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MEMORANDUM

May 5, 2022

To: City Council via Planning Commission
From: Community Development Department
Subject: Amendments Related to Water Efficient Landscaping Standards
Amend Title 21, Chapter 25, Landscaping Standards, of the Sandy Municipal Code

CA04182022-0006307

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 to Amend Title 21, Chapter 25, Landscaping Standards, of the Sandy Municipal Code. The purpose of the Code Amendment is to amend the requirements for water-wise landscaping. The proposed amendments would strengthen current requirements and incorporate new ones that will bring the city's codes in line with recent state code amendments.

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/sod 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 HB-121, impose requirements of state-owned facilities that are more stringent and may signal further changes to come.

ANALYSIS

The state legislation updates the Land Use Development Management Act (LUDMA). The effect of the bill is to remove barriers to everyone (homeowners and developers) from using waterwise

landscaping design on their properties. While the city has had a Water Efficient Landscaping section within our Landscape requirements chapter for decades to promote and encourage, there are several areas that the Public Utilities Department has identified that need to be revised to require more waterwise landscaping and comply with recent state code requirements. The main points proposed to be updated are as follows:

- Remove exception for Developer installed landscapes
- Parkstrips less than 8' wide will not have turf
- Expanded requirements for drip irrigation for non-turf areas
- Limits turf area to 20% of total landscape area (not applicable to single family homes)
- Require a minimum vegetative coverage for all non-turf areas

Staff has prepared amendments to the Water Efficient Landscaping section of the code as shown in Exhibit "A" (redlined version) and Exhibit "B" (final clean version).

NON-CONFORMING USES

This Code Amendment would not create any non-conforming use situations.

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:

21-1-3 Purpose

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, 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 Code 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.

One of the stated purposes of the City's land use ordinances is to facilitate the orderly growth and development of Sandy City. Some of the general purposes of the City's Development Code are to implement Sandy City's General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, 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.

GENERAL PLAN COMPLIANCE

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would further that goal and objective.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend Title 21, Chapter 25, Landscaping Standards, of the Sandy Municipal Code, as shown in Exhibit "A," based on the following findings:

1. Compliance with the Purpose of the Land Development Code by promoting and facilitating the orderly growth and development of Sandy City.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:



Mike Wilcox
Zoning Administrator