



South Salt Lake City Council
Work Meeting Agenda

Public Notice is hereby given that the South Salt Lake City Council will hold a Work Meeting on Wednesday, August 27, 2014 in the City Council Chambers, 220 East Morris Avenue, commencing at 6:00 p.m., or as soon thereafter as possible.

Conducting: Irvin H. Jones, Jr., Council Chair

MATTERS FOR DISCUSSION:

- 1. Streetcar Zoning Ordinance Presentation
2. Nuisance and City Trees

THOSE NEEDING AUXILIARY COMMUNICATIVE AIDS OR OTHER SERVICES FOR THIS MEETING SHOULD CONTACT CRAIG D. BURTON AT 801-483-6027, GIVING AT LEAST 24 HOURS' NOTICE.

CRAIG D. BURTON
CITY RECORDER
August 22, 2014

Each of the Deseret News and Salt Lake Tribune was advised of the Work Meeting of the Council to be held Wednesday, August 27, 2014 by fax transmittal of the foregoing agenda on Friday, August 22, 2014.

Dated this 22nd day of August, 2014.

[Signature]
Craig D. Burton, City Recorder

CERTIFICATE OF COMPLIANCE WITH OPEN MEETING LAW

The undersigned, duly qualified and acting City Recorder of the City of South Salt Lake, does hereby certify that on the 22nd day of August, 2014, pursuant to Utah Code Annotated Section 52-4-202 (1953), as amended, there was posted (at least 24 hours prior to the meeting time) at the regular meeting place of the City Council of the City of South Salt Lake, written Notice of the Agenda of the Work Meeting of the Council, a copy of which is attached and incorporated herein as Exhibit "A." The undersigned does further certify that there was mailed or delivered to all persons shown on Exhibit "B," Notice of Agenda of the above mentioned work meeting, a copy of which is attached hereto and incorporated herein.

Name: CRAIG D. BURTON
Title: CITY RECORDER

Signature: [Signature]

Witnessed the 22nd day of August, 2014 by
Name: SHERI MILLER

Signature: [Signature]

CITY COUNCIL
SHARLA BEVERLY
RYAN GOLD
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KEVIN D. RAPP
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CITY OF SOUTH SALT LAKE
CITY COUNCIL WORK MEETING

COUNCIL MEETING
Wednesday, August 27, 2014
6:05 p.m.

CITY OFFICES
220 East Morris Avenue #200
South Salt Lake, Utah 84115

PRESIDING
CONDUCTING
Council Chair Irvin H. Jones, Jr.
Council Chair Irvin H. Jones, Jr.

COUNCIL MEMBERS PRESENT:
Sharla Beverly, Ryan Gold, Irvin H. Jones, Jr., Kevin Rapp,
Michael Rutter and LeRoy Turner

COUNCIL MEMBERS EXCUSED:
Debbie Snow

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Chief of Staff
Lyn Creswell, City Attorney
Paul Roberts, Deputy City Attorney
Mike Florence, Community Development Director
Frank Lilly, Deputy Community Development Director
Glenn Smith, Urban Livability Director
Sharen Hauri, Urban Development Director
Aaron Wiet, Recreation Director
Mont Roosendaal, Public Assets Director
Pam Juliano, Human Resources and Information Services Director
Craig Burton, City Recorder
Paula Melgar, Deputy City Recorder

OTHERS PRESENT:
See attached list.

The meeting was scheduled to start at 6:00 p.m. but started at 6:05 p.m.

Matters for Discussion

1. **Streetcar zoning ordinance presentation.** Deputy Community Development Director, Frank Lilly, reviewed a presentation with the Council. A copy is attached to these minutes and incorporated by this reference.

- 2. Nuisance and City trees.** Deputy City Attorney, Paul Roberts, reminded the Council that at the last work meeting they talked about an urban forester. He looked into this further and it doesn't appear necessary for the City. The public lands in the City are mostly parks, not forests. Mr. Roberts feels a certified arborist would be the right fit for the City.

Mr. Roberts moved next to private / private tree disputes on his handout. A copy of the handout is attached to these minutes and incorporated by this reference. Under the current code the urban forester can declare a tree to be a nuisance and take some enforcement actions. What staff would potentially like to have is the ability of a property owner to come to the City and initiate an administrative action and drive the process, rather than the City driving the process. Currently the resident could go to the district court and file a nuisance action but it's very cost prohibitive. Staff proposes using the administrative process that they already have in place and make it available to the people. The arborist would make an assessment of the tree and weigh in on whether it is a nuisance and then get an order from the administrative law judge. The judge could issue fines, an abatement order that authorizes the City to go forward with abatement, or require the owner to abate the tree. If it's an order off of a Notice of Violation then it could even be a criminal offense if the orders of the ALJ are not obeyed.

Urban Livability Director, Glenn Smith, advised the Council that there are several trees in the City that are nuisance trees so if they start down this road, Code Enforcement will handle these types of cases on private property. They will issue a notice to the property owner and the response will determine how they move forward. He described the many steps of the process. It's a long process and staff intensive.

Council Member Rutter said he feels uneasy about this. He wants it to be fair and equitable for the people who can't afford to get a tree removed. He would like more time to think about this and would like to look at other remedies. He would like staff to come back with other multiple scenarios so they don't just issue a fine and put a lien on property.

