



# REQUEST FOR COUNCIL ACTION

**Action:** Need Council to take action

**Meeting Date Requested**

6/9/2021

**Presenter:** Larry Gardner

**Deadline of item**

6/9/2021

**Department Sponsor:** Community Development

**Agenda Type:** Public Hearing

**Time Requested:** 10 minutes presentation, 10 minutes Council

*(Council may elect to provide more or less time)*

**Approval Signatures (required for all transmittals)**

Submitter: Larry Gardner  
Larry Gardner (May 26, 2021 16:19 MDT)

Dept. Head: Scott Langford  
Scott Langford (May 26, 2021 16:26 MDT)

Reviewed as to Form: Duncan Murray  
Duncan Murray (May 26, 2021 16:25 MDT)

Executive: Dale Burton

Council Office: Cindy G. Qualls

Council Committee: \_\_\_\_\_

**1. AGENDA SUBJECT:**

Consider approving Ordinance No. 21-10 amending the 2009 City code Title 13, Chapter 13 Landscaping Requirements and definitions in Section 13-2-3

**2. SUMMARY**

The proposed ordinance will amend the current landscape ordinance of the city.

**3. TIME SENSITIVITY / URGENCY**

Urgent

**4. BUDGET IMPACT**

In 2018 and 2020, the City purchased in excess of their take or pay contract and contingency amounts by 7% and 15% respectively. In 2019, the City purchased 98% of the contract and contingency.

The City's current 'take or pay' contract is 16,500 acre feet with a 20% allowance of another 3,300 acre feet for a total of 19,800.

	Calendar Year		
	2018	2019	2020
Acre feet of water purchased	21,173	19,474	22,837
Contracted water + contingency	19,800	19,800	19,800
Excess	1,373	(326)	3,037
% of contracted water	107%	98%	115%

If the City adopts the Landscape Ordinance, the City will be allowed to renegotiate it's water contract with JVWCD and avoid the Block 2 premium rate for the amounts purchased in excess of the current contract.

The potential savings based on historical use would be as follows:

	Calendar Year		
	2018	2019	2020
Potential cost savings from avoiding the Block 2 premium rate	\$ 1,062,576	\$ -	\$ 2,338,176

If the City does not adopt the Landscape Ordinance, water rates may need to be adjusted to allow for this potential cost increase.

**5. DEPARTMENT RECOMMENDATION**

Approval

**6. PLANNING COMMISSION RECOMMENDATION**

Approval

**7. MOTION RECOMMENDED**

I move to approve Ordinance No. 21-10 amending the 2009 City code Title 13, Chapter 13 Landscaping Requirements and definitions in Section 13-2-3

**8. PACKET ATTACHMENT(S)**

- A. Staff Report
- B. Ordinance No. 21-10

## **I. BACKGROUND**

The proposed ordinance will amend Chapter 13 “Landscape Requirements” of 2009 City Code. The landscape ordinance was last revised in 2010. The 2010 ordinance was created in cooperation with Jordan Valley Water Conservancy District (JVWCD). The 2010 ordinance focused more on water saving plants and some conservation practices. The proposed ordinance will be adopting the most recent water efficiency standards from JVWCD.

## **II. GENERAL INFORMATION & ANALYSIS**

The proposed ordinance will adopt the water efficiency standards of JVWCD and other water saving landscape practices.

## **III. FINDINGS OF FACT**

Section 13-7-D-7B, requires that prior to approval the City Council shall make the following findings:

**Criteria 1:** *The proposed amendment conforms to the general plan and is consistent with the adopted goals, objectives and policies described therein;*

**Discussion:** The General Plan supports revisions of ordinances as needed.

**Finding:** The proposed amendment conforms to the General Plan and is consistent with the adopted goals, objectives and policies described therein.

**Criteria 2:** *The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title;*

**Discussion:** The proposed amendment will add additional water conservation and efficiency standards.

**Finding:** The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to this title.

**Criteria 3:** *The proposed amendment will not create a conflict with any other section or part of this title or the general plan;*

**Discussion:** The proposed amendment will not create any conflicts with any other sections of the 2009 City Code.

**Finding:** The proposed amendment will not create a conflict with any other section or part of the Municipal Code or the General Plan.

**Criteria 4:** *The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only*

*necessary to make a modification to this title in light of corrections or changes in public policy.*

**Discussion:** The draft ordinance as written will have city wide application and will not relieve a particular hardship or grant special privileges to any one person or entity.

**Finding:** The proposed amendment does not relieve a particular hardship, nor does it confer any special privileges to a single property owner or cause, and it is only necessary to make a modification to this title(s) in light of corrections or changes in public policy.

