

36 WHEREAS, this proposed ordinance is necessary for the preservation and longevity of
37 these lands.

38

39 NOW THEREFORE, be it ordained by the City Council of **Ivins City**, Utah that the attached
40 standards and regulations are adopted, and shall be incorporated into the ordinances of the City,
41 as Title ____, Chapters ____ through _____. This Ordinance shall become effective on the date
42 executed below and upon posting as required by law.

43 APPROVED AND ADOPTED this ____ day of _____, 20__.

44 _____ City

45

46

47

48 ATTEST:

49 _____

50

51 Approved as to Form:

52

53 _____

54 _____ City Attorney

55

TITLE ____

CHAPTER 1: GENERAL PROVISIONS

1-1: SHORT TITLE

The short title for this ordinance is the “Landscaping and Water Conservation Ordinance.”

1-2: CONFLICT

(Note: Moved this – was stated at the end of each chapter) Restrictive Covenants in Conflict with Water Efficiency Standards: Any provisions in 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, recorded after passage of this ordinance, are void and unenforceable if they conflict with the water efficiency standards in this ordinance, or if they have the effect of prohibiting or restricting compliance with this ordinance.

1-3: APPLICABILITY

The provisions of this title are applicable to all new construction, development and major landscape improvements in the city served by the Water Conservancy District (note: instead of saying private water users are exempted), excepting vested properties which are properties with a previously approved Development Agreement or Conditional Use Permit.

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 as 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.

CHAPTER 2: DEFINITIONS

2-1: DEFINITIONS

The following definitions shall apply to this ordinance:

Active Recreation Area: An area with grass that is used for special events or as an outdoor event space. Examples of active recreation areas include sports fields, play areas, event lawns, picnic areas, and other similar uses designated for physical and/or social activity.

Common area: The area which is available for common use by all owners or renters in a development.

Controller: A device used in irrigation systems to automatically control when and how long sprinklers or drip irrigation systems operate.

97 Drip Irrigation: An irrigation system that delivers water by adding water at the plant's base
98 and root zone, usually measured in gallons per hour. Drip irrigation exhibits a droplet, trickle,
99 umbrella, or short stream pattern, to reduce evaporation, overspray, and water use, and
100 improving water conservation.

101 Drip Emitter: A drip irrigation fitting that delivers water slowly at the root zone of the plant,
102 usually measured in gallons per hour.

103 Grading Plan: The grading plan shows all finish grades, spot elevations, drainage as
104 necessary, and new and existing contours with the developed landscaped area.

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

106 Grass area: The total square footage of grass located within the landscape area.

107 Ground Cover: Material planted in such a way as to form a continuous cover over ground that
108 can be maintained at a height no more than twelve (12) inches.

109 Hardscape: Elements of landscape constructed from non-living materials such as concrete,
110 boulders, brick, blacktop, and lumber. It includes patios, decks, and paths, but does not
111 include driveways and sidewalks.

112 Hydrozone: Portion of landscape area having plants with similar water needs and rooting
113 depth. A hydrozone may be irrigated or non-irrigated.

114 Irrigation Plan: A plan that shows the components of the irrigation system with water meter
115 size, backflow prevention, precipitation rates, flow rate, and operating pressure for each
116 irrigation circuit, and identification of all irrigation equipment.

117 Landscape Architect: A person who holds a professional license to practice landscape
118 architecture in the state of Utah. Per State Code, licensed landscape architects, licensed
119 architects, licensed land surveyors, and licensed engineers can professionally stamp plans
120 that fall under the practice of landscape architecture. This includes commercial landscape and
121 irrigation plans.

122 Landscape Area: For developments regulated by Chapters 3 (single-family and twin home) or
123 Chapter 4 (non-residential): Area within a lot or parcel that is not the home footprint,
124 driveway, sidewalk, patio, swimming pool or water feature. For developments regulated by
125 Chapter 5 (multifamily) or Chapter 7 (resorts): Area within the development that is not a
126 building footprint, driveway, parking lot, sidewalk, patio, sports court, swimming pool, water
127 feature, and other hard surfaces.

128 Landscape Designer: A person who may or may not hold professional certificates for
129 landscape design/architecture and may be the owner of the property or in the landscaping
130 business.

131 Landscape Documentation Package: The documentation of graphic and written criteria,
132 specifications, and detailed plans to arrange and modify the effects of natural features to
133 comply with the provisions of this ordinance. The Landscape Documentation Package shall
134 include a project data sheet, a site plan, a planting plan, an irrigation plan, construction
135 details, and a grading plan.