Mr. Smith advised that he has \$20,000 in his abatement fund now. His understanding is to abate one tree could cost between \$5,000 to \$10,000 dollars. He wants to get some idea of just how much it would be so the program could be appropriately funded.

Meeting adjourned at 7:00 p.m.



Irvin H. Jones, Jr., Council Chair



Craig Burton, City Recorder

Synopsis

South Salt Lake City is petitioning the Planning Commission and City Council to amend Title 17 of the South Salt Lake Municipal Code to establish a new land use district and to adopt the East Streetcar Corridor Form Based Code to facilitate new development along the streetcar corridor, while preserving the values and integrity of surrounding single-family neighborhoods. A form-based code has been developed for properties along the corridor that addresses building forms, height transitions, street and open space standards, parking requirements, and landscape standards.

South Salt Lake City is also petitioning the Planning Commission and City Council to amend the zoning map for properties along the Streetcar Corridor from State Street to 500 East from Commercial Corridor and Single Family Residential to East Streetcar Corridor.

East Streetcar Corridor Vision

The East Streetcar Corridor will be a vibrant, walkable neighborhood with a wide selection of homes for current and future residents of South Salt Lake. Its character, amenities, and strong connections to both Downtown South Salt Lake and to Sugar House will make it one of the most desirable neighborhoods on the Wasatch Front.



East Streetcar Master Plan Goals

- Protect neighboring homes and property values
- New development will be context sensitive through height transitions, density blending, and compatible design.
- Improve neighborhood safety and appeal.
- Revitalize or replace neglected properties.
- Increase home-ownership of existing homes.
- Build high-quality new housing for a wide spectrum of residents (age, income, culture).
- Create a quality urban neighborhood that appeals to new residents.
- Maximize the opportunity to locate housing and jobs adjacent to transit, bike, and pedestrian ways.
- Support building a true downtown South Salt Lake to the west.

General Plan Considerations

Goal LU-1. Regulate land uses based on compatibility with surrounding uses, residential areas and economic feasibility. Maintain residential, business and industrial areas that are vibrant and where the health and safety of all are protected.

Goal LU-4. Capitalize on South Salt Lake's vast transit options by creating specific transit-oriented development land use plans, using current best practices.

Goal LU-8. Accommodate higher density housing in appropriate areas.

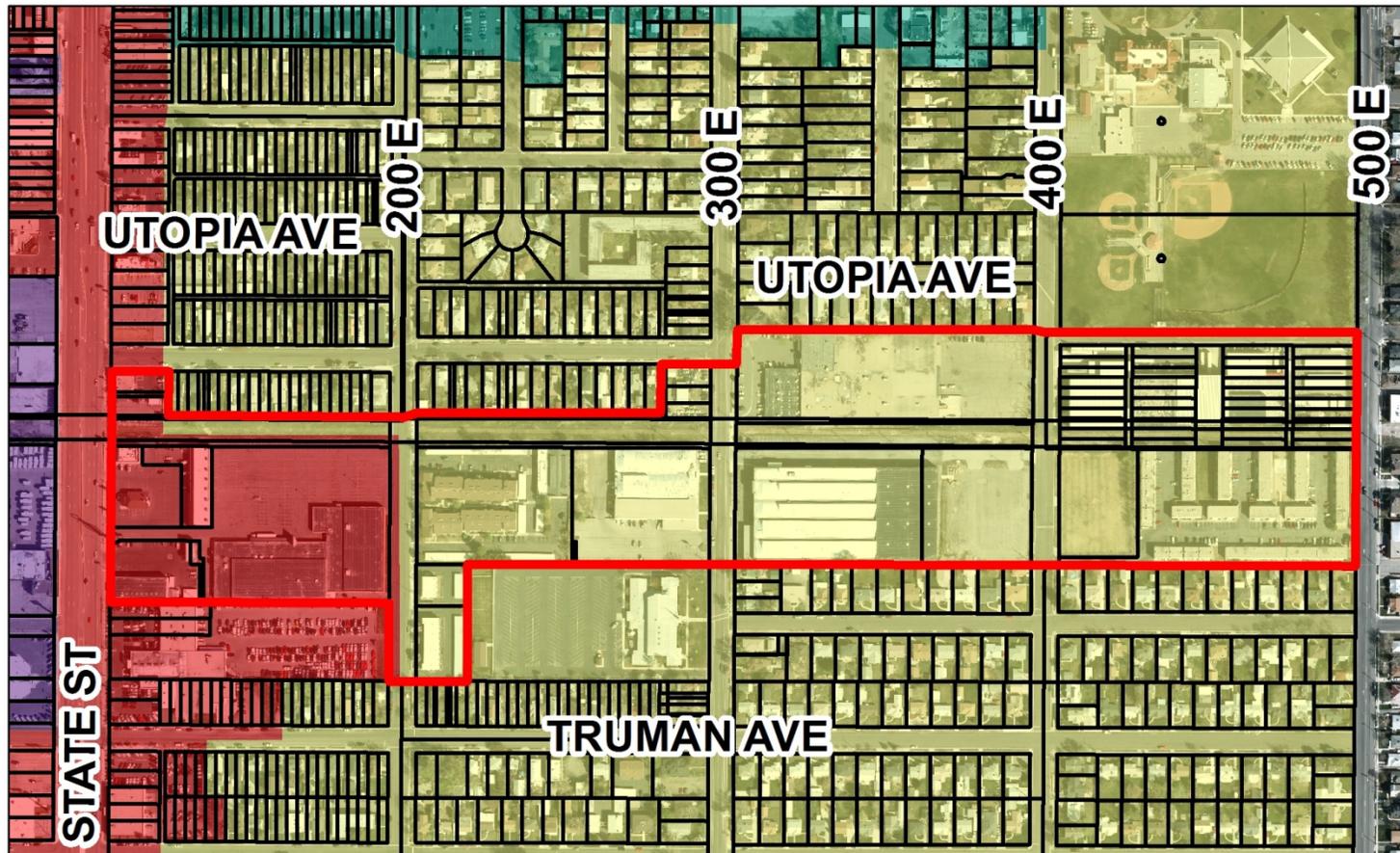
Goal LU-9. Create an individual identity for each residential neighborhood.

