

**DATE:** September 27, 2006

**TO:** Salt Lake City Planning Commission

**FROM:** Kevin LoPiccolo, Zoning Administrator at 535-6003 or  
kevin.lopiccolo@slcgov.com

**RE:** Petition 400-06-22, a text amendment request to the Salt Lake City Zoning Ordinance clarifying the landscape ordinance and landscape bond requirements in all zoning districts.

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**PETITION NUMBER:** 400-06-22

**APPLICANT:** Salt Lake City Corporation

**STATUS OF APPLICANT:** Salt Lake City Corporation

**PROJECT LOCATION:** This zoning ordinance text change will specify the minimum amount of required landscaping for the front and corner side yards. The proposed text amendment will address bonding requirements when the required landscaping is not completed for multi-family dwellings and commercial development.

**COUNCIL DISTRICT:** All Council Districts

**REQUESTED ACTION:** Salt Lake City Zoning Ordinance, Chapter 21A.24.010N, Front and Corner Side Yard Landscaping, requires front and corner side yards be maintained as landscape yards. In addition, all uses in residential districts shall comply with provisions governing landscaping in part IV, Chapter 21A.48, Landscape & Buffers.

Chapter 21A.48.090, Landscape yards is described as yards devoted exclusively to landscaping except, however, driveways and sidewalks needed to serve the use and buildings on the lot may be located within a required landscape yard. No specific improvements are required within landscape yards, except that all landscaping areas not planted with trees and shrubs shall be maintained in turf or other approved groundcover.

In response to better clarify the city's landscaping requirements for all zoning districts, front and corner yard areas (rear and interior yard not included); staff is proposing the following minimum landscape requirements:

- Front and Corner side yard landscape standards shall be at least 1/3 of yard(s) area be devoted to vegetation. Vegetation may include turf grass, planting beds, i.e., annuals or perennial flowering plants or shrubs. The remaining 2/3 of the yard(s) area may include organic mulch, gravel, rocks and boulders.
- Staff is requesting that landscaping installation of all required landscaping shall begin no later than one month after a Certificate of Occupancy; except that if a Certificate of Occupancy is issued between October 15 and the following April 1, installation of the

landscaping shall begin not later than April 30. Landscaping shall be substantially completed within nine (9) months after Certificate of Occupancy is issued.

- For multi-family and commercial projects, bonding may be the appropriate method to achieve landscaping if the developer/contractor fails to install the required landscaping. The recommendation is that multi-family and commercial development has a bonding requirement for the total contract amount of the required landscaping.

**PROPOSED ZONING TEXT AMENDMENT:**

Sections 21A.48.090, Landscape Yards are yards devoted exclusively to landscaping except, however, that driveways and sidewalks needed to serve the use and buildings on the lot may be located within a required landscape yard. No specific improvements are required within landscape yards, except that all landscape areas not planted with trees shall be at least 1/3 vegetation, which may include turf grasses, annuals or perennial flowering plants. The remaining 2/3 of the yard area may include organic mulch, gravel, rocks and boulders. This section would incorporate landscape requirements for multi-family dwellings and commercial developments and require that a developer/contractor shall be required to post a bond for the total contract amount for the required landscaping.

**APPLICABLE LAND USE REGULATIONS:**

The proposed text amendment would amend Chapter 21A.48.090, 21A.24.010N, Table 21A.48.070G and 21A.48.080 in the Salt Lake City Zoning Ordinance.

**MASTER PLAN SPECIFICATIONS:**

The Salt Lake City Vision and Strategic Plan applies to this proposed text amendment. Section 1.0 through 4.0, of the City Vision and Strategic Plan Final report encourages environmental consciousness that promotes conservation of natural resources.

**COMMENTS:**

The following applicable City agencies were contacted regarding the proposed text amendment. The following is a summary of the comments/concerns received by the Planning Division:

**Transportation:** Transportation Division did not see any traffic related issues for the proposed use in the general provisions for this use designation are not altered in that all parking staging and maneuvering areas are maintained in compliance with general city transportation standards.

**Public Utilities:** Public Utilities did not respond to request.

**Building Services:** Building Services did not object to the proposed text amendment.

**Police Department:** The Police Department did not express opposition to the proposed text change.

**Salt Lake City Engineering:** Salt Lake City Engineering did not respond to request.

**Fire Department:** The Fire Department did not respond to request.

**Zoning Enforcement:** Zoning Enforcement Division supports request.

**Community Council(s):** The Planning Division held an Open House for Community Councils and interested parties on August 1, 2006. Only City staff attended. Planning Division Staff did

not receive any comments from any of the respective Community Councils on the proposed text change.

**ANALYSIS:**

The purpose of this amendment is to revise the Zoning Ordinance to help clarify the city's landscape requirements. It has been the policy of the city that landscape yards be applied exclusively to turf or an approved groundcover. This policy has become somewhat problematic to apply because many property owners do not want to install their entire front and corner yards with turf, trees or shrubs, but would like to promote water conservation methods and drought tolerant vegetation.

Landscape requirements are generally intended to foster aesthetically pleasing developments, which will protect and preserve the appearance, character, health, safety and welfare of the community. Landscape regulations are also intended to preserve, enhance and expand the urban forest and promote the prudent use of water and energy resources.

**CODE CRITERIA / DISCUSSION / FINDINGS**

Since the proposed text amendment request is a modification of the zoning text, the Planning Commission shall review the proposed text change and forward a recommendation to the City Council. The Planning Commission shall use the following standards:

**21A.50.050 Standards for general amendments.**

- A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.**

**Discussion:** The proposed text amendment is consistent with the Salt Lake City Vision and Strategic Plan, stating that the City seeks to exhibit a high level of environmental consciousness that promotes conservation of natural resources as found on pages 6-9.

**Findings:** The proposed text change is consistent with Salt Lake City Strategic Plan policies.

- B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.**

**Discussion:** The text amendment is intended to clarify the city's landscape requirements for all zoning districts for front and corner side yards.

**Findings:** The proposed text amendment meets this standard.

- C. The extent to which the proposed amendment will adversely affect adjacent properties.**

**Discussion:** The proposed text amendment will encourage the promotion of water conservation methods and drought tolerant vegetation.

**Findings:** The proposed text amendment will not adversely impact adjacent properties.

- D. Whether the proposed amendment is consistent with the provisions of any**

**applicable overlay zoning districts which may impose additional standards.**

**Discussion:** The proposed text amendment is city-wide and applies to all zoning districts.

**Findings:** The proposed text amendment meets this standard.

- E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.**

**Discussion:** The proposal applies to all zoning districts.

**Findings:** All pertinent City Departments will review any request through the permit process to ensure adequacy of public facilities and a services.

The proposed text amendment meets the general intent of the respective zoning districts, and does not materially harm any of the zoning districts.

**RECOMMENDATION:** The Planning Division recommends that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed text amendment, as reflected in the Staff Report and Exhibit 1.

**Exhibits:**

Exhibit 1 – Proposed Draft Ordinance

Exhibit 2 – Memorandum & Open House Notification

Kevin LoPiccolo  
Zoning Administrator  
September 27, 2006

**Exhibit 1**  
Proposed Draft Ordinance

**Exhibit 2**  
**Memorandum & Open House Notification**