

**VINEYARD
ORDINANCE 2023-12**

AN ORDINANCE OF THE CITY OF VINEYARD, UTAH, UPDATING ZONING CODE 15.40. TO INCLUDE A NEW SECTION (15.40.090) TITLED, WATER EFFICIENCY STANDARDS. THE PURPOSE OF THESE WATER EFFICIENCY STANDARDS IS TO CONSERVE THE PUBLIC'S WATER RESOURCES BY ESTABLISHING WATER CONSERVATION STANDARDS FOR OUTDOOR LANDSCAPING. THESE STANDARDS SHALL, AT A MINIMUM BE REQUIRED FOR ALL NEW RESIDENTIAL, COMMERCIAL, INSTITUTIONAL, AND INDUSTRIAL CONSTRUCTION, AS APPLICABLE. THESE STANDARDS SHALL APPLY TO EXISTING ORDINANCES RELATED TO CITY REQUIRED LANDSCAPING. PROVIDING A REPEALER CLAUSE; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in compliance with the Utah State Municipal Land Use, Development, and Management Act (LUDMA), the City established an update to Vineyard Zoning Code 15.40 to provide standards for increased water efficiency; and

WHEREAS, the Planning Commission held a public hearing on March 1, 2023, and after fully considering public comment and staff recommendation, recommended approval to the City Council; and

WHEREAS, the City Council reviewed the Water Efficiency Standards, and held a public hearing on March 8, 2023, and after fully considering public comment, staff, and Planning Commission recommendations, evidence, and testimony presented by the City, staff, and other interested parties.

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

SECTION 1: **AMENDMENT** “15.40.080 Design Standards And Requirements” of the Vineyard Zoning Code is hereby *amended* as follows:

AMENDMENT

15.40.080 Design Standards And Requirements

1. Generally

- a. Landscape Improvements and Guarantees: All landscape improvements (landscape materials, irrigation system, screening walls, etc.) shall be installed and paid for by the developer on the site in accordance with the approved final landscape plan prior to the issuance of a certificate of occupancy for the building or use. When considered advisable, upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the City Planner may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the City Planner approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy

shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the City Planner.

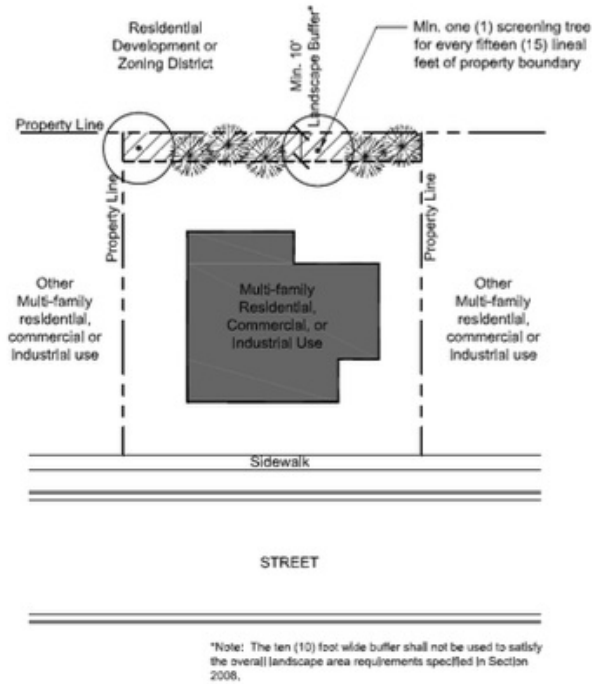
- b. Minimum Size of Plantings. Unless otherwise specified herein, all required deciduous trees shall be a minimum of two inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size.
- c. Plant Installation. Plants installed pursuant to this Chapter shall conform to installation standards within the approved [Vineyard Tree and Landscape Manual](#).
- d. Plant Materials. Plant shall be drought tolerant and well-suited to the soil conditions at the project site. Plants with similar water needs shall be grouped together in landscape zones as much as possible. The applicant shall provide the water requirements for all plant material. Plant materials shall be chosen from the approved [Vineyard Tree and Landscape Manual](#).
- e. Limitation on the Use of Turf [[see also VZC 15.40.090\(5\) for additional requirements](#)]. Turf shall be limited to ~~60~~35% of the total landscaped area. All landscape areas, other than those designated for recreation purposes such as parks and playfields as determined by the City Planner are subject to this limitation.
- f. Natural Topping of Landscape Areas. All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: turf, groundcover, planting, decorative rock (two (2) inches minimum depth and a minimum size of one-half inch), or wood mulch (four (4) inches minimum depth). A pre-emergent herbicide shall be applied to the ground prior to the placement of natural surface materials in any landscaped area to prevent weed growth.
- g. Irrigation Standards
 - i. All landscaped areas shall be supported by an automatic irrigation system which may be a ~~spray, flood,~~ soaker, ~~or drip-type,~~ [or otherwise approved](#) system. The irrigation system shall meet all State and City requirements for potential cross-connections that must be protect against backflow to the culinary water system. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the street, sidewalk, or parking areas.
 - ii. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Turf and non-turf areas shall be irrigated on separate valves. Drip Emitters and sprinklers shall be placed on separate valves.
- h. Separate Connection. Any landscaping that will be owned and maintained by the city shall have separate irrigation line connection prior to the master meter. A backflow prevention device shall be installed by the developer or property owner as required by the City Engineer.
- i. Soil Preparation. Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material as per specific recommendations of the Landscape Designer/Landscape Architect based on the soils report.
- j. Protection of Landscaped Areas. Permanent containment barriers (concrete

