

CITY OF HOLLADAY

ORDINANCE No. 2023-09

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLADAY AMENDING
PROVISIONS OF THE CITY'S LAND USE ORDINANCES RELATING TO WATER
EFFICIENCY STANDARDS**

WHEREAS, the City of Holladay has received requests from property owners to revise provisions of its Land Use Code relating to water efficiency standards to enable residents to participate in rebate programs from water providers for water-efficient landscaping; and

WHEREAS, the Planning Commission has reviewed proposed ordinance changes relating to water-efficient landscaping standards and has forwarded a recommendation for approval of the same;

WHEREAS, the City Council of the City of Holladay has provided an opportunity for public comment on the matter and now desires to adopt water-efficient landscaping standards;

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Holladay, Utah as follows:

Section 1. Amendment. Title 13.04 of the City's Land Use Standards is hereby amended to read in its entirety as shown on Exhibit A, attached hereto and incorporated herein by reference.

Section 2. Amendment. Title 13.77 of the City's Land Use Standards is hereby amended to read in its entirety as shown on Exhibit B, attached hereto and incorporated herein by reference.

Section 3. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

Section 4. Effective Date. This Ordinance shall take effect upon publication or posting or thirty (30) days after passage, whichever occurs first.

PASSED AND APPROVED this 7th day of September, 2023.

By: _____



Robert Dahle, Mayor

[SEAL]



VOTING:

Ty Brewer	Yea		Nay	<u>X</u>
Matt Durham	Yea	X	Nay	___
Paul Fotheringham	Yea	X	Nay	___
Drew Quinn	Yea		Nay	<i>excused</i>
Dan Gibbons	Yea	X	Nay	___
Robert Dahle	Yea	X	Nay	___

ATTEST:

Stephanie N. Carlson

Stephanie N. Carlson, MMC
City Recorder

DEPOSITED in the office of the City Recorder this 7TH day of September, 2023.

RECORDED this 7th day of September, 2023.

Exhibit A

CHAPTER 13.04: DEFINITIONS

LANDSCAPING, LANDSCAPED: Shall be highly water efficient consisting of a combination of planted trees, shrubs, vines, vegetative ground cover, perennial plants and annual plants or lawn, together with a water efficient drip type irrigation system to maintain the plants alive and flourishing for the length of time the plantings are to be maintained if not in perpetuity. A maximum of sixty-five percent (65%) of the total required landscaped area may include permeable materials such as organic mulch, inorganic materials such as rocks, boulders, gravel, or other materials, and/or ornamental objects such as fountains, pools, statues, retaining walls, or benches.

LOCALSCAPES®: A landscaping approach designed to create locally adapted and sustainable landscapes through a 5-part approach (central open shape, gathering areas, activity zones, connecting pathways and planting beds).

- A. Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds. Activity zones are located outside of the central open shape and shall be surfaced with materials other than turfgrass lawn.
- B. Central Open Shape: An unobstructed area that functions as the focal point of Localscapes and is designed in a shape that is geometric in nature.
 - 1. Turfgrass areas shall not exceed the greater of two hundred fifty square feet (250 sf), or thirty-five percent (35%) of the property's front and side yards.
 - 2. A turfgrass central open shape may not be less than ten feet (10') in width.
 - 3. Small residential lots in which the total landscaped area is less than two hundred fifty square feet (250 sf), are exempt from the ten feet (10') minimum width requirement for turfgrass.
 - 4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- C. Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- D. Connecting Pathways. Paths and walkways shall be comprised of materials that do not include lawn, such as hardscape, mulch, or other durable materials.
- E. Planting Beds. Planting Beds shall be located outside of the central open shape and may not utilize turfgrass. They shall be surfaced by mulch, rock, gravel, or other similar material where not covered by plantings. A minimum of seventy-five percent (75%) of the planting bed shall be comprised of live plant material.

