



Nibley City
Planning Commission
Thursday, January 10, 2019
455 W. 3200 S.
Nibley, UT

5:30 p.m. Call to Order
 Approval of Agenda
 Approval of Minutes

1. Discussion and consideration of Resolution 19-P1: A Resolution Adopting the 2019 Nibley City Planning Commission Meeting Schedule.
2. Workshop: Landscaping standards for residential lots
3. Workshop: Subdivision Regulations
4. Commission and Staff Report and Action Items

*Planning Commission agenda items may be tabled if 1) Additional information is needed in order to take action on the item, OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.



**Nibley City Planning Commission
Agenda Report for
January 10, 2019**

Agenda Item #1

Description	1. Discussion and Consideration of Resolution 19-P1: A Resolution Adopting the 2018 Nibley City Planning Commission Meeting Schedule.
Department	Planning
Presenter	Stephen Nelson
Findings	• The Utah Open and Public Meetings Act require Nibley City Planning Commission to adopt an annual schedule. • Nibley City Code and State Code requires that the Planning Commission have a scheduled meeting at least once a month.
Recommendation	Adopt an annual schedule for 2018
Reviewed By	City Planner

Background

The Utah Open and Public Meetings Act, in section 52-4-202 (2) of the Utah Code, requires that a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule, therefore, a meeting schedule for 2019 is being proposed to the Commission. The proposed meeting schedule is for the first and third Thursday of each month. The proposal is also to change the meeting time from 5:30 to 6:00.

RESOLUTION 19-P1

A RESOLUTION ADOPTING THE 2019 NIBLEY CITY PLANNING COMMISSION
MEETING SCHEDULE

WHEREAS, the Open and Public Meetings Act, in section 52-4-202 (2) of the Utah Code, requires that a public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule; and

WHEREAS, adopting an annual meeting schedule can make it easier for citizens to be involved in civic affairs by making them aware of normal Planning Commission meeting times.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF NIBLEY CITY, STATE OF UTAH, AS FOLLOWS:

Regular meetings for the Nibley City Planning Commission shall be held on the dates listed on the attached schedule at 6:00 p.m. at Nibley City Hall, which is located at 455 West 3200 South in Nibley.

BE IT FURTHER RESOLVED THAT:

The Planning Commission may also call special or emergency meetings pursuant to the provisions of the Open and Public Meetings Act.

The Planning Commission may also alter the scheduled below by canceling or changing dates, time or location of a meeting. Any changes shall be properly noticed as required by the Utah Open and Public Meetings Act.

PASSED BY THE NIBLEY CITY PLANNING COMMISSION THIS ____ DAY OF _____, 2019.

Planning Commission Chair

Deputy Recorder

Persons wishing to submit items for consideration must have all materials submitted and applicable fees paid by the application deadline.

Meeting Date	Application Deadline
January 10, 2019	December 27, 2018
January 17, 2019	January 3, 2019
February 7, 2019	January 17, 2019
February 21, 2019	February 7, 2019
March 7, 2019	February 21, 2019
March 21, 2019	March 7, 2019
April 4, 2019—no meeting	
April 18, 2019	April 4, 2019
May 2, 2019	April 18, 2019
May 16, 2019	May 2, 2019
June 6, 2019	May 16, 2019
June 20, 2019	June 6, 2019
July 4, 2019—no meeting	
July 18, 2019	July 2, 2019
August 1, 2019	July 18, 2019
August 15, 2019	August 1, 2019
September 5, 2019	August 15, 2019
September 19, 2019	September 5, 2019
October 3, 2019	September 19, 2019
October 17, 2019—no meeting	
November 7, 2019	October 17, 2019
November 21, 2019	November 7, 2019
December 5, 2019	November 21, 2019
December 19, 2019	December 5, 2019
2020	
January 2, 2020	December 19, 2019
January 16, 2020	January 2, 2020

In the event the application deadline falls on a holiday, the following business day will be the application deadline.

There may be circumstances that arise which cause a meeting to be canceled. Notification will be made as soon as reasonably possible in the event of a cancellation.

Agenda Item # 2

Description	2. Workshop: Landscaping standards for residential lots
Department	Planning
Presenter	Stephen Nelson, City Planner
Action Type	Workshop
Findings	N/A
Recommendation	Make recommendation based on the compliance with code.
Reviewed By	City Planner

Background



At the begin of 2018, the Planning Commission wanted to review the City's residential landscape standards with the goal of ensuring yards in the City are landscaped properly. Nibley City's current landscape standards are found in the following sections:

[19.24.170 Landscaping](#): This code requires that yards in residential zones are at least 60% of the contained within a required front or side yard adjacent to a street in any residential zone shall be landscaped. It also

contains some more detailed landscaping requirements for Commercial and industrial zones. One thing that we should add is that property owners adjacent to park/planting strips are required to maintain landscape and maintain them.

[13.12 Streetscape of Public Rights-of-Way](#): This section describes how park/planting strips are to be landscaped including trees for every 50', how they are pruned and maintained. This code puts the burden on the developer for planning street trees along the roadways.

