

**APPENDIX C**

**City of Rohnert Park Water Policy Resolution**

**A Resolution of the City Council of the City of Rohnert Park  
Implementing Requirements Imposed on Specific Plan Areas  
Outside the City's 1999 Boundaries**

WHEREAS, a Judgment was entered on September 5, 2002 by the Sonoma County Superior Court in *South County Resource Preservation Committee and John King v. City of Rohnert Park* (Case No. 224976) (hereinafter "Judgment"), which directed that certain General Plan policies be interpreted and applied consistent with language included in the Judgment, and that the language in the Judgment be treated as part of the General Plan; and

WHEREAS, the General Plan of the City of Rohnert Park requires that all development outside the City's 1999 boundaries be included within one of the specific plan areas identified in the General Plan; and

WHEREAS, the purpose of this resolution is to implement language included in the Judgment by describing the way in which certain interpretations of the General Plan will be applied to new developments in specific plan areas outside the City's 1999 boundaries; and

WHEREAS, nothing in this Resolution shall be construed to impair the City's ability to deliver water to its customers or respond to the needs of its water customers.

NOW, THEREFORE, the City Council of the City of Rohnert Park does hereby resolve as follows:

1. This Resolution applies to the Specific Plan Areas outside the City's 1999 boundaries that are identified in the General Plan and development projects within those Areas for which the City determines a negative declaration, mitigated negative declaration or environmental impact report is required ("Projects"). The City's 1999 boundaries are depicted on Exhibit A to this Resolution.
2. A negative declaration, mitigated negative declaration, or environmental impact report for a Project shall include the following information:
  - a. Projected water demand for the Project before and after water supply reduction measures are implemented and an explanation of how these measures are planned to reduce consumption.
  - b. 20-year projection of water supplies available to the City during normal, single-dry, and multiple-dry years. These terms shall have the same meaning as set forth in the most recent Urban Water Management Plan for the City of Rohnert Park.
  - c. Analysis of whether the total projected water supplies will meet the projected water demand associated with the Project.
3. The approval of any tentative map for a Project shall be conditioned upon identification, before final map approval, of the water supply that is projected to serve the Project. Groundwater pumped from new or existing private wells within the Penngrove community (with zip code 94951 as of September 2002) will not be permitted as a water supply source.

4. Net Consumptive Water Use Impact Determinations. The information required by this section shall be submitted as part of the application for the first discretionary approval for a Project.

a. Definitions for Net Consumptive Water Use Impact Determinations: The following definitions shall be used to make the Net Consumptive Water Use Impact Determinations required by this section:

- *Net Consumptive Water Use Impact* is the amount of potable water demand of a Project less reductions for (1) Potable Water Conservation Practices and (2) Potable Water Use Offsets. Only those Potable Water Use Conservation Practices and Potable Water Use Offsets that the City Engineer determines will be acceptable, feasible and consistent with the City's water conservation program may be used in determining a project's Net Consumptive Water Use Impact.
- *Potable Water Conservation Practices* are on-site water conservation equipment and practices, including use of recycled water that reduces the projected potable water consumption of a Project and that can be implemented and completed with the Project.
- *Potable Water Use Offsets* are water conservation equipment, practices or programs that are funded, constructed, installed or implemented by a Project and that offset the amount of potable water consumed by that Project, including use of recycled water, that are applied outside of the project area ("off-site"), but which reduce demand on the City's water system for potable water, or, the funding, construction or implementation of facilities or practices in any location that increase recharge to the groundwater supplies available to the City's municipal wells; all of which can be implemented and completed with the Project.
- *Average Annual Groundwater Pumping Rate of 2.3 mgd* is the projected pumping rate from the City's municipal wells for the year estimated to be the Project's buildout year.

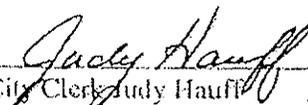
b. The following calculations shall be included in the application for the first discretionary approval for a Project and shall be reviewed by the City Engineer.

1. Determine a Project's potable water demand (before any proposed Potable Water Conservation Practices or Water Use Offsets) using information and a methodology approved by the City Engineer.
2. Identify Potable Water Conservation Practices and estimated water savings. Potable water conservation practices selected for use in a Project requires concurrence from the City Engineer that the practices are acceptable and consistent with the City's Water Conservation Program. Water savings shall be determined using information and a methodology approved by the City Engineer.
3. Identify onsite and/or offsite recycled water use that is included in the Potable Water conservation Practices or Water Use Offsets proposed for the Project. Offsite use is limited to areas of use in the City's water service area.

