

Ordinance No. 2023-10

AN ORDINANCE AMENDING LAND MANAGEMENT CODE SECTION 15-5-5 ARCHITECTURAL DESIGN GUIDELINES, AND 15-15-1 DEFINITIONS TO UPDATE WATER WISE LANDSCAPING REGULATIONS, TO REDEFINE “WATER WISE LANDSCAPE/LANDSCAPING”, AND TO DEFINE, “LAWN/TURF”, MULCH”, “HARDSCAPE”, “IRRIGATION PLAN”, AND “ROCKS”

WHEREAS, Water Wise is a landscape planning technique to reduce water usage;

WHEREAS, *Natural Setting* is one of the core values in the Park City General Plan, Goal 5 of the General Plan is to implement mitigation for environmental impacts and Goal 6 is to adapt for climate change;

WHEREAS, Objective 5.3 of the General Plan is to “adopt new landscaping requirements to decrease water utilization and preserve the native landscape. Encourage the use and protection of landscaping requirements to enable the continued utilization of renewable energy sources”;

WHEREAS, the Land Management Code implements the goals and policies of the General Plan in part to promote the health of both the residents and the City and to encourage responsible environmental stewardship;

WHEREAS, to protect, preserve, and conserve water, and to educate residents on Water Wise landscaping techniques;

WHEREAS, the Planning Commission conducted duly noticed work sessions on April 27, 2022, and October 12, 2022, and a duly noticed public hearing on October 26, 2022, January 11, 2023, and February 8, 2023, and forwarded a positive recommendation, to the City Council;

WHEREAS, the City Council conducted a duly noticed public hearing on March 9, 2023.

NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, as follows:

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY LAND MANAGEMENT CODE TITLE 15. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code § 15-5-5 *Architectural Design Guidelines* and § 15-15-1 *Definitions* are hereby amended as outlined in Attachment 1.

SECTION 3. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 9th day of March, 2023.

PARK CITY MUNICIPAL CORPORATION

DocuSigned by:

Nann Worel

57775BCB46414F6...

Nann Worel, Mayor

Attest:



DocuSigned by:

Michelle Kellogg

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City Recorder

Approved as to form:

DocuSigned by:

MDH

B7478B7734C7490...

City Attorney's Office

1 **Attachment 1**

2 **15-5-5 Architectural Design Guidelines**

3 ~~LANDSCAPING. A complete landscape plan must be prepared for the limits of~~
4 ~~disturbance area for all Development activity. The landscape plan shall utilize the~~
5 ~~concept of Water Wise Landscaping for plant selection and location, irrigation, and~~
6 ~~mulching of all landscaped areas. The plan shall include foundation plantings and~~
7 ~~ground cover, in addition to landscaping for the remainder of the lot. The plan shall~~
8 ~~indicate the percentage of the lot that is landscaped, the percentage of the landscaping~~
9 ~~that is irrigated, the type of irrigation to be used, and Hydrozones. The plan shall identify~~
10 ~~all existing Significant Vegetation. The plan shall also identify the 50 percent (50%) of~~
11 ~~any Water Wise Landscaped area comprised of appropriate plants, trees, and shrubs.~~
12 ~~Any proposed boulders or rocks greater than two inches (2") in diameter and Gravel~~
13 ~~must be identified. Materials proposed for driveways, parking areas, patios, decks, and~~
14 ~~other hard-scaped areas shall be identified on the plan. A list of plant materials~~
15 ~~indicating the botanical name, the common name, quantity, and container or caliper size~~
16 ~~and/or height shall be provided on the plan. Refer to the Municipal Code of Park City~~
17 ~~Title 14 1-5 for a City approved Plant List. A diverse selection of plantings is suggested~~
18 ~~to provide plantings appropriate to the Park City climate and growing season, to provide~~
19 ~~aesthetic variety and to prevent the spread of disease between the same species.~~
20 ~~Artificial turf is allowed to be used in limited quantities on decks, pathways, recreation~~
21 ~~and play areas, or as a limited landscaping material on areas in which vegetation may~~
22 ~~be unsuccessful. Artificial turf's installation shall not pool water and be installed to allow~~
23 ~~for drainage. Areas of mulch shall be identified on the plan. Approved mulches include~~

