

ORDINANCE NO. 60

AN ORDINANCE OF THE
BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING THE PROCEDURE FOR ISSUANCE OF
PERMITS TO AUTHORIZE NEW OR INTENSIFIED WATER USE

FINDINGS

1. This ordinance shall amend the process by which the Monterey Peninsula Water Management District issues permits for new water use or intensified water use deriving from the Monterey Peninsula Water Resource System.
2. This ordinance shall amend existing standards and procedures for the issuance of water connection permits, and shall amend the Rules and Regulations of the District.
3. This ordinance is not intended to repeal limitations set by Ordinance 52, or Ordinance 59, or Ordinance 62.
4. The following District Rules shall be deleted by this ordinance: Rule #23 A ("Authority to Process Applications"), #30 ("Determination of Municipal Unit Allotment"), and #41 ("Review of Municipal Allotment").
5. The following District Rules shall be added or amended by this ordinance, Rule #11 ("Definitions"), #23 A ("Applications to Intensify Water Use"), #23 C ("Criteria to Process Applications to Intensify Water Use"), #24 B ("Applications Which Affect Existing Conditions or Which Relate to an Intensification of Use"), #25.5 ("Water Use Credits"), #30 ("Determination of Water Allocations"), and #31 ("Report on Status of Water Allocations").

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This Ordinance shall be known as the Permit Process Ordinance of the Monterey Peninsula Water Management District.

Section Two: Statement of Purpose

The Monterey Peninsula Water Management District enacts this Permit Process Ordinance as legal authority to modify existing standards and procedures pertaining to the issuance of water connection (expansion/extension) permits and to implement revised procedures for the allocation of water supplies among the Jurisdictions of the Monterey Peninsula. This ordinance shall modify the existing Rules and Regulations of the District.

Section Three: Definitions.

A. Unless the context specifically indicates otherwise, the following words or phrases shall be given the definitions set forth below for the purpose of this ordinance.

1. "Acre Foot" - shall mean an amount of water equal to 325,851 gallons. One fixture unit shall be deemed to have an annual water use capacity equivalent to 0.01 acre foot.
2. "Allocation" - shall mean a discrete quantity of water which has been set aside by the District for new or Intensified Water Use that shall occur within a Jurisdiction.
3. "Discretionary Approval" - shall mean each land use planning and zoning approval required for a project, and a use permit if one is required for a project, and design review or Jurisdiction approval which may apply to a project.
4. "District" - shall mean the Monterey Peninsula Water Management District (MPWMD).
5. "District Reserve Allocation" - shall mean a discrete quantity of water which may be set aside for new or Intensified Water Use. Use of water from this category shall occur only upon approval of the District for Regional Projects of special benefit, or for drought or other reserve purposes.
6. "Intensified Water Use" - shall mean any change in water use occurring on a Parcel which, in a residential use, is evidenced by an increase in the number of fixture units serving that Parcel; or, in any commercial, industrial, public authority, or other use, is evidence by the incremental change

in the project's capacity for annual water use based upon one or more of the factors set forth in Rule 24 of the existing Rules and Regulations. The term "intensification of use" shall also refer to an Intensified Water Use. Use of any quantity of water reserved by an unexpired Water Use Credit shall not cause an Intensified Water Use. The term "capacity" refers to the maximum long term water use which theoretically may occur on that Site, based on average water use data for similar projects in the Monterey Peninsula region, as shown by the projected water use tables set forth in Rule 24.

7. "Jurisdiction" - shall mean one of the following:
 (1) Carmel-by-the-Sea, (2) Del Rey Oaks, (3) Monterey City,
 (4) Monterey County, (5) Monterey Peninsula Airport District,
 (6) Pacific Grove, (7) Sand City, or (8) Seaside.

8. "Monterey Peninsula Water Resource System" - shall mean the ground water and surface water supplies which serve Cal-Am, other water distribution systems, and private well owners within the District, including the surface water and groundwater resources of the Carmel Valley (both the Carmel River and the Carmel Valley aquifer) and the resources of the Seaside Coastal groundwater subbasin. The Monterey Peninsula Water Resource System shall exclude resources of the Seaside Inland groundwater subbasin, and the Carmel Valley upland formation.

The following water distribution systems derive their source of supply from the Monterey Peninsula Water Resource System.