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

140 Mulch: Any organic material such as leaves, bark, wood chips, straw; inorganic material such
141 as crushed stone or gravel; other materials left loose and applied to the soil surface for the
142 beneficial purpose of controlling weeds and conserving soil moisture.

143 Multifamily: Any residential use comprised of a dwelling or dwellings designed for
144 occupation by more than one family in any zone, but for purposes of this ordinance,
145 excludes: Single-family dwellings and twin homes (two family dwellings), dwellings
146 containing an approved internal accessory dwelling unit, dwellings which are an approved
147 accessory dwelling unit to a primary dwelling, resorts, and hotel rooms.

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

150 Plant List: A list of locally adaptable and environmentally sustainable plants for compliant
151 Planting Plans as provided by the Washington County Water Conservancy District.

152 Planting Plan: A Planting Plan that clearly and accurately identifies the type, size, and
153 locations for new and existing trees, shrubs, planting beds, ground covers, grass areas,
154 driveways, sidewalks, hardscape features, and fences.

155 Precipitation Rate: The depth of water applied to a given area, usually measured in inches per
156 hour.

157 Pressure Regulating Valve: A valve installed in an irrigation mainline that reduces a higher
158 supply pressure at the inlet down to a regulated lower pressure at the outlet.

159 Resort: A full-service lodging and recreational facility located in a Resort Commercial zone
160 that is the primary provider of a range of amenities, recreation, or wellness facilities to
161 emphasize a leisure or wellness experience beyond those found at motels and hotels.
162 Separately platted residences or commercial facilities will be deemed part of the Qualified
163 Resort so long as they are intended to be rented or otherwise used as a part of the hotel
164 operations.

165 Secondary Irrigation Water: Non-potable water that is untreated and used for irrigation of
166 outdoor landscaping Also called secondary water.

167 Single-family: Any residential use comprised of a dwelling designed for occupation by only
168 one family in any zone, and for purposes of this ordinance includes primary dwellings,
169 dwellings containing an approved internal accessory dwelling unit, and approved accessory
170 dwelling units.

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

173 Smart irrigation controller: A smart/internet-connected device used in irrigation systems to
174 automatically control when and how long sprinklers or drip irrigation systems operate.

175 Two-Family: Any residential use comprised of a dwelling (twin home or duplex) designed
176 for occupation by two families in any zone, but for purposes of this ordinance excludes
177 dwellings containing an approved internal accessory dwelling unit, or dwellings which are an
178 approved accessory dwelling unit to a primary dwelling.

179 Vested properties: Properties with a previously approved Development Agreement or
180 Conditional Use Permit.

181 Water-Conserving Plant: A plant that can generally survive with available rainfall once
182 established, with possible supplemental irrigation needed or desirable during spring and
183 summer months or during drought periods.

184 Water feature: Fountains, ponds, waterfalls, man-made streams, and other decorative water-
185 related constructions provided solely for aesthetic or beautification purposes. May be referred
186 to as decorative or ornamental water features.

187

188 **CHAPTER 3: SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL WATER** 189 **EFFICIENCY STANDARDS**

190

191 These provisions are applicable to all new single-family and two-family (twin home/duplex)
192 residential construction and development irrespective of its underlying zoning classification, except
193 new single-family and two-family (twin home/duplex) residential construction and development
194 within a resort which is subject to the requirements of Chapter 7.

195

196 **3-1: Construction Standards**

197

198 A. New single-family and two-family (twin home/duplex) residential dwellings 1,200 square
199 feet or greater shall install hot water recirculation systems.

200

201 B. New single-family and two-family (twin home/duplex) residential dwellings shall install
202 WaterSense labeled fixtures, or fixtures that are at least as water-efficient, including, but
203 not limited to faucets, showerheads, toilets, and urinals.

204

205 C. New single-family and two-family (twin home/duplex) residential dwellings shall install
206 Energy Star qualified appliances, or appliances that are at least as energy efficient.