Exhibit B

CHAPTER 13.77: LANDSCAPING

13.77.010: Purpose
13.77.020: Applicability
13.77.030: Application Requirements
13.77.040: Property (Non-Parking Lot) Landscaping Standards
13.77.050: Minimum Landscaping Requirements By Zone
13.77.060: Parking Lot/Parking Structure Landscaping
13.77.070: Landscape Buffers
13.77.080: Tree Canopy Sustainability
13.77.090: Street/Community/Waterway Tree Sustainability
13.77.100: Planting Guidelines
13.77.110: Landscape Maintenance
13.77.120: Installation
13.77.130: Administrative Relief

13.77.010: PURPOSE:

A. The intent of this chapter is to consolidate and clarify the various sections in this title which previous to adoption of this chapter addressed landscaping regulations for all zones within the City.

B. The regulations of this chapter are intended to set promote landscaping standards in the City of Holladay that will improve community livability, preserve the quality of life, and enhance the aesthetic quality, economic viability, and environmental sustainability of the City by promoting

- a. More efficient use of water resources;
- b. Preservation and enhancement of the City's environmental and aesthetic character;
- c. Promotion of design continuity between adjacent land uses;
- d. Preservation, enhancement, and expansion of the city's tree canopy;
- e. Improved management of stormwater runoff;
- f. Reduction in the absorption and re-generation of heat from paved vehicular parking areas and other impervious surfaces;
- g. Promotion of screening and buffering between land uses by way of providing adequate vegetation;
- h. Reduction of landscape maintenance costs.

C. Landscaping can be a significant expense to businesses and residents. At the same time, landscaping improves the livability of residential neighborhoods, enhances the appearance and customer attraction of commercial areas, increases property values,

improves the compatibility of adjacent uses, screens undesirable views, and can reduce heat and air and noise pollution.

D. The intent of these regulations is to achieve a balance between the right of individuals to develop and maintain their property in a manner they prefer and the rights of City residents to live, work, shop, and recreate in pleasant, healthy, and attractive surroundings.

E. These regulations are intended in part to require Localscapes®, design aspects encouraging the use of water conserving landscape designs and low water use plant materials irrigated by drip type water systems that requires high water use for maintenance while preserving Holladay's unique tree canopy, character and inventory.

F. The City's street tree/community tree program and its recognition as a Tree City sets the standard for public and private property management of the valuable, historic tree coverage that gives Holladay a unique environment not generally found in other areas of the region.

13.77.020: APPLICABILITY:

1. All land development applications described in this section shall submit a Landscape Plan, as per 13.03 and 13.08 of this title and a Tree Sustainability Plan, as per 13.77.080 and 13.77.090. Plans shall be prepared by a licensed Landscape Architect.

- a) New Development. Standards of this title shall be applied to all new development including surface or at-grade parking areas and the exterior perimeter of parking structures
- b) Existing Development. Development in existence at the effective date of this chapter shall be brought into compliance with these provisions if:
 - (1) Commercial, Mixed-use, Multi Household, Manufacturing: The gross floor area is expanded by more than twenty percent (20%),
 - (2) Single household and/or duplex developments: The gross floor area is expanded by fifty percent (50%).
 - (3) An existing off-street parking area is expanded by ten (10) parking stalls.
- c) Exemptions. The provisions of this chapter do not apply to the following:
 - (1) The interior undercover portions of parking structures;
 - (2) The interior undercover portions of carports
- d) Administrative Relief. If the location of existing buildings or other structures prevents conformance with the requirement of this section or if implementation would create nonconformity, the Planning Commission may grant relief from these standards as per section 13.77.130 of this chapter.

2. Demolition, grading or other site modification activities shall submit a Tree Sustainability Plan. Tree removals require written approvals as required by sections 13.77.080 and 13.77.090 of this chapter, prior to approval of any site activities.