- Californian American (Cal-Am) Water Company, and each Cal-Am sub-unit)
- Water West
- Seaside Municipal
- Carmel Valley Road
- Riverside Park
- Saddle Mountain
- Rancho Fiesta Road 1 & 2
- Rancho San Carlos Road

9. "PAC" - shall mean the Policy Advisory Committee, a committee which meets at the call of the District Board of Directors.

10. "Parcel" - shall mean any unit of land which qualifies as a parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other parcel (or are separated only by a road or easement), and (2) for which there is unity of ownership, and (3) which have an identical present use. The term "Parcel" shall be given the same meaning as the term "Site".

11. "Person" - shall mean any individual, firm, company, partnership, association, any private, public, or municipal corporation (including each Jurisdiction), any public utility, the United States of America, the State of California, special districts, and all political subdivisions, governmental agencies and subdivisions thereof.

12. "Regional Project" - shall mean a non-profit endeavor which provides for the health, safety and/or welfare of the community, and provides regional non-denominational benefit to residents of the greater Monterey Peninsula area.

13. "Shall" - shall be mandatory, "May" shall be permissive.

14. "Site" - shall mean any unit of land which qualifies as a parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other parcel (or are separated only by a road or easement), and (2) for which there is unity of ownership, and (3) which have an identical present use. The term "Site" shall be given the same meaning as the term "Parcel".

15. "TAC" - shall mean the Technical Advisory Committee, a committee which convenes at the call of the District Board of Directors.

16. "Water Allocation EIR" - shall mean the Final Environmental Impact Report on the Water Allocation Program (SCH 87030309) and the findings approving that document as certified by the District.

17. "Water Release Request" - shall mean a written release from a Jurisdiction which signifies the consent of that Jurisdiction to the issuance of a permit by the District for new or Intensified Water Use.

18. "Water Use Credit" - shall mean a limited entitlement by a Person to use a specific quantity of water upon a specific Site. Water Use Credits shall be limited by time, and by other conditions as set forth in the District's Rules and Regulations.

B. The words and phrases defined above in this Section Two shall further be set forth as defined terms within Rule 11 of the District's Rules and Regulations.

Section Three: Water Distribution Systems Affected

This ordinance shall apply to each water connection (expansion / extension) permit issued by the District.

Section Four: Water Allocation Process.

A. From any new supply of water, the District shall establish a specific Allocation for each Jurisdiction, and may also establish a District Reserve Allocation.

Permits for new or Intensified Water Use within each Jurisdiction shall be issued only upon receipt by the District of a Water Release Request from that Jurisdiction.

Each permit issued by the District for new or Intensified Water Use shall cause an equivalent quantity of water to be debited from the appropriate Allocation account.

When a Jurisdiction can establish that permanent water savings have been achieved in excess of that necessary to sustain the 15% conservation target set forth by the District in the Water Allocation EIR, the excess increment of permanent water savings may be credited by the District to that Jurisdiction's Allocation. Credit shall not be given for any reduction which occurs by reason of a District sponsored or mandated program (e.g. retrofit-on-resale). Such credits shall be determined by a Resolution approved by the board of directors of the District. The Board shall adopt guidelines to guide the implementation of the credit process provided by this Rule.

B. The existing provisions of Rule 30, "Determination of Municipal Unit Allotment" shall be revoked and deleted from the District Rules and Regulations.

C. The provisions of paragraph A of Section Four (set forth above) shall be added as Rule 30 to the Rules and Regulations of the District, and captioned "Determination of Water Allocations".

Section Five: Report on Status of Water Allocations.

A. The District shall prepare and distribute an annual record to each Jurisdiction showing the current water balance for each Allocation.

B. The provisions of paragraph A of Section Five (set forth above) shall be added as Rule 31 to the Rules and Regulations of the District, and captioned "Report on Status of Water Allocations".

Section Six: Permits Required for Intensified Water Use.

A. An expansion/extension permit shall be required from the District for each Intensified Water Use (defined by Rule 11).

Intensification of Water Use without a permit shall provide cause for revocation by the District of all water use by any person on that Site. Each application for a permit to expand or extend a water distribution system and each application for an amended expansion/extension permit shall follow the process set forth in Rule 23. The District may issue the permit when the following applies:

(1) The District shall issue an expansion/extension permit for a project when:

(a) the District has first received and approved a complete application which includes evidence of each Discretionary Approval required for the proposed use, a complete and final set of construction drawings, and (if required by the Jurisdiction) a final landscape plan, and

(b) the District has first received payment in full for all applicable District fees and charges based upon the incremental increase in the potential water use capacity for that individual project.

