

ORDINANCE NO. 2022-03

**AN ORDINANCE AMENDING TITLES 7, 8, & 10 OF THE CITY'S MUNICIPAL CODE
RELATED TO WATER EFFICIENT LANDSCAPING REGULATIONS**

WHEREAS, the City of North Salt Lake is an incorporated city in Davis County Utah;
and

WHEREAS, the City Council of North Salt Lake has determined that water is an increasingly scarce resource, of limited supply, and are subject to ever increasing demands; and

WHEREAS, it is the policy of North Salt Lake to promote the conservation and efficient use of water and to prevent waste of this valuable resource; and

WHEREAS, the City Council of North Salt Lake recognizes that landscapes provide areas for active and passive recreation; and

WHEREAS, the City Council of North Salt Lake recognizes that landscape design, installation, maintenance and management can and should be water efficient; and

WHEREAS, the City Council of North Salt Lake desires to promote the design, installation and maintenance of landscapes that are both attractive and water efficient; and

WHEREAS, the City can accomplish these goals by adopting this ordinance; and

WHEREAS, the City has the authority to adopt this ordinance pursuant to Utah Code Annotated (2010) § 10-3-702, and hereby exercises its legislative powers in doing so; and

WHEREAS, the City Council of North Salt Lake finds that changed or changing conditions make the proposed amendment reasonably necessary to carry out the purposes stated in these titles; and

WHEREAS, the City Council finds that it is in the public interest that the City of North Salt Lake Code, Titles 7, 8 & 10 be amended at this time.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of North Salt Lake as follows:

Section 1. Code Amendment. Pursuant to Utah Code the City Code is hereby amended as shown in the attached Exhibit "A".

Section 2. Affect on Existing Applications. Single family homes with a valid building permit, issued prior to adoption of this ordinance, and which are completed and approved for occupancy prior to October 1, 2022, shall not be subject the provisions herein, provided landscaping is installed prior to December 31, 2022.

Section 3. Effective Date. This Ordinance hereby adopted is effective June 7, 2022.

APPROVED AND ADOPTED by the City of North Salt Lake, Utah on this 7th day of June, 2022.



CITY OF NORTH SALT LAKE

By:

BRIAN J. HORROCKS

Mayor

ATTEST:

WENDY PAGE

City Recorder

City Council Vote as Recorded:

Council Member Watts Baskin

aye

Council Member Gordon

aye

Council Member Knowlton

aye

Council Member Porter

aye

Council Member Van Langeveld

aye

Certificate of Posting Ordinance:

I, the duly appointed recorder for the City of North Salt Lake, hereby certify that the foregoing Ordinance No. 2022-03 was passed by the governing body on the date shown above, and that copies were posted as required by Utah Code 10-3-713 within the municipality.

Recorded this 8th day of June, 2022.

Wendy Page, City Recorder



[Seal]

Final Water Efficient Landscape Ordinance Amendments
06.07.2022

TITLE 7: PUBLIC WAYS AND PROPERTY
CHAPTER 10: CONSTRUCTION AND LANDSCAPING STANDARDS FOR PROPERTIES DEDICATED TO CITY

SECTION:

7-10-1: Applicability

7-10-2: Conformance Required

7-10-3: Standards Specified

7-10-1: APPLICABILITY:

In order to be accepted by the city and thereafter maintained at city expense, all parks, trails or other properties dedicated to the city in a subdivision recording, or which are otherwise donated to the city by any other means or intended to be dedicated or donated to the city, shall meet the construction and landscaping standards established in this chapter. (Ord. 09-12, 9-22-2009)

7-10-2: CONFORMANCE REQUIRED:

The construction and landscaping work performed shall conform to the requirements, regulations, design standards and construction and landscaping specifications established by Title 10, Chapter 22, Water Efficient Landscape Standards. (Ord. 09-12, 9-22-2009)

7-10-3: STANDARDS SPECIFIED:

- A. Contractor, Landscaper Approved By City: The construction and landscaping work shall be done by, and can only be done by, licensed contractors and landscapers approved by the city manager or designee.
- B. Standards: The standard to be applied by the city manager or designee shall be the following:
 - 1. The bidder shall:
 - a. Have submitted a bid in compliance with the invitation to bid and within the requirements of the plans and specifications for the project;
 - b. Demonstrate that it has the financial strength to do the project;
 - c. Be appropriately licensed to do the job;
 - d. Be insurable and have the ability to acquire required bonding and insurance;
 - e. Have the requisite ability, expertise, equipment, personnel, capacity and skill to do the required work, both in quality and quantity, and in a timely manner;
 - f. Have a satisfactory record of past performance in similar projects; and
 - g. Meet such other criteria as may reasonably be required under the circumstances of the project and the history and qualifications of the bidder.
 - 2. Inability, refusal or delay by the bidder in providing proof of these criteria may, at the discretion of the city manager or designee, disqualify a bidder from consideration. (Ord. 09-12, 9-22-2009)

TITLE 8: PUBLIC UTILITIES

CHAPTER 1: WATER USE AND REGULATIONS

SECTION:

8-1-1: Administration

8-1-2: Applications

8-1-3: Fees, Rates And Charges

8-1-4: Prohibitions And Regulations

8-1-5: Scarcity Of Water

8-1-6: Waste Of Water; Outside Watering

8-1-7: Water Meters

8-1-8: Installations

8-1-9: Extensions Of Water Mains

8-1-10: Moving Or Replacement Of Water Lines

8-1-11: Discontinuance Of Service

8-1-12: Fire Hydrants

8-1-13: Access By City

8-1-14: Nonliability For Damages

8-1-15: Service Outside City

8-1-16: Secondary Water Availability/Connection Required

8-1-17: Use Of Culinary Water

8-1-18: Penalties For Violation

8-1-1: ADMINISTRATION:

- A. Department Created: The water department of the city is hereby created. It shall administer the operation and maintenance of the water system of the city. (1989 Code § 14-110)
- B. Public Works Director: The public works director shall be the administrator of the water department and shall be responsible for its function. (1989 Code § 14-111; amd. 2012 Code)
- C. Duties Of Water Department: The Public Works Director, or designee, shall supervise the city water system pursuant to the provisions of this chapter and pursuant to resolutions, rules and regulations adopted by the governing body prescribing the powers and duties and directing the manner and frequency with which reports shall be made relating to the water system. All of the functions and activities of the department shall be carried on under the direction of the director or designee. (1989 Code § 14-112; amd. 2012 Code)

8-1-2: APPLICATIONS:

- A. Water Connection: Any person, other than a subdivider or developer seeking multiple connections, who desires or is required to secure a new connection to the city water system, shall file with the water department for each such connection a written and signed connection application. (1989 Code § 14-113)
- B. Water Service: Any person who desires or is required to secure water service when such service is available from the city water system, shall file with the water department a written application and agreement for the service. (1989 Code § 14-115; amd. 2012 Code)

8-1-3: FEES, RATES AND CHARGES:

- A. Rates And Connection Fees: The rates, penalty fee for delinquency in payment, connection fee, reservoir fee, inspection fee and other charges incidental to connection and services from the city water system shall be in such amounts as specified in the comprehensive fee schedule resolution. The governing body may promulgate rules for levying, billing, guaranteeing and collecting charges for water services and all other rules necessary for the management and control of the water system. Rates for services furnished shall be uniform with respect to each class or classes of service established or that may hereafter be established. (1989 Code § 14-117; amd. 2012 Code)
- B. Delinquency; Discontinuance of Service
 - 1. The City shall provide a statement containing the utility service charges assessed to each customer once a month. The statement may be sent electronically, or by mail.
 - 2. The statement shall specify the amount charged for utility service, the available methods of payment, and the date payment is due.
 - 3. Utility bills shall be delivered by the 20th of each month for services provided during the previous month. Payment of the bill is due by the last day of the same month as the bill is delivered.
 - 4. Delinquent Notification Procedure:
 - a. If bills are not paid by the 15th of the following month:
Notice of "Past Due" amount will appear on the customer's next utility bill.
 - b. If the past due amount remains unpaid 30 days after the original due date:
Within 10 days an automated voice message call will be sent to the telephone number the customer has provided as their primary contact.
 - c. If the past due amount remains unpaid 60 days after the original due date:
Within 10 days the City will attempt a direct call (not automated) to the telephone number the customer has provided as their primary contact.
 - d. If the bill is not paid within 24 hours of the direct call:
The City will disconnect the delinquent customer from water services.
 - e. Shut-offs will be done between the 5th - 12th of each month and not sooner than a delinquency of at least 65 days or when 3 monthly payment due dates have passed without payment.
 - f. After water service is disconnected, the City will only reconnect the delinquent customer when the total charges are paid in full or other arrangements are made only with approval of the Finance Director or City Manager.
 - g. Furthermore, in addition to such payments and penalties, a delinquent customer may be required to make and file a new application and deposit.
 - 5. The City is hereby authorized and empowered to enforce the payment of all delinquent water charges by an action at law in the name of the City.

