

ORDINANCE NO. 2016-03  
Introduced by Administration Committee

**ORDINANCE NO. 2016-03**

**AN ORDINANCE OF THE GOLETA WATER DISTRICT BOARD OF DIRECTORS AMENDING THE GOLETA WATER DISTRICT CODE BY AMENDING CHAPTER 5.16 AND ADDING TO THE CODE APPENDIX E TO REFERENCE AND CODIFY AN EXISTING VOTER INITIATIVE REFERRED TO AS MEASURE J**

WHEREAS, the Goleta Water District (“District”) is a County Water District organized and existing under the laws of the State of California; and

WHEREAS, on November 8, 1988, the voters of the Goleta Water District approved an initiative known as Measure J which restricts the District’s supply of water to properties being converted from agricultural uses; and

WHEREAS, Measure J has never been repealed, replaced or superseded by the voters of the District; and

WHEREAS, the Board of Directors wish to amend the Goleta Water District Code to reference Measure J to provide notice to District customers and potential customers of its existence and applicability.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE GOLETA WATER DISTRICT DOES ORDAIN AS FOLLOWS:

**Section 1:** The Goleta District Water Code Chapter 5.16 New Water Supply Charge is hereby amended by the addition of a new Subsection B.4 to Section 5.16.041 to read as set forth below:

B. In cases where a project is located on a parcel of land which has not had a prior allocation of water for which a New Water Supply Charge has been paid, the New Water Service demand shall be the AFY calculated for such project less the historical use of water by such parcel. This historical water use is considered a New Water Service credit, and is calculated using the records of the District as follows:

....

“4. Limitations on Conversion of Agricultural Water Use for Other Uses. The District is subject to the limitations imposed by Measure J (1988) as set forth in Appendix E.”

**Section 2:** Attachment A to this Ordinance is hereby added to the Goleta Water District Code as a new Appendix E.

**Section 3: Severability.**

If any subdivision, paragraph, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this Ordinance. It is the District's express intent that each remaining portion would have been adopted despite the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

**Section 4: Effective Upon Adoption.**

This Ordinance shall become effective upon adoption.

**PASSED AND ADOPTED** by the Board of Directors of the Goleta Water District this 12<sup>th</sup> day of July, 2016 by the following roll call vote:


**AYE: Directors Cunningham, Hanson, Merrifield, Rosen, West**

**NAY: None**

**ABSENT: None**

**ABSTAIN: None**

**ATTEST:**

  
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**JOHN D. MCINNES**  
**DISTRICT SECRETARY**

  
\_\_\_\_\_  
**LAUREN HANSON, PRESIDENT**  
**BOARD OF DIRECTORS**

**Attachment A: Full Text of Measure J, as  
adopted by the voters**

GOLETA WATER DISTRICT  
AGRICULTURAL CONVERSION RESTRICTION  
AMENDMENT

The people of the Goleta Water District, County of Santa Barbara, State of California, do ordain and enact the following ordinance which shall be known as the Agricultural Conversion Restriction Amendment to the Responsible Water Policy Ordinance, the objects of which are:

- (1) To enact a provision further restricting the conversion of the use of District water from agricultural parcels to residential, commercial, industrial and other uses; and
- (2) To allow the voters an active role in approving or disapproving the policies and ordinances of the District governing their water supply.

PROVISIONS

SECTION 1

The measure known as "Agricultural Conversion Limitations" appearing on the November 1984 ballot as Measure I is hereby repealed; and the measure appearing on the November 1981 ballot and known as the "Water Savings Amendment" is hereby amended to add the following paragraph to be included upon adoption as paragraph E.(5):

"E.(5) Agricultural Conversion Prohibitions

Notwithstanding any other provision of this ordinance, due to the difficulties District has encountered in calculating, verifying and monitoring historical and projected water useages in the conversion of agricultural parcels to other uses under prior ordinances, it is not in the best interests of this District to allow large agricultural parcels served by District meters to be converted to residential, commercial or industrial use. Accordingly, the Board of Directors shall not provide water service to a parcel which is to be further developed, in exchange for the discontinuance of agricultural water usage on that parcel

unless the following conditions exist: (1) the parcel is of two acres or less; (2) the zoning is already residential, commercial or industrial; (3) the Board of Directors determines that under the proposed commercial, industrial or residential use, a water savings of at least 35% compared to the historical useage on that parcel over the seven years prior to the effective date hereof shall occur, and (4) substantially all of the parcel was utilized for bona fide productive purposes during substantially all of that seven-year time period.

SECTION 2

GENERAL PROVISIONS

This ordinance shall be liberally construed to effect the purposes and objects thereof. Should any portion be declared invalid for any reason by any Court having jurisdiction, the invalidity of such portion shall not be deemed to invalidate any remaining portion. This amended ordinance may not be further amended, modified, repealed or superseded in any way without a vote of the eligible voters of the District.

SECTION 3

EFFECTIVE DATE

This ordinance shall become effective immediately upon adoption or as soon thereafter as it may be certified by the authorized election officials.

27/ORD.4

6/29/88