



BOUNTIFUL CITY PLANNING COMMISSION

**Tuesday, October 4, 2022
6:30 p.m.**

NOTICE IS HEREBY GIVEN that the Bountiful City Planning Commission will hold a meeting in the Council Chambers, Bountiful City Hall, 795 South Main, Bountiful, Utah, 84010, at the time and on the date given above. The public is invited. Persons who are disabled as defined by the American with Disabilities Act may request an accommodation by contacting the Bountiful Planning Office at 298-6190. Notification at least 24 hours prior to the meeting would be appreciated.

1. Welcome
2. Approval of the minutes for September 20, 2022, will be considered during the next meeting.
3. Lot Line Adjustment for Maple Hills No. 2 Plat D Lots 101, 102, 103 – *Engineering Director Lloyd Cheney*
 - a. Review
 - b. Action: Consider forwarding a recommendation to the City Council
4. Bountiful City Land Use Code Text Amendment - Landscaping Code – *Planning Director Francisco Astorga*
 - a. Review
 - b. Public Hearing
 - c. Action: Consider forwarding a recommendation to the City Council
5. Training – Chapter 3 and Chapter 4 of “Ground Rules: Your Handbook to Utah Land Use Regulation” – *Senior Planner Amber Corbridge*
6. Planning Director’s report, review of pending applications and miscellaneous business.
7. Adjourn

Commission Staff Report

Subject: Lot Line Adjustment for Lots 101, 102 and 103
Maple Hill No.2 Plat D
Address: 1846 E Maple Hills Dr.
Author: City Engineer
Department: Engineering, Planning
Date: October 4, 2022



Background

Henry Ashworth, applicant, is requesting approval of a lot line adjustment to combine lots 101, 102 and a remainder portion of 103 of the Maple Hills No.2 Plat D Subdivision. Mr. Ashworth's home occupies lot 102 with landscaping and retaining walls that extend on to lots 101 and 103. This phase of the Maple Hills Subdivisions was platted in 1976 when the "Foothill Zone" was in its infancy and lot sizes and slope restrictions varied considerably from current requirements in the R-F Zone.

The City has previously processed lot line adjustments through the Administrative Committee, but a change in the State Code now necessitates that these requests be processed as amended subdivision plats where the properties involved are part of an existing platted subdivision and involve a parcel with an existing residential structure.

Analysis

Location: The properties consist of Lot 101 (26,571 sq ft, 0.61 ac), Lot 102 (20,037 sq ft, 0.46 ac) and remainder of Lot 103 (25,264 sqft, 0.58 ac) of the Maple Hills No.2 Plat D Subdivision. Of the 3 lots involved, only the portion of Lot 103 does not (individually) meet the current lot frontage requirements. Since these lots are located in the R-F zone, a slope study was conducted by the Engineering Dept. to understand how the lot size requirements would apply. The average slope, based on the City's Lidar-based contour mapping (5 ft contour interval) shows the average slope of these lots (individually) to be 40.5% for Lot 101, 23.1% for Lot 102 and 35.4% for Lot 103. The current zoning would require a minimum lot size of 40 acres for Lot 101, 2 acres for Lot 102 and 40 acres for Lot 103. The proposed combined lot (1.65 acres) has an average slope of 33.9%, which would require a 10 acre minimum lot size under the current zoning. It is not possible to achieve the minimum sizes required by the current ordinance for any of the individual lots involved, or for the proposed combined lot.

Future Use: Mr. Ashworth is requesting approval combine the three lots to accommodate his plans for a future detached garage. Because lots 101 and 103 do not have a primary structure, it would not be possible to issue a permit for the accessory structure until the lots are combined. The location under consideration would be subject to the current criteria for use according to the current zoning requirements. Any proposed improvements involving grading or structures would need an appropriate application and would be subject to the standard review process prior to issuance of a permit by the City. No new building lots would be created by this proposed action.

Utilities: No additional utilities are required.

Proposed Right of Way Improvements and Access: No improvements are required.

Department Review

This memo has been reviewed by the City Attorney, and Planning Director.

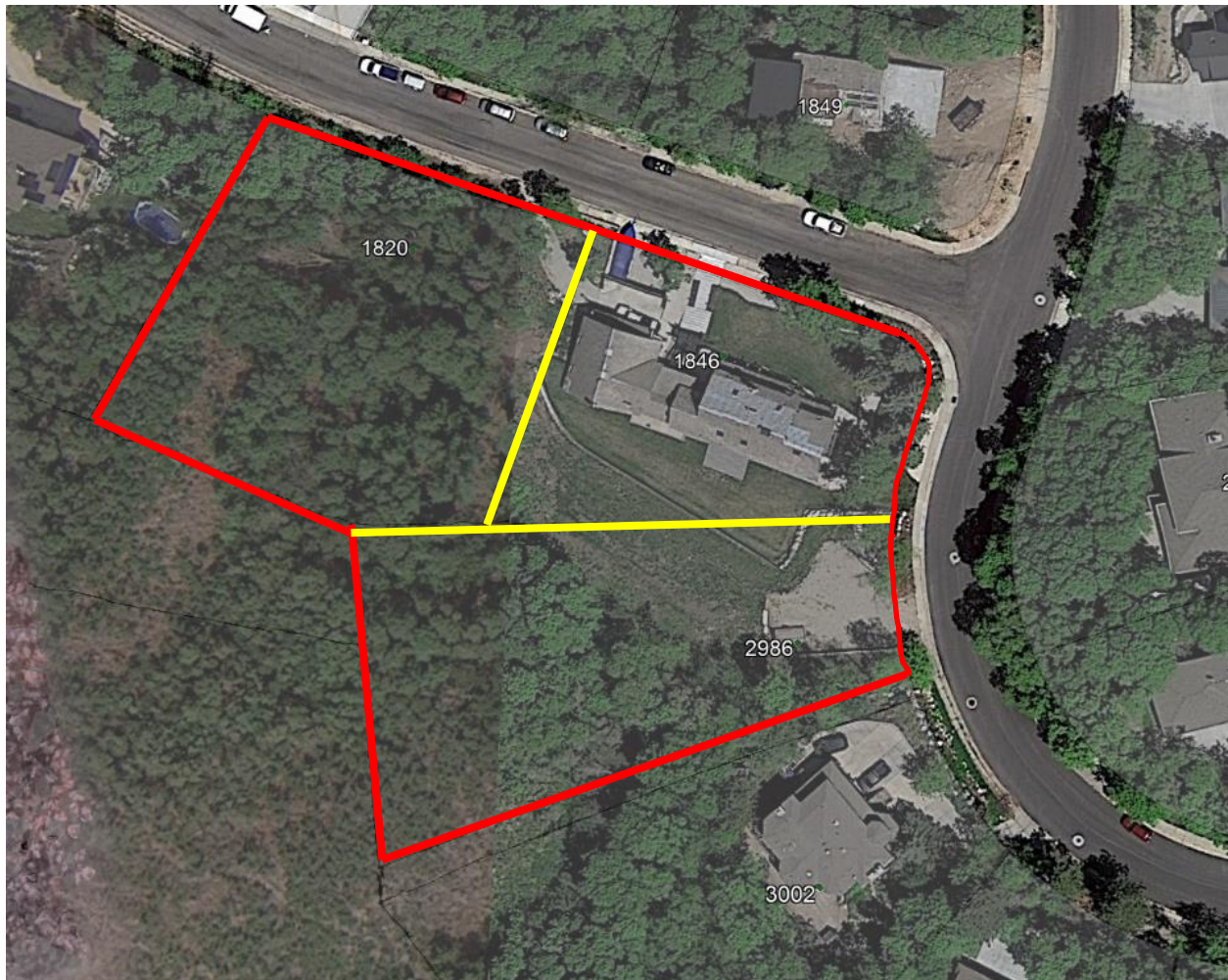


Figure 1 Location of Proposed Lot Line Adjustment

Recommendation

Staff would support the Planning Commission forwarding a recommendation approval of the Lot Line Adjustment at 1848 E Maple Hills Dr. to the City Council with the following conditions:

