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RESOLUTION NO. 421

**RESOLUTION OF THE FORESTVILLE WATER DISTRICT AMENDING RESOLUTION 151
AND ESTABLISHING SEWER POLICY FOR CONNECTIONS ON PROPERTY UNDER ONE OWNERSHIP
WHERE SERVICE TO MORE THAN ONE RESIDENTIAL STRUCTURE IS REQUESTED**

WHEREAS, Sections 34 and 151 of Ordinance No. 2 and Section 3.09 of Ordinance No. 32 provide that not more than one parcel of real property under one ownership shall be serviced from each service connection, except for apartments, office buildings, or structures of a like nature, and

WHEREAS, the Board of Directors believe it is necessary to set forth a policy which will assist its staff in interpreting and administering said provisions of the ordinance.

WHEREAS the Forestville Water/Sanitation District ("FWD") imposes capacity charges on all new residential developments that use sewer capacity (Exhibit A); and,

WHEREAS, the Governor of California signed Assembly Bill No. 2299 (AB 2299) into law on September 27, 2016, amending Section 65852.2 of the California Government Code limiting the authority of cities and counties to regulate accessory dwelling units ("ADUs"); and,

WHEREAS, AB 2299 prohibits cities and counties from imposing capacity charges on ADUs that are contained within the existing space of a single family residence or an accessory structure and have an independent exterior access from the existing residence (Attached ADU); and

WHEREAS, AB 2299 authorizes cities and counties to impose capacity charges on ADUs that are constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel (Detached ADU) provided that the capacity charge is proportionate to the burden on the sewer system created by the proposed ADU, based on either its size or the number of its plumbing fixtures; and

WHEREAS, the FWD Board of Directors anticipates that the rules governing the imposition of capacity charges by cities and counties for ADUs under AB 2299 and other legislation will be made applicable to special districts by the state legislature; and,

WHEREAS, the FWD Board finds that, for Detached ADUs, capacity charges should be calculated based on their estimated proportional burden on the system, and that calculating the charge based on the square footage of the Detached ADU is the best available data for sewer capacity usage.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Forestville Water District as follows:

- A. Where an application is received by the District to serve more than one residential structure located on a single parcel of real property under one ownership, and the application does not

fall within one of the expressed exceptions provided in Sections 34 and 151 of Ordinance No. 2, as determined by the District, the application shall be denied unless the applicant satisfies the following conditions:

1. The applicant provides the District with a written permit or statement from the County of Sonoma Planning Department or other appropriate County Department that the added residential unit(s) are permitted without a duly approved lot split.
2. That the applicant and owner of the property execute a written statement, on a form provided by the District and subject to recording in the Official Records of Sonoma County, acknowledging that if the property is divided at a later date the District may require an additional service lateral and service meter and required payment of the added charges for the new connection(s). In such event, credit for the connection charges previously paid shall be given.
3. The meter size shall be adjusted as may be required to handle the additional residential unit and the applicant shall pay the additional connection fees and increase in the costs of the meter used arising out of the increase in the size of the meter.
4. For each residential structure served, a monthly charge will be paid to the District, and the customer shall receive the appropriate amounts of water allowed in accordance with the monthly charges.
5. The property owner shall be responsible for the payment of the water bill.
6. That the applicant acknowledges that the policy established by the resolution and the charges of the District are at all times subject to review and changes by the Board of Directors of the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE FORESTVILLE WATER DISTRICT:

ARTICLE 2 of ORDINANCE No. 2 and ORDINANCE 32, titled "Definitions," is amended to include the follow definitions:

Accessory Dwelling Unit (ADU) – AKA "granny units, in-law units, second units, and backyard cottages". An ADU is a small dwelling unit (maximum of 1,200 square feet) that may be established in addition to single-family or multi-family dwellings in residential, mixed-use, or agricultural zones. An ADU may be detached, attached to primary dwelling or other accessory structure, or located within a main dwelling and may involve new construction or conversion of an existing structure (such as a detached garage or other accessory structure, or a portion of a dwelling).

Attached Accessory Dwelling Unit – shall mean an Accessory Dwelling Unit that is constructed and contained within the existing space of the single-family residence or accessory structure and has an independent exterior access from the existing residence.

Detached Accessory Dwelling Unit – shall mean an Accessory Dwelling Unit that is constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel.

Junior Accessory Dwelling Unit (JADU) – is a specific type of ADU (maximum of 500 square feet) that is built within an existing residence, utilizes an existing bedroom, and has a small efficiency kitchen.

