

## TITLE 10

### CHAPTER 15

#### **LANDSCAPING**

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##### **10-15-1: PURPOSE AND INTENT**

This chapter provides standards for landscaping within the city. It is intended to ensure that the policies of the General Plan related to increasing the attractiveness of the city and enhancing neighborhood character includes appropriate landscaping. The city recognizes the aesthetic, ecological, and economic value of landscaping and requires its use to:

- A. Reduce the rate and volume of storm water runoff.
- B. Promote compatibility between land uses and create buffer areas by reducing the visual, noise, and lighting impacts from adjoining properties.
- C. Unify development within the districts, corridors, and neighborhood zones throughout the city.
- D. Promote the retention of existing vegetation and restore natural communities through re-establishment of native plants.
- E. Reduce the visual and audio impacts of automobile related infrastructure (parking lots, driveways and roads).
- F. Promote healthy outdoor recreational activities.
- G. Reduce greenhouse gases and the negative environmental impacts created from automobiles and development.

- H. Using the landscape to compliment the built environment and achieving the principals and goals set forth in the design guidelines.
- I. Promote water efficient landscaping that reduces the demand of the city's water resources.

#### **10-15-2: APPLICABILITY**

The standards of the chapter apply to all public and private development, new construction, exterior remodeling, enlargement or change of use, unless otherwise specifically stated in this chapter.

#### **10-15-3: EXEMPTION**

The following are exempt from the standards of this chapter:

- A. Agriculture structures and agricultural uses;
- B. Minor improvements or repairs to existing development that do not result in an increase in floor area;

#### **10-15-4: LANDSCAPING**

- A. Required Landscaping: Required landscaping shall be installed in all yard areas, along the perimeter of the lot, around buildings, and all other portions of the property not specifically utilized for walkways, driveways, parking, loading or other functions for which landscaping may not be practical as determined by the city.
- B. Use of Sterilants, Weed Killers, or Herbicides: No sterilants, weed killers, or herbicides that result in soil conditions that preclude plant material to grow shall be permitted without the prior written approval of the city. Such products shall be applied in conformance with Federal and State regulations.
- C. Landscaping for Lots which are Partially Developed: At the discretion of the city, projects with substantial portions of the parcel area left for future development may be exempt from landscaping the undeveloped portion of the property. If any portion of the undeveloped area of the lot fronts a public right-of-way, standard improvements such as curb, gutter, sidewalk and installation of street trees and other appropriate landscaping shall be required at the time of the development.
- D. Landscaping When Expansion or Additional Development Occurs: If a parcel with existing development is proposed for additional development, and the expansion results in more than a 10% increase in gross square footage the city has the discretion to review the landscaping installed on the entire property and may require conformance to the requirements of 10-15-5. If the expansion or redevelopment results in less than a 10% gross increase in square footage the city will determine if the property will be required to conform to the landscape requirements of 10-15-5.

- E. Landscaping Required for Interior Remodeling That Results in a Change of Use: When a structure is changed in use to a use other than single family dwelling and there is no change in exterior appearance and no planning commission or design review committee approvals are required, the city will determine if the property will be required to conform with the landscape requirements of 10-15-5.

