
SOUTH JORDAN CITY CITY COUNCIL REPORT

Council Meeting Date: December 6, 2022

Issue: Staff has determined that there are some issues within various sections of the City Code in Title 10, 16 and 17 that needed further clarification.

Submitted By: Brad Klavano

Department: Engineering

Staff Recommendation (Motion Ready): Approve Ordinance 2022-16 amending various sections in Title 10, 16 and 17 of the South Jordan City Municipal Code.

BACKGROUND:

The following are the proposed City Code modifications:

- **10.16.010 Prima Facia Speed Limit**

Adding a Prima Facia Speed for public lanes to be at fifteen (15) mile per hour.

- **10.24.01 Truck Parking:**

B. Adds PC Zone to the Code on Truck Parking restrictions

C. Eliminates the allowance of truck parking on the streets within the Commerce Park in Daybreak Subdivision

- **16.04.180 Streets**

A.2. Adding language that clarifies how and who approves private streets. As the code currently stand it just says they are strongly discouraged.

In addition if private streets are approved it needed to be made clear in the City Code that the water lines and water services would be public and would be placed in an easement as deemed appropriate by the City Engineer.

B. The current practice within the City Code in most places gives the City Engineer some discretion to modify City Standards and the right of way, this modification will bring this section into compliance with other places in the City Code.

C. Clarifies how and who can approve gated developments.

- **16.04.200 Fencing:**

- J. Clear Vision Area: Better clarifies what can be in the clear vision area and where the dimensions are measured from and brings our dimensions more in line with our surrounding cities.

- **16.36.020 Definitions**

Clear Vision Zone: Making changes to refer back to Section 16.04.200.

- **16.44.360 Cuts and Fills:**

- 4.b. Allowing an exception for the City Engineer to allow a single retaining wall to exceed 9 feet in height based on site specific issues.

- **17.04.210 Clear Vision Area:**

This section is eliminated and will just refer to Section 16.04.200 (J).

- **17.23.080 Fencing, Screening and Clear Vision:**

- D. Refers landscape materials to Section 16.04.200 (J).

- **17.30.020 Development and Design Standards:**

- H.4 Refers to Section 16.04.200 (J)
 - H.5 Clear Vision Area to comply with Section 16.04.200 (J)
 - J.3 Park strip trees are not to be planted within 30 feet of a stop sign

- **17.40.020 Development and Design Standards:**

- H.4 Refers to Section 16.04.200 (J)
 - H.5 Clear Vision Area to comply with Section 16.04.200 (J)
 - J.3 Park strip trees are not to be planted within 30 feet of a stop sign

- **17.54.160 Landscaping:**

- A.5 Park strip trees are not to be planted within 30 feet of a stop sign

- **17.54.190 Fencing, Screening and Clear Vision:**

- 5. Landscape Materials in the Clear Vision Area are referred to Section 16.04.200 (J).

- **17.60.020 Development and Design Standards:**

- G.4 Clear Vision Area refers to Section 16.04.200 (J)

J.4 Park strip trees are not to be planted within 30 feet of a stop sign

- **17.62.020 Development and Design Standards:**

G.4 Clear Vision Area refers to Section 16.04.200 (J)

J.5 Park strip trees are not to be planted within 30 feet of a stop sign

- **17.70.100 Fencing, Screening, and Clear Vision:**

4. Landscape Materials in the Clear Vision Area are referred to Section 16.04.200 (J).

- **17.70.120 Landscaping:**

D. Park strip trees are not to be planted within 30 feet of a stop sign.

- **17.72.180 Fencing, Screening, and Clear Vision:**

B. Landscape Materials in the Clear Vision Area are referred to Section 16.04.200 (J).

- **17.72.200 Landscaping Requirements:**

C. Park strip trees are not to be planted within 30 feet of a stop sign.

- **17.74.060 Development Standards Applicable to Mixed Use (MU) Zones/Districts:**

F.5.B Park strip trees are not to be planted within 30 feet of a stop sign.

- **17.90.020 Development and Design Standards:**

G.4. Landscape Materials in the Clear Vision Area are referred to Section 16.04.200 (J)

J.4 Park strip trees shall not be planted within 30 feet of a stop sign.

The City Planning Commission reviewed this Ordinance at their November 8, 2022 meeting and recommended approval to the City Council by a 5-0 vote.