1. Prepare a final plat after making any minor corrections identified during the review process.

2. Provide a current title report.

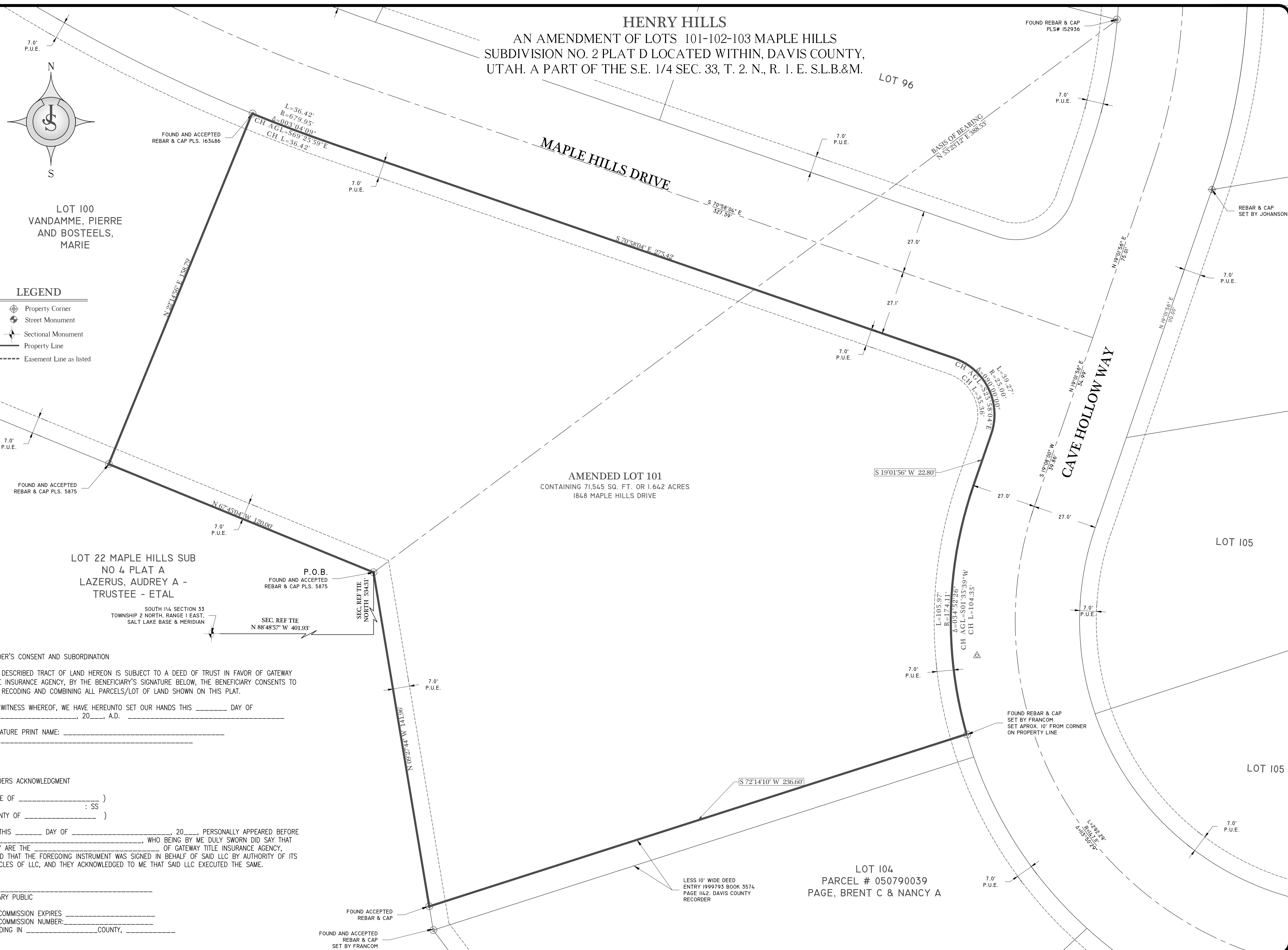
Significant Impacts

None

Attachments

1. A copy of the preliminary amended plat.

HENRY HILLS
 AN AMENDMENT OF LOTS 101-102-103 MAPLE HILLS
 SUBDIVISION NO. 2 PLAT D LOCATED WITHIN, DAVIS COUNTY,
 UTAH. A PART OF THE S.E. 1/4 SEC. 33, T. 2. N., R. 1. E. S.L.B.&M.



SURVEYOR'S CERTIFICATE

I, Shane Johanson, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 7075114 in accordance with Title 58, Chapter 22, of the Professional Engineers and Land Surveyors Act; I further certify that by authority of the owners I have completed a survey of the property described on this subdivision plat in accordance with Section 17-23-17 and have verified all measurements; that the reference monuments shown on this plat are located as indicated and are sufficient to retrace or reestablish this plat; and that the information shown herein is sufficient to accurately establish the lateral boundaries of the herein described tract of real property; hereafter known as SUBDIVISION.



BOUNDARY DESCRIPTION

THE consolidation of the following: Lot 101 Containing 0.61 Acres. Lot 102 Containing 0.46 Acres. Lot 103 Containing the southerly 10.0 ft parallel to the original southerly lot line of lot 103, Maple Hills Sub No. 2, Plat D, containing, 0.57 acres. Said lots are apart of the Maple Hills Subdivision No. 2 Plat D on file within the official records of Davis County, Utah. Described lots are more particularly described as follows:

Beginning at the South corner in lot 101 which is also a subdivision boundary Angle point said of Maple Hills Subdivision No. 2 Plat D on file within the official records of Davis County, Utah. Running Thence North 67° 45' 04" West a distance of 120.00 feet, Thence North 22° 14' 56" East a distance of 158.79 feet to the beginning of a non-tangential curve, Said curve bears to the left through an angle of 03° 04' 09", having a radius of 679.95 feet along the arc a distance of 36.42 feet, and whose long chord bears South 69° 25' 59" East a distance of 36.42 feet, Thence South 70° 58' 04" East a distance of 275.42 feet to the beginning of a curve, Said curve bears to the right through an angle of 90° 00' 00", having a radius of 25.00 feet along the arc a distance of 39.27 feet, and whose long chord bears South 25° 58' 04" East a distance of 35.36 feet, Thence South 19° 01' 56" West a distance of 22.80 feet to the beginning of a curve, Said curve bears to the left through an angle of 34° 52' 30", having a radius of 174.11 feet along the arc a distance of 105.98 feet, and whose long chord bears South 01° 35' 41" West a distance of 104.35 feet to a point of intersection with a non-tangential line, Thence South 72° 14' 10" West a distance of 236.60 feet, Thence North 09° 27' 44" West a distance of 141.96 feet to the point of beginning, containing 71,545 sq. ft. or 1.642 acres.

OWNER'S CONSENT TO RECORD

Know all men by these presents that the undersigned owner of the above described tract of land having caused same to be consolidated into a single lot with pre existing easements not affected shown as per previous recorded plat known as Maple Hills Subdivision No. 2 Plat D, Now accepted as to be hereafter known as Henry Hills Subdivision.

In witness whereof _____ have hereunto set this _____ day of _____, A.D., 20____.

