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File No. ZT-18-007

City Council Staff Report

Meeting Date: 9 July 2018
Applicant: Staff

Request: Amendments to the Commercial, RM Zone, and Water Efficient Landscaping Standards

Prepared By: Francis Xavier Lilly, AICP, Planning Director

SYNOPSIS AND SCOPE OF DECISION

Staff is proposing a series of amendments to the commercial, RM zone, and Water Efficient Landscaping Standards to address concerns about height transitions, setbacks, and the intent of mixed use buildings that were raised in a handful of recent development applications heard before the Community Councils, Planning Commission, and City Council.

Currently, both the Commercial and RM zones have height transitions for buildings that are within 50 feet of an existing R-1, R-2, R-4, or A-1 zone, however the existing transition in the RM zone is more aggressive than the transition in the commercial zone. Moreover, the existing transition language in both zones is confusing and is subject to differing interpretations.

Staff is proposing language that would be consistent across the RM and Commercial zones with respect to height transitions, and wishes to get the sense of the City Council on a different approach to height altogether – a lower allowable height of 30 feet within 100 feet of a residential zone, without the option of a transition.

In addition, staff is proposing eliminating a provision in the Water Efficient Landscaping Standards Chapter (19.77) that allows for a reduced setback of 15 feet subject to the provision of enhanced landscaping, which is defined in that chapter. This provision is in conflict with the front setback standards in the RM and Commercial zones.

Finally, staff is recommending minor changes to the standards for mixed use buildings in commercial zones, to ensure that the intention of a mixed use building – a residential building with desirable amenities, that also includes viable commercial space – is achieved in a potential application for a mixed use building.

Pursuant to §§19.90.010 and 19.90.030 of the Millcreek Code, the City Council may amend a regulation within any zone, upon receiving a recommendation from the Planning Commission. At a public meeting held on 13 June 2018, the Planning Commission unanimously recommended adoption of the proposed ordinance amendments.

PROPOSED ORDINANCE AMENDMENTS

1. **Height Transition.** Currently, the commercial zone has a different height transition requirement than the RM zone; the height transition in the RM zone is the more aggressive of the two – it forces a lower height closer to an R-1, R-2, R-4, or A-1 zone boundary. The purpose of the height transition is to allow for the gradual increase in height for commercial or multifamily buildings when they are adjacent to existing single-family neighborhoods. The current height transition language in both zones is vague, and is subject to differing interpretations. Staff Proposed to the Planning Commission an option that would preserve the concept of a height transition, but would extend it to within 100 feet of a residential zone boundary, with additional height being allowed at a ratio of 1 vertical foot for every 4 horizontal feet of distance from the minimum rear setback. The Planning Commission, however, recommended that building heights within 100 feet of a residential zone boundary be limited to 30 feet, without a height transition. This would allow for, in many cases, a three story building, or a two-story building with a pitched roof. In the RM zone, additional height would be allowed if a builder utilizes a pitched roof, or incorporates photovoltaic solar panels as part of the project.

As the City moves toward a policy of encouraging density in centers, it may be warranted to encourage lower maximum heights along corridors, so as to focus the development into areas that can produce the critical mass needed for community infrastructure. A more aggressive height transition requirement would still accommodate densities up to what is allowed in either zone (the C zone has no maximum density, the RM zone has an effective maximum density of approximately 22 units per acre) while preserving the City's interest in developing centers. See **pages 9 and 23** of the attached ordinance draft.

2. **Setbacks.** In the Commercial and RM zones, front setbacks can vary from 20 to 25 feet, or the average of setbacks within the vicinity of the proposed building. Notwithstanding this requirement, the City's Water Efficient Landscaping Standards allows for reductions in the required setback to 15 feet, provided enhanced landscaping is installed, consisting of a berm, fencing, and additional street trees. Outside of town centers, ample landscaped front setbacks provide a community benefit in the form of a buffer between the street and the building, allowing for greater solar access to the street, and provides the opportunity for gathering spaces and residential access. In order to maintain the intent of the setbacks established in the C and RM zones, staff is recommending removing that reduction allowance to 15 feet, while keeping the 20 foot allowance, which is in range with what the zones allow. See **pages 4 and 36** of the attached ordinance draft.
3. **Mixed Use Building Requirements.** When the Commercial Zones were adopted last year, the City provided for the opportunity for mixed use buildings in the C-2 and C-3 zones, subject to a conditional use permit. While reviewing some applications for rezones with developers intending to do mixed use buildings, we received concern from Community Council members and Planning Commissioners that the intent of a mixed use building was not being met, or was vague. Moreover, mixed use buildings were exempted from the residential amenities requirements established in the RM chapter. Staff believes that residential buildings should be well amenitized, whether or not they have commercial space associated with them. To that end, staff is recommending the following changes:
 - a. The minimum depth of a commercial space as part of a mixed use building be raised from 30 to 40 feet. See **page 19** of the attached ordinance draft.

- b. The maximum lot coverage of a mixed use building be reduced from 80 percent to 60 percent, to allow for residential amenities that would normally be required for a multifamily residential building. See **page 20** of the attached ordinance draft.
- c. The Planning Commission recommended that a mixed use building containing residential dwellings must be on a development site of at least 21,000 square feet. See **page 23** of the attached ordinance draft.
- d. A mixed use building containing residential dwellings must be include amenities per the requirements established in the multifamily zone. See **page 23** of the attached ordinance draft

4. **Other Changes.**

- a. Staff is proposing a clarification to the language addressing rooftop gardens to make it clear that a 100 foot setback is required, regardless of the number of buildings associated with the development. See **pages 9 and 23** of the attached ordinance draft. The Planning Commission recommended increasing the setback from the currently allowed 75 feet to 100 feet.
- b. Staff is recommending adding a requirement that a photometric plan be submitted as part of an approval for a commercial project. A photometric plan will aid staff in determining adverse impacts due to lighting. See **page 25** of the attached ordinance draft.
- c. The Planning Commission recommended additional language in the RM and Commercial Zones stipulating that, where there exists a public sidewalk on a right-of-way, the front setback will be established from the back side of the sidewalk. See **pages 4 and 23** of the attached ordinance draft.

Proposed changes are highlighted in yellow, with deletions struck through.

COMMUNITY COUNCIL INPUT

In May, the Community Councils reviewed the ordinance in whole, and all councils expressed concern about the potential adverse impact of oversized accessory structures. The **Canyon Rim Citizens Association, Millcreek, and East Mill Creek Community Councils** expressed support for an allowance in height and area for accessory structures in rear yards adjacent to higher-intensity uses.

The **Mount Olympus Community Council** expressed reservations about the proposed changes in height and recommended that the height remain at 20 feet.

PLANNING STAFF ANALYSIS

The existing standards have requirements that are spread throughout the zone text, which can make items difficult to read and interpret. Moreover, in light of several recent conditional use approvals for accessory structures, the Planning Commission recommended that staff consider making all accessory structures a permitted use, subject to design standards. Finally, staff has received requests from residents for additional height and area for accessory structures. Staff is proposing an allowance for additional height and area, for residences whose lots

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rear upon multifamily or commercial zoning, or an institutional use. Staff is seeking to put all the requirements for accessory buildings in one section at the end of the R-1, R-2, and R-4 zone chapters, and to remove language in the RCOZ chapter that was made redundant by a recent change the City Council made to the definition of building height.

PLANNING COMMISSION RECOMMENDATION

At a public meeting held on 13 June 2018, the Planning Commission unanimously recommended approval of the proposed changes to the RM and Commercial Zones, and the landscaping standards. A number of changes were requested by the Planning Commission as part of their recommendation; these changes are reflected in the attached ordinance draft.

SUPPORTING DOCUMENTS

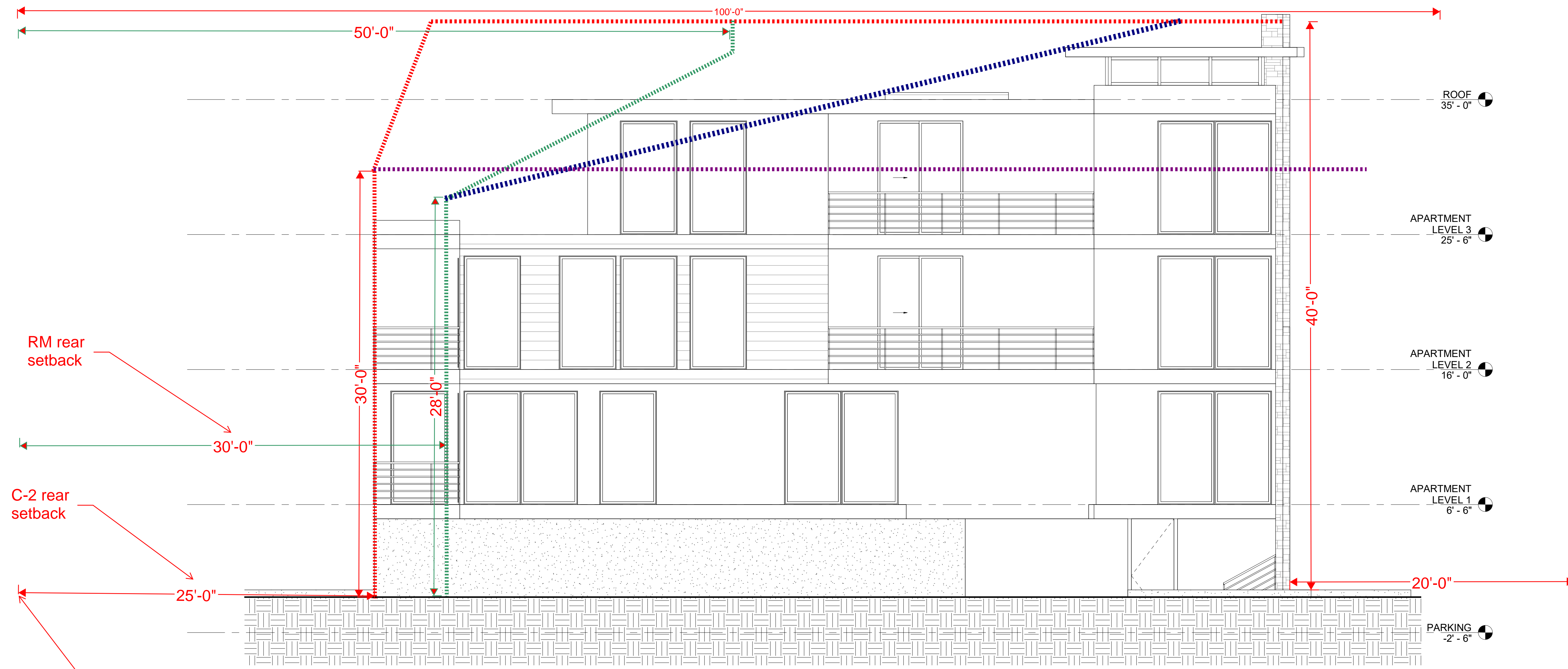
1. Sketch of existing and proposed C-2 and RM height transition requirements.
2. Proposed Ordinance Amendments

..... Current Commercial Height Transition Building Envelope

..... Current RM Height Transition Building Envelope

..... Option A: Height Transition - one additional foot in height for every four feet in step-back, up to 100 feet.

..... Planning Commission Recommendation: Maximum height of 30' for any building within 100 feet of a R-1 or R-2 boundary.

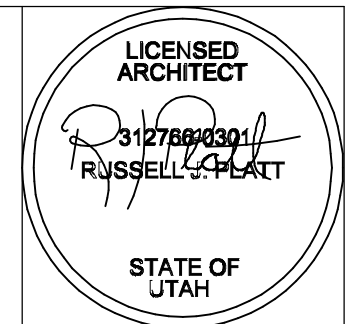


RM rear setback

C-2 rear setback

Property Line / R-1 Zone Boundary

3300 South ROW Line



RPA
RUSSELL PLATT ARCHITECTURE
4141 HIGHLAND DRIVE SUITE 111
HOLLADAY, UTAH 84117
801-580-0181

33RD

5-29-18

#	REV.	Date

SHEET TITLE

ELEVATIONS

SHEET NUMBER

A102

Chapter 19.44 R-M RESIDENTIAL ZONE

- 19.44.010 PURPOSE AND INTENT
- 19.44.020 PERMITTED AND CONDITIONAL USES
- 19.44.030 BULK AND YARD REGULATIONS: PRINCIPAL BUILDINGS
- 19.44.040 BULK AND YARD REGULATIONS: ACCESSORY BUILDINGS
- 19.44.050 DEVELOPMENT REQUIREMENTS
- 19.44.060 SUBDIVISION OF ATTACHED DWELLING UNITS
- 19.44.070 GENERAL STANDARDS OF APPLICABILITY

19.44.010 PURPOSE AND INTENT

The R-M zone is intended for medium to high density residential development/complexes including small lot single family, duplexes, townhomes, twin homes, tri-plexes, four-plexes, higher unit complexes, and mixed use, located generally along major streets. It also promotes a limited list of non-residential uses. This zone is intended to provide residents a comfortable, healthy, safe, and pleasant living environment in a high-quality setting.

Amended by Ord. 18-01 on 1/8/2018

19.44.020 PERMITTED AND CONDITIONAL USES

Table 19.44-1: Land uses for the RM zone are listed in this table.

“P” indicates that a use is considered permitted within that zoning district.

“C” indicates that a use is considered a conditional use in that zoning district and conditional use approval shall be obtained in order to establish the use, as required in section MKC 19.16.040.

No letter (i.e., a blank space), or the absence of the use from the table, indicates that use is not a permitted use nor a conditional use within that zoning district.