TEAM FINDINGS, CONCLUSIONS & RECOMMENDATIONS:

FINDINGS:

- Clarifies who approves private streets and gated communities.
- The modifications to the City Code will help clarify issues with the clear vision area.
- Will strict the planting of trees to close to stop signs which create a safety issue.
- Bring retaining wall standard height to be consistent with other part of the code allowing some discretion to the City Engineer.

CONCLUSIONS:

- These City Municipal Code Amendments will provide clarification for safety purposes and for staff processing.

RECOMMENDATIONS:

- City staff is recommending that the City Council approve Ordinance 2022-16, amending various sections in Title 10, 16 and 17 within the South Jordan City Municipal Code.

FISCAL IMPACT:

- None

ALTERNATIVES:

- Deny Ordinance 2022-16.

SUPPORT MATERIALS: Ordinance 2022-16

City Council Action Requested:	<u><i>Brad Klavano</i></u> <small>Brad Klavano (Nov 28, 2022 11:10 MST)</small>	<u>11/28/2022</u>
	Department Head	Date

ORDINANCE 2022-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING VARIOUS SECTIONS WITHIN TITLE 10, 16, AND 17 OF THE SOUTH JORDAN CITY MUNICIPAL CODE.

WHEREAS, Utah Code § 10-9a-102 grants the City Council of the City of South Jordan (the “City Council”) authority to enact or amend ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (the “City”); and

WHEREAS, the City Council has adopted Title 10 (Vehicles and Traffic Code), Title 16 (Subdivision and Development Code), and Title 17 (Planning and Zoning Code) of the South Jordan City Municipal Code (“City Code”); and

WHEREAS, the City Council desires to amend certain requirements for various sections City Code within Title 10, 16, and 17; and

WHEREAS, the Planning Commission of the City of South Jordan held a public hearing, reviewed and made recommendation concerning the subject text amendments within Title 16 and 17; and

WHEREAS, the City Council held a public hearing and reviewing the subject text amendments; and

WHEREAS, the City Council finds that the subject text amendments will enhance the public health, safety, and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. City Code sections in Title 10 (Vehicles and Traffic Code), Title 16 (Subdivision and Development Code), and Title 17 (Planning and Zone Code) are hereby amended as shown in **Exhibit A**.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions, and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication and posting as required by Utah law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS ____ DAY OF _____, 2022 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Bradley Marlor	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Gregory M Simonsen
Gregory M Simonsen (Nov 28, 2022 11:29 MST)

Office of the City Attorney

EXHIBIT A

(Deletions in ~~strike through~~, new language in **bolded underline**)

10.16.010 PRIMA FACIE SPEED LIMIT:

The prima facie speed for all highways under the jurisdiction of the city shall be as follows:

1. **Fifteen (15) miles per hour on all public lanes;**
2. Twenty (20) miles per hour when passing through a reduced speed school zone as defined in Utah Code Annotated section 41-6-20.1;
3. Twenty five (25) miles per hour when passing through a residential district; and
4. Thirty (30) miles per hour when passing through a business district.

10.24.01 TRUCK PARKING:

- A. General Prohibition: No truck shall be parked or stored anywhere within the city, except as permitted by this section.
- B. Residential Zone **and P-C Zone** Parking: No truck shall be parked within any residential zone **and within a P-C Zone** (as set forth in title 17 of this code), except while actually loading or unloading cargo on or in said vehicle.
- C. Nonresidential Zone Parking: ~~Except for all public streets within Commerce Business Park, located approximately at Prosperity Road and Crimson View Drive, n~~ No truck shall be parked along any collector or arterial street within the jurisdiction of the city, as designated on the city transportation master plan, except while actually loading or unloading cargo on or in said vehicle. A truck may park on private property in a nonresidential zone (as set forth in title 17 of this code), or on a public street that is not a collector or arterial street in such a zone, for up to a maximum of forty eight (48) hours, unless a truck parked on a public street is parked within thirty feet (30') of an intersection with any public or private road, street, alley, driveway, or other site of vehicular access to the public street on which it is parked.
- D. Emergency: A truck may be parked so as not to create a safety hazard or obstruct the flow of traffic if such truck is unable to travel or travel safely because of unforeseen circumstances beyond the driver's control, such as inclement weather or unanticipated equipment failure.

