



# MEMORANDUM

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission  
From: Doug Dansie, Senior Planner 801 535-6182  
Date: December 10, 2014  
Re: Briefing regarding Park Strip Text Amendment Petition PLNPCM2014-00194

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**ACTION REQUIRED:** No formal action is required at this time.

The purpose of the briefing is to provide background to the Planning Commission regarding proposed amendments to the park strip ordinance and to provide an opportunity for Commission members to provide comments and direction to Planning Staff about proposed changes. Once a draft is created, the item will be scheduled as a public hearing and the Planning Commission will be able to take formal action.

**BACKGROUND:**

As part of the water wise landscaping code adopted by the City in the spring of 2014; The City Council requested a review of the park strip portion of the landscape ordinance, specifically requesting that staff consider three things:

- 1) The height of plants allowed in the park strip,
- 2) Efforts to ensure viability of street trees in the park strip, and
- 3) Ongoing community outreach and information.

Item number 3 is not a legislative action and the Public Utilities Division has prepared several brochures and a website to answer many questions.

Items one and two directly affect the appearance of the public portions of the park strip and the staff is requesting input from the Planning Commission

As part of this petition, the staff is also seeking to update the water conservation and tree protection ordinances because they have been in effect for an entire growing season and the areas where the existing ordinance succeeds and fails has become apparent.

**DISCUSSION**

Park Strips:

- 1) Presently the height limits for plants is 18 inches, however some larger plants, up to 36 inches, are allowed as long as they do not create a visual barrier. The Council has received requests to allow for the growing of corn, sunflowers or similar tall plants in the park strip.

The original purpose for the height limit was safety; to allow visibility between the street and the sidewalk. The heights have been kept low so that a small child may be seen from the street while walking or riding on the sidewalk (and vice versa), etc. After reviewing the issue with other divisions, Staff is not recommending to the City Council to change that policy, since the original concerns remain valid and there are numerous other, more appropriate, places to grow taller plants. However, the ordinance is proposed to be slightly modified to allow for a small increase in height to accommodate drought tolerant species, such as gro-lo sumac, which are appropriate for the park strip, but will be approximately 20" tall at maturity.

As part of this discussion, there have also been issues raised regarding the appropriateness of other visual barriers or structures in the park strip. The park strip is primarily a public space devoted to pedestrian access and required utilities. Therefore, extraneous structures that hinder those activities and/or are more appropriately located on private property should be discouraged. Some structures, such as utility boxes, are necessary for the community and therefore must be accommodated on public property. Others, such as mail boxes, are necessary for the individual residence. Others, such as outdoor dining, tend to enliven the street and are semi-public in their use. However the City has seen an increase in requests for structures that are purely private in their use and create a visual barrier in their construction. For example: A typical raised planter box of 20 inches in height containing plants of 20 inches in height creates the larger visual barrier than a three foot tall hedge. Furthermore the wisdom of planting private food materials in a public area where chemicals, biological waste, or access cannot be monitored is questionable. At the present time, requests for such structures are not limited to the adjacent property owner.

Other structures that do not serve a public purpose, are not necessary for the function of the adjacent property, or are better accommodated on private property may also be discouraged. For example: The City allows public signage in the right-of-way but prohibits private signage.

Therefore the draft ordinance being prepared by staff suggests that extraneous structures, such as raised planting boxes, be only allowed if they cannot be accommodated on adjacent private property, are maintained by the adjacent property owner and their overall height, including plants, does not exceed the 20 inch height limit. (and they do not provide an inherent liability risk for the city)

- 2) The present ordinance allows park strips less than 36 inches in width to be covered 100% by gravel mulch. Park strips larger than 36 Inches are only required to have 33% plant materials, and the remainder may be rocks or gravel. Unfortunately the experience since these regulations have been put into place has been that rocks and gravel in the park strip create heat islands, which stress the adjacent trees (rocks retain heat during the day and emit it into the evening). Organic mulches generally do not have the same consequences. Many people also assume that their trees do not need supplemental watering in the summer, causing many species to suffer and slowly decline. The proposed changes will restrict the use of gravel as mulch adjacent to street trees, unless an operable sprinkling system is installed to insure the health of the trees. Irrigation will not solve the heat issue, but it will at least mitigate some of the effects. Staff also intends to clarify that water wise turf (as opposed to traditional Kentucky Blue Grass sod) is not prohibited, and is actually the most effective material in many circumstances.

## Water Conservation Ordinance

Portions of the water wise ordinance that are working effectively include; the inclusion of hydro zones and appropriate irrigation system with the plan submittal. This requires that the landscape architect be aware of watering needs at the time of design, which will save money and water over time.

However, the requirements for bonding are confusing and unnecessary. Also some of the definitions need clarification and the processes streamlined.

There also needs to be some technical changes to the ordinance, such as moving the definitions to central place in the ordinance and moving submittal requirements into the overall ordinance requirements (as opposed to leaving them isolated in the water conservation chapter) which would help clarify the ordinance.

## Tree Protection Ordinance

It is the desire of the City to save specimen trees on private property. That goal has not changed, however the present ordinance has lead to an overwhelming requirement to have the City Forester and/or Planning Staff review every plan. The proposed changes are intended to allow the City Forester to prescreen some criteria, so that permits may move through the process faster if the trees removed are clearly not specimen quality trees. Since the ordinance allows the zoning administrator to alter setbacks and other location criteria to protect a specimen tree, the criteria for this special consideration needs to be more selective.

The purpose for updating both the Water Conservation and Tree Protection ordinances is to make them clearer, more readable and easier to administer.