Table 19.44-1

Banks, Credit Unions	C	Excluding short term loan businesses, check cashing, payday, title loan and substantially similar
Bed and breakfast	C	See section MKC 19.04.077
Day care/preschool center	C	See section MKC 19.04.160
Dwelling, single-family	P	
Dwelling, two-family	C	
Dwellings, three-family	C	
Dwellings, four-family	C	
Dwellings, multiple-family	C	May include mixed use

Instruction studios for art, dance, etc.	C	Stand alone or as part of a mixed use development
Home business	P	See section MKC 19.85
Home day care/preschool; 1-6 children	P	See section MKC 19.04.293
Home Day Care/preschool; 7-12 children	C	See section MKC 19.04.293
Hospital, Urgent-care, emergency care, surgical center	C	May include helipads as an accessory use
Mortuary	C	Excluding crematoriums
Office, including professional and medical	P	Stand alone or as part of a mixed use development
Personal Care, Massage (1), Hair care, etc.	C	Stand alone or as part of a mixed use development
Planned unit development	C	Subject to Chapter MKC 19.78
Private educational institutions	C	
Public and quasi-public uses	C	
Residential health care facility	P	
Residence for elderly	P	
Residential facility for persons with a disability	P	
Senior care center/Nursing home	P	
Short-term rental	P	See section MKC 19.04.547
Temporary construction buildings	P	See section MKC 19.04.451
Veterinary clinic	C	

TABLE 19.44-1 FOOTNOTES

1. Including the following requirements for massage businesses:
 - a. Hours of operation shall be between 7:00 a.m. and 10:00 p.m.
 - b. Each practitioner who is not an employee of the business licensee shall have a Millcreek business license.
 - c. Neither clients nor practitioners shall appear on the premises in a state of nudity or semi-nudity, as defined in the Sexually Oriented Business Chapter of Title 5 of this Code; and
 - d. The premises shall not be used for any conduct that violates Section 58-47b-501 of the Utah Massage Therapy Practice Act (2013) or sexual conduct that violates Title 76 of the Utah Criminal Code.

Amended by Ord. 18-01 on 1/8/2018

Amended by Ord. 18-28 on 5/14/2018

19.44.030 BULK AND YARD REGULATIONS: PRINCIPAL BUILDINGS

Table 19.44-2: Medium and High Density Residential Zones Building and Bulk Yards establishes bulk and yard regulations for principal buildings.

Table 19.44-2

<i>Minimum lot area per unit</i>	
Single-family detached dwellings	5,000 sf
Two-family dwellings	3500 sf per unit
Two-family fee simple dwelling (per dwelling)	3000 sf per unit
Three-family dwellings	3000 sf per unit
Four-family dwellings	3000 sf per unit
Multi-family; five or more attached dwellings	2000 sf per unit
Other permitted principal uses	20,000 sf
<i>Residential uses</i>	
Minimum lot width	50 ft
Maximum building height	40 ft (1) (5)
Front yard	25 ft (2)
Side yard	10' minimum
Side yard, interior	10' minimum

Side yard, corner	20 ft
Rear yard, without garage	30 ft (4)
Rear yard, with garage (3)	20 ft (4)
Maximum lot coverage	60%
<i>Non-residential uses</i>	
Minimum lot width	50 ft
Maximum building height	40 ft (1) (5)
Front yard	25 ft (2)
Side yard, interior	10 ft (4)
Side yard, corner	20 ft
Rear yard	30 ft (4)

TABLE 19.44-2: FOOTNOTES

1. Unless considered through a development agreement as part of a rezoning process, greater height may be granted up to a maximum of 75 feet by the Planning Commission through an evaluation of terrain differences, views, and the heights of buildings that are immediately adjacent to the proposed building in comparison to the proposed building. Higher building requests shall only be considered if they are mixed use or exclusively office uses, exceed the building design standards of this ordinance, include a 10' usable set back between the second and third floors, provide an additional 10' front yard set back as a public space adjacent to the ROW, and not exceed the lot coverage requirement. Based on the above evidence provided by the applicant, the Planning Commission will determine if the proposed height is acceptable and that such height will not create reasonably anticipated detrimental effects on adjacent properties. If not accomplished through a development agreement, this flexibility is only allowed in the Meadowbrook area (west of State Street, north of Big Cottonwood Creek, east of the TRAX line, and south of 3900 South) including both sides of State Street, and the Highland Drive and 13th East intersections with 3300 S, including a 500' radius from those two intersections.
2. The minimum depth of the front yard for main buildings, and for private garages which have a minimum side yard of ten feet, shall be (1) twenty-five feet, or (2) the average of the existing adjacent buildings on the same block where fifty percent or more of the frontage is developed; but in no case shall the depth be less than fifteen feet or required to be more than twenty-five feet. For the purposes of this chapter, where setbacks are measured from a right-of-way containing a fully improved sidewalk, setbacks from a right of way shall be measured from where the edge of the sidewalk that is adjacent to the public right-of-way.

3. **Front yards may also be reduced based on enhanced landscaping as per section MKC 19.77.050 and if located in a town center as defined in the General Plan, a 10' front yard is allowed.**
4. The rear yard shall be not less than 20 feet for single-family dwellings or duplexes with an attached garage or a garage that meets all of the yard requirements for principal buildings.
5. Parking may encroach into the side and rear yards for non-residential uses/buildings, provided a ten (10) foot landscaped area remains. The ten foot remaining rear yard and the ten foot side yards, shall be permanently landscaped and include medium size trees (minimum 2" caliper) on 30' centers, unless otherwise approved by the Planning Commission as part of a comprehensive landscape plan. Six (6) foot opaque fencing is required for yards that abut single family residential use and/or zones.
6. See section MKC 19.44 050 #11 for increased set back requirements based on height.

Amended by Ord. 18-01 on 1/8/2018

19.44.040 BULK AND YARD REGULATIONS: ACCESSORY BUILDINGS

The bulk and yard regulations for accessory buildings are as set forth in Table 19.44-3: Medium and High Density Residential Zones: Yard and Bulk Regulations; Accessory Buildings.

Table 19.44-3

Minimum front yard (1)	25 ft
Minimum side yard; interior	10 ft
Minimum side yard; corner (2)	20 ft
Minimum rear yard (3)	30 ft
Set back from principal building	10 ft
Building heights (4)	12-20 ft
Maximum coverage of rear yards	25%

TABLE 19.44-3: FOOTNOTES

1. No accessory buildings are allowed in the front yard.
2. On corner lots, the side yard which faces on a street for both main and accessory buildings shall be not less than twenty feet or the average of existing buildings where fifty percent or more of the frontage is developed, but in no case less than fifteen feet.
3. The minimum yard for an accessory building located in the rear yard shall be 3 foot from interior side and rear lot lines, except that such accessory building may not be closer than 10 feet to a dwelling located on an adjacent lot. Where a rear yard abuts a side yard of an adjacent lot, the minimum rear yard shall be 10 feet.
4. Any accessory building more than fourteen feet in height shall be set back one additional foot from the property line for each foot of height over fourteen feet, up to the maximum height of twenty feet.

Amended by Ord. 18-01 on 1/8/2018

19.44.050 DEVELOPMENT REQUIREMENTS

The following are required for all developments:

- A. **Ownership.** The property shall be in single or corporate entity ownership at the time of application, or the subject of an application filed jointly by all owners of the property.
- B. **Open Space.** Common open space shall be provided for residential uses in the amount of at least 40% of the gross site area in locations not defined as town centers. In town centers, as defined in the General Plan, lots smaller than 1 acre, the Highland Drive and 13th East areas along 3300 S and within a 500’ radius of those intersections, and the Meadowbrook area, the minimum open space percentage is 20%. For purposes of this chapter, gross site area is defined as the total area of the development excluding anything in the public right of way.

The required common open space shall be usable land areas that are not occupied by buildings, dwellings, structures, parking areas, streets, public park strips, curb-gutter-sidewalk, driveways, or alleys and shall be accessible by all residents of the development. Buildings erected for the principle purpose of providing an amenity may be included as open space. Said open space may be an area of land or water set aside, or reserved for use by residents of the development, including an expanse of lawn, trees, plants, fully accessible landscaped roof areas, or other natural areas. Common open space also includes common walkways (but not curb-gutter-sidewalk in the public ROW), formal picnic areas, and recreational areas. Common open space may be distributed throughout the development and need not be in a single large area, except multi-family complexes with over 20 units shall include open areas as per Subsection E(14)(g) for passive recreation purposes. It shall also have spaces that are useful for active recreation. Refer to Subsection E(10) for required amenities.

- C. **Interior Streets.** The design of public and private streets within a development shall follow Millcreek City standards for roadway development as defined by the City transportation engineer. Private streets shall be subject to the same inspections and construction standards as required for public streets. The City shall be granted a utility easement for the entire interior street system in a development project.
- D. **Garbage and Recycling.** The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects from the collection, storage, and removal on any residence within the development or abutting neighborhoods. No refuse dumpster or dumpster enclosure structure shall be located closer than 10 feet to any perimeter property line. Enclosure structures must have a minimum of three solid wall sides and a gate that reflects or emulates the materials, design, and quality of the overall development. Dumpsters shall be located and designed into landscaped areas and not simply placed in open parking hard surfaced areas. All developments shall provide recycling services.
- E. **Traffic Generation and Parking.** All parking standards detailed below are considered minimums. See MKC 19.80 Off-Street Parking for general requirements, subject to the additional considerations below:
 - 1. **Residential standards**

Studio	0.75 parking space per unit
One bedroom unit	1.5 parking spaces per unit

Two bedroom units	2.0 parking spaces per unit
Three bedroom units	2.5 parking spaces per unit
4 or more bedroom units	3.0 parking spaces per unit
Guest parking spaces	0.33 parking spaces per unit (min. of 5 required for projects over 10 units)

- a. The parking requirements identified in this section supersede other parking requirements in this Title. Resident and guest parking spaces shall be conveniently distributed throughout the development.
 - b. All parking areas, covered or open, except garages, shall have a landscaped buffer in accordance with MKC 19.77, Water Efficient Landscape Design and Development Standards.
 - c. Developments offering the amenities listed in Subsection E(2) are entitled to the applicable parking reductions. These reductions are not mandatory, but if they are chosen, are cumulative up to a maximum of a .25 reduction in the total number of parking spaces, after which a traffic study is required for further reductions. The Planning Commission, or the Planning Director or designee, may further modify the required parking, at their sole discretion, with support of a parking study. Any calculations for parking demand that result in a fraction shall be rounded up.
 - d. Parking is prohibited within approved fire access and turn-around facilities. Parking lots greater than 2 spaces in front of a garage, shall not be located in the required front yard.
 - e. Garages:
 1. Garage parking, if used, double car garages shall have a minimum unobstructed size of 22 feet wide by 20 feet in length. Single car garages shall have a minimum unobstructed size of 10 feet by 20 feet. Garages are required for some developments. See Subsections E(12)(e) and 13(f).
 2. Covered parking, if used, shall be placed in locations adjacent or convenient to the buildings that they are intended to serve.
 3. Tandem spaces in conjunction with garages may be allowed with a minimum size requirement of 20 feet long by 9 feet wide per parking space, up to a maximum of two contiguous spaces per unit.
 4. Underground parking is encouraged.
2. **Eligible Residential Unit Parking Reductions**

Bicycle Share (on-site self-serve bike station) including bicycle lockers and a work space	0.05
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Proximity of development within 1/4 mile of a rail or Bus Rapid Transit (BRT) station	0.20
Proximity of development within 1/2 mile of a rail or Bus Rapid Transit (BRT) station (this reduction cannot be added to the 1/4 mile reduction)	0.10
Senior Housing	0.20

3. **Non-residential parking standards.** All applicable standards found in MKC 19.80 shall be considered minimums, but may be modified with a parking study.
4. **Traffic and Parking Studies.** An applicant may propose reductions beyond the eligible rate reductions established above by commissioning a site-specific traffic and parking study. A site-specific traffic and parking study may substitute for but not necessarily supersede these requirements, as determined by the Planning Commission, or the Planning Director or designee. If a dispute arises in terms of the parking requirement, the City shall commission a parking study by a parking specialist to act as the defining study for a determination. Such studies shall, as a minimum, take into account the setting, the quality, proximity, and frequency of available transit, biking, bedrooms per unit, area walkability, trends in occupancy, and overflow parking. This study shall be paid for by the applicant but managed by the City.
5. **Building Materials.** Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent on street-facing facades. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.
6. **Landscaping, including Landscaping adjacent to a Public Right-of-Way.** Where a development is adjacent to a public right-of-way, a permanent open space shall be required along any front, side, or rear yard adjacent to said right-of-way. This area shall be kept free of buildings and structures (except fences, as per MKC 19.77.050, and approved by the Planning Commission), and permanently maintained with street trees and other landscaping, screened or protected by natural features, as per MKC 19.77. If such areas are the result of double frontage lot designs with inadequate access to the street, such areas shall be landscaped as per MKC 19.77 with a minimum of a five foot, irrigated landscaped area next to the public ROW. Proper maintenance of this area is required. Fences shall not be located within this five foot landscaped area. Aesthetic entrance features are encouraged. Additional landscape treatments or buffers may also be required with width and landscaping specifications as per MKC 19.77.
7. **Front, Side Yard and Rear Yard Fencing.** Fencing of a residential development shall be provided except in the case of compatible adjacent uses and in front yards and to achieve clear view standards on side lot lines. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, metal intended to look like wrought iron, wood, or vinyl may be allowed with a minimum two foot wide, six foot tall brick or stone pillars spaced every ten feet on center. Access between adjacent compatible uses may be required and may eliminate the need for the required fence in that location.
8. **Interior Street and Parking Lot Lighting.** Street and pedestrian lighting for streets on the interior of the development is required. All lighting fixtures shall be directed

downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan which indicates the type and location of lights in relation to the development and designed for pedestrian safety. Minimum Average Foot-Candles for interior streets and parking lots shall be 0.3, the fixture height shall not exceed 25 feet, and no poles shall be located within 20' of any property line.

9. **Signage.** Only monument signs with a maximum size of 50 square feet, and 5 feet in height are allowed. Signs shall be set back a minimum of 5' from the public ROW and not restrict the clear view of an intersection or from a driveway. No temporary signs are allowed other than for sale or rent signs with a maximum of 6 square feet in area per side. Only two permanent signs are allowed per 300 feet of frontage. Sign lighting shall be external with the lighting oriented downward only. The size, location, design and nature of signs, shall be consistent with the characteristics of the building to which it is oriented. The requirements for signs found in MKC 19.82 for the RM zone are superseded by the above provisions. Notwithstanding the foregoing, clear, easily read from the street, address signs, for the project are required and may be mounted on buildings.
10. **Site Plan.** All developments shall be guided by a total design plan. The Planning Commission may require such arrangements of structures, open spaces, landscaping, buffering, and access within the site development plan so that adjacent properties will not be adversely affected. The following standards shall be used by the Planning Commission principally to assure the design objectives of this section are met.

For any development adjacent to an R-1, R-2, R-4, A-1, or A-2 zone ("residential zone"), the maximum height for structures on the perimeter of the development adjoining said zones shall be 28 feet. Multi-family residential developments proposed for construction using just one single building, may include rooftop gardens or patios provided the rooftop garden or patio has a minimum set back of 75 feet from the property line. For purposes of this chapter, a structure on the perimeter is defined as any structure within 50 feet of the property line of the development.

