

CITY OF SANTA ROSA
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
STAFF REPORT FOR PLANNING COMMISSION
OCTOBER 14, 2021

PROJECT TITLE

Water Demand Offset (WDO) Policy and
WDO Fee Study

APPLICANT

Not applicable

ADDRESS/LOCATION

Citywide

PROPERTY OWNER

Not applicable

ASSESSOR'S PARCEL NUMBER

Citywide

FILE NUMBER

Not applicable

APPLICATION DATE

Not applicable

APPLICATION COMPLETION DATE

Not applicable

REQUESTED ENTITLEMENTS

Not applicable

FURTHER ACTIONS REQUIRED

- City Council study session (Oct 26)
- Board of Public Utilities (Nov 4)
- City Council public hearing (Nov 30)

PROJECT SITE ZONING

Not applicable

GENERAL PLAN DESIGNATION

Not applicable

PROJECT PLANNER

Colin Close, Senior Water Res Planner

RECOMMENDATION

Provide comment on proposed policy

Agenda Item # _____

For Planning Commission Meeting of: October 14, 2021

CITY OF SANTA ROSA
PLANNING COMMISSION

TO: CHAIR AND MEMBERS OF THE COMMISSION
FROM: COLIN CLOSE, SENIOR WATER RESOURCES PLANNER
SANTA ROSA WATER
SUBJECT: WATER DEMAND OFFSET (WDO) POLICY AND WDO FEE
STUDY

AGENDA ACTION: PROVIDE COMMENT

RECOMMENDATION

It is recommended by Santa Rosa Water that the Planning Commission receive information, ask questions, discuss, and provide comment regarding the proposed Water Demand Offset (WDO) Policy and WDO Fee Study.

EXECUTIVE SUMMARY

Santa Rosa Water staff will present an informational session and request Planning Commission comment on the proposed Water Demand Offset (WDO) Policy and WDO Fee Study which have been developed to implement the provisions of the City's Water Shortage Contingency Plan requiring new construction to offset water demand during water shortage emergencies that require water allocations (water rationing) by the City's existing customers.

BACKGROUND

The City of Santa Rosa (City) is an urban water supplier subject to the requirements of the Urban Water Management Planning Act (UWMP Act). As required by the UWMP Act, the City prepares an Urban Water Management Plan (UWMP) every five years to assess the adequacy and reliability of water supplies for current and future needs. The UWMP projects the water needs and water supplies for the Santa Rosa community over a 25-year horizon based on anticipated development in the General Plan, population and employment growth, plumbing and building codes, water efficiency regulations, and a range of dry year scenarios.

In addition to analyzing and planning for long-term water supply needs, the City also prepares a plan for water shortages that can occur due to drought conditions, natural disaster, or human-caused catastrophic events. To evaluate anticipated shortages and shortage responses and to meet the requirements of the UWMP Act and the Water

Conservation Act of 2009, the City prepares a Water Shortage Contingency Plan (Shortage Plan) every five years in conjunction with the UWMP. The Shortage Plan discusses how the City plans to respond to short-term water shortages of various levels to ensure demand does not exceed supply. Both the UWMP and Shortage Plan are submitted to the State Department of Water Resources (DWR) upon completion.

The City's water supply planning efforts support the City's vision for long-range sustainable housing and economic development needs for the health of the community.

In addition to being the retail water supplier for the City, the City is also the land use authority within its jurisdiction. As such, the City prepares, adopts, and implements land use policy in compliance with regional and State regulations. In recognition of the need for developing affordable housing, California law mandates that all California jurisdictions plan for and construct a certain amount of housing. The City's General Plan, Housing Element, and Specific Plans strive to remove barriers to development and streamline the entitlement process, in order to facilitate growth.

The City's mandate to provide housing and assure adequate water supply are balanced through long range strategies and analysis included within the UWMP, Shortage Plan, General Plan, and Specific Plans. Water supply planning and land use strategies help the City to balance long-term development needs and water demands. The Shortage Plan provides demand reduction responses for times when the City could experience water supply shortage conditions.

The proposed Water Demand Offset (WDO) Policy and WDO fee structure are the tools included in the Shortage Plan to address water shortage emergencies while simultaneously promoting progress on long-term strategies for housing and economic development. The City has made significant investments for over thirty years in water use efficiency programs which have resulted in cost-effective reductions to per capita water demand. The City requires development to be extremely water efficient by complying with the City's Water Efficient Landscape Ordinance and the State's CALGreen building code which require new development to be at least 20 percent more water efficient than existing development. These combined efforts are critical components for successfully managing current and future water supply needs while also supporting sustainable growth and affordable housing. Despite these efforts, as noted in the Shortage Plan, there are times in projected stages of water shortage where supplies may not be sufficient to serve existing demand.