16.04.180 STREETS:

The following requirements pertaining to streets shall be incorporated into subdivision, condominium, SRD and site plan design and implemented by the developer: (Ord. 2013-01, 4-16-2013)

- A. Standard Street Rights-Of-Way:
 1. Public Streets: Public streets are strongly encouraged. Proposed public street rights-of-way and improvements shall comply with the City's Construction Standards and Specifications and shall be dedicated to the City. The City Engineer may allow or require other public right-of-way widths and waive or modify requirements for pavement, curb and gutter, sidewalks

and park strips upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City.

2. Private Streets: Private streets are strongly discouraged **and may be permitted only by a development agreement approved by the City Council**. When approved, private street rights-of-way and improvements shall comply with the City's Construction Standards and Specifications. The City Engineer may allow or require other right-of-way widths and waive or modify requirements for pavement, curb and gutter, sidewalks and park strips upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City. In all cases, however, pavement/subbase thickness/depth shall be designed and built as required for public streets, as described in the City's Construction Standards and Specifications. Streetlights within private streets in PUDs shall be private and designed with a meter setting per Rocky Mountain Power standards. **Water lines and water services in private streets shall be public and the applicant shall record an easement over the private road that the City Engineer deems is sufficient to maintain and replace the lines and services.** Private streets shall be bonded the same as a public street including, but not limited to, road construction, curb and gutter, sidewalk, streetlights, storm drainage, and water system. At the acceptance of the improvements by the City, one hundred percent (100%) of the bond will be released with no retainage for warranty; except for those improvements that will be publicly maintained and owned, if any.
- B. Street Dedication: The developer shall dedicate rights-of-way and install improvements for proposed streets which are planned to adjoin or traverse the project or which are necessary for the development. The entire proposed right-of-way shall be dedicated according to the design width specified by the City transportation master plan and the City standard plans and specifications unless the proposed right-of-way is planned to traverse other properties not controlled by the developer. In such cases, the ~~Planning Commission~~ **City Engineer** may require a partial right-of-way width dedication or require adjustments to the alignment so that only the developer's property is required to be dedicated. Street improvements may not be required on other properties which have been dedicated for future road development. In cases where only a partial street is possible, said street shall have a right-of-way dedication of no less than forty feet (40') and shall have sufficient pavement to accommodate potential traffic as determined by the City Engineer.
- C. Gated Developments: ~~Unless otherwise approved by the Planning Commission, gated developments are expressly prohibited.~~ **Gated Developments are strongly discouraged and may only be permitted on private streets by a Development Agreement approved by the City Council.**

16.04.200 FENCING:

- J. Clear Vision **Area: No visual obstruction above three feet (3') tall including Landscape** materials, except for mature trees which are pruned at least seven feet (7') above the ground and fences ~~shall not exceed three feet (3') in height~~ **,shall be located** within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines **measured from the top back of curb of the** intersecting streets **or where a curb does not exist formed by a line measured from the edge of**

asphalt. A lesser or greater clear vision triangular areas may be approved **or required** by the City Engineer based upon traffic speeds, flow, volumes and other traffic related variables.

16.36.020: DEFINITIONS:

CLEAR VISION ZONE AREA: Corner areas at intersecting streets and driveways in which unobstructed vision of motor vehicle operators is maintained. The clear vision zone shall be the triangular area as described in Section 16.04.200 (J). ~~formed by the edge of a driveway and a street right of way line or by the right of way lines of intersecting streets connected by a diagonal line at points thirty feet (30') from the edge of the driveway or street right of way.~~

16.44.360 CUTS AND FILLS:

M. Retaining Walls: This section applies to all "retaining walls", as defined by this chapter.

4. Height, Separation And Plantings:

- b. For the purposes of this subsection, the height of a retaining wall is measured as exposed height (H) of wall.
- c. A single retaining wall shall not exceed nine feet (9') in height: except that the City Engineer may approve a single retaining wall higher than nine feet (9') as deemed appropriate in his or her sole discretion based upon circumstances of the proposed site.
- d. Terracing of retaining walls is permitted where justified by topographic conditions, but the combined height of all walls shall not exceed eighteen feet (18'). Walls with a separation of at least 2xH (H of largest of 2 walls) from face of wall to face of wall shall be considered as separate walls. In a terrace of retaining walls, a minimum horizontal separation of H/2 is required as measured from back of lower wall to face of higher wall.
- e. For walls viewable from a public right-of-way, the horizontal separation between walls shall be planted with a minimum of five (5) shrubs for every twenty (20) linear feet of planting area. The size of the shrubs shall be less than one-half (1/2) the width of the terrace. Shrubs shall be watered by drip irrigation to minimize erosion.