The height of principal buildings along the perimeter of a development adjoining a single family detached residential zone may be increased to the maximum height allowed by increments with each additional foot of height requiring an additional 1.5 feet in set back from the rear or side yard lot lines.

For any development adjacent to an R-1, R-2, R-4, A-1, or A-2 zone ("residential zone"), the maximum height for structures within 100 feet of a residential zone shall not exceed 30 feet.

Multi-family residential developments may include rooftop gardens or patios provided the rooftop garden or patio is set back a minimum of 100 feet from the property line.

- a. **Site Calculations.** Specific calculations which address the percentage of open space, impervious versus pervious surfaces, and site improvements shall be submitted by the applicant with all project applications.
- b. **Traffic Circulation.** Points of primary vehicular access to all developments shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Adequate emergency vehicle access shall be provided. Internal circulation systems shall include pedestrian paths, and may include bicycle paths, preferably separated from vehicular traffic.

- c. **Privacy.** Each residential development shall provide reasonable visual and acoustical privacy for dwelling units. Fences, walls, barriers, landscaping, and sound reducing construction techniques with a maximum transmission of 55 decibels in the walls and ceilings shall be used as appropriate to enhance the privacy of its occupants, the screening of objectionable views or uses, and the reduction of noise.
 - d. **Sidewalks.** As required elements of a development, interior sidewalks shall be installed to serve the development and connect to the public street.
 - e. **Utilities.** All utilities shall be located underground. Utility equipment shall be screened from view and preferably, not fronting on a public street.
11. **Required Amenities.** Each residential development is required to include recreational amenities as part of the development based on the number of bedrooms. Below is a list of possible recreation facilities. The figures shown represent the minimum size a facility must be to receive credit as a recreation facility.

Basketball Court* - 1,600 sq. ft., Volleyball Court - 3,500 sq. ft., Sports Court* - 1,600 sq. ft.

Tennis Court - 7,000 sq. ft./court, Swimming Pool - 800 sq. ft., does not include surrounding decks, etc.

Package of leisure activity areas - putting green, horseshoes, shuffle board, etc.

Picnic Area - 500 sq. ft., equipped with a pavilion/gazebo and tables, benches, grills and trash receptacles for people to gather, cook, eat, and relax.

Community Center - 1,200 sq. ft., includes at least one recreation facility such as table tennis, billiards, weight room, handball courts, or social area with television, etc.

Lawn area for non-organized sports - 12,000 sq. ft. and at least 60 feet wide. Landscaping must be done in a manner that preserves the openness of the area for such activities.

Path - 1,000 ft minimum length and 6 foot minimum width. A cleared way for pedestrians (other than sidewalks) that may or may not be paved, and is used for bicycling, walking, skating, jogging, etc.

Playground - An active recreational area with a variety of facilities, including equipment for younger children. When adjacent to any parking area, road, or other hazardous place the playground must be fenced with a transparent material.

Other - Any facility not listed that is determined by the Planning Commission to be appropriate.

The required number of recreation facilities is based on the number of bedrooms in a tri-plex, four-plex or multi-family development, as follows:

Total Number of Bedrooms	Total Number of Facilities
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10-75	1
76-150	2
151-225	3
226-300	4
301-400	5
401-500	6
501-600	7
601-700	8
701-800	9
801-900	10
901-1000	11
1001-1150	12
1151-1300	13
1301-1450	14
1451-1625	15
1626-1800	16
1801-1975	17
1976-2150	18
2151-2325	19
2326-2500	20

12. Developments with more than 2,500 bedrooms must provide on additional reaction facility.
13. **Miscellaneous.** Installation of xeriscaping is encouraged as an alternative to excessive lawn areas or other landscaping treatments that excessively consume water. Xeriscape shall include permanently irrigated trees and shrubs. Low impact water retention development techniques are encouraged to manage storm water onsite including but not limited to slotted curbs in landscaped areas such as parking lot islands or areas adjacent to parking lots, planter boxes, rain gardens, and bio-swales in the open spaces. Exposed front yard below grade storm water retention areas are prohibited. Parking areas, service areas, buffers, entrances, exits, yards, courts, landscaping, graphics, and lighting for both residential and non-residential development shall be designed as integrated portions of the total development and shall project the residential character.
14. **Building and site design for single family dwellings, duplex or twin home developments**
 - a. No more than 2 adjacent units shall exhibit the same or substantially the same front façade. All buildings shall provide variation in the façade, especially in the use of materials and relief, to avoid monotonous design. Relief is defined as foundation jogs, bay or box windows, cantilevered living areas, recessed garages, and or usable front porches that extend across 40% or more of the front façade. More than three colors are discouraged for front facades. Any façade that faces a street shall include windows.
 - b. All residential units shall have at least a 20' deep rear yard.
 - c. Buildings adjacent to public streets shall address the street with functional front doors and windows. The landing for the front door shall include sufficient square footage to accommodate two chairs without impeding the door opening.
 - d. Front yards including a front yard on a corner, shall be landscaped, including irrigation, within one year of occupancy. Front yard landscaping shall include at least one tree and a combination of lawn, shrubs or groundcover and mulch. Mulch may be mineral or non-living material but not cover more than 50% of the front yard. Street trees are required in the park strip or adjacent to the sidewalk/property line (one per every 40 lineal feet), if the park strip is at least 5 foot wide, or if the park strip is smaller, within 5' of the sidewalk/property line.
 - e. Garages are required. Garage doors shall utilize complimentary colors and include windows. The space in front of the garage shall include sufficient area to park two cars without infringing on the ROW. Driveways shall have a minimum length of 20'. Garages shall not be the only means of access to the unit on any façade that includes a garage. Garages shall not extend more than 2' beyond the front façade. Garages shall include 220 power for electric vehicle charging.
 - f. No driveway or combined driveway with the adjacent unit shall exceed 24' in width unless such driveways are separated by a minimum 5' wide irrigated planter that includes at least one shrub and one medium size tree. No driveway or driveways may occupy more than 40% of the front yard. Driveways located on a street with a ROW greater than or equal to 66' shall include a means to avoid backing out onto the public street, such as a circular drive.
 - g. Water from roofs and hard surfaces shall be contained on site, with the exception of driveways where the runoff may flow to the street.
 - h. Duplex subdivisions are prohibited, unless all units are located on a public street.
 - i. An energy efficient street oriented yard light, maximum height of 8 feet is required per unit where public street lighting is inadequate, with a minimum

lighting capacity of 2 foot candles and/or 500 lumens. Yard lights shall direct the light downward and include cut offs to prevent dark sky illumination. Yard lights shall be located within 5' of the ROW.

15. Building and site design for tri-plex and four-plex developments

- a. All buildings shall provide variation in the façade, especially in the use of materials to avoid monotonous design. Relief is defined as foundation jogs, bay or box windows, cantilevered living areas, recessed garages, and or usable front porches with a minimum of 60 square feet. More than three colors are discouraged for front facades.
- b. All residential units shall have a private outdoor space in the form of a balcony and/or patio with a minimum of 100 square feet.
- c. Buildings adjacent to public streets shall address the street with functional front doors and windows. The landing for the front door shall include sufficient square footage to accommodate two chairs without impeding the door opening.
- d. Building complexes with more than four main buildings shall vary the exterior building architecture/design and materials to create identity within the project. This pattern of sub-neighborhoods created shall continue in groups of two.
- e. All residential units shall have at least a 20' deep rear yard.
- f. Garages or carports are required. Garage doors shall utilize complimentary colors and include windows. Garages shall not be the only means of access to the unit on any façade that includes a garage, except for corner units facing the public street. All garages shall include 220 power for electric vehicles.
- g. No driveway or combined driveway with the adjacent unit shall exceed 24' in width unless such driveways are separated by a minimum 5' wide irrigated planter that includes at least one shrub and one medium size tree. Driveways located on a street with a ROW greater than or equal to 66' shall include a means to avoid backing out onto the public street, such as a circular drive.
- h. Tri-plex and four-plex subdivisions are prohibited, unless all units are located on a public street.
- i. An energy efficient street oriented yard light, maximum height of 8 feet is required, where public street lighting is inadequate, per street facing facade with a minimum lighting capacity of .2 foot candles and/or 500 lumens. Yard lights shall direct the light downward and include cut offs to prevent dark sky illumination. Yard lights shall be located within 5' of the ROW.
- j. Front yards including a front yard on a corner, shall be landscaped, including irrigation, within one year of occupancy. Front yard landscaping shall include at least one tree and a combination of lawn, shrubs or groundcover and mulch. Mulch may be mineral or non-living material but not cover more than 50% of the front yard and must be placed on top of a weed barrier. Street trees are required in the park strip or adjacent to the sidewalk/property line (one per every 30 lineal feet), if the park strip is at least 5 foot wide, or if the park strip is smaller, within 5' of the sidewalk/property line.

16. Building and site design for multi-family developments with building types different from (14) and (15) above

- a. All buildings shall provide variation in the façade, especially in the use of materials and relief, to avoid monotonous design. Relief is defined as foundation jogs, bay or box windows, cantilevered living areas, recessed garages, and or usable front porches with a minimum of 60 square feet. More than three colors are discouraged for front facades.
- b. All residential units shall have a private outdoor space in the form of a balcony and/or patio with a minimum of 60 square feet with a minimum 5 foot depth.

- c. Buildings adjacent to public streets shall address the street with functional front doors and windows. The landing for the front door shall include sufficient square footage to accommodate two chairs without impeding the door opening.
 - d. Building complexes with more than four main buildings shall vary the exterior building architecture/design and materials to create identity within the project. This pattern of sub-neighborhoods created shall continue in groups of two.
 - e. No single building shall exceed 200' in length.
 - f. All residential buildings shall be set back from the side and rear property line at least 20'.
 - g. Open space amenities and gathering spaces shall reflect the market that the development is attempting to attract. Projects with over twenty units shall include a landscaped passive open space sufficient for outdoor activity with a minimum area of 5000 square feet. Useable open space shall not include parking lots, buildings except clubhouses, set back areas less than 20', and narrow landscaped strips.
 - h. Bicycle parking shall be provided at a ratio of one (1) space for every twenty (20) dwelling units. All bicycle racks, lockers, or other facilities shall be securely anchored to the ground or to a structure.
 - i. If garages are offered, garage doors shall utilize complimentary colors and include windows. Garages shall not be the only means of access to the unit on any façade that includes a garage, All garages shall include 220 power for electric vehicles. If garages are not offered, carports are required.
 - j. An energy efficient street oriented yard light, maximum height of 8 feet is required, where public street lighting is inadequate, per street facing facade with a minimum lighting capacity of .2 foot candles and/or 500 lumens. Yard lights shall direct the light downward and include cut offs to prevent dark sky illumination. Yard lights shall be located within 5' of the ROW.
 - k. Front yards including a front yard on a corner, shall be landscaped, including irrigation, within one year of occupancy. Front yard landscaping shall include at least one tree and a combination of lawn, shrubs or groundcover and mulch. Mulch may be mineral or non-living material but not cover more than 50% of the front yard. Street trees are required in the park strip or adjacent to the sidewalk/property line (one per every 40 lineal feet), if the park strip is at least 5 foot wide, or if the park strip is smaller, within 5' of the sidewalk/property line.
17. **Non-residential and/or mixed use buildings** –shall follow the design requirements found in MKC 19.32.040(C) in the Commercial Zoning Chapter.
 18. **Management** – 24 hour on-site management is required for projects with more than 20 units.
 19. **Ownership** – as an incentive to encourage ownership within a development, a reduction in the acreage requirements for PUDs with at least 8 units, along major/arterial streets is allowed.
 20. **Entry Gates** are discouraged but if desired shall be composed of visually transparent materials such as wrought iron and other open fence-like materials. Gates shall be set back from the public right of way at least 36 feet to allow stacking off of the roadway.
 21. **HVAC systems, utility meters, and overhead powerlines/utilities** – shall be screened from view from a pedestrian perspective from the adjacent street. Overhead wires are prohibited.
 22. **Washer and dryers** - All multi-family residential developments shall include either washer and dryer hook-ups for each dwelling unit or an on-site laundry.
 23. **Renewable energy incentive** – projects with solar power arrays, windmills/turbines, or functional geothermal systems, suitable to generate 50% or more of the development's

electrical demand shall be permitted an additional 5' in height and not required to be screened from view. Solar carport rooftops are encouraged. Wind power generators shall have a set back from any property line equal to their height and not exceed a sound level of 60 dB.

24. **Energy efficiency** – if the project is designed with energy efficiencies 20% greater than those required by the building code, it may encroach on the front yard requirement by 5 feet.
25. **Unit storage** – each unit shall be required to contain interior storage equal to 100 cubic feet.
26. **Electric vehicle charging stations** – projects with greater than 50 units and using carports and/or garages to meet their parking demand, shall include one charging station for every 10 units.

Amended by Ord. 18-01 on 1/8/2018

19.44.060 SUBDIVISION OF ATTACHED DWELLING UNITS

A lot containing attached side-by-side dwelling units (having been previously approved as permitted or conditional uses) may be subdivided, creating new lot lines along the shared common walls and extending these lines to the front and rear lot lines. Such divisions shall be subject to the following requirements:

- A. A subdivision plat shall be prepared consistent with the requirements of the Millcreek Subdivision Ordinance.
- B. The subdivision plat shall specifically note that the purpose of the subdivision is to accommodate the division of attached dwelling units.
- C. The minimum area of the lot containing each unit shall be three thousand square feet and the minimum width shall be 20 feet in the R-M zones, provided that the aggregate area of the lots in the subdivision is equal to or greater than the minimum area required for the number of units set forth in Table 19.44-2 above.
- D. The minimum front, side, and rear yards not immediately adjacent (attached) to another dwelling in the same development shall be as set forth in Table 19.44-2 above.

Amended by Ord. 18-01 on 1/8/2018

19.44.070 GENERAL STANDARDS OF APPLICABILITY

- A. The use and development of property within the RM zone is also subject to other applicable chapters in the zoning ordinance, such as, the Parking Chapter MKC 19.80, Water Efficient Landscaping MKC 19.77, Signs MKC 19.82, etc.
- B. Standards in other chapters may apply. In the event there is language elsewhere in Chapter 19 that conflicts with language in this chapter, the standards or guidance of in this chapter prevail.
- C. In any rezoning process, a development agreement shall be required at the sole discretion of the City. "Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City. The Agreement must: (1) specify and describe the proposed development through text including any requests for modifications of the ordinance requirements, site plans and elevations (2) detail the amenities and other benefits being provided to the City and its residents (3) utilize a development agreement form approved by the City.

