

ORDINANCE NO. 09-2023

ROLL CALL

VOTING	YES	NO	ABSENT	ABSTAIN
MIKE MENDENHALL <i>Mayor (votes only in case of tie)</i>				
CHAD ARGYLE <i>Councilmember</i>	X			
STACY BECK <i>Councilmember</i>	X			
JESSE CARDON <i>Councilmember</i>	X			
SHANE MARSHALL <i>Councilmember</i>			X	
KEVIN OYLER <i>Councilmember</i>	X			

I MOVE this ordinance be adopted: Councilmember Cardon

I SECOND the foregoing motion: Councilmember Argyle

ORDINANCE No. 09-2023

ORDINANCE AMENDING TITLE 15 OF THE SPANISH FORK MUNICIPAL CODE  
PERTAINING TO LANDSCAPE REGULATIONS.

WHEREAS Spanish Fork City recognizes the importance of effectively  
regulating improvements such as landscaping;

WHEREAS a public hearing was held before the Planning Commission on February 1, 2023, after which the Planning Commission made a recommendation on the proposed ordinance to the City Council;

WHEREAS the City Council considered the Planning Commission's recommendation and held a public hearing on May 2, 2023; and

WHEREAS the City Council finds that the proposed ordinance will further the public health, safety, and general welfare of Spanish Fork residents by creating clear and concise language regarding landscaping;

NOW, THEREFORE, be it ordained by the Spanish Fork City Council as follows:

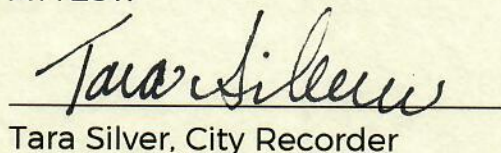
Section 1. Amendment of Municipal Code. The Spanish Fork Municipal Code is hereby amended as shown in Exhibit "A", attached hereto and incorporated herein, to amend Title 15.

Section 2. Effective Date. This ordinance shall be effective twenty days after passage and publication.

DATED: May 2, 2023.

  
MIKE MENDENHALL, Mayor

ATTEST:

  
Tara Silver, City Recorder



**EXHIBIT "A"**

**AMENDMENT OF THE MUNICIPAL CODE**

- 15.4.16 Design and Development Standards
- 15.4.16.010 Availability of Adequate Public Facilities
- 15.4.16 Design and Development Standards
- 15.4.16.010 Availability of Adequate Public Facilities
- 15.4.16.020 Unavailability of Adequate Public Facilities
- 15.4.16.030 Improvement Installations
- 15.4.16.040 Fees
- 15.4.16.050 Utility Connection
- 15.4.16.060 Sewage Facilities
- 15.4.16.070 Foundation Drains
- 15.4.16.080 Water Transfer
- 15.4.16.085 Street Improvements
- 15.4.16.090 Time Limitation for Completion
- 15.4.16.100 Conflict of Interest
- 15.4.16.110 Security for Improvements Required
- 15.4.16.120 Off Street Parking
- 15.4.16.130 Landscaping Regulations
- 15.4.16.140 Fencing and Clear Vision Area
- 15.4.16.150 Solid Waste Receptacle Areas
- 15.4.16.160 Site Reclamation
- 15.4.16.170 Hillside Development
- 15.4.16.180 Neighborhood Mailboxes

15.4.16.130 Landscape Regulations

- A. Purpose
- B. Requirements for Single-family and Twin Home Residential Uses
- C. Requirements for Multi-family, Professional Office, Commercial and Industrial Uses
- D. Requirements for All Project Types
- E. Plan Review, Construction Inspection and Post-Construction Monitoring
- F. Links and References

A. Purpose

It is in the public interest to enhance, conserve, and stabilize property values by encouraging pleasant and attractive landscapes and surroundings, providing proper

separations between uses, conserving public water resources and promoting water efficient landscapes. The purpose of this chapter is to protect and enhance the environmental, economic, recreational, and aesthetic resources in Spanish Fork by promoting attractive properties by establishing standards and practices for the design, installation and maintenance of water efficient landscapes throughout the City.

## **B. Landscape Requirements for Single-family and Twin Home Residential Uses**

### **1. Application**

The landscape requirements that follow shall apply to all new single-family and twin home residential landscapes. The following describes the general landscape design requirements for single-family and twin home residential uses.

