

Ordinance 2023-20

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY CODE REGARDING DEVELOPMENT LANDSCAPING REQUIREMENTS. CITYWIDE APPLICATION. (PLOTA20230079)

I
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL

DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE	✓		
CD 2	GEORGE HANDLEY			Excused
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN			Excused
CD 5	RACHEL WHIPPLE	✓		
TOTALS		5	0	2

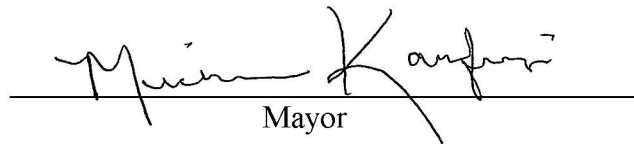
This ordinance was passed by the Municipal Council of Provo City, on the 16th day of May 2023, on a roll call vote as described above. Signed this 21st day of June 2023.



Chair

II
APPROVAL BY MAYOR

This ordinance is approved by me this 21st day of June 2023.



Mayor

Ordinance 2023-20

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 6th day of July 2023 and was published on the Utah Public Notice Website on the 19th day of May 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-20.



Deirdre Allman

City Recorder

1 ORDINANCE 2023-20

2
3 AN ORDINANCE AMENDING PROVO CITY CODE REGARDING
4 DEVELOPMENT LANDSCAPING REQUIREMENTS. CITYWIDE
5 APPLICATION. (PLOTA20230079)
6

7 WHEREAS, it is proposed that Provo City Code Chapter 15.20 (Development
8 Landscaping Requirements) be amended; and
9

10 WHEREAS, on April 26, 2023, the Planning Commission held a duly noticed public
11 hearing to consider the proposed amendment, and after such meeting, the Planning Commission
12 recommended approval to the Municipal Council by a vote of 5:0; and
13

14 WHEREAS, on May 16, 2023, the Municipal Council met to ascertain the facts regarding
15 this matter and receive public comment, which facts and comments are found in the public
16 record of the Council's consideration; and
17

18 WHEREAS, after considering the Planning Commission's recommendation and facts and
19 comments presented to the Municipal Council, the Council finds (i) Provo City Code should be
20 amended as described herein and (ii) the proposed amendment reasonably furthers the health,
21 safety and general welfare of the citizens of Provo City.
22

23 NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as
24 follows:
25

26 PART I:
27

28 Provo City Code Chapter 15.20 (Development Landscaping Requirements) is hereby
29 amended as set forth in Exhibit A.
30

31 PART II:
32

- 33 A. If a provision of this ordinance conflicts with a provision of a previously adopted
34 ordinance, this ordinance shall prevail.
35
- 36 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be
37 severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or
38 invalid, the remainder of the ordinance shall not be affected thereby.
39
- 40 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
41 updated to reflect the provisions enacted by this ordinance.
42

43 D. This ordinance shall take effect immediately after it has been posted or published in
44 accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah
45 Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

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47 END OF ORDINANCE.

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Chapter 15.20 Development Landscaping Requirements

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15.20.060 Design Standards.

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(6) Xeric landscaping and water wise landscaping is encouraged in all yards if the landscaping plan for yards adjacent to a street meets the following criteria:

(a) Living vegetation including turf grass, shrubs, perennials, ornamental grasses or artificial turf grass shall cover a minimum of ~~thirty-five~~ ~~forty~~ percent (35~~40~~%) of the unbuilt surface area within three (3) years of planting. Tree canopy and weeds may not count toward this percentage;

(b) The remaining unbuilt area not covered by living vegetation or artificial turf grass shall be covered by bark or wood mulch, decorative rock, hardscape or any combination of these materials. Living plants should be ~~dispersed~~-~~grouped~~ aesthetically throughout the yard;

(c) Living plants in the parkway area shall not be included in the minimum coverage requirement. Landscaping requirements for parkways shall be followed as defined in Section [15.20.120](#), Provo City Code.

(d) Artificial turf grass may be used in landscaping so long as it meets the following requirements:

(i) Artificial turf grass in yards adjacent to a street must have a blade length between two (2) inches and three (3) inches, have a natural green color, and be water permeable;

(ii) Artificial turf grass must be installed on top of a minimum of three (3) inches of sand, rocks, gravel, or similar product for drainage. Rocks, gravel or similar products shall range in size from three-eighths (3/8) inch to three-fourths (3/4) inch;

(iii) Artificial turf grass used for landscaping may not include rubber infill in a yard adjacent to a public street;

(iv) Outdoor green carpet shall not be used in landscaping;

(v) Upon request, specifications for installed artificial turf grass shall be provided to the Development Services Department.