Summary of Outreach and Research Efforts over Three Years

- Two neighborhood meetings – presenting the density study and vision, and the form based code.
- Two developer and financier workshops – presenting the design study, and the form based code.
- Six block meetings – recognizing that the issues with each block were different. This allowed for better information, and the feeling that each neighbor gets heard.
- Door-to-Door Contact with Ombudsman, acting as a neutral party.
- Regular updates to elected and appointed officials.
- Staff-commissioned density, design, parking, traffic, and housing studies.

Housing Study – Zions Bank Public Finance

- A demand of 87 to 279 units per year given current market conditions.
- Apartments
 - 50 units per acre
 - Annual absorption of 224 units
 - Unit sizes between 650 and 1,500 square feet
 - Rents between \$688 and \$1,350
- Townhomes
 - 14 units per acre
 - Annual absorption of 47 units
 - Unit sizes between 1,200 and 2,500 square feet
 - Cost per door between \$175,000 and \$250,000.



East Streetcar Corridor - Proposed District Boundary

- Corridor Commercial
- North District
- Professional Office
- Single Family Residential
- Proposed Boundary for East Streetcar Corridor Zone

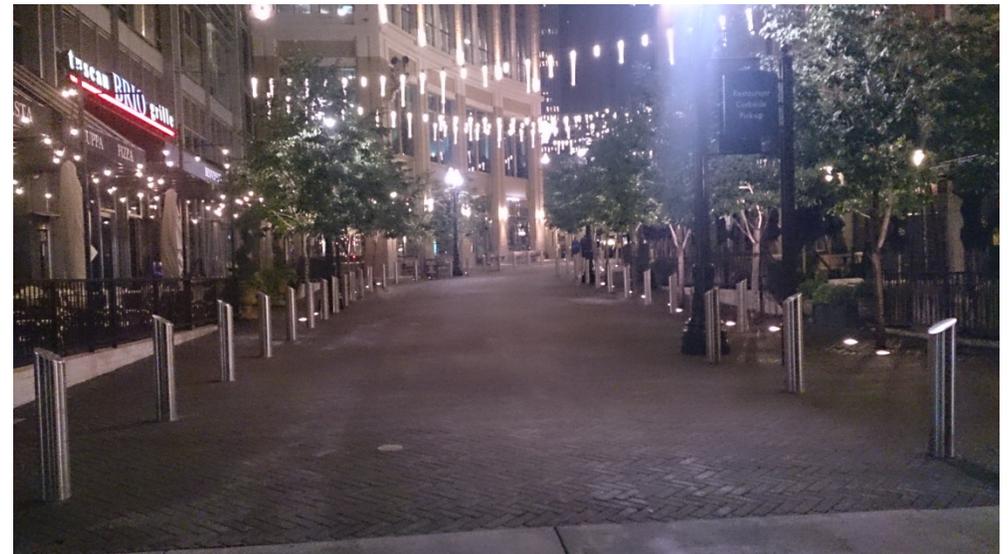
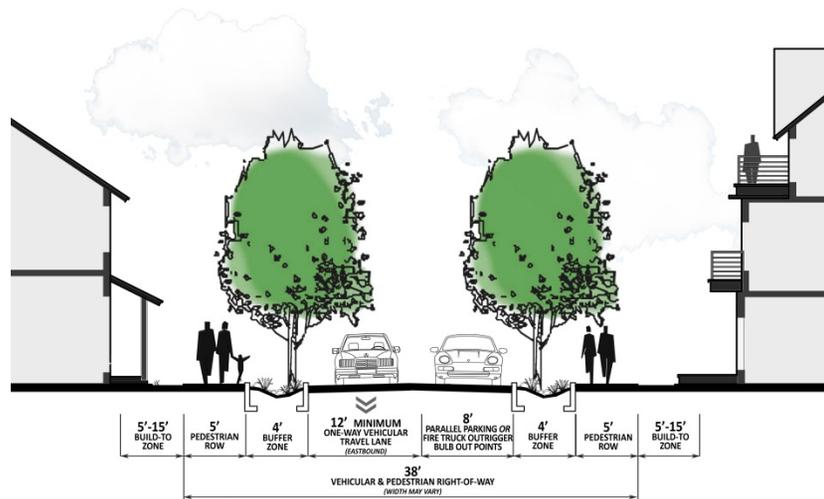
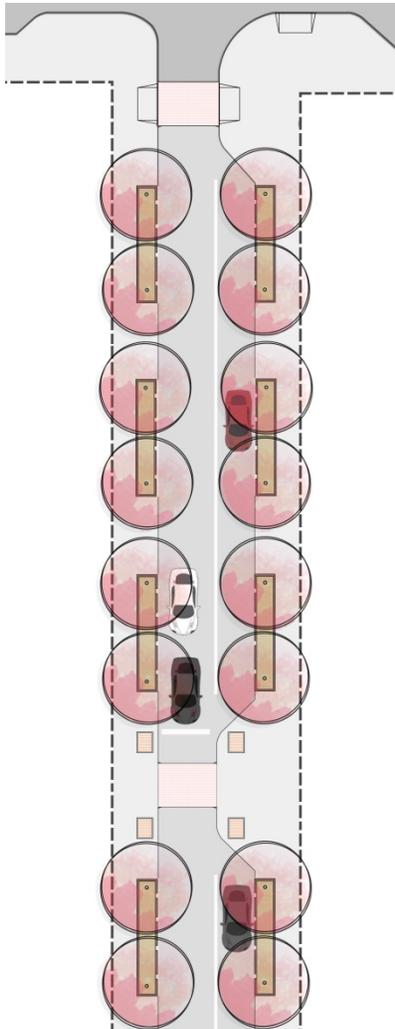


