

ORDINANCE NO. 71 *

**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 amends existing standards and procedures for the issuance of water connection permits, and shall amend the Rules and Regulations of the District.
3. This ordinance streamlines the administration of commercial water use permits by combining several categories of water use into consolidated groups. This consolidation of categories shall enable changes of use within groups to occur without incurring fees or charges, and without changing water allocation calculations.
4. This ordinance enables limited transfers of existing commercial water use credits from one site to another within a city or other jurisdiction, and sets a schedule of fees for such transfer applications.
5. This ordinance modifies connection charges applicable to "affordable housing" by assessing a 50% connection charge for deed restricted housing in lieu of the prior practice which allowed a 100% exemption from the connection charge.
6. This ordinance allows a connection charge credit for residential fixtures which are retrofit at the time a District permit is sought.
7. This ordinance clarifies inspection requirements, directs the suspension of permit processing with respect to any property on which a permit violation has been noticed, and imposes administrative fees for the processing of permit applications where intensification of water use has occurred without benefit of permit.
8. This ordinance incorporates into the District Rules and Regulations provisions which had previously been approved as "Board policy" with respect to interpretation and application of "Special Circumstance" variances, and District fee payment plans,
9. The following District Rules shall be added or amended by this ordinance: Rule 11

(Definitions), Rule 20.5 (Suspension of Applications for Rule Noncompliance), Rule 21 F (Name Changes), Rule 23 E (Verification of Water Use Capacity), Rule 24 A (Process), Rule 24 C (3) (Calculation of Residential Connection Charge), Rule 24 C (Fixture Unit Component), Rule 24 D (Table No. 2), Rule 24 G (Adjustment for Special Circumstances), Rule 24 H (Refunds), Rule 24 N (Prohibition of Fee Payment Plans), Rule 24.5 (Affordable Housing), Rule 25.5 (Water Use Credits), Rule 28 (Transfer), Rule 60 (Permit Fees).

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This Ordinance shall be known as the "1993 Permit Process Ordinance" of the Monterey Peninsula Water Management District.

Section Two: Statement of Purpose

The Monterey Peninsula Water Management District enacts this 1993 Permit Process Ordinance as legal authority to modify existing standards and procedures pertaining to the review and issuance of water connection (expansion/extension) permits, to clarify verification inspections and the consequences for permit non-compliance, to amend processing fees, to modify the manner in which select connection charges are calculated, and to amend select definitions used in its Rules and Regulations. This ordinance shall modify the existing Rules and Regulations of the District.

Section Three: Water Distribution Systems Affected

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

Section Four: 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. "Capacity" - shall mean the maximum potential water use which theoretically may occur on a specific Site, based on average water use data for similar structures and uses in the Monterey Peninsula region, as shown by projected water use tables set forth in Rule 24.
4. "Completion" - shall mean the creation, establishment, extension, or expansion of a water distribution system so that the system or expansion is capable of delivering water for consumption through permitted fixtures. This shall include the acquisition of all required permits, installation of any required water meter, and approval of construction, when required by law or ordinance.
5. "District" - shall mean the Monterey Peninsula Water Management District (MPWMD).
6. "General Manager" - shall mean the General Manager of the District who serves as the chief (non-elected) executive officer of the District. References to the General Manager shall also refer to any designated representative of the General Manager, an individual holding authority delegated by the General Manager, including the Acting General Manager.
7. "Instant-Access Hot Water" - shall mean any device or system which is capable of supply hot water at each hot water access point in the structure within six (6) seconds of demand.
8. "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 evidenced 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.

A change in use from a commercial category in one group to another category in a higher water use group, or from any commercial category in Group III to another

category in Group III, as shown on Table No. 2 of Rule 24, shall be deemed an intensification of use requiring an expansion/extension permit, or an amended permit pursuant to these Rules and Regulations. Where there is no increase in the size of a commercial structure, a change in use from one commercial category in Group I to another category within Group I, or a change of use from one commercial category in Group II to another in Group II, however, shall not cause an intensification of water use.