17.04.210: CLEAR VISION AREAS:

~~No plant, rock, sign, fence, wall, structure or object in excess of three feet (3') in height shall be placed on any corner lot within a triangular area formed by the street property lines and the line connecting them at points thirty feet (30') from the intersection of the street lines. Mature trees which are located in the clear vision zone shall be pruned to a height of at least seven feet (7') above the established sidewalk or street elevation.~~ See Section 16.04.200 (J)

17.23.080: FENCING, SCREENING AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in OS zones:

- A. All mechanical equipment, antennas (where possible), loading and utility areas and trash receptacles shall be screened from view with architectural features or walls consistent with materials used in the associated buildings.

- B. The boundary of an OS zone which is not in or adjacent to a street and which is adjacent to a residential or agricultural zone may be required to be fenced. Fencing or landscaping techniques may be required to buffer and protect waterways, trails, parks, open spaces or other uses as determined with development approval.
- C. No wall, fence or screening material shall be erected between a street and a front or street side building line in OS zones, except as required in subsection A of this section.
- ~~D. Landscape materials, **within the Clear Vision Area shall comply with Section 16.04.200 (J).** except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets.~~

17.30.020: DEVELOPMENT AND DESIGN STANDARDS

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Agricultural Zones.

1. Utility Screening: In nonresidential and nonagricultural developments, all mechanical equipment, antennas (where possible), loading areas and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in clear vision areas, **according to Section 16.04.200 (J).** A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
5. Clear Vision **Area**: Landscape materials **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.~~

6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in an Agricultural Zone shall be constructed according to section 16.04.200 of this Code.
- J. Landscaping: The following landscaping requirements and standards shall apply in Agricultural Zones. Landscaping in Agricultural Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
1. The front and street side yards of single-family lots shall be fully improved and properly maintained. Improvements shall include not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.
 2. All collector street and other public and private park strips in Agricultural Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.
 3. Where an adjacent park strip in a residential right-of-way is at least five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip, **except that park strip trees shall not be planted within thirty feet (30') of a stop sign**. Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.
 4. In developments that have a principal use other than residential or agricultural, the following landscaping requirements shall also apply:
 1. All areas of developments not approved for parking, buildings, recreation facilities, access, other hard surfaces, or otherwise exempted with development approval shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other plant material approved in conjunction with a site plan or plat for the development.
 2. A minimum of one tree per one thousand (1,000) square feet, or part thereof, of landscaped areas, excluding landscaped sport or play areas, is required. At least thirty percent (30%) of all required trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be a minimum two inch (2") caliper. Deciduous and evergreen trees need not be equally spaced, except as required in parking areas and in park strips but shall be distributed throughout the required yard areas on the site.
 3. Curbed planters with two inch (2") or larger caliper shade trees and other approved plant/landscape materials shall be installed at the ends of each parking row. Planters shall be at least five feet (5') wide.
 4. Minimum five foot (5') wide landscaped planters shall be installed along the street side of building foundations, except at building entrances.
 5. All landscaped areas shall be curbed.

17.40.020: DEVELOPMENT AND DESIGN STANDARDS

H. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply in Residential Zones.