(c) the District has first received a Water Release Request from the applicable Jurisdiction (the city, county or the airport district) pertaining to the Parcel on which the water use shall occur, and

(d) the total quantity of water reserved for all projects within a Jurisdiction does not exceed that Jurisdiction's total water allocation.

(e) the District has not determined to temporarily delay the issuance of permits by reason of a declared Water Supply Emergency.

(2) As an alternate to the process set forth in (1) above, the District may issue an expansion/extension permit for an application without a Water Release Request because of one of the following reasons:

(a) the proposed Intensified Water Use has been authorized by the District to derive some or all of its capacity for water use from the District Reserve allocation, or

(b) the application requests a permit to Intensify Water Use which derives from a water supply other than the Monterey Peninsula Water Resource System, or

(c) the application has been determined to not cause an Intensified Water Use, or causes an increase as specified pursuant to subparagraph (6) below (Rule 23 A (6)).

- (d) the application requests a permit based on a prior Water Use Credit which applies to that Site.
- (e) the application requests a permit to use water for a project which shall not permanently Intensify Water Use as it requires only a short term need for water and the application shall be processed pursuant to Rule 23 B.

(3) In the absence of special circumstances or undue hardship, the District shall not issue an expansion/extension permit which results in the installation of a new water meter which shall serve water to more than one user. Multiple users shall apply for separate permits pursuant to this rule. This provision, however, shall not prevent the issuance of a permit which shall allow a single user to extend incidental water use (e.g. a single bar sink).

This provision shall be construed to enable the issuance of permits for Intensified Water Use which are required by reason of a change in occupancy or use of an existing structure without a requirement to install separate water meters for each separate use or user provided no substantial structural modifications are necessary to facilitate the changed use. Any such extension shall nonetheless be processed in accord with Rule 24 (Connection Charges).

(4) The District shall not issue an expansion/extension permit if the District Board has determined that the water distribution system affected by that permit has exceeded its expansion capacity limit.

(5) The District shall not issue an expansion/extension permit when any portion of the expansion or extension lies outside of the affected water distribution system service area.

(6) The District shall not issue an expansion/extension permit until all fees and connection charges are paid in full by, or on behalf of, the applicant. At the time of first use or occupancy of the project, the General Manager may adjust the charge and the water debited from the Jurisdiction's Allocation, and cause a partial refund or the imposition and collection of an additional connection charge in accord with the provisions of Rule 24. In the event the adjusted connection charge is not paid in full within a reasonable period, the water use permit shall be revoked.

(7) The District shall not issue an expansion/extension permit which allows the use of potable water for green-belt irrigation when alternate sub-potable water is reasonably available to the Site (see Rules 23 C, 131 and 132).

(8) Staff determinations under this rule, either issuing or refusing to issue a permit, may be appealed to the Board pursuant to Rule 70.

B. The existing provisions of Rule 23, Paragraph A, "Authority to Process Applications" shall be revoked and deleted from the District Rules and Regulations.

C. The provisions of paragraph A of Section Six (set forth above) shall be added as Rule 23, Paragraph A to the Rules and Regulations of the District, and captioned "Applications to Intensify Water Use".

Section Seven: Criteria to Process Permits for Intensified Water Use.

A. The following procedure and criteria shall apply to any application for new or Intensified Water Use.

1. Water Release Request (Water From a Jurisdiction Allocation). Before a permit shall be issued by the District to allow new or Intensified Water Use (including applications for changed use through an existing water meter) the District shall first receive a Water Release Request from the Jurisdiction which has land use planning authority over the Parcel on which that water use shall occur. The District may nonetheless receive and process applications without a Water Release Request under the criteria set forth in Rule 23 A (2) - (a) use authorized from the District Reserve allocation, or (b) use from a water supply other than the Monterey Peninsula Water Resource System, or (c) no intensification of water use in an existing connection, or (d) use based on a prior water use credit for that Site, or (e) use for a temporary purpose.

2. Water from the District Reserve Allocation. The District Reserve Allocation constitutes a special allocation which may be used to make water available to Regional Projects of special benefit to avoid the individual drawdown of a Jurisdiction's allocation which would otherwise occur, or for drought or other reserve purposes. Release and use of this water is at the sole and exclusive discretion of the District.