What is a Form-Based Code?

- Zoning for a specific place.
- Based on a vision that is implemented through the zoning code.
- Less text oriented and more visible – use of charts and sketches.
- Based on a system of building types and their form as opposed to only looking at reducing impacts between uses.
- Proactive, not reactive.



Street Types



Subdistricts



Uses

- Residential and neighborhood commercial uses – including service and retail – are allowed.
- Residential uses will remain as conditional uses.
- Limited hours of operation for commercial uses.
- Neighborhood retail uses cannot exceed 12,000 square feet, but they can be aggregated into larger developments.
- Allowances for adaptive reuse.
- Uses not allowed: convenience stores, gas stations, drive-through windows, among others.

Building Types

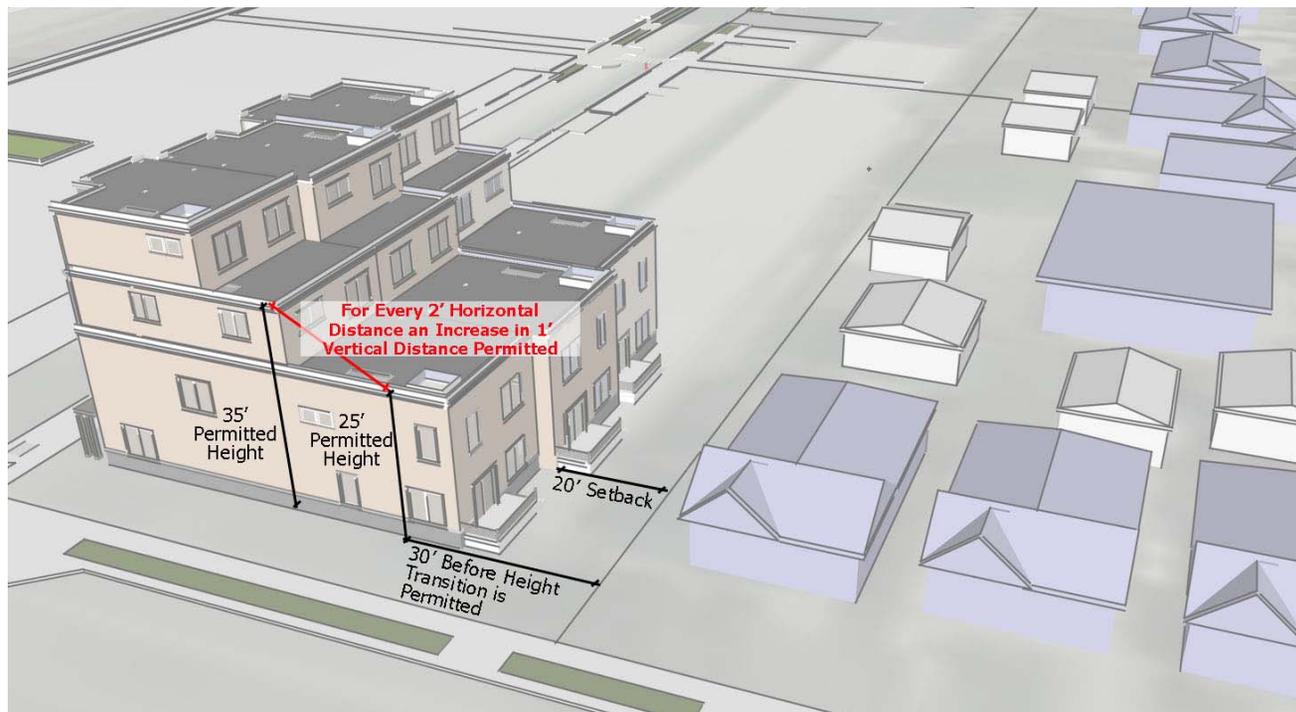
- Storefront building
 - Urban Style apartment
 - Townhome
 - Mansion Style multifamily
 - Civic Building
 - Parking Structure
 - Adaptive Reuse
-
- Each building type has its own requirements.
 - Mid-block access to S-Line is required.
 - Corner plazas required at S-Line intersections.