9. "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.

10. "Low Water-Use Plumbing Fixtures" - shall mean any toilet using a maximum of 1.6 gallons per flush, shower heads designed to emit a maximum of 2.5 gallons per minute (gpm) of water, faucet aerators designed to emit a maximum of 2.2 gallons per minute, drip irrigation where appropriate, and instant-access hot water systems.

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

12. "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 their 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".

13. "Water Release Form" - shall have the same meaning as the term "Water Release Request".

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

C. All words and phrases defined in within the Rules and Regulations shall be set forth as a defined term within Rule 11. This change shall cause relocation of definitions from Rule 141 to Rule 11. This shall include the definitions of the following terms: "Affordable Housing", "Change of Ownership", "Change of Use", "Existing Structure", and "New Construction".

Section Five: Amendment of Rule 24 D, "Commercial, Governmental and Industrial Expansions" to Combine Water Use Categories into Groups.

The following additions and deletions shall be made to Rule 24 D of the District Rules and Regulations.

Table No. 2 which establishes water use capacity for Commercial, Governmental and Industrial Expansions shall be deleted in its entirety. In its placed a revised Table No. 2 shall be inserted

as follows:

[*Table No. 2 is set forth as an Attachment, but its content is an integral part of this ordinance which is incorporated in this Section Five as if set forth in its entirety.*]

The following note shall be added to Table No. 2:

Any commercial, governmental, or industrial water use which cannot be characterized by one of the use categories set forth in Table No. 2 shall be designated as "other" and assigned a factor which has a positive correlation to the anticipated water use capacity for that site. Where substantial uncertainty exists regarding the water use factor for any "other" use, the calculation shall be made in accord with Section G (Special Circumstances) of this Rule 24.

Section Six: Amendment of Rule 24 A, "Process" to Combine Water Use Categories into Groups.

The following additions (**bold and underscored**) shall be made to Rule 24 D of the District Rules and Regulations:

Any change in use from one **commercial category in one group** to another **commercial category in a higher water use group, or from any category in Group III to another category in Group III,** as shown on Table No. 2 of this Rule, shall be deemed an intensification of use requiring an expansion/extension permit, or an amended permit pursuant to these Rules and Regulations. **Where there is no increase in the size of a structure, a change in use from one commercial category in Group I to another category within Group I, or a change of use from one commercial category in Group II to another in Group II, however, shall not be deemed to cause an intensification of water use.**

Section Seven: Amendment of Existing Rule 28, "Transfer".

The following additions (**bold and underscored**) shall be made to Rule 28 of the District Rules and Regulations:

A. Transfer Limitation. Any permit issued pursuant to these regulations may be transferred from one person to another, upon written notification to the District, except as follows:

- (1) Permits may not be transferred from one location to another, **except as**

provided by Part B of this Rule;

- (2) Permits may not be transferred when the General Manager determines within thirty (30) days of the written notification required by this rule that the transfer may allow or facilitate increased water consumption of a water distribution system.
- (3) Transferred permits shall be subject to all conditions attached to the original permit. Applicants who are not allowed to transfer a permit under this rule may apply for a new permit or an amendment to the existing permit pursuant to Rule 23. Determinations of the General Manager under this rule, either allowing or refusing permit transfer, may be appealed to the Board pursuant to Rule 70.

Section Eight: Addition of Rule 28 B, "Transfer Water for Commercial or Industrial Uses".

The following provisions shall be added as Rule 28 B of the District Rules and Regulations:

B. Property-to-Property Transfers of Water Use Credits for Commercial or Industrial Uses. Water use credits for existing water use which has been allowed by the District on or after January 1, 1985, may be transferred from one property to another for commercial and industrial connections pursuant to this Rule. Open space and residential water use shall not be transferred. The following conditions shall apply:

- (1) Water use credit transfers shall only occur within a single jurisdiction. No inter-jurisdictional transfer shall be allowed. Transferred water credits shall not have any impact on a jurisdiction's allocation.
- (2) Water use credit transfers shall only occur within a single water distribution system. No inter-system transfer shall be allowed.
- (3) Water use credit transfers shall only occur with the prior approval of the city, county or airport district.
- (4) Water use credit transfers shall only be allowed from an existing commercial or industrial use, and must be applied to the intensification of another existing commercial or industrial use. Transfer credits shall not originate from, or be transferred to any residential use. Transfer credits shall not derive from any prior open space water use.
- (5) Water use credit transfers shall only be used for intensification purposes. New water connections shall not be issued based upon a transferred water use credit.