Regional Projects which may qualify for water from the Reserve Allocation shall be non-profit, provide for the health, safety and/or welfare of the community, and provide regional non-denominational benefit to residents of the greater Monterey Peninsula area. Examples of such Regional Projects include regional health care, homeless or transitional shelters, and protection from natural disasters (but not local police protection).

A project sponsor or a Jurisdiction seeking water from the District Reserve Allocation shall make a written request to the District. The District may refer that request to TAC or PAC for

recommendation, or may act on the request directly. The District in its sole and exclusive discretion may deny, approve, or approve in part the request. Water use shall be debited from the District Reserve allocation in the same manner used for each Jurisdiction's Allocation.

3. Water Connection Permit. An expansion/extension permit from the District shall be required prior to any new or Intensified Water Use. To obtain that permit, a complete application shall be submitted to and approved by the District. A complete application must include the record of each Discretionary Approval required for the proposed use, a complete and final set of construction drawings, a complete landscape plan where such a plan is required by the Jurisdiction, and payment in full of all applicable District fees and charges based upon the potential water use capacity for that individual project. The term "Discretionary Approval" shall mean each land use planning and zoning approval required for the project, a use permit if one is required, and prior completion of all applicable design review or approval.

4. Quantity of Water Permitted for Use. Upon receipt of the complete application for the expansion/extension permit, District staff shall calculate the water use capacity for the project, verify release of water by the Jurisdiction, and based on water use capacity quantify the amount of water actually permitted. A permit which allows installation of a new water meter connection shall be issued by the District only when the projected water use capacity equals or is less than the Water Release Request. If a new connection has capacity for water use in excess of the quantity in the Water Release Request, a permit for the new water meter connection will be issued by the District only upon receipt of an amended Water Release Request from the Jurisdiction.

5. Residential Water Demand. Each authorization for interior water demand for residential water connections shall be based on the fixture units planned for that Site. Water use capacity for remodelling or replacement of an existing residence, or for any new residence shall be based on the increase in fixture units on the Site. A single standard shall apply to the calculation of fixture units regardless of where the property is located. This method shall not include an increment of water for open space or landscape use. Instead, landscape water demand for each residential use shall be calculated by the District independent from the fixture unit criteria, and instead shall be based upon the number of hose bibs which are reasonable and necessary for that Site. The Board of Directors shall adopt guidelines to guide staff's implementation of the landscape water use criteria and hose bib calculation process provided by this Rule.

6. Adjustment of Allocation Upon Issuance of Permit. Water capacity allowed by each permit shall be deducted from that Jurisdiction's Allocation. Each project which allows new water use

capacity through an existing connection due to Intensified Water Use shall require an expansion/extension permit and also have the quantity of water allowed by permit debited from that Jurisdiction's Allocation. A permit for water use which derives wholly from the District Reserve Allocation, however, shall be deducted from the District Reserve allocation. A pro-rata split shall be made for those permits which are based on water from both a Jurisdiction's Allocation and the District Reserve, or two or more Jurisdictions which may participate in a joint project.

7. Adjustment of Allocation for Abandoned or Revoked Permits.

(a) Any permitted water capacity which is not used because of an abandoned, expired, revoked, or returned permit shall be returned to the Allocation applicable to that Jurisdiction (or the District Reserve) upon the expiration or revocation of that permit.

(b) Issuance of a Water Use Credit pursuant to Rule 25 shall not result in any change to a Jurisdiction's Allocation. Use of any Water Use Credit shall similarly not cause a change to a Jurisdiction's Allocation.

B. The provisions of paragraph A of Section Seven (set forth above) shall be added to Rule 23, Paragraph C to the Rules and Regulations of the District, and the caption for that Paragraph shall be amended to read "Criteria to Process Applications to Intensify Water Use".

C. The existing provisions of Rule 23, Paragraph C, "Process", shall be renumbered as Paragraph 23 C 8, and each subparagraph therein shall be re-labeled, changing from numbers (1) through (5) to letters (a) through (e).

Section Eight: Amendment of Rule 24 B, "Applications which Affect Existing Conditions or which Relate to an Intensification of Use".