Henry M. Ashworth

ACKNOWLEDGMENT

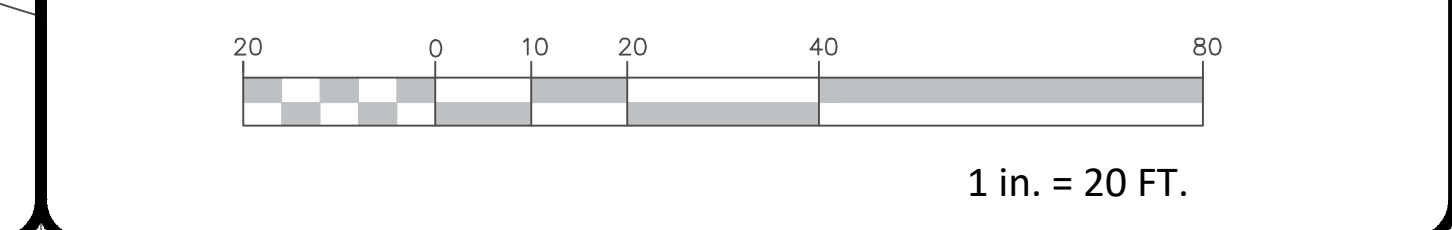
STATE OF UTAH _____ } S.S.
 County of SALT LAKE _____

On the _____ day of _____, A.D., 20____, personally appeared before me Henry Ashworth, who being by me duly sworn did say they are the owners of the described above parcel of land and that the within and foregoing instrument was signed voluntarily for the uses and purposes herein mentioned.

My commission expires: _____ Notary Public _____
 residing in: _____

NOTE:
 1. NO NEW BUILDING LOTS ARE CREATED BY RECORDING THIS PLAT.

HENRY HILLS
 AN AMENDMENT OF LOTS 101-102-103 MAPLE
 HILLS SUBDIVISION NO. 2 PLAT D LOCATED WITHIN,
 DAVIS COUNTY, UTAH. A PART OF THE S.E. 1/4 SEC.
 33, T. 2. N., R. 1. E. S.L.B.&M.



LENDER'S CONSENT AND SUBORDINATION
 THE DESCRIBED TRACT OF LAND HEREON IS SUBJECT TO A DEED OF TRUST IN FAVOR OF GATEWAY TITLE INSURANCE AGENCY, BY THE BENEFICIARY'S SIGNATURE BELOW, THE BENEFICIARY CONSENTS TO THE RECODING AND COMBINING ALL PARCELS/LOT OF LAND SHOWN ON THIS PLAT.
 IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS THIS _____ DAY OF _____, 20____, A.D. _____

SIGNATURE PRINT NAME: _____
 ITS: _____

LENDERS ACKNOWLEDGMENT
 STATE OF _____)
 COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME _____, WHO BEING BY ME DULY SWORN DID SAY THAT THEY ARE THE _____ OF GATEWAY TITLE INSURANCE AGENCY, AND THAT THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF SAID LLC BY AUTHORITY OF ITS ARTICLES OF LLC, AND THEY ACKNOWLEDGED TO ME THAT SAID LLC EXECUTED THE SAME.

NOTARY PUBLIC
 MY COMMISSION EXPIRES _____
 MY COMMISSION NUMBER: _____
 RESIDING IN _____ COUNTY, _____

JOHANSON
 PROFESSIONAL LAND SURVEYORS
 SURVEY • DESIGN • SPECIFIC PLANNING
SURVEYING
 P.O. BOX 18941
 SALT LAKE CITY, UTAH 84118
 Shane Johanson P.L.S. 801-815-2541

PLANNING COMMISSION

APPROVED BY THE BOUNTIFUL CITY
 PLANNING COMMISSION THIS _____
 DAY OF _____,
 20____.

BOUNTIFUL CITY PLANNING DIRECTOR

CITY ENGINEER

APPROVED BY THE BOUNTIFUL CITY
 ENGINEER THIS _____ DAY
 OF _____, 20____.

BOUNTIFUL CITY ENGINEER

CITY ATTORNEY

APPROVED BY THE BOUNTIFUL CITY
 ATTORNEY THIS _____ DAY
 OF _____, 20____.

BOUNTIFUL CITY ATTORNEY

BOUNTIFUL CITY COUNCIL

APPROVED BY THE BOUNTIFUL CITY COUNCIL
 ON THIS _____ DAY
 OF _____, 20____.

MAYOR _____
 ATTEST: CITY RECORDER _____

SEAL

DAVIS COUNTY RECORDER

Recorded # _____
 State of Utah, County of Salt Lake, recorded and filed at the request of _____
 Date _____ Time _____ Book _____ Page _____
 Fee \$ _____ Deputy DAVIS COUNTY Recorder _____

NUMBER _____
 ACCOUNT _____
 SHEET 1
 OF 1 SHEETS

Planning Commission Staff Report



Subject: Current Landscaping Standards
Author: Francisco Astorga, AICP, Planning Director
Date: October 4, 2022

Background

On June 21, 2022, the City Council held a Landscaping Ordinance Work Session Discussion as a follow up to the 2022 Water Outlook discussion. During the June 2022 work session, Staff requested direction from the Council in whether the City should amend the Landscaping Ordinance restricting / limiting turf grass (lawn). Weber Basin Water Conservancy District (Weber Basin) currently offers a rebate (\$1.25 per square foot) to residents in qualifying cities within the district's service areas to remove turf in the park-strip areas provided each municipality's ordinances contain certain restrictions.

The Council requested an independent Planning Commission review of the Land Use Code landscaping regulations with a broader view prioritizing 1. aesthetics and 2. water conservation (including the Weber Basin's rebate). On July 19, 2022, the Commission held a work session discussion and provided a collective independent opinion regarding Weber Basin's proposed regulations, the City's current park-strip ordinance, and the City's current landscaping ordinance. The Commission requested additional sample regulations regarding shrubs/trees within single-family or two-family (duplex) dwelling lots. On August 16, 2022, the Planning Commission held a follow-up work session where artificial grass and shrubs/trees were discussed as previously directed.

On August 23, 2022, the Planning Director reported the Commission's independent collective option to the City Council. The Council expressed concerns regarding materials that could have negative impacts on the City's storm drain system as explained within this staff report. The purpose of this item is to finalize the Planning Commission's independent opinion. A brief work session was held with the Planning Commission on September 20, 2022 regarding the Council's added priority regarding effects of the proposed changes to the storm drain system. The balance of the Ordinance is 1. aesthetics, 2. water conservation, and 3. storm drain system effects.

Analysis

Staff has prepared an Ordinance for the Planning Commission to review which includes the Planning Commission's direction and staff's recommended Land Use Code Text Amendments to the Landscaping sections of Chapter 16.

Section I – The text in black is the sample regulations from Weber Basin with the Planning Commission's and City Council's comments in blue:

Turf Grass (Lawn) limitations

- *Commercial, industrial, multi-family, Planned Residential Unit Developments and institutional landscape projects shall restrict turf grasses to no more than 20% of the irrigable space. (Exceptions available for designated recreation areas).*
Planning Commission and City Council opinion: Did not find any issues with this requirement.
- *Single-Family residential projects shall restrict turf grasses to no more than 35% of the irrigable space in the front and side yards. Encourage same percentages within the backyard. (Allowances possible for small residential lots).*
Planning Commission and City Council opinion: Found that additions to existing Single-Family dwellings should not trigger this regulation but be solely enacted to new single-family dwellings.
- *No turf grasses allowed in park strips or areas with widths less than 8-feet.*
Planning Commission and City Council opinion: Asked to see if this was an absolute requirement from Weber Basin.

