Allows only HET (or greater efficiency) and High Efficiency, Pint or Zero Water Consumption Urinals. Removes option for ULFT
    - HET Language inadvertently left out of ordinance, but has been in findings and discussed by committee. Proposed amendment to Rule 142-E-1 : Ultra ~~Low Flush~~ **High Efficiency** Toilets shall be installed;
    - There is an exemption for ULF toilets installed prior to 2013
  - Clarifies that Showerheads must be manufactured to flow at 2.0 gpm or less (current requirement)

# Summary

- Amendments to Rule 143, Water Efficiency Standards for Existing Non-Residential Uses
  - Extends existing and new retrofit requirements for Non-Residential uses by one year -- to December 31, 2013
  - Makes Showerhead and faucet flow rates consistent with Rule 142 (2.0 gpm)
  - Requires routine replacement of toilets in MPWMD with HET
  - Adds HEU retrofit requirement

# Summary

- Amendment to Rule 161, Stage 1 Water Conservation
  - Removes an obsolete date
- Amendment to Rule 172, Landscape Water Audits
  - Adds irrigated open space to include public parks and open space
  - Clarifies the Landscape Water Budget process for new Dedicated Irrigation Meters
  - Clarifies the watering days for unnumbered property addresses in Carmel-by-the-Sea

# Review

- Ordinance No. 151 has been extensively reviewed by Board committees, Cal-Am, CPUC and community organizations
- CEQA
  - An Initial Study and Notice of Intent to Adopt a Negative Declaration were circulated in April 2012
  - The Board must consider adoption of a Negative Declaration prior to adoption



# Proposed Amendments

1. Keep ULF (or higher flush) toilet fixture unit value in Table 1. (This amendment is necessary for the second proposed amendment)
2. Amend Table 4 to allow credit for HET toilets after January 1, 2014.
3. Amend Table 4 to round up the credit for HET from 0.004 AF to 0.005 AF
4. Amend Rule 142-E-1 to require HET. This was inadvertently left out of the ordinance, but was discussed in the findings and is a cornerstone of this ordinance. There is an exemption in Rule 144-C for ULF

# Amendments (continued)

- Amendments 1-3 have potential CEQA implications
  - Recirculate Initial Study for 30 days
  - Reconsider full ordinance after CEQA review in January
  - Ordinance could be backdated to be effective January 1, 2013 to address Non-Residential retrofit requirements
- Amendment 4 does not have CEQA effect and is considered critical

# Recommendations

- Receive public comment

## Option 1

- Consider including errata to Rule 25.5-A to allow continued use of Table 4 (credit for High Efficiency Clothes Washers and Dishwashers) for new Residential construction when there is a Water Use Credit for a demolished Residential structure
- Adopt proposed amendment to Rule 142-E-1 (Proposal #4)
- Adopt Negative Declaration (CEQA)
- Approve second reading and adopt Ordinance No. 151

# Recommendations

- Receive public comment

## Option 2

- Direct staff to amend the ordinance to add Proposals 1-3 (and Proposal 4)
- Take no action until after new CEQA review

# For More Information

Staff reports, ordinances and presentation materials can be found on the District's website at:

[www.mpwmd.dst.ca.us](http://www.mpwmd.dst.ca.us)

PowerPoint presentations will be posted on the website the day after the meeting