207
208 D. Exterior, decorative water features must be limited to an aggregate capacity of three
209 hundred (300) gallons or less and recirculating pumps are required in each feature.
210 Exterior decorative water features shall only be located on individual single-family and
211 two-family lots and not as entry features to a subdivision or community or in common
212 areas. The capacity of the water feature in gallons shall be deducted from the allowed
213 amount of grass using one gallon equals two square feet of grass. (** Note: I added “or
214 in common areas and provided a definition)

215
216 E. The square footage of any uncovered pool will be deducted from the allowed amount of
217 grass. A pool is considered uncovered if it does not have a UL approved cover that is
218 electrically operated. Twenty-five percent (25%) of the square footage of any pool with a
219 UL approved electrically operated cover, or indoor pools, will be deducted from the
220 allowed amount of grass. (** Note: added possibility for indoor pools – more likely as a
221 common area feature, like in Copper Canyon, but could be in a home. Is a 25% deduction
222 okay?)

- 223
224 1. The grass deduction for a pool in a common area shall be deducted
225 proportionately from the grass permitted on individual lots. (Example: a 300
226 square foot uncovered pool in a common area will result in a 30 square foot
227 deduction in the amount of grass permitted on individual lots in a ten-home
228 development.) (** Note: I added this common area pool concept.)

229 230 3-2: Landscape Standards

231
232 A. For all new single-family and two-family (twin home/duplex) residential construction or
233 development, the landscaping shall meet the following requirements:

- 234
235 1. Grass area must not exceed eight percent (8%) of the lot square footage, up to a
236 maximum of 1,500 square feet of grass area. (** Note: We did not set a limit)
- 237
238 2. Grass is not permitted in common areas of a development unless it is an active
239 recreation area. The square footage of grass in a common area active recreation
240 area will be deducted proportionately from the grass permitted on individual lots.
241 (Example: 1,000 square feet of grass in a common area active recreation area will
242 result in a 100 square foot deduction in the amount of grass permitted on
243 individual lots in a ten-home development.) (** Note: I added this.)
- 244
245 3. In addition, grass is prohibited in park strips, all landscape areas less than eight
246 feet wide, and on any slope that exceeds 10%; and
247

- 248 4. Any lot in any zone which is larger than one-half (1/2) acre must use secondary
249 irrigation where available to irrigate any agricultural, horticultural, or gardening
250 uses which are permitted in the applicable zone.
251

252
253 **CHAPTER 4: MULTIFAMILY DEVELOPMENT WATER EFFICIENCY STANDARDS**
254

255 These provisions are applicable to all new multifamily construction and development irrespective of
256 its underlying zoning classification, except new construction and development within a resort which
257 will be subject to the requirements of Chapter 7.
258

259
260 **4-1: Construction Standards**

- 261 A. New multifamily dwellings shall install WaterSense labeled fixtures, or fixtures that are at
262 least as water-efficient, including, but not limited to faucets, showerheads, toilets, and
263 urinals.
264
- 265 B. New multifamily dwellings shall install Energy Star qualified appliances, or appliances that
266 are at least as energy efficient.
267
- 268 C. Exterior, decorative water features must be limited to an aggregate capacity of three hundred
269 (300) gallons or less and recirculating pumps are required in each feature. Exterior decorative
270 water features shall not be located as entry features to the development or in common areas.
271 The capacity of the water feature in gallons shall be deducted from the allowed amount of
272 grass using one gallon equals two square feet of grass. (***) Note: added common areas
273 exclusion.)
274
- 275 D. The square footage of any uncovered pool will be deducted from the allowed amount of
276 grass. A pool is considered uncovered if it does not have a UL approved cover that is
277 electrically operated.” Twenty-five percent (25%) of the square footage of any pool with a
278 UL approved electrically operated cover, or indoor pools, shall be deducted from the allowed
279 amount of grass. (***) Note: added indoor pools here too.)
280
- 281 E. All units shall be separately metered, submetered, or equipped with alternative technology
282 capable of tracking the water use of the individual unit, and the information shall be made
283 available to the individual unit. Individually platted condominium units are excepted if a
284 property owners association owns and maintains the water lines and meters.
285
- 286 F. Separate water meters are required, where secondary water is available, for all outdoor water
287 usage, including landscaping.
288