8-1-4: PROHIBITIONS AND REGULATIONS:

- A. Use Without Payment: It shall be unlawful to utilize the city water or sewer system without paying therefor, as herein provided, or, without authority, to open any fire hydrant, stopcock, valve or other fixtures attached to the system of water supply unless it is done pursuant to proper application, agreement or resolution. It shall be unlawful to injure, deface or impair any part or appurtenance of the water or sewer system, or to cast anything into any reservoir or tank belonging to the water system. (1989 Code § 14-120)
- B. Turning On Water After Being Turned Off: It shall be unlawful for any person, after the water has been turned off from the premises for nonpayment of water charges or other violation of the ordinances, rules, regulations or resolutions pertaining to the water supply, to turn on or allow the water to be turned on or used without authority from the city. (1989 Code § 14-122; amd. 2012 Code)
- C. Separate Connections: It shall be unlawful for two (2) or more families or service users, with the exception of approved accessory dwelling units contained on the same single property, to be supplied from the same service pipe, connection or water meter, unless special permission for such combination usage has been granted by the governing body and the premises served is owned by the same owner. In all such cases, a failure on the part of any one of the users to comply with this subsection shall warrant a withholding of a supply of water through the service connections until compliance or payment has been made, and in any event, the property owner shall be primarily liable to the city for all water services utilized on all such premises. Nothing herein shall be deemed to preclude the power of the city to require separate pipes, connections or meters at a subsequent time. (1989 Code § 14-123)
- D. Unauthorized Users: It shall be unlawful for any water service user to permit any person from other premises or any unauthorized person to use or obtain water services regularly from the users premises or water facility, either outside or inside the premises. (1989 Code § 14-124)
- E. Period For Visitors: Individuals visiting the premises of any authorized user in a recreational vehicle, not including a mobile home, and continuing to live therein during the period of visitation, may receive water service from service pipes or facilities of the host during the visitation period, which shall not exceed one month. Continued use thereafter shall be deemed unauthorized and violative of the provisions of this chapter relating to separate connections and unauthorized use. (1989 Code § 14-125)
- F. Pipes Kept In Good Repair: All users of water services shall keep their service pipes and connections and other apparatus in good repair and protected from frost at their own expense. No person, except under the direction of the public works department, shall be allowed to dig into the street for the purpose of laying, removing or repairing any service pipe. (1989 Code § 14-126; amd. 2012 Code)
- G. Quality Of Service Pipe:
 - 1. All service and other pipe used in conjunction with the water services of the city shall be of such material, quality and specifications as the governing body may by resolution provide, and shall be installed at such distances belowground as may be specified by regulations relating to the water department. All work, alterations or extensions affecting water pipes shall be subject to the acceptance of the city, and no connections with any water mains shall be made without first obtaining a permit.
 - 2. No consumer shall be permitted to conduct water pipes across lots or buildings to adjoining premises without permission from the city and subject to such requirements relating to controls as may be imposed. (1989 Code § 14-127; amd. 2012 Code)
- H. Faulty Equipment: It shall be unlawful for any water user to:
 - 1. Waste water;

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2. Allow water to be wasted by stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow;
 3. Run water wastefully from hydrants, faucets or stops, or through basins, water closets, urinals, sinks or other apparatus; or
 4. Use water for purposes other than for those which applied, or to use water in the violation of the rules and regulations for controlling the water supply. (1989 Code § 14-128; amd. 2012 Code)
- I. Sprinkling Vehicles: Vehicles for sprinkling shall be regulated and controlled by the water department. (1989 Code § 14-129; amd. 2012 Code)
 - J. Water Not Supplied For Motors, Syphons, Etc.: No water shall be supplied from the pipes of the city water system for the purpose of driving motor, syphon turbine, or other wheels, or any hydraulic engines, or elevators, or for driving or propelling machinery of any kind whatsoever, nor shall any license be granted or issued for any such purpose. (1989 Code § 14-132)
 - K. Building And Plumbing Code Requirements: Permission to connect with the city water system shall not be given unless the plumbing in the house or building to be connected meets the provisions of the international codes adopted by the city. (1989 Code § 14-140; amd. 2012 Code)

8-1-5: SCARCITY OF WATER:

In time of scarcity of water, whenever it shall in the judgment of the mayor and the governing body be necessary, the mayor shall by proclamation limit the use of water to such extent as may be necessary. It shall be unlawful for any person, their family, servants or agents, to violate any proclamation made by the mayor pursuant to this section. (1989 Code § 14-134)

8-1-6: WASTE OF WATER; OUTSIDE WATERING:

- A. Prohibited: Users of water from the city water system shall not permit water to continue to run wastefully and without due efforts to conserve water. If a user of municipal water engages in practices which result in the needless waste of water and continues so to do after reasonable notice to discontinue wastefulness has been given, the city may refer the matter to code enforcement for additional civil action in accordance with Title 12, Administrative Code Enforcement Hearing Program or to the governing body for termination of connection.
- B. Termination; Hearing: The governing body may thereupon consider terminating the right of the individual to use culinary water. If it elects to consider the matter of termination, it shall give notice to the water user of the intention to terminate the water connection at least five (5) days prior to the meeting of the governing body at which termination of water service is to be considered. The notice shall inform the water user of the time and place of the meeting and of the charges which designated to the consideration of the termination. (1989 Code § 14-135; amd. 2012 Code)
- C. Appearance; Representation: A water user whose right to utilize city water is being reviewed shall have opportunity to appear, with or without counsel, and present reasons why the water service should not be discontinued.
- D. Determination: After due hearing, the governing body may arrive at a determination. If the determination is to discontinue the wasteful water user's service connection, it shall provide notice of the decision and of the period during which the service will remain discontinued. (1989 Code § 14-135)
- E. Prohibited Hours And Dates: Watering outside with city water is prohibited between the hours of ten o'clock (10:00) A.M. and six o'clock (6:00) P.M. Use of sprinkling systems from October 15 through April 15 is prohibited, or other dates, dependent upon the water availability that year and proclamation by the Mayor.

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- F. Exceptions: The public works director, with reasonable discretion, is authorized to permit water use in contravention of these provisions. A written application stating the reasons for a requested exception shall be submitted to the public works director. A record shall be kept of any such exceptions granted and any permission granted by the public works director shall be issued in writing. (Ord. 01-04, 4-17-2001)
- G. Violations; Warning, User Fee; Penalty For Violation: Anyone using water in violation of these provisions shall, upon first violation per year, be warned in writing by the public works director or designee against further illegal use, and upon second violation shall be assessed a water user fee in such amount as specified in the comprehensive fee schedule resolution. Such fee shall become part of the water bill of that person or of the property whereon such use occurred. (Ord. 01-04, 4-17-2001; amd. 2012 Code)
- H. Right Of Appeal: There shall be a right of appeal of any such assessment to the city council, which appeal must be made in writing within thirty (30) days of the assessment. (Ord. 01-04, 4-17-2001)
- I. Penalty: Anyone using water in violation of these provisions shall be guilty of an infraction and subject to criminal penalty as provided in section [1-4-1](#) or [civil penalty as provided in Title 12, Administrative Code Enforcement Hearing Program](#). (Ord. 01-04, 4-17-2001; amd. 2012 Code)

8-1-7: WATER METERS:

- A. Number Determined: Except as otherwise expressly permitted by this section, all structures, dwelling units, establishments and persons using water from the city water system must have such number of water meters connected to their water system as are necessary to adequately measure use and determine water charges to the respective users.
- B. Furnished By City: Meters will be furnished by the city upon application for a connection, and upon payment of such connection fees and other costs as may be established by the governing body by resolution.
- C. Property Of City: Meters shall be deemed to be and remain the property of the city.
- D. Disputes As To Number Required: Whenever a dispute between the city and the property owner arises as to the appropriate number of meters to be installed on any premises, the matter shall be heard and determined by the governing body after due notice in writing to the parties involved.
- E. Readings: The city shall cause meter readings to be taken regularly and shall advise the utilities clerk thereof for the purpose of recording the necessary billings for water service.
- F. Inspections, Tampering, Adjustments: Meters may be checked, inspected or adjusted at the discretion of the city, and they shall not be adjusted or tampered with by the customer. Meter boxes shall not be opened for the purpose of turning on or off the water except by an authorized representative of the city, unless special permission is given by the city through its representatives to the customer to do so.
- G. Testing: If a customer submits a written request to test the water meter, the city may, if under the circumstances it deems it advisable and in its discretion, order a test of the meter measuring the water delivered to such customer. If such request is made within twelve (12) months after the date of the last previous test, the customer may be required to pay the cost of such test. If the meter is found in such test to record from ninety seven percent (97%) to one hundred three percent (103%) of accuracy under methods of testing satisfactory to the governing body, the meter shall be deemed to accurately measure the use of water.
- H. Meter Failure: If the municipality's meters fail to register at any time, the water delivered during the period of failure shall be estimated on the basis of previous consumption during a period which is not questioned. In the event a meter is found to be recording less than ninety seven percent (97%) or more than one hundred three percent (103%) of accuracy, the city

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shall make such adjustments in the customer's previous bills as are just and fair under the circumstances.

