

A photograph of a wooden roof structure under construction, showing the intricate framework of beams and trusses against a clear blue sky.

ITEM 14. CONSIDER FIRST READING OF ORDINANCE NO. 151, IMPLEMENTING HIGH EFFICIENCY TOILETS AS THE DISTRICT'S STANDARD AND AMENDING THE DISTRICT'S WATER EFFICIENCY STANDARDS

Presented by:

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April 16, 2012

Summary

Ordinance No. 151 amends the following rules:

- Rule 11, Definitions
- Rule 24, Calculation of Water Use and Connection Charges
- Rule 25.5, Water Use Credits and On-Site Water Credits
- Rule 90, Variance

Summary

Ordinance No. 151 amends the following rules:

- Rule 141, Water Conservation Rebates
- Rule 142, Water Efficiency Standards
- Rule 143, Water Efficiency Standards for Existing Non-Residential Uses
- Rule 161, Stage 1 Water Conservation
- Rule 172, Landscape Water Audits

Rule 11

- New definitions for “alternative water sources” and “open space”
- Revisions to the definitions of Recycled Water, Showerhead, Ultra High Efficiency Toilet (HET) and Urinal
- Amendment to definition of Shower, Each Additional Fixture, to clarify that an “additional fixture” is each Showerhead beyond the first, with the exception of a single hand-held Showerhead that operates on a diverter.

Rule 24

EFFECTIVE JAN 1, 2013 -- Table 1, Residential Fixture Unit Count, is amended to:

- Delete Ultra-Low Flush Toilets (ULF), consistent with amendments to Rules 142 and 143
- Add Ultra High Efficiency Toilets (UHET) with a value of 0.8 fixture units
- Delete the Residential fixture unit value for one gallon per flush Urinals to make Table 1 consistent with existing Non-Residential standards



Rule 24-B-1-c

- Rule 24-B-1-c (Non-Residential Calculation of Water Use Capacity) is amended for consistence with the Residential calculation
 - Corrects an oversight during the adoption of Ordinance No. 144 when the use of Estimated Total Water Use (ETWU) was added to the rule for consistency with the State Model Water Efficient Landscape Ordinance

Rule 25.5

EFFECTIVE JAN 1, 2013 -- Table 4, High Efficiency Appliance Credits, is amended

- Deletes 0.4 fixture unit credit for High Efficiency Toilets (HET)
- Adds 0.5 fixture unit credit for UHET
- Clarifies that credit for Instant-Access Hot Water Systems (IAHWS) is available for more than one Dwelling Unit on a Site if there are multiple Dwelling Units (i.e., condominiums, apartments, duplexes, etc.)
- Replaces “washing machine” with “Clothes Washer,” consistent with terminology used throughout the rules

Rule 90

- Clarifies that a variance to Regulation II, Permits, must be requested prior to or within 90 days of a determination
- Outdated language in the first paragraph of Rule 90 is deleted

Rule 141

- The Cistern Rebate is increased by adding a higher rebate tier for the first 500 gallons of storage capacity
 - Current maximum Cistern Rebate: \$6,250
 - Proposed maximum Cistern Rebate: \$6,375
- Due to limited funding for the Rebate Program, an amendment restricts Cistern Rebates to Sites supplied with water from the Monterey Peninsula Water Resource System

Rule 142, Water Efficiency Standards

- “Grandfathers” Water Permits issued prior to the July 1, 2012, the Ordinance No. 151 implementation date. As of July 1, 2012:
- Showerheads must be designed and ***manufactured*** to meet the District’s flow requirement of 2.0 gallons per minute
- Requirement for 3 minute shower timer (multiple showerheads is deleted)
- Private Lavatory Sinks (e.g., hotel/motel guest rooms and hospital patient rooms) may flow at 2.2 gpm, (consistent with Building Code)
- Alternative water sources for indoor allowed uses are encouraged for new Non-Residential New Construction

Rule 142, Water Efficiency Standards

EFFECTIVE JAN 1, 2013

- HET or UHET are specified as the District's toilet standard for Residential and Non-Residential New Construction, Changes of Ownership, Changes of Use, and Expansions of Use
- High Efficiency Urinals (or ones that uses less water) are required in Residential and Non-Residential New Construction, Changes of Ownership, Changes of Use, and Expansions of Use.

Rule 143, Existing Non-Residential

- Showerhead and faucet flow rates are consistent with New Construction, Change of Ownership, Change of Use, and Expansion of Use requirements.
- Replacement of toilets in the MPWMD must be with HET or more efficient models after January 1, 2013.
- Retrofit requirements for Non-Residential uses currently scheduled for implementation on December 31, 2012, **are extended for six months to July 1, 2013.**

Rule 161

- An obsolete date is deleted from Rule 161

Rule 172

- Irrigated public open space is added to the list of California American Water customers that are required to have a Landscape Water Audit and Landscape Water Budget and to comply with those budgets during Stages 2-4 of the Expanded Water Conservation and Standby Rationing Plan
- Clarifies that Landscape Water Budgets required for new Dedicated Irrigation Meters are based on the Estimated Applied Water Use as determined by the project's Landscape and Irrigation System plans
- Rule 172-E, Landscape Irrigation Restrictions, is amended to clarify the location of a property in the City of Carmel-by-the-Sea



Ordinance Review

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- Water Demand Committee
 - Policy Advisory Committee
 - Technical Advisory Committee
 - Public Utilities Commission Division of Ratepayer Advocates (DRA)
 - California American Water

Recommendation

- Staff recommends the Board adopt the first reading of Ordinance No. 151.
- A Negative Declaration pursuant to CEQA will be considered at second reading. An initial study and notice of intent to adopt a negative declaration has been circulated and comments will be received through May 2, 2012.

For More Information

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

www.mpwmd.net

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