SECTION 2.03 of Ordinance 32, titled “Abbreviations” is hereby amended to include the following Acronyms:

ADU Accessory Dwelling Unit

JADU Junior Accessory Dwelling Unit

EXHIBIT A and B, attached hereto and incorporated by this reference.


PASSED AND ENACTED at a regular meeting of the Board of Directors of Forestville Water District duly held on the 12th day of July, 2022, by the following vote:

AYES: 3

NOES: 0

ABSENT: 0

ABSTAIN: 2



Matt McDermott, Chair

ATTEST:



Dawn Leith, Board Clerk

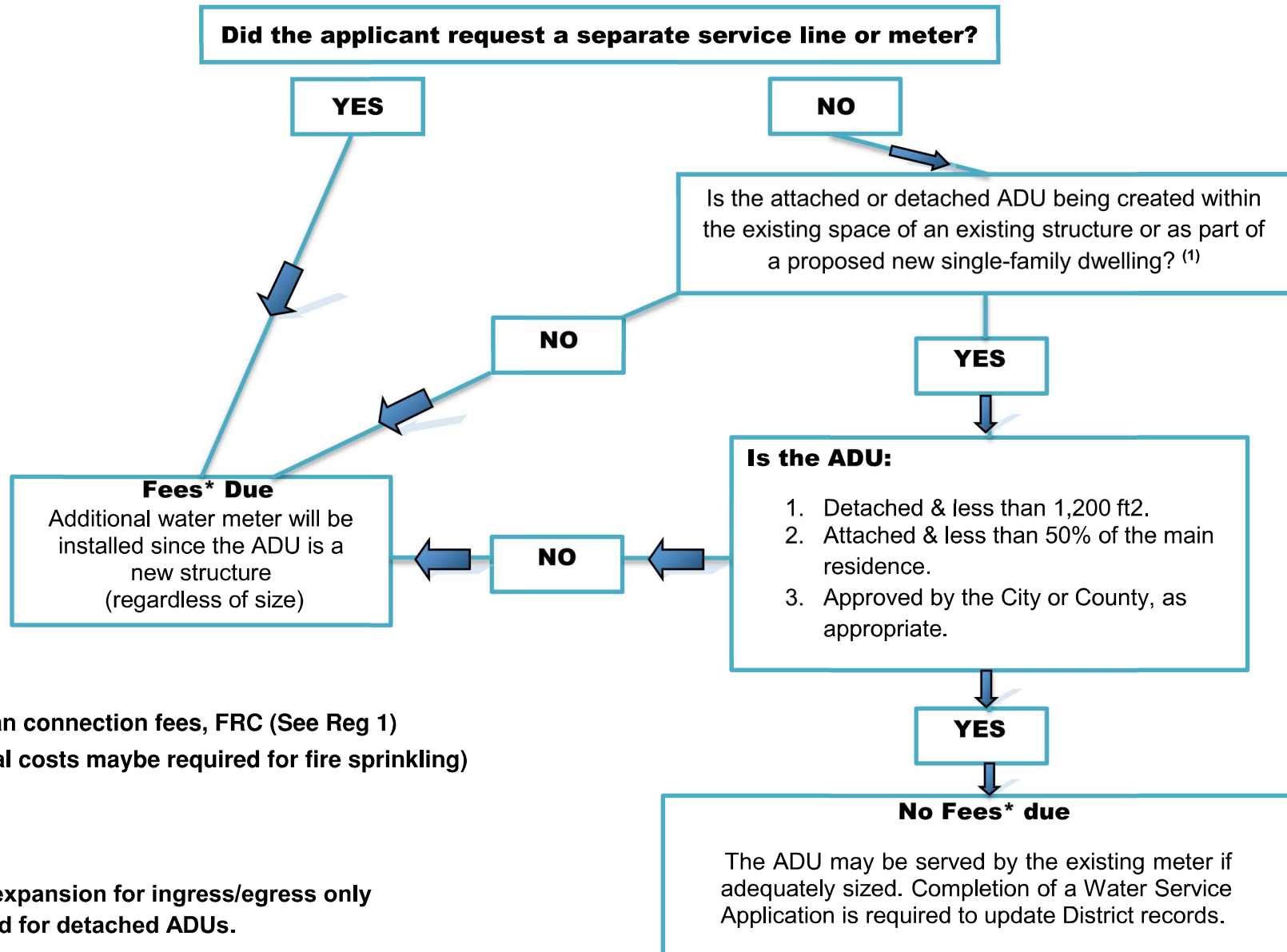
EXHIBIT A

EQUIVALENT SINGLE FAMILY DWELLING BILLING UNIT FOR FORESTVILLE WATER DISTRICT					
Use Category	Billing Basis			Use of	ESD
	Flow	BOD	TSS		
	Gallons/day	Mg/l	Mg/l	Measurement	Calculation
Residential					
Single Family	140	324	324	Connection	1.00
Condominium	140	324	324	Dwelling units	1.00
Multiple Family	112	324	324	Dwelling units	0.80
Mobile Home Park	112	324	324	Spaces	0.80
Mobile Home (Individual)	112	324	324	Units	0.80
Granny Unit/ADU (> 750 sq. ft.)	112	324	324	Unit	0.80
ADU (< 750 sq/ ft/)	112	324	324	Unit	0.40
Commercial					
Appliance Repair	190	200	200	1,000 sq. ft.	1.01
Art Gallery	190	200	200	1,000 sq. ft.	1.01
Auto Detailer					
With Service Facilities	190	180	280	Connection	1.10
	38	180	280	Add per service bay	.22
Without Service Facilities	190	200	200	Connection	1.01
Bakery	190	1000	600	1,000 sq. ft.	2.67
Butcher				See note 1 below	
Banks & Financial Institutions	190	130	80	1,000 sq. ft.	0.75
Barber Shop	19	130	80	Chair	0.08
Beauty Shop	38	130	80	Chair	0.15
Bars & Taverns	20	200	200	Seat	0.11
Car Washes & Self Service	190	20	150	Stall	0.70
Campground or RV Park					
With hook-ups	125	200	200	Site	0.67
Without hook-ups	75	200	200	Site	0.40
Church, Hall & Lodge	2	200	200	Seat	0.01
Coffee Shop	6	1000	600	Seats	0.08
Dry Cleaner	285	150	110	1,000 sq. ft.	1.23
Fire Station	190	200	200	1,000 sq. ft.	1.01
Garage	95	180	280	Service bays	0.55
