

RESOLUTION

WATER CONSERVATION GUIDELINES REVISION

WHEREAS, rezoning and special use permit applications include proffers or conditions to address water conservation practices to be incorporated into the proposed development to reduce water consumption; and

WHEREAS, the water conservation guidelines have been revised by staff and the Water Conservation Committee to emphasize reducing reliance on the James City Service Authority public water supply and encourage the use of other water sources for irrigation.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, endorses the attached revisions to the Water Conservation Guidelines.



ATTEST:

Sanford B. Wanner
Sanford B. Wanner
Clerk to the Board

John J. McGlennon

John J. McGlennon
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
HARRISON	AYE
BRADSHAW	AYE
GOODSON	ABSENT
ICENHOUR	AYE
MCGLENNON	AYE

Adopted by the Board of Supervisors of James City County, Virginia, this 27th day of November, 2007.

WtrGuideRev.res

I hereby certify that the foregoing document is a true and correct copy of the original resolution.

Elizabeth E. Elder
Elizabeth E. Elder, Secretary to the Board

WATER CONSERVATION GUIDELINES

James City County (the County) and the James City Service Authority (JCSA) endorse the use of the following water conservation guidelines for residential and non-residential properties.

It is the intent of the County and JCSA to reduce developments' reliance on the public water supply as a source for irrigation in common areas, on residential properties, and on non-residential properties. The County and JCSA promotes and encourages the practice of Water Smart landscaping, which includes minimizing irrigated turf areas and using drought tolerant and site specific plant material that does not rely on irrigation. If a development requires irrigation, water other than that used for the public supply should be used (i.e. surface water, stormwater collection facilities or shallow depth (less than 100 feet deep) aquifers).

In the design phase of a project, whether residential or commercial, the developer and designing engineer shall take into consideration the design of stormwater systems that can be used to collect stormwater for outdoor water use for the entire development. Only surface water collected from surface water impoundments (the "Impoundments") may be used for irrigating common areas on the Property (the "Irrigation"). In no circumstance shall JCSA public water supply water or well water be used for Irrigation, except as otherwise provided by this condition. If the Owner demonstrates to the satisfaction and approval of the General Manager of the JCSA through drainage area studies and irrigation water budgets that the Impoundments cannot provide sufficient water for all Irrigation, the General Manager of the JCSA may, in writing, approve a shallow (less than 100 feet) irrigation well to supplement the water provided by the Impoundments.

I. Residential Development Guidelines

The guidelines agreed upon by the developer shall be included in the proposed development covenants and administered by the development's Management Company, Architectural Review Board, and/or Home Owners Association.

1. Water Efficient Landscaping

- a. No more than thirty percent, up to 5,000 square feet, of the pervious areas of a single-family lot area will be allowed turf irrigation.
- b. Primary plantings, including those on residential lots, should be drought tolerant, low water use plants. Where appropriate, non-invasive native plants are recommended. A suggested plant list is available from JCSA.
- c. Wherever possible, existing trees and vegetation should be retained.
- d. Trees located in turf areas should be mulched.
- e. Warm season grasses such as zoysia and Bermuda should be used.

2. Irrigation Systems

- a. Pre-existing vegetation should not be irrigated.
- b. Water for common area irrigation should come from surface water and/or stormwater collection facilities. If the General Manager of the JCSA approves use of the public water supply as a source for common area irrigation, it will be limited to the turf and landscaped areas with drip irrigation only at the main entrance(s) of the development.
- c. Recreation areas, defined as golf courses, putting greens and ball fields, should be irrigated only from surface water and/or stormwater collection facilities.
- d. Residential properties and common area irrigation property systems must include a rain sensor installed at the time of installation. Rain sensors must be set at ¼ inch according to Ordinance Number 116A-36.
- e. The development shall adhere to Ordinance Number 116A-34.

3. Indoor Appliances

- a. All builder-installed hot water heaters, washing machines and dishwashers should be water efficient models.
- b. Where appropriate, point of use and/or centrally located small-volume hot water heaters should be used.

4. Changes and Amendments

- a. Any changes and amendments to the Water Conservation Agreement shall be reviewed and approved in writing by the General Manager of the JCSA prior to recordation.

II. Non-Residential Guidelines

The guidelines agreed upon by the developer shall be included in the development covenants and administered by the owner or owner's designee.

1. Water Efficient Landscaping

- a. Irrigation areas will be determined during the site plan approval process through submittal of a sketch or drawing showing total pervious areas and irrigation areas. Under no circumstances will turf and irrigation areas exceed thirty percent of the pervious portion of the lot.
- b. Primary plantings should be drought tolerant, low water use plants. Where appropriate, non-invasive native plants are recommended. A suggested plant list is available from JCSA.

