

ORDINANCE NO. 9644 (NEW SERIES)

AN ORDINANCE AMENDING THE GROUNDWATER ORDINANCE, TO UPDATE
THE GROUNDWATER LIMITATIONS MAP

REF: POD-03-03

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The purpose of this amendment to the Groundwater Ordinance is to update the Groundwater Limitations Map, to reflect current precipitation in the County. The Groundwater Limitations Map, which shows average precipitation within the County, is used to aid in determining whether a groundwater study is required for proposed small residential developments in groundwater dependent areas of the County.

Section 2. Section 67.720 of the San Diego County Code is hereby amended to read as follows:

Sec. 67.720 Borrego Valley.

For any project located within the Borrego Valley Exemption Area as shown on the map entitled "Groundwater Limitations Map" on file with the Clerk of the Board of Supervisors as Document No. 0770050, any application listed in Section 67.711 which either (1) includes a water-intensive use, or (2) consists of a total project area of 100 acres or more, and any application for a General Plan Amendment, shall be accompanied by a Groundwater Investigation. The application shall not be approved unless the approving authority finds that based upon the Groundwater Investigation, groundwater resources are adequate to meet the groundwater demands of the project.

Section 3. Section 67.722 of the San Diego County Code is hereby amended to read as follows:

67.722 All Other Projects.

Any application listed at Section 67.711 for a project not subject to Section 67.720 or Section 67.721, which proposes the use of groundwater not provided by a Water Service Agency, for all or any portion of the project, shall comply with the following regulations:

A. Residential Density Controls.

1. Tentative maps, Tentative Parcel Maps, and Certificates of Compliance proposing parcels for single-family dwellings must comply with the minimum parcel sizes set forth in the following table:

<u>Mean Annual Precipitation</u> <u>Precipitation*</u> (inches)	<u>Minimum Parcel Size**</u> (Gross Acres)
Less than 9	20
9 to 12	15
12 to 15	11
15 to 18	8
18 to 21	5
More than 21	4

* Mean annual precipitation is to be determined from the County of San Diego map entitled "Groundwater Limitations Map" on file with the Clerk of the Board of Supervisors as Document No. 0770050.

** Compliance with the minimum parcel size does not guarantee project approval; site-specific characteristics may indicate that either larger parcel sizes are required or that the project should not be approved in individual cases.

2. The provisions of paragraph 1 above shall not apply to a project which includes Lot Area Averaging in accordance with Section 4230 of the Zoning Ordinance, provided that all of the following are complied with:
 - a. The overall average density of the project does not exceed that which results from applying the applicable minimum parcel size set in paragraph 1 to the gross project area;
 - b. No proposed lot is less than 67 percent of the required minimum lot size as set in paragraph 1; and
 - c. The Director has reviewed and approved the lot density and water resource distribution. Projects shall not be allowed which place smaller lots in dry areas of the subdivision.

B. Groundwater Investigations.

Any application listed in Section 67.711 and not subject to Sections 67.720, 67.721 or Paragraph A above, shall be accompanied by a Groundwater Investigation. The application shall not be approved unless the approving authority finds, based upon the Groundwater Investigation or other available information, either: (1) for a water intensive use, that groundwater resources are adequate to meet the groundwater demands both of the project and the groundwater basin if the basin were developed to the maximum density and intensity permitted by the General Plan; or (2) for all other projects, that groundwater resources are adequate to meet the groundwater demands of the project.

C. Well Tests.

For any application for a Tentative Map, Specific Plan or Specific Plan Amendment, Tentative Parcel Map, or a Certificate of Compliance, well tests shall be performed for the number of lots shown in the following table. Tests shall be on lots which appear to have the least access to a viable groundwater supply as determined in advance of testing by the Director, who shall also specify nearby wells to be monitored while the testing is being conducted:

<u>Number of Proposed Lots*</u>	<u>Number of Required Well Tests</u>
1 through 10	1
11 through 20	2
21 through 30	3
31 through 40	4
Greater than 40	5

* Excluding remainder parcels and "not a part" areas

Section 4. Effective date. This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and before the expiration of fifteen (15) days after its passage, a summary shall be published once with the names of the members voting for and against the same in the Daily Commerce, a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 5th day of May, 2004.