- a. All single-family and twin home residential lots shall have the front yard, side-street yards for corner lots and park strips landscaped within one (1) year of receiving a Certificate of Occupancy. Interior side and back yards must be landscaped within two (2) years of receiving a Certificate of Occupancy.
- b. All portions of a lot that are not improved with impervious materials must be landscaped within the above-described timelines. Weeds do not qualify as required landscaping. Landscaped areas shall be maintained in a neat, clean, and orderly condition. This includes the removal of litter, proper pruning, lawn mowing, weeding, dead-heading of perennial plants, fertilizing, replacement of dead plants, and regular watering of all landscaped areas.
- c. Required landscaping in the park strips, front yards and side yards that are visible from the street be comprised of live plant material with an automated irrigation system. Zero-scape may only be used in back yards that are not visible from the street. Water-conserving designs are encouraged (see Section 15.4.16.130(C) Water-Conserving Landscape Design Recommendations for Single-family and Twin Home Residential Uses).
- d. Artificial turf is a lawn substitute composed of individual artificial blades of grass that attempt to emulate natural turf in look and color. The use of artificial turf in park strips, front yards and side yards that are visible from the street is not permitted.
- e. No more than 70% of a lot shall be surfaced with impervious materials. No more than 60% of the front and side-street setback areas can be improved with impervious surfaces.
- f. Where park strips are sufficiently wide, street trees are required in accordance with the provisions found in 12.08.
- g. Lawn shall not be less than 8 feet wide at its narrowest point.
- h. Lawn shall not exceed 35% of the front and side-yard landscape area. The landscape area does not include footprints of buildings or structures, sidewalks, typical driveways, and other non-irrigated areas intentionally left undeveloped.
- i. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1

grade.

**C. Water-Conserving Landscape Design Recommendations for Single-family and Twin Home Residential Uses**

1. Water-conserving Landscape Design is Encouraged. The Localscapes® Program, the Salt Lake City Plant List and Hydrozone Schedule 2013 prepared by Salt Lake City Public Utilities, and the Utah State University Center for Water-efficient Landscaping, shall be primary references for the design and installation of water-conserving plants and landscapes in Spanish Fork City (see Spanish Fork Water-Conserving Landscape Online Resource List at [www.spanishfork.org](http://www.spanishfork.org)). These and other resources included in the list offer user-friendly design ideas, recommendations, programs, examples and inspiration for the implementation of water-conserving landscapes for single-family and twin home uses, as well as those for and developer/contractor installed projects.
2. The landscaped areas of the front yard, side and rear yards should follow Localscapes® five-step process as follows and as detailed in the Spanish Fork City Water-wise Landscape Design Elements & Principles Guidebook (2022) and the Localscapes® Program (see Spanish Fork Water-Conserving Landscape Online Resource List at [www.spanishfork.org](http://www.spanishfork.org)).
  - a. Create a central open space in the front and rear yards consisting of lawn, hardscape, groundcover, gravel or compacted mulch.
  - b. Create smaller gathering areas constructed of hardscape shall be placed outside of the central open shape. In a landscape without lawn, gathering areas may function as the central open shape.
  - c. Fill remaining areas with planting beds composed of water-conserving plants and water-efficient irrigation systems.
  - d. Locate activity zones outside of the central open shape that are surfaced with materials other than lawn.
  - e. Provide paths and walkways to link the different areas of the yard together. These should be constructed of hardscape, mulch, other groundcover or non-lawn materials.

**D. Landscape Requirements for Multi-family, Professional Office, Commercial and Industrial Uses**

1. The following standards shall be required for all new developer and contractor installed landscapes for the following project types:
  - a. Multi-family residential uses;
  - b. Professional Office and Non-residential or Non-commercial uses;
  - c. Commercial uses; and
  - d. Industrial uses.

2. The standards do not apply to single-family, twin home and similar residential uses (see Section C. General Landscape Requirements for Single-family and Twin Home Residential Uses).
3. The standards are not intended to conflict with other landscape requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may conflict with Utah law, such conflicting requirements shall not apply.
4. At maturity, all applicable landscapes are required to have enough plant material (perennials, decorative grasses, shrubs, groundcovers and similar) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
5. General design requirements, the following describes the general landscape design requirements for each type of use.
  - a. Multi-family Residential Uses
    - i. Minimum of 25% on-site landscapes as a percentage of total site area, except in the R-5 Zone where 20% on-site landscaping is required.
    - ii. Minimum one tree provided for every 1,000 square feet of required landscaping area.
    - iii. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one tree for single loaded, and two trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.
    - iv. Minimum fifteen (15) foot wide planting area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet, which shall count toward meeting the minimum required trees for the site. The planting areas may be partially or completely within the street right-of-way area. The specific trees used shall be selected from the City's approved Street and Shade Tree List. On streets included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Street and Shade trees must be planted within thirty (30) feet of the public street curb, and wherever possible, 50% of the required Street and Shade Trees must be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
    - v. A minimum ten (10) foot wide planting buffer and a six (6) foot wall is required where any multi-family use abuts another property. These trees shall count toward meeting the minimum required trees for the site. An exception to the

six (6) foot wall requirement may be granted if the Development Review Committee finds that the multi-family use and adjacent uses are designed to create an integrated campus-like environment. In such cases, the planter area shall include shade trees are spaced a maximum of thirty (30) feet apart.