...

97 **15.20.090 Parking Lot Landscaping.**

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99 (1) All parking lots designed for six (6) or more parking spaces shall provide landscaping in
100 accordance with the provisions of this Section. Parking lots designed for five (5) or fewer
101 parking spaces shall not be required to provide landscaping other than yard area landscaping
102 and landscaped buffer requirements as specified in other sections of this Chapter.

103

104 (2) Parking areas shall be landscaped at a rate of at least forty (40) square feet of landscaping
105 per off-street parking stall. Landscaping areas located along the perimeter of a parking lot
106 (beyond the curb or edge of pavement of the parking lot, up to a depth of ten (10) feet) may be
107 included toward satisfying this requirement. Deciduous trees shall be planted within said parking
108 area landscaping in a manner such that, at maturity of said trees, at least fifty percent (50%) of
109 the paved surface area of the parking area will be shaded when the sun is directly overhead
110 during the summer solstice.

111

112 (3) Landscaped areas shall be improved in conformance with the following requirements:

113

114 (a) Interior landscape design shall meet one (1) of the following options and must be
115 designed to provide fifty percent (50%) tree canopy coverage within twenty (20) years of
116 planting:

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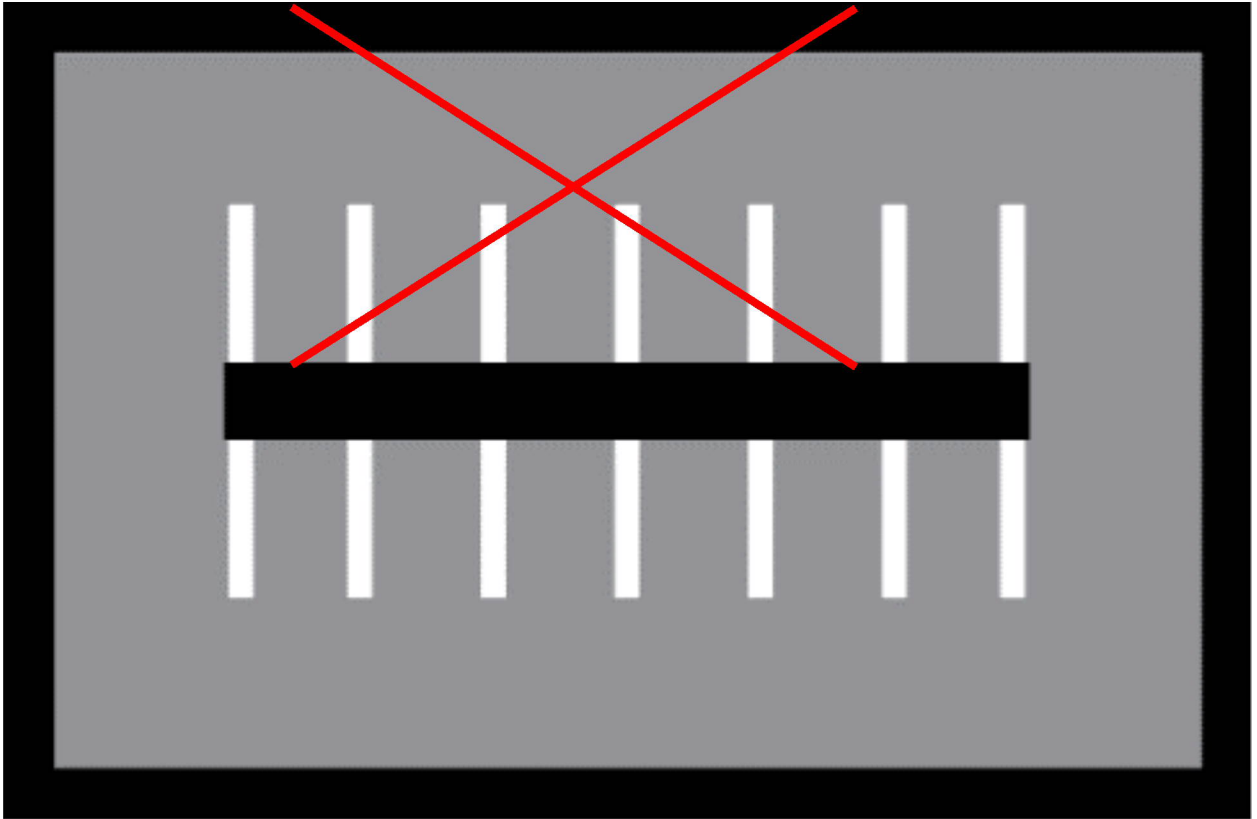
118 (i) Landscaped strips perpendicular to the parking spaces with a minimum width
119 of ~~five~~ **seven (57)** feet shall be required in front of or between rows of parking
120 spaces, except when using vegetated drainage swales the minimum width shall
121 be eight (8) feet; **or**

