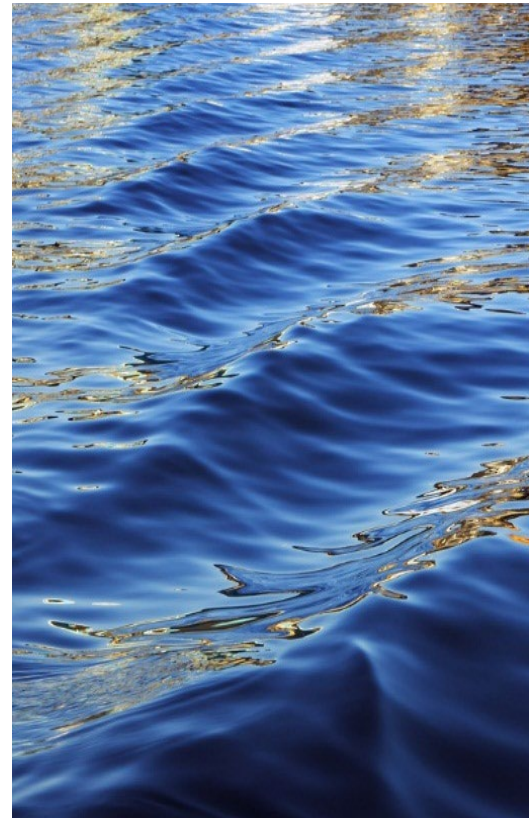


Urgency Ordinance No. 196

Clarifying Rule 24, Second Bathroom Addition Protocol

Stephanie Locke
Water Demand Manager

August 19, 2024



Second Bathroom Protocol (Rule 24-A-3)

Adopted in 2001 to allow people with less than 2 bathrooms in an older house to add a second bathroom for convenience only (CEQA Finding)

- Does not debit an allocation or entitlement (i.e., no new water demand)
- Home restricted to 2 bathrooms unless second bathroom is **fully** permitted (with water accounted for from jurisdiction or entitlement)

Urgency Ordinance

Loophole noted in 2023

- Potential to remove water fixtures in a bathroom to add water fixtures elsewhere (e.g., in an ADU) where there is an intensification in use
- Then add the fixtures back using “the Second Bathroom Protocol”
- This action disregards the Board’s CEQA Finding that a second bathroom “is for convenience only” and does not impact water use
- This ordinance clarifies that removal and use of bathroom fixtures to offset new uses disqualifies a Dwelling Unit from using the Rule 24, Second Bathroom Addition protocol

Fix is part of comprehensive ordinance currently being drafted for adoption in 2024-25

Adopt Urgency Ordinance

- Urgency ordinance must be approved to maintain CEQA compliance until Rule 24 amendment
- Urgency ordinance must be approved by 5 members of the Board
- Takes effect immediately for one year
- Staff recommends adoption this evening