- (6) Commercial water use credit transfers shall only enable intensification of an existing commercial or industrial water use capacity, as proposed by a current application for a water permit. Transfers shall not provide water use capacity for new commercial or industrial water meter connections. Transferred water credits shall not be "banked" for future use at any new or different site.
- (7) Water use credit transfers shall originate only from prior documented commercial water use capacity and shall be subject to each and every limitation on the calculation of water use credits set forth in Rule 25.5.
- (8) Transfer of water use credits shall occur only by the written (and recorded) agreement of the owner of record for each parcel from which the transfer originates. This agreement shall confirm that the transfer of water credit is irrevocable, shall quantify remaining water use capacity required by the originating parcel(s), and acknowledge that any intensification of water use capacity on the originating site thereafter shall result in additional connection charge fees. If all prior water use capacity is transferred from a site (due to demolition of all structures on that site), the recorded agreement and notice shall consent to permanent removal of the meter connection from the originating site, and acknowledge that the placement of a new meter shall be limited due to unavailability of water.
- (9) Transfer of water use credits shall only occur upon approval by the District. The District shall have sole and exclusive authority to determine the maximum quantity of water which can be transferred from any single site. The District shall have sole and exclusive authority to determine the water use capacity which cannot be transferred by reason of capacity requirements for the originating site. The District shall have sole and exclusive authority to determine the water use capacity requirements for the receiving site.
- (10) Transfer of water use credits shall not be approved by District staff if the effect of the transfer shall cause the originating site to have insufficient water credit to meet the water use capacity requirements of all existing structures on the transferring property site. If all prior water use is transferred from a site (due to demolition of all structures), the transfer shall be approved only upon the removal of the meter connection from the originating site, and the recordation of the notice specified above.
- (11) The effect of any approved water credit transfer shall be the irrevocable extinction of any right or entitlement to the actual water use, water use capacity, or water credit which has been transferred from the originating (transferring) site.
- (12) Before any water use credit transfer shall occur, the transfer fee required by Rule 60 for each originating site shall be paid by the applicant.

Section Nine: Modification of Rule 25.5, "Water Use Credits".

The following word shall be added (**bold face and underscored**) to the last sentence in Rule 25.5 A (2) of the District Rules and Regulations:

Residential Water Use Credits shall not be transferrable to any other Site.

Section Ten: Amendment of Rule 24.5, "Connections for Affordable Housing".

"TEXT DELETED BY THE BOARD OF DIRECTORS DURING SECOND READING"

Section Eleven: Amendment of Rule 24 C (3), "Calculation of Unfactored Residential Connection Charge".

The following additions (**bold and underscored**) and deletions (~~strikeout~~) shall be to Rule 24 C (3) of the District Rules and Regulations, specifying the calculation of connection charges for expansions of residential water use:

(3) **CALCULATION OF UNFACTORED RESIDENTIAL CONNECTION CHARGE**

An unfactored connection charge shall be calculated for each residential dwelling unit from the expansion/extension permit by multiplying the General Manager's fixture unit count as determined pursuant to Subdivision B of this rule by the water supply cost component determined pursuant to Subdivision E of this rule, as follows:

~~For the first 10 residential fixture units per dwelling unit:~~

$$\frac{\begin{array}{c} \# \text{ of dwelling} \\ \text{units} \end{array} \times \begin{array}{c} \# \text{ of fixture} \\ \text{unit count} \end{array} \times \begin{array}{c} \text{water supply} \\ \text{cost} \end{array}}{200} = \begin{array}{c} \text{unfactored} \\ \text{connection} \\ \text{charge} \end{array}$$