289 **4-2: Landscape Standards**
290

291 For all new multifamily construction or development, the landscaping shall meet the following
292 requirements:

- 293
294 A. Grass area must not exceed five percent (5%) of the total development's square footage.
295
296 B. Grass is not permitted in common areas of a development unless it is an active recreation
297 area. The square footage of grass in a common area active recreation area will be deducted
298 proportionately from the grass permitted for individual units. (Example: 1,000 square feet of
299 grass in a common area active recreation area will result in a 100 square foot deduction in the
300 amount of grass permitted for individual units in a ten-unit development.) (***) Note: I added
301 this.)
302
303 C. In addition, grass is prohibited in park strips, all landscape areas less than eight feet wide, and
304 on any slope that exceeds 10%; and
305
306 D. Landscape and irrigation installers shall follow the planting plans that have been signed and
307 approved by the city.
308
309 E. Each project shall propose and follow an approved Planting Plan that has a minimum of 20%
310 vegetative cover (based on the American Society of Landscape Architects "Landscape
311 Architecture Documentation Standards: Principles, Guidelines and Best Practices") of a
312 landscaped area with water-efficient shade trees and bushes adequate in number and
313 configuration to visually enhance the project, prevent heat islands, and prevent soil erosion.
314
315 F. If secondary irrigation water is available, each project shall connect to the system for all
316 outdoor water use. A city may make minor exceptions, allowing use of treated water for
317 outdoor plantings in small beautification areas, in its sole discretion.
318

319 CHAPTER 5: NONRESIDENTIAL ZONES AND DEVELOPMENT WATER 320 EFFICIENCY STANDARDS

321
322 These provisions are applicable to all new construction and new development in all nonresidential
323 zones, and nonresidential development in any zone, except development within a resort which is
324 subject to the requirements of Chapter 7.
325

326 5-1: Construction Standards

- 327
328 A. Hot water recirculation systems shall be installed.
329
330 B. WaterSense labeled fixtures, or fixtures that are at least as water-efficient, shall be
331 installed, including, but not limited to faucets, showerheads toilets, and urinals.
332
333 C. Energy Star qualified appliances, or appliances that are at least as energy-efficient, shall
334 be installed.
335
336 D. Except for hotels, all individually platted units shall be separately metered, submetered,
337 or equipped with alternative technology capable of tracking the water use of the

338 individual unit, and the information shall be made available to the individual unit. All
339 nonresidential projects require separate water meters for all outdoor water usage,
340 including landscaping, **where and when secondary water is available**.
341

342 E. All carwash projects shall recirculate and limit the maximum amount of water to **thirty-**
343 **five** (35) gallons per vehicle washed.
344

345 F. **Exterior, decorative water features must be limited to an aggregate capacity of three**
346 **hundred (300) gallons or less for each individually platted property, and recirculating**
347 **pumps are required in each feature. Exterior decorative water features shall not be located**
348 **as entry features to a development. The capacity of the water feature in gallons shall be**
349 **deducted from the allowed amount of grass using one gallon equals two square feet of**
350 **grass.**
351

352 **5-2: Landscape Standards**

353
354 A. All new construction and new development in all nonresidential zones, and nonresidential
355 development in any zone, shall meet the Landscape Design Standards and Irrigation
356 Design Standards of this ordinance.
357

358 1. Grass is not permitted outside of an active recreation area. In addition, grass is
359 prohibited in park strips, all landscape areas less than eight feet wide, and on any
360 slope that exceeds **10%**.
361

362 2. Landscape and irrigation installers shall follow the plans that have been signed and
363 approved by the city.
364

365 3. Each project shall propose and follow an approved Planting Plan that has a minimum
366 of **20%** vegetative cover (based on the American Society of Landscape Architects
367 **“Landscape Architecture Documentation Standards: Principles, Guidelines and Best**
368 **Practices”**) of a landscaped area with water-efficient shade trees and bushes adequate
369 in number and configuration to visually enhance the project, prevent heat islands, and
370 prevent soil erosion.
371

372 4. If secondary irrigation water is available, each project shall connect to the system for
373 all outdoor water use. A city may make minor exceptions, allowing use of treated
374 water for outdoor plantings in small beautification areas, in its sole discretion.
375

376 B. Required Documentation
377

378 1. Landscape Documentation Package: A copy of a Landscape Documentation Package
379 shall be submitted to and approved by the city prior to the issue of any building
380 permit. A copy of the approved Landscape Documentation Package shall be provided

381 to the property owner or site manager. The Landscape Documentation Package shall
382 be prepared by a **landscape designer or a professional landscape architect (PLA)**.
383

384 **CHAPTER 6: LANDSCAPE AND IRRIGATION DESIGN STANDARDS FOR ALL**
385 **NEW DEVELOPMENT IN ANY ZONE** **except new construction and development within a**
386 **resort which will be subject to the requirements of Chapter 7.**

387
388 **6-1: Plant Selection and Maintenance**

389
390 Plants shall be well-suited to the microclimate and soil conditions at the project site. Native, locally
391 adaptable, and environmentally sustainable plants are acceptable. See the Washington County Water
392 Conservancy District's recommended plant list on wcwcd.org. Plants with similar water needs shall
393 be grouped together as much as possible into hydrozones for efficient irrigation. Invasive plant
394 species as identified by the city shall not be planted.