curbs or bumper guards) shall be installed and properly secured within or adjacent to all proposed parking areas and along all driveways and vehicular access ways to prevent the destruction of landscape materials by vehicles.

- k. Use of Landscaped Areas. No part of any landscape area shall be used for any other use such as parking, signs, or display; except for required on-site retention areas or when such use is shown on the approved final landscape plan.
- l. Detention Basins
 - i. The detention areas shall not occupy more than fifty (50) percent of the on-site street frontage landscape area, unless approved by the City Planner where shallow depths for multi-use are proposed for the basin.
 - ii. All detention areas shall maintain slopes no steeper than a four to one (4:1) ratio when adjacent to public rights-of-way or where there is pedestrian access to that portion of the basin. Side slopes adjacent to walls, fences, hedges and other areas with limited pedestrian access may have side slopes up to a four to one (4:1) ratio.
 - iii. Provide a minimum five (5) foot wide level area at the top of the basin slope.
 - iv. No sidewalk or walkway shall be located closer than five (5) feet to the top of any adjacent basin slope.
 - v. All basins shall be at least five feet in width at the bottom of the basin.
2. Onsite Landscaped Areas. All development projects covered by VZC 15.40.020 shall provide on-site landscaped areas located in accordance with the following standards and requirements:
 - a. For all development within the industrial zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than five (5) percent of the net site area, whichever is greater.
 - b. For all development within all other zoning districts, landscaped areas shall be provided on the site in an amount equal to or greater than twenty (20) percent of the net site area. For the purposes of this section, landscape areas shall also include plazas.
 - c. All portions of a development site not occupied by buildings, structures, vehicle access and parking areas, loading/unloading areas, and approved storage areas shall be landscaped in accordance with the provisions of this Chapter. Future building pads within a phased development shall be improved with temporary landscaping, or otherwise maintained weed-free in such a manner as may be approved by the City Planner.
 - d. The landscaping of all street rights-of-way contiguous with the proposed development site not used for street pavement, curbs, gutters, sidewalks, or driveways shall be required in addition to the on-site landscaped areas required herein.
3. Landscaped Buffers
 - a. A minimum ten-foot-wide landscape buffer shall be required along those property lines of a site developed for multiple-family residential, commercial, or industrial uses when such property lines are contiguous with any residential development or residential zoning district; except that no such landscape buffers shall be required for multiple-family residential contiguous with other multiple-family development or a multiple-family zoning district. The area of this landscape buffer shall not be used to satisfy the landscape area requirements of this Section.
 - b. The landscape buffer areas shall be improved with a minimum of one (1)

screening tree spaced at each fifteen-foot interval of the property boundary being screened.