| | Permitted Districts | | |
|--|--|------------------|------------------|
| | State Street Gateway | North Haven | 5th East Gateway |
| (1) Building Siting | | | |
| Multiple Principal Buildings | A | A | A |
| Occupation of Corner | A | A | A |
| Front Build-to Zone on S-Line | 15-20' 5-15' | 15-20' 5-15' | 15-20' 5-15' |
| Front Build-to Zone on Public ROW | | | |
| Non S-Line Corner Build-to Zone | 5-10' | 5-10' | 5-10' |
| Minimum Side Yard Setback | 0' | 0' | 0' |
| Minimum Rear Yard Setback | 18' | 18' | 18' |
| S-Line Corridor Intersection | 15' from property line intersection ¹ | | |
| Parking & Loading Location | Not on S-Line | Not on Frontages | |
| Vehicular Access | Not within 75' of S-Line corridor intersections | | |
| (2) Height Refer to Figure 5.3 (2). | | | |
| Minimum Overall Height | 23' ² | 23' ² | 23' ² |
| Maximum Overall Height | 62' | 50' | 50' |
| Ground Story: Minimum Height | 14' ⁴ | 14' ⁴ | 14' ⁴ |
| Maximum Height | 16' | 16' | 16' |
| Upper Stories: Minimum Height | 9' | 9' | 9' |
| Maximum Height | 14' | 14' | 14' |
| Transitions from single family homes | Refer to section 5.2.2 (d) | | |
| (3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses. | | | |
| Ground Story | Office, Neighborhood Retail, Neighborhood Service, Residential | | |
| Upper Stories | Residential, Office, Neighborhood Service | | |
| Parking within Building | Tuck Under Parking Allowed | | |
| Required Occupied Space | 30' Required within 200' of S-Line | | |
| (4) Street Facade Requirements | | | |
| Minimum Ground Story Transparency <small>Measured between 2' and 8' above grade</small> | 65% | 65% | 65% |
| Minimum Transparency <small>per each additional Story</small> | 25% | 25% | 25% |
| Blank Wall Limitations | Required, see 5.2.4 (2) | | |
| Front Facade Entrance Type | Storefront ³ , stoop, porch | | |
| Principal Entrance Location | Required on all Frontages including S-Line | | |
| Required Number of Street Entrances | One per every 75' of Frontages | | |
| Facade Depth Variation | Minimum of every 50' ² | | |
| (5) Roof Type Requirements | | | |
| Permitted Roof Types | Parapet, Flat | | |
| Tower | Flat, Pitched | | |

Heights and Height Transitions

- This emerged as a critical issue in the neighborhood. Building heights have been discussed at every neighborhood meeting.
- Height maximums are 5 stories at the State Street Gateway, and 3 to 4 at other locations along the corridor.



Materials

The Form-Based Code implements a more restrictive palette of materials. 80 percent must be stone, brick, wood lap siding, fiber board, glass, or other high quality materials to be approved in design review.

Residential Densities

Restricted through height, parking, and open space requirements. No maximum densities are proposed.

Open Space Types

- 250 square feet per unit, up to 20 percent of project area.
- Open spaces must be one or more of the following:
 - S-Line Corridor enhancements
 - Plazas
 - Pocket parks
 - Commons or courtyards
 - Private open spaces
 - Passageways
- Open space reductions are given for spaces and amenities that enhance the corridor and achieve the vision of a mixed-use, transit-oriented neighborhood.

| S-Line Corridor Requirements | |
|--|--|
| (1) Dimensions | |
| Minimum Size (acres) | None |
| Maximum Size (acres) | None |
| Minimum Dimension (feet) | 10' wide |
| Minimum Access/Exposure | 100% of total length of S-Line frontage |
| Clear Zones | 6' minimum pedestrian clear zone maintained around outdoor furnishings/merchandising |
| (2) Adjacent Parcels | |
| Permitted Subdistricts | All |
| Frontage Orientation of Adjacent Parcels | NA |
| (3) Improvements | |
| Designated Sports Fields Permitted | Not permitted |
| Playgrounds Permitted | Permitted, conditional on corridor safety review |
| Fully Enclosed Structures Permitted | Not Permitted |
| Impervious/Semi-Pervious Surface | 40% minimum 80% + 10% maximum |
| Lighting | Required, meet S-Line urban design standards to match existing improvements and meet minimum Illuminating Engineering Society safety standards |
| Seating | 1 per 100'; furniture on adjacent open space (such as plazas) may be counted |
| Trees | 1 small-medium shade tree per 20' or 1 large shade tree per 30' |
| Landscaping | 50% live plant material in planter areas |
| Bicycle facilities | 1 bike rack per 300', meet S-Line urban design standard |
| Furnishing | 1 bench per 300', meet S-Line urban design standard |

Landscape

- For parking areas, buffers, and exterior service areas.

