



SANDY CITY COMMUNITY DEVELOPMENT

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Staff Report Memorandum November 3, 2022

To:	City Council via Planning Commission	
From:	Community Development Department	
Subject:	Code Amendments Related to Water Efficient Landscaping Standards	CA04182022-0006307
	Amend Title 21, Chapter 25, <i>Landscaping Standards</i> , and Chapter 37, <i>Definitions</i> , of the Sandy Municipal Code	
	Amend portions of the Sandy City Standard Specifications and Details for Municipal Construction	MSC10272022-006431

Hearing Notice: This item has been noticed on public websites at least 10 days prior to the Public Hearing.

Request

On behalf of Sandy City, the Public Utilities Department is proposing amendments to Title 21, Chapter 25, Landscaping Standards, of the Sandy Municipal Code and portions of the Sandy City Standard Specifications & Details for Municipal Construction. These amendments have been reviewed by an interdepartmental team consisting of the Public Utilities, Community Development, Parks and Recreation, and Public Works Departments. The purpose of these amendments is to strengthen current landscaping requirements and incorporate new ones that will bring the city's codes in line with more water efficient landscaping standards.

Background

During the 2022 Utah Legislative session, the [House Bill 282](#) was passed, which made several amendments related to waterwise landscaping, in particular:

- Public entities can't prohibit waterwise landscaping
- Authorizes certain landscape requirements by a municipality
- Cities and HOAs can't require turf/lawn in the park strip or areas less than eight feet (8') wide

There were other bills related to water conservation that were approved during the last legislative session, but those did not directly impact municipalities. Bills, such as [House Bill 121](#), impose requirements of state-owned facilities that are more stringent and may signal further changes toward increased water conservation in the future.

Currently, the Sandy Land Development Code does not conflict with these state mandated standards; however, more can be done to remove barriers from the development code for more waterwise landscaping practices. For example, the [Central](#)

[Utah Water Conservancy District](#) (CUWCD) has crafted water efficient landscaping standards (Exhibit C) that are designed to update or replace landscaping ordinances that slow or restrict efforts to conserve water.

Sandy City residents are currently eligible to receive grants from the CUWCD for the “[Locascapes Rewards](#)” and “[Flip Your Strip](#)” landscaping rebate programs. The CUWCD developed the rebate programs for homeowners who would like to convert their typical residential landscape to something attractive and more water efficient. The goal of these rebate programs is to offset some of the cost to implement water efficient landscaping and educate homeowners about the benefits and design process of well-planned waterwise landscapes. The *Locascapes Rewards* and *Flip Your Strip* rebate programs have been around for several years and became available to Sandy City in August of 2021.

To ensure local communities incorporate waterwise landscaping standards into their local codes, the CUWCD will only offer the landscape incentive programs to cities that have adopted the required water efficient landscaping standards by the end of 2022. Starting January 1st, 2023, residents of cities that have not adopted the required water efficiency standards will no longer be eligible to apply for the rebate programs offered by CUWCD. The State is currently working on a landscape rebate program that will be available starting around March of 2023. The State’s program will also only be available to cities that have adopted these standards. Additional State and District funding may also be contingent on adoption of the required standards in the future.

Analysis

The proposed code amendments to the Sandy Land Development Code incorporate all the water efficient landscaping standards crafted by the CUWCD; however, some of those standards are “**required**” to remain eligible for the landscaping rebate program and some of those standards are just “**recommended**” by the CUWCD, but not necessary for the rebate program. To distinguish this difference, a summary of the proposed code amendments is presented below. The specific amendments to the Land Development Code are included as Exhibit “A” (redlined version) and Exhibit “B” (final clean version). The “**required**” standards are highlighted in yellow, and the “**recommended**” standards are highlighted in light grey. Lastly, some of the proposed code amendments are non-substantive and are more for housekeeping purposes to organize and clarify the code. The code amendments that are more substantive in nature are described in the following analysis.