The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement shall include a clause that allows the City to re-zone the property and withdraw from the Development

Agreement if the Development Agreement is not recorded within two (2) years of execution of the Agreement.

Amended by Ord. 18-01 on 1/8/2018

Chapter 19.60 COMMERCIAL ZONES

- [19.60.010 Purpose Statements](#)
- [19.60.020 Permitted And Conditional Uses](#)
- [19.60.030 Prohibited Uses, Limitations](#)
- [19.60.040 Accessory Uses](#)
- [19.60.050 Bulk And Yard Regulations](#)
- [19.60.060 Special Regulations For Commercial Zones](#)
- [19.60.070 General Standards Of Applicability](#)

19.60.010 Purpose Statements

- A. Purpose of C-1 Commercial Zone. The purpose of the C-1 Commercial Zone is to provide areas for lower intensity neighborhood commercial development that accommodates the everyday needs of nearby residents. Such zones do not usually generate traffic from regional markets.
- B. Purpose of C-2 Commercial Zone. The purpose of the C-2 Commercial Zone is to provide areas for larger-scale community commercial development. Such zones cater to regional markets and generate traffic from a much larger regional area.
- C. Purpose of C-3 Commercial Zone. The purpose of the C-3 Commercial Zone is to provide areas for other commercial uses with the potential for greater impacts, and to act as a transition to other zoning districts such as manufacturing or areas with major traffic congestion such as State Street.

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

19.60.020 Permitted And Conditional Uses

1. Due to the greater potential for detrimental effects, permitted uses in the C-1, C-2 and C-3 zones over one acre in size shall follow the conditional use procedure in MKC 19.84.
2. Table 19.60-1: Commercial Zoning Districts Permitted and Conditional Uses lists permitted and conditional uses for the commercial zoning districts. "P" indicates that a use is permitted within that zoning district. "C" indicates that a use is a conditional use in that zoning district and a conditional use permit shall be obtained as required in MKC 19.84. No letter (i.e., a blank space), or the absence of the use from the table, indicates that use is not a permitted use nor a conditional use within that zoning district. Uses may be subject to additional restrictions and limitations found in MKC 19.60.030 PROHIBITED USES, LIMITATIONS.

TABLE 19.60-1

USES	C-1	C-2	C-3	SPECIFIC USE STANDARDS
Indoor or outdoor archery range		C	C	
Residential facility for the elderly or persons with a	P	P	P	

disability, assisted care facility nursing facility				
Hotel, Motel, Bed & Breakfast	C	C	C	No Hotel or Motels in the C-1 zone
Public, quasi-public use, and Civic uses	P	P	P	Not including private schools
Transit Station		P	P	
Hospital and all other medical, dental facilities		P	P	
School, public, charter, private	P	P	P	
Neighborhood Retail	P	P	P	No commercial building over 20,000 square feet is allowed in the C-1 zone. In addition, no business in the C-1 zone shall occupy a space greater than 5000 square feet.
General Retail and Entertainment		C	C	See table 19.60-2 for additional limitations
Retail Food Trucks, Farmers Market including vegetable stands	C	C	C	As an accessory use on private property and not within a front or side yard setback. On-street locations may be allowed on a non-UDOT street in a C-2 and C-3 zone.
Drive up uses with outside order windows or structures, such as restaurants, banks, etc.		C	C	No order window or structure is allowed within 150' of a residential use. Speakers to be oriented away from adjacent uses.
Neighborhood Service	P	P	P	See definition
General Service	P	P	P	See definition
Vehicle Service and repair		C	P	
Office	P	P	P	

Mixed Use (commercial, or office and/or residential use within the same building or located adjacent within a unified site plan)		C	C	Commercial uses are required for at least 50% of the ground floor facing a public street. This commercial space shall have a minimum depth of 30' 40 feet-24 hour on-site management required for projects with 50 or more residential units.
Commercial parking lot and/or garage		C	C	Parking garages shall include non-residential uses for at least 75% of the ground floor facing a public street.
Fireworks		C	C	Temporary stands to be located on private property and subject to the Uniform Fire Code

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

19.60.030 Prohibited Uses, Limitations

Notwithstanding the permitted and conditional uses in TABLE 19.60-1 and other ordinances found in this Title, the following specific prohibitions and/or limitations apply:

Table 19.60-2

USES	SPECIFIC USE LIMITATIONS
Detention facility/jail as a principal use	Not allowed
Indoor and/or outdoor gun ranges	Not allowed
Outside storage within view of the street or in any front or side yard facing a street.	Storage that is not considered "display". Includes storage containers. Such storage requires a minimum 6' opaque fence.
Displays (products held for sale) over five feet in horizontal distance from the main building.	Not allowed
Equipment, car or truck rental	Not allowed in the C-1 zone
Commercial wireless communication facilities	Only stealth type towers and accessory structures are allowed in the C zones
Outdoor kennel	Not allowed in a C-1 zone or within 300' of a residential use

Sexually oriented businesses	Subject to MKC 19.91.11 and not allowed in the C zones
Pawnshop, smoke shops and related products, and retail tobacco as the principal use*	Not allowed in a C-1 zone or within 300' of an arterial/major intersection in the C-2, C-3 zones and not within 2640' of an established substantially similar business.
Tattoo businesses*	Not allowed in a C-1 zone or within 300' of an arterial/major intersection in the C-2, C-3 zones and not within 500' of an established substantially similar business.
Massage or Reiki as the principal use including associated services*	Not allowed in a C-1 zone or within 300' of an arterial/major intersection in the C-2, C-3 zones and not within 500' of an established substantially similar business. this limitation does not apply to any home-based business located in a residential zone.
Sale of lease of new or used vehicles of all types, moving trucks, watercraft, mobile homes, travel trailers, campers, motorcycles and other recreational vehicles	Not allowed in C-1, C-2 zones. 20,000 square foot minimum lot size including an on-site office is required.
Secondhand stores including general merchandise, precious metal dealer/processor and/or precious gem dealer, military surplus	Limited to a maximum of 2500 square feet in a C-1 zone and 10,000 square feet in a C-2 zone.
Self-storage facility of all types, including mini-storage units, neighborhood storage and temperature controlled storage facilities*	Not allowed in a C-1 zone and not within 300' of an arterial intersection in C-2, C-3 zones or within 1,320' of an established substantially similar business, no additional facilities allowed on 3300 South, and no additional facilities allowed east of 2300 East on 4500 south and 3900 South
Taxicab and/or Limousine business	Not allowed in a C-1 zone
Tavern, as defined by State Code	Not allowed in a C-1 zone
Sororities and fraternities	Not allowed
Manufactured Home park or manufactured home subdivision	Not allowed

Short term ("payday", "car" title, check cashing and similar) load service*	Not allowed in the C-1 zone and not within 300' of an arterial intersection or within 2640' of an established substantially similar business. See MKC 5.13.030 Business Licensing for additional restrictions.
Flea markets, swap meets	Not allowed in the C-1 zone
Outdoor commercial recreation, outdoor commercial amusement, or outdoor commercial entertainment	Not allowed in the C-1, C-2 zones and not allowed within 150' of a residential use or zone. This limitation excludes outdoor music as per MKC 19.60.060 A.1.
Recreational vehicle campgrounds	Not allowed in the C-1, C-2 zones
Impound, Vehicle Recycling, and/or junk yards	Not allowed in the C zones
Short-term rentals	Not allowed unless part of a mixed use development

*Arterial intersections are defined as those major intersections where Murray-Holladay Rd., 4500 S, 3900 S, and 3300 S intersect with 300 W, West Temple, Main Street, State Street, 500 East, 700 East, 900 East, 1100 East, 1300 East, Highland Drive, 2000 East, 2300 East, 2700 East, and Wasatch Boulevard. Distance is measured as a radius from the applicant's nearest property line to the arterial intersection ROW line and/or to the property line of the nearest substantially similar business. Any overlap of the radius onto the applicant's property excludes the entire property.

*Repealed & Reenacted by Ord. 17-35 on 7/10/2017
Amended by Ord. 18-28 on 5/14/2018*

19.60.040 Accessory Uses

Accessory uses and structures shall be subordinate/incidental to the main use and structure. Other than food trucks such uses shall not be allowed in the front or side yards facing a street.

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

19.60.050 Bulk And Yard Regulations

Bulk and Yard Regulations establishes bulk and yard regulations for the commercial zoning districts.

Table 19.60-3 BULK & YARD REGULATIONS

	C-1	C-2	C-3
MINIMUM LOT AREA	None required	None Required #1	None Required #1
MINIMUM LOT WIDTH	None Required	None Required #2	None Required #2

MAXIMUM BUILDING HEIGHT	30 Feet	40* Feet	40* Feet
MAXIMUM LOT COVERAGE	80 Percent	80 Percent Mixed Use: 60 Percent with a minimum 40 percent open space	80 Percent Mixed Use: 60 Percent with a minimum 40 percent open space
MINIMUM BUILDING HEIGHT	1 story	1 story, See Footnote 5.	1 story
MINIMUM FRONT YARD	20 Feet	Mixed Use: 25 Feet, See Footnote 3 Other Uses; 20 Feet. See Footnote 4	Mixed Use: 25 Feet, See Footnote 3 Other Uses; 20 feet. See Footnote 4
MINIMUM REAR YARD	If located adjacent to residential zoning, 25 feet, otherwise non required	Mixed use: 25' If located adjacent to residential zoning, 25 feet, otherwise non required	Mixed Use: 25' If located adjacent to residential zoning, 25 feet, otherwise non required
MINIMUM INTERIOR SIDE YARD	If located adjacent to residential zoning, 10 feet, otherwise non required	If located adjacent to residential zoning, 10 feet, otherwise non required	If located adjacent to residential zoning, 10 feet, otherwise non required
MINIMUM CORNER SIDE YARD	20 Feet	20 Feet	20 Feet
ACCESSORY STRUCTURES: REAR AND INTERIOR SIDE YARD	1 Foot	1 Foot	1 Foot
ACCESSORY STRUCTURES:	10 Feet	10 Feet	10 Feet

REAR AND INTERIOR SIDE YARD WHEN ABUTTING RESIDENTIAL USE			
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*Greater height may be granted up to a maximum of 75 feet by the Planning Commission through an evaluation of terrain differences, views, and the heights of buildings that are immediately adjacent to the proposed building in comparison to the proposed building. Higher building requests shall only be considered if they are mixed use or exclusively office uses, exceed the building design standards of this ordinance, include a 10' usable setback between the second and third floors, provide an additional 10' front yard setback as a public space adjacent to the ROW, and not exceed the lot coverage requirement. Based on the above evidence provided by the applicant, the Planning Commission will determine if the proposed height is acceptable and that such height will not create reasonably anticipated detrimental effects on adjacent properties. This flexibility is only allowed in the Meadowbrook area including State Street, and the Highland Drive and 13th East areas along 3300 S and within a 500' radius of those intersections.

TABLE 19.60-3: NOTES:

1. For mixed use buildings containing residential dwellings, no minimum lot area is required per unit, but a development site must consist of at least 21,000 square feet to be eligible for a mixed use building containing residential dwellings.
2. Mixed use buildings containing residential dwellings must include residential amenities per the requirements established in MKC 19.44.050.
3. For mixed use buildings containing residential dwellings, no minimum lot width is required.
4. For the purposes of this chapter, where setbacks are measured from a right-of-way containing a fully improved sidewalk, setbacks from a right of way shall be measured from where the edge of the sidewalk that is adjacent to the public right-of-way. Where fifty percent or more of the lot frontage is developed, the front yard shall not be less than the average of the existing buildings, but in no case less than fifteen feet.
- ~~5. For buildings adjacent to residential uses, the side and rear yards abutting single family residential uses shall be increased by one foot for every two feet that the structure exceeds 30 feet in height.~~
5. For any development adjacent to an R-1, R-2, R-4, A-1, or A-2 zone ("residential zone"), the maximum height for structures within 100 feet of a residential zone shall not exceed 28 feet.
6. Multi-family residential developments may include rooftop gardens or patios provided the rooftop garden or patio is set back a minimum of 100 feet from the property line.
7. For "automobile service station" uses, gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. In addition, canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than 4' feet from any required setback.

8. Notwithstanding contrary definitions found in MKC Title 19 Zoning, building height is measured from the natural grade to the highest point of the roof.

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

19.60.060 Special Regulations For Commercial Zones

1. General Conditions in the C-1 Zone. Stores, shops or businesses in C-1 zones shall be retail or neighborhood service establishments only, and shall be permitted only under all of the following conditions:
 - a. Business shall be conducted wholly within an enclosed building, except for the parking and servicing of automobiles, and service to people in automobiles, except that any type of restaurant may have outdoor dining. Outdoor music associated with the restaurant, shall comply with the Salt Lake County Noise ordinance.
 - b. All products, whether primary or incidental, shall be sold at retail on the premises.
2. Business Uses and Conditions in the Commercial Zones shall be free from objectionable and unreasonable odor, dust, smoke, noise, vibration, or similar problems.
3. Design Standards for C-1, C-2, C-3 zones
 - a. Entrances to the first floor of commercial and mixed use buildings shall front on the street. Windows shall make up at least 50% of first floor street-facing facades. Top floors shall have architectural differentiation from the other floors in the building.
 - b. No more than one row of parking is allowed between the building(s) and the street within 300' of any major intersection. No parking is allowed between the street and the building in any town center area.
 - c. Corner lots are deemed to have two front yards.
 - d. The front yard setback is the build-to-line within 300' of any arterial/major intersection (see MKC 19.60.030 Prohibited uses, limitations for definition). At least 50 percent of the front elevation of the building(s) must be built within 10 feet of the build-to-line or as approved by the Planning Commission. A build-to-line is defined as the line at which construction of a building facade is to occur on a lot, running parallel to the front property line, and ensuring a uniform (or more or less even) building facade line on the street.
 - e. Landscaping along the street shall comply with this chapter and MKC 19.77.
 - f. Signage for commercial or office uses is defined in MKC 19.82.
 - g. Garbage and Recycling. The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage in harmony with the neighborhood so as to minimize detrimental effects of the collection, storage, and removal on any residence within the development or abutting neighborhoods. If dumpster enclosures are provided for the development, no refuse dumpster or dumpster enclosure structure shall be located closer than 10 feet to any perimeter property line. Enclosure structures must have a minimum of four sides that reflect or emulate the materials, design, and quality of the overall development. All developments shall provide recycling services.
 - h. Parking (MKC 19.80) for Mixed Use developments may be reduced based on a traffic study by a qualified transportation engineer.
 - i. Building Materials. Exterior materials of a durable or resilient nature such as brick, stone, stucco, prefinished panel, composite materials, or other materials of similar quality, hardness, and low maintenance characteristics shall be used. No single material is allowed to exceed 50 percent on street-facing facades. Windows are not allowed to be

less than 50% of the gross street-facing facade square footage. Other materials may be considered for soffits, or as an accent or architectural feature. Twenty-five year guarantee, architectural shingles and/or other longer lasting roof materials are required.

