

Date: March 1, 2022

To: Ivins City Council

From: Mike Scott

RE: WCWCD WATER CONSERVATION ORDINANCE VERSUS SANTA CLARA'S ORDINANCE

Here are the differences I found from comparing the two ordinances. I ignored minor wording differences, like our use of "shall" typically compared to Santa Clara's use of "will." I think I found all the substantive differences.

P3: 1-3 Applicability.

Santa Clara added exceptions: The provisions of this title are applicable to all new construction, development (including redevelopment), and landscape improvements in the city, except for (a) permitted uses in the Open Space zone; (b) permitted agricultural, horticultural, and gardening uses (including fruit trees) in any zone; (c) public parks or playgrounds, or public or school-owned active recreation areas, in any zone; however, all new uses which fall under (c) must be required to be served by secondary and not culinary municipal water. Landscape improvements to be irrigated solely with private, non-municipal water may be exempt from certain provisions of this chapter as noted.

P3: 2-1 Definitions

Santa Clara excluded definitions for: Check valve; grass; plant list;

Santa Clara added definitions for:

- Lawn: A surface layer of earth containing mowed grass with its roots; includes grass turf.
- Multifamily: Any residential use comprised of a dwelling or dwellings designed for occupation by more than one family in any zone, but for purposes of this Chapter, excludes single-family dwellings, two-family dwellings, dwellings containing an approved internal accessory dwelling unit, or dwellings which are an approved accessory dwelling unit to a primary dwelling.
- Single Family: Any residential use comprised of a dwelling designed for occupation by only one family in any zone, and for purposes of this Chapter includes primary dwellings, dwellings containing an approved internal accessory dwelling unit, and approved accessory dwelling units.
- Two-Family: Any residential use comprised of a dwelling designed for occupation by two families in any zone, but for purposes of this Chapter excludes dwellings containing an approved internal accessory dwelling unit, or dwellings which are an approved accessory dwelling unit to a primary dwelling.

P6: Chapter 3 Single family & multiple family...

- Santa Clara limited this section to single family and two-family and then combined multifamily with nonresidential. I think both approaches are similar – but haven't digested any nuances.
- 3-1 A: lowered from "displacing more than 0.6 gallons of system water" to 0.5
- 3-1 C: Eliminated
- 3-1 D: Used this in their separate section on multifamily and nonresidential standards
- 3-2 A: Added an exception, "except where landscaping will be irrigated solely with a private, non-municipal water source"
- 3-2 A 1.a: Changed to: The total irrigated landscape area must not exceed sixteen percent (16%) of the lot square footage. Lawn area must not exceed eight percent (8%) of the lot square footage, up to a maximum of two thousand five hundred (2,500) square feet of lawn area.
- 3-2 A 1.b: Changed to "slope that exceeds twenty percent (20%)"
- 3-2 A 1.c: Eliminated
- 3-2 a 2: eliminated
- 3-2 a: Added: Any lot in any zone which is larger than one-half (1/2) acre must use secondary irrigation to irrigate any agricultural, horticultural, or gardening uses which are permitted in the applicable zone.

P7: Chapter 4 nonresidential zones...

- 4-1 C: eliminated
- 4-1 D: Different wording but same result (non-legal opinion)
- 4-1 E: Different wording but same result (non-legal opinion)
- 4-1 F: WCWCD was confusing to me – Santa Clara improved it with: "Exterior, decorative water features in any project must be limited to an aggregate capacity of fifty (50) gallons or less for all features in the project, and recirculating pumps are required in each feature."

P8: 4-2 Landscaping standards

- WCWCD limits this section to nonresidential development. Santa Clara includes multifamily
- Santa Clara excludes projects "irrigated solely with a private, non-municipal water source"
- 4-2 A 1: Santa Clara changed slope to 20%
- P10: 4-2 B 2.d: Santa Clara added: The Certificate of Substantial Completion must be accompanied by a certification from the landscape architect that the landscaping, irrigation, and

related improvements have been installed consistent with the approved Landscape Documentation Package

P11: Chapter 5 Landscaping and irrigation design standards

- Santa Clara added the following exception and requirement at the beginning of this chapter: The provisions of this section shall apply to all new landscaping and irrigation in the City which is subject to this chapter, except where landscaping will solely be irrigated with a private, nonmunicipal source of water. Any landscape area to be converted from private, non-municipal to municipal water, whether culinary or secondary, must first be brought into compliance with this section.
- 10-5 1 A: Santa Clara increased slopes to 20%
- 10-5 2 D: Santa Clara changed from “shall be selected” to “are recommended”
- 10-5 2 E line 418: Santa Clara excluded: Trees shall be irrigated on a separate hydrozone as needed for efficient irrigation and allow for watering under water-shortage conditions when other plant material may not be watered due to drought conditions.

P12: 5-3 irrigation design standards

- 5-3 C: Santa Clara eliminated
- 5-3 E: Santa Clara eliminated this exception: Spray head to drip conversion for rehabilitated landscape sites may be acceptable with city approval of Irrigation Plans.
- 5-3 H: Santa Clara eliminated
- 5-3 I: Santa Clara eliminated
- 5-3 K: Santa Clara increased time from September to October