

**CITY OF MILFORD
ORDINANCE 04-2022**

LANDSCAPING

WHEREAS, Milford City has researched and deems it necessary to amend and update its current Landscaping Ordinance; and

WHEREAS, Milford City has determined that such modifications of this ordinance are in the best interest of Milford City.

NOW THEREFORE, be it ordained by the Council of the City of Milford, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “13.33.010 Intent And Purpose” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.33.010 Intent And Purpose

It is the intent of this section to establish regulations and standards that govern installation, distribution, irrigation and maintenance of landscaping for the Non-Residential Districts (M, IP, HSC and MSC). (Ord. Ordinance 10-2007 Landscaping, Amended, 08/22/2007)

AFTER AMENDMENT

13.33.010 Intent And Purpose

It is the intent of this section to establish regulations and standards that govern installation, distribution, irrigation and maintenance of landscaping for ~~the Non-Residential~~ all Zoning Districts to ensure that all development will result in a pleasing appearance. ~~(M, IP, HSC and MSC)~~. (Ord. Ordinance 10-2007 Landscaping, Amended, 08/22/2007)

SECTION 2: **AMENDMENT** “13.33.020 Regulations And Standards” of the Milford Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

13.33.020 Regulations And Standards

The following regulations and standards shall supplement development standards for districts enumerated herein. When or if conflicting regulations or standards are encountered, the more stringent shall prevail. These regulations shall apply to new development or conversions and any existing development that may wish to expand or modify its operations.

1. Landscaping Distribution.
 - a. A minimum of 15 % of the total off street open parking shall be landscaped with a mixture of trees, shrubs, ground cover, other live plant material and non-living (hardscape) material.
2. Landscaping Maintenance.
 - a. Prior to the installation of the landscaping in the public right-of-way the developer shall provide for the continued maintenance by an agreement with Milford City.
 - b. It is a requirement that all landscaping regardless of type be well maintained. lawns and ground cover must be watered, trimmed or mowed regularly and other live plant materials must be watered, weeded, free of debris, pruned and replaced as necessary to be kept in a healthy and growing condition, all non-living material (hardscape) such as rock, bark, gravel and wood, shall be weeded and kept free of debris and otherwise kept in an orderly manner so as not to create dust or other wind borne materials to be scattered. Required driveways or walkways within the setback must be paved, but are not considered in the calculation of landscaped area.
 - c. Irrigation systems shall be kept in good working condition.

(Ord. Ordinance 10-2007 Landscaping, Amended, 08/22/2007)

AFTER AMENDMENT

13.33.020 Regulations And Standards

1. The following regulations and standards shall be followed for all residential zones within Milford City.
 - a. All front and side setbacks not occupied by parking shall be landscaped with grass, bushes/shrubs, trees, flowers, decorative rock or a mixture of all.
 - i. Landscaping shall not obstruct corner intersections. See section 13.07.140.
 - ii. The location of trees shall be at least five (5) feet from sidewalks and six (6) feet from driveways.

~~The following regulations and standards shall supplement development standards for districts enumerated herein. When or if conflicting regulations or standards are encountered, the more stringent shall prevail. These regulations shall apply to new development or conversions and any existing development that may wish to expand or modify its operations.~~

- ~~1.~~
2. Landscaping Distribution The following regulations and standards shall be followed

for all non-residential districts within Milford City:-

- a. A minimum of 15 % of the total off street open parking shall be landscaped with grass, bushes/shrubs, trees, flowers, decorative rock or a mixture of all.~~a mixture of trees, shrubs, ground cover, other live plant material and non-living (hardscape) material.~~

3. Landscaping Maintenance.

- a. Prior to the installation of the landscaping in the public right-of-way the developer shall provide for the continued maintenance by an agreement with Milford City.
- b. It is a requirement that all landscaping regardless of the type must be well maintained. ~~Lawn~~s and ground cover must be watered, trimmed or mowed regularly and other live plant materials must be watered, weeded, free of debris, pruned and replaced as necessary to be kept in a healthy and growing condition, all non-living material (hardscape) such as rock, bark, gravel and wood, shall be weeded and kept free of debris and otherwise kept in an orderly manner so as not to create dust or other wind borne materials to be scattered. Required driveways or walkways within the setback must be paved, but are not considered in the calculation of landscaped area.
- c. Irrigation systems shall be kept in good working condition.

4. Landscaping of Existing Buildings and Dwellings.

- a. Landscaping of existing buildings and dwellings at the time of the adoption of this ordinance shall not be required to meet the regulations and standards of this chapter. If there should be improvements or an expansion of the existing building and/or dwelling following the adoption of this chapter, compliance with this chapter shall be required.

(Ord. Ordinance 10-2007 Landscaping, Amended, 08/22/2007)

PASSED AND ADOPTED BY THE CITY OF MILFORD COUNCIL

March 15, 2022

	AYE	NAY	ABSENT	ABSTAIN
Russell Smith	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Les Whitney	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Scott Symond	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Ian Spaulding	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
Terry Wiseman	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer



Nolan Davis, Mayor, City of Milford

Attest



Monica D. Seifers, City Recorder City of Milford