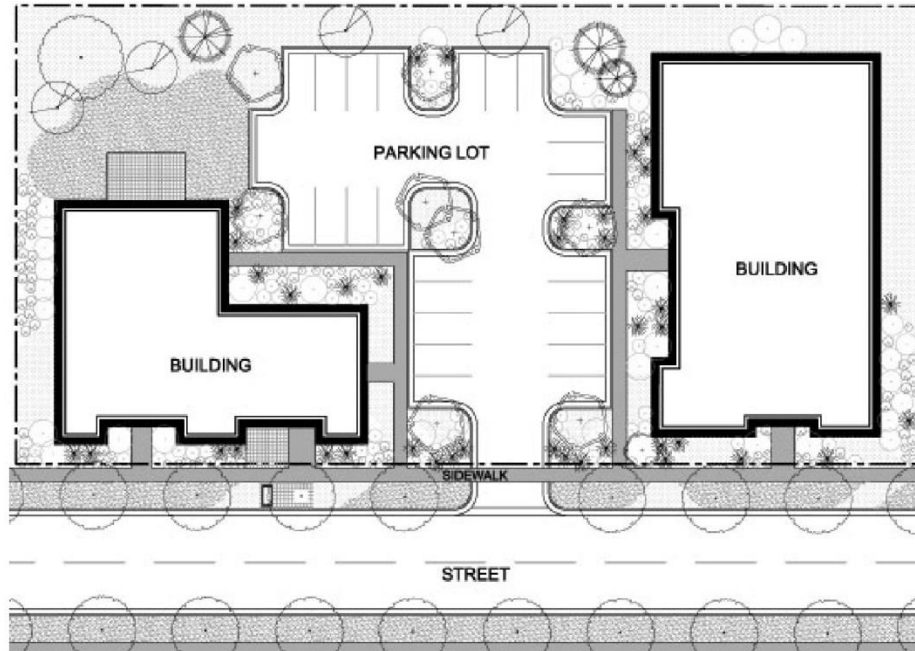


Figure 10-15-4: Areas in Commercial and Industrial Development to be Landscaped

#### **10-15-5: LANDSCAPING PERFORMANCE (MINIMUM REQUIREMENTS)**

Landscaping requirements are intended to establish a minimum standard by which a property owner may use to design a set of landscape drawings that can be approved and constructed through the city's development process.

- A. For Commercial and Residential Planned Unit developments:
1. At least forty percent (40%) of the required exterior open space of the project shall be planted landscape area.
  2. Twenty (20) trees shall be required per one (1) acre of gross land.
  3. Fifty (50) shrubs shall be required per one (1) acre of gross land.
  4. Plant material shall be placed around the perimeter of the building footprint in a three (3) foot minimum planting strip with the exception of entrances, utilities and where setbacks are less than three feet.

(6-2022, 6-21-22)

- B. Plant Selection: Plants selected for landscape areas shall be well suited for River Heights' climate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible. On slopes greater than thirty percent (30%) plant material shall be selected to reduce the risk of soil erosion. Native and drought tolerant plant material are encouraged and should be used whenever possible. Projects should have a diverse mix of plant species for disease resistance and visual interest.
- C. Mulch: Mulch is encouraged in non-turf areas to retain water, discourage weed growth and moderate soil temperatures. Weed barrier fabrics shall be a porous material to allow water and air to infiltrate the soils below.
- D. Use of Evergreen Trees and Shrubs: A minimum of twenty-five (25%) percent of the plant material used for the project shall be evergreen trees and shrubs to provide visual interest year-round and for dense landscape screening.
- E. Screening of Service Areas: Landscaping shall be used to provide visual and audio buffers between pedestrian and service areas. Use multiple planting layers and stagger plants to provide screening from various viewpoints. Loading docks, storage of material or vehicles, and other service areas shall be screened from public view as specified in the design review process. Acceptable screening may include plant material, fencing, walls, earth berm or a combination as approved by the city.
  - 1. Waste disposal and recycling receptacles shall be screened from view on three sides by a fence or wall with a minimum height of six feet or one foot taller than the receptacle, whichever is greater. Waste disposal receptacles shall be located out of the public view insofar as is practical.
  - 2. The enclosure shall be compatible in material and color with the primary structure on the lot if located within 20 feet of the building, if located beyond 20 feet from the structure the enclosure should be designed to minimize the visual impact and blend in with surrounding landscaping.
  - 3. Waste disposal and recycling receptacles shall be consolidated to reasonably minimize the number of collection sites and to equalize the distance from the buildings they serve.
- F. Enhance or Develop Pedestrian-Oriented Spaces within a Project, such as Walkway Landscaping and Creation of Usable Outdoor Spaces:
  - 1. Use vertical landscaping to break up long stretches of linear wall planes and to soften the hard edges of the built environment.
  - 2. Provide a balance between the overall appearance of the landscaping as a part of a planned site and the buildings on the site. The city's objective is to ensure that the site has dense landscaping in terms of the land area dedicated to landscaping and that vertical landscaping is used.

3. Any flexibility to be applied by the city shall be based on achieving an attractive site with installations of landscaping that are designed to complement and enhance the site development.

