

SOUTH JORDAN CITY PLANNING COMMISSION REPORT

Meeting Date: 10/22/2024

Application: TEXT AMENDMENT - AMENDING SECTION 16.30.040 (OUTDOOR LANDSCAPING STANDARDS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO PROHIBIT LAWN OUTSIDE OF ACTIVE RECREATION AREAS IN ALL COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY DEVELOPMENT COMMON AREA LANDSCAPES.

Ordinance No.: 2024 - 24
Applicant: City of South Jordan

Submitted By: Steven Schaefermeyer, Director of Planning

Staff Recommendation (motion ready): I move that the Planning Commission recommend to the City Council that it **approve** Ordinance No. 2024 - 24 amending Section 16.30.040 of the South Jordan City Municipal Code.

BACKGROUND:

In mid-2020, the Jordan Valley Water Conservancy District Board (“the District”) adopted new Water Efficiency Standards (the “Standards”) for all new development within its service area. In April 2021 the City Council adopted Ordinance 2021 – 09, which implemented the Standards with the goal of reducing overall per capita water use within the City.

Since 2021, South Jordan’s water needs have continued to change, including the need secure water for the Kennecott property on the City’s southwest side that the City annexed in 2023. As discussions between the City, the property owner and the District about how to provide water for that annexed area has progressed, the District is requiring the City to further restrict lawn in new or renovated commercial, industrial and multi-family developments.

ANALYSIS:

The proposed text amendment modifies Subsection 16.30.040.B.8 of the South Jordan City Municipal Code (the “City Code”) as follows:

In commercial, industrial, institutional, and multi-family development common area landscapes, lawn **is prohibited** ~~areas shall not exceed twenty percent (20%) of the total landscaped area,~~ outside of active recreation areas.¹

¹ City Code § 16.30.020 defines “lawn” as “[g]round that is covered with grass or turf that is regularly mowed,” and defines “active recreation areas” as “[a]reas of the landscape dedicated to active play where lawn may be used as the playing surface (ex. sports fields and play areas).”

This new restriction would apply to all *new* commercial, industrial and multi-family residential developments. Existing commercial, industrial and multi-family residential developments would only be required to come into compliance with the modified Standards if they make changes to a development that necessitates a new or amended site plan.

STAFF FINDINGS & CONCLUSIONS:

Facts & Findings:

- Utah Code § 10-9a-102 grants the City Council a general land use authority to enact regulations that it considers necessary or appropriate for the use and development of land in the City, including maintaining the aesthetics of the City and protecting the tax base, and the City Council has the power to amend its land use regulations. (*See Utah Code § 10-9a-501 et seq.*)
- The changes proposed in this text amendment are consistent with the City’s Growth Goal 5 on page 69 of the General Plan to “reduce excessive water use in the City.”
- The changes proposed in this text amendment are consistent with the following City Strategic Priorities:
 - BRE-1: Develops effective, well-balanced, and consistently applied ordinances and policies.
 - BRE-2: Implements ordinances and policies that encourage quality community growth and development.
 - DAOS-5: Partners with community stakeholders to maintain and expand park, art and recreational opportunities.
 - SG-2: Creates and supports environmentally sustainable programs including water conservation, recycling, energy conservation, and air quality improvement to ensure the financial well-being and long-term sustainability of the community.
 - SG-3. Develops future water resources through a variety of innovative methods
- In addition to this change allowing the City to ensure the availability of sufficient water resources for the Kennecott annexation property, it will also further the City’s efforts to ensure sufficient water resources are available to all City residents and property owners.
- Even before the City adopted the Standards in 2021, City staff noticed that commercial, industrial and multi-family developments were voluntarily designing their developments with fewer lawn areas. Further restricting lawn areas in these developments ensures that trend will continue.

Conclusion:

- Approval of Ordinance 2024 - 24 will strengthen the City’s efforts to conserve water and ensure sufficient water resources are available to the City and its residents.
- Further restricting the use of lawn in commercial, industrial and multi-family development landscaping is not burdensome to the City’s existing and future businesses.

Recommendation: based on the information in this report and discussion during the public hearing, City staff recommends that the Planning Commission recommend to the City Council that it **approve** Ordinance No. 2024 - 24.