- I. Liability For Damages: Any damage or injury to the lines, meters or other materials of the city on or near the customer's premises caused by any act or neglect of the customer shall, in the discretion of the city, be repaired by and at the expense of the customer, and the customer shall pay all costs and expenses, including a reasonable attorney fee, which may arise or accrue to the city through its efforts to repair the damage to the lines, meters or to other equipment of the department or collect such costs from the customer. (1989 Code § 14-136; amd. 2012 Code)

8-1-8: INSTALLATIONS:

- A. Permit For Installation: It shall be unlawful for any person to lay, repair, alter or connect any water line to the city culinary water system without first having received a construction permit from the city. A state contractor's license for this specific purpose is required. (1989 Code § 14-137; amd. 2012 Code)
- B. Application For Installation Permit:
 1. Applications for permits to make water connections or other alteration or for laying or repairing lines connected directly or indirectly to the city water system must be made in writing by a licensed plumber, authorized agent, or by the owner of the premises, who shall describe the nature or the work to be done for which the application is made. The application shall be granted if:
 - a. The connection, repair, alteration or installation will cause no damage to the street in which the water main is laid, or that it will not be prejudicial to the interests of persons whose property has been or may thereafter be connected to the water main.
 - b. The connection conforms to the ordinances, regulations, specifications and standards of materials required by the city.
 2. All connections, alterations or installations shall be to the line and grade designated in the adopted city standards and specifications.
 3. Fees for permits or for inspection services shall be in such amounts as specified in the comprehensive fee schedule resolution. (1989 Code § 14-138; amd. 2012 Code)
- C. Regulations And Requirements:
 1. Water lines shall be of design and materials as approved by the city engineer, and shall meet AWWA standards.
 2. All water mains shall be eight inches (8") minimum size, unless otherwise specified by the city engineer.
 3. At the developer's cost, a set of mylar construction drawings (1 inch equals 20 feet, or as approved by the city engineer) will be created for each water line project and submitted to the city as part of the approval process.
 4. Fire hydrant and PRV (pressure reducing valve) locations and elevations are to be verified and certified by the developer's licensed surveyor prior to installation of curb and gutter and after approval of the city engineer. (Ord. 04-2, 4-20-2004)
 5. Written inspection forms shall be made available from the city for review by the developer and contractor. The inspection forms shall be completed and signed by city personnel or the city's authorized agent prior to any payment made by the developer for work on the project. No reduction in the surety, escrow, or bond shall be made without prior approval of the city engineer, public works director or designee. (Ord. 04-2, 4-20-2004; amd. 2012 Code)
 6. The developer shall in no way change or alter construction drawings or make on site decisions affecting the scope or specifics of any contract for water lines without consultation and approval by the city engineer, public works director or designee. (Ord. 04-2, 4-20-2004)

8-1-9: EXTENSIONS OF WATER MAINS:

- A. Application: Any person, including any subdivider, who is required to have the water mains extended within the city, may make application to the city for such. The request shall contain a description of such proposed extension, accompanied by a map showing the location of the proposed extension. which The city may grant or deny the petition as in its discretion deems best for the welfare of existing water users in the city. (1989 Code § 14-143)
- B. Cost Of Extensions Determined: Upon the receipt of such request and map and before the petition is granted, the city engineer shall provide a cost estimate for purpose of bonding for the project. . (1989 Code § 14-144)
- C. Amount Of Bond Deposited With The City: The applicant shall provide to the city a surety, escrow, or bond in the amount of 100% of the estimated costs for the project, of which the city will retain 10% for a one (1) year warranty period. (1989 Code § 14-145; amd. 2012 Code)
- D. Ownership Of Extension: Any extension shall be deemed the property of the city. (1989 Code § 14-147)

8-1-10: MOVING OR REPLACEMENT OF WATER LINES:

If the city, in its sole discretion, determines that any water line of the city must be moved or replaced, the city, or developer connecting to the moved water line, shall bear that portion of the cost of the move or replacement which applies to main lines up to the property line of the customer. The cost of reconnecting such new line or lines from the house of the customer to the property line or meter box, where applicable, shall be borne by the customer. (1989 Code § 14-139)

8-1-11: DISCONTINUANCE OF SERVICE:

Any customer desiring to discontinue service shall notify the city in writing of such fact at least ten (10) days before the date when such service shall be discontinued. On giving the written notice, the customer shall not be responsible for water bills incurred after the date specified in the notice. Any credit balance in favor of the customer as a result of an advance payment of bills or a deposit will be refunded upon discontinuance of service. (1989 Code § 14-141)

8-1-12: FIRE HYDRANTS:

Water for fire hydrants will be furnished free of charge by the city. Installation and repairs on hydrants shall be at the expense of the city and shall be made under the direction of the city. All customers shall grant the city, upon demand, a right of way or easement to install and maintain such hydrants on their premises if the city concludes that hydrants shall be so installed for the protection of the residents of the city. (1989 Code § 14-142)

8-1-13: ACCESS BY CITY:

The City shall, at all ordinary and reasonable hours, have free access to any place supplied with water services from the city system for the purpose of examining the apparatus and ascertaining the amount of water service being used and the manner of its use. (1989 Code § 14-130; amd. 2012 Code)

8-1-14: NONLIABILITY FOR DAMAGES:

The city shall not be liable for any damage to a water service user by reason of stoppage or interruption of the water supply service caused by fires, scarcity of water, accidents to the water system or its mains, or which occurs as the result of maintenance and extension operations, or from any other unavoidable cause. This section shall not be construed to extend the liability of the city beyond that provided in the state governmental immunity act. (1989 Code § 14-131)

8-1-15: SERVICE OUTSIDE CITY:

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- A. Petition For Service: Any person located outside the city limits who desires to be supplied with water service from the city water system and is willing to pay in advance the whole expense of extending the water main beyond its present location, may make application to the governing body by petition containing:
 - 1. A description of the proposed extension; and
 - 2. A map showing the location thereof; and
 - 3. An offer to pay the whole expense incurred by the city in providing such extension and to advance such expenses as shall be verified to by the city engineer. The governing body and the person or persons seeking such extension may enter into an agreement providing in detail the terms under which the extension may be utilized by others in the future and the terms under which all or any portion of the cost of installing such extension may be refunded. No such refund agreement will be for a period of more than ten (10) years, nor will interest charges accrue; and
 - 4. An acknowledgment that the city, in granting the petition, need supply only such water to the petitioner which the governing body deems beyond the requirements of water users within the city limits, and that such extension shall be the property of and subject to the control of the city. (1989 Code § 14-151; amd. 2012 Code)
- B. Extensions May Be Master Metered: When an extension supplying more than one house or user outside the city limits is connected to city water mains, the city may require a master meter to be installed near the point where the connection is to be made to the city main. This installation will be at the expense of the persons served by such extension according to the regular rates for meter installation. Responsible parties must agree to pay all bills for water served through the meter at the applicable water rates. (1989 Code § 14-153; amd. 2012 Code)
- C. Cost Of Extensions Determined: Upon receipt of such petition and map and before the petition is granted, the governing body shall determine what portion, if any, of the extension of the city water mains to the city limits the city shall construct, and shall obtain from the city a verified statement showing the whole cost and expense of making the extension. Such costs and expenses shall include administrative and supervisory expenditures of the city water department, which shall in no event be deemed to be less than ten percent (10%) of the cost of materials and labor. The city maintains the option of charging a front foot cost of the improvements, and contracting work out by competitive bid. (1989 Code § 14-154; amd. 2012 Code)

8-1-16: SECONDARY WATER AVAILABILITY/CONNECTION REQUIRED:

- A. The record owners, or their duly authorized agents, of all residential sites and all commercial sites located within the City of North Salt Lake that require outside watering of lawns or plants whose properties lie adjacent to a secondary water system main line shall connect their properties to the system and pay the applicable fees and charges.
- B. When a City-owned secondary water system is constructed within an existing neighborhood, all property owners shall connect their property to the secondary water system within 60 days of receiving notice from the City. In the event the deadline is after October 15, the deadline shall be extended to April 1 of the following year. Prior to connection the property owners or designee shall obtain an Excavation/Encroachment Permit from the City
- C. Vacant property shall not be required to be connected to the secondary water system until such property is developed. At the time of development, connection to the secondary water system shall be made prior to issuance of a certificate of occupancy. Application for temporary occupancy may be approved by the City and shall include suitable guarantee to provide adequate assurance of connection, including all applicable fees and costs.

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- D. It shall be unlawful for the owner or occupant of any property served by the secondary water system, or any user thereof, to permit any person from other premises, or any unauthorized persons, to use or obtain water regularly from the premises or secondary water fixtures.

8-1-17 USE OF CULINARY WATER:

It shall be unlawful for any person or entity to use culinary water for irrigation of lawns or plants if the property is connected to a secondary water system that uses non-culinary water as a water source or the owner is required to connect to a secondary water system that uses non-culinary water as a water source pursuant to this Title and has not done so.

For the purpose of this section the term “irrigation of lawns or plants” shall not include incidental watering of plants and shrubs, while being established, and when secondary water is not available, nor the application of household grey water.

8-1-18: PENALTIES FOR VIOLATION:

- A. Any person who violates any provision of this Chapter or who fails to comply with a lawful order of the City of North Salt Lake may be subject to the assessment of civil penalties for each violation in accordance with Title 12, Administrative Code Enforcement Hearing Program.
- B. In addition to any civil penalties that may be imposed, the City may pursue criminal penalties (class C misdemeanor) in accordance with State Law.

TITLE 8

CHAPTER 5

STORMWATER MANAGEMENT

8-5-9: ILLICIT DISCHARGES:

- A. No person shall discharge or cause or allow to be discharged into the municipal storm drain system or watercourses any materials, including, but not limited to, pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater.
- B. The commencement, conduct or continuance of any discharge to the storm drain system is prohibited, except as described as follows:
 - 1. Water line flushing or other potable water sources;
 - 2. Diverted stream flows;
 - 3. Rising groundwater;
 - 4. Uncontaminated groundwater infiltration to storm drains;
 - 5. Uncontaminated pumped groundwater;
 - 6. Foundation or footing drains;
 - 7. Crawl space pumps;
 - 8. Air conditioning condensation;
 - 9. Springs;
 - 10. Individual residential washing of vehicles;
 - 11. Natural riparian habitat or wetland flows;
 - 12. Swimming pools (if dechlorinated - less than 1 ppm chlorine);
 - 13. Emergency firefighting activities;
 - 14. Discharges specified in writing by the authorized enforcement agency as being necessary to protect public health and safety;
 - 15. Residual street wash water;
 - 16. Dechlorinated water reservoir discharges;
 - 17. Dye testing is an allowable discharge, but requires a verbal notification to the authorized enforcement agency prior to the time of the test.