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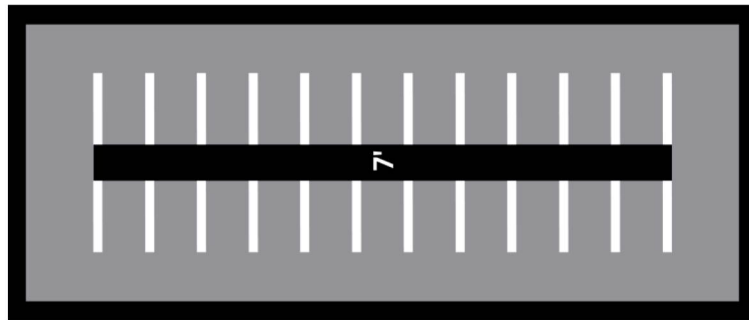
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Figure 1. Landscaped Strips



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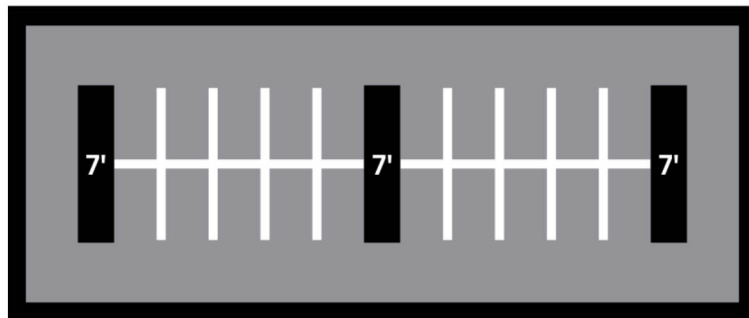
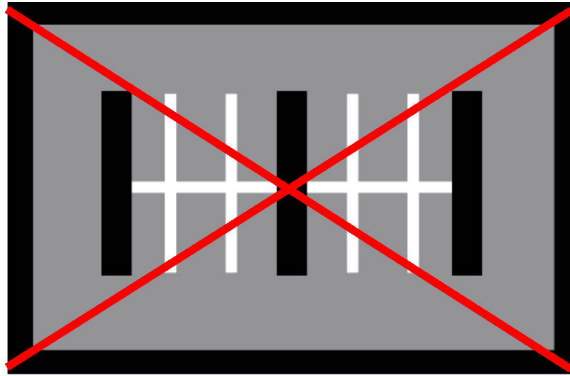


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(ii) Landscaped islands with a minimum width of seven (7) feet parallel to the parking spaces at a spacing of every three five (35) stalls shall be required. ~~or~~

Figure 2. Landscaped Islands

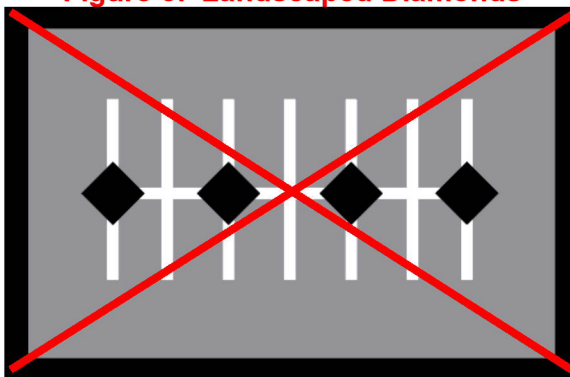
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~~(iii) Landscaped diamonds, a minimum of five (5) feet by five (5) feet, shall be required at the intersection where the corner of four (4) parking spaces meet when neither landscaped strips nor islands are feasible.~~

Figure 3. Landscaped Diamonds



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(b) Two (2) feet of a parking space may have a clear overhang and count toward the required length of the parking space.