1. Utility Screening: In nonresidential developments, all mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles in nonresidential developments shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
2. Incompatible Land Use Screening: Incompatible land uses, including waterways, trails, parks, open spaces and other uses or zones shall be screened or buffered with fences, walls and/or landscaping as required by the development approval.
3. Rear And Side Yard Fencing: A maximum six foot (6') high fence and/or hedge may be installed and maintained between a dwelling and a rear or side lot line.
4. Front Yard Fencing: A maximum four foot (4') high, nonvisually obscuring decorative wrought iron, simulated wrought iron or nonobscuring vinyl picket fence may be constructed along a side lot line to the right-of-way line or sidewalk of a neighborhood street, except as regulated in ~~e~~ Clear Vision Areas, according to section 16.04.200 (J). A masonry or solid vinyl fence or hedge may also be constructed along lot lines to the right-of-way or sidewalk but may not be greater than three feet (3') high. Brick pillars may not exceed eighteen inches (18") square or be closer than ten feet (10') on center. Posts or pillars may not extend higher than four inches (4") above the fence panel.
5. Clear Vision Area: Landscape materials within a Clear Vision Area shall comply with Section 16.04.200 (J). ~~, except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no greater than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. Lesser clear vision triangular areas may be approved by the City Engineer based on traffic speeds, flow, volumes and other traffic related variables.~~
6. Collector Street Fencing: Any single-family residential rear or side yard fence erected or maintained roughly parallel to and within twenty feet (20') of a collector or arterial street right-of-way in a Residential Zone shall be constructed according to section 16.04.200 of this Code.

J. Landscaping: The following landscaping requirements and standards shall apply in Residential Zones. Landscaping in Residential Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. The front and street side yards of single-family lots shall be fully improved and properly maintained with not less than fifty percent (50%) of the yard area landscaped and not less than fifty percent (50%) of the required landscaped area covered in acceptable live plant material unless otherwise approved with a conditional use permit.

2. All collector street and other public and private park strips in Residential Zones shall be improved and maintained by the adjoining property owners according to specifications adopted by the City unless otherwise allowed with development approval.
3. Where an adjacent park strip in a residential right-of-way is a minimum of five feet (5') wide, park strip improvements shall include one shade tree that is a minimum two inch (2") caliper, for every fifty feet (50') of frontage and spaced evenly throughout the landscaped portion of the park strip, **except that park strip trees shall not be planted within thirty feet (30') of a stop sign.** Park strip trees shall be consistent with the "Streetscape Tree Species for South Jordan City" list.

17.54.160: LANDSCAPING:

- A. The following landscaping requirements shall apply in the MU zones. Landscaping in the MU zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
 1. Single-family residential: The front and side yards of single-family lots shall be landscaped and properly maintained with grass, trees and other plant material unless otherwise approved with a conditional use permit.
 2. Multi-family residential: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; approved plant/landscape materials and two inch (2") or larger caliper deciduous trees in public park strips.
 3. Office, plant or institution: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; approved plant/landscape materials and two inch (2") or larger caliper deciduous trees in public park strips.
 4. Retail business: Grass, shrubs, ground cover, two inch (2") or larger caliper deciduous trees, seven feet (7') or taller evergreen trees; approved plant/landscape materials and two inch (2") or larger caliper deciduous trees in public park strips.
 5. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**

17.54.190: FENCING, SCREENING, AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in the MU Zones: (Ord. 2016-05, 5-3-2016)

1. All mechanical equipment, antennas, loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as high as the receptacle itself, but not less than six feet (6') in height, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
2. Incompatible land uses shall be screened with six foot (6') vinyl, simulated wood or masonry fences as determined by the Planning Commission. A minimum six foot (6') decorative masonry wall is required between commercial or office zones and agricultural or residential zones. A

higher fence or wall may be allowed or required by the Planning Commission in unusual circumstances. A building permit is required for fences or walls over six feet (6') high. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined by the Planning Commission.

3. In residential developments and except for development perimeter fencing, no wall, fence or opaque hedge or screening material higher than six feet (6') shall be erected or maintained in any rear or side yard. Buffering and screening elements associated with a private recreation facility shall be exempt from this section.
4. In residential developments, no wall, fence or screening material shall be erected between a street side building line and a street, except as required in subsection A of this section.
5. Landscape materials **within a Clear Vision Area shall comply with Section 16.04.200 (J).**~~except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets. (Ord. 2016-05, 5-3-2016)~~
6. Any wall or fence erected or maintained at the rear or side property line in residential developments adjacent to and parallel with a collector or arterial street shall be six feet (6') tall and shall be constructed in accordance with provisions for collector street fencing in section 16.04.200 of this Code. A building permit is required for construction of a collector street fence. Construction drawings and brick samples are required. Collector street fences shall be installed so as to prevent weed growth between the fence and the public sidewalk. Other fences may be installed no closer than twenty feet (20') from any street right-of-way line, except as otherwise prohibited in this title. Proposed modifications to collector street fencing must be consistent with adjacent fencing provided that the adjacent fencing meets requirements for collector street fencing. Proposed collector street fences may not be installed until reviewed by the Planning Director or his designee.