- vi. In cases where it is determined that the tree species in the approved Street and Shade Tree List (see Appendix X) would adversely impact utility lines and public infrastructure, the use of substitute tree species may be approved by the Community Development Director.
  - vii. No more than 20% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
  - viii. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- b. Professional Office and Non-residential or Non-commercial Uses
- i. Minimum of 20% on-site landscaping as a percentage of total site area.
  - ii. Minimum one tree provided for every 1,000 square feet of required landscaping area.
  - iii. Parking lots shall include landscape islands within the parking lot, with a minimum of 108 square feet of planter area for every 10 parking spaces. Required landscape islands shall be individual islands of landscaping and shall be at least six (6) feet wide. Required planter areas shall include Street and Shade Trees, as identified on the City's approved Street and Shade Tree List , with a maximum spacing of thirty (30) feet (see Section 12.08 Street Trees and Park Strip Design for details).
  - iv. Minimum fifteen (15) foot wide planting area adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The planter area may be partially or completely within the street right-of-way area. The specific trees used shall be selected from the City's approved Street and Shade Tree List. In locations included in the Shade Tree Master Plan, the selected trees shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within thirty (30) feet of the public street curb wherever possible, with 50% of the required Street and Shade Trees required to be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
  - v. A minimum ten (10) foot wide planting buffer is required where the site abuts a residential use or district. The planting buffer shall include trees with a

maximum spacing of thirty (30) feet. A six (6) foot wall shall be constructed where the site abuts a residential district. Where the use of the adjacent property is residential but zoned Commercial Office, Commercial 1, Commercial 2, Commercial Downtown, Urban Village Commercial, Business Park or Shopping Center, a solid fence (not chain link with slats or similar) may be constructed in place of the wall. In situations where adjacent sites are designed to function as an integrated campus, the Development Review Committee may consider alternatives to the six (6) foot wall.

- vi. In cases where it is determined that utilizing tree species found in the approved Street and Shade Tree List would adversely impact utility lines, the use of substitute tree species may be approved by the Community Development Director.
  - vii. No more than 20% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
  - viii. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- c. Commercial Uses
- i. Minimum of 15% on-site landscaping as a percentage of total site area.
  - ii. Minimum one tree provided for every 1,000 square feet of required landscaping area.
  - iii. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one tree for single loaded, and two trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.
  - iv. Minimum of fifteen (15) foot wide planter area adjacent to all public streets, which shall include one Street Tree for each thirty (30) feet of frontage along all public streets. The specific trees used shall be selected from the City's approved Street and Shade Tree List. For sites included in the Shade Tree Master Plan, the trees selected shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within thirty (30) feet of the public street curb, and wherever possible 50% of the required Street and Shade Trees must

be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.

- v. A minimum ten (10) foot wide planting buffer where the site abuts a residential use or district. The planting buffer shall include trees with a maximum spacing of thirty (30) feet, which shall count toward meeting the minimum required trees for the site. A six (6) foot high wall shall be constructed where the site abuts a residential district. Where the use of the adjacent property is residential but zoned Commercial Office, Commercial 1, Commercial 2, Commercial Downtown, Urban Village Commercial, Business Park or Shopping Center, a solid Fence (not chain link with slats or similar) may be constructed in place of the Wall. Also, in situations where adjacent sites are designed to function as an integrated campus, the Development Review Committee may consider alternatives to the six (6) foot high wall.
  - vi. In cases where it is determined that utilizing tree species found in the approved Street and Shade Tree List would adversely impact utility lines, the use of substitute tree species may be approved by the Community Development Director.
  - vii. In order to ensure construction requirements are met and City utilities are not damaged, Spanish Fork City shall require applicants to provide a deposit with the construction of each non-residential project valued at \$50,000 or more. The deposit amount shall be determined in the City budget and will be refunded to whomever paid the application fees containing that line item. If the required landscape cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping deposit will be required for the estimated cost of installing the required landscape. Once the landscaping is complete and approved, the landscaping deposit will be refunded to whomever paid it.
  - viii. No more than 20% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
  - ix. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
- d. Industrial Uses
- i. Minimum of 10% on-site landscaping as a percentage of total site area.
  - ii. Minimum one tree provided for every 1,000 square feet of required landscaping area.

- iii. Parking lots shall include landscape islands within the parking lot, with a minimum 108 square foot planter island separating every 10 parking spaces in a row. Required landscape islands shall be at least six (6) feet wide, and shall be individual islands in single-loaded parking lots or merged with the required island on the opposite side of a double-loaded configuration. Each required landscape island shall include a single shade tree as identified on the City's approved list of Street and Shade Trees (one tree for single loaded, and two trees for each merged double-loaded island). These trees shall count toward meeting the minimum required trees for the site.
  - iv. A minimum fifteen (15) foot wide planting area shall be located adjacent to all public streets, which shall include trees with a maximum spacing of thirty (30) feet. The specific trees used shall be selected from the City's approved Street and Shade Tree List. On streets included in the Street and Shade Tree Master Plan, the selected trees shall include the mix of trees as prescribed by the Plan. Street and Shade Trees must be planted within thirty (30) feet of the public street curb and wherever possible, and 50% of the required Street and Shade Trees must be planted in the park strip. These trees shall count toward meeting up to 50% of the minimum number of required trees for the site based on the amount of required landscaping.
  - v. A minimum of ten (10) foot wide planting area and six (6) foot high wall are required where a site abuts a residential use or district. The planter area shall include trees with a maximum spacing of thirty (30) feet. These trees shall count toward meeting the minimum number of required trees for the site based on the amount of required landscaping.
  - vi. In cases where it is determined that utilizing tree species found in the approved Street and Shade Tree List would adversely impact utility lines, the use of substitute tree species can be approved by the Community Development Director.
  - vii. No more than 15% of the required landscaping shall be irrigated turf grass outside of active recreation areas, and no turf area shall be less than eight (8) feet in width. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
  - viii. Lawn shall not be installed in park strips, paths, or on slopes greater than 25% or 4:1 grade.
6. Water-Conserving Landscape Design Requirements for Multi-family, Professional Office, Public, Commercial and Industrial uses
    - a. General Water-conserving Design