24 ~~natural organic plant based or recycled materials. Gravel is only allowed in the following~~
25 ~~applications: as an approved walkway, patio, drainage plan, and/or defensible space.~~
26 ~~The Planning Director or his/her designee may determine if proposed defensible space~~
27 ~~areas are not required to include plantings. Any Gravel or stone within the HRL, HR-1,~~
28 ~~HR-2, HRM, HRC, or HCB Zoning Districts must meet the requirements of Park City's~~
29 ~~Design Guidelines for Historic District and Historic Sites. Gravel is not an allowed~~
30 ~~surface for parking, ground cover on berms or finished grade with a ratio greater than~~
31 ~~3:1, within platted or zoned open space, or as a material in parking strips or City rights-~~
32 ~~of-way. To the extent possible, existing Significant Vegetation shall be maintained on~~
33 ~~Site and protected during construction. When approved to be removed, based on a Site~~
34 ~~Specific plan, Conditional Use, Master Planned Development, or Historic District Design~~
35 ~~Review approval, the Significant Vegetation shall be replaced with equivalent~~
36 ~~landscaping in type and size. The Forestry Manager or Planning Director may grant~~
37 ~~exceptions to this if upon their review it is found that equivalent replacement is~~
38 ~~impossible or would be detrimental to the site's existing and/or proposed vegetation.~~
39 ~~Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may~~
40 ~~be considered instead of replacement in kind and size. Where landscaping does occur,~~
41 ~~it should consist primarily of native and drought tolerant species, drip irrigation, and all~~
42 ~~plantings shall be adequately mulched. Significant Vegetation preservation and/or~~
43 ~~replacement shall be prioritized, but where applicable, Firewise Landscaping and/or~~
44 ~~Defensible Space landscaping plans for Property within the Wildland-Urban Interface~~
45 ~~area that include Significant Vegetation removal shall be in accordance with Municipal~~
46 ~~Code Chapter 11-21.A detailed irrigation plan shall be drawn at the same scale as the~~

47 ~~landscape plan including, but not limited to: a layout of the heads, lines, valves,~~
 48 ~~controller, backflow preventer, and a corresponding legend and key. Landscaped areas~~
 49 ~~shall be provided with a WaterSense labeled smart irrigation controller which~~
 50 ~~automatically adjusts the frequency and/or duration of irrigation events in response to~~
 51 ~~changing weather conditions. All controllers shall be equipped with automatic rain delay~~
 52 ~~or rain shut-off capabilities. Irrigated lawn and turf areas are limited to a maximum~~
 53 ~~percentage of the allowed Limits of Disturbance Area of a Lot or Property that is not~~
 54 ~~covered by Buildings, Structures, or other Impervious paving, based on the size of the~~
 55 ~~Lot or Property according to the following table:~~

Lot Size	Maximum Turf or Lawn Area as a percentage of the allowed Limits of Disturbance Area of the Lot that is not covered by Buildings, Structures, or other Impervious paving
Greater than one (1) acre	25%
0.50 acres to one (1) acre	35%
0.10 acres to 0.49 acres	45%
Less than 0.10 acres	No limitation

56 ~~Where rock and boulders are allowed and identified on the Landscape Plan, these shall~~
 57 ~~be from local sources. All noxious weeds, as identified by Summit County, shall be~~
 58 ~~removed from the Property in a manner acceptable to the City and Summit County, prior~~
 59 ~~to issuance of Certificates of Occupancy.~~

60 N. **LANDSCAPING.**

61 1. **PURPOSE.** Park City is in a mountainous, semi-desert environment where much
 62 of the precipitation occurs as snow during the winter months and the highest
 63 demand for water occurs during the summer months, ~~creating a significant risk of~~

64 **wildland fire**. The largest single water demand is for irrigation of landscaping.
65 Water Wise Landscaping incorporates **non-invasive**, drought-tolerant plants that
66 require little or no supplemental irrigation **once established**, includes water
67 conserving irrigation, and **uses** Hydrozoning in which plants with similar water
68 needs are planted in the same area with mulches that prevent water evaporation.
69 Water Wise Landscaping protects the health, safety, and welfare of the
70 community from impacts of water shortages likely to occur during cycles of
71 drought.

72 **2. WATER WISE LANDSCAPING**. At least fifty percent (50%) of the landscaped
73 area shall be Water Wise Landscaping containing approved non-invasive drought
74 tolerant plants, and/or minimal irrigation. Water Wise Landscaping may be
75 satisfied through approved vegetation, location of planting methods such as
76 Xeriscaping or Hydrozoning, using healthy soil practices (that promotes soil
77 moisture retention), such as compost, or biochar, and/or biodiverse plantings, or
78 approved based on a site-specific Planning Department review.

79 **3. HOMEOWNER ASSOCIATION LANDSCAPING REGULATIONS**. Homeowner
80 Associations may not prohibit a property owner from installing Water Wise
81 Landscaping.

82 **4. LANDSCAPE PLAN**. A complete landscape plan is required for (I) new
83 Development and/or Construction Activity proposed for an unimproved Lot or
84 property and/or undisturbed natural Lots or property; (II) renovations or
85 Construction Activity that modifies the Building Footprint; and (III) projects

86 proposing to modify over 50% of the Landscaped area. Landscape plans shall
87 incorporate best practices for water conservation. The landscape plan shall:

88 i. Identify the intended plant materials indicating the botanical name
89 and the common name for:

90 (A) Plants (includes, but is not limited to trees and shrubs),

91 (B) Grasses,

92 (C) Mulches

93 (D) Rocks (greater than 3") and Gravel (less than 3")

94 a. Gravel is only allowed in the following applications:

95 i. as an approved walkway;

96 ii. patio;

97 iii. drainage plan; and/or

98 iv. defensible space

99 b. Gravel is prohibited in areas adjacent to the Right-of-
100 Way.

