

ORDINANCE 17-08
AN UPDATE TO THE NIBLEY CITY LANDSCAPING CODE

WHEREAS, Nibley City requires proper landscaping in order to enhance, conserve and stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere for the orderly development of a pleasant community; and

WHEREAS, landscaping also contributes to the relief of heat, noise and glare through the proper placement of green plants and trees, and

WHEREAS, Nibley City requires trees to be planted around commercial and industrial buildings, and

WHEREAS, trees planted at a caliper of 1.25" inches grow faster and tend to be healthier than those planted at 2" inch caliper.

WHEREAS, 2" caliper trees place a higher financial burden on new commercial and industrial development.

NOW THEREFORE, BE IT ORDAINED BY THE NIBLEY CITY COUNCIL LOCATED AT NIBLEY CITY, STATE OF UTAH, THAT:

1. The attached updated Landscaping Ordinance is hereby adopted.
2. All ordinances, resolutions and policies of the City, or parts thereof, inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.
3. This ordinance shall become effective upon posting as required by law.

Passed by the Nibley City Council this 20 day of April, 2017.



ATTEST: _____

David Zook, City Recorder

A blue ink signature, appearing to be "Shaun Dustin", written over a horizontal line.

Shaun Dustin, Mayor

10-12-17 Landscaping

A. Landscaping Requirements:

1. Purpose: The purpose of the landscaping requirements in this section shall be to enhance, conserve and stabilize property values by encouraging pleasant and attractive surroundings and thus create the necessary atmosphere for the orderly development of a pleasant community. Landscaping also contributes to the relief of heat, noise and glare through the proper placement of green plants and trees.
2. Yard Requirements For Residential Zones: At least sixty percent (60%) of the area contained within a required front or side yard adjacent to a street in any residential zone shall be landscaped.
3. Scope Of Requirements: Where landscaping is required, such landscaping shall comply with the requirements set forth in this section for the specific use and location.
4. Maintenance: Required landscaped areas shall be maintained in a neat, clean, orderly and healthful condition.

B. Landscaping Recommended Of Public Street Rights Of Way:

1. Purpose: The purpose of landscaping of public street rights of way is to enhance the beauty of neighborhoods and streets and to reduce the glare, heat and noise reflected from paved roadways.
2. All landscaping taking place in rights-of-way shall comply with Nibley City Public Ways and Property – Streetscape of Public Rights-Of-Way code.

C. Commercial And Industrial Zones:

1. Percentage Of Gross Area: Landscaping shall be required on twenty percent (20%) of the gross area of a lot or site located in the commercial zone. Landscaping shall be required on ten percent (10%) of the gross area of an industrial zone lot or site. Gross area is interpreted as the total site area remaining after any right of way dedication.
2. Setback: The minimum building and principal use setback from any street right of way shall be twenty feet (20') in commercial zones and fifty feet (50') in industrial zones. Parking shall not be allowed within this minimum setback area. Such areas shall be permanently landscaped except for approved access drives.
3. Tree Ratio: A mixture of evergreen and deciduous trees shall be planted at the ratio of one tree for each three hundred (300) square feet of the net landscape area. Trees shall have a minimum caliper of 1.25 inches. All trees must be planted according to Nibley City Public Works Design Standards. The trees planted in the City's public street rights-of-way or other parts of the development may count toward the total number of trees required for landscaping. All trees planted in the City rights-of-way must comply with Nibley City Public Ways and Property Streetscape of Public Rights-Of-Way Code.
4. Adjacent To Residential Zones: All setbacks adjacent to the rear yard or side yard of an existing or proposed residential use shall be permanently landscaped. Setback areas adjacent to residential areas may be increased by the planning commission if, in their opinion, it is necessary to protect the atmosphere and integrity of the residential neighborhood.

5. Irrigation: All landscaped areas shall be provided with an irrigation system, capable of complete coverage of the areas and designed to minimize runoff and other wasting of water. Such system shall be maintained in a fully operational condition. All landscaping shall be maintained in a healthy, neat and orderly condition, free of weeds and litter. All paved areas, walls or fences shall be in good repair without broken parts, holes, potholes or litter.
6. Type Of Landscaping: All landscaped areas may be landscaped with a mixture of ground cover, grass, shrubs or trees, and may include sculptures, patios or fountains.
7. Plans And Designs For Approval: All landscaping plans and designs shall be submitted to the planning commission with other required plot plans for approval.
8. Screening Requirements: Where landscaped screening is required for other than residential use, said screening shall consist of evergreen shrubs, closely spaced and maintained at substantially the specified height of said required screening. When not otherwise specified, natural screening shall be maintained at a height of from four feet (4') to seven feet (7').
9. Plot Plan Required: Where landscaping is required for other than residential uses, a plot plan showing the proposed landscape development, plant materials, watering system and use of the property shall be submitted to the planning commission. The same plot plan used to show parking layout or other requirements for the issuance of a building permit may be used to show landscaping, providing all proposed landscaping is detailed adequately on said plot plan. The planning commission may disapprove such plans if they determine that they are not consistent with the requirements and purposes of this title.
10. Conflicting Provisions: If requirements of this section are in conflict with other requirements of this title, the provisions of this section shall apply.
11. The City may deny occupancy or conditional use permits to any commercial or industrial development that does not comply with this chapter.