TITLE 10: LAND USE AND SUBDIVISION ORDINANCES
CHAPTER 1: GENERAL AND SUPPLEMENTARY PROVISIONS

10-1-42: MAINTENANCE, CONDITION AND APPEARANCE OF PROPERTIES:

- A. Appearance And Condition Of Premises: The appearance and condition of premises has a significant effect on property values. Accordingly, the following regulations shall apply:
1. The outside surface of buildings shall be maintained in good condition.
 2. Any lot in any zone shall be improved and maintained as follows:
 - a. Landscaping shall be installed and properly maintained in a good condition, free from weeds taller than six inches (6") and noxious plants, refuse and debris in front and side yards, including the park strip. Landscape design shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards.
 - b. Landscaping for single family and two-family dwellings shall be installed within twelve (12) months from the date of occupancy.
 - c. Landscaping for commercial, industrial, institutional, or multi-family residential shall be completed prior to final occupancy.
 - d. When unique or unforeseen circumstances exist, the community and economic development director may grant an extension of time for landscape installation. Extensions will only be approved upon submission of an erosion control plan, including soil stabilization, and shall be reviewed by the Storm Water Inspector for compliance with Storm Water Pollution Prevention Plan regulations.
 3. Trash, weeds or other unsightly material shall not be allowed to remain on any lot outside of approved containers in the city. Junk, debris, trash, abandoned vehicles, or similar refuse material shall not be stored or allowed to remain outdoors, unless otherwise allowed by city code.
 4. View obscuring berms, fences, walls or hedges shall be installed by the property owner to block the view from the public right of way, or from neighboring properties, whenever uses of land are found by the planning commission to be offensive, detracting, obnoxious, visually polluting or otherwise visually devaluing to neighboring properties or the community.

10-1-47: DEFINITIONS: <u>BUBBLER:</u>	An irrigation head that delivers water to the root zone by "flooding" the planted area, usually measured in gallons per minute. Bubblers exhibit a trickle, umbrella or short stream pattern.
<u>CARRIAGEWAY:</u>	A pedestrian walkway between the curb and sidewalk, constructed of poured concrete, brick pavers or natural stone pavers.
<u>CHECK VALVE:</u>	A device used in sprinkler heads or pipe to prevent water from draining out of the pipe through gravity flow. Used to prevent pollution or contamination or the water supply due to the reverse flow of water from the secondary irrigation system.
<u>DRIP EMITTER:</u>	Drip irrigation fittings that deliver water slowly at the root zone of the plant, usually measured in gallons per hour.

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<u>EVAPOTRANSPIRATION (ET):</u>	The quantity of water evaporated from adjacent soil and other surfaces and transpired by plants during a specified time, expressed in inches per day, month or year.
<u>GRADING PLAN:</u>	The Grading Plan shows all finish grades, spot elevations as necessary and existing and new contours with the developed landscape area.
<u>GROUND COVER:</u>	Material planted in such a way as to form a continuous cover over the ground that can be maintained at a height not more than twelve (12) inches.
<u>HARDSCAPE:</u>	Patios, decks and paths. Does not include driveways and sidewalks.
<u>IRRIGATION PLAN:</u>	The irrigation plan shows the components of the irrigation system with water meter size, backflow prevention (when outdoor irrigation is supplied with culinary water), precipitation rates, flow rate and operating pressure for each irrigation circuit, and identification of all irrigation equipment.
<u>LANDSCAPE ARCHITECT:</u>	A person who holds a certificate to practice landscape architecture in the state of Utah. Only a Landscape Architect can legally create commercial landscape plans.
<u>LANDSCAPE DESIGNER:</u>	A person who may or may not hold professional certificates for landscape design/architecture and cannot legally create commercial landscape plans. Landscape Designers focus on residential design and horticultural needs of home landscapes.
<u>LANDSCAPE EDUCATION PACKAGE:</u>	A package that is intended to inform and educate water users in the City about water efficient landscapes. This package should include a listing of water conserving plants, certified landscape designers, landscape architects, certified irrigation designers, and certified irrigation contractors. Information regarding the City's water rates, billing format for water use and commitment to water conservation may also be included.
<u>LANDSCAPE PLAN DOCUMENTATION PACKAGE:</u>	The preparation of a graphic and written criteria, specifications, and detailed plans to arrange and modify the effects of natural features such as plantings, ground and water forms, circulation, walks and other features to

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	comply with the provisions of this ordinance. The Landscape Plan Documentation Package shall include a project data sheet, a Planting Plan, an Irrigation Plan, and a Grading Plan.
<u>LANDSCAPE ZONE:</u>	A portion of the landscaped area having plants with similar water needs, areas with similar microclimate (i.e., slope, exposure, wind, etc.) and soil conditions, and areas that will be similarly irrigated. A landscape zone can be served by one irrigation valve, or a set of valves with the same schedule.
LANDSCAPING (LANDSCAPED):	Any combination of living plants, such as trees, shrubs, vines, ground covers, flowers, or grass; natural features such as rock, stone, or bark chips; and structural features, including but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences or benches.
<u>LOCALSCAPES®:</u>	A locally adaptable and environmentally sustainable urban landscape style that requires less irrigation than traditional Utah landscapes (see www.Localscapes.com).
<u>MICROCLIMATE:</u>	The climate of a very small restricted area that is different from the surrounding area. These areas include shade areas, sun areas, and areas protected by surrounding structures.
<u>MULCH:</u>	Any material such as rock, bark, wood chips or other materials left loose and applied to the soil.
PARK STRIP:	The landscape area within a street right-of-way located between the back of street curb and the sidewalk, or in the absence of a sidewalk, the right-of-way line.
PARK STRIP LANDSCAPING:	The improvement of property within the park strip by the addition of plants and other organic and inorganic materials harmoniously combined to produce an effect appropriate for adjacent uses and compatible with the neighborhood. Park strip landscaping may include trees, a combination of perennial ground cover, flowering annuals and perennials, specimen shrubs, and inorganic material.
<u>PLANTING PLAN:</u>	A Planting Plan shall clearly and accurately identify and locate new and existing trees, shrubs, ground covers, turf

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	areas, driveways, sidewalks, hardscape features, and fences.
<u>POP-UP SPRAY HEAD:</u>	A sprinkler head that sprays water through a nozzle in a fixed pattern with no rotation.
<u>PRECIPITATION RATE:</u>	The depth of water applied to a given area, usually measured in inches per hour.
<u>PRESSURE COMPENSATING:</u>	A drip irrigation system that compensates for fluctuating water pressure by only allowing a fixed volume of water through drip emitters.
<u>REHABILITATED LANDSCAPING:</u>	Altering, repairing, or adding to a landscape to make possible a compatible use, increase curb appeal, decrease maintenance, etc.
<u>ROTOR SPRAY HEAD:</u>	A sprinkler head that distributes water through a nozzle by the rotation of a gear or mechanical rotor.
<u>RUNOFF:</u>	Irrigation water that is not absorbed by the soil or landscape area to which it is applied, and which flows onto other areas.
<u>SMART AUTOMATIC IRRIGATION CONTROLLER:</u>	An automatic timing device used to remotely control valves in the operation of an irrigation system using the internet to connect to a real time weather source or soil moisture sensor. Smart Automatic Irrigation Controllers schedule irrigation events using either evapotranspiration or soil moisture data to control when and how long sprinklers or drip systems operate and will vary based on time of year and weather/soil moisture conditions.
<u>SPRAY SPRINKLER:</u>	An irrigation head that sprays water through a nozzle.
<u>STREAM SPRINKLER:</u>	An irrigation head that projects water through a gear rotor in single or multiple streams.
<u>STREET TREES:</u>	Trees located in the landscape area within a street right of way located between the back of the street curb and the sidewalk, or in absence of the sidewalk, the right-of-way line.
<u>TURF:</u>	A surface layer of earth containing grass species with full root structures that are maintained as mowed grass.

<p><u>WASTE OF WATER:</u></p>	<p>Shall include, but not necessarily limited to:</p> <p>The use of water for any purpose, including outdoor irrigation, that consumes, or for which is applied substantial excess water beyond the reasonable amount required by the use, whether such excess water is lost due to evaporation, percolation, discharges into the sewer system, or is allowed to run into the gutter or street.</p> <p>Washing sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas except to alleviate immediate health or safety hazards.</p>
<p><u>WATER-CONSERVING PLANT:</u></p>	<p>A plant that can generally survive with available rainfall once established although supplemental irrigation may be needed or desirable during spring and summer months.</p>
<p>WBWCD:</p>	<p>Weber Basin Water Conservancy District</p>

CHAPTER 6 OFF STREET PARKING

10-6-7: DESIGN ELEMENTS:

- A. Safety And Ease Of Movement: Parking lots shall be designed to ensure safe and easy ingress, egress and movement through the interior of the lot. The number of curb cuts onto major roads shall be minimized. Shared access driveways between adjacent sites in all commercial and industrial zones are encouraged. Parking lot islands shall be provided on the interior of the parking lot to help direct traffic flow and to provide landscaped areas within such lots.
- B. Effect On Adjacent Properties: Use will not be detrimental to adjacent properties in the vicinity of the area.
- C. Conformity: Parking lots shall be designed in accordance with applicable city codes, ordinances and guidelines with respect to:
 - 1. Minimum distances between curb cuts;
 - 2. Proximity of curb cuts to intersections;
 - 3. Provisions for shared driveways;
 - 2. Location, quantity and design of landscaped islands; and
 - 3. Design of parking lot interior circulation system.
- D. Landscaping Standards: In addition to the landscape standards specified in Title 10, Chapter 22, Water Efficient Landscape Standards, parking lots shall be designed according to the following landscaping standards:
 - 1. Islands On Doubled Rows Of Parking: On doubled rows of parking stalls, there shall be one thirty six foot by nine foot (36' x 9') landscaped island on each end of the parking rows, plus one thirty six foot by nine foot (36' x 9') landscaped island to be placed at