**THE CITY OF WEST JORDAN, UTAH  
ORDINANCE NO. 21-10**

**AN ORDINANCE REGARDING LANDSCAPING REQUIREMENTS,  
AMENDING THE 2009 WEST JORDAN CITY CODE  
(TITLE 13, CHAPTER 13 AND DEFINITIONS IN SECTION 13-2-3)**

WHEREAS, the City of West Jordan (“City”) adopted West Jordan City Code (“City Code”) in 2009; and

WHEREAS, Title 13 of the City Code has been adopted as a set of "Land Use Regulations", as defined by Utah Code Ann. Subsection 10-9a-103(32) or successor provisions; and

WHEREAS, the City desires to amend and repeal and replace certain sections of the City Code, which have been adopted as Land Use Regulations (“proposed City Code amendments”); and

WHEREAS, the Planning Commission of the City (“Planning Commission”) held a public hearing on March 2, 2021, and an additional public meeting on March 16, 2021, regarding the proposed City Code amendments, and forwarded a positive recommendation to the City Council of the City (“City Council”) regarding the proposed code amendments; and

WHEREAS, after reviewing the Planning Commission's recommendation, and after the City Council holding its own public hearing on April 14, 2021 regarding the proposed City Code amendments, and having held an additional public meeting, and having considered additional changes to said provisions of the City Code, the City Council finds it to be in the best interest of the public health, safety, and welfare to adopt the following amendments to the City Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
WEST JORDAN, UTAH AS FOLLOWS:

**Section 1. Repeal and Replace.** Sections 13-13-1 through 13-13-13 inclusive, of Title 13, Chapter 13 of the City Code, are hereby repealed and replaced with the attached Sections 13-13-1 through 13-13-10 inclusive, so that these Sections shall now read as shown on Attachment 1 to this Ordinance.

**Section 2. Amendment.** The definitions in Section 13-2-3 of the City Code are added to or amended so that they shall now read as shown on Attachment 2 to this Ordinance (without affecting any of the other existing definitions in this Section).

**Section 3. Severability.** If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

**Section 4. Effective Date.** This Ordinance shall become effective immediately upon posting or publication as provided by law and either (i) the Mayor signing the Ordinance, (ii) the City Council duly overriding the veto of the Mayor as provided by law, or (iii) the Mayor failing to sign or veto the Ordinance within fifteen (15) days after the City Council presents the Ordinance to him.

43 PASSED BY THE CITY COUNCIL OF THE CITY OF WEST JORDAN, UTAH, THIS  
44 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2021.

45 CITY OF WEST JORDAN  
46

47 By: \_\_\_\_\_

48 Zach Jacob  
49 Council Chair

50 ATTEST:

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53  
54 Cindy M. Quick, MMC  
55 Council Office Clerk

56  
57 **VOTING BY THE CITY COUNCIL**

"YES"      "NO"

Council Chair Zach Jacob	<input type="checkbox"/>	<input type="checkbox"/>
Council Vice Chair Kelvin Green	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Chad R. Lamb	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Christopher McConnehey	<input type="checkbox"/>	<input type="checkbox"/>
Council Member David Pack	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Kayleen Whitelock	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Melissa Worthen	<input type="checkbox"/>	<input type="checkbox"/>

65 **PRESENTED TO THE MAYOR BY THE CITY COUNCIL ON \_\_\_\_\_.**

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67 Mayor's Action: \_\_\_\_\_ Approve      \_\_\_\_\_ Veto

68  
69 By: \_\_\_\_\_  
70      Mayor Dirk Burton      \_\_\_\_\_  
71      Date

72  
73 ATTEST:

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76  
77 Tangee Sloan  
78 City Recorder

79  
80  
81

82 **STATEMENT OF APPROVAL OE PASSAGE** (check one)

83  
84        The Mayor approved and signed Ordinance No. 21-10.

85  
86        The Mayor vetoed Ordinance No. 21-10 on \_\_\_\_\_ and the  
87        City Council timely overrode the veto of the Mayor by a vote of \_\_\_\_ to \_\_\_\_.

88  
89        Ordinance No. 21-10 became effective by operation of law without the  
90        Mayor's approval or disapproval.

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94       \_\_\_\_\_  
95       Tangee Sloan  
96       City Recorder  
97

#### **CERTIFICATE OF PUBLICATION**

I, Tangee Sloan, certify that I am the City Recorder of the City of West Jordan, Utah, and that the foregoing ordinance was published in the Legal Section, of the Salt Lake Tribune, on the \_\_\_\_\_ day of \_\_\_\_\_, 2021 pursuant to Utah Code Annotated, 10-3-711.