- i. Plants selected for landscape areas shall be well-suited to the microclimate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible.
- ii. Areas with slopes greater than 25% shall be landscaped with deep-rooting, water-conserving plants for erosion control and soil stabilization. No turf grasses or overhead irrigation is allowed on slopes greater than 25%.
- iii. Exemptions. Sports fields, turf play areas within parks, school grounds, golf courses and cemeteries may be deemed exempt from the landscape water allowance limitations of this chapter with approval by the Community Development Director. All other portions of this chapter shall apply.
- iv. Mulch. After the completion of planting, all irrigated non-turf areas shall be covered with a minimum three (3) inch to four (4) inch layer of mulch to retain water, inhibit weed growth, and moderate soil temperature. Nonporous material shall not be placed under the mulch. Drip irrigation is required where turf grasses are not being utilized.
- v. 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 inches (6") and amending the soil with organic material as per recommendations of the landscape designer/ landscape architect based on the required soils report.

b. Plant Selection

The LocalScapes® Program, the Salt Lake City Plant List and Hydrozone Schedule 2013 prepared by Salt Lake City Public Utilities, and the Utah State University Center for Water-efficient Landscaping shall be primary references for the design and installation of water-conserving plants and landscapes in Spanish Fork City (see Spanish Fork Water-Conserving Landscape Online Resource List at [www.spanishfork.org](http://www.spanishfork.org)).

c. Documentation

i. Landscape Plan Documentation Package

A copy of a landscape plan documentation package shall be submitted to and approved by the City prior to issuance of any permit. The landscape plan documentation package shall be prepared by a professional landscape architect.

ii. The landscape plan documentation package shall consist of the following items:

a. Project Data Sheet. The project data sheet shall contain:

- project name and address;
- applicant or applicant agent's name, address, phone and email;
- landscape architects name, address, phone and email; and
- landscape contractor's name, address, phone.

- b. Planting Plan: A detailed planting plan shall be drawn at an appropriate scale suitable for identifying the location of all plant materials. The plan shall include a summary table indicating the following:
- zoning classification;
  - proposed development type/use;
  - adjacent development zones and uses;
  - project/lot size in acres and square feet;
  - landscape requirement in square feet;
  - percentage of landscape provided in square feet;
  - landscape coverage required in square feet;
  - total number parking spaces proposed;
  - parking landscape island area required in square feet;
  - total number of landscape islands required at 108 square feet minimum area, 6' minimum width;
  - number of trees provided at one tree per 1,000 square feet;
  - number of frontage trees required at 30' on center;
  - Number of buffer trees required at 30' on center; and
  - Number of frontage trees provided at 30' on center.
- c. Irrigation Plan: A detailed irrigation plan shall be drawn at the same scale as the planting plan and shall contain:
- layout of the irrigation system;
  - a legend summarizing the type and size of all components of the system, including manufacturer name and model numbers;
  - inclusion of a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
  - static water pressure in pounds per square inch (psi) at the point of connection to the public water supply;
  - 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;
  - EPA Water Allowance Table; and
  - installation details for irrigation components.
- d. Grading Plan: A grading plan shall be included in the application drawing set at the same scale as the planting plan. The plan shall contain:
- property lines and street names, existing and proposed buildings, walls, fences, utilities, paved areas and other site improvements, and
  - existing and finished contour lines and spot elevations for the proposed site improvements.

- e. Topsoil Report: A topsoil report shall be provided describing the required depth, composition, and bulk density of the topsoil, in addition to recommendations for soil amendments. The planting plan shall incorporate the recommendations of the topsoil report into the planting specifications.
- f. Landscape Water Allowance: Use the WaterSense Water Budget Tool provided by the US Environmental Protection Agency to calculate the water allowance for the site.
  - The Water Budget Tool is available as a MS Excel spreadsheet (xlsx).
  - The spreadsheet and instructions are available at <https://www.epa.gov/watersense/water-budget-tool>

## **E. Landscape Requirements for Multi-family and Non-residential Uses**

### **1. General Requirements**

- a. All irrigation systems shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation and bubbler systems shall be used in all landscape are except those that contain lawn. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- b. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- c. At least three to four (3-4) inches of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
- d. At maturity, single-family landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- e. At maturity, multi-family and non-residential landscapes are required to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- f. Lawn should not be installed in park strips or paths less than eight (8) feet in width, or on slopes greater than 25% or 4:1 gradient.

