



Washington City Council
Special Meeting Minutes
May 4, 2022

Present: Mayor Kress Staheli, Council Members Kimberly Casperson, Craig Coats, Bret Henderson, Kurt Ivie, Ben Martinsen, City Manager Jeremy Redd, City Recorder Tara Pentz, City Attorney Thad Seegmiller, Public Works Director Mike Shaw, Assistant Public Works Director Lester Dalton, Community Development Director Drew Ellerman

*Council Member Kurt Ivie and Ben Martinsen attended electronically.

Meeting commenced at 4:09 P.M.

1. Approval of the Agenda.

Council Member Coats made a motion to approve the agenda. Council Member Henderson seconded the motion; which passed unanimously.

2. Landscape Ordinance. City Attorney Thad Seegmiller

Mayor Kress Staheli thanked everyone who has worked so hard on this process. The Legislative process can be difficult at times, but he does want to express his gratitude. Washington City has fully developed all of our water rights. We have approved 4500 lots that have not yet been connected to water. As a result, we rely heavily on the Water Conservancy District to supply water. They have brought forward recommendations to all of the municipalities in an attempt to conserve water and to assist the State to lower the source sizing standard. Our original number was .89 with our conservation numbers it has been reduced to .78. However, the goal is .59. We want to provide opportunities for our children to live here and the construction industry to continue. The new changes to the Ordinance being brought forth show a fairly good balance of what we need to address with regard to the water situation. Our City Attorney will be taking our final feedback and modifying the ordinance in order to come to Council next week.

City Attorney Thad Seegmiller reviewed the new draft ordinance with Council.

Council Member Coats asked if artificial turf should be addressed within the current ordinance.

City Attorney Seegmiller explained the original ordinance had information about artificial turf, as it does require some water usage. However, due to the proposed changes, and the request to reduce the number of pages to the final ordinance, this portion has been removed.

Council Member Coats stated individuals who use artificial turf do water it, and it may need to be addressed in the future.

Council Member Casperson noted that with respect to rehabilitated landscaping, she feels if we provide education and facts, along with what we recommend, people will be more aware of how much water is used, and will be more conservative. She does not understand how we would enforce something like this, as called out in the ordinance.

City Attorney Seegmiller stated if they are doing more than 75% of their yard it should fall under these guidelines, but if unfortunately there is no way to enforce it. However, it does create a standard.

Council Member Casperson stated having the government say what you have to do will sometimes de-centivise someone from wanting to actually do it.

City Manager Jeremy Redd stated he does appreciate education on water conservation, but it does not necessarily mean individuals will comply. We had an application turned in just this week with nearly 4000 square feet of lawn. If people call in to ask the maximum allowed, we do need to have an answer for them.

Mayor Staheli stated he attended his monthly Mayors Meeting this week. The adjacent municipalities want to work together to conserve water, which does include education.

Karry Rathje stated there are so many resources available, and they would happily put more education in our newsletter or however else we can. With regard to those individuals who are retrofitting their landscaping, the Water District provides a Landscape Architect free of charge to help design a water conscious landscape plan. Conservation is only one of the many things the district is working on, due to the current limited water supply.

City Attorney Seegmiller continued his review.

Council Member Coats asked what the plan is with the multi-family apartments. This ordinance says anything above 10 units falls under commercial standards. The commercial requirements do not allow for grass.

City Attorney Seegmiller stated they have included an Active Recreation Area in multi-family over 10 units, which is noted in the definitions.

Community Development Director Drew Ellerman explained there will be grass areas within a multi-family development. He will be following this ordinance as closely as possible. It would be assumed any multi-family will come in as a PUD, which will be reviewed by Council. At that time, the landscape area will be addressed.

City Attorney Seegmiller continued his review on the Landscape Standards.

Council Member Martinsen asked if we feel 2000 square feet of turf is too liberal. He

does love grass in a yard, but in trying to be forward thinking, he feels this may be too much grass.

