

AN ORDINANCE OF THE CITY COUNCIL OF HURRICANE, UTAH ADDING 10-32-11 WATER CONSERVATION TO THE HURRICANE CITY CODE.

WHEREAS, water is a limited resource within Hurricane City and Southern Utah; and

WHEREAS, the City has been given a stewardship over these resources; and

WHEREAS, City has previously adopted Ordinance No. 2020-13, codified in Section 8-1-10, imposing time of day water use restrictions and other water conservation measures;

WHEREAS, the City has determined that it is in the best interest of the health, safety, and welfare of the City's residents to adopt an ordinance further regulating certain landscaping to better conserve water; and

WHEREAS, Hurricane City Water Board has recommended that the City adopt policies that are in the best interest of the residents of the City; and

WHEREAS, Hurricane City Planning Commission has recommended the adoption of a majority of the provisions contained in the ordinance, finding that it is consistent with the needs of current and future residents within the City; and

WHEREAS, the City wants to protect the rights of property owners within the City; and

WHEREAS, the City wants to maintain a high quality of life for those who live, work, and play within the City by allowing property owners to choose to take water conservation steps that meet their needs,

BE IT HEREBY ORDAINED by the City Council of Hurricane, Utah that Section 10-32-11 Water Conservation be added to the Hurricane City Code to read as follows:

- A. Commercial, Industrial, and Civic Development: All new construction and new development in all commercial, industrial, and civic development in any zone, shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance. This ordinance shall not apply to any new or existing agricultural uses in any zone.
 - 1. Grass is not permitted outside of an active recreation area. In addition, grass is prohibited in all landscape areas less than eight feet wide and on any slope that exceeds 15%.

2. Landscape and irrigation installers shall follow the plans that have been signed and approved by the city.
3. Each project shall propose and follow an approved Planting Plan of a landscaped area with water-efficient shade trees and bushes adequate in number and configuration to visually enhance the project, prevent heat islands, and prevent soil erosion. Planting plans shall meet the minimum standards within this ordinance.
4. If City-provided secondary irrigation water is available, each project shall connect to the system for all outdoor water use. The Planning Commission may make minor exceptions, allowing use of treated water for outdoor plantings in small beautification areas, in its sole discretion.
5. Park Strips: Grass is prohibited in all park strips. Parks strips shall be maintained by the adjacent property owner unless otherwise maintained by an owners association. Park strips widths and landscaping shall count towards commercial and industrial landscaping frontage requirements.

B. All new construction and new development in residential development in any zone, shall meet the following Landscape Design Standards and Irrigation Design Standards:

1. Common Areas: If the development has a common area jointly owned and maintained by a homeowners association, grass is not permitted outside of an active recreation area.
2. Park Strips: Grass is prohibited in all park strips.
3. Controllers: Water-smart irrigation controllers are required.
4. Grass Limitations: For all Single Family Dwellings and Multiple Family Dwelling Projects that contain private yards attached to a dwelling unit, the total grass area of each private yard associated with each lot shall not exceed the following:

<u>Lot Size</u>	<u>Maximum Grass</u>
Up to 6,000 sf	1,500 sf
Up to 12,000 sf	2,000 sf
Up to 18,000 sf	2,500 sf
Up to 24,000 sf	3,000 sf
More than 24,000 sf	4,000 sf

NOW THEREFORE, BE IT ORDAINED BY THE HURRICANE CITY COUNCIL OF HURRICANE CITY, UTAH THAT:

1. This ordinance becomes effective immediately upon posting or publication pursuant to Utah Code section 10-3-712.

2. All ordinances, resolutions, and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution, or ordinance, or part thereof.

3. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hurricane City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications, and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

PASSED AND APPROVED this 7th day of July 2022.



Hurricane City

Nanette Billings
 Nanette Billings, Mayor

Attest:

Cindy Beteag
 Cindy Beteag, City Recorder

The foregoing Ordinance was presented at a regular meeting of the Hurricane City Council held at the Hurricane City Office Building on the 7th day of July 2022. Whereupon a motion to adopt and approve said Resolution was made by Joseph Prete and seconded by Kevin Thomas. A roll call vote was then taken with the following results:

	Yea	Nay	Abstain	Absent
Joseph Prete	<u>X</u>	—	—	—
David Sanders	<u>X</u>	—	—	—
David Hirschi	—	<u>X</u>	—	—
Kevin Thomas	<u>X</u>	—	—	—
Doug Heideman	—	<u>X</u>	—	—

Cindy Beteag
 Cindy Beteag, Recorder