4. Identify Water Use Offsets. Said offsets must identify a projected reduction in potable water use in the City's water service area and/or increase in recharge of groundwater supplies available to the City's municipal wells. In calculating the projected reduction in potable water use savings from Potable Water Conservation Practices and Water Use Offsets, estimates shall comply with guidelines established by the California Urban Water Conservation Council or other recognized professional water industry organizations such as the American Water Works Association.
  5. Estimate the Project's Net Consumptive Water Use Impact taking into consideration the Potable Water Conservation Practices, and Water Use Offsets.
  6. Provide an estimated year of when buildout of all commercial and residential development for the Project will occur. For purposes of this document, the "buildout year" is estimated as the year when 80 percent of the commercial and residential development have been constructed and occupied. For the percentage calculation, commercial development will be based on square footage and residential development will be based on number of dwelling units.
- c. The City Engineer shall determine whether the Project's Net Consumptive Water Use Impact is projected to contribute to the City exceeding an Average Annual Groundwater Pumping Rate of 2.3 mgd. Said determination will consider the City's water supply sources, based on best reasonable information available at the time the determination is made. Such determination is without prejudice to the applicant submitting new or additional information and seeking a different determination.
  - d. The Project cannot be approved if its Net Consumptive Water Use Impact is determined to contribute to the City exceeding an Average Groundwater Pumping Rate of 2.3 mgd.
  - e. If a Project's Potable Water Conservation Practices and/or Recycled Water Use and/or Water Use Offsets include ongoing activities, the Developer will identify how these ongoing activities will remain in place and identify long-term operation and maintenance of the practices and water systems.
5. This Resolution implements General Plan policy by determining the reasonableness, legality and validity of decisions relating to Specific Plans. As such this Resolution is subject to the 90-day statute of limitations of Government Code section 65009(c).

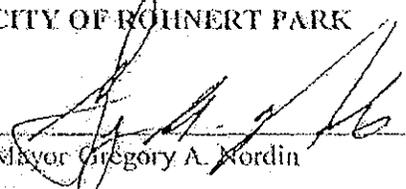
DULY AND REGULARLY ADOPTED by the Rohnert Park City Council this 27<sup>th</sup> day of April, 2004.

ATTEST:

  
City Clerk Judy Hauff

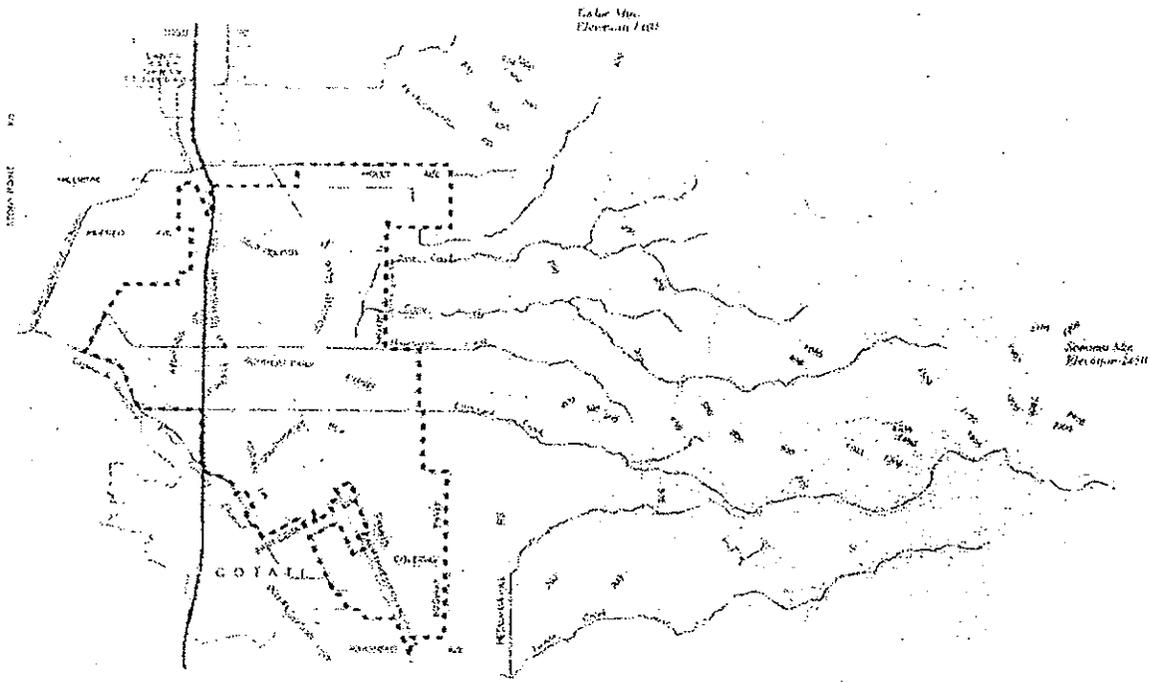


CITY OF ROHNERT PARK

  
Mayor Gregory A. Nordin

FLORES: AYE MACKENZIE: AYE SPRADLIN: AYE  
VIDAR-MARTINEZ: AYE NORDIN: AYE  
AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)

Exhibit A for Reso. No. 2004-95 adopted 4/27/04



----- City Limits (1999)

Rohnert Park City Limits (1999)