- j. Landscaping on Public Right-of-Way. Where a development is adjacent to a public right-of-way, a permanent open space shall be required along any front, side, or rear yard adjacent to said right-of-way. This area shall be kept free of buildings and structures (except fences, as per MKC 19.77.050, and approved by the Planning Commission), and permanently maintained with street trees and other landscaping, screened or protected by natural features, as per MKC 19.77. If such areas are the result of double frontage lot designs with inadequate access to the street, such areas shall be landscaped as per MKC 19.77 with a minimum of a five foot landscaped area next to the public ROW. Fences shall not be located within this five foot landscaped area. Aesthetic entrance features are encouraged. Additional landscape treatments or buffers may also be required with width and landscaping specifications as per MKC 19.77. Double frontage lots with parking lots adjacent to the street may substitute a screen wall a minimum of 3' in height for this fencing requirement.
- k. Perimeter Fencing. Fencing is required for non-residential uses located adjacent to residential uses. Acceptable fencing materials include architecturally designed brick, stone, or block, or pre-cast concrete. Fencing with materials using composite products, wrought iron, wood, or vinyl may be allowed with a minimum two foot wide, six foot tall brick or stone pillars spaced every ten feet on center. Unless otherwise allowed by the Planning Commission, exterior fencing along a public right of way shall be limited to brick, stone, or block, or pre-cast concrete and be setback a minimum of 5 feet from the property line to allow for a landscaping buffer designed in accordance with MKC 19.77 to soften long expanses of walls. Interior fencing shall comply with MKC 19.78.030(11) (f).
- l. Interior Street Lights. Street and pedestrian lighting for streets on the interior of the development is required. All lighting fixtures shall be directed downward with mechanisms to prevent dark sky illumination. The applicant shall submit a plan must submit a photometric plan for review which indicates the type and location of lights in relation to the development and designed for pedestrian safety. Minimum Average Foot-Candles for interior streets shall be shall be 0.3 and the fixture height shall not exceed 25 feet. No on-site light poles may be located closer than 10 feet from the public right of way.
- m. Access between uses. Vehicular and pedestrian access between uses that does not force vehicles out to the adjacent street is required.

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

19.60.070 General Standards Of Applicability

1. The use and development of property within the Commercial Zones are also subject to other applicable chapters in the zoning ordinance, such as, the Parking MKC 19.80, Water Efficient Landscaping, MKC 19.77, Signs, MKC 19.82, etc.
2. Standards in other chapters may apply. In the event there is language elsewhere in MKC Title 19 that conflicts with language in this chapter, the more restrictive standard prevails.
3. In any rezoning process, a development agreement shall be required at the sole discretion of the City. "Development Agreement" means an agreement negotiated and entered into by the City with a property owner and/or developer, pursuant to a proposed development within the City. The Agreement must (1) specify and describe the proposed development through text, site plans and elevations (2) detail the amenities and other benefits being provided to the City and its residents

(3) utilize a development agreement form approved by the City. The Development Agreement shall run with the land and be binding on all successors and assigns of the property owner or developer; however, each Development Agreement shall include a clause that allows the City to re-zone the property and withdraw from the Development Agreement if the Development Agreement is not recorded within two (2) years of execution of the Agreement.

Repealed & Reenacted by Ord. 17-35 on 7/10/2017

Chapter 19.77 WATER EFFICIENT LANDSCAPE DESIGN AND DEVELOPMENT STANDARDS

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19.77.010 Purpose And Intent

- A. The purpose of this chapter is to establish standards for the protection and enhancement of the City's environmental, economic, recreational, and aesthetic resources. The landscape design and development standards set forth in this chapter are intended to promote the following:
1. More efficient use of water resources for landscape irrigation purposes;
 2. Preservation and enhancement of the City's environmental and aesthetic character;
 3. Enhancement of land use compatibility and promotion of design continuity between adjacent land uses;
 4. Reduction of energy consumption through the prudent placement of plant materials;
 5. Improved management of stormwater runoff;
 6. Reduction in the absorption and re-generation of heat from paved vehicular parking areas and other impervious surfaces;
 7. Separation of vehicular and pedestrian functions within on-site vehicular circulation and parking areas;
 8. Spatial and visual separation of parked vehicles from public view and adjacent vehicular travel ways;
 9. Reduction of vehicular headlight glare and intrusive artificial light onto area residences;
 10. Reduction of development-related environmental impacts through improved management of erosion, noise, dust, air pollution and glare;
 11. Re-introduction of native and low water use plant species into the developed environment;
 12. Reduction of landscape maintenance responsibilities and costs.

19.77.020 Scope And Applicability

Homeowner-provided landscape improvements within the front, side and rear yards of single- and two-family dwellings are exempt from the requirements of this chapter.

- A. Newly Established Land Uses. Except as noted above, these landscape standards shall be applied to all new developments in the City. Residential development projects such as but not limited to planned unit developments, condominiums, multifamily residential developments and residential subdivision projects in which improvements such as but not limited to the dwelling units, common area, recreational amenities and infrastructure improvements are provided by the developer shall be landscaped in accordance with the requirements of this chapter.
- B. Existing Developments. Land use developments in existence at the effective date of this chapter shall, to the maximum extent feasible, be brought into compliance with the chapter's provisions if:
 - 1. The gross floor area of improvements existing on the property at the effective date of this chapter are changed, modified, or expanded by more than twenty percent. Compliance under the noted circumstances applies whether the changes, modifications, or expansions occur in a single event or in incremental stages.
- C. Off-Street Parking.
 - 1. New Developments. Off-street parking facilities for all new developments shall be landscaped in accordance with the requirements of this chapter. These include:
 - a. Surface or at-grade parking areas;
 - b. The exterior perimeter of parking structures at all levels, as well as the open-air top parking level of such structures.
 - 2. Existing Parking Areas. Off-street parking areas in existence on the effective date of this chapter shall be brought into compliance with the provisions of the chapter as noted below:
 - a. Expansion by Fifty Percent or Less. When an existing off-street parking area is expanded by fifty percent or less the newly established expansion area shall be brought into compliance with both the interior and exterior/perimeter landscape requirements of this chapter.
 - b. Expansion by More Than Fifty Percent. When an existing off-street parking area is expanded by more than fifty percent, the entire expansion area shall be brought into compliance with both the interior and exterior/perimeter landscape standards of this section. The pre-existing parking area, while not required to be retroactively brought into compliance with this section's interior parking area landscape requirements, shall be made to conform to exterior/perimeter area landscape standards.
 - c. Repeated Expansions. Repeated expansions of a parking lot area over a period of time commencing with the effective date of this chapter shall be combined in determining whether the fifty percent threshold has been reached.
- D. 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 containing no more than ten parking spaces;
 - 3. The interior display areas of vehicle and equipment sales lots;
 - 4. The interior areas of vehicle and equipment storage lots;
 - 5. Properties listed on the national or state historic registers.

In addition, areas dedicated and used for the following specific purposes are exempt from

the landscape water allowance limitations of this chapter:

- a. Sports fields;
- b. Turf areas within public parks;
- c. Golf courses;
- d. Cemeteries.

Although exempt from landscape water allowance limitations, all other provisions of this chapter shall apply. In particular, landscaping shall be provided in the interior and perimeter areas of off-street parking facilities, adjacent to buildings, and along walkways.

19.77.030 Promotion Of Maximum Water Efficiency

- A. Establishment and Maintenance of a Site-Specific Landscape Water Allowance. So as to assure more efficient water consumption in the establishment and long-term maintenance of site landscape improvements, an annual landscape water allowance shall be established and maintained for each property improved as set forth in this chapter.

The landscape water allowance shall be calculated using the following equation:

Landscape Water Allowance = $ET_0 \times 1.0 \times 0.62 \times A$ where landscape water allowance is in gallons per year.

ET_0 = Reference evapotranspiration in inches per year.

1.0 = ET_0 adjustment factor, one hundred percent of turf grass ET_0 (water year adjustment factor).

0.62 = Conversion factor (to gallons per square feet).

A = Total irrigated landscape area in square feet.

The ET_0 or reference evapotranspiration for the City is 31.18 inches per year. Converting this figure so that a landscape water allowance can be expressed in gallons per year requires the use of the conversion factor to obtain an equivalent amount in gallons per square foot (19.33). An ET_0 adjustment factor of one is used in order to accommodate the use of turf under circumstances that promote maximum water efficiency.

Acceptable water efficiency shall be deemed to have been achieved when the approved landscape plan indicates a landscape water allowance of no more than fifteen gallons per square foot average for the entire landscaped area of the site. Multiplying this figure by the total irrigated landscape area in square feet yields the annual water budget for landscape use for the property.

- B. Introduction and Use of Native and Other Drought-Tolerant Plants. In order to promote maximum water conservation, not less than eighty percent of the trees and shrubs used on a site shall be water conserving species capable of withstanding dry conditions once established. Native plants shall be used to the maximum extent feasible. Drought-tolerant grass varieties shall be used in areas planted in turf or lawn. Lists of plants that satisfy these requirements and that are available locally may be obtained from the director.
- C. Plant Establishment and Arrangement on the Basis of Water Consumption. Among the many ways in which plants may be distinguished from one another is categorization on the basis of water use. Establishment and arrangement of plants on a site according to the water needs of those plants is commonly referred to as hydrozone management. Hydrozone management is

required by this chapter and shall be implemented through the use of the following:

1. Plants with similar water needs shall be grouped together as much as possible.
2. Areas landscaped with high water use plants shall be, whenever possible, separated from those with low and very low water use by moderate water use landscape zones.
3. For projects located at the interface between urban areas and natural (nonirrigated) open space, drought-tolerant plants that will blend with the native vegetation shall be selected. Plants that tend to accumulate excessive amount of dead wood or debris are to be avoided. Plants with low fuel volume or high moisture content are preferred. Every effort is to be taken to minimize fire hazards. Lists of plants that satisfy these requirements and that are available locally may be obtained from the director.
4. Areas with slopes greater than thirty percent shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization.
5. Park strips and other landscaped areas less than ten feet wide shall be landscaped with water-conserving plants.

D. Irrigation System Requirements.

1. Designer Qualifications. All sprinkler irrigation systems shall be designed by a qualified professional who is licensed under Utah Code Title 58 or by a person who is exempt from professional licensure requirements for the scope of work performed.
2. Design Standards. Irrigation design standards applicable to this chapter shall be as outlined in the latest version of the minimum standards for efficient landscape irrigation system design and installation prepared by the Utah Irrigation Association, subject to the following modifications and additions:
 - a. Pressure Regulation. A pressure regulating valve shall be installed and maintained if the static service pressure exceeds eighty pounds per square inch (psi).
 - b. Automatic Controller. All irrigation systems shall include an electric automatic controller with multiple programs, multiple repeat cycle capabilities so as to reduce runoff on slopes and soils with slow infiltration rates, and a flexible calendar program. All controllers shall be capable of utilizing an automatic rain shut-off device, and the ability to adjust run times based on a percentage of maximum ET₀.
 - c. Slope Adjustments. On slopes exceeding thirty percent, the irrigation system shall consist of low precipitation rate rotors or spray heads, drip emitters, or bubblers with a maximum precipitation rate of 0.85 inches per hour and adjusted irrigation cycle times to eliminate runoff.
 - d. Irrigation Zones and Use. Each zone shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and nonturf areas shall be irrigated on separate zones. Drip emitters and sprinklers shall be placed on separate zones.
 - e. Tree Irrigation. Drip emitters or bubblers shall be provided for each tree not planted in a turf area. Irrigation in the vicinity shall be factored in to prevent under or over-watering and to ensure deep root growth. Bubblers shall not exceed one and one-half gallons per minute per device. Bubblers for trees shall be placed on a separate valve as warranted by tree species and area conditions.
 - f. Turf Zones. Sprinklers shall have matched precipitation rates with each zone.
 - g. Elevation Adjustments. Check valves shall be required where elevation differences will cause low-head drainage. Pressure regulating valves and pressure compensating heads and drip emitters with a pressure regulating device shall be

required where a significant variation in water pressure will occur within the irrigation system due to elevation differences.

- h. Requirements for Drip Irrigation. Drip irrigation lines shall have filters and automatic end flush valves and be protected by organic or rock mulch.
- i. Automatic Controller Zones. Zones with spray or stream sprinklers shall not be scheduled to operate between the hours of ten a.m. to seven p.m. so as to reduce water loss from wind and evaporation. Drip irrigation systems are subject to no such operational constraints.
- j. Operational Efficiency. The minimum efficiency required for irrigation systems established in accordance with the requirements of this chapter is as follows:
 - 1. The distribution efficiency for all fixed spray systems shall be sixty percent.
 - 2. The distribution efficiency for all rotor systems shall be seventy percent.
- k. Scheduling of System Operations. A schedule shall be developed which allows for plant material to be established. This shall have a maximum two-year time period. Once established, a revised schedule shall be developed for maintenance of the plant material. The schedule presently in effect shall be posted at the controller. The schedule shall reflect an application rate which achieves optimum system efficiency, a minimum one-hour time interval between all applications, and provisions against irrigation during restricted hours.