Hospital					
Convalescent	125	250	100	Beds	0.62
General	175	250	100	Beds	0.87
Veterinarian	6	250	100	Cages	0.03
Hotel/Motel	100	310	120	Sleeping rooms	0.56
Laundromat	500	150	110	Washing machines	2.16
Library	190	200	200	1,000 sq. ft.	1.01
Machine Shop	152	180	280	1,000 sq. ft.	0.88
Market	38	800	800	1,000 sq. ft.	0.53
Office(s)					
Business	76	130	80	1,000 sq. ft.	0.30
Dental	190	130	80	Exam room	0.75
Medical	190	130	80	Exam room	0.75
Post Office	190	130	80	1,000 sq. ft.	0.75
Resort				Calculate per ESD	
Restaurant					
Dine-in					
With DW & Garbage Disposal	6	1000	600	Seat	0.08
With DW <u>or</u> Garbage Disposal	6	619	371	Seat	0.06
Without DW & Garbage Disposal	6	238	143	Seat	0.03
Take-out	475	238	143	1,000 sq. ft.	2.47
Rest home	125	250	100	Beds	0.62
Retail Store	38	150	150	1,000 sq. ft.	0.18
Schools					
Elementary	9	130	100	Per student/day	0.04
High School	14	130	100	Per student/day	0.06
Service Station	380	180	280	Set of gas pumps	2.19
	38	180	280	Add per service bay	0.22
Shoe Repair	190	200	200	1,000 sq. ft.	1.01
Theater	2	200	200	Seat	0.01
Warehouse				See note 1 below	
Other Uses Not Listed				See note 1 below	
Industrial				See note 1 below	
ALL COMMERCIAL ESDs TO BE DETERMINED BY THE FOLLOWING FORMULA:					
$ESD = (TSS \times FLOW \times 0.33) / (SFD \times TSS \times FLOW) + (BOD \times FLOW \times 0.33) / (SFD \times BOD \times FLOW) + (FLOW \times 0.34) / SFD \times FLOW$					
Note 1: Use to be calculated on a case by case basis using the above formula					
Definitions:					
Flow = Gallons Per Day					
BOD = Biological Oxygen Demand					
TSS = Total Suspended Solids					
ESD = Equivalent Single-Family Dwelling					



Accessory Dwelling Unit (ADU) Requirements

Attached or Detached from Main Residence



*Fees mean connection fees, FRC (See Reg 1)
(Additional costs maybe required for fire sprinkling)

⁽¹⁾ 150 ft² expansion for ingress/egress only allowed for detached ADUs.