17.60.020: DEVELOPMENT AND DESIGN STANDARDS:

- G. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to all Commercial Zones: (Ord. 2015-09, 12-1-2015)
 1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
 2. The boundary of a Commercial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Commercial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A

building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.

3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Commercial Zones, except as required by subsection G1 of this section.
 4. Landscape materials, **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.~~
- J. Landscaping: The following landscaping requirements and standards shall apply in Commercial Zones. Landscaping in Commercial Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
1. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.
 - a. The required yard landscape area for a yard adjacent to a residential or agricultural zone shall be not less than ten feet (10'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
 - b. The required yard landscape area for a yard adjacent to a public right of way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
 2. All areas of lots or parcels in commercial zones not approved for parking, buildings, or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the planning commission.
 3. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in commercial zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
 4. All collector street and other public and private park strips in commercial zones shall be improved and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**

17.62.020: DEVELOPMENT AND DESIGN STANDARDS:

- G. Fencing, Screening, And Clear Vision **Areas**: The fencing, screening and clear vision requirements of this section shall apply to the P-O Zone:

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings.
2. The boundary of an office zone which is not in or adjacent to a public right-of-way and which is adjacent to a residential or agricultural zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the office zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable building codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
3. No wall, fence or screening material shall be erected between a street and a front or street side building line in the P-O Zone, except as required by subsection G1 of this section.
4. Landscape materials; **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') high within a ten foot (10') triangular area formed by the edge of a driveway and a street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.~~

J. Landscaping: The following landscaping requirements and standards shall apply in the P-O Zone. Landscaping in the P-O Zone is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

1. A minimum of fifteen percent (15%) landscaped open space, which may include required landscaped yard areas, shall be provided with each development in the P-O Zone. (Ord. 2017-22, 7-18-2017)
2. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.
 1. The required yard landscape area for a yard adjacent to a Residential or Agricultural Zone shall be not less than ten feet (10') for buildings not exceeding two (2) stories and shall not be less than twenty feet (20') for buildings with three (3) stories or more, except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
 2. The required yard landscape area for a yard adjacent to a public right-of-way shall be twenty feet (20'), except that no yard landscape area is required when a yard area reduction has been approved according to subsection E2 of this section.
3. All areas of lots in the P-O Zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees and other live plant material in conjunction with a landscape plan for the development that has

been designed and prepared by a landscape architect and approved by the Planning Commission.

4. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in the P-O Zone in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
5. All collector streets and other public and private park strips in the P-O Zone shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**

17.70.100: FENCING, SCREENING, AND CLEAR VISION:

The following fencing, screening and clear vision requirements shall apply in BH-MU Zones: (Ord. 2010-04, 5-18-2010; amd. Ord. 2017-05, 3-7-2017)

1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
2. The boundary of a BH-MU Zone which is not in or adjacent to a street and which is adjacent to a Single-Family Residential or Agricultural Zone shall be fenced with a six foot (6'), decorative precast concrete panel or masonry fence as determined with development approval. Six foot (6') solid vinyl boundary fencing may be allowed in unusual circumstances such as adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed by the City in unusual circumstances. A building permit is required for fences and walls over six feet (6') high. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
3. No wall, fence or screening material shall be erected between a street and a front or street side building line in BH-MU Zones, except for single-family residential developments, and as required in subsection A of this section.
4. Landscape materials; **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~except for mature trees which are pruned at least seven feet (7') above the ground, and fences shall not exceed two feet (2') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right-of-way line or within a thirty foot (30') triangular area formed by the right-of-way lines of intersecting streets.~~

17.70.120: LANDSCAPING:

The following landscaping requirements and standards shall apply in the BH-MU zone. Landscaping in the BH-MU Zone is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.