### **2. Trees**

#### **a. Purpose**

The planting and growth of healthy trees contribute to making Spanish Fork an attractive and healthy community. Planting the correct type of tree in the right setting is an important factor for ensuring Spanish Fork will continue to be an attractive and resilient city in the future. Landscape design and implementation practices are therefore required to ensure existing trees are preserved to the greatest degree possible, and that newly planted trees survive and thrive. This is

particularly important for street trees and trees located in the highly-visible front yards of all properties in the city. The purpose of this section is to define permitted and prohibited trees for use in Spanish Fork and to identify the standards that apply to the selection and planting of correct trees in different locations.

b. Tree Selection and Standards

Planting the right type of tree in the correct setting is an important factor for ensuring that Spanish Fork will continue to be an attractive and resilient city in the future. This is a function of the specific location where the tree is planted, and the size of the soil/planting area, as described below and detailed in the Spanish Fork Approved Street and Shade Tree List. In addition to those requirements, tree restrictions may be subject to requirements of other government agencies (UDOT, for example) and utilities with below and above-ground electrical, gas and cable services. In order to accomplish this, the following standards and practices shall be required.

- i. Selection and planting of street trees contained in the Spanish Fork Approved Street and Shade Tree List.
- ii. Existing trees should be preserved whenever possible.
- iii. When removing vegetation and plantings around the trunks and bases of existing trees when installing water efficient landscapes, special care should be taken to not damage the roots of existing trees.
- iv. Newly planted trees need additional water during the first years of planting in order to become established. In addition to properly designed irrigation systems, other methods such as drip hoses and "gator bags" should be used to provide more water for new trees, particularly when irrigation water is unavailable.
- v. Street trees shall be selected based on a combination of their approximate size at maturity, Tree Size at maturity as follow:
  - Large Trees - forty-five (45) feet tall or greater at maturity;
  - Medium Trees - thirty to forty-five (30-45) feet tall at maturity;
  - Small Trees - less than thirty (30) feet tall at maturity.
- vi. Nursery Stock Specifications - trees should be grown in a recognized nursery in accordance with good horticultural practice (American Association of Nurseryman Standards, ANSI Z60.1, as amended, or similar). Trees should be healthy, vigorous stock grown under climatic conditions similar to the locality of the project and free of disease, insects, eggs, larvae, and defects such as knots, sun-scale, injuries, abrasions, or disfigurement.
- vii. Minimum Tree Size: the minimum size of all deciduous trees shall be two (2) inch caliper minimum, measured as provided in the American Association of Nurseryman Standards, ANSI Z60.1, as amended, or similar. Evergreen trees shall be not less than six (6) feet in height, measured from ground level, unless approved in writing by the Community Development Director.

viii. Permitted Trees - General

- Large Planting Areas: Select from the Large Tree List. Planting area width shall be a minimum of ten (10) feet wide, which is generally sufficient to accommodate large trees with maximum size, shade and energy conservation benefits, while providing space for root and branch growth that will not conflict with site features;
- Medium Planting Areas: Select from the Medium Tree List. Planting area width shall be a minimum of eight (8) feet wide, which is generally sufficient to accommodate medium size trees while providing space for root and branch growth that will not conflict with site features;
- Small Planting Areas: Select trees from the Small Tree List. Planting area width shall be no smaller than six (6) feet, which is considered the absolute minimum space necessary to accommodate small size trees.

c. Prohibited Tree List

- i. See Prohibited Tree List.

d. Street Trees and Park Strip Design

- i. See Spanish Fork Approved Street and Shade Tree List and other requirements.
- ii. Park strips shall be designed as part of the adjacent use and landscape treatment.

3. Other Standards, Requirements and Maintenance Considerations

- a. Artificial turf is a lawn substitute composed of individual artificial blades of grass that attempt to emulate natural turf in look and color. The use of artificial turf in park strips, front yards and side yards that are visible from the street is not permitted.
- b. Zero-scape is a landscape design method that eliminates the need for irrigation water by eliminating plants from the landscape. Zero-scape landscapes are typified by yards and landscape areas covered with pavement, other paving and hardscape materials, gravel, rock and stone. Zero-scape landscapes treatments in park strips, front yards and side yards that are visible from the street do not meet the goals of creating an attractive and livable city and are not permitted in Spanish Fork City.
- c. Shrubs over five feet in height and/or-width at maturity shall be five (5) gallons minimum when planted. Smaller shrubs, ground covers, perennials, forbs and decorative grasses shall be one (1) gallon size minimum when planted.
- e. Planting areas shall be separated from parking areas and driveways by a raised six (6) inch concrete curb.
- f. Landscaped areas shall be maintained in a neat, clean, and orderly condition. This includes the removal of litter, proper pruning, lawn mowing, weeding, dead-heading of perennial plants, fertilizing, replacement of dead plants, and regular watering of all landscaped areas.
- g. The Community Development Director may waive, at their discretion, the size requirements for required landscaping provided that the developer provides

financial assurance that the landscaping will survive or be replaced after the first two growing seasons. Trees and bushes shall be replaced after the first two (2) growing seasons if they die or fail to reach the minimum required size by October 15 of the second year after the landscaping was installed and inspected by the City.