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- minimum of every twenty (20) parking stalls. Each island on doubled parking rows shall include a minimum of two (2) trees per island.
2. Islands On Single Rows Of Parking: On single rows of parking or where parking abuts a sidewalk, there shall be one eighteen foot by nine foot (18' x 9') landscaped island a minimum of every twenty (20) stalls. Islands on a single parking row shall have a minimum of one tree.
 3. Islands At Ends Of Parking Rows: Landscaped islands at the ends of parking rows shall be placed and shaped in such a manner as to help direct traffic through the parking area. There shall be a break in parking rows at a minimum of forty (40) parking stalls for each double row of parking for the purpose of facilitating traffic circulation on the site via drive aisles.
- E. Perimeter Landscaping Strips: A landscaped screen, berm or fence may be required by the planning commission or city council around the perimeter of the parking area to mitigate intrusion of lighting from headlights and other potential negative impacts to surrounding property. All perimeter landscaping strips shall be a minimum of eight feet (8') in width.
- F. Walkways: Parking lots larger than seventy five thousand (75,000) square feet shall provide raised or delineated pedestrian walkways. Walkways shall be a minimum of ten feet (10') wide and shall be placed through the center of the parking area and extend to the entrance of the building. (Ord. 2012-04, 2-7-2012)
- G. The use of sod/turf shall not be permitted in areas less than eight (8) feet in width.

10-6-11: LANDSCAPING:

- A. Each off street parking area, except for residential, shall be adequately landscaped to comply with a plan approved by the planning commission through the site plan review process, and such landscaping shall be permanently maintained.
- B. Off street parking stalls shall be located at least ten feet (10') from any street property line to provide a landscaped buffer zone from the street. (Ord. 2012-04, 2-7-2012)
- C. Landscape design shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards.

CHAPTER 7 CONDITIONAL USES

10-7-3: GENERAL STANDARDS FOR CONDITIONAL USE DEVELOPMENTS:

When applicable, the following general standards shall apply to all conditional use developments within the city, unless waived for good and sufficient reasons by the planning commission. This section is not intended to apply to single-family dwellings unless contained within a multiple home planned unit development (PUD).

- A. **Ownership:** The development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property or their representative.
- B. **Landscaping, Fencing And Screening:** Landscaping, fencing and screening within the site and as a means of integrating the proposed development into its surroundings shall be planned and presented to the planning commission for approval, together with other required plans for the development and shall be in conformance with Title 10, Chapter 22, Water Efficient Landscape Standards.
- C. **Signs And Lighting:** The size, location, design and nature of signs, if any, and the intensity and direction of area lighting or floodlighting shall be detailed in the application.
- D. **Grading And Drainage Plan:** A grading and drainage plan shall be submitted to the planning commission with the application.
- E. **Planting Plan:** A planting plan showing the proposed tree, shrubbery and lawn plantings shall be prepared for the entire site to be developed, including especially the yards which abut upon public streets.
- F. **Nondetrimental Use:** It shall be shown that under the circumstances of the particular case, the proposed use will not be detrimental to the health, safety or general welfare of persons residing in the vicinity of the conditional use development.
- G. **Water And Sewer Systems:** All buildings used for human occupancy when completed shall be served by a central water system and central sewage disposal system which have been approved by the building official and which are in compliance with applicable local and state law.
- H. **Bond Required:** In order to ensure that the development will be constructed to completion in accordance with approved plans, the planning commission shall require the developer to post a bond or other improvement completion assurance, acceptable to the city in an amount equal to the estimated cost, of constructing all required landscaping and infrastructure improvements, as shown on the final site plan, conditional use permit, or subdivision. Estimates of cost shall be furnished by the city engineer. In the event of a disagreement between the city engineer and the property owner as to the estimated costs, final determination of the amount of the bond or other assurance shall be made by the city council.
 1. The duration of the bond or other assurance shall be for one or more years from the date of approval of the development by the city council. An extension of time for completion may be granted by the city council upon application by the developer, provided such application is submitted at least sixty (60) days prior to the expiration of the bond or other assurance, and provided the issuer of the bond is willing to extend the time of the assurance. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
 2. In the event the developer defaults or fails or neglects to satisfactorily install the required improvements within one year from the date of approval of the development by the city council or to pay all liens in connection therewith, the city council may declare the bond or other assurance forfeited and the city may install or cause the required improvements to be installed using the proceeds from the collection of the bond or other assurance to defray the expense thereof. After required improvements have been made, any balance

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after expenses shall be returned to the developer at the end of the assurance period.
(Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

3. The developer shall be responsible for the quality of all materials and workmanship. At the completion of the work, or not less than ten (10) days prior to the release date of the bond or other assurance, the city engineer shall make a preliminary inspection of the improvements made. If all liens are paid and other conditions thereof are found to be satisfactory, the city engineer shall cause to be released the bond or other assurance. The city shall retain ten (10%) percent of the assurance for one year as warranty. If the condition of material or workmanship shows unusual depreciation or does not comply with the acceptable standards of durability, or if any outstanding liens are not paid, the city council may declare the developer in default.
- I. Design Of Development: In the event that the land contained within a development is traversed by a proposed major street, water line, sewer line or drainage channel shown on the general plan, or any other official city map, said development shall be designed in accordance therewith. The right of way across the development for said major streets, or other right of way, shall be dedicated to the public.
- J. Environment Of Residential Areas: Grouping and spacing of buildings and dwellings in residential areas shall provide for a restful and uncrowded environment. Landscaped areas shall be encouraged as the dominant features of the development. Areas not covered by buildings or by off street parking space or driveways shall be in conformance with Title 10, Chapter 22, Water Efficient Landscape Standards and otherwise landscaped and maintained in accordance with good landscape practice as approved on the final plan. Permanent automatic irrigation systems shall be installed when required by the planning commission to provide for maintenance of planted areas.
- K. Conformance To Standards: Details of plans, plats and documents to be submitted showing the size of water lines, sewer lines and other domestic sewage disposal facilities, garbage and trash disposal, the quality of material and improvements, protection from adverse influences, lighting, landscaping, off street parking, grading and other details of design and construction shall conform to standards as set forth in such resolutions pertaining to such standards as may be adopted by the planning commission.
- L. Ordinance Standards: The development shall meet all standards and requirements of this title and all requirements of applicable ordinances.
- M. Character Of Development: The development shall be in keeping with the general character of the district within which it is to be located.
- N. Plan Preparation: Depending upon the complexity of the project, the planning commission may require that plans for the development be prepared by a qualified professional team. In all cases, it is recommended that professional design and other assistance be obtained early in the program. It is the intent of the city that the developer solve these problems before approval is given and construction begins.
- O. Storm Drainage Facilities: Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development. (Ord. 93-5, 7-6-1993, eff. 7-15-1993)
- P. Inspections: All structures required by this title to have building permits and all uses required to have use permits shall be inspected by the building official in accordance with procedures established by the international building code, as adopted by the city, and this title; provided, however, that no building permits for such structures or use permits shall be issued until the planning commission, or the zoning administrator if authorized by the planning commission and city council, has issued a conditional use permit for the building site or use, or has

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determined that a conditional use permit is not required by this title. (Ord. 93-5, 7-6-1993, eff. 7-15-1993; amd. 2012 Code)

10-7-7: SUBDIVISIONS (LAND DEVELOPMENT):

K. Design Standards:

23. Landscaping Design Standards For Redwood Road:

- a. For development along the west side of Redwood Road, the following development standards are adopted:
 - (1) The area behind the curb and gutter of Redwood Road and the property line shall include an area not less than twenty four feet (24') wide containing improved and irrigated landscaping and an eight foot (8') wide meandering asphalt multiuse trail. If any portion of the required twenty-four foot (24') landscaped area is outside the dedicated right of way, a public trail easement and street tree easement shall be dedicated to the city upon the recorded plat.
 - (2) Within the twenty-four foot (24') wide area, trees shall be planted in accordance with the requirements of Title 7, Chapter 9, Community Forestry.
 - (3) Residential developments along Redwood Road shall, in addition to complying with the requirements of chapter 11 of this title, include a solid wall, not less than six feet (6') in height as a buffer along the entire length of frontage along Redwood Road. The wall shall be constructed of masonry or other hard, permanent materials and shall be a sight obscuring wall or a combination of berms, rocks, planted materials and manmade materials that render the wall sight obscuring. Any solid walls constructed pursuant to this subsection shall also be treated with an antigraffiti treatment approved by the city.
- b. For developments along the east side of Redwood Road, the same development standards apply except that there shall be a five foot (5') wide concrete sidewalk provided in lieu of an eight foot (8') wide meandering asphalt multiuse trail. (Ord. 2012-04, 2-7-2012)
- c. Landscape design shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards.

10-7-8: FLAG LOTS

D. Design Requirements For Flag Lot:

8. An access driveway with a minimum width of twenty feet (20') shall be provided with landscaping on each side. Landscaping shall be installed in accordance with Title 10, Chapter 22, Water Efficient Landscape Standards. The access driveway shall be asphalt or concrete with adequate drainage and shall be properly maintained on a continuous basis. Where two (2) flag lots are adjacent to each other, a common driveway for both units is encouraged; multiple driveways are discouraged.