Eagle Idaho has some of the highest standards in a landscape requirement, which I have included in the packet for your review. There are also some other Cities in the area that have different landscaping requirements as listed below.

[Hyrum City Code 17.24.055 Residential Landscaping](#)

[Logan City Code 13.14.280 Landscaping and Stabilization Requirements](#)

At this workshop, staff would like to work with the Planning Commission about the overall goals in regards to landscaping for residential lots.

8-2A-7: LANDSCAPE AND BUFFER AREA REQUIREMENTS:

A. Landscape Plan Required: A landscape plan is required for all developments requiring a design review, including, but not limited to, all subdivisions. The landscape plan shall be drawn to scale (no smaller than 1 inch equals 30 feet) and shall indicate the following:

1. Boundaries, property lines, and dimensions.
2. Existing trees and vegetation identified by species and size.
3. The location and design of areas to be landscaped.
4. The location and labels for all proposed plants.
5. Plant lists or schedules with the botanical and common name, quantity, and spacing and size of all proposed landscape material at the time of planting.
6. Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas.
7. Planting and installation details as necessary to ensure conformance with all required standards.

B. Landscape As Percent Of Site:

1. Landscaping shall cover a minimum of fifteen percent (15%) of the property on multi-family residential developments. Hardscape plaza areas, such as decorative concrete/paver patios that are integrated into the design of the landscaped area, may be included in the fifteen percent (15%) landscape coverage requirement.
2. Landscaping shall cover a minimum of ten percent (10%) of the property on all other developments. Hardscape plaza areas, such as decorative concrete/paver patios that are integrated into the design of the landscaped area, may be included in the ten percent (10%) landscape coverage requirement.
3. All landscape improvements required in this section shall count toward fulfillment of the above minimum percentages.
4. If only a portion of a property is being developed, and if the city does not require improvements on the entire property, improvements to landscape shall continue a minimum of twenty five feet (25') (on site) beyond the proposed development. (Ord. 462, 11-11-2003)

C. Existing Vegetation:

1. Retention Of Existing Trees: Existing trees shall be retained unless removal is approved

in writing by the city. Where trees are approved by the city to be removed from the project site (or from abutting right of way) replacement with an acceptable species is required as follows:

<u>Existing Tree</u>	<u>Replacement</u>
1 inch to 6 inches caliper	2x caliper of tree removed
6 ¹ / ₄ inches to 12 inches	1.5x caliper of tree removed
12 ¹ / ₄ inches or more	1x caliper of tree removed

Removal of the following trees shall not require replacement: black locust, poplar, cottonwood, willow, tree of heaven, elm, and silver maple. Trees which are weak wooded, weak branched, suckering, damaged, diseased, insect infested, or containing similar maladies may be exempt from replacement if removal is first approved by the city.

In all cases, planting within public rights of way shall be with approval from the public and/or private entities owning the property.

Example: An eight inch (8") caliper tree is removed, an acceptable replacement would be three (3) 4-inch caliper trees or four (4) 3-inch caliper trees.

2. **Damage During Construction:** Existing trees or shrubs that are retained shall be protected from damage to bark, branches, or roots during construction. Construction or excavation occurring within the drip line of any public or private retained tree or shrub may severely damage the tree or shrub. Any severely damaged tree or shrub shall be replaced in accordance with subsection C1 of this section.
3. **Grade Changes And Impervious Surfaces:** Grade changes and impervious surfaces shall be allowed at a distance from the trunk of a retained tree equal to the diameter of the tree trunk plus six feet (6'), or to the drip line, whichever is furthest from the trunk.
4. **Minimum Landscaping:** Existing vegetation which is to be retained may be used to satisfy the minimum required landscaping. (Ord. 699, 5-28-2013)

D. Prohibited Materials And Landscaping:

1. No required landscape areas shall include artificial trees, plants, or any carpeting designed as a vegetative substitute.
2. Clear vision triangle shall be observed in regard to all vegetation. All shade trees planted within vision triangles shall be pruned to a minimum seven feet (7') above the adjacent sidewalk and fourteen feet (14') above the adjacent roadway surface. Shrubs and ground covers planted within the vision triangle shall not exceed three feet (3') height at maturity.

The boundaries of the vision triangle are defined by measuring from the intersection of the edges of two (2) adjacent roadways forty feet (40') along each roadway and connecting the two (2) points with a straight line. The sight distance obstruction is also applicable to railroad-highway grade crossings with the vision triangle defined by measuring forty feet (40') along the railroad property line. In all cases, ITD and ACHD standards shall apply also. (Ord. 462, 11-11-2003)

3. When the city determines that a sight obstruction exists, it shall notify the owner of the property upon which the obstruction is located and order that the obstruction be removed within fifteen (15) days. The failure of the owner to remove the obstruction shall be punishable as an infraction as provided in section [1-4-1](#) of this code. (Ord. 703, 9-24-2013)