- A. The front, side and rear yards of lots in BH-MU zones shall be landscaped and properly maintained with grass, trees and other plant and/or permeable landscape material.
- B. All areas of lots in BH-MU zones not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained with ground covers that may include turf, deciduous and evergreen trees and other plant and/or permeable landscape material (including properly designed xeriscape), approved in conjunction with a site plan, plat or record of survey map for the development. Drought resistant plant materials are encouraged.
- C. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in BH-MU zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section shall be dispersed throughout the required yard areas on the site.
- D. Park strips (planting area between streets/driveways and sidewalks) are required in BH-MU zones and shall be improved with street trees with appropriate ground covers and maintained by the adjoining owners according to specifications adopted by the city unless otherwise allowed with development approval. Park strips shall be of sufficient width to accommodate the root zone of the approved street tree species, i.e., at least five feet (5') for ornamental trees. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**

17.72.180: FENCING, SCREENING, AND CLEAR VISION:

Fencing, screening and clear vision requirements shall be determined and governed by the design guidelines required in this chapter. The following requirements shall apply in the P-C zone:

- A. All mechanical equipment, antennas, loading and utility areas and trash receptacles shall be completely screened from view with architectural features or walls consistent with materials used in the associated buildings.
- B. Fences and landscape materials, **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~except for mature trees which are pruned at least seven feet (7') above the ground, shall not exceed three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and the street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets.~~

17.72.200: LANDSCAPING REQUIREMENTS:

Landscaping requirements shall be determined and governed by the design guidelines required in this chapter. The following landscaping requirements shall apply in the P-C zone:

- A. The design guidelines shall address the landscaping and proper maintenance of required front, side and rear yards of lots and private ownership areas in the P-C zone.
- B. All areas of lots and parcels in the P-C zone not approved for parking, buildings or other hard surfacing shall be landscaped and properly maintained. Designated open space shall remain in a

natural condition, cultivated or landscaped and properly maintained in accordance with the design guidelines.

- C. All park strips and public right of way areas in the P-C zone shall be landscaped and properly irrigated and maintained by the owners in the P-C zone unless otherwise approved by the city council. All park strip areas shall be installed by the developer and properly maintained by the owners in the P-C zone. A plan for funding of ongoing maintenance of street landscaping by the property owners shall be presented for approval. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**
- D. Trees or landscape material in the P-C zone, except on single-family lots or parcels, may not be removed without city approval.

17.74.060: DEVELOPMENT STANDARDS APPLICABLE TO MIXED USE (MU) ZONES/SUBDISTRICTS:

- F. Landscaping: Landscaping guidelines are established to improve and maintain site qualities while minimizing alteration, removal, or degradation of approved landscaping. Landscaping, in general, shall follow CPTED (crime prevention through environmental design) principles.
 - 1. Submittal Of Landscape And Streetscape Plans: No plans for any building, structure or other improvements shall be approved by the City unless there shall also have been submitted landscape and streetscape plans satisfactory to the Planning Commission or to the staff, if so designated.
 - 2. Installation At Time Of Occupancy: Landscaping in accordance with the plans submitted must be installed at the time of occupancy or as otherwise approved by the planning staff as seasonal conditions may dictate.
 - 3. Condition Free Of Weeds: Future development areas or land area not occupied by buildings, structures, hard surfacing, vehicular driveways or pedestrian walkways shall be kept in a weed free condition or landscaped, as approved by the Planning Commission.
 - 4. Bond For Landscape Improvements: The developer shall bond for landscape improvements to ensure that installations are completed as submitted and approved. Performance assurance requirements for landscape improvements shall be the same as required by the City for street improvements.
 - 5. Planting Specifications:
 - A. Sixty percent (60%) medium size trees; deciduous trees with a caliper of two inches (2") and evergreen trees with a minimum height of seven feet (7'). Forty percent (40%) small size trees and shrubs in a combination with deciduous trees with a caliper of one and one-half inches (1 1/2") to two inches (2") and evergreen trees with a minimum height of four feet (4'). Depending on site conditions, a 50/50 mix of deciduous and evergreen trees and shrubs should be used for on site landscaping.
 - B. Street trees with a minimum two inch (2") caliper shall be installed along all public rights-of-way by the developer. The species type, location, and spacing of trees shall be as shown on the approved landscape plan, in compliance with designated streets within the City's streetscape plan. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**