On August 18, 2022 and again on September 15, 2022, Staff spoke with a representative of Weber Basin who reiterated that this is indeed an absolute requirement of qualifying for the Flip Your Strip program moving forward.

Irrigation System Design

- *Drip irrigation (with filter and pressure regulator) used in areas where turf grass is not used.*
- *Each irrigation valve shall irrigate landscaping with similar plant materials and watering needs. Turf grass and planting beds shall be irrigated on separate valves. Drip emitters, pop up spray heads, and rotators shall be placed on separate irrigation valves.*
- *WaterSense labeled smart irrigation controllers shall be used for landscaped areas.*

Landscape Installations

- *3-4 inches of mulch (rock, bark, compost, wood chips, etc.) shall be used in planting beds.*
- *Landscapes shall not require more than 50% living plant cover at maturity.*

Planning Commission and City Council opinion: No issues with *Irrigation Systems Design* and *Landscape Installations* requirements as described herein.

Section II – The following requirements listed in black text are taken from the City’s current park-strip ordinance. Planning Commission and City Council comments follow in blue:

- Trees required every 40 feet.
Planning Commission and City Council opinion: Confirmed this current requirement.

- 50%, minimum, of the required landscape area to have live vegetation (*trees, shrubs, bushes, ground covers, native grasses etc.*) distributed throughout, not clustered or segregated.

Planning Commission opinion: Reduce live vegetation requirement to 30% and trees not to be included in the live vegetation requirement. This new direction would require trees and shrubs to be present instead of complying with a significant number of trees without any shrubs.

City Council opinion: Indicated that the appropriate percentage should be 30%-50% and agreed with the new direction in not counting trees towards this requirement.

- Decorative rock material, minimum 1" aggregate, not to exceed the height of the sidewalk, three inches deep in a weed fabric barrier.

Planning Commission opinion: Confirmed this current requirement and added other materials to allow residents more options including gravel, white quartz rock, lava rock (all maintaining the minimum 1" aggregate requirement in a weed fabric barrier) and bark mulch.

City Council direction: Expressed concerns regarding the lightweight nature of lava rocks and bark mulch within parkstrips, which during windstorms and rainstorms can cause harm to the City's storm drain systems, which would be consistent with the current material prohibition. Staff recommends adding gravel and white quartz rock as accepted materials as long as it meets the minimum 1" size requirement, and to keep lava rocks and bark mulch as prohibited materials within parkstrips.

- Drip irrigation or similar drip irrigation systems covering the entire area.

Planning Commission and City Council opinion: Continue to comply with this requirement.

- ~~Prohibited: Bark, lawn clippings, chipped wood, and similar loose material, also white quartz rock, lava rock, gravel, and other material the color of concrete.~~

Planning Commission opinion: Recommended to amend some prohibited materials to allow residents more options. The Commission considered the effects of material displacement during wind/rain events and is open to prohibiting certain materials after having a better understanding of amount of clogged storm drains, time spent with maintenance, etc.

City Council direction: Same as above.

Note. Staff finds that some areas throughout the City with steeper slopes should not qualify to have smaller rocks, similar material, etc., as these areas are more likely to have issues during windstorms and rainstorms. Staff is currently working with the City Engineer/Public Works Director (as well as Weber Basin) to address this negative impact affecting public storm drains and will have an official recommendation to the Planning Commission on the upcoming meeting scheduled on October 4, 2022 which will result in a recommendation to prohibit certain materials within steeper slopes.

Section III – Regarding the City’s current landscaping ordinance, the Planning Commission indicated that if the City is to follow Weber Basin’s turf grass (lawn) limitations (20% max. for commercial, institutional, and multi-family projects and 35% max. within front and side yards of Single-Family Residential lots) in order to qualify for the Flip the Strip program, the City would then need to further look into Xeriscape principles to be incorporated.

The City’s current landscaping ordinance requires a certain number of trees (street, screening, and ornamental) and a certain number of shrubs based on lot area, landscaping percentage, adjacent uses, etc., within all types of developments, except in single-family or two-family (duplex) dwelling lots. As requested by the Planning Commission during their first work session meeting, Staff provided sample regulations during their subsequent work session. The Commission’s collective opinion is found below in blue:

Affecting commercial, institutional, mixed-use, multi-family developments:

Planting Design Standards.

- 80% of vegetations are to be planted and maintained in groupings of at least three (3) to increase the microclimate shade area above plant root zones, and to provide a pleasing and balanced aesthetic of plant material massing in the landscape.
- Groupings may consist of straight rows, grids, or triangulation planting patterns.

Water-Wise Plant Materials.

- Plants and trees are to be selected from Weber Basin’s recommended plant list.
- These plant materials are suitable for the local climate with respect to temperature ranges and moderate to high drought tolerance.
- Current list includes 146 trees, 236 shrubs, 46 ground covers, etc.
- Include a provision to allow other materials not on the list subject to review by the land use authority (similar to the tree substitution clause already in the current landscaping code).

Affecting single-family and two-family dwellings:

The landscaped area in a front yard shall include:

Street Trees.

- The City should consider a regulation similar to current street trees required for commercial developments, with a lesser rate.
- A minimum of two (2) trees per lot/unit.

Additional Vegetation.

- 50% coverage of plant materials using a combination of shrubs, annual plants, perennial plants, ground cover, and/or turf grass (natural or artificial).
- Plants and trees to be selected from Weber Basin’s recommended plant list.
- Include a provision to allow other materials not on the list subject to review by the land use authority (similar to the tree substitution clause already in the landscaping code).

Affecting all required trees:

Additional Tree Standard (height).

- Caliper of deciduous trees to be measured at a distance of 48" above the finished landscape surface. Two inch (2") minimum caliper required.
- Coniferous trees to be measured at a distance of 48" above the finished landscape surface.

The City Council did not object or indicate concerns with these listed possible standards found in this section.

Section IV – Artificial Grass. The City does not allow artificial grass per the current definition of Landscaping (*the addition of lawns, trees, plants, and other natural decorative features to land*) and Xeriscape (*a type of landscaping that employs a mix of drought tolerant plants and organic materials. Asphalt, concrete, brick paving, and other impervious surfaces are not considered xeriscape.*).

The Commission's collective opinion is found below in blue:

Allow artificial grass subject to the following principles:

Location

- May be used anywhere on a residential lot except for the parkstrip.
- 2-foot separation between the edge of the turf and vegetation.

Type

- Selected material must have lifelike individual blades of grass that emulate natural turf in look and color. The use of indoor or outdoor plastic or nylon carpeting is not allowed.
- Pile height must be at least 1.5 inches.
- A minimum eight-year manufacturer's warranty that protects against color fading and decreased pile height to be required.

Installation and Maintenance.

- Follow all manufacturer's recommendations regarding grading, compaction, anchoring, drainage, etc.
- A solid barrier device such as a concrete mow strip, sidewalk, driveway, or bender board is required to separate artificial turf areas from planters, live vegetation, and property boundaries.
- Should be visually level, with the grain pointing in a single direction.
- All edges must be trimmed to fit against all regular and irregular edges to resemble a natural look.
- Appropriate water permeability
- To be cleaned regularly and maintained in an appropriate and neat manner. If it is worn, uneven, discolored, or damaged it needs to be replaced.

The City Council did not object or indicate concerns with these listed possible standards found in this section. Staff request to further explore the installation and maintenance of artificial turf

before proposing language to be added to the proposed landscaping ordinance.