Required Number of Trees	Minimum Number of Species
11-20	2
21-30	3
31-40	4
41+	5

Table 10-15-5: Species Diversity Requirements

G. Submission of Landscape Plans

1. All commercial, industrial, mixed-use, and multi-family landscape plans shall be prepared and stamped by a licensed landscape architect registered with the State of Utah.
2. Landscape plans shall be submitted prior to or included with the submittal for a building permit.
3. Landscape plans shall be of adequate size and detail so the decision-makers can see the land area to be planted and the appearance of plantings at seventy-five percent (75%) of mature growth.
4. Landscape plans and details shall be drawn in a professional manner with credible representations of plant sizes and site features. The Planning Commission may reject plans which do not accurately depict the site landscaping.
5. Landscape plans shall be accompanied by a planting schedule that identifies both the common and scientific name of each species. The schedule shall include the size and type of plant material to be installed.
6. Landscape plans shall be drawn to scale and have a north arrow. Site features including buildings, parking lots, streets, existing vegetation and utilities should be shown for reference and orientation. Planting details and irrigation specifications will generally not be included with the submitted performance landscape plan unless unique situations are associated with the project requiring further detail.

H. Review of Landscape Plans: Landscape Plans may be approved upon a finding that the plan meets or exceeds the purposes and objectives of this chapter through either:

1. Natural land characteristics or existing vegetation on the proposed development site; or
2. Innovative landscaping or architectural design.

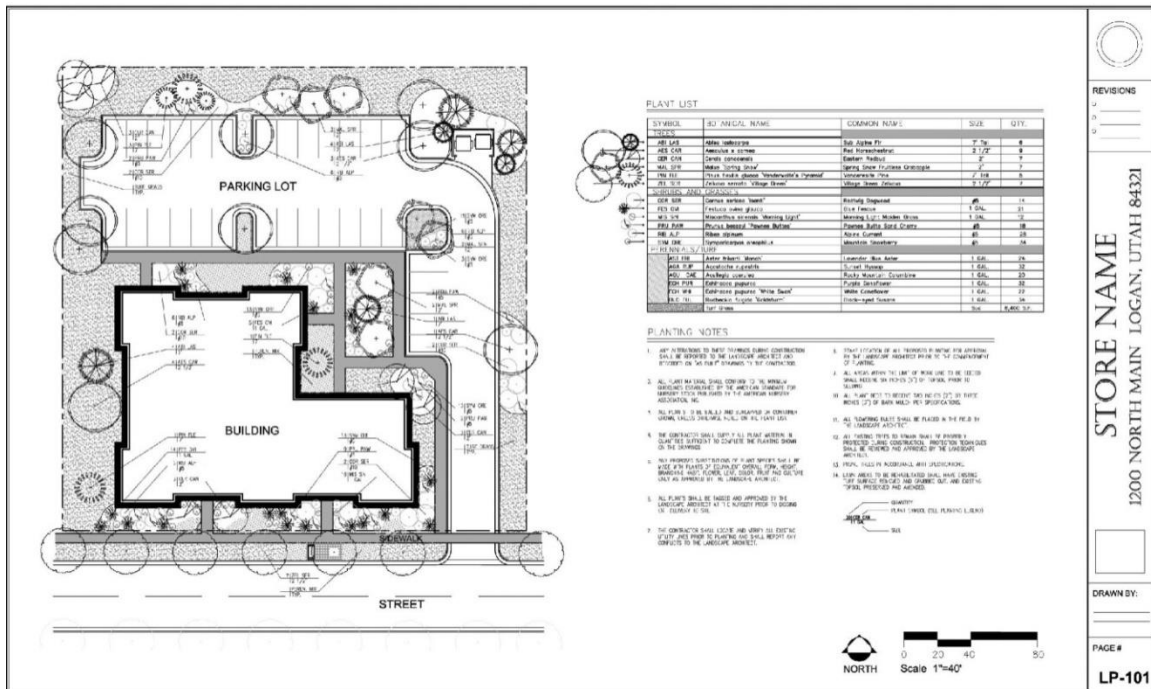


Figure 10-15-5: Example of a Landscape Plan

#### 10-15-6: LANDSCAPING RIGHTS-OF-WAY

All streets either public or private shall provide a planted landscaped strip to city specifications and be perpetually maintained by the adjacent property owner. Plantings within the right-of-way or park strip will not count towards meeting the performance landscape requirements of 10-15-5.