19.77.040 Landscape Design Standards And Guidelines

- A. Standards Applicable to All Developments. Required site landscape improvements shall be provided in accordance with the standards and design guidelines set forth in this chapter. The standards set forth herein are numerically measurable so as to readily facilitate the preparation, review and approval of landscape plan submittals and the subsequent verification of compliance with the requirements of the chapter. Design guidelines, though not precisely measurable, are intended to clarify the principles associated with specified standards, provide guidance for the review and approval of submitted landscape plans, and provide flexibility for design professionals who wish to propose alternative compliance approaches.
- B. Retention of Significant Natural Features. Features that are unique to a property, such as but not limited to that property's natural topography, existing vegetation, or riparian features shall be taken into consideration in the planning and design of landscape improvements for that property. Priority is to be given to the preservation or protection of existing natural areas, particularly where mature or specimen trees or wooded riparian areas are a part of a proposed development site. The proposed locations of streets, buildings and lots shall, as much as possible, minimize disturbance to significant existing trees.
- C. Tree Preservation, Removal and Replacement.
 - 1. All healthy trees having a caliper of four inches in size or larger shall be preserved to the maximum extent feasible. Preserved trees shall be credited to the satisfaction of replacement trees on a three to one caliper-to-caliper basis.
 - 2. Preserved trees shall be credited toward the satisfaction of the tree planting requirements of this chapter.
 - 3. Where existing trees are to be protected, the following standards shall apply:
 - a. A fenced tree protection zone shall be established around each tree or cluster of trees to be retained. The perimeter of this zone, which shall coincide with the drip line of the tree or trees to be protected, shall be clearly marked with high-visibility materials at a minimum height of four feet.

- b. The storage or movement of equipment, material, debris or fill is prohibited within the fenced tree protection zone so as to minimize soil compaction.
 - c. The cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree is prohibited within the drip line of any protected tree or group of trees.
 - d. No cut or fill is permitted within the drip line of any protected existing tree or group of trees unless a qualified arborist, forester or landscape architect has evaluated and approved the disturbance.
 - e. All protected existing trees shall be pruned as specified by a qualified arborist or forester.
 - f. No damaging attachment, wires, signs or permits may be fastened to any protected tree.
 - g. Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree as required above. This may be accomplished by placing metal t-post stakes a maximum of fifty feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
4. The removal of trees is allowed under the following circumstances:
- a. Where trees have naturally fallen or are determined by a licensed arborist to be dead or dying.
 - b. Where trees have been diagnosed by a qualified arborist as unhealthy beyond reasonable rehabilitation.
 - c. Where trees are determined to be potentially harmful to the public health, safety or welfare.
 - d. Where it has been determined by the county on behalf of the city that tree removal is necessary to restore clear visibility at driveways and intersections.
 - e. Where the preservation of trees would prevent reasonable site grading to accommodate a functional arrangement of buildings and related improvements on the property. Written documentation of the above is required prior to the removal of any tree.
5. Trees having a caliper of four inches in size or greater which are removed shall be replaced on the development site by trees of no less than two-inch caliper in size. The required replacement ratio shall be one tree for every two caliper inches (cumulative) of trees removed. Replacement trees shall not be credited toward the satisfaction of the tree planting requirements of this chapter but shall be in addition to that otherwise specified.
- D. Exposure to Sun and Wind. Plant selection and placement shall recognize the importance of energy conservation. Deciduous trees which are sun tolerant shall be planted on the south and west sides of buildings so as to provide shade from summer sun while allowing winter sun to radiate into buildings. Shade-tolerant plants and evergreen trees shall be planted on the north to northwest sides of buildings in order to reduce the chilling effects of winter winds.
- E. New Plantings. The measurements and specifications for all live plants used to fulfill the requirements of this chapter shall be as set forth in the American Standard for Nursery Stock (ANSI Z60.1-204) as published and periodically amended by the American Nursery and Landscape Association. The following are minimums in relation to those standards. Nothing in this chapter shall be interpreted to prohibit the provision of landscape improvements in excess of these minimums.
- 1. Plant Quality. Required plant materials shall be nursery or field grown, unless otherwise approved, and shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety, free from defects decay, disfiguring roots, sun-scald, injuries,

abrasions of the bark, plant diseases, insect pest eggs, borers and all forms of infestations or objectionable disfigurements of diseases, insects and injuries.

2. Plant Coverage and Growth Rate. The quantity and size of materials planted shall be sufficient to attain a percentage of coverage of seventy-five percent of organically planted areas within three years of initial planting.
3. Species Diversity. A variety of plant species shall be utilized in all site landscaping. No one species may make up more than twenty-five percent of the total nonturf plant materials within the landscaped area. In order to prevent uniform insect or disease susceptibility and to stem the untimely degeneration or premature deterioration of trees planted or retained on a development site or in the adjacent area, species diversity is required. The following minimum requirements shall apply.

TOTAL NUMBER OF TREES ON SITE	MAXIMUM PERCENT OF ANY ONE SPECIES
10—19	50%
20—39	33%
40—59	25%
60 or more	15%

4. Special consideration shall be given to canyon areas to protect against decimation due to insect or disease infestations.
5. Lawn and Turf Areas. Areas proposed for planting in turf or lawn shall be a minimum of ten feet in width. Drought-tolerant grass varieties shall be established and maintained.
6. Mulch. All landscape areas not planted with shrubs, perennials, turf or other groundcover shall be covered with a minimum three-inch layer of mulch (except around the crown of plants) to retain water, inhibit weed growth, and moderate soil temperature. Newly planted trees in areas predominantly improved with turf shall be provided a plant-free mulched area with a minimum radius of four feet around the trunks in order to protect the trunks from turf-maintenance operations and expedite tree root establishment. Nonporous materials (e.g., plastic) shall not be placed under the mulch. Bare soil is not permitted.
7. Tree Placement. Trees shall be located to provide summer shade and limit winter shade on walks, parking lots, and streets.
8. Root Accommodation. Prior to the installation of trees, a determination shall be made as to whether root barriers are necessary to prevent roots from uplifting or cracking sidewalks or other hard surface improvements in the vicinity of the tree. Root barrier collars and root path trenches shall be installed as needed to provide such protection and to ensure healthy tree root growth.
9. Tree Size Requirements at Planting. All new and replacement trees shall meet the following minimum size requirements at planting:

a. Deciduous	two-inch caliper
b. Ornamental and flowering	one and one-half inch caliper
c. Evergreen	six feet tall

10. Where the above plant materials are secured on the basis of container size, equivalency shall be in accordance with the American Standard for Nursery Stock (ANSI Z60.1-204) as published and periodically amended by the American Nursery and Landscape Association.
 11. Shrub Size at Planting. All shrubs shall be a minimum of twelve inches in height or spread (typically five gallon in size at planting, except when used solely for screening purposes, in which case twenty-four inch in height or spread is required).
 12. Area Requirements for Landscape Improvements. No less than twenty percent of the gross area of a property subject to the requirements of this chapter shall be improved and maintained as landscape area. Land area encumbered by buildings, structures, paving and other impervious surfaces not related to on-site landscape improvements shall not be considered in the calculation of landscape area.
- F. Design Guidelines. The intent of design guidelines is to acknowledge the expertise and integrity of licensed design professionals and to afford them a commensurate level of flexibility in achieving the purposes and intent of this chapter. Guidelines are included in this chapter so as to clarify or expand upon the principles associated with specified standards. They are further provided for guidance in the preparation and submittal of complying landscape plans. Design guidelines may be used either in conjunction with or in lieu of other required on-site landscape improvements. When employed in lieu of strict compliance with chapter provisions, substantiation of compliance with the purposes and intent of this chapter is required.
1. Separation and Screening with Plant Material. The intent of this guideline is to soften long expanses of building walls, fences and other hard-surface barriers and to effectively screen such surfaces from undisturbed on- or off-site view. Its further intent is to separate and screen new buildings and ancillary site improvements and activities from off-premise view.
 2. Integration with Plantings. The intent of this guideline is twofold; (1) to provide better integration of newly constructed or remodeled site building improvements and outdoor spaces with other site improvements in the vicinity, or (2) to significantly enhance area characteristics through the coordinated introduction of new architectural themes, outdoor areas, and landscape improvements into areas in need of rehabilitation. In either event the incorporation of a diversity of plant materials, colors, textures, heights and aesthetic considerations of a similar nature may be employed.
 3. Establishing Privacy. Privacy is particularly important where larger buildings are proposed next to the side or rear yards of smaller buildings. In such instances a higher-than-normal incidence of vertical landscape elements may be employed to address privacy concerns.
 4. Land Form Shaping. Retention of existing land form is encouraged where site topography beneficially serves aesthetic and aquifer recharge purposes. Where reconfiguration of existing topographic conditions on a site is required to achieve these purposes, such grade changes should be either reminiscent of or complementary to natural land forms in the vicinity. The resulting land form modifications should, in either event, incorporate a high

degree of both horizontal and vertical land form articulation, creating both berms and swales for aesthetic variety and groundwater collection purposes.

5. Visual Integration of Fences or Walls. Security fences and solid visual barriers commonly detract from the aesthetics of the area in which they're established. Similarly, though not so severely, garden walls, privacy fences, screen panels, arbors, and structures of a like nature may adversely affect area aesthetics. In such instances creative landscape enhancements may be employed to change the sense of proximity to such structures and to improve area aesthetics.

In applying these or similar strategies to achieve the purposes and intent of this chapter, the objectives with regards to aesthetic enhancement of on-site improvements are to:

- a. Add visual interest adjacent to large expanses of building walls;
- b. Enhance the architectural features of new building construction;
- c. Provide better site integration of structural improvements;
- d. Soften hard edges;
- e. Enhance the compatibility of land uses of different character, intensity, and density;
- f. Reduce the potentially adverse impacts of site-generated noise;
- g. Screen views into or between windows and defined outdoor spaces;

In applying these or similar strategies with regards to the integration of on-site improvements with surrounding areas, the objectives are to:

1. Mitigate potential conflicts between divergent land uses, development densities or intensities, and building design or scale;
2. Maintain privacy for existing area residences;
3. Provide appropriate transitions between developed, managed landscape areas and those comprised of more natural vegetation;
4. Introduce high quality site improvements into areas in need of redevelopment.

19.77.050 Landscape Yards Or Setbacks And Buffer Areas

A. Landscaping Required.

1. Improvement Requirements in Relation to Yard Depth. In all zones where a front yard is required the entire frontage and depth of that yard area and any side yard area abutting a street shall be landscaped. Visibility at intersecting streets shall be maintained as set forth in MKC 19.76.160. Parking areas shall not encroach on these minimum required setbacks except as herein authorized. The perimeter boundaries of all off-street parking areas that abut streets accessible to the public shall be landscaped and screened from public view. Specified yard area depth measurements are from the public right-of-way or private street easement boundary.
 - a. Front and street side areas where a yard or setback depth of no less than twenty feet is maintained.
 1. An area of land graded and re-contoured at a maximum slope ratio of 3:1 (three feet horizontal to one foot vertical) so as to provide a meandering earthen berm traversing the entire width of the area and having a maximum height of three feet and an average height of thirty-two inches, as measured from the grade of the closest abutting sidewalk or top of curb.

2. Landscaping within yards located between a street and a parking area shall include street trees as specified in this chapter. In addition, not less than fifty percent of these landscaped yards shall include a mix of evergreen and deciduous shrubs, herbaceous perennials, and nonturf groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents so long as the combination of berms, plantings and visual accents effectively screen from public view any parked vehicles in contiguous off-street parking areas on the property.
- b. ~~Provisions for Yard Reductions to No Less Than Fifteen Feet. Front and street side yards or setback areas with no abutting off-street parking may be reduced to a depth of not less than fifteen feet with provision of the following:~~
1. ~~An open decorative fence (picket, split rail, etc.) on the interior side of the landscaped area. Alternatively, a continuous hedge no less than three feet in height at planting, as measured from the grade of the abutting sidewalk or street, may be provided.~~
 2. ~~An area of land graded and re-contoured at a maximum slope ratio of 3:1 (three feet horizontal to one foot vertical) so as to provide a meandering earthen berm traversing the entire width of the area and having a maximum height of thirty two inches and an average height of two feet, as measured from the grade of the closest abutting sidewalk or top of curb.~~
 3. ~~No less than seventy-five percent coverage of the landscaped area with street trees (includes canopy at maturity) as specified in this chapter together with a mix of sub-canopy evergreen and deciduous shrubs, herbaceous perennials, and nonturf groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents.~~
- c. Provisions for encroachment of off-street parking areas into required front and street side yards or setback areas.
1. Encroachments to Within Twelve Feet. Off-street parking areas may encroach into required front and street side yard or setback areas such that a minimum depth of not less than twelve feet is maintained subject to provision of the following:
 - A. An area of land graded and re-contoured at a maximum slope ratio of 3:1 (three feet horizontal to one foot vertical) so as to provide an earthen berm traversing the entire width of the area with a height of no less than thirty inches above the grade of the abutting sidewalk or street and supported on its interior side by a masonry retaining wall no less than four feet in height above the grade of the abutting off-street parking area surface. The use of this alternative is restricted to properties where it is feasible to provide a parking area with a finished grade at least two feet below the grade of the adjacent street.
 - B. No less than seventy-five percent coverage of the landscaped area with street trees (includes canopy at maturity) as specified in this chapter, together with a mix of sub-canopy evergreen and deciduous shrubs, herbaceous perennials, and nonturf

groundcover. The balance of this area may be planted in turf and utilized for the placement of large boulders or similar visual accents.

2. Encroachments to Within Eight Feet. Off-street parking areas may encroach into required front and street side yard or setback areas such that a minimum depth of not less than eight feet is maintained subject to provision of the following:
 - A. A horizontally and vertically articulated decorative wall along the interior edge of the yard or setback area. Said wall shall have a minimum height of thirty-six inches, a maximum height of forty-eight inches and an average overall height of forty-two inches as measured from the adjacent paved parking area, if provided, or from the adjacent sidewalk or street surface level, if not. In plan view the decorative screen wall shall vary by eight to sixteen-inch offsets at linear intervals along the wall of every eight to ten feet.
 - B. No less than ninety percent coverage of the landscaped area with street trees (includes canopy at maturity) as specified in this chapter, together with a mix of sub-canopy evergreen and deciduous shrubs, herbaceous perennials, and nonturf groundcover. The balance of this area must be surfaced with mulch in accordance with the standards of this chapter and may be utilized for the placement of large boulders or similar visual accents.

NOTE: Site improvements in conjunction with permitted and conditionally permitted uses in the M-1 and M-2 manufacturing zones are exempt from the above landscape area requirements.