E. Installation And Minimum Standards:

1. Trees shall be planted in accordance with the city of Eagle tree planting specifications included as an exhibit within the EASD book. Accepted nursery standards and practices shall be followed in the planting and maintenance of landscaped areas.
2. Soil and slope stabilization must result after landscape installation.
3. Root barriers shall be installed for all new trees planted adjacent to existing or proposed public or private sidewalks and paving.
4. The minimum acceptable size for deciduous trees shall be two inch (2") caliper, balled and burlapped.
5. The minimum acceptable size for evergreen trees shall be six feet (6') to seven feet (7') balled and burlapped.
6. Plant material selection shall be taken from subsection Q of this section.
7. All landscaped areas adjacent to vehicular areas are to be protected with an approved curbing material.
8. a. Certification Of Completion: Upon the completion of the landscape installation, or other improvement subject to design review approval, a written certification of completion shall be prepared by the licensed landscape architect responsible for the landscape plan. The certification of completion shall state that the installation of all landscape improvements is in substantial compliance with the city approved landscape plan. This certification shall be submitted prior to the issuance of a certificate of occupancy and is required as a part of, and not in lieu of, the inspections performed and certificates issued by the city.

b. Report Of Deficiencies: In the event that deficiencies are present after the landscape installation, or other improvements subject to design review approval, the licensed landscape architect shall prepare and file with the city a report noting the deficiencies in the improvements. The city will not accept a certification of completion, or issue a certificate of occupancy, until the licensed landscape architect has verified that the deficiencies have been corrected.

- c. Landscape Architect Designee: The licensed landscape architect may, at his or her discretion, appoint an authorized designee to certify the project provided that the designee is a licensed landscape architect. (Ord. 699, 5-28-2013)

F. Tree Species Mix:

1. When more than ten (10) trees are to be planted to meet the requirements of these guidelines, a mix of species shall be provided. The number of species to be planted shall vary according to the overall number of trees required to be planted. Species shall be planted in proportion to the required mix. See the table below:

<u>Required Number Of Trees</u>	<u>Minimum Number Of Species</u>
11 - 20	2
21 - 30	3
31 - 40	4
41 plus	5

G. Maintenance:

1. All required landscaping shall be permanently maintained in a healthy growing condition by the property owner or the property owner's representative. This includes the maintenance of street trees and/or other landscape materials within or abutting the public right of way adjacent to the subject property. The property owner shall remove, and if required to meet the standards of these requirements, shall replace any unhealthy or dead plant material immediately or as the planting season permits. In all cases, maintenance and planting within public rights of way shall be with approval from the public and/or private entities owning the property.

H. Completion Time:

1. The zoning administrator may authorize a delay in the completion of planting during the months of November, December, January, February, and March due to weather conditions, if a surety for one hundred fifty percent (150%) of the cost of installation is provided to the city. (Ord. 462, 11-11-2003)

I. Irrigation Required: An underground automatic irrigation system is required for all

development as defined in section [8-2A-1](#) of this article.

1. All required landscaped areas must be provided with an automatic underground irrigation system.
2. The system shall be equipped with a reduced pressure backflow prevention device.
3. The system shall be designed and constructed to provide one hundred percent (100%) spray coverage.
4. Wherever feasible, sprinkler heads irrigating lawn or other high water demand landscape areas shall be circuited so that they are on a separate zone or zones from those irrigating trees, shrubbery or other reduced water demand areas.
5. Sprinkler heads shall be placed as required to reduce direct overthrow onto nonpervious areas (walks, drives, etc.).
6. The use of low trajectory spray nozzles is encouraged in order to reduce the effect of wind velocity on the spray system.
7. Use of nonpotable water for use in the irrigation of lawn and plant material is required when determined to be available.
8. All nonpotable water access points shall be clearly and permanently labeled with markers indicating that the water is not safe for human consumption.
9. Maintain all irrigation systems to ensure proper operation and water conservation. (Ord. 618, 2-17-2009)

J. Buffer Areas/Common Lots:

1. Definition: A transition zone or buffer area consists of horizontal space (land) and vertical elements (plants, berms, fences, or walls). The purpose of such buffer space is to physically separate and visually screen adjacent land uses which are not fully compatible due to differing facilities, activities, or different intensities of use, such as townhouses and a convenience store, or a high volume roadway and residential dwellings.
2. Minimum Requirements:
 - a. When a commercial or industrial use abuts a residential use, a ten foot (10') wide by six foot (6') high landscaped buffer is required.
 - b. When a parking lot abuts a residential activity, a five foot (5') wide by six foot (6') high landscaped buffer is required.
 - c. To conceal outdoor storage areas, trash receptacles, exposed equipment associated with any commercial or industrial activity, and off street loading when adjacent to or in view from a residential activity or public street right of way, a five foot (5') wide by six foot (6') high landscaped buffer is required.