- 395
396 A. Areas with slopes greater than **10%** shall be landscaped with deep-rooting, water-conserving
397 plants that do not include grass.
398
399 B. Park strips and **landscape buffers** shall be landscaped with water-conserving plants and/or
400 mulch that do not include grass.
401
402 C. **Landscaping shall be maintained in a live and thriving condition, with consideration for**
403 **normal growth and water needs; and fertilized, mowed, trimmed, edged, mulched and free**
404 **from weeds, dead plants, litter, refuse, or debris in compliance with regionally accepted**
405 **horticultural practice and city ordinances. (***) Note: This was in definitions but nothing in**
406 **the ordinance about maintenance, so it was ineffective. I took out of definitions and put here**
407 **since we expressed concerns about maintenance.)**

408
409 **6-2: Tree Selection**

410
411 Tree species shall be selected based on growth characteristics and site conditions, including available
412 space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall
413 be suited for water-efficient landscapes; **however, fruit and nut trees are allowed**. Trees shall be
414 selected and planted in accordance with the following city guidance:
415

- 416 A. Broad canopy trees **are recommended** where shade or screening of tall objects is desired;
417
418 B. Low-growing trees **are recommended** for spaces under utility wires;
419
420 C. Select trees from which lower branches will be trimmed to maintain a healthy growth habit
421 where visual clearance and natural surveillance is a concern;
422

- 423 D. Narrow or columnar trees **are recommended** for small spaces, or where awnings or other
424 building features limit growth, or where greater visibility is desired between buildings and
425 the street for natural surveillance;
426
- 427 E. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees,
428 retaining walls, above and below ground utilities, lighting, and other obstructions;
429
- 430 **F. Trees will be planted in a manner that protects view corridors and view sheds.**

431 **6-3: Irrigation Design Standards**

- 432 A. Pressure Regulation. A pressure regulating valve shall be installed by the builder or
433 developer, and maintained by the owner, if the static service pressure exceeds **ninety** (90)
434 pounds per square inch (psi). The pressure-regulating valve shall be located between the
435 meter and the first point of water use, or first point of division in the pipe, and shall be set at
436 the manufacturer's recommended pressure for the sprinklers.
437
- 438 B. Irrigation Controller. It is required that landscaped areas use a WaterSense labeled smart
439 irrigation controller, **or controllers that are at least as water-efficient**, which automatically
440 adjusts the frequency and/or duration of irrigation events in response to changing weather
441 conditions. All controllers shall be equipped with automatic rain delay or rain shut-off
442 capabilities and have memory retention capability to retain pre-programmed irrigation
443 schedules. Sites are not exempt from water waste prohibitions.
444
- 445 C. Low-volume irrigation equipment (i.e., drip emitters, bubblers) shall be provided for each
446 tree.
447
- 448 D. Drip irrigation shall be used to irrigate plants in non-grass areas.
449
- 450 E. High conservation efficiency spray nozzles are required for sprinkler applications.
451
- 452 F. Sprinkler heads shall have matched precipitation rates with each control valve circuit.
453
- 454 G. Filters shall be provided for drip irrigation lines.
455
- 456 H. Landscape watering with potable (treated) water is prohibited **based on Ivins City**
457 **requirements, which are currently** from 8 a.m. to 8 p.m., from June 1 to September 1, to
458 maximize irrigation efficiency.
459
- 460 I. Water waste is prohibited. Waste includes overwatering, irrigating during a precipitation
461 event, water that sprays or flows off your property, failure to comply with drought
462 restrictions and/or a failure to repair irrigation system leaks and/or malfunctions in a timely
463 manner.
464
- 465 J. Program valves for multiple repeat cycles are required to reduce runoff on slopes and for
466 soils with slow infiltration rates.
467

468 **CHAPTER 7: RESORT DEVELOPMENT WATER EFFICIENCY STANDARDS**

469

DRAFT