- A. Street trees shall be planted by the adjacent property owner within the park strip along both sides of all streets every thirty (30) feet on center. If no parkstrip exists, trees shall be planted adjacent to the roadway edge, where a parkstrip would exist, if possible. Tree size and species shall be approved by the city. (1-2015, 6-23-15) (6-2022, 6-21-22)
- B. Residential park strips shall be planted with live plant material to a minimum of fifty percent (50%). When calculating park strip coverage percentage areas, plants may be measured at mature spread excluding street trees. Shrubs and other plant material located within the park strip should not exceed three (3) feet in height at maturity. Potential hazardous plant material containing thorns or spikes shall be prohibited in the park strip.
- C. Stone, gravel, mulch, or other decorative hardscape materials shall consist of less than fifty percent (50%) of the parkstrip area. Decorative boulders and similar features shall be less than eighteen (18) inches in height. Poured

concrete, asphalt or other similar solid surface paving is prohibited within the parkstrip with the exception of driveway approaches and adjacent commercial uses.

- D. Landscaping and any other surface material located within the right-of-way between the edge of traveled way and the property shall not be used for the storage, sale, or display of merchandise without the written permission of the city.
- E. All park strips (the area between the property line and street that is not hardscape) adjacent to the front, side or rear yard of a lot shall be landscaped and maintained by the owner of the property immediately adjacent to the park strip. The landscaping and maintenance of the park strip shall be at the expense of the adjacent property owner. (Ord. 0-01-13, 1-11-2005, eff. retroactive to 11-26-2002) (2-2019, 5-28-19)
- F. The landscaping and maintenance of areas adjacent to the street surface shall be the responsibility of the adjacent property owner. (2-2019, 5-29-19)

#### **10-15-7: STREET TREES**

River Heights City encourages the planting of trees within city parking strips and near streets.

- A. Acceptable Trees: Only shade trees shall be planted in parking strips or planted within 5 feet adjacent to a city street.
  - 1. The following classifications describe general shade tree characteristics appropriate for an available space.
    - a. Class I Trees - These are small trees which normally do not reach a height or spread greater than 25 feet with a small trunk diameter. They are authorized for planting in parking strips that are a minimum of four feet wide. Typical spacing between Class I trees is twenty-five feet. Many Class I trees are small enough to be planted beneath overhead utility lines.
    - b. Class II Trees - This group consists of medium sized trees which may reach a height of 40 to 70 feet, a moderate trunk diameter and a spread of 15 to 40 feet. These trees are not for planting under power lines or in parking strips less than six feet wide. Typical spacing between Class II trees is thirty to forty feet.
    - c. Class III Trees - Many of these trees are long-lived and attain a height of 50 to 90 feet, a large trunk diameter and a spread of 30 to 70 feet. When selecting a tree from this class, there must be ample room to accommodate it at maturity. These trees are not for planting under power lines or parking strips less than 10 feet wide. Typical spacing between Class III trees is 40-60 feet.

2. In most instances, Class I Trees are the most appropriate for parking strips in River Heights. In all cases, root barriers are recommended. No trees will be allowed in parking strips which are less than 4 feet in width. No trees shall be planted within 15 feet of a fire hydrant.
  3. NOTE: The River Heights Tree Selection and Planting Guide brochure contains a list of trees within each class that are appropriate for our climate. This brochure is available at the City Office.
- B. Tree Placement within a Parking Strip: Trees shall be planted in the central space between the sidewalk and the curb or roadway to allow the maximum amount of growing space and reduce the potential for damage to sidewalks and curbs.
  - C. Trees Prohibited within Parking Strips or Near a City Street: The planting of fruit or nut-bearing trees shall be prohibited in parking strips and within 5 feet adjacent to a city street. A list of trees prohibited for planting along streets or within park strips is found in the River Heights Tree Selection and Planting Guide brochure.
  - D. Parking Strip Tree Maintenance: The immediately adjacent property owner is responsible for watering, pruning, and maintaining trees located in city parking strips.
  - E. Maintenance of Trees Near Sidewalks and Streets: Pruning trees is required so that any overhang is at least seven feet (7') above the elevation of the adjoining sidewalk or and fourteen feet (14') above street to keep a clear view and not interfere with service vehicles. (2-2019, 5-28-19) (1-2023, 3-21-23)
  - F. Parking Strip Tree Remediation or Removal for Public Safety or Interference of Storm Water Drainage:
    1. Damages to pavement, curb, and gutter, or sidewalk, or interference with storm water drains or sanitary sewer mains by park strip trees will result in remediation or, if remediation is insufficient, removal of said tree. The city and/or property owner will first submit a remediation design proposal to the city tree board and city engineer. Remediation may include but is not limited to the following:
      - a. The removal of damaging tree roots and the placement of a root barrier adjacent to the replaced or repaired sidewalk, curb, or road structure.
      - b. The raising of the adjacent sidewalk grade over the damaging tree roots.
      - c. Reinforcing new concrete with rebar or welded wire mesh, so roots must lift several concrete slabs at once to not cause damage.