3. Materials:

- a. All buffer areas shall be comprised of, but not limited to, a mix of evergreen and deciduous trees, shrubs, and ground cover in which evergreen plant materials comprise a minimum of sixty percent (60%) of the total plant material used.
- b. Height requirements shall be accomplished with plant material, with a fence or decorative wall.
- c. The required buffer area shall result in an effective barrier within three (3) years and be maintained such that sixty percent (60%) or more of the vertical surface is closed and prevents the passage of vision through it.
- d. Chainlink fencing, with slats or otherwise, and cedar fencing is prohibited for screening.

4. Major Roadways: New residential developments, including, but not limited to, subdivisions and multi-family developments, shall be buffered from streets classified as collectors, arterials, freeways, or expressways, to protect residential communities from noisy, potentially dangerous, high speed roads. The "buffer area" shall be defined as a common lot located between the residential lots within the subdivision and the right of way line of the adjacent roadway. This buffer is required as part of the common area open space owned and maintained by a homeowners' association. Any landscaping proposed to be within the public right of way shall not be included as a part of the buffer area required below. The height for berming/fencing, as noted below, shall be measured from the elevation of the final grade of the adjacent roadway (measured at the centerline) to the top of the proposed berming/fencing. The required buffer area width, plantings, and fencing are as follows:

- a. Any road designated as an urban or rural collector on the transportation and pathway network plan in the Eagle comprehensive plan:

A minimum of thirty five feet (35') wide buffer area (not including right of way) shall be provided with the following plants per one hundred (100) linear feet of right of way: four (4) shade trees, five (5) evergreen trees, and twenty four (24) shrubs. Each required shade tree may be substituted with two (2) flowering/ornamental trees, provided that not more than fifty percent (50%) of the shade trees are substituted.

A minimum five foot (5') high, maximum eight foot (8') high, berm, decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall, or combination thereof shall be provided within the buffer area. The maximum slope for any berm shall be three feet (3') horizontal distance to one foot (1') vertical distance. If a decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall is to be provided in combination with the berm, a four foot (4') wide flat area shall be provided for the placement of the decorative wall. Chainlink, cedar, and similar high maintenance and/or unsightly fencing shall not be permitted.

- b. Any road designated as a minor arterial on the transportation and pathway network plan in the Eagle comprehensive plan:

A minimum of fifty feet (50') wide buffer area (not including right of way) shall be provided with the following plants per one hundred (100) linear feet of right of way: five

(5) shade trees, eight (8) evergreen trees, three (3) flowering/ornamental trees, and twenty four (24) shrubs. Each required shade tree may be substituted with two (2) flowering/ornamental trees, provided that not more than fifty percent (50%) of the shade trees are substituted.

A minimum five foot (5') high, maximum eight foot (8') high, berm, decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall, or combination thereof shall be provided within the buffer area. The maximum slope for any berm shall be three feet (3') horizontal distance to one foot (1') vertical distance. If a decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall is to be provided, in combination with the berm, a four foot (4') wide flat area shall be provided for the placement of the decorative wall. Chainlink, cedar, and similar high maintenance and/or unsightly fencing shall not be permitted.

- c. Any road designated as a principal arterial on the transportation and pathway network plan in the Eagle comprehensive plan:

A minimum of seventy five feet (75') wide buffer area (not including right of way) shall be provided with the following plants per one hundred (100) linear feet of right of way: six (6) shade trees, ten (10) evergreen trees, four (4) flowering/ornamental trees, and twenty four (24) shrubs. Each required shade tree may be substituted with two (2) flowering/ornamental trees, provided that not more than fifty percent (50%) of the shade trees are substituted.

A minimum ten foot (10') high, maximum twelve foot (12') high, berm, decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall, or combination thereof shall be provided within the buffer area. The maximum slope for any berm shall be three feet (3') horizontal distance to one foot (1') vertical distance. If a decorative block wall, cultured stone, decorative rock, or similarly designed concrete wall is to be provided, in combination with the berm, a four foot (4') wide flat area shall be provided for the placement of the decorative wall. Chainlink, cedar, and similar high maintenance and/or unsightly fencing shall not be permitted.

5. Common Area Landscapes: New residential subdivision common area landscapes shall be comprised of the following:

- a. Lawn, either seed or sod.
- b. A minimum of one deciduous shade tree per one thousand (1,000) square feet.

6. Design Considerations For Residential Developments:

- a. For design flexibility, half of the required shade trees may be substituted on a two to one (2:1) basis with ornamental and evergreen trees.
- b. Buffer areas should include a variety of species, arranged to create varied and attractive views. Open fences, decorative walls, and berms may be used. Height changes, offset angles, different materials, and other design techniques are required so as to create variety. (Ord. 566, 5-15-2007)

K. Parking Lot Landscaping:

1. Visual Impact: Landscaping shall be provided to minimize the visual impact of off street parking:

Parking should be located to the side and rear of buildings and shall be screened so that it does not dominate the streetscape. Fences, hedges, berms, and landscaping may be used to screen parking areas (chainlink fencing shall not be permitted). In the design of large parking areas, arrange bays of parking spaces to be separated by landscaping. When parking lots occur on sloping terrain, step the parking lots to follow the terrain rather than allowing the lot surface to extend above natural grade.

