

**WASHINGTON TERRACE CITY
ORDINANCE 16-05**

ROAD CLASSIFICATION, LIMITED ACCESS, AND LANDSCAPING

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE,
UTAH, ADOPTING SECTION 10.18.010 ALLOWING FOR ROAD
CLASSIFICATION AND LIMITED ACCESS FACILITIES;
ADOPTING SECTION 17.44.205 RELATING TO LANDSCAPING
REQUIREMENTS FOR ARTERIAL AND COLLECTOR ROADS;
SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables the City to regulate land use and development;

WHEREAS, after publication of the required notice, the Planning Commission held its public hearing on August 25, 2016, to take public comment on this Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the City Council received the recommendation from the Planning Commission and held its public meeting on September 6, 2016, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: **Repealer.** Any word other, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: **Adoption.** Section 10.18.010 and Section 17.44.205 are hereby adopted to read as follows:

10.18.010. Road Classification and Limited Access.

1. Classification. Subject to approval by the City Manager, the City Engineer may designate, establish, regulate, or alter the road classification, including but not limited to:
 - a. Arterial Roads.
 - b. Collector Roads.
 - c. Other Roads.
2. Definitions. The following definitions apply:
 - a. “Limited access facility” is defined under Utah Code Annotated §72-1-102(11).
 - b. “Highway authority” under Utah Code Annotated 72-6-117 means the City.

3. Limited Access Designation. Upon recommendation from the City Engineer, the City Council acting as the highway authority, may designate, establish, regulate, or alter, and maintain "limited-access facilities." The following City roads are hereby designated as limited access facilities:
 - a. _____ between _____ and _____.
 - b. _____ between _____ and _____.
4. Limited Access Regulations. Any road designed as a limited access facility under this Section, shall be subject to all or part of the limitations set forth in Utah Code Annotated §72-6-117, as specified in the limited access designation. No residential driveway is permitted to access any road designated as a limited access facility.

17.44.205. Landscape requirements for certain roads.

1. Applicability. The following provisions shall govern lots in any zone where a lot has a rear yard backing onto or a side yard adjoining an arterial or collector street as classified by the city.
2. Buffer Required. In all new development, a strip of land directly adjacent to the right-of-way line of the arterial or collector street shall be set aside to provide a buffer to enhance the streetscape and mitigate the impacts of the arterial or collector street adjacent to the rear or side of a lot.
 - a. This buffer shall be identified on the recorded plat in one of the following ways:
 - i. As a landscape easement; or
 - ii. As property owned in common by an owners association.
 - b. The buffer shall be a minimum of five (5) feet in width.
 - c. When the buffer is located in the rear or side yard of a lot, the buffer shall be a maximum of ten (10) feet.
3. Landscaping. The following landscaping requirements apply:
 - a. Trees shall be located on twenty (20) foot centers within the buffer area. Any trees shall be a variety as specified on the City's recommended trees for park strips.
 - b. In the case where a lot is part of a subdivision and must face onto the arterial street, the required buffer and landscape theme shall be continued along the front of the lot.
 - c. Ground cover or high grade fabric shall be provided that is pervious and discourages weed growth.
 - d. A minimum of two (2) shrubs shall be provided between the required trees.
 - e. A six (6) foot solid or semi-private fence will be installed along the entire perimeter on the inside edge of the buffer area. For residential developments adjacent to Adams Avenue Parkway, a minimum eight (8) foot decorative masonry wall shall be installed along the entire perimeter on the inside edge of the landscape buffer area. The design of the masonry wall shall be consistent with the existing wall design as approved by the City Engineer.
 - f. Irrigation for the buffer area shall be provided either through a master meter or through separate irrigation systems provided from each lot along the edge of the buffer area.
 - g. The sidewalk and park strip shall be incorporated into the buffer area and may meander. Subject to any standards of the City or UDOT for state roads.
5. Installation and Maintenance. The following applies:
 - a. The developer shall be responsible for the installation of the buffer which shall be included in the financial guarantee for the development's improvements. All improvements under this section are subject to a one (1) year guarantee by the developer.
 - b. Where an owners association is involved, the recorded declarations and covenants shall


include a provision providing for the collection of fees to maintain the buffer area. Maintenance of the buffer area shall also include the maintenance of the sidewalk and park strip area.

- c. Along major arterial roads and connecting collector roads that are linked to major entryways into the City, the City will have the option to assume responsibility for the maintenance and include a City entryway sign. In such a case, a one (1) year guarantee shall be required to cover the planted material and the irrigation system and drawings for the irrigation system must be submitted and approved by the City.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

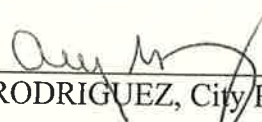
Section 4: Effective date. This Ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 6 day of September, 2016.



MARK C. ALLEN, Mayor,
Washington Terrace City

ATTEST:



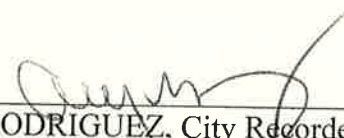
AMY RODRIGUEZ, City Recorder

RECORDED this 6 day of September, 2016.

PUBLISHED OR POSTED this 7 day of September, 2016.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal recorder of Washington Terrace City, hereby certify that foregoing Ordinance was duly passed and published, or posted at 1) City Hall 2) City website and 3) Senior/CWC Center on the above referenced dates.



AMY RODRIGUEZ, City Recorder