PRIOR CITY COUNCIL REVIEW

Not applicable

ANALYSIS

The purpose of the WDO Policy and WDO Fee Study is to ensure that the City can adequately address short-term water shortages and comply with Water Code section

10632(a), which requires that the City plan for water shortages by adopting an updated UWMP and an updated Shortage Plan every five years. These plans must include an urban water shortage contingency analysis, which includes a process for conducting an annual water supply and demand assessment, along with the establishment of defined water shortage levels (“stages”) corresponding to progressive ranges of shortages and percentage reductions in water supply. Shortage Plans must also include response actions to achieve water use reductions when the shortage level reaches a defined stage.

During declared water shortage emergency stages that require water allocations (water rationing), as set forth the Shortage Plan, existing water connections are assigned very restrictive individual water allocations that require water conservation sufficient to ensure that water demand does not exceed the limited supply for the duration of the water shortage emergency.

When the City is experiencing these shortage emergency stages requiring water allocations, no water is available to be allocated for new demand. To ensure that development can continue consistent with the City’s water conservation policies, while acknowledging and responding to the severity of the housing shortage crisis, the Shortage Plan requires developers to offset new water demand that is created by their projects.

The 2020 Shortage Plan adopted by City Council on June 8, 2021 stipulates that construction must offset new water demand in Stages 5 through 8 as shown in Table 1.

Table 1: Current Water Demand Offset Requirement

| Shortage Stage | Offset Required |
|----------------|-----------------|
| Stage 5 | 100% offset |
| Stage 6 | 200% offset |
| Stage 7 | 300% offset |
| Stage 8 | 400% offset |

While developing the WDO Policy, an interdepartmental team determined that a 100 percent offset will achieve a net zero impact on water demand during severe water shortage emergencies of Stages 5 through 8. Therefore, Santa Rosa Water staff is preparing an Amended 2020 Shortage Plan for City Council consideration, with a revised offset requirement of 100 percent for Stages 5 through 8, as shown in Table 2.

Table 2: Proposed Water Demand Offset Requirement

| Shortage Stage | Offset Required |
|----------------|-----------------|
| Stage 5 - 8 | 100% offset |

The WDO Policy implements the WDO requirements of the Shortage Plan during water shortage emergency stages that require implementation of water allocations. This will be done through the payment of a fee that will be used to implement demand management efforts, water supply projects, and/or conservation programs, and the WDO Fee Study describes the basis for the WDO fees and structure.

After the WDO Policy takes effect, the WDO Policy and requirement to pay WDO fees when the City is in certain declared stages of shortage would apply to all development projects, public and private, that would increase water demand and be subject to new or increased connection fees. The provisions of the WDO Policy apply at the time an application for a building permit is submitted. Projects that had applied for a building permit prior to the adoption of the WDO Policy would not be subject to the provisions of the WDO Policy.

Under the proposed WDO Policy provisions, all construction projects would have to complete and submit to the City a WDO Application as part of the building permit application process. After the development project has submitted a WDO Application, staff would review the WDO Application and request any corrections and/or additional information needed.

Staff would finalize the determination of the WDO fee required for the project, include this in a WDO Agreement, and prepare the WDO Agreement for signatures. The WDO Agreement would have to be executed and submitted to the City prior to issuance of a building permit.

Payment of WDO fees would be due when the development project requests building permit final or when any type of occupancy is requested, and the fees would be due if a declared water shortage emergency condition exists at that time and requires water allocations for existing customers and water demand offsets for construction projects. If a declared water shortage emergency condition requiring water allocations for existing customers and water demand offsets for construction projects does not exist when the project requests building permit final, , payment of the WDO fees would not be required.

To develop the WDO fee structure, the WDO Fee Study considered water use factors for new development and programmatic costs and water use reductions associated with implementing specific water saving programs at existing water customer sites. Water use factors were determined by examining the water use of existing customers, based on data from the most recent four fiscal years (FY 2018 through FY 2021). City staff provided information on current water conservation measures, costs, and water savings. Staff and the financial consultant jointly developed estimates for a standardized approach for determining the cost of measures that would provide lasting and measurable water savings benefits.