7.3 Rear Buffer Requirements

1. Buffer Depth & Location

Depth 18' adjacent to R-1 zones. a

Location on the Site Locate buffers on more intensively zoned lot; Buffer is measured from side and rear property lines.

2. Required Landscape Screen

Width 5' landscape screen in addition to any other buffer landscaping b

Location Directly adjacent to the rear or side property line

Hedge or Fence Continuous double row of shrubs required between shade trees; fences shall be opaque and not white. c

Hedge Composition Double row of individual shrubs with a minimum width of 24", spaced no more than 36" on center; Mature height in one year of 24"

Hedge Frequency Minimum of 15 shrubs per 100' of property line is required

Shade Trees At least 1 medium or large shade tree per every 40' within the buffer d

3. Buffer Landscape Requirements

Uses and Materials Uses and materials other than those indicated are prohibited within the buffer

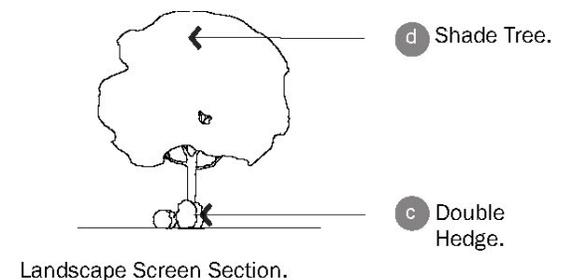
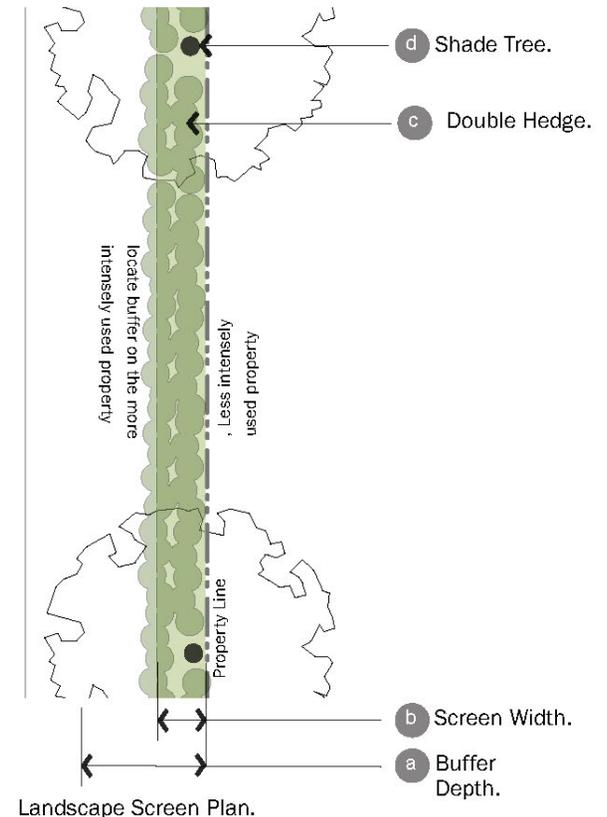
Tree Canopy Coverage 1 medium or large shade tree required per 2,000 square feet of buffer, excluding the area within the required landscape screen

Existing Vegetation May be credited toward buffer area

Fence Optional; same standards for frontage buffer 8' height maximum

Notes:

¹ Land Use Authority may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and topography.



Parking

- 1.4 stalls per unit for residential uses, with reductions for unbundled parking, bike share programs, transit passes tied to lease, shared parking, or a study used to support a reduction.

Sign Types

- Generally more restrictive. Pole signs not allowed. The ordinance allows for the creation of an iconic sign.
- Allowances for maintaining and reusing iconic and historic signs, such as the Bowling Pin.
- **Change from Staff Report:** Roof signs have been removed from the ordinance.

Administration

- Planning Commission is the Land Use Authority for land uses and subdivision approvals.
- Establishes a design review committee that will advise the Planning Commission on development.

Establishment of Districts and Definitions

- New definitions pertaining to the form based code are included in the recommendation.
- Language establishing the East Streetcar Corridor land use district and adopting the form based code as part of the municipal code is included in the recommendation.

City and Nuisance Trees

Talking Points from Work Meeting - 7/9/2014

- Three basic categories of trees: (1) Trees on City Property; (2) Planter Strip Trees; and (3) Privately owned trees on private property
- Urban Forester:
 - Qualifications – arborist certificate, additional certificates?
 - Costs? How much training required?
 - Contract or employee?
 - Costs? How frequently would the forester be used?
 - Multiple “foresters” depending on the category of tree?
- “Major” vs. “Minor” Pruning
 - Based upon thickness of branch to be pruned? Perhaps 4”?
- “City Trees” – Exclude all planter strip trees?
 - This would shift entire responsibility for tree care onto adjacent resident (City retains ultimate liability)
 - Adjust responsibilities between property-owners and City?
- Private/Private tree disputes
 - Make administrative action available to neighbor?
 - Less expensive, more easily accessible
 - Could result in an order of abatement which would give the neighbor the authority to abate or pay for abatement?
 - They could then pursue their costs in small claims court...
 - City obtains abatement order, but has limited funds available to perform tree abatements – often a multi-year delay between expenditure and recovered funds
 - What remedies? Fines, abatement order, criminal violation?
- Permits for planting trees in park strip – not being obtained – administratively burdensome