(c) Landscaped areas shall be sloped concavely to allow storm water infiltration.

(4) The plants used to improve the landscape areas defined above shall conform to the following:

(a) Primary plant materials used in the interior parking lot landscaping shall be deciduous shade trees.

156 (i) Ornamental trees, shrubbery, hedges, and other plants may be used to
157 supplement the shade tree plantings in perimeter planting areas, but shall not be
158 the only plants used in such landscaping.

159
160 (ii) Only tree species identified in the City of Provo Tree Selection Guide in the
161 Class II list ~~the following shade tree species~~ shall be planted in parking lot
162 landscaping: ~~Streetkeeper Honeylocust, Shademaster Honeylocust, English~~
163 ~~Hawthorne, Golden Raintree, Flowering Chokecherry, Green Vase Zelkova,~~
164 ~~Musashino Zelkova, Lacebark Elm, Littleleaf Linden, Common Hackberry,~~
165 ~~European Beech, Tricolor Beech, Silver Linden, Mountain Ash, and Pioneer,~~
166 ~~Frontier, Accolade, Homestead, and Patriot Elm hybrids~~ unless otherwise
167 approved by the City Forester.

168 (b) Drought-tolerant species of turf are encouraged.

169
170 (c) Sub-surface irrigation is encouraged.

171
172 (bd) One (1) shade tree shall be provided for every four (4) parking spaces; and
173 (i) When low impact development infiltration is infeasible (according to the Storm
174 Drainage System Design and Management Manual, Chapter 11), the area of LID
175 designs with underdrains or impermeable liners may be credited towards the
176 required numbers of trees at the rate of two hundred (200) square feet of LID
177 area equal to one (1) tree; up to fifty percent (50%) of the number of required
178 trees.

179
180 (ee) Interior parking lot landscaping area shall be planted with ground cover at a density
181 that will achieve ~~thirty-five~~ forty percent (35/40%) cover within two (2) years.

182
183 (5) Six (6) inch by six (6) inch minimum poured concrete curb controls with drainage inlets or
184 parking stops shall be installed around all required landscaping within the interior of parking lots
185 for the protection of the landscaping.

186 187 188 **15.20.100 Required Perimeter Parking Lot Landscape Improvements.**

189 (1) **Perimeter parking lot landscaped strips and islands must have a minimum width of seven**
190 **(7) feet.** The landscape requirements identified in Table 15-20-1, Required Perimeter Parking
191 Lot Landscape Improvements (see (f) below), provide for the enhancement of parking lots by
192 recognizing two (2) distinct conditions. The first is where parking lots are located in front and
193 side street areas, and a uniform scheme of landscaping is required to protect the aesthetics
194 along public streets. The second condition is where parking lots are located within rear and
195 interior side yards, and minimum requirements for beautification of both residential and
196 nonresidential uses are the City's goal.

197
198 (a) The intent of this Section is to require a higher level of landscaping for residential
199 uses (principally multifamily uses) than for nonresidential uses.

200
201 (b) The improvements established in Table 15-20-1 shall be required only for parking
202 lots with six (6) or more stalls and where the lot is located within a required yard or within
203 twenty (20) feet of a lot line. For reduction of impacts between dissimilar uses, see
204 Sections [14.34.300](#) and [15.20.110](#), Provo City Code.

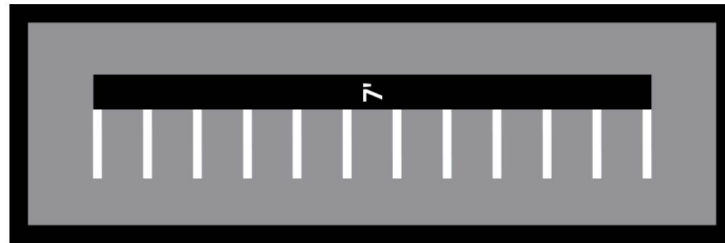
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207 (c) Where both parking lot landscaping and landscape buffers are required, the more
208 restrictive shall apply.