Council Member Coats stated if you did a ½ acre lots and used the 8% calculation, it would be 1100 square feet. He does not feel that is too much. If someone purchases a very large lot, they should be able to have more turf.

Council Member Henderson noted he feels the cap should be less than 2000 square feet. He has a half acre lot, with ornamental grass in the front that never gets used, and much more grass than he needs in the back. If we are going to be serious about this and extend our water supply, we should do less than 2000.

Ms. Rathje stated that one of the HB-409 requirements is that the Municipalities are going to be required to submit where their water supply is coming from. They will no longer have the luxury to rely on the Water District. If you want to continue to have a pro growth environment, this should be considered in the land use and growth plans.

Mayor Staheli noted at this time 1000 square feet of grass area currently uses 40000 gallons of culinary water per year. That is a significant amount of water, which could be conserved.

Council Member Henderson asked where the recommended 750 square feet of turf came from.

Ms. Rathje stated they were looking at what has been happening in our neighboring states and preparing for the future. This was a starting point at what they felt the residents would be able to maintain aesthetics and quality of life at their homes. The District is recommending to be as conscious of this as possible.

Council Member Henderson stated at 2000 square feet we are not really making any progress, but he does want to still allow grass to some extent. He would like to possibly change the amount to 1200 square feet, which would still allow a significant amount of yard for kids to play. We have a responsibility to shrink the water use. He feels positive we have lessened the regulations, but still feels we needed to lessen the amount of turf.

Council Member Martinsen stated he would recommend the 1200 square feet as well.

Council Member Coats stated he would be against the change to 1200 square feet.

Council Member Casperson noted she would also be opposed to reducing the amount of turf from 2000 square feet.

Council Member Coats reviewed the size of lots in relation to the percentage of lawn.

Council Member Seegmiller noted the biggest offenders of large lawns are the large estate lots.

Mayor Staheli commented he keeps going back to the fact that 750 square feet of lawn is 30000 gallons of culinary water per year. Santa Clara City currently has approved their resolution to cap at 1500 square feet. He would like to be as tight as we can, so we can continue to grow, and allow for our kids to be able to live here.

Council Member Henderson asked if Council would be willing to meet in the middle on the amount of lawn.

Council Member Coats stated he would be willing to reduce the amount to 1500, which would keep us consistent with the adjacent City.

Council Member Caperson asked about compliance for the hot water heater.

Council Member Henderson stated it would be inspected.

Council Member Coats explained it would be part of the submittal.

Public Works Director Mike Shaw noted the hot water heater is part of the plan check.

Council Member Casperson asked if we should just require the hot water recirculation system at 1,400 square feet. The ordinance says hot water delivery must be demonstrated to occur without first displacing more than 0.6 gallons of system water. If it cannot be demonstrated, then what would be their alternatives? We just require it at 1,400 square feet and greater, then they do not run the risk of not meeting the other criteria.

Council Member Henderson stated he could support the 1400 square feet requirement of hot water recirculation.

Council discussed different types of landscaping options.

Council Member Martinsen asked if there is a way to clean up the submittal requirement and ensure that the amount of grass is placed on the site plan.

Council Member Coats stated they should just put the amount of grass on their site plan.

City Manager Redd stated they need to just submit a document stating the amount of grass they are putting.

Council discussed the inspection and or approval of a newly constructed home with regard to determining the percentage of turf that has been placed.

Council Member Coats clarified he does not want a certificate of occupancy to be withheld if the back yard is unfinished.

City Attorney Seegmiller noted we would hold up the certificate of occupancy if they

have too much grass. This is not going to be an issue for an inspector. They essentially need to check the lawn at the end of the construction.

City Manager Redd stated he would anticipate having a storm water inspector, who is already going out to the home, check the percentage of lawn in place at the time of certificate of occupancy.

Council Member Casperson clarified she would like to decide what the final decision would be on the hot water recirculation.

It was the consensus of Council to make the hot water recirculation required at 1400 square feet.

City Attorney Seegmiller continued with his review.