**F. Plan Review, Construction Inspection and Post-Construction Monitoring**

1. As part of the site plan or subdivision application, a copy of the required landscape plan documentation package shall be submitted to the city for review and approval before a permit shall be issued and construction begins.
2. All landscape plan documentation packages submitted must be stamped by a professionally licensed landscape architect (PLA).
4. All installers, designers and auditors shall meet State and local license, insurance, and bonding requirements, and be able to show proof of such.
5. During construction, site inspection may be performed by the Community Development Department.
6. A guarantee of the installation of required improvements shall be made to the City in the form of a deposit for the estimated cost of required work at the time of building permit issuance.
7. In order to ensure construction requirements are met and City utilities are not damaged, Spanish Fork City shall require applicants to provide a deposit with the construction of each non-residential single-family detached or attached project valued at \$50,000 or more. The deposit amount shall be determined in the City budget and will be refunded to whomever paid the application fees containing that line item. If the required landscaping cannot be installed prior to the issuance of the Certificate of Occupancy, a landscaping deposit will be required for the estimated cost of installing the required landscaping. Once the landscaping is complete and approved, the landscaping deposit will be refunded to whomever paid it.
8. Spanish Fork 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 chapter are not satisfied.

**G. Links and References**

See add reference or link for a comprehensive matrix and list of specific and relevant online websites, reports and references that to support this chapter of the Zoning Ordinance.

#### 15.4.16.140 Fencing and Clear Vision Area

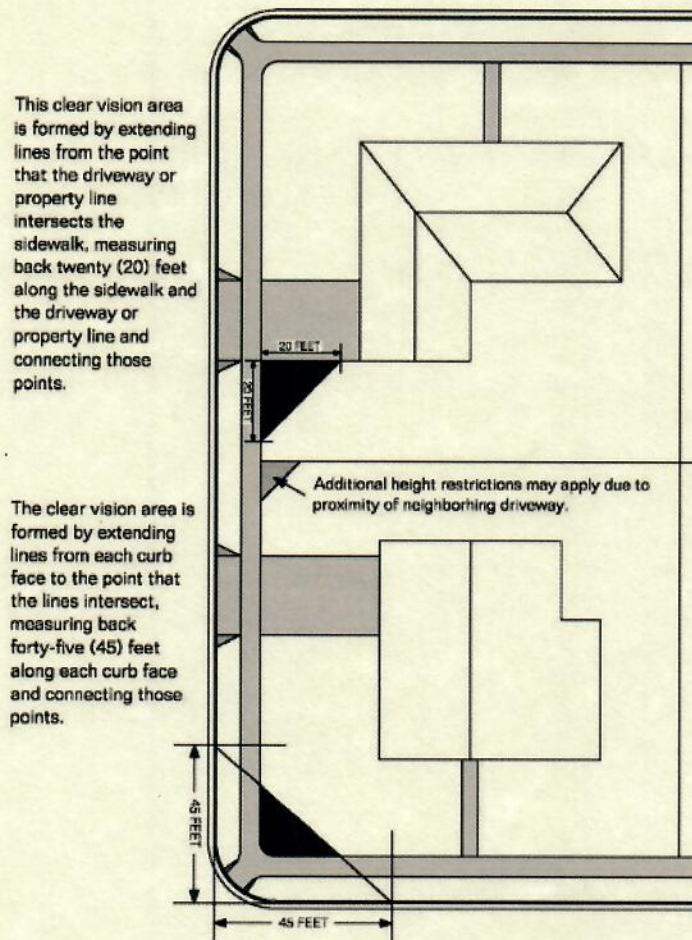
##### A. General Fencing Requirements

1. A Building Permit is required for all fences that are taller than three (3) feet. No fee is charged for Fence Permits unless the Permit is required by the Building Code.
2. The maximum height of a fence is six (6) feet in all zoning districts; fence pillars are not to exceed six and one-half (6 1/2) feet in height. The Council may waive the height requirement at its sole discretion.
3. The maximum height of a solid fence within the front yard setback area is three (3) feet. Substantially open fences such as chain link, or wrought iron may be four (4) feet high.
  - a. A residential lot with over two hundred (200) feet of frontage and that is a minimum of twenty thousand (20,000) square feet in areas, may obtain permission from the Community Development Director to locate a solid six (6) foot tall fence within a front yard. The fence must maintain a minimum setback of ten (10) feet from the front property line.
    - i. A fence located within the front yard setback shall not be located in front of the residence, but must be to the sides of the residence. Clear vision requirements shall still apply.
    - ii. No more than fifty (50) percent of the lot frontage shall have said fencing within the front yard setback.
    - ii. The area between said fencing and the property line shall be landscaped within one (1) year of installing said fencing.
4. Barbed wire fencing is allowed in A-E, R-R, I-1 and I-2 districts.
5. Razor wire and other similar type fencing are allowed in C-2, I-1 and I-2 districts when located above a height of six (6) feet, subject to DRC approval. Additional screening of any such fence with plant materials may be required.
6. Fences must be built with a minimum setback of three (3) feet around the following utilities: fire hydrants, water meters (culinary and irrigation), telephone pedestals, power boxes and cable boxes.