Additional

Re-landscaping a yard / site and any concrete flatwork (or similar) does not require a permit through the City. A permit is only required when excavation (soil removal) takes place or when existing grade is significantly changed. Land Use Code section 14-14-123 requires a grading permit when landscaping activities disturb more than 10 cubic yards of material.

Department Review

This staff report was written by the Planning Director and reviewed by the City Engineer.

Significant Impacts

Amending the Code could create a significant amount of legal non-complying sites throughout the City in terms of landscaping, which may affect Staff time. Amending the Code may have a greater impact in the City's Code Enforcement program as there would be additional parameters to enforce.

Recommendation

Staff recommends that the Planning Commission review the proposed Land Use Code Text Amendment, Proposed Ordinance 2022-10, hold a public hearing, and consider making a recommendation to the City Council.

Attachments

Proposed Landscaping Ordinance



BOUNTIFUL

Bountiful City **Draft Ordinance No. 2022-10**

MAYOR
Kendalyn Harris

CITY COUNCIL
Millie Segura Bahr
Jesse Bell
Kate Bradshaw
Richard Higginson
Cecilee Price-Huish

CITY MANAGER
Gary R. Hill

An Ordinance Amending Chapter 16 of the Land Use Code of Bountiful City related to Landscaping.

It is the finding of the Bountiful City Council that:

1. The City Council of Bountiful City is empowered to adopt and amend general laws and land use ordinances pursuant to Utah State law (§10-9a-101 et seq.) and under corresponding sections of the Bountiful City Code; and
2. The City Council requests certain Land Use Code Text Amendments relating to landscaping be considered; and
3. After review and a public hearing of a proposed short-term rental ordinance on October 4, 2022, the Bountiful City Planning Commission forwarded a _____ recommendation to the City Council; and
4. The City Council of Bountiful City held a work session discussion regarding landscaping on June 21, 2022, and August 23, 2022.
5. The Planning Commission of Bountiful City held a work session discussion regarding landscaping on July 19, 2022, August 16, 2022, and September 20, 2022.
6. The City Council of Bountiful City held a public hearing on this Ordinance on October ____, 2022, and considered the statements made from the public, as well as the recommendations from the Planning Commission and the Staff.
7. The City Council of Bountiful City finds that these amendments are necessary and are in harmony with the objectives and purposes of the Bountiful City Land Use Code and the General Plan; and
8. The City Council of Bountiful City reviewed the proposed landscaping ordinance and finds that the proposed amendments are in the best interest of the health, safety, and welfare of the City and the public.

Be it ordained by the City Council of Bountiful, Utah:

SECTION 1. Chapter 16 of the Land Use Code of Bountiful City, Title 14 of the Bountiful City Code, related to Landscaping is hereby adopted and enacted as shown on Exhibit A.

SECTION 2. This ordinance shall take effect immediately upon first publication.

Adopted by the City Council of Bountiful, Utah, this ____ day of October 2022.

Kendalyn Harris, Mayor

ATTEST:

Shawna Andrus, City Recorder

CHAPTER 16

LANDSCAPING AND FENCING

14-16-101	PURPOSE
14-16-102	APPLICATION
14-16-103	DEFINITIONS
14-16-104	PLAN SUBMITTAL
14-16-105	PLAN IMPLEMENTATION
14-16-106	INSTALLATION BOND
14-16-107	GENERAL PROVISIONS
14-16-108	CLEAR-VIEW AREAS
14-16-109	TYPES AND LOCATION OF LANDSCAPING
14-16-110	FENCE, WALL AND LIGHTING STANDARDS FOR A SINGLE-FAMILY OR TWO-FAMILY DWELLING
14-16-111	FENCE, WALL AND LIGHTING STANDARDS IN ALL OTHER DEVELOPMENTS
14-16-112	GRADE DIFFERENTIAL
14-16-113	VACANT LOTS
14-16-114	NONCOMPLYING WALLS AND FENCES
14-16-115	XERISCAPE STANDARDS
14-16-116	BARBED WIRE AND ELECTRICAL FENCE RESTRICTIONS
14-16-117	TREE SELECTION LIST

14-16-101 PURPOSE

This Chapter establishes general standards for the manner in which landscaping, fences, walls, and other types of screening and buffering devices shall be installed and maintained. Other sections of this Title may contain specific criteria that supersede the provisions of this Chapter.

14-16-102 APPLICATION

The provisions of this Chapter shall apply to all parcels of land located within Bountiful City, unless specifically stated otherwise in this Title.

14-16-103 DEFINITIONS

See Chapter 3 of this Title for the following definitions:

“WALL” or “FENCE”
“SCREENING DEVICE”
“BUFFERING DEVICE”
“HEIGHT OF WALLS AND FENCES”
“OPEN-STYLE FENCE”
“XERISCAPE”

14-16-104 PLAN SUBMITTAL

Any site plan submittal required by this Title shall include a landscaping plan that includes:

A. The location and type of landscaped areas,

- B. An area calculation table showing the size and percentage of landscaping and impervious surface areas,
- C. A list of existing and proposed landscape materials/plants,
- D. The location of walls, fences and other screening and buffering devices,
- E. The location and design of a pressurized irrigation system.
- F. Landscape and/or sprinkler plans shall be prepared by a Landscape Architect licensed to practice in the State of Utah. The City may waive this requirement for projects less than one (1) acre in size.

14-16-105 PLAN IMPLEMENTATION

In administering the implementation of an approved landscaping plan, the Planning Director may allow substitutions for approved plants, landscape features and other amenities consistent with the intent of this Chapter, but only if the existing conditions of the site or the availability of the building materials make it not possible to implement the plan as approved.

14-16-106 INSTALLATION BOND

Landscaping, sprinkling system, walls, fences, screening structures, walks, parking areas and other on-site improvements shall be installed and bonded for in accordance with the provisions of this Title and the City Code.

14-16-107 GENERAL PROVISIONS

The following shall apply to all property within the City of Bountiful:

- A. Each property owner and/or occupant shall provide and continuously maintain on-site landscaping, fencing, walls and other required improvements equal to the minimum requirements of this Title and as shown on an approved site plan.
- B. Any dead vegetation or growth shall be removed immediately and shall not be allowed to accumulate on the property.
- C. Each property owner and/or occupant shall provide and continuously maintain landscaping within park strip areas (between the curb and sidewalk), ~~except for approved driveways, walkways and utility service areas.~~ Asphalt ~~or concrete paving~~ in place of landscaping between the sidewalk and curb is prohibited.
- D. Any developed property shall have a pressurized irrigation system that shall be installed and continuously maintained in all landscape areas. Drip irrigation or bubblers shall be used in non-lawn areas. Lawn areas, planting beds, etc., shall be irrigated on separate valves. Drip emitters, pop up spray heads, and rotors shall be placed on separate irrigation valves. WaterSense labeled smart irrigation controllers shall be used for landscaped areas.
- E. It is unlawful to strip, excavate or otherwise remove top soil from a site unless a permit allowing the activity has been issued by the Engineering Department.

- F. Any required improvement, including landscaping, shall be installed within six (6) months of the date of the occupancy permit or of the equivalent final inspection.