- d. Shave or grind the concrete to correlate with a contiguous slab.
  - e. The pruning or removal of hazardous tree branches.
2. Remediation efforts must always consider tree health and maturity. Remediation efforts that will potentially weaken a tree such that the health of the tree will be compromised, or the tree becomes a risk for falling will not be considered.
  3. To obtain assistance from the City, property owners must submit a request to the City Office to remediate or remove a parking strip tree. On a case-by-case basis, the City will consider the following factors in reviewing and prioritizing applications:
    - a. Effects on public safety
    - b. Effects on storm water drainage
    - c. City budget ability
  4. If remediation efforts have been exhausted or failed, The City reserves the right to remediate or remove trees from city parking strips at any time to preserve public safety or proper storm water drainage. (302008, 9-23-08)

(6-2022, 6-21-22)

#### **10-15-8: PARKING LOT LANDSCAPING**

Parking lot landscaping standards of this section establish minimum landscaping requirements for the perimeter and interior of off-street parking areas. The general purpose of such landscaping is to reduce the visual impact of parking and pavement. See 10-14 Parking Section and the project's zone development specification standards page for parking lot locations and setbacks. Parking lot landscaping may count towards meeting the landscaping performance minimum requirements.

- A. Applicability to All Off-Street Parking Lots: Parking lot landscaping shall be approved through the design review process and shall not be less than the minimum standards of this chapter.
- B. Perimeter Parking Lot Landscaping: The parking lot perimeter landscaping requirements apply to all off-street parking lots that are not otherwise fully screened from view of adjacent public rights-of-way. Landscape borders shall be used for open space and landscaping. No structures or paving shall be located within the border area, with the exception of walls, walkways or other features incorporated into the landscaping. If adjoining properties share or abut parking lots, the perimeter landscape requirements are waived for the two adjoining sides of each parking lot and the two adjoining parking lots will be calculated as one.

1. If the parking lot's front setback is twenty-five (25) feet or more the border landscape shall conform to the Type "A" Separation in figure 10-15-8a. Border trees shall be planted at an average of twenty (20) feet on center.
2. For Type "B" and "C" separation shrubs must be planted at an average of three (3) feet on center and small trees at fifteen (15) feet on center along the entire border.
3. For Type "C" separations the earth berm or wall combination shall be a minimum three (3) feet in height measured from the nearest street's top back of curb and in combination with plant material to achieve a minimum four (4) foot tall solid screen at installation.
4. For Type "D" separations, when a wall is constructed, it must be four (4) feet in height and in combination with plant material placed at six (6) feet on center.
5. For parking lots containing twenty-five (25) stalls or fewer, five (5) feet shall be the minimum perimeter border width for the rear and side borders of the parking lot.
6. For parking lots containing more than twenty-five (25) stalls, eight (8) feet shall be the minimum perimeter border width for the rear and side borders of the parking lot.
7. Side and rear parking lot perimeter borders shall be landscaped with plant material covering a minimum of fifty percent (50%) of the total border surface area measured at the plant's maturity.