- c. Wherever possible, existing trees and vegetation should be retained.
- d. Trees located in turf areas should be mulched.
- e. Warm season grasses such as zoysia and Bermuda should be used.

2. Irrigation Systems

- a. Pre-existing vegetation should not be irrigated.
- b. Water for common area irrigation should come from surface water and/or stormwater collection facilities. If the General Manager of the JCSA approves use of the public water supply as a source for common area irrigation, it will be limited to the turf and landscaped areas with drip irrigation only at the main entrance(s) of the development.
- c. Recreation areas, defined as golf courses, putting greens and ball fields, should be irrigated only from surface water and/or stormwater collection facilities.
- d. Irrigation systems must include a rain sensor installed at the time of installation. Rain sensors must be set at ¼ inch according to Ordinance Number 116A-36.
- e. The development shall adhere to Ordinance Number 116A-34.

3. Indoor Appliances

- a. All builder-installed hot water heaters, washing machines and dishwashers should be water efficient models.
- b. Where appropriate, point of use and/or centrally located small-volume hot water heaters should be used.

4. Changes and Amendments

- a. Any changes and amendments to the Water Conservation Agreement shall be reviewed and approved in writing by the General Manager of the JCSA prior to recordation.

ADOPTED

FEB 25 2003

ORDINANCE NO. 116A-34

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY ADDING ARTICLE VII, OUTDOOR WATER USE, SECTION 11-65, RESTRICTIONS ON OUTDOOR WATER USE; AND SECTION 11-66, VIOLATIONS OF ARTICLE.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Health and Sanitation, is hereby amended and reordained by adding Article VII, Outdoor Water Use, Section 11-65, Restrictions on outdoor water use; and Section 11-66, Violations of article.

Chapter 11. Health and Sanitation

Article VII. Outdoor Water Use

Sec. 11-65. Restrictions on outdoor water use.

In order to protect the public health, safety and welfare and insure the integrity of the James City Service Authority water system, during the period beginning May 1 and ending September 30 of each year, outdoor use of James City Service Authority water is prohibited, except that properties with even-numbered street addresses can use water outdoors on Tuesdays, Thursdays and Saturdays and properties with odd-numbered street addresses can use water outdoors on Wednesdays, Fridays and Sundays provided that outdoor water use occurs between the hours of midnight and 9:00 a.m. and 5:00 p.m. and midnight. No outdoor water use shall occur on Mondays except as provided below in subparagraph (d). For the purpose of this section, the

last whole number of a property address shall be used to determine whether the property address is odd or even. All street addresses on a lot or parcel which has one or more structures with both odd and even street addresses shall be deemed to be even, regardless of such units actual street address. Open or common areas shall be deemed to have an odd street address regardless of whether such areas have a designated street address. Open or common areas shall consist of land in a multi-lot development, either commercial or residential, which is owned by a corporation or association for the beneficial use of the owners or tenants of land in the development. Outdoor water use shall include, but is not limited to, the following:

(a) The watering of shrubbery, trees, lawns, grass, plants or other vegetation, except that the following shall be exempted from the prohibition on outdoor watering:

- (1) the watering of a new lawn or turf for a period of 60 consecutive days after installation provided the owner or tenant of a lot, piece or parcel of real property receives the one-time exception provided herein. In order to be eligible for this one-time exception, the property owner or tenant shall provide prior written notice to the general manager of the James City Service Authority identifying the property address and the date of lawn or turf installation. No notice shall be required for watering a new lawn or turf installed on property that has a certificate of occupancy pending for a structure;*
- (2) the watering of plants from a hand-held container;*
- (3) the watering of nursery stock or plant material on property where it is grown, produced or held for sale.*

(b) The washing of automobiles, trucks, trailers, boat, motor bikes, airplanes or other motor vehicles, except this prohibition on washing vehicles shall not apply to any facilities operating a water recycling system approved by the general manager of the James City Service Authority, provided that such a facility prominently displays for public view a notice stating that such a water recycling system is in operation.

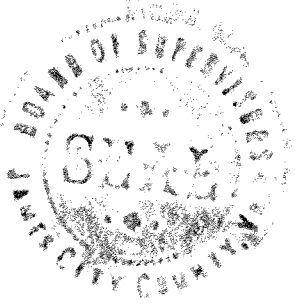
(c) The washing of streets, driveways, parking lots, sidewalks, service station aprons, the exterior of homes, apartments, office building or commercial establishments, or other outdoor surfaces, except that such activities may be performed by businesses which are regularly engaged in these activities as a service for hire and have a business license to perform such activities.