For all residential fixture units per dwelling unit ~~in excess of 10:~~

$$\begin{array}{c} \# \text{ of dwelling} \\ \text{units} \end{array} \times \begin{array}{c} \# \text{ of fixture} \\ \text{unit count} \end{array} \times \begin{array}{c} \text{water supply} \\ \text{cost} \end{array} = \begin{array}{c} \text{unfactored} \\ \text{connection} \\ \text{charge} \end{array}$$

100

A retrofit credit shall thereafter be applied to the unfactored connection charge

equivalent to the connection charge for 2.3 fixture units for each toilet that is retrofit at the time the project is permitted.

Notwithstanding the foregoing calculation, for each system, there shall be a minimum non-refundable connection charge in the amount of \$600 upon each application for a temporary expansion/extension permit. Any application for an expansion/extension permit which is made by the holder of a current (unexpired and non-revoked) temporary expansion permit shall be credited with the connection charge previously paid for the temporary permit. Applicants for an amended permit shall not be subject to a minimum connection charge.

Section Twelve: Amendment of Rule 25, "Cancellation of Applications".

The following additions (**bold and underscored**) and deletions (~~strikeout~~) shall be made to Rule 24.5 B of the District Rules and Regulations:

All permits issued pursuant to these regulations which are not completed (**completion is defined by Rule 11**) ~~within one (1) year of date of issuance~~ shall expire **upon the date specified by each jurisdiction as shown on the permit.** ~~For any permit that does not bear a cancellation date, that permit, to the extent it has not been completed by the installation of a water meter, or to the extent permitted fixtures have not been installed, shall expire one (1) year following the date of issuance. Persons possessing a current and valid Water Release Form whose permits have expired or have been cancelled may re-apply for a new permit pursuant to Rule 20. The General Manager may extend the time period in increments of one (1) year where failure to complete was occasioned by good cause. "Completion" used within these Rules shall mean the creation, establishment, extension, or expansion of a water distribution system so that the system or expansion is capable of delivering water for consumption.~~

The District shall not accept any Water Release Form after the date specified by any jurisdiction. A water release form will be required for all permit applications, or requests for extension of a permit. The District, however, shall not extend a permit for any site on which a permit violation has been noticed, but has not been corrected.

Section Thirteen: Addition of Rule 20.5, "Suspension of Applications for Rule Noncompliance".

The following provision shall be added as Rule 20.5 of the District Rules and Regulations:

- A. The District shall suspend processing of any application under these Rules with respect to any site on which a District permit or Rule violation has been

noticed, but has not been corrected, until such time as the violation has been corrected.

B. The District shall suspend processing of any application under these Rules with respect to any site which is subject to a District permit or Rule, but one or more of the conditions of that permit have not been met.

C. The District shall suspend processing of any application under these Rules with respect to any site which does not have a valid permit for its post-1985 expanded water use, until such time as the an application to validate that use has been received.

Section Fourteen: Addition of Rule 23 E, "Verification of Water Use Capacity".

The following provision shall be added as Rule 23 E of the District Rules and Regulations:

E. VERIFICATION OF WATER USE CAPACITY

To implement Regulation XX, the General Manager or his agent acting in accord with the provisions of Section 363 of the District Law may enter on to any property for purposes consistent with this Regulation XX and for the purpose of making investigations relating to water use capacity at that site. For such purposes, the authorized representative of the District, upon presentation of credentials and with permission of the occupant, or if necessary under the circumstances, after obtaining an inspection warrant pursuant to Title 13 (commencing with Section 1822.50) of Part 3 of the Code of Civil Procedure, shall have the right of entry to any premises to verify and inspect the water use capacity and type of water use fixtures within that structure.

If access is denied which prevents inspection of water fixtures or fixture retrofit construction required by a District permit, or if permit violations have been noted by have not been corrected within a reasonable period, the District may record a notice of violation against that property, impose a lien against that property for additional fees and charges which may be due, and/or may revoke (or suspend) the permit for that property until such time as the violation has been corrected.

