

ORDINANCE NO. 2022-22

**AN ORDINANCE ADOPTING AND IMPLEMENTING REGULATIONS FOR
LANDSCAPING AND WATER CONSERVATION FOR DEVELOPING LAND
IN WASHINGTON CITY, UTAH**

WHEREAS, Washington City is located in Washington County, which area is one of the most arid and fastest growing regions in Utah with all its major population centers dependent on a water resource that is subject to natural conditions, including drought, so it is essential that water conservation initiatives be enacted to protect residents of Washington City and Washington County;

WHEREAS, establishing standards for new construction will help sustain a reliable and resilient water supply to all residents of Washington City and Washington County;

WHEREAS, it is in the interest of residents of Washington City and in the public interest to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water in our community's buildings and landscapes, reduce water waste, and establish standards for designing, installing, and maintaining water efficient buildings and landscapes throughout the City;

WHEREAS, establishing standards for the use of water for outdoor landscaping and irrigation will help sustain a reliable and resilient water supply to all residents;

WHEREAS, carefully managing water resources is of great importance to our community for the protection of present and future citizens;

WHEREAS, the Washington City Mayor, Council, and Staff respect the individual decision-making of city residents and trust that they will act in the best interest of the long-term viability and security of the community when it comes to water conservation;

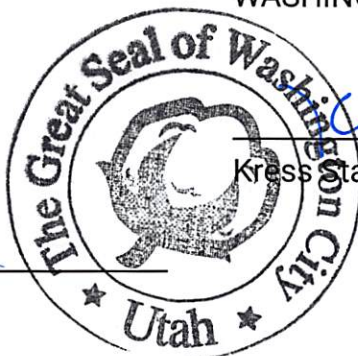
NOW THEREFORE, be it ordained by the City Council of Washington City, Utah that the attached standards and regulations are adopted, and shall be incorporated into the ordinances of the City, as Title 8, Chapter 9, Sections 1 through 5. This Ordinance shall become effective on the date executed below and upon posting as required by law.

PASSED AND ORDERED POSTED on this 11th day of May, 2022.

WASHINGTON CITY

ATTEST:


Tara Pentz, City Recorder




Kress Taheli, Mayor

TITLE 8, CHAPTER 9

SECTION 1: GENERAL PROVISIONS

8-9-1: APPLICABILITY

The provisions of this ordinance are severable and if any provision, clause, sentence, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of this ordinance or their applicability to other persons or circumstances.

SECTION 2: DEFINITIONS

8-9-2: DEFINITIONS

The following definitions shall apply to this ordinance:

Active Recreation Area: An area that is dedicated to active play where grass may be used as the playing surface. Examples of active recreation areas include sports fields, play areas, and other similar uses designated for physical activity. plan

Grass: A surface layer of earth containing irrigated grass with its roots.

Hardscape: Elements of landscape constructed from non-living materials such as concrete, boulders, brick, blacktop, and lumber. Hardscape includes patios, decks, and paths, but does

Landscape Area: Area within a lot or parcel that is not the home footprint, driveway, or sidewalk.

Landscape or Landscaping: Any combination of berms; living plants, such as trees, shrubs, vines, ground covers, annuals, perennials, ornamental grass, or seeding; natural features such as rock, stone, or bark chips; and structural features, including but not limited to outdoor artwork, screen walls, fences, Hardscape, Pool, or benches that create an attractive and pleasing environment.

Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.

Rehabilitated Landscaping: Landscape area in which over 75% percent of existing landscaping is removed and replaced. Includes all landscaping funded in part, or completely, by Washington County Water Conservancy District's landscape conversion program.

Secondary Irrigation Water: Non-potable water that is untreated and used for irrigation of outdoor landscaping.

Slope: A vertical rise in feet measured over a horizontal distance, expressed as a percentage, measured generally at right angles to contour lines.

SECTION 3: WATER EFFICIENCY STANDARDS FOR SINGLE FAMILY AND MULTIPLE FAMILY RESIDENTIAL ZONES

These provisions are applicable to all new construction and new development in any residential zone, or for any single family or multiple family residential development in any zone.