98  
99       \_\_\_\_\_  
100      Tangee Sloan  
101      City Recorder  
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*(Continued on the following pages)*

**[Attachment to ORDINANCE NO. 21-10  
AN ORDINANCE REGARDING LANDSCAPING REQUIREMENTS,  
AMENDING THE 2009 WEST JORDAN CITY CODE  
(TITLE 13, CHAPTER 13 AND DEFINITIONS IN SECTION 13-2-3)]**

## Clean Version:

## CHAPTER 13 LANDSCAPING REQUIREMENTS

## SECTION:

- 13-13-1: Purpose
- 13-13-2: Applicability
- 13-13-3: Fees and Submittals
- 13-13-4: Approvals, Inspections and Bonding
- 13-13-5: Water Efficiency Standards
- 13-13-6: Landscape Requirements for Specific Land Uses
- 13-13-7: Parking Lot Landscaping
- 13-13-8: Landscaped Buffers
- 13-13-9: Adopted Streetscape Plans
- 13-13-10: Landscape Maintenance

### 13-13-1: PURPOSE:

A. The city finds that it is in the public interest to conserve public water resources and promote water efficient landscaping through planning and education. The city strives to protect and enhance the community's environmental, economic, recreational, and aesthetic resources by promoting efficient use of water, reducing water waste, and establishing guidelines for design, installation, and maintenance of water efficient and attractive landscaping.

### 13-13-2: APPLICABILITY:

- A. Except as set forth in subsections B and C of this section, this chapter applies to all new construction and includes all building additions, expansions, changes, or intensification of use, filed after the effective date hereof, which results in a new landscaped area greater than one thousand (1,000) square feet. The landscaping and irrigation plans required by this chapter shall be provided as a condition of building permit issuance. In the case of building expansions, only the expansion area shall be required to meet the requirements of this chapter.
- B. New Single Family Residential Construction. New single family residential is only required to follow section 13-13-5 "Water Efficiency Standards" of this chapter. As an aid, a residential landscape design guide is available from the city and is located on the city's website.

150 C. Existing Single Family Residential. Single Family Residential landscaping that exists at the  
151 effective date of this chapter is not required to follow the regulations of this chapter.  
152 Landscaping can be maintained as installed or the property owner is free to follow the  
153 provisions of this chapter. As an aid, a residential landscape design guide available from the  
154 city located on the city's website.

155  
156 13-13-3: FEES AND SUBMITTALS:

157 A. Submittal: Landscape, irrigation, summary data, as-built drawings and planting plans shall  
158 be submitted with final site plans following the checklist provided by the city.  
159 B. Fees: All fees shall be submitted according to the consolidated fee schedule.

160  
161 162 13-13-4: APPROVALS, INSPECTIONS AND BONDING:

163 A. Landscape and irrigation plans are approved according to city code.  
164 B. Landscaping and irrigation inspection verifying that the landscaping and irrigation system  
165 was installed according to the approved plans shall be conducted by the City prior to issuance  
166 of a certificate of occupancy.  
167 1. Water Meter: For all commercial landscapes, a separate water meter shall be installed  
168 for landscape irrigation systems. The landscape water meter shall be separate from the  
169 water meter installed for indoor uses. The size of the meter shall be determined based on  
170 irrigation demand. The landscape water meter shall not be a "submeter" but shall be  
171 installed and billed separately from any indoor meters.  
172 2. Irrigation Systems: Irrigation systems shall be pressure checked and inspected prior to  
173 backfilling to obtain a final certificate of occupancy.  
174 C. Cash Bond: Temporary occupancy of a building may be granted by the city.  
175 1. If the property owner desires to occupy a building or premises before landscaping or  
176 irrigation improvements are completed a cash bond or other approved financial  
177 instrument shall be made with the city according to section 13-1-9 (private projects) of  
178 this title and section 8-3C-2 (public improvements) of this code.  
179 2. The cash bond or other approved financial instrument shall be released when a final  
180 inspection has taken place and the building or site is issued a final certificate of  
181 occupancy from the city.

182  
183 183 13-13-5: WATER EFFICIENCY STANDARDS

184  
185 1. All new construction shall comply with the water efficiency standards listed below.  
186 Upgrades or relandscaping should strive to meet these same standards.  
187 2. All irrigation shall be appropriate for the designated plant material to achieve the highest  
188 water efficiency.  
189 a. Drip irrigation or bubblers shall be used except in lawn/sod/turf areas.  
190 b. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end  
191 assembly, and any other appropriate components.  
192 3. If installed each irrigation valve shall irrigate landscaping with:  
193 a. Similar site;  
194 b. Similar slopes;

- c. Similar soil conditions; and
- d. Plant materials with similar watering needs.