Section Fifteen: Addition of Rule 21 F, "Name Changes".

The following provision shall be added as Rule 21 F the District Rules and Regulations:

F. Name Changes. An applicant or permit holders's name or identifying information may be changed without charge, and in such circumstances a revised permit may be issued.

Section Sixteen: Amendment of Rule 24 H, "Refunds".

A. The following two sentences are obsolete and shall be deleted from Rule 24 H of the District Rules and Regulations:

~~In the event a water augmentation project has not been approved by a District wide vote before December 1, 1991, the Board shall conduct a public hearing at its December 1991 regular meeting to determine whether the District will undertake any project to augment the water resources and service capacity within the District, and whether this rule should subsequently be amended to eliminate or substantially abandon the water supply improvement charge required for future expansion/extension permits.~~

~~Notwithstanding any other provision of this Paragraph 8, the General Manager shall, upon request of any applicant who paid connection charges pursuant to interim rates set by Ordinance No. 20, refund any excess charge which would not have been due under the provisions of this rule. All refunds shall be made to the current title holder of the real property upon which the water connection is located.~~

B. The following provision shall be added to Rule 24 H of the District Rules and Regulations:

Notwithstanding any other provision of this Rule, if a project, as built, eliminates all or a portion of the water demand capacity upon which the water permit was originally calculated, a refund of that portion of the connection charge may occur. Refunds of connection charges may also occur if the project is abandoned prior to construction. Refunds will only occur if a reduction in the capacity for future projected water demand is documented, or for abandoned projects, if the applicant has permanently removed the water meter and canceled the building permit. An administrative processing of one hundred dollars (\$100) per permit will be assessed to process each refund application. Original permit processing fees are not refundable. Requests for refunds shall be in writing, must include the water permit number, and state clearly the reason a refund has been requested.

Section Seventeen: Amendment of Rule 24 G, "Adjustment for Special Circumstances."

The following addition shall be made to Rule 24 G of the District Rules and Regulations:

The phrase "special circumstance where substantial uncertainty exists" (Rule 24 G) shall refer to projects that are so unusual that neither the application of the

regional average nor use of actual undisputed quantitative documentation would provide a reliable forecast of the project's consumption capacity. Such a project must be unique or have such an unusual location, design or clientele that none of the surveyed commercial categories enumerated in Rule 24 represents a comparable type of use, and/or there is no quantitative documentation that is available and beyond dispute. The exception allowed by Rule 24 G shall not apply where expanded water use through a single meter may benefit more than one user of that meter.

Section Eighteen: Addition of Rule 24 N, "Prohibition of Permit Fee Payment Plans".

The following provision shall be added as Rule 24 N, "Permit Fee Payment Plans" to the District Rules and Regulations:

Except as may be required by operation of law, the District shall not authorize a payment plan for fees and charges due for the issuance of a water permit. This shall mean that no permit shall be issued by the District unless all required fees and charges have first been paid in full to the District. In any circumstance where a permit has been issued on less than full payment of all fees and charges due from that parcel, that permit shall immediately be suspended and thereafter revoked in accord with Rule 27. Revocation of a water use permit shall cause removal or limitation of water service to that connection.

Section Nineteen: Amendment of Rule 24 C (1), "Determination of Fixture Unit Component".

The provisions of Rule 24 C (1) should be deleted in their entirety to remove obsolete references, and in their place the following text should be added:

Each expansion/extension permit application for residential use will be assessed a connection charge for each added fixture unit in accord with Table No. 1 below. This table shall be revised periodically and approved by the Board. The revised tables so approved shall be published together with these Rules and Regulations. The applicant shall provide complete and final construction plans. The General Manager shall review the project and determine the fixture unit count to be used in the formula set forth in this rule. Fixtures which deviate from those categories listed on Table No. 1 shall be characterized by the General Manager as "other", and assigned a fixture unit value by the General Manager which has a positive correlation to the anticipated water use facilitated by that fixture.