Council Member Coats stated he would prefer the car wash amount to be limited to 20 gallons.

Council Member Henderson revealed that they have been told by the owners of the car washes that 20 gallons is not realistic.

Assistant Public Works Director Lester Dalton stated Quick Quack Car Wash uses a maximum of 15 gallons.

Council Member Henderson said he was told you can only get down to 35 gallons with recirculating.

Public Works Director Mike Shaw confirmed that is not true. The 35 gallons per wash is with zero circulation. If they do install the recirculating and use it properly the gallons per wash is significantly less. This is why Quick Quack is down to 15 gallons.

Council Member Martinsen stated in his research he was seeing a much lower usage of water.

Assistant Public Works Director Dalton noted the goal is to conserve water, not to just do what we are doing now. We want to encourage reduction.

It was the consensus of Council to move forward with the 20 gallons of water per usage in car washes.

Council Member Coats noted his appreciation for Staff. This has been a difficult process, and he appreciates all of the hard work.

City Attorney Seegmiller completed his review of the reduced ordinance.

City Manager Redd stated one of the things that was removed from the ordinance was the exterior pools and ponds. With this ordinance it would allow someone to build a

large decorative pool with culinary water. We don't want to limit if an apartment complex wants to come in with a pool, but we need to address these outdoor water features.

Council Member Henderson noted that a concern from Council Member Ivie was that this ordinance may scare off a hotel from coming into Washington City.

Ms. Rathje stated other Cities have labeled those as ornamental water features. If water parks are well designed with recirculating, they do not use more water than a residence.

Council Member Henderson stated he is fine to require pool covers, but if other Council are opposed, he has no preference.

Ms. Rathje stated as far as pool covers, there is a significant amount of water loss to evaporation if a pool is not covered. However, it is completely a Council decision. Requiring them is going to be more difficult to regulate, and they have a significant cost. If a homeowner maxes out on grass and they have a giant pool, they are not going to meet the conservation requirements.

City Manager Redd explained this is a starting point with our Ordinance. This can be amended in the future if we find we are not getting enough conservation.

Mayor Staheli asked the thoughts of Council with regard to holding an additional public hearing. He was hoping to explain we have cut out 10 pages of the Ordinance. We do not need prepared speeches, and unless there is something new, we do not need to hear it.

Council Member Martinsen asked, if we are limiting car washes to 20 gallons of water per wash do we care how they get there, as the ordinance currently requires recirculating.

City Attorney Seegmiller stated the requirement of recirculating can be removed with the limit to 20 gallons.

Assistant Public Works Director Dalton stated they should be able to provide a plat to us at construction of how many gallons are being used per wash.

Council Member Henderson stated he likes this ordinance with these new changes. He appreciates the hard work from Staff, and for being so patient.

Council Member Casperson thanked the Council as well for all of their hard work.

Assistant Public Works Director Dalton stated as we go forward with this, we may need to come back with minor adjustments, but this is a great start.

Public Affairs Officer Jordan Hess stated if we started getting questions going forward, he is happy to prepare some educational materials.

Public Works Director Mike Shaw stated this is a great start. He does believe this will be an ongoing work in progress, as things change over time.

Ms. Rathje thanked the Council for their efforts.

City Attorney Seegmiller stated we are the second largest City in the County that recognizes water. Many of the other Cities have passed provisions we have now removed. It is important we get something passed in order to start conserving and be leaders.

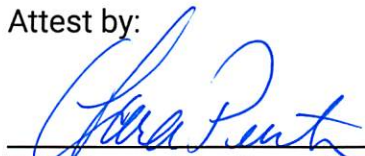
3. Adjournment

Council Member Henderson made a motion to adjourn the meeting. Council Member Casperson seconded the motion; which passed unanimously.

Meeting adjourned at 5: 41 PM

Passed and approved on the 11th day of May, 2022

Attest by:


Tara Pentz, City Recorder



Washington City


Kresh Staheli, Mayor