Summary Description of Substantive Code Amendments:

Required to Maintain Waterwise Landscaping Rebate Program - Turf (lawn) Limitations

Applicability: The following requirements apply only to new and reconstructed landscaping for commercial, industrial, and institutional projects, and developer-installed landscaping for residential projects. These requirements do not apply to single-family residential homeowner-installed landscaping.

- 1) Turf is prohibited in landscaped areas (including parkstrips) less than eight feet (8’) wide, and on slopes greater than 25%.
- 2) In commercial, industrial, institutional, and common areas of multifamily residential development, the amount of turf may not exceed 20% of the total landscaped area, excluding recreation areas (i.e., sports fields, private/public park).
- 3) In developer installed landscaping for single family residential development, turf areas may not exceed 35% of the total landscaped area.
 - a. *Exception:* Small single family residential lots, that have small back yards, the landscaped area is less than 250 square feet, and/or the front yard dimensions are less than eight feet (8’) wide, are exempt from the 8’ wide turf area and 35% turf requirements.



Recommended for Single-family Residential Homeowner-installed Landscaping

Applicability: The following requirements apply only to single-family residential homeowner-installed landscaping.

- 1) **Front Yard Vegetative Coverage:** A minimum 33 percent vegetative coverage standard is established for the front yard, excluding driveways and turf areas.
- 2) **Mulch:** All non-turf planting areas in the front yard are required to be covered with mulch.
- 3) **Parkstrip:** A reference to the parkstrip standards is included, as it applies to all properties abutting a parkstrip.



Example of Abundant Vegetative Coverage

Recommended for Stormwater Management Low Impact Development (LID)

Applicability: The following requirements apply to new and reconstructed parking lots for commercial, industrial, institutional, and multifamily residential projects.

- 1) A parking lot landscaped island may be reduced from five feet (5') to four feet (4') feet in width for the purpose of implementing LID.
- 2) Parking lot landscaped areas abutting paved areas may have a concrete curb with openings or a flush concrete ribbon with bumper stops for the purpose of implementing LID.



Example of LID design

Recommended Water Efficient Landscaping Standards

Applicability: The following requirements apply only to new and reconstructed landscaping for commercial, industrial, and institutional projects, and developer-installed landscaping for residential projects.



Waterwise Landscaping at the Central Utah Water Conservation District

- 1) **Definitions:** New terms and definitions have been added, revised, or consolidated for clarification, to avoid duplication, and for consistency with the CUWCD water efficient landscape standards.

- 2) Vegetative Coverage: A minimum 33% vegetative coverage standard is established for the total landscaped area, excluding turf areas.
- 3) Hardscape: A maximum of 50% hard surface material standard is established, unless otherwise stipulated in the Cairns Design Standards or the Storefront Conservation Overlay zone.
- 4) Mulch Depth: The depth of mulch is changed from four inches (4”) to three inches (3”) consistent with engineering standards and CUWCD standards.
- 5) Exceptions: Exceptions to the landscaping requirements may be granted if there is a conflict with stormwater management low-impact development or with the state law.
- 6) Irrigation: The irrigation standards have been updated for consistency with the CUWCD water efficient landscape standards.
- 7) Localscapes: The CUWCD recommends the following Localscapes design standards, which are included in the code amendments:
 - a) If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using turf, hardscape, groundcover, gravel, or mulch.
 - b) Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without turf, gathering areas may function as the central open shape.
 - c) Activity zones shall be located outside of the central open shape and shall be surfaced with materials other than turf.
 - d) Paths shall be made with materials that do not include turf, such as hardscape, mulch, or other groundcover.



Example of Localscapes design

Recommended for Parkstrips

Applicability: The following requirements apply to all new or redeveloped landscaping in parkstrips.

- 1) Turf: Turf is allowed only if the parkstrip is a minimum of eight feet (8’); this is a CUWCD requirement for the rebate program.
- 2) Mulch: A standard for mulch in non-turf areas is established at a minimum layer of three inches (3”). Bark mulch is prohibited in new development to prevent dispersing by wind, traffic or runoff into waterways causing water quality and flooding issues downstream. Rock mulch size specifications are included in the Standard Specifications and Details document and a reference to those standards is included in the code amendments.
- 3) Hardscape: The maximum 50% hardscape requirement is changed from “*preferable*” to “*required*.” Parkstrips 3 feet wide or less may be covered 100% in hard surface material. Exceptions are provided for the Cairns Design Standards and the Storefront Conservation Overlay zone.