##### B. Restrictions for Clear Vision Area

1. The clear vision area is formed by extending lines from each curb face to the point that the lines intersect, measuring back 45 feet along each curb face and connecting those points. Fencing, planting and other obstacles are restricted within this area as follows:
  - a. No solid fence shall exceed a height of three (3) feet, measured from the curb. Open fences such as chain link and wrought iron may be as tall as four (4) feet in the clear vision area, measured from the curb.
  - b. Trees in park strips shall be pruned to maintain a clear area below 14 feet in height.
  - c. Trees on private property must be pruned to maintain a clear area below eight (8) feet in height.

- d. Other site obscuring obstacles of that are three (3) feet or taller may not be placed in the clear vision area.
2. A second clear vision area is also required at each driveway or where the rear of a corner lot adjoins an interior lot's driveway. This clear vision area is formed by extending lines from the point that the driveway or property line intersects the sidewalk, measuring back twenty (20) feet along the sidewalk and the driveway or property line and connecting those points. The same restrictions for landscaping, fencing and obstacles apply in this area.



#### 15.4.16.150 Solid Waste Receptacle Areas

Multi-family dwellings, and non-residential uses shall provide solid waste receptacle areas screened on three (3) sides with a masonry wall having a height at least one (1) foot above any receptacle or container. A steel site-obscuring gate at least six (6) feet in height is required. This requirement may be waived or modified by the DRC when it is determined that a "roll-

out" residential style container is sufficient for the type of operation proposed, or, the screen wall requirement may be waived when solid waste receptacle areas are sufficiently screened or otherwise located within the project to not be visible by or adversely impact adjoining properties.

## 12.08 Street Trees and Park Strip Design

- A. Intent
- B. Applicability
- C. Park Strip Design
- D. Permitted Trees in Park Strips
- E. Street Tree Requirements
- F. Shade Tree Commission
- G. Violations

### A. Intent

To establish consistent and appropriate planting of trees and plant materials within public street rights-of-way to create a verdant and attractive tree canopy, provide environmental benefit and establish a unified sense of identity for all new streets.

### B. Applicability

The requirements herein apply to all new development requiring regulating plan approval.

### C. Park Strip Design

1. See Section 15.4.16.130 Landscape Regulations for landscape submittal and design requirements.
2. The design and treatment of all park strips associated with any property or project shall be addressed as part of the overall landscape design of the associated property in accordance with the provisions provided in Principle #7 of the Residential Guidebook, Water-wise Landscape Design Elements & Principles.

### D. Permitted Trees in Park Strips

1. See the Spanish Fork approved Street and Shade Tree List for street trees permitted in park strips. Note that the selection of trees should be based on the size of the trees (small, medium and large) as determined by the width of the park strip.
2. All other trees are prohibited in the park strip.

### E. Street Tree Requirements

1. No tree may be planted within thirty (30) feet of intersecting sidewalk corners.
2. No tree may be planted within ten feet of any water meter, electric meter, junction box, transformer, other electrical facility, or utility pole.
3. Only small trees should be planted in any area where the potential exists that limbs may grow into power or phone lines. Trees which interfere with public utilities will be trimmed at the owner's expense.
4. Clear Branch Height: Minimum clear branch height is eight (8) feet.
5. Street Tree Spacing: Street trees shall be planted as follows:
  - a. Number: each lot is required to have one tree for every thirty (30) feet of street frontage with a minimum of one street tree per street frontage.
  - b. Spacing: Large Trees must be spaced a minimum of thirty (30) feet and a maximum of sixty feet (40') on center.

- c. Medium Trees must be spaced a minimum of twenty (20) feet and a maximum of thirty (30) feet on center.
  - d. Placement: no trees may be planted closer to any curb or sidewalk than as follows unless a permeable surface is provided:
    - i. Small Trees: three (3) feet;
    - ii. Medium Trees: four (4) feet; and
    - ii. Large Trees: five (5) feet.
  - e. Limited distance between curb and sidewalk: Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet (9') with a sidewalk, applicant shall work with the City staff to determine the appropriate tree species.
  - f. The Community Development Director or their designee may waive the street tree requirement in park strips less than six (6) feet.
6. Tree wells and grates: In commercial districts, where the sidewalk extends from the back of curb to the property line, tree wells shall be utilized.
7. For tree wells adjacent to sidewalks five (5) feet in width or less, an open pit is not permitted. The opening must be covered with a tree grate or pervious pavement.
8. The opening in a tree grate for the trunk must be expandable.