CHAPTER 10: RESIDENTIAL AND MULTIPLE RESIDENTIAL DISTRICTS

10-10-3: USE REGULATIONS:

	R1-12	R1-10	R1-7	RM-7	RM-20
Landscaping					
Maximum area of lot permitted to be lawn, sod, or turf	25% Or 6,500 sq. ft.	25% Or 6,500 sq. ft.	25% Or 6,500 sq. ft.	10% Or 5,000 sq. ft.	10% Or 5,000 sq. ft.
Multi-family developments may be permitted by the Planning Commission to exceed the maximum turf areas allowed, for bona fide active recreational areas or amenities during site plan approval.	whichever is less				
Multi-family Dwellings, Minimum landscape required (percentage of lot)	NA	NA	NA	15%	15%

10-10-4: LANDSCAPING REQUIREMENTS:

- A. Purpose: The purpose for landscaping is to provide for the health, safety, morals and general welfare of the residents of the City. This objective is to be accomplished by completing construction and development projects in such a way as to appear completed and maintained, promote the benefits of plant life in our ecology system, aesthetically enhance the environment, and generally improve the inhabitability and aesthetics of the City.
- B. Design And Installation:
 - 1. In land development projects where sidewalks are installed leaving a landscaped area between the sidewalk and curb or pavement, access sleeves in adequate number for future irrigation systems shall be provided.
 - 2. In any project where driveways or other impediments to landscaping are installed prior to issuance of an approved landscape plan, access sleeves in adequate number for future irrigation systems shall be provided.
- C. Planting And Other Landscaping:
 - 1. All landscaped areas shall be installed in accordance with Title 10, Chapter 22, Water Efficient Landscape Standards.
 - 2. All park strip areas within the street right-of-way shall be landscaped. .
 - 3. Required front yard setback areas shall be landscaped and planted except for required paving for driveways and sidewalks, retaining walls, stairs, etc., unless the undisturbed natural landscaping can and will be maintained.
 - 4. Required side yard setback areas shall be landscaped and planted except for required paving for driveways and sidewalks, retaining walls, stairs, patio intrusions, etc.
 - 5. Required rear yard setback areas shall be landscaped and planted except for required paving for driveways and sidewalks, retaining walls, stairs, patios, recreation apparatus and associated ground surfaces, etc.
- D. Maintenance: All land not covered by structures and paving shall be landscaped, planted and maintained in reasonable condition. Automatic irrigation systems shall function to properly provide moisture to plant life. All landscape elements shall be maintained in an orderly, free from debris, etc., condition, including painted surfaces and other finishes, as

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necessary and generally attractive. Vegetation that overgrows or overhangs travelways and sidewalks on the street right-of-way shall be pruned or otherwise trimmed, by the respective owner of the vegetation, as to not interfere with passage on said travelway or sidewalk.

(Ord. 03-3, 4-15-2003; amd. Ord., 7-12-2007)

CHAPTER 11: COMMERCIAL AND INDUSTRIAL DISTRICTS

10-11-3: USE REGULATIONS:

Area:	CS	CG	MD	MG
Minimum area in acres for lots (unless modified by conditional use)	1	1	2	5
Maximum percentage of area covered by any buildings	65	65	65	65
Minimum landscape percentage of area, except where reduced by the Planning Commission during site plan approval, in support of water conservation efforts and when enhanced landscaping is concentrated within the front setback and is not necessary for buffering purposes within the side and rear yard areas.	15%	15%	15%	15%
Maximum percentage of area landscaped with Turf, Lawn, or Sod shall be the following percentage or 5,000 sq. ft., whichever is less.	5%	5%	5%	5%

10-11-4: DEVELOPMENTS ON REDWOOD ROAD:

A. All developments adjacent to Redwood Road shall be required to follow the City's landscaping cross section for developments on Redwood Road as outlined in subsection 10-7-7K of this title and the landscape standards identified in Title 10, Chapter 22, Water Efficient Landscape Standards. (Ord. 2015-18, 11-17-2015)

CHAPTER 12 SENSITIVE AREA DISTRICT

10-12-26: LANDSCAPING OF CERTAIN LOTS FOR EROSION CONTROL:

The city reserves the right to require that the lots be revegetated or stabilized upon completion of subdivision improvements or that lots be fully landscaped prior to the issuance of a certificate of occupancy as part of the requirements of the project. The purpose of this requirement is to ensure that for certain areas in the city which have soils susceptible to severe erosion, the erosion is controlled. The criteria to be used by the city are the size of the lot and sizes of adjacent lots, elevation differences between lots, level of disturbance to native soils and vegetation, the type of soils in the project, and any other relevant factors. See Title 10, Chapter 22, Water Efficient Landscape Standards for soil erosion requirements. (Ord. 2015-16, 10-20-2015)

CHAPTER 17 SPECIAL USE RESTRICTED ZONE (SR)

10-17-5: COMMERCIAL USES:

- A. Lot And Yard Regulations: The following regulations shall apply to development for all commercial uses located within this zone:
1. Lot size: No restriction (nonresidential uses).
 2. Front yard setback: All buildings shall be set back at least twenty feet (20') from the right of way line.
 3. Side yard: Property owners in a special use restricted zone are encouraged to develop side yards conjointly with abutting conforming uses. Where a special use restricted zone abuts a residential district, all buildings shall be sited no closer than twenty feet (20') to the abutting property line.
 4. Rear yard: All buildings shall be set back at least ten feet (10') from the rear property line. On corner lots, the requirement shall apply to the side of the building on which a separate service entry, loading dock or waste disposal facility is located.
- B. Height Of Structures: The maximum height allowed for all buildings is thirty six feet (36').
- C. Landscaping, General: Fifteen percent (15%) of the gross area of a lot shall be landscaped with trees, shrubs, lawn or other similar landscaping elements as follows:
1. The use of turf, sod, or lawn area shall be limited to a maximum of 5% of the total lot or 5,000 sq. ft., whichever is less, and shall be in conformance with Title 10, Chapter 22, Water Efficient Landscape Standards.
 2. Front Yard:
 - a. A minimum of ten feet (10') of landscaping shall be provided, measured from the property line to the public street. Highway frontages shall be planted with trees (as specified by the city street tree planting guide) of at least fifteen (15) gallons or two inch (2") caliper in size at intervals of twenty five feet (25').
 - b. The planning commission may approve the elimination of the park strip, allowing the sidewalk to be placed against the curb and gutter. If the elimination of the park strip is approved by the planning commission, the sidewalk shall be increased to five feet (5'). In addition, the front landscaping area shall be increased to fifteen feet (15').
 3. Side And Rear Yards: There shall be a minimum of three feet (3') of landscaping between parking areas on the lot and side or rear property lines. There shall be a minimum of three feet (3') of landscaping between an access driveway and a side or rear property line, unless the driveway is to be used for common access by an adjacent lot. Other side and rear setback areas that are open to view from public rights of way or from residential property shall have a minimum of five feet (5') of landscaping.
 4. Parking In Landscaped Area: Parking within any required landscaped area is prohibited.
 5. Curbing: All landscaped areas abutting any paved parking area shall be curbed.
 6. Intersections: At any intersection of streets, driveways or other vehicular right of way, landscaping shall be limited to a height of not more than two and one-half feet (2¹/₂') above street level within the area required for minimum sight distances as specified in the geometric design code (AASHTO) for local roads and streets.
 7. Maintenance: The property owner shall guarantee to the planning commission an adequate sprinkling or irrigation system to maintain all landscaping. The plan for sprinkling or irrigation shall be subject to the approval of the planning commission at site plan review.
 8. Landscaping Of Parking Areas:
 - a. Landscaping planters or raised sidewalks serving parking lots shall be installed along buildings and any paved areas to provide safety to pedestrians and protect the structure.

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- b. Any traffic channelization island in a parking lot shall be fully landscaped.
 - c. A minimum three foot (3') wide landscaped buffer area shall be required around all structures where they abut a parking area.
9. Unpaved Areas: All unpaved areas not utilized for parking, access or storage, shall be landscaped utilizing ground cover, shrub and tree materials and/or dry landscape materials (but not to exceed more than 10 percent dry landscaping). Undeveloped areas proposed for future expansion shall be maintained free of weeds and trash.
10. Landscaping Berms And Buffers: In addition to the side yard and rear yard footage requirements set forth herein, there shall be a buffer zone between any nonresidential and residential use of not less than twenty feet (20'). All buffer zones must address noise, sight, vibration, architectural and aesthetic compatibility of the surrounding commercial and residential developments. This can be accomplished by the use of landscaping, berms, walls, change in elevation, etc. Driveways and parking are prohibited in buffer zones. Plans for each buffer zone must be submitted at the preliminary approval submission and reviewed by the planning commission.

CHAPTER 20: SITE PLAN REVIEW

- A. Landscape Plan: Landscape plan, prepared by a licensed architect or landscape architect, showing the following:
1. Location and type of all landscaping. Show locations, type and size of all trees.
 2. The total area in square feet of all landscaping.
 3. Location of irrigation system, including heads.
 4. All landscaping shall conform to Title 10, Chapter 22 Water Efficient Landscape Standards.