The following additions (in **bold face**) and deletions (in ~~strikeover~~) shall be made to Rule 24 B of the District Rules and Regulations:

With respect to both new and amended expansion/extension permits, a project's capacity to use water shall be finally ~~determined~~ **reviewed** at the time the project is first available for use or occupancy. At this ~~review final determination~~, the General Manager shall adjust the connection charge to ensure that final connection charge bears a positive correlation to the water use capacity of the project as built, rather than the project as planned. Adjustment of the connection charge ~~may require, including refunds or the imposition and~~

collection of additional charges based upon water use capacity reflected by Table 1 or 2, ~~shall be made at that time, and shall also include~~ subject to the administrative fees required by Rule 60. In the event the adjusted connection charge is not paid, the water use permit shall be revoked.

A change of use following the project's first use or occupancy which results in a less intensive utilization of water shall not entitle the user to any refund of connection charges which have previously been paid, except where an adjustment is permitted under paragraph G, and where such adjustment was approved at the time the original permit was granted.

A change of use following the project's first use or occupancy which results in an Intensified Water Use shall require a permit pursuant to Rule 23, cause a debit to the appropriate Allocation, and require the Person who owns the Site to pay all applicable fees and connection charges. In the event the adjusted connection charge is not paid following reasonable demand by the District, the water use permit shall be revoked.

Section Nine: Water Use Credits

A. Except where a permit has been cancelled, returned or revoked under these Rules, a Person may receive a Water Use Credit for the permanent abandonment of some or all of the prior water use on that Site by one of the methods set forth in this Rule. A Water Use Credit shall enable the later use of that water on that same Site.

1. A Person may apply to the District for a Water Use Credit in advance of the abandonment of capacity for water use which that Person may cause on that Site. In such a circumstance, District staff (1) shall verify that the Reduction is one which is permanent, (2) shall quantify the capacity for water use which remains, (3) shall quantify the reduced water use (the abandoned capacity), (4) shall quantify the increment of reduction which exceeds the District's target of 15% conservation based upon the criteria used for the Water Allocation EIR, and (5) shall provide written confirmation of the Water Use Credit based upon the quantity set forth in element (4) above. Credit shall not be given for any reduction which occurs by reason of a District mandated or sponsored program (e.g. retrofit-on-resale). A Water Use Credit obtained pursuant to this method may be applied to, and shall allow future water use on that Site at any time within a period of 60 months. After the 60th month, renewal of this Water Use Credit shall be allowed only upon proof by the applicant that some or all water savings represented by that Credit are current. If all savings are not current, a pro-rata reduction shall occur. A single renewal period of 60

months shall be allowed; thereafter any remaining unused Water Use Credit shall expire. Water Use Credits shall not be transferrable to any other Site.

2. A Person who has not applied in advance to the District for a Water Use Credit (in advance of the abandonment of the capacity for water use) may still request that a Credit be given based on prior reductions in water use capacity which occurred on that Site within the preceding eighteen (18) months. In such a circumstance the applicant shall have the burden to quantify and verify both the reduction of water use capacity, and the date such reduction occurred. District staff shall determine the increment of reduction which exceeds the District's target of 15% conservation as set forth in the Allocation EIR and shall determine the effective date for that reduction in capacity for water use. Credit shall not be given for any reduction which occurs by reason of a District mandated or sponsored program (e.g. retrofit-on-resale); credit shall not be given for any reduction which was completed more than eighteen (18) months prior to the date of the application for the Water Use Credit. The quantity of water determined by staff to be available for a Water Use Credit under this method, once the Water Use Credit has been granted, may be applied to, and shall allow future water use on that Site within thirty (30) months from the date the reduction first occurred, and upon proof by the applicant that those water savings are still current. After the 30th month, renewal of this Water Use Credit shall be allowed only upon proof by the applicant that some or all water savings represented by that Credit are current. If all savings are not current, a pro-rata reduction shall occur. A single renewal period of thirty (30) months shall be allowed; thereafter any remaining Water Use Credit shall expire. Water Use Credits shall not be transferrable to any other Site.

(3) A Water Use Credit shall provide the basis for issuance of a permit for an Intensified Water Use on that Site provided (1) the credit is current (has not expired), and (2) provided the abandoned capacity (saved water) forming the basis for the Water Use Credit is determined not yet to have been used on that Site. There shall be no connection charge assessed for the capacity for water used pursuant to any Water Use Credit. Connection charges, however, shall apply to the capacity for water use which exceeds the Water Use Credit, or for any expansion of use following the expiration of the Water Use Credit. No refund shall accrue by reason of water use reduction, or abandonment of capacity, whether or not reflected by a Water Use Credit. Issuance of a Water Use Credit shall not result in any change to a Jurisdiction's Allocation. Use of any Water Use Credit shall similarly not cause a change to a Jurisdiction's Allocation.