ALTERNATIVES:

- Recommend approval of Ordinance No. 2024 - 24 with changes.
- Recommend denial of Ordinance No. 2021 - 24.

SUPPORT MATERIALS:

- Ordinance No. 2024 - 24

ORDINANCE NO. 2024 - 24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SECTION 16.30.040 (OUTDOOR LANDSCAPING STANDARDS) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO PROHIBIT LAWN OUTSIDE OF ACTIVE RECREATION AREAS IN ALL COMMERCIAL, INDUSTRIAL AND MULTI-FAMILY DEVELOPMENT COMMON AREA LANDSCAPES.

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

WHEREAS, the Jordan Valley Water Conservancy District, which includes the City in its service area, requires the City to limit lawn areas in commercial, industrial and multi-family developments before providing the City additional water resources for newly annexed areas; and

WHEREAS, water is a limited resource and the recommended change to the City’s Outdoor Landscaping Standards for commercial, industrial and multi-family residential development will result in the conservation of water and help keep water rates reasonable for City residents; and

WHEREAS, the majority of new commercial, industrial and multi-family residential developments already choose to only landscape with lawn in active recreation areas; and

WHEREAS, the City Council held a public hearing and reviewed the subject text amendment; and

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

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

SECTION 1. Amendment. Section 16.30.040 of the South Jordan City Municipal Code, as shown in the attached **Exhibit A**, is hereby amended.

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 or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS _____ DAY OF _____, 2024 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	_____	_____	_____	_____
Kathie L. Johnson	_____	_____	_____	_____
Donald Shelton	_____	_____	_____	_____
Tamara Zander	_____	_____	_____	_____
Jason McGuire	_____	_____	_____	_____

Mayor: _____
Dawn R. Ramsey

Attest: _____
City Recorder

Approved as to form:

Office of the City Attorney

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

16.30.040: OUTDOOR LANDSCAPING REQUIREMENTS

- A. Applicability: All new and rehabilitated landscaping for public agency projects, private development projects, developer-installed landscaping in multi-family and single-family residential projects within the front and side yards, and homeowner provided landscape improvements within the front and side yards of single and two-family dwellings shall comply with the landscaping standards below. It is recommended and encouraged, but not mandated, that rear yard landscape improvements of single and two-family dwellings comply with these same standards.
- B. Landscaping Requirements:
1. All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
 2. Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
 3. Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
 4. At least three to four inches (3 - 4") of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
 5. At maturity, landscapes are required to have enough plant material (perennials and shrubs) to create at least fifty percent (50%) living plant cover at maturity at the ground plane, not including tree canopies.
 6. Lawn shall not be installed in park strips, paths, or on slopes greater than twenty-five percent (25%) or 4:1 grade. Lawn area shall not be less than eight feet (8') wide at its narrowest point. To the extent reasonably practicable, lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
 7. In residential landscapes, the landscaping shall adhere to the following localscapes requirements and shall be properly labeled on the landscape plan submitted to the City for review:
 - a. If size permits, the landscaped areas of the front yard and back yard shall include a designed central open shape created by using lawn, hardscape, groundcover, gravel, or mulch.

EXHIBIT A

(Additions in **bold underline**, deletions in strikethrough)

- b. Gathering areas shall be constructed of hardscape and placed outside of the central open shape. In a landscape without lawn, 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 lawn.
 - d. Paths shall be made with materials that do not include lawn, such as hardscape, mulch, or other groundcover.
 - e. Lawn areas shall not exceed the greater of two hundred fifty (250) square feet, or thirty-five percent (35%) of the total landscaped area.
 - f. Small residential lots, which have no side yards or back yards, where the total landscaped area is less than two hundred fifty (250) square feet, and where the front yard dimensions cannot accommodate the minimum eight foot (8') wide lawn area requirement of the landscaping requirements in section F. are exempt from the eight foot (8') minimum width lawn area requirement.
8. In commercial, industrial, institutional, and multi-family development common area landscapes, lawn **is prohibited**~~areas shall not exceed twenty percent (20%) of the total landscaped area,~~ outside of active recreation areas.
9. The City Engineer may allow or require exceptions from the slope limitations and other elements of the landscaping requirements in public utility infrastructure landscape areas upon the applicant's showing of good cause (a reason rationally related to the development) and in the best interest of the City.
10. These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.