2. Plant Quantities. Regardless of depth, all landscape areas adjacent to a street (including required park strips) shall be planted and maintained with the following:
 - a. One and one-fourth trees per one thousand sq. ft. of the ground or main floor level of nonresidential buildings in commercial zones.
 - b. Two trees per one thousand sq. ft. of the ground or main floor level of buildings in manufacturing zones.
 - c. One tree per twenty-five lineal feet of street frontage (not applicable to manufacturing and warehouse uses).
 - d. One shrub per four lineal feet of building foundation (may be grouped).
 - e. Any combination of other live plant materials and decorative features consistent with the requirements of this chapter.
- B. Interior Side and Rear Yards. The side and rear yard areas required by this title shall be landscaped and maintained as set forth in this chapter. Overhanging or cantilevered structures may not encroach upon such areas.
- C. Buffer Areas Between Nonresidential and Residential Land Uses. A landscaped buffer area not less than twenty feet wide shall be required between nonresidential and residential uses. A minimum of one tree for every twenty-five linear feet of landscape buffer is required. Either a linear or cluster arrangement of trees is allowed so long as the spacing of provided trees adequately

screens the nonresidential use from the adjacent residential area. If a linear arrangement of trees is provided, tree spacing shall not exceed twenty-five feet on center.

19.77.060 Parking Lot Landscaping

- A. Interior Parking Planters. Landscaped planters, which may incorporate depressions for the collection of stormwater run-off, shall be provided in any parking lot containing twenty or more parking spaces. These planters shall be constructed to the following standards.
1. Landscape Planter Types.
 - a. Islands. Islands are planter areas parallel to and situated at the end of a row of individual parking stalls.
 - b. Peninsulas. Peninsulas are planter areas parallel to and situated at specified intervals within a row of parking stalls.
 - c. Medians. Medians are planter areas perpendicular to and separating opposing rows of head-in parking stalls.
 2. Landscape Planter Construction.
 - a. Landscape planters shall be constructed of continuous concrete curb in accordance with applicable standards and of no less than six inches in height unless a depression area for collection of stormwater runoff is provided.
 - b. A minimum four-foot radius curbing shall be provided along drive aisles.
 3. Location, Spacing and Minimum Number of Landscape Planters Required. Landscape planters shall be provided in accordance with the following:
 - a. One island at each end of a row of parking stalls, together with either:
 1. One peninsula for every six contiguous parking spaces or portion thereof per row where uninterrupted vehicular traffic flow is allowed between abutting parking spaces; or
 2. One continuous median per row of head-in parking stalls.
 - b. Flexibility is allowed in the configuration of landscape planters for rows with angled parking.
 4. Landscape Planter Length. The length of each landscape planter, measured from face of curb to face of curb, shall be as follows:
 - a. As an island at the end of a row of individual parking stalls, fifteen feet; for opposing rows of head-in parking stalls, thirty feet.
 - b. As a peninsula parallel to a row of parking spaces, fifteen feet.
 - c. As a median abutting a single row of parking stalls or as a divider median separating opposing rows of head-in parking stalls, equal to the length of each row.
 5. Landscape Planter Width. The width of each landscape planter, measured from face of curb to face of curb, shall be no less than:
 - a. Eight feet for each island at the end of a row of parking stalls.
 - b. Nine feet for each peninsula within a row of parking stalls.
 - c. Eight feet, with consideration for vehicle overhang, where divider medians occur adjacent to head-in, and ten feet, with the same considerations, for divider medians separating opposing rows of head-in parking stalls. Where divider

medians are improved with pedestrian walkways, the specified width is exclusive of the width of those walkways.

6. Vehicular Ingress/Egress Accommodation. That portion (eighteen inches minimum) of each landscape planter peninsula or island adjacent to a vehicular parking space shall be finished with a pervious surface suitable for temporary pedestrian use when exiting a vehicle. Alternatively, each such parking space may be provided at an additional eighteen-inch width and striped for pedestrian use. Stepping stones and graveled pathways shall be dispersed across and along median islands to minimize soil compaction and protect plant root zones.
 7. Distribution of Landscaped Planters. Interior planting areas shall be located to most effectively accommodate stormwater runoff, provide positive drainage away from buildings, and provide maximum shade for large expanses of paving.
- B. Plant Quantity, Size, and Diversity in Parking Lot Landscaped Planters.
1. Minimum Number of Plants Required.
 - a. Within landscape planter islands and peninsulas.
 1. One shade tree and four shrubs for each fifteen-foot planter,
 2. Two shade trees and eight shrubs per thirty-foot planter,
 3. Three additional shrubs where lighting standards are located in the planter.
 - b. Within landscape planter medians.
 1. Two shade trees and eight shrubs for every thirty linear feet, together with three additional shrubs for each lighting standard.
 2. Minimum Size Requirements at Planting.
 - a. Trees. Trees required for installation within interior parking areas shall be no less than two- inch caliper in size at planting.
 - b. Shrubs. No less what is customarily accommodated within a five gallon size container, in accordance with industry standards.
 - c. Groundcovers. No less than what is customarily accommodated within a one gallon size container in accordance with industry standards.
 3. Tree and Shrub Distribution.
 - a. Within landscape planter islands and peninsulas.
 1. In order to minimize damage by vehicles, trees shall not be planted closer than three feet to top back of curb or exterior edge of depressed parking lot landscaped planters.
 2. Shrubs shall be situated such that they remain within the confines of the planter at maturity.
 - b. Within landscape planter medians.
 1. Trees shall be planted such that they are dispersed from end to end of the planter at twenty-five to thirty-foot intervals (flexibility in actual placement is permitted).
 2. Shrubs shall be planted such that they assume as natural appearance as possible (flexibility in actual placement is permitted) yet remain within the confines of the planter at maturity.

4. Diversity of Plants. A mix of coniferous and deciduous trees and shrubs shall be provided in parking lot landscapes. Not less than forty percent of all trees and shrubs shall be coniferous except as warranted by site conditions.
- C. Mulch Required. Organic mulch shall be spread to a minimum depth of three inches and rock to at least two and one-half inches in depth in all parking lot landscaped planters. Appropriate measures shall be taken to retain the mulch within the planter and to renew it as necessary. Bare dirt is prohibited.
- D. Irrigation. Landscape planters within parking areas shall be irrigated with drip emitter or bubbler type irrigation systems only.
- E. Wheel Stops. Where vehicular parking stalls abut interior parking area landscaping that is not situated within and protected by a landscape planter, wheel stops shall be installed at a minimum of two feet from the edge of that landscape area.

19.77.070 Screening Of Service And Mechanical Equipment

- A. Screening Required. Service areas and on-grade mechanical equipment shall be screened from public view by plants, solid opaque fencing, berms, or a combination thereof. These elements shall also be sited to minimize their visibility and impact or enclosed so as to appear to be an integral part of the architectural design of the building. Site elements that are subject to this provision include but are not limited to the following:
 1. Air conditioning units;
 2. Electrical transformers;
 3. Loading areas and docks;
 4. Mechanical equipment;
 5. Outdoor storage areas;
 6. Public utility transformers;
 7. Service yards;
 8. Telephone transformers;
 9. Trash collection areas;
 10. Trash dumpsters.

19.77.080 Functional And Aesthetic Enhancements

- A. Pedestrian and Vehicular Pathways. The design of pedestrian and vehicular travel ways for multiple- family, residential, retail commercial, office, public and quasi-public, and mixed use developments shall incorporate plantings and related landscape improvements for separation of pedestrian and vehicular traffic movements, improved pedestrian convenience and safety, and better-defined vehicular circulation and parking.
- B. Building Entrances, Drop-off and Pick-up, and Outdoor Dining Areas. Plantings and related landscape improvements shall be incorporated into the design of building entrances, drop-off and pick-up, and outdoor dining areas in order to: separate these areas from on-site vehicular circulation and parking facilities and from off-site traffic; enhance pedestrian comfort, convenience and safety; and facilitate outdoor dining with maximum insulation from vehicular traffic impacts.
- C. Drive-Through Service Facilities and Automatic Car Washes. Plantings and related landscape improvements shall be provided in conjunction with drive-through service facilities and automatic car washes in order to: introduce a more aesthetically pleasing approach to these types of vehicular activities on newly developed or redeveloped sites; better integrate these types of

land uses into the established character of surrounding area improvements; and screen queued vehicles from the view of passing motorists on adjacent roadways.

19.77.090 Landscaping Of Detention/Retention Basins And Ponds

A planting area and related landscape improvements shall be incorporated into the design of all lands to be used as detention/retention basins and ponds. Such landscaping may include shade and ornamental trees, evergreens, shrubbery, hedges, turf, groundcover and other plant materials and related landscape improvements.

19.77.100 Landscape Plan Submittal Requirements

A. General Provisions.

1. All applications for site development plan approval for land uses subject to this chapter shall be accompanied by a landscape plan package and water allowance worksheet prepared in accordance with the requirements of this chapter.
2. Submitted landscape plan packages shall be prepared and certified for compliance with all requirements of this chapter by a landscape architect licensed to practice in the state of Utah under Title 58 of Utah Code. A landscape designer certified by the Utah Nursery and Landscape Association may submit a landscape plan package if the certified designer is employed by the contractor installing plantings of the specific project submitted.
3. All submitted irrigation plans shall be prepared by a qualified professional who is licensed under Utah Code Title 58 or by a person who is exempt from professional licensure requirements for the scope of work performed.

B. Landscape Plan Package Contents. The information to be provided with the landscape plan package shall be presented in the following format:

1. Conceptual Planting Plan. The intent of the conceptual planting plan is to illustrate the overall design concept for landscaping and depict how it relates to the proposed development of the site. The conceptual planting plan shall describe the general landscape design intent and the water conservation concept statement of the proposed landscape improvements. At a minimum, the conceptual planting plan shall include the information as set forth in the following tables codified in this chapter.
2. Preliminary Plan. The intent of the preliminary plan is to illustrate the master landscape plan for the development. The landscape preliminary plan shall state how the proposal is consistent with the purposes and intent of these regulations as set forth at the beginning of this chapter. At a minimum, the preliminary landscape plan shall include the information set forth in the following tables codified in this chapter.
3. Final Plan. The intent of the final plan is to ensure each phase of the final landscape plan is consistent with the master landscape plan for the development and to illustrate the specific landscaping details for each phase. The final landscape plan shall describe the design intention and shall state how the proposal is consistent with this section, and/or with the preliminary landscape plan, if one was required. The final landscape plan shall be on a separate page from the final site development plan. The scale shall not be greater than one inch equals to fifty feet. At a minimum, the final landscape shall include the information set forth in the following tables.
4. Project Data.

PROJECT DATA SHEET

INFORMATION REQUIRED	SKETCH	PRELIMINARY	FINAL
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The project title and City site development plan application number (the file number assigned to the development proposal that the landscape plan is associated with)	X	X	X
Preparation date and issue/revision/date table	X	X	X
The name, address, telephone number, fax, and e-mail of the applicant or authorized agent	X	X	X
The name, address, telephone number, fax, and e-mail of the landscape architect, landscape designer, or other qualified professional who prepared the landscape plan, together with their professional registration stamp (as required)	X	X	X
The landscape contractor to be used on the project, if known at the time of application	X	X	X
Site vicinity and location map, including the street address and tax identification number of the property	X	X	X
Sheet index	X	X	X
General landscape design intent statement including the general character and location of proposed landscaping and open area and how it meets the intent of these regulations	X	X	X
Annual water budget worksheet	X	X	X
Soils analysis and proposed soils amendments		X	X
Signature block for landscape package approval			X

5. Grading and Drainage Plan.

GRADING AND DRAINAGE PLAN SHEET

INFORMATION REQUIRED	SKETCH	PRELIMINARY	FINAL
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Scale, north arrow, site boundary including adjacent property lines and street names	X	X	X
Existing and proposed adjacent uses	X	X	X
Existing and proposed private driveways, off-street parking areas, patios, walkways, service areas and other paved surfaces	X	X	X
Existing and proposed buildings and structures (general locations)	X	X	X
Existing and proposed utilities and easements		X	X
Limits of proposed site disturbance		X	X
Existing and proposed building and structure finish floor elevations			X
Spot elevations and contour lines at not more than one foot intervals to determine high points and low points, positive drainage of paved surfaces, wall heights and other vertical control		X	X
Existing landscaping, including location, type and size	X	X	X
Any existing landscaping proposed to be removed	X	X	X

6. Landscape Planting Plan.

LANDSCAPE PLANTING PLAN SHEET

INFORMATION REQUIRED	SKETCH	PRELIMINARY	FINAL
Base plan consisting in information included on the grading and drainage plan	X	X	X
Limits of proposed site disturbance	X	X	X

General landscape improvements with planting symbols clearly drawn to indicate location and general plant category (deciduous tree, evergreen tree, deciduous shrub, evergreen shrub, groundcover, etc.)	X	X	X
Legend of plant category symbols keyed to general plant material schedule indicating quantities of each plant category and listing of plant species (include Latin name) included in each category		X	X
Typical detail drawings at one inch equals to twenty feet to illustrate perimeter treatment, buffering, typical front yard, and any special treatment areas on the site		X	X
All hydrozone boundaries and total area within each hydrozone with each hydrozone clearly labeled high, moderate, low or very low		X	X
Detailed landscape improvements with planting symbols clearly drawn to indicate each plant (deciduous tree, evergreen tree, deciduous shrub, evergreen shrub, groundcover, etc.)		X	X
Detailed plant material schedule with abbreviation identification key, quantity of each plant, botanical name, common name, hydrozone rating (high, moderate, low or very low), plant/container size, spacing and notes		X	X
Define areas to be considered open areas and if they will be public or private. Indicate how open areas will be maintained including; erosion control, revegetation, and weed management both during and after construction		X	X
Plant installation, mulching, tree staking, and any other applicable planting and installation details		X	X
Soil preparation details including instructions to scarify planting pit bottom and sides and surface		X	X

ground planes to promote root penetration in compacted soils			
Protection of existing plant and other site features to remain. Clearly identify the locations, species, size and condition of all significant trees, each labeled as to its intended retention, relocation or removal	X	X	X

7. Soils Report. A soils report is required in all cases. Special procedures or requirements shall be incorporated in the preparation and recommendations of the soils report where the past use of a site has resulted in soil contamination or where difficult soil or landscaping conditions are known to exist. The soils report shall describe:
- a. The depth, composition, fertility, bulk density, and landscaping suitability of the top soil and subsoil at the site;
 - b. Soil class;
 - c. An approximate soil infiltration rate for site soils, either measured or derived from soil texture/infiltration rate tables. A range of infiltration rates shall be noted where appropriate;
 - d. A measure of pH, electroconductivity (ERC), salt absorption ratio (SAR) and organic matter;
 - e. Recommendations for retention and re-use of viable top soil on the site together with such soil amendments as are necessary to ensure the health and sustainability of the landscaping to be planted.