B. The provisions of paragraph A of Section Nine (set forth above) shall be added as Rule 25.5 to the Rules and Regulations of the District, and captioned "Water Use Credits".

Section Ten: Deletion of Rule 41, "Review of Municipal Unit Compliance with Allotment".

The entire text of Rule 41 shall be deleted from the District Rules and Regulations, and shall no longer have any force or effect.

Section Eleven: Adjustment of Water Allocations.

Each permit for new or intensified water use in the Cal-Am system on or after January 1, 1991 shall be debited from the appropriate Jurisdiction or District Reserve allocation until all the water allocated to the jurisdiction is exhausted. Water use debits shall not be made, however, for projects with permits based upon the "in progress" definition under prior District ordinances.

Section Twelve: Publication and Application

The provisions of this ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District. This ordinance shall be read in conjunction with and compliment those provisions of the District's Rules and Regulations, provided, however that the provisions enacted by this measure shall take precedence and supersede any contradictory provision of those rules. Section titles and captions are provided for convenience and shall not be construed to limit the application of the text.

Section Thirteen: Effective Date

This ordinance shall be given effect at 12:01 a.m., August 1, 1992.

Section Fourteen: Severability

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District

Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director Hughes, and second by Director Heuer, the foregoing ordinance is adopted upon this 15th day of June, 1992, by the following vote:

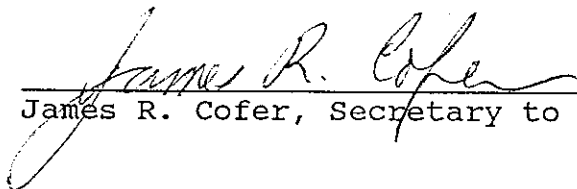
AYES: Directors Hughes, Karas, Farina and Heuer

NAYS: Directors Hekhuis, Long and Pendergrass

ABSENT: None

I, James R. Cofer, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the 15th day of June, 1992.

Witness my hand and seal of the Board of Directors this 7th day of July, 1992.


James R. Cofer, Secretary to the Board

F:\wp\MPWMD\ORD\Ordinance.60
[FINAL - as approved by B.O.D.]
DCL - 6/17/92

PROPOSED RESIDENTIAL LANDSCAPE WATER DEMAND GUIDELINES:

1. Landscape water demand shall be calculated to determine the capacity of the project's exterior water demand including car washing and other exterior water uses.

2. Where no landscape planting or a complete landscape plan (grading, irrigation, hardscape, details, etc.) has been provided, the entire area shall be assumed to be planted in turf. This is based upon the project's capacity to use water. Non-turf areas shall be calculated at a rate reflective of their evapotranspiration rate. For turf, this factor is 2.2 acre-feet per acre; for non-turf, this amount is 1.1 acre-feet per acre. Adjustments for drought-tolerant or other water-efficient plant material may be made based upon clearly superior information.

3. To be able to obtain a landscape water-demand projection based upon plant material other than turf, the planting must be installed by the time the building is ready for occupancy. If it is not, the landscaping shall be re-assessed as turf, regardless of what was shown on the plans. Final adjustments in the water permit fee, and deduction from the local jurisdiction's water allocation, shall take place after the District's inspection as necessary to reflect the project as built, as opposed to the project as planned. The final water permit shall therefore bear a positive correlation to the final project.

4. Lot size, lot coverage, irrigated open space and type of plant material shall be factored in the assessment for landscape water demand as indicated below:

- a. First determine the gross size of the residential parcel.
- b. Deduct the building footprint from the total lot size.
- c. Deduct for hardscape areas as shown on the site, landscape or other plans.
- d. Multiply the planting area by the water demand factor for turf (2.2 AF/acre) or non-turf (1.1 acre-feet/acre). If hardscape and planting areas are not identified, assume entire is in planting.
- e. For lots over 1/4 acre in size, a complete landscape plan must be submitted before a water permit can be issued.
- f. The number of hosebibs will not affect the residential water demand analysis.