4. Lawn/sod/turf and planting beds shall be irrigated on separate irrigation valves if an irrigation system is installed.

5. Drip emitters and sprinklers shall be placed on separate irrigation valves if an irrigation system is installed.

6. Landscaped areas shall be provided with a smart irrigation controller which has the ability to automatically adjust the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.

7. A minimum of 3 to 4 inches of mulch, permeable to air and water, shall be used in planting beds.

8. At maturity it is recommended that landscapes have enough plants (trees, perennials, and shrubs) to create at least 50% living plant cover at maturity.

9. Lawn/sod/turf shall not be installed in:

- a. Park strips;
- b. Paths less than 8 feet (8') wide; and
- c. On slopes with a grade greater than twenty five percent (25%) or 4:1 slope.

### 13-13-6: LANDSCAPE REQUIREMENTS FOR SPECIFIC LAND USES:

#### A. Multiple-Family Developments:

1. Landscaped Areas: Not less than forty percent (40%) of the total development site of a multiple-family project shall be landscaped. A contiguous recreation area for the multi-family development may be planted in lawn/sod/turf/sod/turf and may be of any size practical for recreation purposes. Detention basins may also be planted entirely of lawn/turf/sod if used for recreation purposes.
2. The front yard and side yards adjacent to public streets, except those portions devoted to driveways and sidewalks shall be landscaped. The minimum width of landscaped areas adjacent to public streets shall be twenty five feet (25') wide. This planting area shall meet all requirements of this chapter.
3. Site Trees: A minimum of one tree per two thousand (2,000) square feet of landscaped area is required, in addition to any park strip, parking lot landscaping or landscaped buffer requirement of this chapter.
4. Park Strip Landscaping: Any combination of ornamental plants, shrubs, herbaceous perennial, ground cover plants, pavers, ornamental gravel, ornamental concrete, boulders, bark mulch and artificial turf is permitted in the park strip. Lawn/sod/turf is prohibited in park strips. One tree per twenty five feet (25') of frontage is required.
5. Parking Lot Landscaping: Parking lot landscaping shall meet the requirements of this chapter.
6. Landscaped Buffer: A landscaped buffer is required for any multi-family development adjacent to an existing lower density residential development. Buffers shall meet the requirements of this chapter.
7. On site detention basins shall be considered part of the landscaped area of the site and shall be landscaped unless stored underground or as part of the paved parking area.

239  
240     B. Business/Research Park Zone:

241       1. Landscaped Areas: Landscaped areas shall comprise not less than twenty five percent  
242       (25%) of the site. The front yard and side yards adjacent to public streets, except those  
243       portions devoted to driveways and sidewalks, shall be landscaped. Lawn/sod/turf shall  
244       be limited to twenty percent (20%) of the landscaped area.

245       2. Site Trees: A minimum of one tree per two thousand (2,000) square feet of landscaped  
246       area is required, in addition to any park strip, parking lot landscaping or landscaped  
247       buffer requirement.

248       3. Park Strip Landscaping: Any combination of ornamental plants, shrubs, herbaceous  
249       perennial, ground cover plants, pavers, ornamental gravel, ornamental concrete,  
250       boulders, bark mulch and artificial turf is allowed in the park strip. Lawn/sod/turf is  
251       prohibited in park strips. One tree per twenty five feet (25') of frontage is required.

252       4. Parking Lot Landscaping: Parking lot landscaping shall meet the requirements of this  
253       chapter.

254       5. Landscape Buffers: Landscape buffers may be required in areas that abut less intense  
255       or incompatible land uses or as visual barriers around parking and utility areas. Buffers  
256       shall meet the requirements of this chapter.

257       6. On site detention basins shall be considered part of the landscaped area of the site and  
258       shall be landscaped unless stored underground or as part of the paved parking area.

259  
260     C. Commercial and Professional Office:

261       1. Landscaped Areas: Landscaped areas shall comprise not less than fifteen percent (15%)  
262       of a commercial or professional office site. Front and side yards adjacent to a public  
263       street, except those portions devoted to driveways and sidewalks, shall be landscaped.  
264       Lawn/sod/turf shall be limited to twenty percent (20%) of the landscaped area.

265       2. Site Trees: A minimum of one tree per two thousand (2,000) square feet of landscaped  
266       area is required, in addition to any park strip, parking lot landscaping or landscaped  
267       buffer requirement.

268       3. Landscaped Buffer: A landscaped buffer is required for any commercial or professional  
269       office adjacent to an existing residential development. Buffers shall meet the  
270       requirements of this chapter.

