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34 § 25-9-412 Reclaimed Water Connection Requirements.

- 35 (A) A small development project with a property boundary located within
36 250 feet in horizontal distance of a reclaimed water line, measured based
37 on the closest practicable access route, shall connect to a reclaimed water
38 line and use reclaimed water for irrigation, cooling, toilet flushing, and
39 other significant non-potable water uses identified in the water balance
40 calculator.
- 41 (B) A large development project with a property boundary located within
42 500 feet in horizontal distance of a reclaimed water line, measured based
43 on the closest practicable access route, shall connect to a reclaimed water
44 line and use reclaimed water for irrigation, cooling, toilet flushing and
45 other significant non-potable water uses identified in the water balance
46 calculator.
- 47 (C) The director may grant a variance for the requirements of this section for
48 [÷
- 49 (1)] small development projects if site conditions are such that
50 compliance would represent a significant financial hardship [~~or~~
51 ~~health risk~~] to the applicant. [~~or the public;~~
- 52 (2) ~~large development projects if site conditions are such that compliance~~
53 ~~would represent a health risk to the applicant or the public; or~~
- 54 (3) ~~municipal uses associated with law enforcement or public health and~~
55 ~~safety.]~~
- 56 (D) The director shall grant a variance for the requirements of this section for
57 a large development with a multifamily component that is more than 250
58 feet from and within 500 feet of a reclaimed water line until April 1,
59 2024.
- 60 (E) A qualifying development is not required to connect to a reclaimed water
61 line or use reclaimed water if the development is:
- 62 (1) approved for Low Income Housing Tax Credits for affordable housing
63 as verified by the director of the Housing Department; or
- 64 (2) a qualifying development that is certified under Section 25-1-724
65 (Certification) and participating in the Affordability Unlocked Bonus
66 Program.

PART 5. City Code Section 25-9-414 (*Onsite Water Reuse System Requirement*) is amended to read:

§ 25-9-414 Onsite Water Reuse System Requirement.

- (A) Except as provided in Subsection (B), an [An] onsite water reuse system is required for a large development project for which a site plan application is submitted under Chapter 25-5 (*Site Plans*) as specified in Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*).
- (B) A qualifying development is not required to have an onsite water reuse system if the development is:
- (1) approved for Low Income Housing Tax Credits for affordable housing as verified by the director of the Housing Department; or
 - (2) a qualifying development that is certified under Section 25-1-724 (*Certification*) and participating in the Affordability Unlocked Bonus Program.

PART 6. Subsection (15) of City Code Section 25-9-32 (*Definitions*) is amended to read:

- (15) WATER TRANSMISSION MAIN means a potable water main generally considered to be 24-inches in diameter or larger and to which direct connections for retail service to a property are not allowed, unless an exception is approved by the Director.

PART 7. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____
Anne L. Morgan Myrna Rios
City Attorney City Clerk

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