

ORDINANCE NO. 2007-18

ORDINANCE AMENDING /ADDING SECTIONS: 3-4107(3); 3-4207(4); 3-610(5)-(6); 3-621 RELATING TO PARKSTRIP LANDSCAPING” THE HIGHLAND CITY DEVELOPMENT CODE

Be it ordained by the governing body of the municipality of Highland, Utah:

WHEREAS, the Highland City Council addressed the amendments to the Development Code pertaining to revisions to Chapter 3, Article 6, Sections: 3-4107(3); 3-4207(4); 3-610(5)-(6); 3-621 relating to Parkstrip Landscaping” in the Highland City Development Code referring to landscaping within the parkstrip.

NOW, THEREFORE, be it hereby ordained by the governing body of Highland City that the following amendments be made to the Highland City Development Code:

3-4107: Special Provisions. (Amended: 6/18/02)

Special provisions shall apply in the R-1-40 Zone in order to protect its essential characteristics:

- (1) The space required around buildings and structures shall be kept free from refuse and debris.
- (2) All buildings and uses within this zone shall comply with all applicable portions of Sections 3-601 through 3-620.
- (3) Park or Planter Strips. All park strip areas, between the sidewalk and the curb, are to be covered and maintained according to the requirements defined in Chapter 3, Article 6, Section 3-621 in this Code.

3-4207: Special Provisions. (Amended: 6/18/02)

Special provisions shall apply in the R-1-20 Zone in order to protect its essential characteristics:

- (1) The setback required around buildings and structures shall be kept free from refuse and debris.
- (2) All buildings and uses within this zone shall comply with all applicable portions of Sections 3-601 through 3-620.
- (3) At least seventy percent (70%) of the area contained within a required front yard or side yard adjacent to a street shall be landscaped within one year of occupancy.Park or Planter Strips.
- (4) Park or Planter Strips. All park strip areas, between the sidewalk and the curb, are to be covered and maintained according to the requirements defined in Chapter 3, Article 6, Section 3-621 in this Code.

3-610: Clear View of Intersecting Streets. Clear Vision Area - Corner Lots. In all Zones except C-1, no structure in excess of three (3) feet in height shall be placed on any corner lot within a triangle area formed by the street property lines and the line connecting them at points forty (40) feet from the intersection of the street property lines. No structure in excess of three (3) feet in height shall be placed closer than 14 feet to a neighboring driveway.

- (1) On street intersections where speed limits are greater than 35 mph all fences, walls, and hedges over three feet in height must be
 - (a) outside the 40 foot triangle and either 10 feet off of the side property line, or
 - (b) 18 feet from the edge of the closest 12 foot travel lane, or
 - (c) as per AASHTO Policy on Geometric Design of Highway and Streets regarding safe sight distances.
- (2) Setbacks - All fences, walls, hedges, or similar devices must be placed within property boundaries and always outside the planned road right of way.
- (3) Height measurement - Where there is a difference in the grade of the properties on either side of the fence or wall, the height of a fence or wall shall be measured from either side of the adjoining properties except that in any instance a three (3) foot height fence shall be measured from the higher side.
- (4) Fire safety - There shall be no fence or hedge within three (3) feet of any fire hydrant.
- (5) Hedge Definition for Clear Vision Area - single shrub planting shall not constitute a hedge if the closest distance between the foliage of any two (2) plants, over three feet in height, is and remains at least (20) feet apart except for that foliage above 6 foot in height. Hedges shall consist of nursery grade plants, shrubs, trees, grass, or similar landscaping materials.
- (6) The area between the Roadway and/or sidewalks and fences are to be maintained by the abutting property owner according to the requirements defined in Chapter 3, Article 6, Section 3-621 in this Code.

3-621: Park or Planter Strips. (Amended: 6/18/02) All parkstrip areas, the area between the sidewalk and the curb, are to be covered with landscaping vegetation such as grasses, trees, flowers, groundcovers and shrubs (shrubs shall not exceed 36" in height) consistent with typical residential landscaping. This shall not include weeds indicated on the State Of Utah Department Of Agriculture And Food Designated Noxious Weed List for Colorado (CO), Idaho (ID), Kansas (KS), Montana (MT), Nebraska (NE), North Dakota (ND), South Dakota (SD), Utah (UT), Wyoming (WY) but may include approved drought tolerant plants.

- (1) Up to 50% of the park strip may be covered with non-living material such as wood chips or decorative landscaping rocks (rock diameter of one inch minimum and six inches maximum) if commonly practiced xeriscape landscaping procedures are followed.
- (2) Trees planted within tree grates separated by hardscape materials may be installed within the parkstrip only if the following requirements are met:
 - (a) Coverage measured in plan view at a two (2) year growth is equal to or greater than at least 50% of the parkstrip area. At minimum, trees shall be planted every 20 feet.
 - (b) A water source is available at each tree grate (not from a hose, or above ground sprinkler).
 - (c) The area between tree grates within the parkstrip area shall be landscaped with a minimum of 50% vegetation; and
 - (i) The area between each tree grate within a parkstrip may be hardscaped with pavers, stepping stones, or similar permeable elements, if each object is a maximum of twelve (12) inches in width on any side.
 - (ii) Impervious surfaces or materials shall not be used (this includes concrete, stamped concrete, rubber lining, etc).
 - (d) Only trees from the city approved Class I Trees list may be planted within a parkstrip as follows:
 - (i) acer campestre; Hedge Maple
 - (ii) acer ginnala; Amur Maple
 - (iii) acer grandidentatum; Big Tooth Maple
 - (iv) acer griseum; Paperbark Maple
 - (v) acer tataricum; Tatarian Maple
 - (vi) aesculus pavia; Red Buckeye
 - (vii) cercis canadensis; Eastern Redbud
 - (viii) koelreuteria paniculata; Goldenrain Tree
 - (ix) malus spp; Flowering Crab
 - (x) prunus serrulata; Flowering Cherry
 - (xi) prunus blireiana; Flowering Plum
 - (xii) Pyrus fauriei, (syn. C. calleryana var. Fauriei) Korean Flowering pear
 - (xiii) Pyrus calleryana, 'Callery X Chanticleer Cultivar', Chanticleer (Callery) flowering pear
 - (xiv) Pyrus calleryana, 'Cleveland Select', Cleveland Select flowering pear

- (xv) Pyrus salicifolia, 'Pendula' (syn. Silver Frost') Weeping Willowleaf pear
- (xvi) syringe reticulate; Japanese Tree Lilac

EFFECTIVE DATE: This ordinance shall take effect immediately upon passage.

DATED this 21st day of August, 2007

Mayor, Highland City

ATTEST:

Highland City Recorder