271       4. Park Strip Landscaping: Any combination of ornamental plants, shrubs, herbaceous  
272       perennial, ground cover plants, pavers, ornamental gravel, ornamental concrete,  
273       boulders, bark mulch and artificial turf is allowed in the park strip. Lawn/sod/turf is  
274       prohibited in park strips. One tree per twenty five feet (25') of frontage is required.

275       5. On site detention basins shall be considered part of the landscaped area of the site and  
276       shall be landscaped unless stored underground or as part of the paved parking area.

277  
278     D. Manufacturing Developments:

279       1. Landscaped Areas: Landscaped areas shall comprise not less than ten percent (10%)  
280       of a manufacturing site. A minimum of one tree per two thousand (2,000) square feet  
281       of landscaped area is required, in addition to any park strip, parking lot landscaping or  
282       landscaped buffer requirement. Lawn/sod/turf shall be limited to twenty percent (20%)  
283       of the landscaped area.

284 2. Park Strip Landscaping: Any combination of ornamental plants, shrubs, herbaceous  
285 perennial, ground cover plants, pavers, ornamental gravel, ornamental concrete,  
286 boulders, bark mulch and artificial turf is allowed in the park strip. Lawn/sod/turf is  
287 prohibited in park strips. One tree per twenty five feet (25') of frontage is required.  
288 3. Landscaped Buffers: A landscaped buffer is required for any manufacturing  
289 development adjacent to an existing residential development. Buffers shall meet the  
290 requirements City Code.  
291 4. On site detention basins shall be considered part of the landscaped area of the site and  
292 shall be landscaped unless stored underground or as part of the paved parking area.  
293

294 E. Nonresidential Uses in Residential Districts:

295 1. Landscaped Areas: Landscaped areas shall comprise not less than fifteen percent  
296 (15%) of a nonresidential site. Front and side yards adjacent to a public street, except  
297 those portions devoted to driveways and sidewalks, shall be landscaped.  
298 Lawn/sod/turf shall be limited to twenty percent (20%) of the landscaped area.  
299 2. Site Trees: A minimum of one tree per two thousand (2,000) square feet of  
300 landscaped area is required, in addition to any park strip, parking lot landscaping or  
301 landscaped buffer requirement.  
302 3. Landscaped Buffer: A landscaped buffer is required for any nonresidential adjacent  
303 to an existing residential development. Buffers shall meet the requirements of this  
304 chapter.  
305 4. On site detention basins shall be considered part of the landscaped area of the site  
306 and shall be landscaped unless stored underground or as part of the paved parking  
307 area.  
308 5. Exemption: Nonresidential uses in residential districts are exempt from the field  
309 inspection requirements of section 13-13-4 of this chapter. (2001 Code § 89-6-711;  
310 amd. 2009 Code; Ord. 11-01, 3-23-2011; Ord. 19-50, 12-11-2019, Effective at 12  
311 noon on January 6, 2020)

312 F. City constructed buildings, parks, recreation and open spaces and recreation and open  
313 spaces for educational facilities in any zone.

314 1. Landscaped Areas: Landscaped areas shall comprise not less than twenty five  
315 percent (25%) of the site containing a public building such as city hall, courts, public  
316 safety buildings, public works buildings, water tanks/reservoirs, administration  
317 buildings. The front yard and side yards adjacent to public streets, except those  
318 portions devoted to driveways and sidewalks, shall be landscaped. Lawn/sod/turf  
319 shall be limited to twenty percent (20%) of the landscaped area surrounding public  
320 buildings. This requirement does not apply to accessory buildings or structures of  
321 public parks, open space, or recreation areas.  
322 2. Site Trees: A minimum of one tree per two thousand (2,000) square feet of  
323 landscaped area is required, in addition to any park strip, parking lot landscaping or  
324 landscaped buffer requirement of this chapter. Landscaped are does not include  
325 areas used for parks, open spaces, or recreation areas.  
326 3. Park Strip Landscaping: Any combination of ornamental plants, shrubs, herbaceous  
327 perennial, ground cover plants, pavers, ornamental gravel, ornamental concrete,  
328 boulders, bark mulch and artificial turf is permitted in the park strip. Lawn/sod/turf

is prohibited in park strips. One tree per twenty five feet (25') of frontage is required.

4. **Parking Lot Landscaping:** Parking lot landscaping shall meet the requirements of this chapter.
5. On site detention basins shall be considered part of the landscaped area of the site and shall be landscaped unless stored underground or as part of the paved parking area.
6. **Parks and recreation facilities.** There is no limitation on the amount of lawn/sod/turf used in parks or recreation areas. Tree placement in parks, open spaces and recreation areas will be according to the overall design of the park, open space, or recreation area.