REPEALED:

REPLACED ENTIRELY BY:

**TITLE 10
CHAPTER 22
WATER EFFICIENT LANDSCAPE STANDARDS**

SECTION:

10-22-1: Purpose

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10-22-1: Purpose

The purpose of this Chapter is to promote the health, safety, and general welfare of the public by enhancing the development and open space areas with landscaping and vegetation while encouraging efficient use of water. More specifically this Chapter functions to:

- Preserve and enhance the aesthetic quality of neighborhoods and commercial areas;
- Maintain and strengthen a positive visual identity of the City;
- Enhance the appearance of parking lots visible from public streets;
- Enhance and protect property values;
- Lessen the impact of noise, dust, debris, heat, wind, and air;
- Promote water efficient landscaping to conserve water and reduce demand for current and future water resources;
- Provide shade, reduce the heat island effect (reflective heat from impervious surfaces), and lessen energy consumption;
- Buffer and screen undesirable uses and appearances from adjacent properties;
- Reduce the rate and volume of storm water runoff, and enhance the quality of storm water runoff;
- Act as a natural drainage system and lessen drainage problems; and
- Promote healthy outdoor recreational activities.

10-22-2: Applicability

The provisions of this chapter shall apply to all new and rehabilitated landscaping for:

- A. Public agency projects;

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- B. Private commercial and industrial development projects;
- C. Developer-installed landscaping in multi-family and single-family residential projects;
- D. Homeowner provided landscape improvements within the front, side, and rear yards of new single and two-family dwellings;
- E. Homeowners of one and two-family dwellings upon which the property owners desire to replace lawn areas with water efficient landscaping within the front, side, or rear yards or adjacent park strip;
- F. Any existing multiple-family residential, commercial, or industrial site where a proposed building addition increases the footprint of buildings within the property boundary by 30% or more; and
- G. Property modifications resulting in the addition or removal of impervious surfaces exceeding 5,000 sq. feet.
- H. The required landscaping percentage shall be strictly followed; however, the Land Use Authority may reduce the percentage requirement through a landscape modification process. Exceptions shall be limited in their application and shall be based on the following criteria:
 - 1. There is a physical hardship associated with the property that results in a unique circumstance that does not apply to other similar properties;
 - 2. The proposed reduction in landscape area shall be mitigated through enhanced landscaping improvements and/or the provision of amenity areas that exceed the minimum standards of this chapter; and
 - 3. Exceptions shall not be granted for the sole reason of providing additional building area, increasing residential density on a property, or meeting the minimum off-street parking stall requirement.

10-22-3: Landscape Design Standards

- A. Plant Selection.
 - 1. Plants shall be well-suited to the microclimate and soil conditions at the project site. Both native and locally-adapted plants are acceptable. Plants with similar water needs shall be grouped together as much as possible.
 - 2. Areas with slopes greater than 25% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization and are not permitted to be planted with turf grass.
 - 3. Park strips and other landscaped areas less than eight (8) feet wide may not be landscaped with sod/turf. Only water-conserving plants, which do not have a mass planting of any type of plant material which requires uniform overhead spray irrigation, may be used in a park strip
 - 4. Shrubs and ornamental grasses shall be planted and maintained in groupings of at least three to increase the microclimate shade area above plant root zones, and to provide a pleasing and balanced aesthetic of plant material massing in the landscape. Groupings may consist of straight rows, grids or triangulation planting patterns.
 - 5. Plants and trees specified for a project landscape plan shall be selected from the WBWCD recommended plant list and the recommended trees included in Title 7, Chapter 9, Community Forestry. These plant materials are suitable for the local climate with respect to temperature ranges and moderate to high drought tolerance. Additional plant species that can be demonstrated as suitable for the local climate and soil conditions, shall be permitted.

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6. The typical plant bed width shall be a minimum of three feet; the minimum plant bed width shall be one and a half feet for ornamental grasses, perennials, and ground covers, and one foot for planters for climbing vines.
 7. Plant beds may be substituted by planters or other similar streetscape amenities within The Core Subdistrict of the Town Center.
- B. Tree Selection. Tree species shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. Trees shall be selected as follows:
1. Broad canopy trees shall be selected where shade or screening of tall objects is desired;
 2. Low-growing trees shall be selected for spaces under utility wires;
 3. Select trees from which lower branches can be trimmed to maintain a healthy growth habit where vision clearance and natural surveillance is a concern;
 4. Narrow or columnar trees shall be selected where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street for natural surveillance;
 5. Street trees shall be planted in accordance with Title 7, Chapter 9, Community Forestry for placement within existing and proposed park strips, and in sidewalk tree wells on streets without park strips. Tree placement shall provide canopy cover (shade) and avoid conflicts with existing trees, retaining walls, utilities, lighting, and other obstacles; and
 6. All new trees planted shall be irrigated by means of drip irrigation rings and not by overhead sprinklers.
- C. Mulch. After completion of all planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Non-porous material shall not be placed under the mulch. Permitted mulch:
1. All rock mulch must be angular or crushed, clean or washed landscape gravel, and be rocks size of two-inch minus;
 2. Pea gravel is prohibited for use in park strips;
 3. Rock mulch used in park strips adjacent to a public street with a slope of eight (8%) percent or greater shall be compacted;
 4. Bark and lava rock mulch are prohibited in park strips with slopes of eight (8%) percent or greater and due to weight and erosion concerns;
 5. The final grade of all mulch adjacent to a sidewalk or curb shall be level or slightly below the height of the sidewalk and curb to prevent erosion loss.
- D. 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 soil conditions.
1. Soil amendments (organic material) shall also be added and tilled into the soil to a minimum depth of six inches to increase organic content and improve water retention.
 2. Soil amendment type and quantity shall be recommended by the Landscape Architect (designer) based on a review of the soil conditions.
- E. Turf Design
1. Turf species are required to be drought tolerant.
 2. Turf grass shall not be installed in areas less than eight feet wide.
 3. Turf grass shall not be allowed in park strips, parking lot islands, and other planted bed landscape areas.
 4. Turf grass shall not be allowed on slopes with a grade over 25%.

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5. A minimum of 1 tree per 1,000 sq. ft. of turf area shall be planted within or adjacent to the turf area.
- F. Park Strip Design The intent of this section is to provide an assortment of allowed plant, organic and/or natural materials that allow for creative landscaping, maintain a healthy street tree canopy, and create an attractive pedestrian environment while encouraging water conservation.
 1. Plant Coverage: Live plant materials, not to exceed twenty two inches (22") in height, are allowed. Plants with heights up to thirty six inches (36") tall may be allowed as specimen or accent plants when not located within clear view areas (see section 10-1-31). These plants may not be planted in a manner that would create a visual barrier between the street and the sidewalk.
 2. At least thirty three percent (33%) or more of the park strip surface must be covered with perennial or low growing shrub vegetation within three (3) years of planting or when planting has reached maturity, whichever comes first.
 - a. The addition of street trees chosen in accordance with Title 7, Chapter 9, Community Forestry shall be credited towards required park strip plant coverage as follows:
 - (1) Small trees: 50 square feet
 - (2) Medium trees: 75 square feet
 - (3) Large trees: 100 square feet
 - b. For lots with two (2) or more street frontages, this standard shall be applied separately to each adjacent park strip on each street frontage.
 3. Plants which have thorns, spines, or other sharp, rigid parts are hazardous to pedestrians and bicyclists, and are difficult to walk across and are prohibited.
 4. Gravel, Rocks, And Boulders: Because rock, gravel and other hard surface materials as a ground cover retain and emit heat during the summer months when water is scarce, they may not be used within a thirty six inch (36") radius (72 inch diameter) of any street tree, unless an operable irrigation system is provided. Otherwise, gravel, rocks, and boulders, may be used on portions of the park strip as permitted in this Chapter.
 5. Boulders as an accent material are limited to thirty six inches (36") in height, and may not be arranged in a manner that creates a continuous visual obstruction. Any boulder raised above the curb height shall be set back from the curb by at least twenty four inches (24").
 6. Paving Materials: Paving materials in park strips shall be limited to poured concrete, concrete pavers, brick pavers, or natural stone pavers, and may be used only in portions of a park strip as a carriageway to provide for safe and convenient access across park strips to and from vehicles that may park at the curb.
 - a. Carriageways shall be not more than four feet (4') in width and shall be located so as to provide the most direct route from the curb to the sidewalk.
 7. Retaining Walls, Fences And Other Similar Structural Encroachments: Retaining walls, fences, steps, raised planter boxes and other similar structural encroachments in park strips are only permitted when specifically approved in an approved General Development Plan and have been reviewed by the engineering department pursuant to adopted standards and/or recognized engineering principles.

10-22-4: IRRIGATION DESIGN STANDARDS:

- A. Smart Automatic Irrigation Controller. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All

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- controllers shall be equipped with automatic rain delay or rain shut-off capabilities and shall be setup to operate in "smart" mode.
- B. 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.
 - C. Drip emitters or a bubbler shall be provided for each tree. Bubblers shall not exceed 1.5 gallons per minute per device. Bubblers for trees shall be placed on a separate valve unless specifically exempted by the City due to the limited number of trees on the project site.
 - D. Drip irrigation or bubblers shall be used to irrigate plants in non-turf areas.
 - E. Pop-up spray heads shall be at a minimum of four (4) inches in height to avoid blockage from lawn foliage.
 - F. Sprinklers shall have matched precipitation rates with each control valve circuit.
 - G. Sprinkler heads shall be attached to rigid lateral lines with flexible material (swing joints) to reduce potential for breakage.
 - H. Check valves shall be required where elevation differences cause low-head drainage. Pressure compensating valves and sprinklers shall be required where a significant variation in water pressure occurs within the irrigation system due to elevation differences.
 - I. Filters shall be required on all secondary water service connections. Filters shall have as a minimum a 30 mesh screen and shall be cleaned and maintained by the property owner on a regular basis.
 - J. Drip irrigation lines require additional filtration at or after the zone valve at a minimum of 200 mesh and end flush valves are required as necessary for drip irrigation lines.
 - K. Valves with spray or stream sprinklers shall be scheduled to operate in accordance with local water supplier restrictions to reduce water loss from wind, evaporation or other environmental conditions not suitable for irrigation.
 - L. Program valves for multiple repeat cycles where necessary to reduce runoff, particularly on slopes and soils with slow infiltration rates.
 - M. Meter Installation: Meters shall be specified by the City, or other water provider, for the particular installation and shall report instantaneous flow in gallons per minute (gpm) and totalized flow in gallons via encoded register output.