2. Parking Lot Landscape Strip: A landscape strip shall be provided when a parking lot is located adjacent to a public right of way. The landscaped strip shall serve to shield views of parked cars to passing motorists and pedestrians, and to establish coordination among architecturally diverse buildings, which creates a pleasing, harmonious appearance along the roadway.

Four (4) options are provided for fulfilling this requirement:

- a. Provide a ten foot (10') wide landscaped strip between the right of way and the parking lot, and plant with a minimum of one shade tree and ten (10) shrubs per thirty five (35) linear feet of frontage, excluding driveway openings.
- b. Provide an earth berm of thirty inches (30") minimum height (do not exceed 3:1 slope) within a ten foot (10') wide landscaped strip between the right of way and the parking lot, and plant with a minimum of one shade tree and five (5) shrubs per thirty five (35) linear feet of frontage, excluding driveway openings.
- c. Provide a six foot (6') landscaped strip with a minimum thirty inch (30") grade drop from the right of way to the parking lot, and plant with a minimum of one shade tree and five (5) shrubs per thirty five (35) linear feet of frontage, excluding driveway openings.
- d. Provide a three foot (3') high fence of wood, brick, stone, or decorative block or concrete along with a four foot (4') wide landscaped strip between the right of way and the parking lot, and plant a minimum of one shade tree and five (5) shrubs per thirty five (35) linear feet of frontage, excluding driveway openings. (Ord. 462, 11-11-2003)

- (1) The board may waive the requirement for a wood, brick, stone, decorative block or concrete fence if the board finds the following:

(A) The applicant must design, document, and obtain city approval representing that the overall planting design, at the time of planting, results in an effective barrier such that the landscape strip shields the view of parked cars from passing pedestrians and motorists; and

(B) Any such proposed design alternative is compatible with the overall site design of the entire project and is compatible with the surrounding area. (Ord. 434, 1-14-2003)

3. Parking Lot Perimeter Landscaping: Perimeter landscaping requirements define parking areas and prevent two (2) adjacent lots from becoming one large expanse of paving. This

requirement does not hinder the ability to provide vehicular access between lots.

- a. Provide a minimum five foot (5') wide perimeter landscaped strip between the property lines and the parking lot, and plant with a minimum of one shade tree and five (5) shrubs per thirty five (35) linear feet of perimeter.

4. Parking Lot Interior Landscaping:

- a. Calculated Amount: Interior parking lot landscaping shall be required on any parking lot with ten (10) spaces and above. The required amount of landscaping is based on a sliding scale, as follows:

<u>Total Number Of Spaces</u>	<u>Percent Of Total Area Of A Lot That Must Be An Interior Landscaped Area</u>
10 - 20	5 percent
21 - 50	8 percent
51+	10 percent

b. Additional Requirements:

- (1) No interior planter shall be less than five feet (5') in any dimension.
- (2) No parking space shall be more than sixty feet (60') from an interior landscaped area.
- (3) Parking islands are to be as evenly spaced as feasible throughout the lot to consistently reduce the visual impact of long rows of parked cars.
- (4) Deciduous shade trees and ground covers or low shrubs are recommended as primary plantings in interior landscaped areas. Deciduous shade trees are to be clear branched to a height of six feet (6').
- (5) A terminal island for a single row of parking spaces shall be landscaped with at least one tree and shrubs, ground cover, or grass. A terminal island for a double row of parking spaces shall contain not less than two (2) trees and shrubs, ground cover, or grass.

L. Landscaped Commercial Strips:

1. Landscaped strips shall be provided between all building development and public rights of way to lend continuity among different architectural styles, screen unsightly views, establish a pleasing view for motorists, and create a safe and pleasant corridor for

pedestrians.

- a. The landscaped strip shall be ten feet (10') wide minimum and planted with one shade tree and ten (10) shrubs for every thirty five feet (35') of street frontage. Two (2) ornamental or two (2) evergreen trees may be substituted for one shade tree. (Ord. 462, 11-11-2003)

M. Parkway Strips, Separated Sidewalks, And Street Trees:

1. Except as may otherwise be required within the DDA, TDA, CEDA, and DSDA sidewalks shall be separated from the curb along all streets. Sidewalks shall be required when space permits. An eight foot (8') wide minimum parkway planter strip planted with shade class (class II) trees shall be required between the sidewalk and street to provide a canopy effect over streets.
2. In all required applications, excluding residential developments, one street tree, selected from the approved tree list in subsection Q of this section, shall be planted per thirty five (35) linear feet of street frontage.
3. Within residential developments one shade class (class II) tree selected from the approved tree list in subsection Q of this section shall be located on both sides of all streets within the eight foot (8') wide landscape strip between the sidewalk and the curb. Trees shall be planted at the front of each lot generally located on each side lot line corner with the distance between trees to be a minimum of thirty five feet (35') and a maximum of eighty feet (80') of street frontage.
4. In all cases, any planting within public rights of way shall be with approval from the public and/or private entities owning the property. (Ord. 699, 5-28-2013)

N. Incentives:

1. The zoning administrator may reduce the site parking requirements by up to five percent (5%) of the required number of spaces if the proposed landscape plan incorporates the retention of existing significant trees, particularly in the interior of the site.
2. The zoning administrator may reduce the site parking requirements by up to five percent (5%) of the required number of spaces if the proposed landscaping exceeds the requirements of these guidelines by fifteen percent (15%) or more.
3. The zoning administrator may reduce technical standards of parking lot design where paving requirements conflict with the retention of significant trees.