### 13-13-7: PARKING LOT LANDSCAPING:

- A. Landscaping is required within automobile parking areas that have fourteen (14) parking spaces or more to break up large expanses of pavement, to provide relief from reflected glare and heat, and to guide vehicular and pedestrian traffic.
- B. Materials and Installation:
  1. Irrigation: All landscaped areas in parking lots that contain any plants or trees shall be irrigated. Irrigation design shall follow the requirements of the application checklist.
  2. Interior Parking Lot Landscaping:
    - a. Shade trees shall be provided at no less than one tree per seven (7) parking spaces (i.e., 70 spaces divided by 7 equals 10 trees).
    - b. Within landscaped areas, plants shall be of sufficient number and spacing to provide fifty percent (50%) surface coverage at maturity, not including tree canopies.
    - c. Interior parking lot landscaping shall be evenly dispersed throughout the parking lot. Planting that is required along the perimeter of a parking lot or adjacent to buildings shall not be considered as part of the interior parking lot landscaping.
  3. Perimeter Parking Lot Landscape Areas: Where a parking lot is located within a required, front, side, or rear yard or within twenty feet (20') of a property line, landscaping shall be provided around the perimeter of the parking lot. The perimeter landscaping planting area shall be a minimum of eight feet (8') wide and shall be designed, contained, planted and irrigated according to this chapter and the application checklist.
  4. Landscaped Areas: The minimum interior dimensions of any landscaped area or planting median shall be eight feet (8') wide. Each landscaped area shall be protected by concrete vertical curbs. Curbs may be designed to allow stormwater to enter the landscaped area. Where such curbs serve as a wheel stop for parking spaces, thirty six inches (36") shall be provided in the planting area between the curb stop and the tree locations. Other low growing plants, mulch, gravel, or ornamental concrete shall be placed in this tree exclusion area.

### 13-13-8: LANDSCAPED BUFFERS:

- A. Landscape buffers shall mitigate the transition between more intense land uses and/or between different development types. Only the more intense land use shall be required to provide the landscape buffer.
- B. Materials and Installation:

375        1. Landscaped buffers shall be not less than twenty feet (20') wide. The area of this buffer  
376        may be counted toward the required landscape area. Sidewalks and walking paths may  
377        be included in a landscape buffer.  
378        2. Buffers shall be designed with sufficient number, size and density of trees and shrubs  
379        to mitigate visual and auditory impacts. A minimum of one tree for each four hundred  
380        (400) square feet, or fraction thereof, of the landscaped buffer shall be planted. This  
381        requirement is in addition to the required park strip landscaping and parking lot  
382        landscaping.

383        C. Exceptions:

384        1. Where a landscape buffer already exists along the property line of an abutting property,  
385        the landscape buffer requirement for the subject property may be waived or reduced in  
386        width by the Zoning Administrator. (2001 Code § 89-6-710; amd. Ord. 11-01, 3-23-  
387        2011; Ord. 13-17, 4-24-2013)

389        13-13-9: ADOPTED STREETSCAPE PLANS:

390        A. A streetscape plan is required in those cases where a wall is required between a  
391        development and an arterial or collector street. The plan shall show in detail the landscape  
392        treatment of the space between the wall and the street curb line. A streetscape plan is also  
393        required for all commercial, office, manufacturing, institutional and multi-family  
394        residential developments that are five (5) contiguous acres and larger which abut arterial  
395        streets.

396        1. Where an adopted streetscape plan is in place, the developer shall follow such plan.  
397        2. Where no adopted streetscape plan is in place, the developer shall coordinate with city  
398        staff and receive approval from the planning commission through the subdivision or  
399        site plan process on development of a streetscape plan and on the installation of the  
400        irrigation system and plant materials.

401        B. Streetscape plan requirements for developed areas five (5) contiguous acres and larger  
402        along arterial streets are as follows:

403        1. Adjacent to Residential Developments: Unless part of a previously approved master  
404        plan, development plan or streetscape plan, single-family and two-family residential  
405        developments adjacent to arterial streets shall contain a minimum ten foot (10')  
406        landscaped area, with plants arranged and approved by the city's parks department and  
407        the city's urban forester. The required ten foot (10') landscaped area shall be installed  
408        by the developer following provisions contained in this chapter from the back of  
409        sidewalk to the adjacent property line. Waterwise plants should be used extensively and  
410        may be used exclusively and shall be used as much as possible. The required street wall  
411        shall be installed beyond the landscaped area adjacent to the property line. The required  
412        ten foot (10') landscaped area adjacent to single-family and two-family residential shall  
413        be dedicated to the City.