14-16-108 CLEAR-VIEW AREAS

- A. For the purpose of providing adequate vision of vehicular and pedestrian traffic, a clear-view area shall be maintained at the intersection of every street, whether public or private, and at the intersection of every driveway with a public or private street. The clear-view provisions are considered life-safety standards and shall supersede any conflicting provisions of this Title.
- B. No provision of this section shall be construed to allow the continuance of any nonconforming tree, shrub, plant or plant growth, fence, wall, other screening material, or other obstruction which interferes with the safety of pedestrians or vehicle traffic.
- C. The clear-view area for a street intersection is the area of land determined by measuring forty (40) feet from the point of juncture of street curb lines, and then connecting the termini of those lines forming a triangle that encompasses a portion of the street right-of-way and the adjoining lot. Within that clear-view area, the following shall apply:
 - 1. Solid fences, walls, signs, sight obscuring vegetation, and/or other sight obscuring devices shall not exceed two (2) feet in height above the level of the curb.
 - 2. Open style fences shall not exceed four (4) feet in height above the level of the curb.
 - 3. Tree trunks shall not be located within the clear-view area; however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the elevation of the sidewalk and eleven (11) feet above the elevation of the street. It is unlawful to allow any vegetation or other growth to block any traffic sign, traffic signal, street light, or other public safety device, regardless of whether it is located in a clear-view area or not.
 - 4. No sign shall be allowed in the clear-view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard.
 - 5. No obstruction of any sort which interferes with the safety of pedestrians or traffic shall be allowed within the clear-view area unless it is specifically permitted by this Title and it is determined by the City Engineer that it is not a safety hazard.
- D. The clear-view area for the intersection of a driveway and a street shall be determined by first establishing the point of intersection of the driveway edge and the street property line, then measuring ten (10) feet along the property line away from the driveway, and ten (10) feet along the edge of the driveway in toward the property. A line is then drawn from the termini of the two lines, forming a triangle. This is accomplished on both sides of the driveway. Within the triangles and the area between them, the following shall apply:
 - 1. An open style fence shall be a maximum of four (4) feet in height.
 - 2. Any wall or other type of solid fence or sight obscuring growth shall be a maximum of three (3) feet in height.

3. Tree trunks shall not be located within this clear view triangle; however, tree canopies may extend into the clear view area if they are trimmed at least seven (7) feet above the sidewalk and eleven (11) feet above the street.
4. Tree canopies or other growth shall not block signs or signals.
5. Sight obscuring growth shall be a maximum of three (3) feet in height in the parkstrip.
6. The driveway clear-view fencing provisions may not be required on corner and double frontage lots for a secondary drive access that is gated, locked and that accesses the rear yard, if it is determined by the Planning Director that the drive access is not a primary access.

14-16-109 TYPES AND LOCATION OF LANDSCAPING

A. With the exception of a single-family or a two-family dwelling on an individual lot, the landscaping on a lot or parcel shall meet the following criteria:

1.A. Each tree shall be planted and staked in accordance with the Standard Tree Planting Detail of this Title.

2.B. The first ten (10) feet of yard setback adjacent to any street shall be landscaped, except for approved driveways, walkways, and utility service areas.

3.C. Street trees shall be required along each street and any reverse frontage conditions. Street trees shall be located within the front, ~~corner side~~ or street yard setback. Each tree shall be a minimum two (2) inch caliper and shall be planted at a minimum spacing of one (1) tree for every thirty-five (35) lineal feet of street frontage or fraction thereof over twenty (20) feet.

4.D. In addition to required street trees, each lot or parcel shall include the following:

a.1. At least one (1) ornamental tree of at least one (1) inch caliper, and/or one (1) screening tree of at least two (2) inch caliper, for each

1. Five hundred (500) square feet of required landscaping in ~~commercial~~ developments that are two (2.0) acres or larger, or

2. Seven hundred fifty (750) square feet of required landscaping in all ~~multifamily developments and all commercial~~ developments that are less than 2.0 acres in size; and

2. b. At least one (1) shrub, minimum five (5) gallon, for each two hundred (200) square feet of required landscaping.

3. c. Up to half of the required shrubs may be substituted for trees on a ten to one (10 to 1) basis.

4. d. Screening trees as indicated in the Tree Selection List of this Chapter shall be planted at thirty (30) foot intervals inside property lines of each multi-

family, commercial, institutional, or industrial use located within twenty (20) feet of a single-family residential development or zone.

5. Public parks are exempt from tree and shrub requirements as found in this section.

6. Lawn areas in all developments shall not exceed twenty percent (20%) of the total landscape areas.

B. The landscaping on a lot or parcel with a single-family or a two-family dwelling shall meet the following criteria:

1. Each tree shall be planted and staked in accordance with the Standard Tree Planting Detail of this Title.

2. Each lot or parcel shall have a minimum of two (2) street trees.

3. Street trees shall be required along each street and any reverse frontage conditions. Street trees shall be located within the front or street yard setback. Each tree shall be a minimum two (2) inch caliper and shall be planted at a minimum spacing of one (1) tree for every seventy (70) lineal feet of street frontage.

4. Within new single-family or two-family dwellings, lawn areas shall not exceed thirty-five percent (35%) of the total landscape areas in the front and side yards.

5. Lots/parcels without any lawn in the front yard shall have one (1) shrub or bush for every two hundred (200) square feet of non-impervious area located within the front yard. Trees can fulfill this requirement if they are not counted towards the street tree requirement.

C. Lawn shall not be installed in Park Strips, Paths, or on slopes greater than 25%, or in areas less than 8 feet wide as measured at its narrowest point.

1. Existing lots/parcels with a single-family dwelling or two-family dwelling are exempt from this requirement.

2. Additions to existing single-family and two-family dwellings consisting of 750 square feet or more, shall comply with this requirement.

3. Landscaping alterations to existing single-family and two-family dwellings consisting of 50% or more of the front yard area, shall comply with this requirement.

D. At least 80% of ground covers, ornamental grasses, perennials, shrubs, etc. shall be planted and maintained in groupings of at least three (3) to increase the microclimate shade area above plant root zones, and to provide a pleasing and balanced aesthetic of plant material massing in the landscape. Groupings may consist of straight rows, grids or triangulation planting patterns.

E. Live vegetation shall be selected from the Weber Basin Water Conservancy District recommended plant list. These plant materials are suitable for the local climate with respect to temperature ranges and moderate to high drought tolerance. The land use

authority may allow substitutions if it is found similar in size, growth pattern, durability, desirability and impact.

G.F. Deciduous trees shall have a minimum two inch (2") caliper trunk measured at a height of 48" and coniferous trees shall be balled and burlapped and a minimum of 48" in height. All heights to be measured from the finished landscape surface.

14-16-110 FENCE, WALL AND LIGHTING STANDARDS FOR A SINGLE-FAMILY OR TWO-FAMILY DWELLING

The following shall apply to any single-family or two-family dwelling on an individual lot:

- A. On an interior lot, a fence located within a minimum rear and/or side yard setback shall be:
 - 1. A maximum of six (6) feet in height if the fence is solid and/or otherwise site obscuring.
 - 2. A maximum of eight (8) feet in height if the fence is "open style" (at least 75% open and as further defined by this Title).
 - 3. A maximum of eight (8) feet in height if the lower section of the fence is solid for a maximum of six (6) feet in height and then "open style" (at least 75% open and as further defined by this Title) for the remaining vertical distance.
- B. In the minimum front yard setback area, an "open style" fence shall be a maximum of four (4) feet in height, and any wall or other type of fence shall be a maximum of three (3) feet in height, except as further restricted in a clear-view area.
- C. On a corner lot and on any lot that does not qualify as an interior lot, a street side yard and/or street rear yard may be enclosed by a fence to the same extent as a minimum rear yard or minimum side yard setback on interior lot, except for any clear-view area.
- D. A fence enclosing a recreational facility (whether private or public), such as a tennis court, swimming pool, ball diamond, etc., may be allowed up to ten (10) feet in height, as long as it is "open style" and not site obscuring, is located at least five (5) feet away from the property line, and is not within the minimum front yard setback area. A fence greater than ten (10) feet in height and/or closer than five (5) feet to a property line may be permitted with a conditional use permit or through the site plan review process if the fence is part of a new project. A fence abutting the Interstate freeway system may be erected to a height not exceeding eight (8) feet on the property line adjacent to the freeway right-of-way.
- E. Outdoor lighting shall be directed downward by means of prismatic lens, deflector, or other shading device to avoid projecting onto adjacent properties or streets. No flashing lights shall be allowed except for seasonal decoration allowed by this Title.