O. Alternative Methods Of Compliance:

1. Project Conditions: It is not the intent of these landscape requirements to inhibit creative solutions to land use problems. Under certain site conditions, a strict interpretation of

requirements may be either physically impossible or impractical. Alternative compliance is a procedure that allows certain modifications to existing regulations within this section. Requests for use of alternative landscaping schemes are justified only when one or more of the following conditions apply:

- a. The sites involve space limitations or unusually shaped parcels;
 - b. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical;
 - c. Due to a change of use of an existing site, the required buffer yard is larger than can be provided; and
 - d. Safety considerations are involved.
2. Request For Alternative Method Of Compliance: The applicant must provide the city with a written request if an alternative method of compliance is proposed. The request shall state which requirement as set forth within this section is to be modified, what project conditions stated within subsection O1 of this section justify using the proposed alternative, and how the proposed alternative equals or exceeds said requirement.
3. Tree Fund: Persons applying for an alternative method of compliance for relief from regulations that require all existing trees to remain on site may elect to make a financial contribution to the Eagle city tree fund in lieu of retaining all trees on site. The condition(s) which warrants the need for the tree fund alternate method of compliance shall be specified in the application submitted under subsection O2 of this section. If the application is approved, the amount to be contributed by the applicant will be based upon the total caliper inches of deciduous tree(s) removed from the site and the total vertical feet of coniferous trees removed from the site. Cost per caliper inch for deciduous trees and cost per vertical foot for coniferous trees shall be determined by resolution of the city council. The applicant shall have the right to review and consider the value determination, and following said review, to reapply for other alternative methods of compliance, without prejudice, in accordance with subsection O2 of this section. (Ord. 462, 11-11-2003)
- P. Plan Preparation: Preparing a landscape plan requires special skills. Landscaping involves more than a simple arrangement of plants with irrigation; plants are not haphazardly placed in a way that fills up leftover space. Landscape plans should reflect a theme so that site elements are artfully and technically organized in a way that conveys meaning, coherence, and spatial organization. Landscaping should enhance the physical environment as well as the project's aesthetic character. Therefore, landscape plans to be submitted for approval shall be prepared by or under the responsible control of a licensed landscape architect with said plans to be duly stamped to clearly identify the preparer. (Ord. 618, 2-17-2009)
- Q. Approved Tree List: This list is a suggested planting list. Other tree species and varieties will be considered.

SMALL TREES (CLASS I)

<u>Common Name</u>	<u>Botanical Name</u>	<u>Varieties</u>
Crabapple, flowering	Malus spp.	Adirondack Brandywine Coralburst Donald Wyman Harvest gold Indian summer Prairiefire Purple prince Radiant Red jewel Robinson Royalty Sargent Spring snow Strawberry parf Transitoria
Dogwood, flowering	Cornus florida	Cloud 9
Goldenraintree	Koelreuteria paniculata	September
Hawthorn, Washington	Crataegus phaenopyrum	
Lilac, Japanese tree	Syringa reticulata	Ivory silk
Magnolia, saucer	Magnolia x soulangiana	
Maple, amur	Acer ginnala	Flame
Maple, hedge	Acer campestre	Queen Elizabeth
Pear, callery	Pyrus calleryana	Aristocrat Capitol Chanticleer Cleveland Redspire
Plum, flowering	Prunus spp.	Blireiana Newport
Plum, purple leaf	Prunus cerasifera	
Redbud, eastern	Cercis canadensis	