10-22-5: LANDSCAPES IN NEW RESIDENTIAL DEVELOPMENTS:

- A. Homebuilders and/or developers subdividing lots and/or constructing new single-family residential homes shall provide water-efficient landscaping to prospective home buyers, such as the Localscapes design style when the landscape is installed by the homebuilder/developer. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 25% of the lot or 6,500 sq. ft., whichever is less.
- B. Homebuilders and/or developers who construct model homes for a designated subdivision shall install water-efficient landscaping, such as the Localscapes design style. The water-efficient landscaping option shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and any central open shape area consisting of plant material in mass requiring overhead spray irrigation shall not exceed 25% of lot or 6,500 sq. ft., whichever is less.
- C. New Construction homes shall have landscaping and irrigation plans approved by the City which meet the aforementioned requirements.

- D. Model homes shall include an informational brochure on water-efficient landscaping or Localscapes. Localscapes brochures can be obtained from the City.
- E. When buyers or owners are installing their own landscaping on new home construction, a time frame for landscaping to be completed shall be 12 months from the time of occupancy, unless granted an extension by the City due to water availability, season, or drought conditions.
- F. All exceptions related to installation timeline, shall require the submission of an erosion control plan which meets the following requirements:
 - 1. All disturbed surfaces shall be protected by mulching, erosion mats, native seeding, and/or other effective means of soil protection;
 - 2. Silt fencing and/or vegetative buffers with native seed mix shall be provided at the lowest lot elevations.

10-22-6: PROHIBITION ON RESTRICTIVE COVENANTS REQUIRING UNIFORM PLANT MATERIAL IRRIGATED WITH SPRAY IRRIGATION

- A. Any Homeowners Association governing documents, such as bylaws, operating rules, covenants, conditions, and restrictions that govern the operation of a common interest development, are void and unenforceable if they:
 - 1. Require the use of any uniform plant material requiring overhead spray irrigation in landscape areas less than 8 feet wide or require any uniform plant material requiring overhead spray irrigation in other areas that exceed 40% of the landscaped area; or
 - 2. Prohibit, or include conditions that have the effect of prohibiting, the use of water-conserving plants as a group; or
 - 3. Have the effect of prohibiting or restricting compliance with this ordinance or other water conservation measures.

10-22-7: LANDSCAPES IN COMMERCIAL, INDUSTRIAL, INSTITUTIONAL MIXED USE & MULTI-FAMILY DEVELOPMENTS:

- A. Commercial, industrial, and institutional landscapes shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 5% of the total lot or 5,000 sq. ft, whichever is less.
- B. Mixed use and multi-family developments shall meet the Landscape Design Standards and Irrigation Design Standards of this ordinance, and the turf area shall not exceed 10% of the lot or 5,000 sq. ft, except within bona fide recreation areas designated and approved by the Planning Commission during site plan approval.

10-22-8: DOCUMENTATION FOR COMMERCIAL, INDUSTRIAL, MULTI-FAMILY AND INSTITUTIONAL PROJECTS:

Landscape Plan Documentation Package. For all commercial, industrial, multi-family and institutional projects, a Landscape Plan Documentation Package shall be submitted to and approved by the City prior to the issue of any permit. The Landscape Plan Documentation Package shall be prepared by a registered landscape architect or other qualified professional and shall consist of the following items:

- A. Project Data Sheet. The Project Data Sheet shall contain the following:
 - 1. Project name and address;
 - 2. Applicant or applicant agent's name, address, phone number, and email address;

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3. Landscape architect's name, address, phone number, and email address; and
 4. Landscape contractor's name, address, phone number and email address, if available at this time.
- B. Planting Plan. A detailed planting plan shall be drawn at a scale that clearly identifies the following:
1. Location of all plant materials, a legend with botanical and common names, and size of plant materials;
 2. Property lines and street names;
 3. Existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements;
 4. Existing trees and plant materials to be removed or retained;
 5. Scale: graphic and written;
 6. Date of Design;
 7. Designation of a landscape zone, and
 8. Details and specifications for tree staking, soil preparation, and other planting work.
- C. Irrigation Plan. A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain the following information:
1. Layout of the irrigation system and a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
 2. Static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
 3. Flow rate in gallons per minute and design operating pressure in psi for each valve and precipitation rate in inches per hour for each valve with sprinklers, and
 4. Installation details for irrigation components.
 5. Backflow preventor
- D. Grading Plan. A Grading Plan shall be drawn at the same scale as the Planting Plan and shall contain the following information:
1. Property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements, and
 2. Existing and finished contour lines and spot elevations as necessary for the proposed site improvements.

10-22-9: PLAN REVIEW, CONSTRUCTION INSPECTION, AND POST-CONSTRUCTION MONITORING FOR COMMERCIAL, INDUSTRIAL, MULTI-FAMILY, AND INSTITUTIONAL PROJECTS

- A. As part of the Building Permit approval process, a copy of the Landscape Plan Documentation Package shall be submitted to the City for review and approval before construction begins.
- B. All installers and designers shall meet state and local license, insurance, and bonding requirements, and be able to show proof of such.
- C. During construction, site inspection of the landscaping may be performed by the applicable city departments and staff.
- D. Following construction and prior to issuing the approval for occupancy, an inspection shall be scheduled with the applicable city departments to verify compliance with the approved

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landscape plans. The Certificate of Substantial Completion shall be completed by the property owner, contractor or landscape architect and submitted to the City.

- E. The City reserves the right to perform site inspections at any time before, during or after the irrigation system and landscape installation, and to require corrective measures if requirements of this ordinance are not satisfied.
- F. Landscaping to be completed prior to occupancy for all commercial properties, unless granted an extension of time by the City due to water availability, season, or drought conditions, and shall be accompanied by a landscape bond to guarantee the installation.
- G. All exceptions related to landscape installation timeline, shall require the submission of an erosion control plan which meets the following requirements:
 - 1. All disturbed surfaces shall be protected by mulching, erosion mats, natives seeding, and/or other effective means of soil protection;
 - 2. Silt fencing and/or vegetative buffers with native seed mix shall be provided at the lowest lot elevations.

10-22-10: PROHIBITED WATERING PRACTICES

Regardless of the age of a development (commercial, industrial, office, or residential), water shall be properly used. Waste of water is prohibited.

10-22-11: ENFORCEMENT, PENALTY FOR VIOLATIONS

The provisions of these regulations shall be enforced in accordance with Title 12, Administrative Code Enforcement Hearing Program. As is required by Title 12, any consumer who violates any provisions of this Ordinance shall be issued a written notice of violation and may be subject to the penalties stated in Title 12. In addition to Title 12 penalties, the failure to correct violations as indicated in a notice of violation may result in the termination of water service to the customer.

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REPEALED:

REPLACED WITH:

**TITLE 10
CHAPTER 23
(RESERVED)**

REPEALED:

REPLACED WITH:

**TITLE 10
CHAPTER 24
(RESERVED)**

TITLE 10

CHAPTER 25: HIGHWAY COMMERCIAL ZONE

10-25-3: SITE REGULATIONS:

A. Height Regulations: The maximum height for all buildings and structures in feet shall be sixty feet (60'), or four (4) stories, whichever is lower, except as approved by conditional use.

B. Lot Standards:

1. Minimum lot area, width, depth shall be determined through the site plan review process and shall be what is necessary for a proposed development to comply with maximum height, parking, landscaping, right of way dedication, where applicable, and any other site requirements of this or other titles.

C. Landscaping: The minimum amount of landscaping required for each lot shall be fifteen percent (15%). Sod shall be limited to 5% of the lot or 5,000 sq. ft., whichever is less. Landscaping for all developments shall, at a minimum, comply with the cross section for U.S. 89 in this chapter. All landscaping shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards.

10-25-4: U.S. 89 RIGHT OF WAY AND IMPROVEMENT REQUIREMENTS:

A. Development along the U.S. 89 corridor shall dedicate not less than fifty five feet (55') of right of way ($\frac{1}{2}$ of the required 110 foot right of way on U.S. 89) for the full length of the proposed project and shall include the following improvements within that right of way:

1. Six foot (6') median ($\frac{1}{2}$ of a 12 foot median).
2. Two (2) 12-foot automobile travel lanes.
3. Seven and one-half foot ($7\frac{1}{2}'$) improved shoulder.
4. Two and one-half foot ($2\frac{1}{2}'$) curb and gutter.
5. Eight foot (8') landscaped park strips.
6. Seven foot (7') sidewalk.

B. Required landscaping shall include street trees from the city's approved list of tree species. Required street trees shall be located within the required park strip. If it is determined that planting trees within the park strip presents a safety hazard or hazard to utility lines, street

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trees may be moved to the front yard setback area. All landscaping shall conform to Title 10, Chapter 22, Water Efficient Landscape Standards. (Ord. 2015-18, 11-17-2015)