The final recommendations of the soils report shall be incorporated into the landscape planting plan and implemented with site planting operations.

8. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the landscape planting plan and shall reflect the requirements set forth in MKC 19.77.030(E)(2).
9. Irrigation Schedule. The irrigation schedule required in MKC 19.74.030(E)(2)(k) shall be provided in tabular form and shall specify:
 - a. Plant type (e.g., turf, trees, low water use plants);
 - b. Irrigation type (e.g., sprinklers, drip, bubblers);
 - c. Flow rate in gallons per minute;
 - d. Precipitation rate in inches per hour (sprinklers only);
 - e. Run times in minutes per day;
 - f. Number of water days per week;
 - g. Cycle time to avoid runoff.

19.77.110 Landscape Plan Package Acceptance

- A. Standard Compliance Procedures. Submitted landscape plan documentation packages, water allowance worksheets, irrigation plans and irrigation schedules prepared in strict compliance with the requirements of this chapter shall be accepted upon certification of compliance with those requirements by the qualified professionals who prepared and submitted those plans. Final approval shall be as granted by the director upon completion of an internal or external review to assure ordinance compliance.

- B. Alternative Compliance Procedures. As authorized by this chapter, an alternative landscape and tree protection plan may be substituted in whole or in part for a landscape plan prepared in strict compliance with the chapters requirements.
1. Alternative Plan Preparation and Submittal. Alternative landscape plans shall be prepared and submitted in accordance with submittal requirements for a landscape plan package. The submittal shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purposes and intent of this chapter than would a plan which strictly complies with the chapter's specified standards.
 2. Alternative Plan Review Criteria. Certification of alternative plans for compliance with the purposes and intent of this chapter requires that the qualified professional who prepared the plans substantiate in writing how the alternative proposal meets or exceeds the degree of compliance that would be achieved through the strict application of specified standards. In making such assertions the qualified professional who prepared the plans shall clearly demonstrate how the alternative plans will:
 - a. Provide exceptional preservation and incorporation of existing site vegetation;
 - b. Provide significant protection of natural areas and features;
 - c. Provide for maximum retention of existing tree canopy cover;
 - d. Create exceptional enhancement of neighborhood continuity and connectivity;
 - e. Provide for extensive accommodation of nonvehicular access and use;
 - f. Represent greater innovation in site design and plant use.
 3. Alternative Plan Approval. Final approval shall be as granted by the director upon completion of an internal or external review to assure satisfaction of the above criteria.
- C. Plan Approval and Distribution. Copies of the professionally certified landscape plan package shall be provided for distribution to the following:
1. One copy to the property owner or site manager;
 2. Two copies to the chief building official for attachment to approved building plans and use in completion of site inspections;
 3. One copy to the director for retention in the site development application file.
- D. Plan Revisions. Any revisions to the landscape plan package shall be reviewed and approved in writing by the director prior to commencement of construction. Re-certification of compliance with the requirements of this chapter shall be provided by the qualified professionals who prepared and submitted the plan revisions. Site development plans that are substantially revised may require commensurate revisions to associated landscape plans.
- E. Phasing. Landscape plans for projects proposed for development in multiple phases shall clearly specify the landscape improvements required in conjunction with each phase.

19.77.120 Installation Of Landscape Improvements

- A. Irrigation System Installation.
1. Installer Qualifications. Irrigation Association (IA) certification shall be required for all contractor-installed landscape irrigation systems except where construction observation services are provided by a licensed landscape architect or other qualified professional under Title 58 of Utah Code.
 2. License, Insurance and Bonding Requirements. All installers, designers, and auditors shall meet state and local license, insurance, and bonding requirements and be able to show proof of such.

B. Plant Delivery and Installation.

1. Plants shall be protected during delivery to prevent leaf desiccation.
 2. Upon delivery, unplanted trees, shrubs and other live plants shall be kept in shade, well protected with soil, mulch or other acceptable material and appropriately watered. Plants that have died or show signs of serious deterioration prior to planting shall be replaced.
 3. All trees and shrubs shall be planted in such a manner as to ensure their survival. This shall include the planting of intact balls, planting at proper depth, properly backfilling, mulching and watering, and construction of a planting saucer. Newly planted trees shall be provided a plant- free mulched area with a minimum radius of four feet around the trunks in order to expedite tree root establishment.
 4. Any rope or wire binding the ball shall be cut prior to the conclusion of backfilling operations to prevent girdling of the tree trunk.
 5. If a nonbiodegradable material is used around the ball, it shall be completely removed prior to backfilling.
 6. In order to protect plantings from traffic, de-icing salts, and snow plowing operations, landscaped areas with tree or shrub plantings within six feet of a paved vehicle parking area or access way shall be raised above such areas by use of curbing or edging or, where depressed for stormwater collection and aquifer recharge, clearly posted for protection during periods of inclement weather.
- C. Excavation. Site excavation shall be accomplished in accordance with industry standards and applicable ordinance requirements.

19.77.130 Construction Inspection And Compliance Requirements

- A. Construction Observation and Certification of Compliance. Construction observation and monitoring of all required landscape improvements shall be provided by a licensed landscape architect so as to ensure compliance with the approved landscape plans for the site.
- B. Right to Inspect. The director reserves the right to perform site inspections at any time and to require corrective measures regarding the installation of site landscaping and irrigation system improvements found not to comply with the requirements of this chapter.
- C. The director shall field-verify landscaping improvements prior to final project approval.

19.77.140 Post-Construction Verification Of Compliance

- A. Single-Phase Projects. Following construction and prior to issuing an approval for occupancy a landscape architect or other qualified professional shall complete a site inspection of all installed site landscaping improvements and provide written certification of compliance with approved plans. The director shall field-verify landscaping improvements prior to final project approval. Certification of compliance with approved irrigation plans shall be provided by the licensed professional under whose construction observation the irrigation system was installed.
- B. Multi-Phase Projects. Projects approved for development in multiple phases shall be inspected and certified to be in compliance with the approved plans for each respective phase prior to the occupancy or use of the development associated with that phase. Permits shall not be issued for subsequent phases without prior director approval until this requirement has been satisfied.

19.77.150 Certificate Of Substantial Completion

Upon completion of all required landscaping improvements the property owner shall complete a certificate of substantial completion for submittal to the director. A disclosure document shall be filed

with the county recorder's office clearly indicating that the property is subject to the requirements of this chapter and that any re-landscaping by the present or future property owners shall be in accordance with the certified landscape plan for the property. Proof of recordation shall be provided prior to final land use approval.

19.77.160 Long-Term Viability Of Established Landscapes

- A. Plant Maintenance. The owner, tenant and any agent shall be jointly and severally responsible for the maintenance of all landscaping in good condition and free from refuse and debris so as to present a healthy, neat and orderly appearance. Where applicable an adequately funded Homeowner's or Property Owner's Association shall assume and be held liable for such responsibilities. In the latter instance, provisions for long-term maintenance of required landscaping in the event of dissolution of the Homeowner's or Property Owner's Association shall be provided prior to landscape plan acceptance.
- B. Plant Survival. All plant materials shall be regularly maintained in a healthy condition and shall be guaranteed for survival for two years from planting. During this period, each plant shall show at least seventy-five percent healthy growth and shall have the natural characteristic of the plant of its species. Any plant found dead or unsatisfactory by the director during the guarantee period shall be replaced until it has lived through the required two-year survival period.

19.77.170 Completion Of And Submittal Of Water Performance Audit

Following construction and prior to issuing an approval for occupancy, a water audit shall be conducted by an IA certified landscape irrigation auditor. Irrigation system improvements required to achieve compliance with the requirements of this chapter shall be provided by the property owner as necessary. The water performance audit will verify that the irrigation system complies with the minimum standards of this chapter. The minimum efficiency required for the irrigation system is sixty percent for the distribution efficiency for all fixed spray systems and seventy percent distribution efficiency for all rotor systems. Copies of the auditor's certification of compliance shall be provided to the director for retention in the project file as well as to the irrigation system designer, installer, and owner/developer of the property. Compliance with this provision is required before the county on behalf of the City will issue a letter of final acceptance.

19.77.180 Definitions

For the purposes of this chapter, the following terms shall have the meanings herein prescribed:

"Annual water budget" means the target maximum amount of irrigation water applied to a landscaped area measured in gallons per square foot per year.

"Automatic controller" means a timer, capable of operating valve stations to set the days and length of time of a water application.

"Backflow" means any unwanted flow of used or nonpotable water or substance from any domestic, industrial or institutional piping system into the pure, potable water distribution system. The direction of flow under these conditions is in the reverse direction from that intended by the system and normally assumed by the owner of the system.

"Backflow prevention device" means a safety device that prevents the flow of water from the water distribution system back to the water source. Compliance with applicable health and water quality regulations is required.

"Bubbler" means an irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.

"Drip emitter" means a drip irrigation fitting that delivers water slowly at the root zone of the plant, measured in gallons per hour.

"Drought-tolerant plant" means a plant that can survive without irrigation throughout the year once established, although supplemental water may be desirable during drought periods for improved appearance and disease resistance.

"Establishment period" means the first three hundred sixty-five days of growing season after installing the plant in the landscape.

"Evaporation [E]" means water movement from a wet soil or plant surface that does not pass through the plant. Evaporation is the physical process by which a liquid is transformed to the gaseous state, which in irrigation generally is restricted to the change of water from liquid to vapor. Occurs from plant leaf surface, ground surface, water surface and sprinkler spray.

"Evapotranspiration [ET]" means the quantity of water evaporated from adjacent soil surfaces and transpired by plants during a specific time, expressed in inches per day, month or year.

"FPS" means feet per second.

"Flow rate" means the rate at which water flows through pipes and valves (gallons per minute or cubic feet per second).

"Grading plan" means a plan that shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscaped area.

"Groundcover" means material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve inches.

"Hardscape" means elements of the landscape such as sidewalks, pathways, benches, patios, decks, seating areas, drives, and areas for vehicular parking typically constructed from nonliving materials like concrete, boulders, brick, blacktop and lumber.

"Hydrozone" means the grouping of plants with similar water requirements so that they can be irrigated with a common zone.

"Infiltration rate" means the rate of water entry into the soil expressed as a depth of water per unit of time (inches per hour).

"Irrigated landscaped area" means all portions of a development site to be improved with planting and irrigation. Natural open space areas shall not be included in the irrigated landscaped area.

"Irrigation contractor" means a person who has been certified by the Irrigation Association (IA) to install irrigation systems.

"Irrigation designer" means a person who has been certified by the Irrigation Association (IA) to prepare irrigation system designs, and/or a landscape architect.

"Irrigation plan" means a plan that shows the components of the irrigation system with water meter size, backflow prevention, precipitation rates, flow rate and operating pressure for each irrigation circuit, together with identification of all irrigation equipment.

"Landscape architect" means a person who is licensed to practice landscape architecture by the state of Utah.

"Landscape designer" means a person who has been certified by the Utah Nursery and Landscape Association (UNLA) and who prepares landscape plans as authorized by Utah Code.

"Landscape irrigation auditor" means a person who has been certified by the Irrigation Association to conduct a landscape irrigation audit.

"Landscape plan documentation package" means an assemblage of graphics and written materials including criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to comply with the provisions of this chapter. The landscape plan documentation package shall include a project data sheet, a planting plan, an irrigation plan, a grading plan, a soils report, a landscape water allowance, and an irrigation schedule.

"Landscape water allowance" means, for design purposes, the upper limit of annual applied water for the established landscaped area. It is based upon the local reference evapotranspiration rate, the ET₀ adjustment factor and the size of the landscaped area.

"Landscape zone" means a portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.

"Landscaped area" means an entire parcel of real property minus that area encompassed by building footprints, driveways, and the nonirrigated portions of parking lots. Water features and areas improved with walkways, benches, seating areas and similar improvements are included in the calculation of the landscaped area.

"Landscaping" means any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, walks, drives, benches, seating areas, fountains, reflecting pools, outdoor art work, screen walls and fences.

"Maximum extent feasible" means no prudent, practical, and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining maximum extent feasible.

"Mulch" means any organic material such as leaves, bark, wood chips, straw, or inorganic material such as crushed stone or gravel, or other materials left loose and applied to the soil surface for the beneficial purpose of weed suppression and the conservation of soil moisture.

"Pervious surface" means a layer through which water and air may freely migrate.

"Planting plan" means a plan that clearly and accurately identifies the location and species of new and existing trees, shrubs, groundcovers, and other plants on a site.

"Precipitation rate" means the depth of water applied to a given area, usually measured in inches per hour.

"Rain shut-off device" means a device wired to the automatic controller that shuts off the irrigation system when it rains.

"Reference evapotranspiration rate or ET₀" means the rate of evapotranspiration from an extensive surface cooling season green grass cover of uniform height of twelve cm., actively growing, completely shading the ground, and not short of water.

"Runoff" means irrigation water that is not absorbed by the soil or landscape area to which it is applied and which flows onto other areas.

"Soils report" means a report by a soils laboratory indicating soil type(s), composition, bulk density, infiltration rates, pH, electroconductivity (ERC), salt absorption ratio (SAR) and organic matter for the top soil and subsoil of a given site. The soils report also includes recommendations for soil amendments.

"Spray sprinkler" means an irrigation head that sprays water through a nozzle.

"Station" means an area served by one valve.

"Stream sprinkler" means an irrigation head that projects water through a gear rotor in single or multiple streams.

"Street tree" means a shade or ornamental tree planted along public or private streets and drives to provide shade to reduce heating of pavements, provide spatial definition and visual enhancement.

"Supervision (of an employee)" means that a qualified licensed professional is responsible for and personally reviews, corrects when necessary, and approves work performed by any employee under the direction of the licensed professional.

"Turf" means a surface layer of earth containing mowed grass with its roots.

"Valve" means a device used to control the flow of water in an irrigation system.

"Water audit" means an on-site survey and measurement of irrigation equipment and management efficiency, and the generation of recommendations to improve efficiency.

"Water-conserving plant" means a plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.

"Zone" means a landscape zone.