- C. Parking lot landscaping shall include planters at the ends of parking rows with shade trees and ground covers. Planters shall be at least five feet (5') wide. Shade trees and ground covers shall be installed in planters at minimum intervals, or groups with a ratio of at least one tree per six (6) parking stalls for double parking rows and one tree per three (3) parking stalls for single parking rows. Planter areas may also include rocks (minimum of 3 inches) or bark mulch provided that a commercial grade weed barrier or fabric is used.
- D. Landscaping for plazas shall include at least one tree per seven hundred fifty (750) square feet. At least forty percent (40%) of the plaza area shall be covered with trees or planted canopy structures. One linear foot of seating shall be provided for every one foot (1') of perimeter of the plaza area.
- E. The landscaping of other open space shall include trees and ground covers, with a requirement of at least one tree per five hundred (500) square feet. Trees should be clustered together, where possible, to allow larger open areas for seating and activities.

17.90.020: DEVELOPMENT AND DESIGN STANDARDS:

- G. Fencing, Screening And Clear Vision: The fencing, screening and clear vision requirements of this section shall apply to all Industrial Zones: (Ord. 2015-09, 12-1-2015)
 - 1. All mechanical equipment, antennas (where possible), loading areas, and utility areas shall be screened from view at ground level along the property line of the subject property with architectural features or walls consistent with materials used in the associated buildings. Exterior trash receptacles shall be enclosed by masonry walls that are at least as tall as the receptacle itself, but not less than six feet (6') tall, and solid steel access doors. The color of trash receptacle enclosures (masonry walls and access doors) shall be consistent with colors used in the associated buildings. (Ord. 2017-22, 7-18-2017)
 - 2. The boundary of an Industrial Zone that is not in or adjacent to a public right-of-way and that is adjacent to a Residential or Agricultural Zone shall be fenced with a six foot (6') high, decorative precast concrete panel or masonry fence as determined with development approval. A six foot (6') solid vinyl boundary fencing may be used in unusual circumstances such as when the Industrial Zone is adjacent to property which is master planned for nonresidential uses. A higher fence may be required or allowed in unusual circumstances. A building permit may be required for fences and walls according to applicable Building Codes. Other fencing or landscaping techniques may be used to buffer waterways, trails, parks, open spaces or other uses as determined with development approval.
 - 3. No wall, fence or screening material shall be erected between a street and a front or street side building line in Industrial Zones, except as required by subsection G1 of this section.
 - 4. Landscape materials; **within a Clear Vision Area shall comply with Section 16.04.200 (J).** ~~except for mature trees that are pruned at least seven feet (7') above the ground, and fences shall be no higher than three feet (3') in height within a ten foot (10') triangular area formed by the edge of a driveway and a street right of way line or within a thirty foot (30') triangular area formed by the right of way lines of intersecting streets.~~

- J. Landscaping: The following landscaping requirements and standards shall apply in Industrial Zones. Landscaping in Industrial Zones is also subject to the requirements of Title 16, Chapter 16.30, "Water Efficiency Standards," of this Code.
1. The area of front, side, and rear yards along an adjacent property line and extending away from the property line a distance prescribed in the requirements of this subsection shall be landscaped with grass, trees, and other live plant material.
 - a. The required yard landscape area for a yard adjacent to a Residential or Agricultural Zone shall be not less than ten feet (10').
 - b. The required yard landscape area for a yard adjacent to a public right-of-way, including the freeway right-of-way, shall be twenty feet (20') in the I-F Zone and forty feet (40') in the C-I Zone.
 2. All areas of lots or parcels in Industrial Zones not approved for parking, buildings, or other hard surfacing shall be landscaped and properly maintained with grass, deciduous and evergreen trees, and other plant material in conjunction with a landscape plan for the development that has been designed and prepared by a landscape architect and approved by the Planning Commission.
 3. A minimum of one tree per five hundred (500) square feet, or part thereof, of required landscaped yard areas is required in Industrial Zones in addition to other trees required in this section. A minimum of thirty percent (30%) of required yard area trees shall be minimum seven foot (7') tall evergreens. Deciduous trees shall be minimum two inch (2") caliper. Deciduous and evergreen trees required in this section need not be equally spaced but shall be dispersed throughout the required yard areas on the site.
 4. All collector street and other public and private park strips in Industrial Zones shall be improved and maintained by the adjoining owners according to specifications adopted by the City unless otherwise allowed with development approval. **Park strip trees shall not be planted within thirty feet (30') of a stop sign.**