3. Certificate of Occupancy. All required landscaping shall be installed within one year of issuance of Certificate of Occupancy

13.77.050: MINIMUM LANDSCAPING REQUIREMENTS BY ZONE:

The following requirements are the minimum landscaped area required by each zone except where modified by the Planning Commission as an administrative relief allowed by section 13.77.130 of this chapter. To provide the opportunity for property owners to apply for Landscaping Rebate Programs as outlined by the Central Utah Water Conservancy District, landscape features shall incorporate all elements of Locascapes® (as defined 13.04.040) design elements are meant to reduce, minimize and or eliminate water use by activity area:

A. Single-Family, and Two-Family Residential Zones (FR, R-1, R-2): The following provisions apply to the Front & Side Yards of all new single-household residential development and any redevelopment of single-household. as follows;

1. The landscaped areas of the front and side yards shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.
 - (1) Planted lawn areas shall not exceed 35% of the lot's total landscaped area.
 - (2) No area of lawn shall be less than eight feet (8') in width.
 - (3) Small residential lots in which the total Front Yard's landscaped area is less than two hundred fifty (250) square feet, are exempt.
 - (4) Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade

B. Multiple-Family Residential Zones (R-M): The minimum landscaping coverage in percent for all lots in the Multi-Family Zones are as follows:

1. A minimum of forty percent (40%) of the total site shall be landscaped.
2. Lawn shall not exceed 20% of the total landscaped area outside of the active recreation area, as defined the Locascapes design principle.
3. No area of lawn shall be less than eight feet (8') in width.
4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade

5. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.

C. Office, Research Park And Development Zone (O-R-D):

1. A minimum of thirty percent (30%) of the total site shall be landscaped.
2. Lawn shall not exceed 20% of the total landscaped area outside of the active recreation area, as defined the Locascapes design principle.
3. No area of lawn shall be less than eight feet (8') in width.
4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade
5. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.
6. Where a side or rear yard abuts a residential use or Residential Zone boundary the entire setback area shall be landscaped.

D. Neighborhood Commercial Zone (NC):

1. All front setback areas and the side setback areas which abut a public street on corner lots shall be landscaped.
2. Lawn shall not exceed 20% of the total landscaped area outside of the active recreation area, as defined the Locascapes design principle.
3. No area of lawn shall be less than eight feet (8') in width.
4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade
- 5.. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.

E. PO, C-1 And C-2 Commercial Zones:

1. The front setback area and the side setback area which faces on a street on corner lots shall be landscaped.
2. Lawn shall not exceed 20% of the total landscaped area outside of the active recreation area, as defined the Locascapes design principle.
3. No area of lawn shall be less than eight feet (8') in width.
4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade

5. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.

F. Residential Office Zone (RO):

1. The first twenty feet (20') in depth of the front setback and/or front yard shall be landscaped.
2. Lawn shall not exceed 20% of the total landscaped area outside of the active recreation area, as defined the Locascapes design principle.
3. No area of lawn shall be less than eight feet (8') in width.
4. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade
- 5.. Other setback areas which abut a public street shall be landscaped.
6. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines.

G. Holladay Village Zone (HV): Landscaping is not required in the HV Zone except for the requirements of subsection 13.71.080K, "Buffer Standards For Proposed Development Abutting Residential Property Not In The HV Zone", of this title.

H. Holladay Crossroads Zone (HCR): General Property Landscaping (Non-Parking Lot): Landscaping shall only be required in buffer areas where an HCR zoned property abuts a residentially zoned property, and, in parking lots as specified above. Notwithstanding, in cases where a use is conditionally approved by the Planning Commission to be emplaced in the HCR Zone, the Commission may require emplacement of additional property landscaping. All landscaping installed in the HCR Zone shall comply with relevant planting and maintenance regulations that govern landscaping and buffering in section 13.77 of this title -- as well as the Tree Canopy Sustainability Ordinance's standards.

I. P, R/M-U, and LU Zones:

1. All required front and side yard areas that abut a public street shall be landscaped.
2. A minimum landscaped buffer averaging five feet (5') wide as required by section 13.77.070 of this chapter shall be provided along the side and rear property lines. (Ord. 2019-03, 2-28-2019; amd. Ord. 2021-09, 4-8-2021; Ord. 2022-14, 6-16-2022)