8-9-3(i): Construction Standards

- A. New single family or multiple family residential dwellings 1,400 square feet or greater shall install hot water recirculation systems.
- B. All multiple family units with ground floor square footage or individually platted, shall be separately metered, submetered, or equipped with alternative technology capable of tracking the water use of the individual unit, and the information shall be made available to the resident of each unit. Individually platted condominium units are exempted from the provision of this Paragraph D if a property owners association owns and maintains the water lines and meters. All multiple family projects require separate water meters for all outdoor water usage, including landscaping. Nothing herein shall be interpreted to require individual and separate landscape water meters for each and every unit of a multiple family project.

Nothing in this paragraph nor this Chapter 9 of Title 8 is intended to influence or modify the calculation and assessment of impact fees under Washington City Code

8-9-3(ii): Landscape Standards

- A. For all new residential construction, Rehabilitated Landscaping, residential development, and new landscape improvements, the landscaping shall meet the following requirements:

1. Single Family Dwellings, and Multiple Family Dwelling Projects with Ten Units or Less:
 - a. Irrigated Lawn area must not exceed eight percent (8%) of the lot square footage, up to a maximum of one thousand five hundred (1,500) square feet of grass (irrigated lawn area). No lot, regardless of its size, may install grass areas that exceed 1,500 square feet of surface area on the lot. Applicants will identify the size of the building lot in square feet, the amount of irrigated lawn proposed in square feet, and calculate the percentage of the lot to be installed with irrigated lawn at the time of building application. Following construction, the City will verify the installed irrigated lawn area does not exceed the maximum allowed.
 - b. Grass is prohibited in park strips, in any landscape area that measures less than eight feet in width, and on any slope that exceeds 15%; and
2. Multiple Family Dwelling Projects with More than Ten Units: Comply with the Landscape Standards in 8-9-4(ii), below.

8-9-3(iii): Restrictive Covenants in Conflict with Water Efficiency Standards

Any homeowners or property owners association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, and that are recorded after passage of this ordinance, are preempted by this ordinance and unenforceable by the owners or association contrary to Washington City Code if they conflict with the standards in this ordinance, or if they have the effect of prohibiting or restricting compliance with this ordinance.

SECTION 4: WATER EFFICIENCY STANDARDS FOR NONRESIDENTIAL ZONES AND NONRESIDENTIAL DEVELOPMENTS

These provisions are applicable to all new construction and new development in all nonresidential zones and nonresidential developments in any zone.

8-9-4(i): Construction Standards

- A. Hot water recirculation systems shall be installed, unless hot water delivery can be demonstrated to occur without first displacing more than 0.6 gallons of system water.
- B. All shell units with ground floor square footage, or individually platted, shall be separately metered, submetered, or equipped with alternative technology capable

of tracking the water use of the individual unit, and the information shall be made available to the individual unit. Individually platted condominium units are exempted if a property owners association owns and maintains the water lines and meters. All nonresidential projects require separate water meters for all outdoor water usage, including landscaping.

- C. All commercial car wash projects shall be built and operated to limit the maximum amount of new consumed water from the utility for car washes to 20 gallons per vehicle washed. Washington City shall have the right to review, inspect, and audit on recurring review cycles carwash project compliance with quantity maximums per vehicle washed.
- D. All golf courses using water district or municipal water supplies shall irrigate with secondary irrigation water and shall have separate water meters for the golf course. Irrigation with potable water at golf courses is prohibited to promote conservation of available drinking water. Each golf course development shall submit and follow a water budget with the Landscape Documentation Packet and identify water conservation measures for city review and approval.
- E. Outdoor or exterior Pools, fountains, or decorative water features that do not use secondary water are prohibited as part of any non-residential Landscape Plan, except as considered by the City Council for consumptive effect on potable (treated) water supplies and if approved by the City Council as a permitted exception.

8-9-4(ii): Landscape Standards

- A. For all new construction, Rehabilitated Landscaping, new development, and new landscape improvements in all nonresidential zones, and nonresidential development in any zone, the landscaping shall meet the following requirements:
 - 1. Grass is prohibited outside of an active recreation area. Grass is prohibited in park strips, in all landscape areas that measure less than eight feet in width, and on any slope that exceeds 15%.
 - 2. If secondary irrigation water is available, each project shall connect to the secondary irrigation water system for all outdoor water use. Washington City may make minor case-by-case permitted exceptions by approval of the City Council, allowing use of treated water for outdoor plantings that have secondary irrigation water available, subject to review and approval at the sole discretion of the city. An example of such a permitted exception would be for a small beautification planting of flowers or foliage that may be sensitive to secondary irrigation water quality.