209
210 (d) In no case shall parking be allowed in a required front or street side yard setback.
211

212 (e) Landscaped strips shall meet one (1) of the following options:
213 (i) Landscaped strips perpendicular to the parking spaces with a minimum width
214 of seven (7) feet, except when using vegetated drainage swales the minimum
215 width shall be eight (8) feet;

216 **Figure 3. Landscaped Strips**

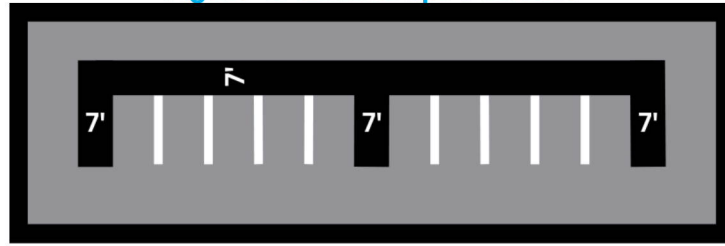


219 (ii) Landscaped islands with a minimum width of seven (7) feet parallel to the
220 parking spaces at a spacing of every five (5) stalls.
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Figure 4. Landscaped Islands



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(f)
Table 15-20-1. Required Perimeter Parking Lot Landscape Improvements

Required Landscaping	Front Yards and Side Yards Abutting a Street	
Shade Trees	1 tree per 50 feet of yard length, measured to the nearest whole number (in addition to required parkway trees).	
Shrubs	1 shrub per 3 feet, on center along 100% of the yard length. Shrubs with mature height not more than 3 feet unless lower shrub height is specifically required in this Chapter for front yard areas.	
Ground Cover	Landscape area outside of shrub masses shall be established in turf or other ground cover.	
Required Landscaping	Rear and Interior Yards	
	Residential Use (including institutional residential uses)	Nonresidential Use
Shade Trees	1 tree per 30 feet of yard length, measured to the nearest whole number.	1 tree per 50 feet of yard length, measured to the nearest whole number.
Shrubs	1 shrub per 3 feet, on center along 100% of the yard length. Shrubs shall have a mature height not less than 3 feet.	1 shrub per 6 feet, on center along 100% of the yard length. Shrubs shall have a mature height not less than 3 feet.
Ground Cover	Landscape area outside of shrub masses shall be established in turf or other ground cover.	Landscape area outside of shrub masses shall be established in turf or other ground cover.

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232 **15.20.120 Parkways.**

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234 The intent of this Section is to maintain the appearance of parkways, protect the public by
 235 prohibiting the use of materials that may cause harm or injury to pedestrians or vehicles, provide
 236 for safe and convenient access across parkways, expand landscape flexibility while not
 237 unreasonably inhibiting access for repair and maintenance of public utilities, encourage water
 238 conservation and generally improve environmental conditions along the City streets. All
 239 parkways shall be landscaped in conformance with the provisions of this Section.

240

241 (1) Parkway Landscaping.

242

243 (a) Parkways less than four (4) feet in width shall be landscaped with materials including
244 bark, decorative stone, brick pavers, concrete pavers, permeable pavers, poured
245 concrete or vegetative ground cover. ~~If poured concrete is used, a decorative pattern~~
246 ~~shall be used.~~

247
248 (b) Parkways four (4) feet or more in width shall be landscaped. Living vegetation
249 including ~~T~~turf grass, vegetative materials ~~(not exceeding twenty-four (24) inches in~~
250 ~~height at maturity)~~, or artificial turf grass shall cover a minimum of forty percent (40%) of
251 the unbuilt surface area within three (3) years of planting. Tree canopy and weeds may
252 not count toward this percentage. Vegetative materials (excluding trees) shall not
253 exceed twenty-four (24) inches in height at maturity. ~~as well as o~~Other materials
254 including brick pavers, permeable pavers, or decorative stone may be used. Stone or
255 rock smaller than one (1) inch in diameter presents a hazard to vehicular and pedestrian
256 traffic and poses a clogging risk to City storm drains and shall not be allowed in parkway
257 strips. ~~When non-vegetative materials are used, they are not to exceed sixty percent~~
258 ~~(60%) of the parkway surface area.~~ Thorn bearing plant species, asphalt or poured
259 concrete shall not be permitted.

260
261 ...