

ORDINANCE NO: O-2026-27

**AN ORDINANCE AMENDING HIGHLAND CITY DEVELOPMENT CODE
RELATED TO LANDSCAPING REGULATIONS**

WHEREAS, Highland City is authorized to enact land use regulations that govern the use and development of property in accordance with State law;

WHEREAS, Highland City desires to promote water-wise landscaping methods and water conservation and to establish minimum landscaping standards to accomplish such goals;

WHEREAS, a duly noticed public hearing was held by the Planning Commission regarding the proposed amendments on July 28, 2026, after which hearing the Commission recommended adoption of certain amendments;

WHEREAS, the Highland City Council provided notice of and conducted a public hearing regarding the proposed amendments and to review the recommendation of the Planning Commission on August 4, 2026;

WHEREAS, the Highland City Council adopted certain amendments regarding water-wise landscaping methods and standards on August 4, 2026, and continued the discussion of the recommended landscaping standards amendments specifically as to landscape maintenance, directing City staff to prepare additional amendments to the newly adopted Development code Section 3-628 regarding the maintenance of landscaped areas and present the same to the City Council;

WHEREAS, after considering the additional amendments regarding landscape maintenance, the Highland City Council desires to adopt certain amendments to clarify maintenance standards for water-wise landscaping.

WHEREAS, the Highland City Council finds that this ordinance furthers the public welfare, is in the interest of the public, and does not negatively impact family health, stability, and formation.

NOW THEREFORE, BE IT ORDAINED by the Highland City Council as follows:

SECTION 1. The Highland Development Code is amended as shown in Exhibit A, attached hereto.

SECTION 2. The City Recorder, under the supervision of the City Administrator and City Attorney, may make non-substantive corrections to any portion of this ordinance and to the City codes referenced herein for grammatical, typographical, numbering, and consistency purposes in accordance with the expressed intent of the City Council.

SECTION 3. All ordinances and parts and provisions thereof in conflict with this ordinance are repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its adoption and publication, in accordance with law.

ADOPTED AND PASSED BY THE CITY COUNCIL OF HIGHLAND CITY, UTAH, this 4th day of August, 2026.

Brittney P. Bills

Brittney P. Bills
Mayor

ATTESTED:

Stephannie B. Cottle

Stephannie B. Cottle
City Recorder



Exhibit A

3-628 Landscape Regulations

1. As used in this Section:

- a. "Activity Zones" means portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- b. "Active Recreation Areas" means areas of the landscape dedicated to active play where lawn is used as the playing surface.
- c. "Gathering Areas" means portions of the landscape dedicated to congregating, such as patios, gazebos, decks, and other seating areas. Gathering areas shall be constructed of hardscape.
- d. "Hardscape" means durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- e. "Lawn" means ground that is covered with grass or turf that is or typically should be regularly mowed.
- f. "Mulch" means any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil or on top of landscape fabric or similar barriers.
- g. "Paths" means designed routes between buildings, activity zones, active recreation areas, gathering areas, and other landscape areas and features. Does not include sidewalks along rights of ways and accesses.
- h. "Planting Bed" means areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- i. "Total Landscaped Area" means the improved areas of the property that incorporate all the completed features of the landscape. The landscaped area does not include footprints of buildings or structures, sidewalks along rights of ways and accesses, parking areas, drive aisles, driveways, and other vehicular accesses, and non-irrigated areas intentionally left undeveloped.

2. Water-wise landscaping. All new commercial, institutional, industrial, and multi-family development, and all front and side yard landscaping for new

single-family residential development shall implement water-wise landscaping and shall comply with the following:

- a. Lawn shall not be less than 8 feet wide at its narrowest point.
 - b. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
 - i. Paths shall be made with hardscape, mulch, or other non-lawn ground surface material.
 - c. For residential development, lawn shall not exceed 50% of the total landscaped area in front and side yards.
 - d. For commercial, industrial, institutional, and common area landscapes for multi-family development, lawn areas shall not exceed 20% of the total landscaped area outside of active recreation areas.
 - e. At least 25% of non-lawn landscaped areas must contain plants, trees, and shrubs that create at least 50% living plant cover at maturity at the ground plane, not including tree canopies, throughout the total landscaped area.
3. No more than 25% of the total landscaped area outside of activity zones and gathering areas may be covered by impervious material. All impervious materials and hardscapes shall be designed, graded, located, and maintained so as to not cause water to drain or run off onto adjacent property without authorization.
4. For areas within the wildland-urban interface, as designated in the Highland City Wildland-Urban Interface Map, landscaping shall be designed, installed, and maintained to comply with the current Wildland-Urban Interface code.
5. Maintenance of Landscaping. The property owner shall be responsible for the proper installation, maintenance, repair, and replacement of all landscaping as required by this Section. Landscaped areas shall be maintained in a live, clean, orderly, and healthful condition as follows:
- a. Vegetation, trees, and lawn receive proper pruning, weeding, fertilizing, and mowing.
 - b. Dead, dying, or diseased vegetation, trees, and lawn be removed and replaced;
 - c. Landscaped areas, including planting beds and mulched areas, be kept free of uncontrolled weed and volunteer plant growth;

- d. Mulched areas within landscaping be maintained with a minimum of three inches of mulch.
- e. Vegetation and trees within or adjacent to the sight triangle, sidewalks, street, and buildings be pruned and trimmed to maintain required clearances;
- f. Landscaped areas be kept free of nuisances, refuse, debris, litter, dead vegetation, and animal waste, except for properly applied fertilizer or compost and maintained and protected compost piles;
- g. Irrigation systems be maintained in good operating condition to provide adequate water to vegetation, trees, and lawn and prevent the waste of water through overspray on impervious areas, overwatering, or leaks. Sprinklers be regularly adjusted to reduce overspray and to primarily irrigate permeable areas with vegetation, trees, and lawn. Leaks, broken sprinklers, improperly adjusted sprinklers, and other damage or improper condition of an irrigation system resulting in waste of water be addressed and repaired.

6. Private Landscaping Plan Submission.

- a. For non-residential development, a private landscaping plan conforming to the requirements of this Section and all requirements of the applicable zone shall be provided by the property owner for the following:
 - i. Site plan or conditional use permit review, as applicable, including with proposed amendments or revisions to approved site plans or conditional use permits; or
 - ii. Any addition, expansion, or change in use of a property that increases or decreases the floor area by 50% or more, increases or decreases the number of parking stalls required by 50% or more, or modifies any required landscaping by 50% or more.