

Pismo Beach approves building moratorium because of California's drought

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After months of delaying a decision, the [Pismo Beach City Council](#) has implemented its first building moratorium in nearly three decades in response to the statewide drought and what officials expect could be a drastic drop in water supply next year.

The first tier in the three-tier moratorium halts all building permit applications for vacant parcels. It also requires redevelopment or building changes at existing properties to consume less than or equal to the amount of water currently used. The first tier goes into effect immediately.

The moratorium comes on the heels of the city falling short of its California-mandated water conservation targets in September and October, as well as an expectation that the city will receive significantly less water from the state in 2016, because of the ongoing drought.

At its Tuesday night meeting, the council voted 4-1, with Councilman Erik Howell dissenting, in favor of the tiered building restriction.

"We've been down this road and discussing it since March — and it's now December — and we need to pull the trigger," Mayor Shelly Higginbotham said.

Howell said he voted against the moratorium because he felt there were other ways the city could encourage conservation rather than prohibiting building activity.

"I guess I just don't think this is the way to be making policy," Howell said. "I think that we have to mandate the use of less water. We still see in public spaces a lot of green grass. I still see people's timers setting off their watering, their sprinklers, while it's raining."

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Pismo Beach Mayor Shelly Higginbotham

Pismo Beach previously instituted a similar moratorium in 1988, which lasted until 1990.

The City Council first considered restricting building [in May](#), but council members said then that they hesitated to institute a moratorium that could hinder the city's economic growth. Instead, the council directed staff to bring the restrictions before them [once again in September](#) after the summer water conservation numbers were in.

The city made, and in most cases, exceeded its year-over-year conservation targets for June, [July](#) and [August](#) — reducing water use by 24.46 percent, 29.8 percent and 25.46 percent in those months, respectively, compared with the same months in 2013. In September and October, however, the city failed to meet its 24 percent conservation standard set by the state, cutting water use by only [19.6 percent](#) and [21.2 percent](#), respectively.

After its initial vote to approve the three-tiered moratorium, the council also voted to immediately implement the first tier, in light of the city's failure to meet its conservation marks and an anticipated drop in its water supply in 2016.

The vote was 4-1, also with Howell dissenting.

The first tier allows completed planning and building permit applications to be processed but does not allow building permit applications for vacant parcels. Any new commercial use or redevelopment of existing buildings must show that water demand would be less than or equal to the average monthly usage in the year before the tier was triggered.

This first tier is triggered by an anticipated water supply level of less than 1,630 acre-feet.

The city had an available water supply of 2,343 acre-feet this year: 1,240 acre-feet in state water, 802.8 acre-feet from Lopez Lake and 300 acre-feet pumped from the Santa Maria Groundwater Basin, according to public works director Ben Fine.

The water supply will be significantly less next year, due to decreases in anticipated state water delivery.

[State officials announced Tuesday](#) that despite predictions of a strong El Niño, the state’s reservoirs are well below capacity and their levels are unlikely to be significantly improved by the heavy rains. Because of this, the state announced it expects to deliver only 10 percent of the water it allocates to California cities.

In 2015, Pismo Beach received 23 percent of its allocation from the state, with San Luis Obispo County providing the other 77 percent. Though the county has indicated that it may once again be willing to make up the difference in deliveries, Fine said that had not yet been confirmed.

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Councilman Erik Howell

Without county support, Pismo Beach expects to have a total water supply of approximately 1,336.8 acre-feet in 2016: 110 acre-feet of state water, 802.8 acre-feet from Lopez Lake, 300 acre-feet from the Santa Maria Groundwater Basin and 124 acre-feet in drought buffer water.

Another 504.9 acre-feet could be available in “carry-over” or surplus water the city did not use in 2015, because its total water usage was less than its supply. This amount is not included in the city’s “total water supply” estimates.

If the city’s anticipated water supply falls below two other triggers — 1,130 acre-feet and 850 acre-feet — the remaining two building restriction tiers would go into effect.

The second tier would prohibit any new building permits, though it would continue to process existing planning permits. New commercial use and redevelopment of existing buildings would be required to show that water demand was at least 15 percent less than the average monthly usage in the year before the tier was implemented.

The third tier would require new commercial use and redevelopment of existing buildings to show that water demand would be at least 30 percent less than the year before the tier was triggered. All municipal irrigation would be banned, except at the direction of the City Council.

Once a tier is enacted, the council will consider once a month whether the tier should stay active.

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The tiers explained

Tier	What Would Happen	Trigger
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Tier 1	Existing planning and building permits can be processed. New planning permits for vacant parcels will also be processed, but no new building permits will be issued until Tier 1 is declared over. New uses and redevelopment of existing buildings must show they are water-neutral.	Total water supply is at or below 1,630 acre-feet
Tier 2	Existing planning permits will be processed, but no new building permits will be issued until the water supply is back to Tier 1 levels. New planning permits for vacant parcels will still be processed, but no new building permits will be issued until Tier 1 is declared over. New uses and redevelopment of existing buildings must show they will use 15 percent less water than historical use at the site. Outdoor water use is prohibited.	Total water supply is at or below 1,130 acre-feet
Tier 3	Existing planning permits will be processed, but no new building permits will be issued until the water supply is back to Tier 1 levels. New planning permits for vacant parcels will still be processed, but no new building permits will be issued until Tier 1 is declared over. New uses and redevelopment of existing buildings must show they will use 30 percent less water than historical use at the site. Outdoor water use is prohibited. Municipal irrigation must decrease by at least 50 percent.	Total water supply is at or below 850 acre-feet

Source: City of Pismo Beach