

## **LEGISLATIVE DIGEST**

[Health, Planning Codes - Buildings with an Alternate Water Source System; Exemption from Floor Area Ratio Limits and Calculation of Development Impact Fees]

**Ordinance amending the Planning Code to exempt from the computation of Floor Area Ratio limits and the calculation of applicable Development Impact Fees the space required to be used for an Alternate Water Source system; amending the Health Code to amend the definition of projects subject to the requirements for an Alternate Water Source system; affirming the Planning Department’s determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

### Existing Law

Planning Code Section 124 establishes the Floor Area Ratio limits for various zoning districts. Section 102 defines “Floor Area Ratio” as “[t]he ratio of the Gross Floor Area of all the buildings on a lot to the area of the lot. For districts other than C-3 (Downtown), “Gross Floor Area” is “the sum of the gross areas of the several floors of a building or buildings, measured from the exterior faces of exterior walls or from the centerlines of walls separating two buildings.”

Chapter 12C of the Health Code mandates that development projects of a certain size use an Alternate Water Source system for the collection and reuse of available onsite Rainwater, Graywater, and Foundation Drainage.

### Amendments to Current Law

Section 124.2 is added to the Planning Code to exempt from the computation of Floor Area Ratio limits and Development Impact Fees the space required to be used for the Alternate Water Source system mandated by the Health Code. Section 12C.2 of the Health Code is amended to clarify the definitions of large and small development projects that are subject to the requirements.

### Background Information

The equipment that is used to install and operate an Alternate Water Source system takes away space that could be occupied for other uses. The exemptions from calculation of the Floor Area Ratio proposed by this legislation will ensure that the property owner is not required to both dedicate the space for an Alternate Water Source system and also pay development impact fees or include that space in the measurement of the building’s usable area.

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