Examples of Rock Mulch

- 4) **Boulders:** A minimum size of boulder is established at 18” in diameter, and the existing maximum height of three feet (3’) for boulders is continued in the code.
- 5) **Irrigation:** Drip irrigation has been changed from “*highly encouraged*” to “*required*” for all vegetated non-turf areas.



Example of Non-Turf Landscaping in Parkstrip

Non-conforming Uses

Existing development is not required to make changes to existing landscaped areas. The proposed landscaping requirements would only apply to new development and redeveloped landscaping. Existing landscaping that is not in conformance with the proposed landscaping standards would be considered legal non-conforming development.

Land Development Code Purpose Compliance

The Sandy City Land Development Code in 21-1-3 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

Sec. 21-1-3. Purpose and Scope.

- (a) *Purpose.* The ordinance from which this title is derived is adopted to implement the Sandy City's General Plan and to promote public health, safety, convenience, aesthetics, and welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this title is established to promote the following purposes:
 - (1) *General.*
 - a. To facilitate the orderly growth and development of Sandy City.
 - b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.
 - c. To stabilize property values.
 - d. To enhance the economic well-being of Sandy City and its inhabitants.
 - (2) *Implementation of General Plan.* To coordinate and ensure the implementation of the City's General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.
 - (3) *Comprehensive, Consistent and Equitable Regulations.* To establish a system of fair, comprehensive, consistent, and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.
 - (4) *Efficiently and Effectively Managed Procedures.*
 - a. To promote fair procedures that are efficient and effective in terms of time and expense.
 - b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
 - c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

The proposed code amendment is consistent with the purpose of the Land Development Code because the proposal promotes the public health, safety, and welfare; ensures consistency and equitable standards; establishes efficiency in development review and land use administration; and is consistent with the Sandy City General Plan.

General Plan Compliance

The Sandy City General Plan encourages appropriate development standards for all uses and zoning categories within the city. The proposed code amendment furthers that goal and objective by establishing appropriate land development standards for all uses and zoning categories within Sandy City, consistent with water conservation practices.

Recommendations

#1 Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, Chapter 25, “Landscaping Standards” and Chapter 37, “Definitions,” of the Sandy Municipal Code, by ordinance as shown in Exhibit “A”, based on the following findings:

Findings:

1. The proposal implements water efficient landscaping standards, consistent with current State Code and the Central Utah Water Conservation District.
2. The City Council may amend land use ordinances consistent with the purposes of the Sandy Land Development Code, the Sandy City General Plan, and the Utah Code, Municipal Land Use, Development, and Management Act per Title 21 Chapter 5 of the Sandy Municipal Code.
3. The proposal is reviewed by the Planning Commission and City Council in accordance with the requirements of Title 21 Chapter 5 of the Sandy Municipal Code.
4. The proposal complies with the purpose of the Land Development Code under Section 21-1-03 by ensuring efficiency in development review and land use administration, and by promoting and facilitating the orderly growth and development of Sandy City
5. The proposal complies with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

#2 The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed updates to the Sandy City Standard Specifications and Details for Municipal Construction by ordinance as shown in Exhibit “E”, based on the following findings:

Findings:

1. The proposal implements water efficient landscaping standards, consistent with current State Code, the Central Utah Water Conservation District, and the Sandy City Land Development Code.

Planner:



Melissa Anderson
Zoning Administrator

Exhibits

- A. Proposed Code Amendments to Title 21 ([redlined](#) version)
- B. Proposed Code Amendments to Title 21 (clean version)
- C. Central Utah Water Conservation District Water Efficient Landscaping Standards
- D. Memo by City Engineer Ryan C. Kump, P.E.
- E. Proposed updates to the Sandy City Standard Specification and Details for Municipal Construction