**F. Shade Tree Commission**

(Ord. No. 16-98, Enacted, 12/01/1998) (Ord. 05-07, Repealed 12.08.030, February 20, 2007)

**G. Violations**

Any person violating 12.08.010 or 12.08.020 of this chapter shall be guilty of a Class C Misdemeanor. Removal of the offending tree shall be grounds for dismissal of any charges. (Ord. No. 16-98, Enacted, 12/01/1998)

#### 15.1.04.020 Definitions

**"Activity Zones"**: a Locascapes® design principle that establishes specific areas of the home landscape for recreation or similar functions such as storage areas, fire pits, vegetable gardens and play areas (see Locascapes®).

**"Active Recreation Areas"**: areas of the landscape such as parks, sports fields and play areas dedicated to active play, where lawn is an appropriate landscape surface.

**Artificial Turf**: A ground cover or surface consisting of synthetic fibers made to look like natural grass.

**"Central Open Space"**: a Locascapes® design principle that establishes specific areas of the home landscape as unobstructed focal point and a primary use area.

**"Certified Irrigation Designer"**: a person certified by the Irrigation Association to prepare irrigation system designs, and/or a Professionally Licensed Landscape Architect (PLA) in the State of Utah.

**"Drought Tolerant Plant"**: a plant that can survive without irrigation for limited periods of time. The application of supplemental irrigation water may be desirable during extended drought periods for improved appearance, disease resistance and survival rates (see Non-Drought Tolerant Plant).

**"Gathering Areas"**: a Locascapes® design principle that establishes specific areas of the home landscape as patios, gazebos, arbors, decks, and similar spaces suitable for congregating and gathering.

**"Ground Cover"**: 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 inches (12").

**"Hardscape"**: durable and generally hard landscape materials such as concrete, wood, pavers, stone and compacted crushed stone.

**"Impervious Surface"**: areas which prevent or impede the infiltration of stormwater into the soil as it entered in natural conditions prior to development. Common impervious areas include, but are not limited to, rooftops, sidewalks, walkways, patio areas, driveways, parking lots, storage areas, compacted gravel and soil surfaces, awnings and other fabric or plastic coverings.

**"Irrigated Landscape Area"**: all portions of a development site to be improved with planting and irrigation. Natural open space areas shall not be included in the irrigated landscaped area.  
**Landscape Irrigation Auditor:(LIA)**: A person certified by the Irrigation Association to conduct a landscape irrigation audit.

**"Landscape Area"**: Improved areas of the property that incorporate all the completed features of the landscape. The Landscape Area does not include footprints of buildings or structures, required sidewalks and required driveways.

**"Landscape Water Allowance"**: for design purposes this is the upper limit of annual applied water for the established landscaped area. It is based upon the local reference evapotranspiration rate, the ETo adjustment factor and the size of the landscaped area.

**"Lawn"**: ground that is covered with grass or turf that is regularly mowed and irrigated (see Turf).

**"Localscapes®"**: a water-conserving design approach developed by Utah horticulturists, landscape architects, landscape experts, irrigation experts and members of the water industry that simplifies water-conserving design into a five-step process that is easy to implement by non-professionals and appropriate for use in Utah. Localscapes® is supported by the Spanish Fork City and is particularly appropriate for single-family and similar residential, twin home and similar yards and landscapes (see Water-conserving Landscape, Water-wise Landscape and Xeriscape).

**"Mulch"**: any material such as bark, wood chips, crushed stone, chat or similar materials left loose and applied to the soil for the purpose of preventing evapotranspiration.

**"Park Strip"**: a typically narrow landscaped area located between the back-of-curb and sidewalk or fence line in cases where no sidewalk exists. The application of water-conserving landscape treatments is generally encouraged in such locations.

**"Paths and Walkways"**: a Localscapes® design principle that establishes specific areas of the home landscape as routes that link other landscape areas and features.

**"Planting Bed"**: a Localscapes® design principle that establishes portions of the home landscape for the planting of regionally-appropriate and water-conserving plants, trees, shrubs, perennials, ornamental grasses and groundcovers.

**"Turf"**: ground that is covered with grass or lawn that is regularly mowed (see Lawn).

**"Water-conserving Landscape"**: see Water-wise Landscape and Xeriscape.

**"Water-conserving Plant"**: a plant that uses less water than standard plants.

**"Water-wise Landscape"**: (see Localscapes®, Water-conserving Landscape and Xeriscape)

**"Xeriscape"**: a type of landscape design that reduces the need for water. Xeriscape is also known as Water-conserving and Water-wise landscape design that is permitted and encouraged in Spanish Fork City. Localscapes® is a type of xeriscape design (see Localscapes®, Water-conserving Landscape and Water-wise Landscape).

**"Yard, front"**: area between the front of the primary structure and the street or front property line that is typically or may be landscaped.

**"Yard, rear"**: area between the rear of the primary structure and the rear property line that is typically or may be landscaped.

**"Yard, side"**: area that is typically or may be landscaped between the primary structure and the side property line or street extending from the front yard to the rear yard except on street facing sides where the area extends to the rear property line.

**"Zero-scape"**: a type of landscape design that eliminates the need for irrigation water by eliminating plants from the landscape and utilization of gravel, rock and stone in place of plants (see Localscapes®, Water-conserving Landscape, Water-wise Landscape and Xeriscape).