Landscaped Buffers

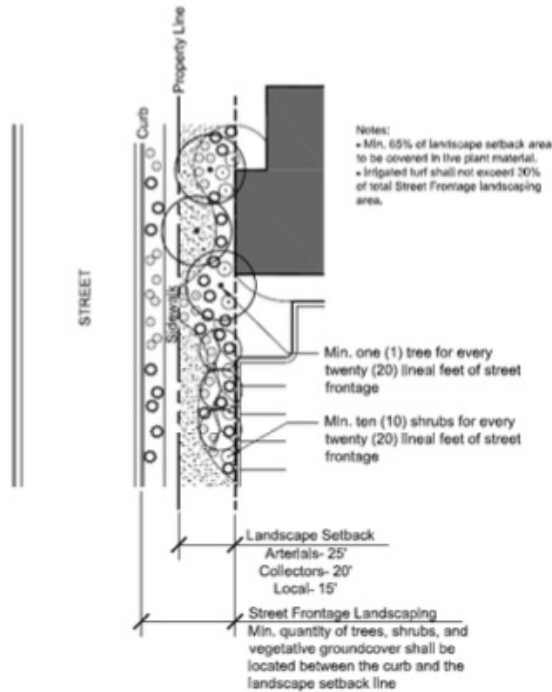


4. Parking Lot Landscaping. Parking lot landscaping shall be as required in Title 15.38 Parking and Loading Requirements. The landscaped area within these planters may be used to satisfy, to the extent provided, the landscaped area requirements set forth in this Section.
5. Building Foundations. For each elevation visible from a public or private street, a minimum five (5) foot foundation planting area shall be provided.
6. Street Frontages
 - a. The landscape setback, measured from the property line, for non-residential and multi-family uses shall be as follows:
 - Arterial Streets: 25 feet
 - Collector Streets: 20 feet
 - Local Streets: 15 feet
 - b. The landscape setback for all residential subdivisions, measured from the back of curb, shall be as follows:
 - Arterial Streets: 20 feet
 - Collector Streets: 15 feet
 - c. The landscape setback identified above shall be established and maintained along all street frontages between any perimeter wall, building, on-site parking area or outdoor storage area and the nearest point of the existing or future required street/sidewalk improvements (the back of an existing sidewalk, the line equal to the back of a future required sidewalk, or the back of the street

curb where no sidewalk is required). However, for reverse street frontage the landscape widths shall be in accordance with adopted street cross-section designs.

- d. Where parkstrips have a minimum width of eight (8') feet, Turf shall be limited to 30% of the total landscape street frontage area [see also VZC 15.40.090(5) for additional requirements]. This minimum quantity of trees, shrubs and vegetative groundcover shall be located between the curb and the landscape setback. The street frontage landscaping shall be designed and located to enhance the proposed development project and the streetscape.
- e. The installation of street trees, shrubs and vegetative groundcover shall be required for all applicable projects in an amount equal to or greater than one tree and ten (10) shrubs for every twenty (20) feet of street frontage or one (1) tree and ten (10) shrubs for every forty (40) feet of street frontage for residential subdivisions and vegetative groundcover as required to meet a minimum of sixty-five (65) percent of the total street frontage landscaped area.

Street Frontages



7. Cumulative Totals. Quantities of plants required by each of this Chapter which apply to that project submitted to the city for landscape approval shall be added together to calculate the minimum total quantity of plant materials required for that particular project.

SECTION 2: ADOPTION “15.40.090 Water Efficiency Standards” of the Vineyard Zoning Code is hereby *added* as follows:

ADOPTION

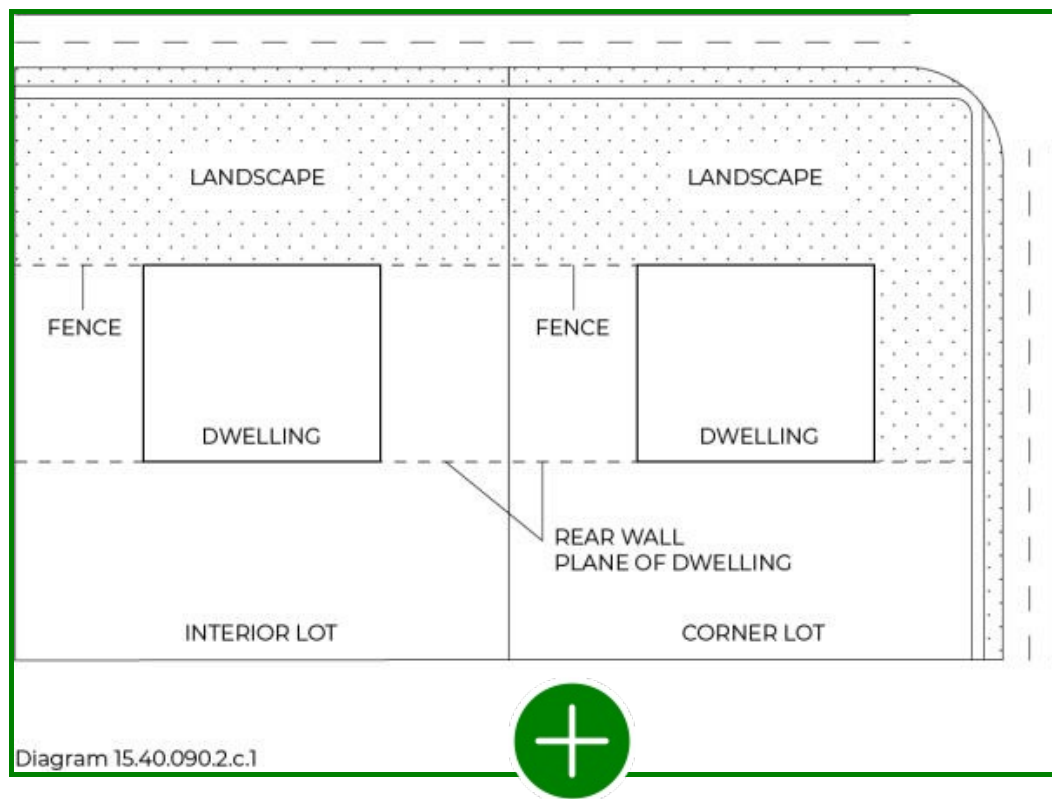
15.40.090 Water Efficiency Standards(*Added*)

1. Purpose

- a. The purpose of these Water Efficiency Standards is to conserve the public's water resources by establishing water conservation standards for outdoor landscaping.

2. Applicability

- a. The following standards shall, at a minimum, be required for all new developer/contractor installed residential, commercial, institutional, and industrial construction receiving a certificate of occupancy, as applicable. These standards shall apply to existing ordinances related to city required landscaping.
- b. These requirements apply to development receiving a certificate of occupancy after the date of the adoption of this ordinance.
- c. These standards only apply to the front yards and all exposed corner side yards of all lots on which a detached, single-family dwellings is located [see Diagram 15.40.090.2.c.1 below...].



- d. These outdoor standards are not intended to conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.

3. All new landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects shall comply with the landscaping standards below:

4. Definitions

- a. Active Recreation Areas: Areas of the landscape dedicated to active play where turf

- may be used as the playing surface (ex. sports fields and play areas).
 - b. Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
 - c. Paths: Designed routes between landscape areas and features.
 - d. Total Landscaped Area: Improved areas of the property that incorporate all the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.
 - e. Turf: Ground that is covered with grass or lawn that is regularly mowed.
5. Landscaping Requirements
- a. Turf shall not be less than 8 feet wide at its narrowest point.
 - b. Turf shall not exceed 35% of the total landscaped area. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.
 - c. In commercial, industrial, institutional, and multi-family development common area landscapes, turf areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.
 - d. Detached, Single Family Residential Dwellings: landscaping shall be installed within one year of the date of the issuance of a final certificate of occupancy or final inspection.
 - e. Small residential lots, which have no back yards, which the total landscaped area is less than 250 square feet, and which the front yard dimensions cannot accommodate the minimum 8 feet wide turf area requirement, are exempt from the 8 feet minimum width lawn area requirement and maximum of 35% lawn requirement.
 - f. Turf shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
 - g. At maturity, landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.

SECTION 3: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 4: 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.

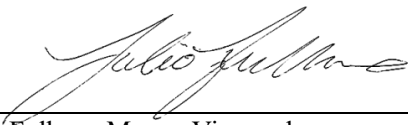
SECTION 5: EFFECTIVE DATE This Ordinance shall be in full force and effect from March 8, 2023, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE VINEYARD COUNCIL MARCH 08, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Mayor Julie Fullmer	_____	_____	<u> X </u>	_____
Tyce Flake	<u> X </u>	_____	_____	_____
Amber Rasmussen	<u> X </u>	_____	_____	_____
Mardi Sifuentes	<u> X </u>	_____	_____	_____
Cristy Welsh	<u> X </u>	_____	_____	_____

Presiding Officer

Attest



Julie Fullmer, Mayor, Vineyard



Pamela Spencer, City Recorder, Vineyard