Programmatic costs and associated water savings were based on an analysis of three water saving programs that could be quickly implemented by the City, would likely

generate high participation rates, and would result in sustained water savings. The programs include (1) direct install bathroom conversions consisting of installation of high efficiency toilets, faucet aerators, and showerheads, as well as installation of kitchen faucet aerators by qualified licensed plumbing contractors, (2) enhanced rebates for high efficiency residential clothes washer upgrades, and (3) enhanced rebates for ornamental turf conversion to low water using landscape at commercial, industrial, and institutional (CII) sites. The WDO Fee Study is based on the weighted average of the estimated costs and water savings associated with those three programs. Analysis of these program costs does not imply that the City is limited in the future to only those programs. The water utility could use WDO Fee revenue on any programs or measures that would achieve the needed water demand offsets.

The proposed WDO Fee structure delineates fees for different types of development. The Draft 2021 WDO Fee Study report is attached, and the draft fee schedule is provided in Table 3.

Table 3: Proposed WDO Fee Schedule (draft)

| Type of Development | WDO Fee ¹ |
|--|----------------------|
| RESIDENTIAL (per housing unit) | |
| Single Family Residential | |
| Small Lot (6,000 sq. ft. and under) | \$1,964 |
| Large/Medium Lot (over 6,000 sq. ft. to 1 acre) | \$2,782 |
| Large Lot (over 1 acre) | \$5,047 |
| Duplex and Triplex | \$1,649 |
| Condos, Apartments and Mobile Homes | |
| with separate irrigation | \$1,259 |
| without separate irrigation | \$1,498 |
| Eligible ADUs, SROs, Senior Housing, and Small, High-Density Apartment Units ² | \$868 |
| COMMERCIAL, INDUSTRIAL, INSTITUTIONAL, AND IRRIGATION ¹ | |
| Per Thousand Gallons per Month ³ | \$415 |

¹ WDO fee is assessed per housing unit for residential and per TGAL for CII accounts

³ Applies only to ADUs that are subject to Demand Fees. "SROs" are single Room Occupancy. Small, High-Density apartments include all apartments 750 square feet and smaller.

³ Water demand for these customers is based on the estimated annual water demand for each proposed project.

To account for inflation, the City would adjust the WDO Fees on an annual basis at the beginning of the calendar year (January 1) starting in 2023, using the Engineering News Record's 20-Cities CCI (20-cities CCI). The 20-cities CCI is a broadly accepted construction cost index that attempts to reflect the monthly changes in general construction and labor costs. Adjusting WDO Fees annually using this index helps the City maintain fees commensurate with inflationary cost changes between periodic comprehensive updates. The draft WDO Fees have been indexed to a 20-cities CCI value of 12,464 (August 2021).

The City would update WDO Fee calculations whenever it is updating the Water Shortage Plan in accordance with the statutory requirements. This is scheduled to occur every five years, and the City would seek to ensure that the fee structure will continue to effectively offset the new water demand created by development.

If a development project wished to appeal the final WDO Application decision of staff regarding determination of the project's water demand and/or the required WDO fee, the development project would have to submit a written appeal to the Board of Public Utilities within fifteen (15) days of notice of the final staff decision. If a development project wished to appeal the decision of the Board of Public Utilities, the development project would have to submit a written appeal to the City Council within fifteen (15) days of the final decision of the Board of Public Utilities.

FISCAL IMPACT

There is no fiscal impact to the Water Department as funds needed for implementing the WDO Policy would be collected from the proposed project. Any received WDO fees would be segregated into a restricted fund and used exclusively for City demand management efforts, water supply projects, and/or water conservation programs to offset new water demands. The restricted fund would be administered with a job ledger account to track fee use, quantify implementation progress, and maintain compliance with the Mitigation Fee Act (Gov. Code Section 66000 and following).

ENVIRONMENTAL IMPACT

The WDO Policy implements the Water Shortage Contingency Plan that is required by the UWMP Act. Water Code Section 10652 states that CEQA does not apply to the preparation and adoption of plans developed to comply with the UWMP Act or to the implementation of actions to accomplish the requirements to reduce consumption during shortages consistent with the terms of a Shortage Plan. Therefore, this WDO Policy is not subject to environmental review under CEQA.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

The City Council/Board of Public Utilities Liaison Meeting discussed the proposed WDO Policy and draft WDO Fee Study on October 5, 2021.

WATER DEMAND OFFSET (WDO) POLICY AND WDO FEE STUDY
PAGE 8 OF 8

The Board of Public Utilities held a Study Session and reviewed the proposed WDO Policy and WDO Fee Study and provided comment on October 7, 2021.

NOTIFICATION

Not applicable

ATTACHMENTS

Attachment 1 – Draft Water Demand Offset Policy
Attachment 2 – Draft 2021 Water Demand Offset Fee Study

CONTACT

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