Section Twenty: Amendment of Rule 60, "Permit Fees".

The following set of administrative processing fees shall be added as Rule 60 (10) and (11) of the District Rules and Regulations:

- (10) Administrative fee for each application to transfer a water use credit pursuant to Rule 28:
 - (i) transferred annual water use capacity of one-half (0.5) acre feet or less: \$250 per originating parcel.
 - (ii) transferred annual water use capacity greater than one-half (0.5) acre feet but not greater than one (1.0) acre feet: \$500 per originating parcel.
 - (iii) transferred annual water use capacity greater than one (1.0) acre feet: \$750 per originating parcel.
 - (iv) unusually complex applications for water transfers: \$30.00 per hour of staff time for all necessary efforts in excess of twenty (20) hours per application.
- (11) Administrative fee to review and process applications for fixtures added without proper permit: \$50 per unpermitted fixture.
- (12) No administrative fee shall be charged for the following activities:
 - (i) meter splits (separation of an existing master meter into separate meters).
 - (ii) reinstallation of a meter where there is no intensification on that site (Rule 25.5).

Section Twenty One: 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 Twenty Two: Effective Date

This ordinance shall be given effect at 12:01 a.m. on February 1, 1994. The modifications of permit processes and/or fee calculation methods made by this 1993 Permit Process Ordinance shall be given prospective effect only. No refund or credit shall be allowed for any permit issued prior to the effective date.

Notwithstanding the above paragraph, however, any completed permit application currently being processed by the District on the effective date of this ordinance may, at the election of the applicant, instead be processed pursuant to the District Rules and Regulations in effect at the time that application had been deemed complete. The time for this election shall be limited, and shall not apply to any permit issued after 12:01 a.m. on August 1, 1994.

Section Twenty Three: 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 Haddad, and second by Director Heuer,
the foregoing ordinance is adopted upon this 20 day of December, 1993, by the following vote:

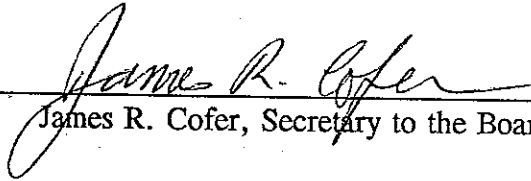
AYES: Directors Hughes, Farina, Haddad, Heuer, Karas & Pendergrass

NAYS: None

ABSENT: Director Burkleo

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 20 day of December, 1993.

Witness my hand and seal of the Board of Directors this 19 day of January, 1994.



James R. Cofer, Secretary to the Board

Commercial Water Use Factors

Group I - Low to Moderate Use: (0 - 0.0001 af/yr) 0.00007 AF/SF

Auto Uses
Church
Family Grocery
General Retail
General Office/Bank
Gym
Warehouse

Group II - High Use: (0.00011 - 0.0004 af/yr) 0.0002 AF/SF

Bakery/Pizza/Deli/Sandwich Shop
Dental/Medical/Veterinary
Dry Cleaner
Fast Photo
Supermarket/Convenience Store

Group III - Miscellaneous Uses - Each Category is Calculated Separately

Beauty Shop	0.0567 af/station
Child Care	0.0072 af/child
Dorm	0.04 af/room
Gas Station	0.0913 af/pump
Laundromat	0.2 af/machine
Luxury Hotels/Living Units:	0.21 af/room
Meeting Hall	0.00053 af/sf
Motel/Hotel/Bed and Breakfast:	0.1 af/room
Open Space Turf:	2.1 af/acre
Non-turf:	1.8 af/acre (Reduce 50% for drip)
Plant Nursery	0.00009 af/sf total land
Restaurant (General/Bar):	0.02 af/seat
Restaurant (24-Hour & Fast Food):	0.038 af/seat
Self-Storage	0.00001 af/sf
Spa	0.05 af/spa
Swimming Pool	0.02 af/100 sf surface area
Theater	0.0012 af/seat

Unique commercial/industrial uses not included in Group III may be determined according to District Rule 24-G, Special Circumstances.