414        2. Adjacent to Commercial, Office, Industrial, Institutional and Multi- Family  
415        Developments: Unless part of a previously approved master plan, development plan or  
416        streetscape plan, commercial, office, industrial, institutional, and multi-family  
417        developments adjacent to arterial streets shall contain a minimum ten foot (10')  
418        landscaped area. The required ten foot (10') landscaped area shall be installed between

419 the back of sidewalk to the adjacent development line (parking area, building area, etc.)  
420 along the entire area adjacent to the arterial street. Decorative or retaining walls no  
421 greater than two feet (2') in height may be installed in this area. Decorative boulders  
422 may be installed in this area. The required ten foot (10') landscaped area adjacent to  
423 commercial, office, industrial and multi-family developments shall be installed and  
424 maintained by the commercial, office, industrial, institutional, and multi- family  
425 development. This area may be counted as part of the development's overall  
426 landscaping percentage requirement. The landscaped area shall comply with the  
427 provisions governing landscaping in this chapter. Waterwise plants should be used  
428 extensively and may be used exclusively and shall be used as much as possible. (2001  
429 Code § 89-6-708; amd. 2009 Code; Ord. 10-09, 2-24-2010; Ord. 11

430 13-13-10: LANDSCAPE MAINTENANCE:

- 431 A. Intent: The developer, his successor and/or subsequent owners of a site for which landscape  
432 plans were required shall be responsible for the maintenance, repair, and replacement of all  
433 landscaping elements. Park strips shall be maintained by the owner of property abutting  
434 city easements, rights of way and park strips.
- 435 B. Irrigation Systems: Irrigation systems shall be maintained in good working condition and  
436 adjusted to ensure optimal operation and efficient water use.
- 437 C. Malfunctioning systems that are no longer conveying water as specified shall be repaired  
438 or replaced.
- 439 D. Landscaping: All landscape plants shall be maintained in good condition to present a  
440 healthy, neat, and orderly appearance. Plants not in this condition shall be removed and  
441 replaced when necessary.
- 442 E. Trees: Tree maintenance and pruning on private property shall be the responsibility of the  
443 property owner or tenant.
  - 444 1. For any tree in a park strip or within the landscape setback area where there is no  
445 park strip, property owners or tenants are not permitted to remove or conduct major  
446 pruning (20 percent or more of the crown), without prior approval from the city's  
447 urban forester. As a condition of such approval, the permittee may be required to  
448 replace the tree.
  - 449 2. Protect trees against damage caused by maintenance equipment, such as  
450 lawn/sod/turf mowers, weed trimmers, snowblowers and snowplows.
- 451 F. Grounds Maintenance: Landscaped areas shall be kept free of refuse and debris.
- 452 G. Clearance and Visibility. Any portion of a tree that is in the park strip public right of way  
453 or that overhangs the public right of way from private property may be removed up to the  
454 property line at any time without notice by the City. However, the requirements below are  
455 minimums that shall be maintained.
  - 456 1. Trees adjacent to pedestrian walkways shall have a minimum canopy clearance of  
457 eight feet (8') above grade.
  - 458 2. Tree canopies that extend over streets shall be pruned to provide canopy clearance  
459 of at least fifteen feet (15') above street pavement in travel lanes and parking lanes.
  - 460 3. Plants in the intersection sight triangle shall be pruned to maintain maximum  
461 heights specified in this standard. (Ord. 11-01, 3-23-2011; Ord. 19-50, 12-11-2019,  
462 Effective at 12 noon on January 6, 2020)

## Attachment 2

**[Attachment to ORDINANCE NO. 21-10  
AN ORDINANCE REGARDING LANDSCAPING REQUIREMENTS,  
AMENDING THE 2009 WEST JORDAN CITY CODE  
(TITLE 13, CHAPTER 13 AND DEFINITIONS IN SECTION 13-2-3)]**

The definitions in Section 13-2-3 of the City Code are added to or amended so that they shall now read as shown on Attachment 2 to this Ordinance (without affecting any of the other existing definitions in this Section):

## Legislative Version:

### 13-2-3: DEFINITIONS:

**ACTIVE RECREATION AREA:** An area that is dedicated to active play where turf grass may be used as the playing surfaces. Examples of active recreation areas include sports fields, play areas, and other similar uses.

**BRAMBLE**: any of a genus (*Rubus* or *Ribes*) usually prickly shrubs of the rose family including the raspberries, gooseberries, and blackberries.