(d) Exempt is all outdoor water use by means of a hose with an automatic shutoff nozzle which is continuously attended.

(e) In the event the county administrator declares a water shortage, the provisions of this section shall be superceded by Article VI, Drought Management, of Chapter 11, Health and Sanitation.

Sec. 11-66. Violations of article

A violation of any provision of this article shall constitute a misdemeanor by a fine of up to \$2,500.00, each day that a violation exists shall constitute a separate offense.



Jay T. Harrison, Sr.
Chairman, Board of Supervisors

<u>SUPERVISOR</u>	<u>VOTE</u>
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MCGLENNON	NAY
BROWN	AYE
GOODSON	AYE
KENNEDY	AYE
HARRISON	AYE

ATTEST:

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, this 25th day of February, 2003.

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I hereby certify that the foregoing document is a true and correct copy of the original document.

Elizabeth Elder
Secretary to the Board of Supervisors

ADOPTED

MAR 8 2005

ORDINANCE NO. 116A-36

BOARD OF SUPERVISORS
JAMES CITY COUNTY
VIRGINIA

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 11, HEALTH AND SANITATION, OF THE CODE OF THE COUNTY OF JAMES CITY, VIRGINIA, BY AMENDING ARTICLE VII, OUTDOOR WATER USE, BY ADDING NEW SECTION 11-66, AUTOMATIC IRRIGATION SYSTEM; AND BY RENUMBERING OLD SECTION 11-66, VIOLATIONS OF ARTICLE, TO SECTION 11-67.

BE IT ORDAINED by the Board of Supervisors of the County of James City, Virginia, that Chapter 11, Health and Sanitation, is hereby amended and reordained by adding new Section 11-66, Automatic irrigation system; and by renumbering old Section 11-66, Violations of article, to Section 11-67.

Chapter 11. Health and Sanitation

Article VII. Outdoor Water Use

Sec. 11-66. *Automatic irrigation system.*

(a) *Definitions. For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them as follows:*

Automatic irrigation system. A device or combination of devices having a hose, pipe, or other conduit installed in the landscape which transmits James City Service Authority (JCSA) water, through which device or combination of devices JCSA water or a mixture of JCSA water and chemicals is drawn and applied to residential or commercial lawns, landscapes or greenspace.

Rain sensor. An electronic device that measures rainfall and will override the irrigation cycle of an automatic irrigation system, thus turning it off, when a predetermined amount of rain has fallen. To meet

the requirements of this section, the device shall be mounted in an open area outdoors, above ground in an unobstructed location, well suited for gauging rain, according to the manufacturer's specifications. The rain sensor shall override the irrigation controller when adequate rainfall has occurred, which will keep the automatic irrigation system from watering in the rain.

(b) Requirements.

(1) In order to protect the public, health and welfare and insure the integrity of the JCSA water system, all irrigation systems installed in James City County and supplied water by the JCSA after March 8, 2005, shall have a rain sensor gauge set at one-fourth inch or less such that the system is turned off when one-fourth inch or more rain has fallen.

(2) JCSA customers with automatic irrigation systems that were installed prior to March 8, 2005, without a rain sensor are encouraged to install a rain sensor.

(3) All automatic irrigation systems must have a backflow preventor device.

(c) Maintenance.

All rain sensors shall be adjusted and set at one-fourth inch or less so that they automatically shut off when one-fourth inch of rain has fallen. All rain sensors shall be installed according to the manufacturer's instructions in a location that will provide full exposure to rainfall such that accuracy of operation is assured and shall be maintained in good working condition. No person shall adjust either the rain sensor or automatic irrigation system so that the rain sensor is not able to override and turn off the automatic irrigation system after one-fourth inch of rain has fallen. The rain sensor shall automatically interrupt the watering schedule of the automatic irrigation system and return it to its normal schedule after

the rain event ends. The even/odd watering day schedule will still apply notwithstanding any provisions in this ordinance.

State law reference - Power of authority, Code of Virginia § 15.2-5114.

Sec. 11-667. Violations of article.

A violation of any provision of this article shall constitute a misdemeanor by a fine of up to \$2,500.00 and each day that a violation exists shall constitute a separate offense.



Michael J. Brown, Chairman
Board of Supervisors

Sanford B. Wanner
Clerk to the Board

Adopted by the Board of Supervisors of James City County, Virginia, on this 8th day of March, 2005.

rainsensor.ord.3

I hereby certify that the foregoing document is a true and correct copy of the original document.

Elizabeth Elder
Secretary to the Board of Supervisors