14-16-111 FENCE, WALL AND LIGHTING STANDARDS IN ALL OTHER DEVELOPMENTS

With the exception of a single-family or two-family dwelling on an individual lot, the following shall apply to any lot or parcel within Bountiful City:

- A. A wall or fence shall be a maximum of six (6) feet in height, with the exception that any wall or solid fence located within twenty (20) feet of a public street shall be a maximum of three (3) feet in height, and any "open style" fence located within twenty feet of a public street shall be a maximum of four (4) feet in height.
- B. Any outdoor storage area shall be screened from view by a minimum six (6) foot high wall constructed of, or finished with, materials to match or compliment the main building material of the site.
- C. Any roof mounted mechanical equipment shall be screened from public view by a parapet wall or similar device that is no lower in height than six (6) inches below the height of the mechanical equipment on the exposed side or sides. No chain link fencing, with or without slats, shall be allowed as a screening device for such equipment.
- D. Any loading or delivery facility shall be screened from street view by a six (6) foot high wall constructed of wood, brick, vinyl, masonry, or similar material as approved by the land use authority.
- E. A solid screening device or wall of masonry, wood, vinyl or similar material shall be constructed along property lines which are located within twenty (20) feet of a residential dwelling or zone. Such wall shall be a minimum of six (6) feet in height, except for areas within twenty (20) feet of a public street property line, where it shall be the maximum height allowed in a single-family residential zone.
- F. A wall of six (6) feet in height shall be required along the rear lot line of a reverse frontage lot. In conjunction with a subdivision plat or Planned Unit Development a fence along the rear lot line of a reverse frontage lot may have a maximum height of eight (8) feet with specific approval of the Planning Commission. Such walls shall be constructed of masonry, wood, vinyl, or similar material as determined by the land use authority. Any street tree or landscaping element required by this Title shall be installed between the wall and the public street improvement.
- G. The exterior boundary of a mobile home park shall be provided with a masonry, wood or vinyl wall having a minimum height of five (5) feet and a maximum height of six (6) feet and shall be designed in an irregular or undulating pattern to create an attractive appearance, as determined by the land use authority. The mobile home park owner and a lessee shall landscape the land between the wall and public street improvements with street trees and other landscape materials and shall maintain the landscaping continuously as required by this Title.
- H. Outdoor lighting shall be directed downward by means of prismatic lens, deflector or other shading device to avoid projecting onto adjacent properties or streets. No flashing lights shall be allowed except for seasonal decoration allowed by this Title.

14-16-112 GRADE DIFFERENTIAL

In instances where there is a grade differential along a property line separating two (2) lots as a result of a retaining wall or topographic feature, a fence, hedge, wall, or other permitted screening device may be erected to the maximum height permitted on either side of the property line. Also, in instances where a fence runs along a sloped property line, a pre-manufactured rectangular fence panel of up to ten (10) feet in length or less may be installed horizontally to vertical posts such that one end of the panel is at grade level, and the other end is no more than two-tenths (0.2) of a foot above grade level for each linear foot of fence panel. The area

beneath the bottom of the fence and the ground may be filled or remain open, and the panel height may be the maximum permitted on either side of the property line.

14-16-113 VACANT LOTS

Minimum yard setback areas apply to each lot or parcel, regardless of whether it is vacant or developed. Therefore, fencing standards shall be applied to a vacant or undeveloped lot in the same manner as to developed land.

14-16-114 NONCOMPLYING WALLS AND FENCES

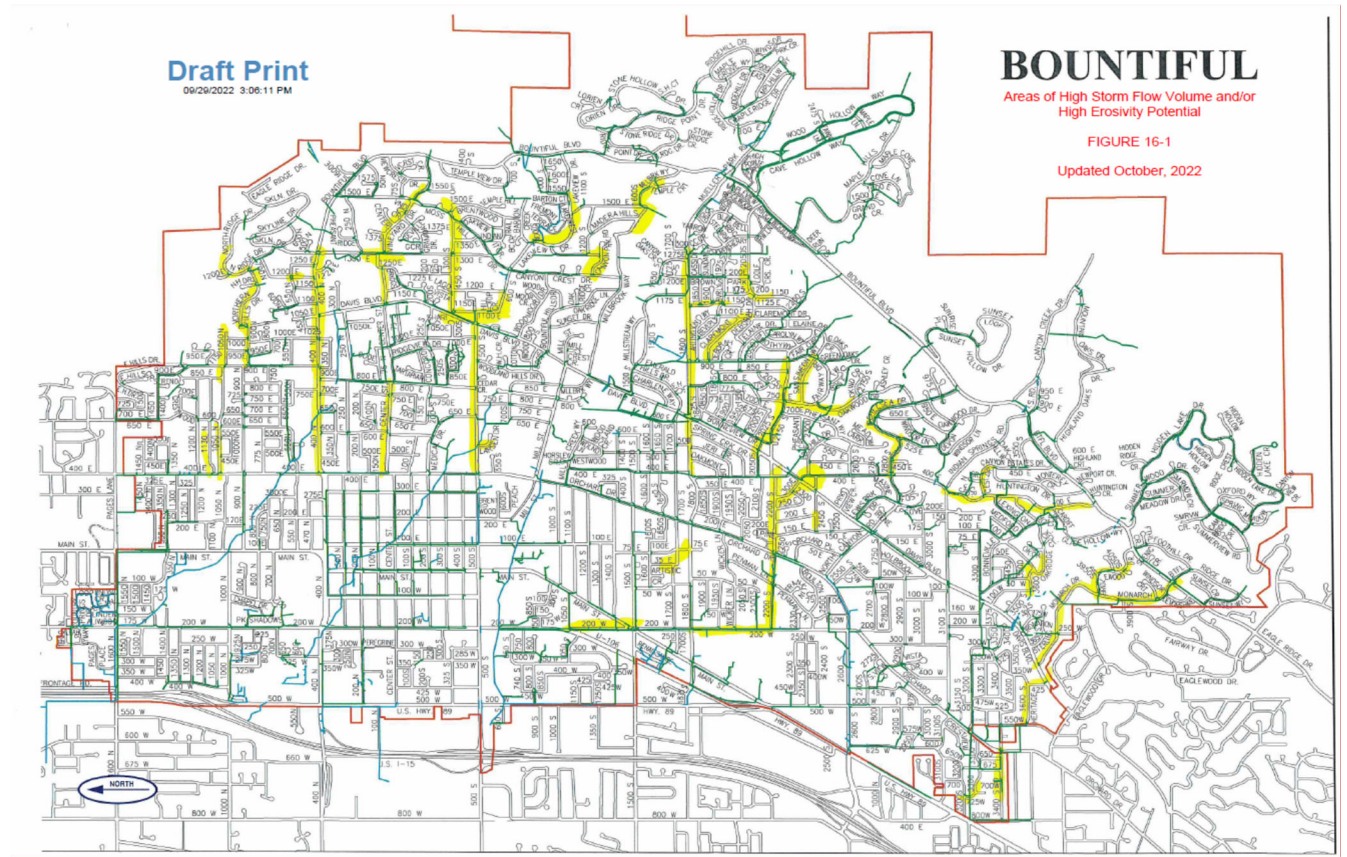
A noncomplying wall, fence, landscaping element, or related site feature shall be considered a noncomplying site element and shall not be reconstructed except as permitted under the procedures for noncomplying sites as set forth in the Administration and Procedures Chapter of this Title.

