



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** November 8, 2016

**TO:** Mayor and Councilmembers

**FROM:** Water Resources Division, Public Works Department

**SUBJECT:** Introduction Of Ordinance For Updates To Water Metering Requirements And Clarifying Requirements For Individual Metering

### **RECOMMENDATION:**

That Council introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Santa Barbara Municipal Code Chapters 14.04 and 14.08, Updating and Clarifying Water Metering Requirements; Adding Existing Water Metering Requirements Previously Located In Chapter 22.04.

### **DISCUSSION:**

To promote water use efficiency, the City has had long-standing requirements that: 1) each dwelling unit must be served by a separate water meter; and 2) separate irrigation meters are mandatory for non-residential landscapes between 1,000 and 5,000 square feet. These requirements have resided in Santa Barbara Municipal Code (SBMC) Title 22: "Environmental Policy and Construction." In an effort to make the regulations more coherent and consistent, staff recommends that these metering requirements be moved to Title 14: "Water and Sewers", and further clarification be provided on the City's existing policies. In addition, some sections of Title 14 pertaining to definitions of water connection, rates, and charges are more than 40 years old and need to be updated.

### Metering Requirements and Placement

The City's existing requirement that each dwelling unit must be served by a separate water meter is currently located in SBMC 22.04.030 (E) Section 423 "Water Meters Required." The City's existing requirement that irrigation meters for non-residential landscaped areas between 1,000 and 5,000 square feet is currently located in SBMC 22.04.060 (B) Section 5.304.2 "Outdoor Potable Water Use." These requirements were adopted as previous local amendments to the California Plumbing Code (CPC) and California Green Building Code (CGBC), respectively. Under a separate ordinance, comprehensive changes to Title 22 are being proposed as local amendments to the 2016 California Building Standards Codes, which includes CPC and CGBC. The proposed Title 22 changes will remove the above-mentioned metering requirements

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given that the requirements are proposed to be added to Title 14 under this proposed ordinance.

The proposed ordinance for the Title 14 language adds the metering requirements and also provides clarification of existing policies and provides updated terminology regarding approved configurations of individual meters. The individual metering requirement is currently implemented by installing City meters at the curb. However, in some cases physical/space constraints prohibit installation of City meters at the curb. When space constraints exist, upon approval by the Public Works Director, a City master meter may be installed at the curb with individual City sub-meters on private property. Approval of this configuration requires certain conditions as described in the proposed ordinance, including an easement agreement for the City to operate and maintain the sub-meters on private property.

An exemption has been added to the residential individual metering requirement for 100 percent affordable housing projects. These projects will not be required to install one water meter for each dwelling unit; however, for purposes of leak detection, one water meter may serve no more than six residential dwelling units.

A summary of the proposed changes to SBMC Title 14 is as follows:

<b>Section 14.04</b>	Amended to include definitions of "Master Meter" and "Sub-meter."
<b>Section 14.08.140</b>	Amended to provide clarification of existing City policies regarding water metering requirements when there is not adequate space at the curb line of the street to install the required water meters.
<b>Section 14.08.150</b>	Added to include the existing requirements previously located in SBMC Title 22 requiring each dwelling unit to be served by a separate City water meter. Subsection A has been drafted to comply with recent amendments to Government Code Section 65852.2 regarding the water metering of new accessory dwelling units (granny units). Subsection D includes an exemption for affordable housing projects.
<b>Section 14.08.160</b>	Added to clarify that should a dwelling unit be converted to a commercial use, the commercial space must be metered separately from any residential dwelling units. This provision would be triggered if all, or any portion of, a dwelling unit is converted to a short-term rental / hotel.
<b>Section 14.08.170</b>	Added to clarify that separate metering is required for new non-residential condominium units.

<b>Section 14.08.180</b>	Added to include the existing requirements previously located in SBMC Title 22 requiring dedicated irrigation meters for landscaped areas above a certain size. The irrigation meter requirement has been amended to include all multi-family and commercial irrigated areas over 1,000 square feet in order to be more aligned with requirements set forth in existing California Water Code (§535).
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For information only, in September of 2016, the State of California passed Senate Bill 7 (SB 7) that stipulates water purveyors must require dwelling units of newly constructed multi-unit residential and mixed use residential structures to be metered by individual water meters or privately owned sub-meters operated by a landlord or the landlord's agent. It also outlines regulations regarding how a landlord may bill their tenants for water service. This bill will go into effect January 1, 2018. Staff continues to review the City's individual metering policies and will return to Council with recommendations, if needed, prior to SB 7 taking effect.

Updated Language for Water Connection, Rates, and Charges

SBMC Title 14: "Water and Sewers" defines water connection, rates, and charges under Chapter 14.08. Some sections in this chapter are more than 40 years old and need to be updated. A summary of the proposed changes is as follows:

<b>Section 14.08.010</b>	Amended to update word choice.
<b>Section 14.08.040</b>	Amended so mandatory meter size changes will be based on flow rate rather than on average consumption.
<b>Sections 14.08.045 and 14.08.050</b>	Amended to remove outdated section references and procedures.
<b>Section 14.08.070</b>	Removed due to redundancy with SBMC Chapter 14.08.050.
<b>Section 14.08.095</b>	Removed and added to SBMC Chapter 14.08.090 to reflect current water rate terminology.
<b>Section 14.08.130</b>	Amended to clarify when customers are required to pay a fee to test the accuracy of their water meter.

The Ordinance Committee recommended to forward to Council for approval.

**PREPARED BY:** Joshua Haggmark, Water Resources Manager/DH/cmw

**SUBMITTED BY:** Rebecca J. Bjork, Public Works Director

**APPROVED BY:** City Administrator's Office