**CHECK VALVE:** A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow.

**CONTROLLER:** A device used in irrigation systems to automatically control when and how long sprinklers or drip systems operate.

**LANDSCAPE ARCHITECT:** A person who holds a license to practice landscape architecture in the state of Utah. Per State Code, licensed landscape architects, licensed architects, licensed land surveyors, and licensed engineers can professionally stamp plans that fall under the practice of landscape architecture. This includes commercial landscape and irrigation plans. Each municipality has the authority to require that only a licensed landscape architect can stamp plans that fall under the practice of landscape architecture.

**LANDSCAPE DESIGNER:** A landscape architect, professional engineer, land surveyor or architect, as set forth by state law. Landscape Designer: A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers generally focus on residential design and horticultural needs of home landscapes.

**LANDSCAPE DOCUMENTATION PACKAGE:** The preparation of a graphic and written 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 ordinance. The Landscape Documentation Package shall include a project data sheet, a Site Plan, a Planting Plan, an Irrigation Plan, Construction Details, and a Grading Plan.

504 LANDSCAPE GRADING PLAN: The Grading Plan shows all finish grades, spot elevations,  
505 drainage as necessary and existing and new contours with the developed landscaped area.

506 LOCALSCAPES®: A locally adaptable and environmentally sustainable urban landscape style  
507 that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com). Mulch:  
508 Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.

509 PARK STRIP: The area within a street right of way located between the curb and sidewalk or, if  
510 there is no sidewalk, between the curb and private property line (a typically narrow landscaped  
511 area).

512 POP-UP SPRAY HEAD: A sprinkler head that sprays water through a nozzle in a fixed pattern  
513 with no rotation.

514 PRESSURE COMPENSATING: A drip irrigation system that compensates for fluctuating water  
515 pressure by only allowing a fixed volume of water through drip emitters.

516 PRESSURE REGULATING VALVE: A valve installed in an irrigation mainline that reduces a  
517 higher supply pressure at the inlet down to a regulated lower pressure at the outlet.

518 ROADBASSE: Aggregate used under the paved portion of a road or parking lot.

519 SPRAY SPRINKLER: An irrigation head that sprays water through a nozzle.

520 STREAM SPRINKLER: An irrigation head that projects water through a gear rotor in single or  
521 multiple streams.

522 SUBSOIL: the layer of soil under the topsoil on the surface of the ground. Composed of a  
523 variable mixture of small particles such as sand, rock, silt and clay, but without organic matter and  
524 humus.

525 TOPSOIL: The material on the surface of the ground in which plants grow.

526 WASTE OF WATER: Means and includes, but is not limited to:

527 A. The use of water for any purpose, including landscape irrigation, which consumes, or for  
528 which is applied substantial amounts of excess water beyond the reasonable amount required by  
529 the use, whether such excess water remains on the site, evaporates, percolates underground, goes  
530 into the sewer system, or can run into the gutter or street. Every water consumer is deemed to  
531 always have under control the water lines and facilities, other than water utility facilities, through  
532 which water is being supplied and used to his premises, and to know the manner and extent of his  
533 water use and excess runoff;

534 B. The excessive use, loss or escape of water through breaks, leaks, or malfunctions in the  
535 water user's plumbing for any period of time after such escape of water should reasonably have  
536 been discovered and corrected. It shall be presumed that a period of forty eight (48) hours after the  
537 water user discovers such break, leak or malfunction or receives notice from the city of such  
538 condition, whichever occurs first, is a reasonable time to correct such condition; or

539 C. Washing sidewalks, driveways, parking areas, tennis courts or other paved areas except to  
540 alleviate immediate fire, health, or safety hazards.

542

543 **Clean Version:**

544

545 **13-2-3: DEFINITIONS:**

546

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598 into the sewer system, or can run into the gutter or street. Every water consumer is deemed to  
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600 which water is being supplied and used to his premises, and to know the manner and extent of his  
601 water use and excess runoff;

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608 alleviate immediate fire, health, or safety hazards.

# 6a Landscaping Ordinance

Final Audit Report

2021-05-27

Created:	2021-05-26
By:	Cindy Quick (Cindy.quick@westjordan.utah.gov)
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Transaction ID:	CBJCHBCAABAAQ1MZ_HX66f-22wnRjcqN64tpytyIN4n0

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✉ Cindy Quick (Cindy.quick@westjordan.utah.gov) replaced signer Korban Lee (korban.lee@westjordan.utah.gov) with Dirk Burton (dirk.burton@westjordan.utah.gov)  
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✓ Agreement completed.  
2021-05-27 - 2:51:32 PM GMT



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