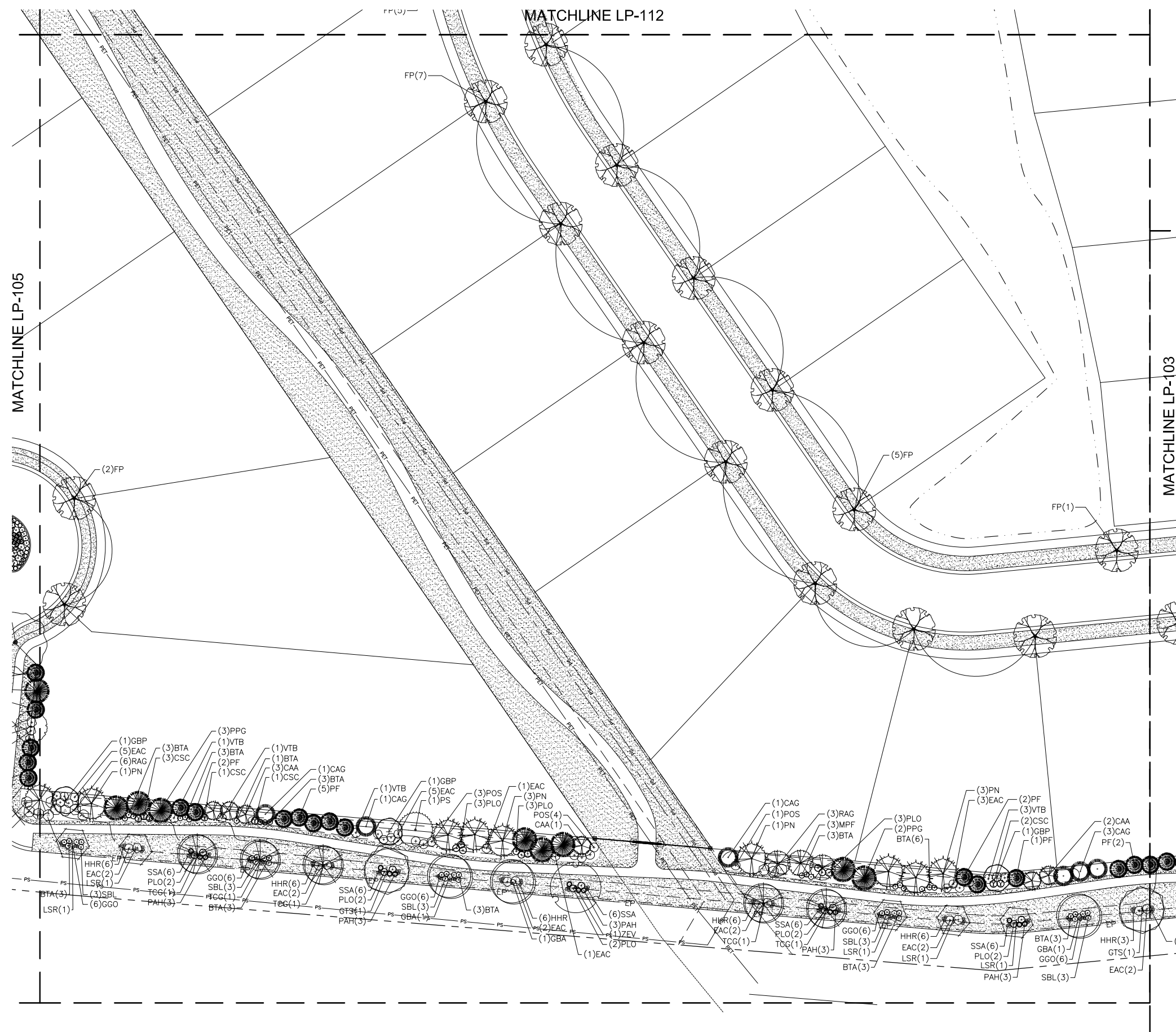
Smoke tree, common	Cotinus coggygia	
Sumac, stag horn	Rus typhina	Laciniata
MEDIUM TREES (CLASS II)		
<u>Common Name</u>	<u>Botanical Name</u>	<u>Varieties</u>
Alder, mountain	Alnus tenuifolia	
Ash, green	Fraxinus pennsylvanica	Bergeson Cimaron Marshall Patmore Urbanite
Ash, raywood	Fraxinus oxycarpa	Raywood Flame
Ash, white	Fraxinus americana	Autumn applause Autumn purple Rosehill Skyline
Birch, river	Betula nigra	Heritage
Buckeye, yellow	Aesculus octandra	
Cherry, Japanese - kanzan	Prunus serrulata	
Corktree, amur	Phellodendron amurense	Macho
Filbert, Turkish	Corylus colurna	
Ginkgo (male only)	Ginkgo biloba	Princeton sentry Magyar Autumn gold
Hackberry, common	Celtis occidentalis	Prairie pride
Honeylocust, thornless	Gleditsia triancanthos inermis	Shademaster Skyline Moraine
Hornbeam, European	Carpinus betulus	Fastigiata
Horsechestnut, common	Aesculus hippocastanum	Baumannii

Katsuratree	Cercidiphyllum japonicum	
Linden, American	Tilia americana	Redmond Legend
Linden, littleleaf	Tilia cordata	Chancellor Corzam Glenleven Greenspire
Linden, silver	Tilia tomentosa	Green mtn. Sterling
Magnolia, cucumber tree	Magnolia acuminata	
Maple, Norway	Acer platanoides	Columnare Deborah Emerald queen Royal red
Maple, sugar	Acer saccharum	Green mtn. Legacy
Pagoda tree, Japanese	Sophora japonica	Regent
Persimmon, common	Diospyros virginiana	
Sweetgum, American	Liquidambar styraciflua	Moraine
Yellowwood, American	Cladrastis kentuckia	
LARGE TREES (CLASS III)		
<u>Common Name</u>	<u>Botanical Name</u>	<u>Varieties</u>
Beech, European	Fagus sylvatica	Asplenifolia Riversii Roseo-Marginata Pendula
Catalpa, northern	Catalpa speciosa	
Coffee tree, Kentucky	Gymnocladus dioica	Espresso
Cottonwood, black	Populus trichocarpa	
Hickory, shagbark	Carya ovata	

