

ORDINANCE NO: O-2023-01

AN ORDINANCE OF THE HIGHLAND CITY COUNCIL AMENDING SEVERAL SECTIONS OF THE HIGHLAND CITY DEVELOPMENT RELATING TO XERISCAPING IN PARK OR PLANTER STRIPS AS SHOWN IN FILENAME TA-22-18.

WHEREAS, all due and proper notices of public hearings and public meetings on this Ordinance held before the Highland City Planning Commission (the "Commission") and the Highland City Council (the "City Council") were given in the time, form, substance and manner provided by Utah Code Section 10-9a-205; and

WHEREAS, the Planning Commission held a public hearing on this Ordinance on December 13, 2022 and

WHEREAS, the City Council held a public hearing on this Ordinance on January 3, 2023.

NOW, THEREFORE, BE IT ORDAINED BY THE Highland City Council as follows:

SECTION 1: ADOPTION Several sections of the Development Code relating to xeriscaping in park or planter strips are hereby amended as shown on "Exhibit A" attached hereto and incorporated herein.

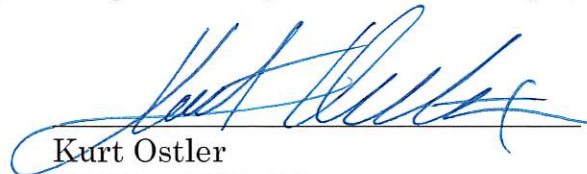
SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from January 3, 2023 and after the required approval and publication according to law.

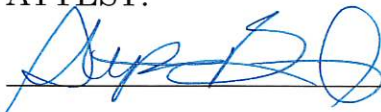
PASSED AND ADOPTED by the Highland City Council, January 3, 2023

HIGHLAND CITY, UTAH



Kurt Ostler
Highland City Mayor

ATTEST:



Stephannie Cottle
Highland City Recorder



COUNCIL MEMBER	YES	NO
Timothy A. Ball	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Brittney P. Bills	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sarah D. Petersen	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kim Rodela	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott L. Smith	<input checked="" type="checkbox"/>	<input type="checkbox"/>

EXHIBIT A

3-621 Park Or Planter Strips

All park strip areas, the area between the sidewalk and the curb, shall be landscaped and maintained by the property owner directly adjacent to that sidewalk using ~~traditional and/or~~ Xeriscape or water-wise methods as defined in Chapter 10 Definitions. Lawn shall not be installed in park strips.

1. Vegetation such as ornamental grasses, flowers, ground covers and shrubs shall not exceed 22-inches in height. Vegetation shall not include weeds identified 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.
- ~~1.2.~~ 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.
- ~~2.3.~~ Trees planted in the park strip may be separated by non-living materials only if a water source is available at each tree (not from a hose, or above ground sprinkler).
3. Only trees from the city approved Class I Trees list may be planted within a park strip. See Section 2.36.160 (J) Tree Class Divisions in the Highland City Municipal Code for the permitted Class I trees, as follows:
 - a. ~~acer campestre; Hedge Maple~~
 - b. ~~acer ginnala; Amur Maple~~
 - e. ~~acer grandidentatum; Big Tooth Maple~~
 - d. ~~acer tataricum; Tatarian Maple~~
 - e. ~~koelreuteria paniculata; Goldenrain Tree~~
 - f. ~~prunus serrulata; Flowering Cherry~~
 - g. ~~prunus blireiana; Flowering Plum~~
 - h. ~~Pyrus fauriei, (syn. C. calleryana var. Fauriei) Korean Flowering pear~~
 - i. ~~Pyrus calleryana, 'Callery X Chanticleer Cultivar', Chanticleer (Callery) flowering pear~~
 - j. ~~Pyrus calleryana, 'Cleveland Select', Cleveland Select flowering pear~~
 - k. ~~Pyrus salicifolia, >Pendula' (syn. Silver Frost') Weeping Willowleaf pear~~
 - l. ~~syringe reticulata; Japanese Tree Lilac~~

10-102 Definitions

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88. **Xeriscape.** Xeriscape is interpreted to be landscaping in a manner that reduces the need for supplemental irrigation, conserves water and enhances the beauty of the property. ~~At least 25% of the xeriscape area within the front setback of a residence must contain plants, trees and shrubs.~~ Residents should be conscientious of utilizing plants, trees and shrubs appropriate to the climate to avoid losing water to evaporation and run-off. Xeriscape ~~areas~~ shall consist of an attractive mix of plantings, rocks and other landscaping materials. For front yards and park strips, at least 25% of any xeriscape must contain plants, trees and shrubs.