

CITY OF CARMEL-BY-THE-SEA

CITY COUNCIL

RESOLUTION NO. 2013-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA  
ADOPTING AN AMENDED WATER ALLOCATION RESOLUTION (CMC §17.50.030)

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WHEREAS, The Land Use and Conservation Elements of the City's General Plan contain objectives and policies which establish guidance relating to the distribution of water in Carmel; and

WHEREAS, in recognition of the need to conserve and manage its limited water resources, the City adopted a Water Management Ordinance in 2004 as part of the Local Coastal Program which authorizes the establishment of allocation categories; and

WHEREAS, the purpose of establishing these water use categories was to limit access to water to those land uses which have been determined to be consistent with the City's General Plan and projects which provide the greatest level of benefit to the community; and

WHEREAS, the City has adopted a Water Management Program ordinance that requires the allocation of water to defined categories of development as a means of implementing the City's land use goals; and

WHEREAS, the City's Water Management Program requires recommendations from the Planning Commission prior to the adoption of an allocation resolution; and

WHEREAS, on 10 July 2013 the Planning Commission recommended that .334 acre-feet of water from the "Spinning Wheel" land use category and .350 acre-feet of water from the previously unallocated "Le Towt" water credit transfer be transferred to the "Commercial" land use category.

NOW, THEREFORE, BE IT RESOLVED THAT HE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES:

1. Approve the Water Allocation Categories and water amounts identified in exhibit "A" are hereby established.
2. Determines that if the Carmel Event Center project is not implemented or approved all water in the "Commercial Category" will be transferred back to the original categories.

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PASSED AND ADOPTED by the City Council of the City of Carmel-by-the-Sea this 6<sup>th</sup> day of August 2013, by the following vote:


AYES: COUNCIL MEMBERS: BEACH, HILLYARD, THEIS & TALMAGE

NOES: COUNCIL MEMBERS: NONE

ABSENT: COUNCIL MEMBERS: MAYOR BURNETT

ABSTAIN: COUNCIL MEMBERS: NONE

SIGNED,

  
Kenneth Talmage, Vice Mayor

ATTEST:


  
Heidi Burch, City Clerk

EXHIBIT "A"

**TOTAL AVAILABLE WATER RESOURCE** **3.32 af**

**Category #1: Low & Very Low Income Housing** **.507 af**

This category includes residential housing units that meet the affordable housing standards for low-income and/or very low-income households as estimated by the municipal code.

**Category #2: Single Family Residential** **0.0 af**

**Category #3: Multi-Family Residential** **0.0 af**

This category includes permanent and non-transient multi-family housing in all commercial and R-4 Districts, including new apartments and condominiums, conversions of commercial space to residential dwellings, and the housing component of mixed-use projects.

**Category #4: Commercial** **0.684 af**

This category includes construction of new commercial floor space and conversion of existing space to uses with a greater demand for water. This category also includes the commercial component of mixed-use projects.

**Category #5: Municipal** **.224 af**

This category includes all forms of municipal projects including expansion or renovation of existing facilities, construction of new facilities and changes in use.

**Category #6: Unallocated Reserve** **1.69 af**

This category is unallocated and is to be held as uncommitted until assigned to a defined category through adoption of a new Allocation Resolution by the City Council.

**Category #7: Mallery/Pescadero Water Transfer Reserve** **.106 af**

This category includes the remaining balance from .960 acre-feet of water originally set aside through a transfer of development rights for four vacant lots in Pescadero Canyon owned in 1998 by Tim Mallery but dedicated as permanent open-space. This water may be used for residential, multi-family residential, commercial or public use development as determined by Mallery provided that the project complies with all zoning and provided that the is located with the City limits.

**Category #9: Forest Cottages Pre-commitment** **.109 af**

This category is for water pre-committed to the Forest Cottages Specific Plan for the creation of two low-income housing units. If this project is denied by the City Council or Coastal Commission or the project is not under construction by 13 February 2014 or is otherwise abandoned, the water shall return to Category #1.