South Salt Lake, Utah, Code of Ordinances >> Title 12 - STREETS, SIDEWALKS AND PUBLIC PLACES
>> Division V. - Trees >> Chapter 12.52 TREES >>

Chapter 12.52 TREES

Sections:

12.52.010 Definitions.

12.52.020 Urban forester.

12.52.030 Power to regulate.

12.52.040 Protection of trees.

12.52.050 Citizen responsibilities.

12.52.060 City responsibilities.

12.52.070 Responsibility for correcting nuisance trees.

12.52.080 Planting restrictions.

12.52.090 Appeals of orders or determinations.

12.52.100 Penalties.

12.52.010 Definitions.

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein.

"City trees" (including shrubs) means all trees located in a planter strip or on other city-owned and/or maintained property.

"Non-city trees" (including shrubs) means all trees other than city trees.

"Nuisance tree" (including shrubs) means:

1. Any tree that is host to a communicable diseases or destructive disease or other pestilence; or
2. The roots of any tree or shrub or portion thereof which causes the surface of a public street, curb, gutter, or sidewalk to be up-heaved or otherwise disturbed; or
3. Any tree or shrub or portion thereof, which by reason of location or condition, constitutes an imminent danger to the health, safety, or well being of the public; or
4. Any tree or shrub or portion thereof which intrudes into public space or causes impediment to movement for either pedestrians or vehicles; or
5. Any tree or shrub or portion thereof which causes impediment to construction or maintenance, or any damage to sidewalks, roadways, utilities or other public property.

"Planter strip" means the area (if any) located between the outside edge of the curb on a given side of the street and the outside border of the city right-of-way on the same side of the street. Planter strip shall also include tree-well sites located within the city right-of-way.

"Tree stewardship" means the ongoing and shared responsibility between public and private entities for the protection, care and renewal of trees.

"Urban forester" means the employee designated as urban forester by the city.

(Ord. 02-13 § 1 (part))

12.52.020 Urban forester.

- A. The mayor may appoint an urban forester. Such person may have as a sole duty, the supervision of trees, or may combine such duty with any other duty which the mayor shall so direct.
- B. The urban forester shall be the supervisor of the urban forestry program and administrator of the provisions of this article. The urban forester shall:
 - 1. Be responsible for the long-term management of city trees.
 - 2. Foster and maintain partnerships between public and private entities for the benefit of trees.
 - 3. Facilitate communications, coordination, cooperation, and education for the stewardship of city and non-city trees.
 - 4. Be responsible for issuing tree permits.
 - 5. Keep abreast of new information and research in arboriculture.
 - 6. Annually review this article, the status of the urban forest and any tree master plan to evaluate the effectiveness of each and make recommendations for improvement and/or change.

(Ord. 02-13 § 1 (part))

12.52.030 Power to regulate.

- A. It shall be the duty of the urban forester to regulate the planting, removal, upkeep and trimming of trees, shrubs, bushes, vines and plants, upon public property, or on private property abutting public property, in accordance with the regulations provided in this chapter.
- B. The urban forester may declare nuisance conditions and order abatement of said conditions.

(Ord. 02-13 § 1 (part))

12.52.040 Protection of trees.

- A. No person shall willfully injure or destroy any city tree. This includes:
 - 1. Constructing a concrete, asphalt, brick or gravel sidewalk that damages any part (roots, crown, trunk) of the tree so as to cause injury or death;
 - 2. Filling up the ground area around any city tree so as to shut off air, light, or water from the roots;
 - 3. Piling building material, equipment, or other substances on or near a city tree so as to cause injury;
 - 4. Pouring any injurious matter on or around any city tree;
 - 5. Injuring any city tree, tree-stake, or guard with any vehicle or animal, or in any other manner causing injury to any city tree or lawn on public property;
 - 6. Posting any sign on any city tree, tree-stake, or guard, or by fastening any guy wire, cable, or rope to any city tree, tree-stake, or guard.
- B. All construction work and associated activities occurring within a distance of one and one-half times the height of an adjoining city tree shall be coordinated with the urban forester to mitigate damage to the tree and danger to the public.

- C. No person shall use a city tree for any unauthorized purpose. If damage or unauthorized use has compromised the safety of any city tree, the city may recover compensation from the party responsible, up to and including removal and replacement, plus value lost as specified by the urban forester.
- D. It shall be unlawful for any person to interfere with city personnel or contractors under the supervision of the urban forester in the performance of their duties.

(Ord. 02-13 § 1 (part))

12.52.050 Citizen responsibilities.

Citizens shall have the following responsibilities for the care of planter strips and any trees or shrubs or vegetation therein which abuts their real property, and for trees and shrubs on private property:

- A. Protecting city trees in planter strips from damage caused by lawn mowers, weed trimmers, snow blowers, and similar equipment.
- B. Protecting city trees in planter strips from wounds caused by attachment of any items such as signs, nails, wires, ropes, and chains.
- C. Purchasing and planting trees in planter strips. The species must be approved by the urban forester, and they then must be planted using the guideline established by the urban forester. A tree permit will be required.
- D. Removing non-city trees or limbs from any trees that have actually fallen across a city street sidewalk, or upon city property, unless the tree originated from city-owned property.
- E. Maintaining (including watering, mowing, weeding, fertilizing, minor pruning, etc.) all plantings.
- F. Removing non-city nuisance trees (including shrubs).