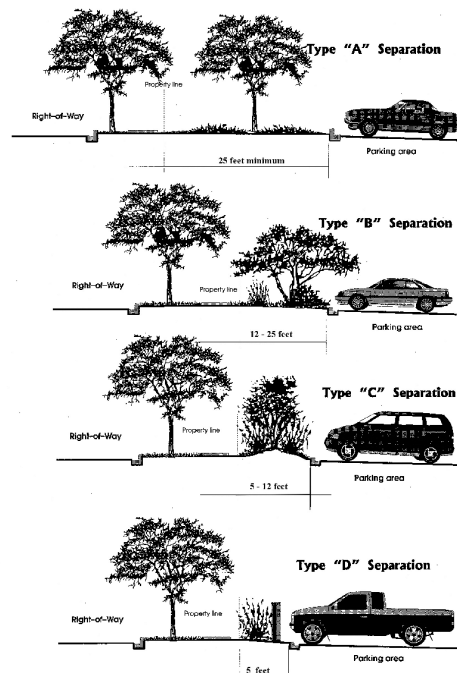


Figure 10-15-8a: Parking Lot Landscaping Border Options for Separation from Street

- C. **Parking Lot Interior Landscaping Requirements:** The parking lot interior landscaping requirements apply to all off-street parking lots that contain five or more parking spaces. Only areas specified in figure 10-15-7b can be counted towards a project's interior parking lot landscaping requirements. Interior planting areas are required within all parking lots as specified in this subsection.
1. At least eighteen (18) square feet of interior landscape planting area shall be provided within the interior of an off-street parking area for each parking stall contained within the parking area.
  2. Landscaping located within the interior of a parking area shall be evenly dispersed throughout the area. All planting areas shall be protected to prevent damage by vehicles and vehicle overhang.
  3. When the number of stalls in a parking area exceeds the number of required parking stalls defined in Chapter 10-14 by (125%) the minimum interior parking lot landscaping requirements shall be increased to thirty-six (36) square feet of interior landscaping for each parking space contained within the parking stall.
  4. All aisles shall have landscaped areas at each end of the aisle.
  5. One (1) tree shall be planted within the interior of a parking area per every ten (10) stalls contained within the area. Interior parking area landscapes shall have a minimum of fifty percent (50%) plant material coverage measured at plants maturity.

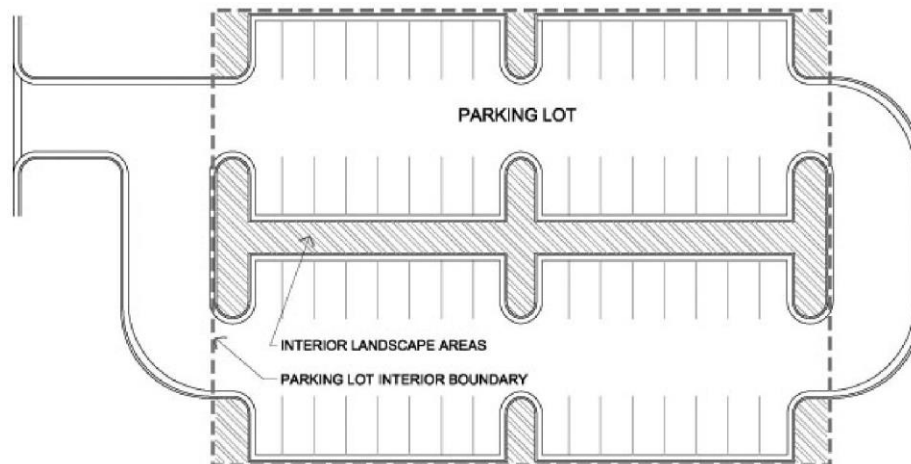


Figure 10-15-7b: Interior Parking Lot Measurement Area

#### **10-15-9: INSTALLATION, REPLACEMENT, OCCUPANCY**

- A. **Accepted Practices Required:** All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous and

healthy growth. All landscape material, living and non-living, shall be in place prior to the issuance of the final Certificate of Occupancy. Plant material shall be in a healthy condition.