14-16-115 XERISCAPE PARKSTRIP STANDARDS

The following are the minimum standards for xeriscaping any parkstrip or other landscape area located within a public right-of-way:

- A. There shall be at least one (1) street tree for every forty (40) linear feet of frontage, or fraction thereof.
- B. At least ~~fifty percent (50%)~~ thirty percent (30%) of the required landscape area shall be in live vegetation excluding tree canopies.
- C. Live vegetation shall be distributed throughout the landscape area, and shall not be clustered or segregated.
- D. Bark, lawn clippings, chipped wood, rubber mulch, and similar loose materials are not permitted.
- E. Decorative rock and gravel material shall be a minimum of two (2) inch ~~one (1) inch~~ aggregate, and shall not exceed the height of the sidewalk nor the top back of curb. Pavers, flagstone, cobble up to six inches (6") in diameter, or similar materials are permitted. Such mDecorative rock, gravel, or similar mmaterial shall be at least three (3) inches deep and shall be placed completely on top of a weed fabric barrier that allows the permeation of water. No more than 50% of the park strip may be poured concrete or similar solid paving surface for driveway, walkway approaches, decorative accents, and vehicle drop off areas. Asphalt is not allowed in the park strip.
- F. ~~White quartz rock, lava rock, and gravel or any other material that approximates the color of concrete, are not permitted. Bricks intended for use on buildings, white quartz rock, lava rock, large cobble exceeding six inches (6"), and boulders are prohibited.~~
- G. Any area of xeriscape shall be improved with a drip irrigation system or similar permanent irrigation system that covers the entire area.
- H. Materials which are proposed to be installed in areas throughout the City that are susceptible to high flows and erosion of materials from parkstrips as identified in Figure 16-1 shall be subject to review prior to installation by the Public Works Director, or his designees.

Figure 16-1



G-I. Any individual, corporation, or other entity that xeriscapes an area within a public right-of-way shall be responsible for any damage caused by rocks or other materials that migrate onto a sidewalk, street, storm drain or other public facility, regardless of how such migration occurs.

14-16-116 BARBED WIRE AND ELECTRICAL FENCE RESTRICTIONS

- A. Barbed Wire. It shall be unlawful for any person to erect or cause to be erected or to maintain any barbed wire fence or any similar device on any residential property. Where allowed, any barbed wire fence or similar device shall be deemed unlawful unless it is attached at the top of a fence or similar structure at a height not less than six (6) feet above the ground. In such cases, no more than three (3) strands of barbed wire, maximum of six (6) inches apart each, strung tightly and not coiled, shall be allowed and not be included in the overall height requirement of the fence.
- B. Electrical Fences. It shall be unlawful for any person to erect or cause to be erected or to maintain any device on a fence with an electrical charge.

14-16-117 TREE SELECTION LIST

The following trees in Table 14-16-117a shall be approved for use in areas of landscaping regulated by this Title. As new tree varieties are continuously being developed, the City recognizes that it is not possible for this list to contain every derivation or subspecies of tree

available. Therefore, the land use authority may allow a substitution if it is found that the proposed tree is similar in size, growth pattern, durability, desirability and impact as a tree contained in the approved list.

Table 14-16-117a

BOTANICAL NAME	COMMON NAME	TREE TYPE		
		1 = Ornamental Tree	2 = Screening Tree	3 = Street Tree
Acer Ginnala	Amur Maple	1	2	-
Acer Platanoides	Norway Maple	1	-	3
Acer Platanoides Columnare	Pyramidal Norway Maple	1	2	3
Acer Platanoides Crimson King	Crimson King Norway Maple	1	2	3
Acer Platanoides Emerald Queen	Emerald Queen Norway Maple	1	-	3
Acer Platanoides Royal Red	Royal Red Norway Maple	1	2	3
Acer Rubrum	Red Leaf Maple	1	-	-
Acer Rubrum Red Sunset	Red Sunset Maple	1	-	3
Albizia Julibrissin Rubra	Mimosa Silk Tree	1	-	-
Betula Papyrifera	Canoe Birch	1	2	3
Betulaplatyphilia Japonica	Japanese White Birch	1	2	-
Catalpa Bungii	Umbrella Catalpa	1	2	3
Celtis Occidentals	Common Hackberry	1	2	3
Cercis Canadensis	Eastern Redbud	1	2	-
Crataegus Lavellei	Carrier Hawthorn	1	2	3
Crataegus Phaenopyrum	Washington Hawthorne	1	2	3
Ginkgo Bilboa Autumn Gold	Autumn Gold Ginkgo	1	-	3
Gleditsia Triacanthos Imperial	Imperial Honeylocust	1	-	3
Gleditsia Triacanthos Shademaster	Shademaster Honeylocust	1	-	3

Gleditsia Triacanthos Skyline	Pyrimidal Honeylocust	1	-	3
Koelreuteria Paniculata	Golden Raintree	1	2	3
Malus Almey	Almey Crabapple	1	2	-
Malus Variety American Beauty	American Beauty Crabapple	1	2	-
Malus Dolgo	Dolgo Crabapple	1	2	-
Malus Hopa	Hopa Crabapple	1	2	-
Malus Ioensis Klehms Improved	Klehms Bechtel Crabapple	1	2	-
Malus Oekonomierat Echtermeyer	Echtermeyer Weeping Crabapple	1	2	-
Malus Radiant	Radiant Crabapple	1	2	-
Malus Royalty	Royalty Crabapple	1	2	-
Malus Snowcloud	Snowcloud Crabapple	1	2	-
Malus Strathmore	Strathmore Crabapple	1	2	-
Plantanus Acerifolia	European Sycamore	1	-	-
Prunus Virginiana Melancarpa Shubert"	Canada Red Cherry	1	2	-
Prunus Cerasifera "Mt. St. Helen's"	Mt. St. Helens Plum	1	2	3
Prunus Cerasifera Variety Newport	Newport Flowering Plum	1	2	3
Prunus Cerasifera Thundercloud	Thundercloud Flowering Plum	1	2	3
Prunus Padus Commutata	May Day Tree	1	2	3
Prunus Serrulata Kwanzan	Kwanzan Flowering Cherry	1	2	3
Prunus Subhirtella Pendula	Weeping Cherry	1	-	-
Pyrus Calleryana Aristocrat	Aristocrat Ornamental Pear	1	2	3
Pyrus Calleryana Bradford	Bradford Ornamental Pear	1	2	3
Pyrus Cleryana Rancho	Rancho Ornamental Pear	1	2	3
Pyrus Calleryana Trinity	Trinity Ornamental Pear	1	2	3

Quercus Borealis	Northern Red Oak	1	-	-
Quercus Macrocarpa	Bur Oak	1	-	3
Quercus Palustris	Pin Oak	1	-	3
Sophora Japonica	Japanese Pagoda Tree	1	-	3
Sorbus Aucuparia	European Mountain Ash	1	2	3
Tilia Americana Redmond	Redmond Linden	1	-	-
Tilia Cordata	Little Leaf Linden	1	2	-
Tilia Cordata Greenspire	Greenspire Little Leaf Linden	1	2	3
Tilia Cordata Olympic	Olympic Pyramidal Linden	1	2	3
Picea Pungens	Colorado Spruce	1	2	-
Picea Pungens Glauca	Colorado Blue Spruce	1	2	-
Pinus Nigra	Austrian Pine	1	2	-