(Ord. 02-13 § 1 (part))

12.52.060 City responsibilities.

The city shall assume responsibility for:

- A. Major tree care in all public areas.
- B. All major pruning of city trees as necessary.
- C. Removal of diseased or dying city trees that are beyond reclamation.
- D. Removal of city trees that are nuisance trees, and removal of limbs or trees that the urban forester determines to be a hazard or likely to fall.
- E. Maintenance of city trees on city-owned property.

(Ord. 02-13 § 1 (part))

12.52.070 Responsibility for correcting nuisance trees.

- A. Where a nuisance tree exists upon property, the property owner, landlord, tenant, or his or her agent, and all other persons having control of the property on which such nuisance exists, shall be deemed to be the cause thereof, and shall be liable therefor.
- B. It is unlawful for any person, either as owner, agent, or occupant, to create, aid in creating, or maintaining a nuisance tree.
- C.

The city shall determine if a particular tree is a nuisance tree and may cause all nuisance trees to be abated.

- D. Except as provided in this ordinance, the city may serve a notice in writing upon the owner, occupant, or agent of any lot, building, or premises in or upon which a nuisance tree is found, or upon the person who may be the cause of such nuisance tree, requiring the person to abate the nuisance tree within fifteen (15) calendar days. Failure to give a notice as provided herein shall not relieve the cause of any nuisance tree from the obligation to abate such nuisance, or from the penalty provided for the maintenance thereof. Notice of appeal may be filed with the mayor's office within five working days of service of the notice to abate. Appeals from the urban forester's decision shall be heard by the mayor or mayor's designate within fifteen (15) calendar days, whereby a final decision will be made.
- E. In case of neglect or refusal of any person to abate any nuisance tree within the time specified in the written notice, the city may abate or procure the abatement thereof.

(Ord. 02-13 § 1 (part))

12.52.080 Planting restrictions.

- A. It is unlawful for any person to plant on any public street, avenue or way in the city of South Salt Lake, any bush, tree or plant which is not in accordance with the regulations and specifications found herein and as established by the urban forester.
- B. No Poplars (*Populus*), Willows (*Salix*) or Elms (*Ulmus*) shall be planted on any public property.
- C. No person shall plant any tree within thirty (30) feet of any intersection corner or the curb and gutter intersection of said corner.
- D. There shall be a minimum of forty (40) feet between tree plants of the type of Maple, Ash and Linden or between trees of a similar size and nature.
- E. All ornamental trees, such as Flowering Crab, Flowering Cherry, Hawthorne and trees of a like kind and nature, shall have a minimum distance of twenty (20) feet between plants.
- F. No person shall plant a tree any closer than fifteen (15) feet from the extended property line of the adjacent property without the consent of the owner of said adjacent property, and no tree shall be planted closer than six feet to any fire hydrant, water meter or any other service unit.
- G. It shall be the responsibility of all abutting property owners to keep all trees, bushes, shrubs, vines and plants trimmed so that pedestrian and motor traffic shall be able to clear the sidewalks and streets without any impediment from said trees or plants.
- H. When trees are planted on a parking strip and a curb and gutter is established, all trees or shrubs shall be spaced and planted midway between the curb and the sidewalk on a strip up to eight feet wide. On any street having a parking over eight feet wide, trees shall be planted five feet from the street edge of the walk.
- I. Only ornamental trees, shrubs, bushes, vines or dwarf trees shall be planted on parking strips under five feet in width, and all planting shall be in the center of said strip.
- J. The urban forester may restrict the planting on any street, avenue or way to a single species by securing the consent of a two-thirds majority of the residents or property owners on the street concerned by a written petition requesting such action, and the filing of said petition with the city council at its usual place of business and by holding a public hearing wherein the residents or property owners have a right to object to such action, provided, however, that the property owners are apprised of such public hearing by due and proper notice in a paper authorized by law to publish legal notices for the city of South Salt Lake. The urban

forester shall have authority to restrict in a like manner future planting on any partially planted street.

(Ord. 02-13 § 1 (part))

12.52.090 Appeals of orders or determinations.

Appeals of actions regarding trees shall be made using the administrative hearing process outlined in Chapter 2.22 of the city code. A hearing request shall be in writing and must be received no later than ten days following such actions.

(Ord. 2007-30: Ord. 02-13 § 1 (part))

12.52.100 Penalties.

- A. Violation of any of the provisions of this chapter shall be punishable as a Class C misdemeanor, either:
 - 1. As a Class C Misdemeanor; or
 - 2. By imposing civil penalties as established by the city.
- B. In addition to the penalties and abatement procedures outline in this chapter, the city may initiate any or all of the following actions: injunctions; mandamus; proceeding to prevent, enjoin, abate or remove, or other such court actions.

(Ord. 02-13 § 1 (part))