- B. Protection of Existing Trees During Construction: Any trees identified or approved for preservation by the planning commission shall be protected utilizing industry accepted techniques for protection
- C. Replacement of Dead, Diseased, or Dying Vegetation: The city may require that landscaping be replaced in kind if vegetation becomes dead, diseased, or dying. In the event of blight or species-specific diseases, substitution of plants shall be approved by the city for private property and for plants within the right-of-way.
- D. Temporary Occupancy Requirements: A Certificate of Occupancy may be issued prior to the installation of required landscaping upon execution of an agreement with the city and acceptance by the city of appropriate surety.
  - 1. Land development that does not require or is normally utilized without obtaining a certificate of occupancy shall have landscaping installed per this chapter prior to the initiation of any use or any occupancy of the facility, structure, or grounds.
  - 2. An agreement for temporary occupancy shall be used only under extenuating circumstances which prohibit the physical installation of landscaping at the time the Certificate of Occupancy is issued. Financial or similar issues shall not constitute extenuating circumstances for the purpose of this section.
  - 3. Financial surety shall be equal to 110% of the estimated cost of the plant material, labor, installation, and other materials.
    - a. The amount of the surety shall be calculated from a written cost estimate prepared by an appropriately licensed professional and provided to the city by the developer. If the city finds that the cost estimates are not generally within accepted standards for estimating the costs of landscaping installation, the city shall require that surety be based on accepted estimating practices.
    - b. Each estimate shall be guaranteed valid at the maturity of the surety instrument.
    - c. An irrevocable letter of credit, cash deposit, cashiers check, certificate of deposit endorsed in favor of the city, performance bond issued by a bonding company with an investment grade rating by Moodys or Standard and Poors, or savings account passbook issued in favor of the city shall be acceptable forms of surety.
  - 4. The expiration date of the surety bond shall be determined by the city at the time the agreement is made. The expiration date shall be appropriate

to the project circumstances. If the Surety bond expires, the city shall have the authority to seize the surety and install the landscaping.

#### **10-15-10: XERISCAPING**

Xeriscaping consists of native, and drought tolerant plant material placed in conjunction with groundcover or mulch. Xeriscaping is encouraged throughout the city to reduce water consumption. The selection of plant material shall be based on microclimate, exposure, and slope of the site. At mature growth plant material should cover a minimum of thirty percent (30%) of the ground. Rocks, hardscape, and mulches alone without native and drought tolerant plantings are not considered xeriscaping.

#### **10-15-11: IRRIGATION**

All new landscaping installations shall be required to incorporate an automatic underground irrigation system. Irrigation systems should be designed to conserve water and avoid erosion of soils. Irrigation heads should have matched precipitation rates for each valve. The irrigation system should be separate from culinary water supplies and backflow prevention devices shall be installed to avoid cross-contamination between systems.

#### **10-15-12: MAINTENANCE AND UPKEEP OF LANDSCAPING**

##### **A. Landscaping to be Maintained in a Vigorous and Healthy Condition:**

1. Regular maintenance of all landscaping to present a healthy, neat, and orderly appearance shall be required.
2. All landscaping shall be maintained free from disease, pests, weeds, and litter.
3. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching and other maintenance as needed and in accordance with acceptable horticultural practices.

##### **B. Repair and Replacement of Landscaping:**

1. Required landscape structures (examples include and are not limited to walls, fences, curbs, planters) shall be maintained in a structurally sound and aesthetically pleasing condition.
2. The regular maintenance, repair, or replacement of any landscaping irrigation systems is required by this chapter.

**Aquifer Protection Areas:** Areas of the city may be designated by the Director of Public Works as "Aquifer Protection Areas." Landscaping within designated areas may have restrictions as to the types of plants, use of chemicals, and other standards imposed for purposes of protecting municipal groundwater quality.

### **10-15-13: LANDSCAPING FEATURES ARE A PART OF THE OVERALL APPROVAL**

Trees, shrubs, fences, walls, and other landscape features depicted on plans approved by the city shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the plan. The landowner, heirs, successors in interest, lessees, or agent, shall be jointly and severally responsible for installation, maintenance, and upkeep as specified in this Chapter.

### **10-15-14: COMPLIANCE**

Landscaping Compliance When it is Found Not to be Physically Possible to Achieve Compliance with the Objectives of this Chapter:

- A. If the city finds that site development, location of existing landscaping or other physical factors make it physically impossible to achieve compliance with the provisions of this section, the city may require alternative compliance with the purpose of this chapter.
- B. Such alternative compliance may include any or a combination of the following and is not limited to the alternatives specified in this subsection:
  - 1. Planting of street trees and public right-of-way landscaping in the general vicinity of the subject property,
  - 2. Financial contributions related to the approximate value of onsite landscaping materials and labor into a trust fund to be established for public landscaping in the neighborhood in which the subject property is located,
  - 3. City approved purchase and installation of other landscape or streetscape amenities, such as and not limited to: benches, lighting, public art, access paths or sidewalks.

(4-2010, 7-13-10)