Oak, bur	Quercus macrocarpa	
Oak, English	Quercus robur	Fastigiata Pyramich
Oak, red	Quercus rubra	
Oak, swamp white	Quercus bicolor	
Plane tree, London	Platanus x acerifolia	Bloodgood
Tulip tree	Liriodendron tulipifera	
Zelkova, Japanese	Zelkova serrata	Village green
CONIFERS		
<u>Common Name</u>	<u>Botanical Name</u>	<u>Varieties</u>
Arborvitae, eastern	Thuja occidentalis	
Bald cypress, common	Taxodium distichum	Monarch of Illinois Shawnee brave
Cedar, blue atlas	Cedrus atlantica glauca	Glauca pendula - weeping Fastigiata - columnar form
Cedar, weeping Alaska	Chamaecyparis nootkatensis	Pendula
Douglas fir	Pseudotsuga menziesii	
False cypress, lawson	Chamaecyparis lawsoniana	Allumii Stewartii
Fir, white	Abies concolor	Violacea
Incense cedar, California	Calocedrus decurrens	
Juniper, Rocky Mountain	Juniperus scopulorum	
Larch, European	Larix decidua	Pendula
Pine, Austrian	Pinus nigra	

Pine, bristlecone	Pinus aristata	
Pine, eastern white	Pinus strobes	
Pine, limber	Pinus flexilis	
Pine, mugo	Pinus mugo	
Pine, ponderosa	Pinus ponderosa	
Pine, Scotch	Pinus sylvestris	
Redwood, dawn	Metasequoia glyptostroboides	
Sequoia, giant	Sequoiadendron giganteum	
Spruce, Colorado	Picea pungens	Glauca Hoopsii Koster Moerheimii
Spruce, Norway	Picea abies	
Spruce, Serbian	Picea omorika	
Spruce, white (Black Hills)	Picea glauca	Densata

(Ord. 462, 11-11-2003)



Agenda Item #3

Description	3. Workshop: Subdivision Regulations
Department	Planning
Presenter	Stephen Nelson, City Planner
Action Type	Workshop
Recommendation	Review and make recommendations
Reviewed By	City Planner,

Background



The State of Utah gives Cities the power to enact Subdivision code that comply with the Municipal Land Use, Development and Management Act (LUDMA). The main section in LUDMA that governs a Cities responsibility is [Utah Code Title 10.9a.6](#). Nibley City last made a major change to the subdivision ordinances in 2015. Since its passing, the City has made a few minor changes to the ordinance, however, there are a few

items staff recommends be reviewed by the Planning Commission as listed below. Nibley City's Subdivision Regulations can be found in [Title 21](#).

Process for Approval

Nibley City [Code 21.06](#) Approval Process outlines the process for a subdivision to be approved. Currently, a subdivision applicant must turn in a preliminary plat to the Planning Commission, the Planning Commission holds a public hearing, then makes a recommendation on the plat to the City Council. The City Council receives the recommendation from the Planning Commission, holds a public hearing and either approves, approves with conditions, or denies the preliminary plat. After preliminary approval, the applicant turns in a final plat to the Planning

Commission and the Planning Commission make a recommendation to the City Council on final approval. Then City Council either approves or denies the final plat and development agreement.

Nibley City has one of the more cumbersome application processes for a subdivision application. LUDMA gives City broad discretion in deciding how a subdivision is approved. That means there are a variety of options including making staff the land use authority to having the City Council and Planning Commission involved similarly to what is currently in Nibley City Code, and everything in between.

Staff recommends that the Planning Commission discuss the current process and recommend changes to simplify the process.

Access and Transportation Connectivity

One weakness of the current Subdivision code is lack of clear standards for access to property and providing incentives to developers to provide a well-connected transportation system; including roadways, bike lanes, and trails. The proposed Transportation Master Plan suggest the City look at standards to encourage grid connectivity. An example of this would be Lehi's connectivity standards contain within [Chapter 37.050 in their Design Standards](#). These standards encourage connectivity by providing a point system that each subdivision would need to meet.

Nibley City has taken some steps to help ensure a grid system is in place as contained in [Nibley City Code 21.12.060 Blocks](#) by requiring trail access every 660 ft and in [Nibley City Code 21.12.050 \(E\)](#) by limiting the length of Cul-De-Sacs and requiring a trail to exit out of a Cul-De-Sac.

The City has had a few issues with some of these and items like street length and blocks could be further defined. Staff also recommends that the City should have some sort of minimum street standard for roads that are just built to provide a connection to a subdivision. From time to time, a developer will need to make improvements to a road that is outside of their development for access purposes, and the current Subdivision Code does not define standards for that road.

Land Scaping and Design Standards

The Planning Commission should consider landscaping standards for items like trails, swales, park strips, stormwater pounds, or other aspects of public improvements.