101 c. Any Gravel, rocks, or stone within the HRL, HR-1,
102 HR-2, HRM, HRC, or HCB Zoning Districts must meet
103 the requirements of the Design Guidelines for Historic
104 District and Historic Sites in Chapter 15-13.

105 d. Gravel and rocks are not an allowed surface for
106 parking, ground cover on berms, or finished grade
107 with a ratio greater than 3:1, within platted or zoned
108 open space. Rock-cover should be no more than 20%

109 of the new ground cover. Wood chip mulch is
110 encouraged for water retention on the landscape.

111 Refer to the Planning Department for a City-approved Plant List. A
112 diverse selection of plantings, and the use of clumping and
113 clustering, is suggested to provide plantings appropriate to the Park
114 City climate and growing season, to provide aesthetic variety, and to
115 prevent the spread of wildfire.

116 ii. Utilize the concept of Water Wise Landscaping for selecting plants,
117 plant location, irrigation methods, and mulching of all landscaped
118 areas.

119 iii. For properties not included in a Historic District and for properties
120 listed Landmark or Significant on Park City's Historic Sites Inventory,
121 include plantings and ground cover in the Wildland Urban Interface
122 Immediate Ignition Zone 0-5 feet and the Wildland Urban Interface
123 Intermediate Ignition Zone 5-30 feet (Park City Municipal Code § 11-
124 21-1(I) The 2006 Utah Wildland-Urban Interface Code).

125 iv. Indicate the percentage of the lot that is landscaped.

126 v. Indicate the percentage of the lot containing Impervious Surfaces,
127 including driveways, parking areas, patios, and decks.

128 vi. Indicate the percentage of the landscaping that is irrigated.

129 vii. Identify the 50 percent (50%) of any Water Wise Landscaped area
130 comprised of appropriate approved non-invasive drought-tolerant
131 plants.

132 viii. Identify Hydrozoning (grouping of plants based on irrigation needs) or
133 Xeriscaping (sustainable, low-water landscaping) locations.

134 ix. Identify all existing Significant Vegetation, which shall remain and be
135 maintained on Site and protected during construction.

136 (A) If the Significant Vegetation is determined to be unhealthy
137 and/or unsafe, under a Site-Specific review conducted by the
138 Forestry Board and Planning Director in conjunction with a
139 Conditional Use, Master Planned Development, Historic
140 District Design Review approval, or building permit review, it
141 may be replaced with equivalent landscaping in type and
142 size.

143 (B) The Forestry Board and Planning Director may grant
144 exceptions if upon their review it is found that equivalent
145 replacement is impossible, would be detrimental to the site's
146 existing and/or proposed vegetation, or violates Chapter 11-
147 21 *Utah Wildland-Urban Interface Code*.

148 (C) Multiple trees from the City's approved Wildland-Urban
149 Interface Planting List, clumped and grouped together with
150 canopies of the clusters being no closer than 18 feet to the
151 next closest cluster within the Intermediate Zone, no cluster
152 exceeding (5) five trees or cover more than 15% of the
153 Intermediate Ignition Zone, whichever is lesser, and with
154 vegetation not closer than 10 feet to any portion of a

155 structure with vegetation at full grown height and size,
156 equivalent in caliper to the size of the removed Significant
157 Vegetation in the Intermediate Ignition Zone may be
158 considered instead of replacement in kind and size.

159 (D) Significant Vegetation preservation shall be prioritized, but
160 where applicable, Significant Vegetation may be removed or
161 replaced to comply with Firewise Landscaping and/or
162 Defensible Space regulations in Chapter 11-21 *Utah*
163 *Wildland-Urban Interface Code* as approved by the Planning
164 Director and Forestry Board.

165 x. Identify Artificial turf, which is recommended to be non-toxic
166 synthetic, plant based, and/or made of recycled materials with
167 reduced petroleum-based polymers. Artificial turf is allowed to be
168 used in limited quantities on decks, pathways, recreation and play
169 areas. Installation of artificial turf shall not pool water and be installed
170 to allow for drainage.

171 xi. Comply with Park City Municipal Code Chapter 11-21, *Utah Wildland-*
172 *Urban Interface Code*.

173 b. The Planning Director or designee may determine if proposed defensible
174 space areas outlined in Chapter 11-21 *Utah Wildland-Urban Interface*
175 *Code* may be exempt from 50% Water Wise landscaping requirements.

176 c. All noxious weeds, as identified by the State of Utah or Summit County,
177 shall be removed from the Property in a manner acceptable to the City

178 and Summit County **regardless of development state. All noxious weeds**
179 **shall be removed** prior to issuance of Certificates of Occupancy.

180 **5. IRRIGATION PLAN**. A detailed irrigation plan shall be drawn at the same scale
181 as the landscape plan and shall include:

182 a. The layout of the heads, lines, valves, controller, backflow preventer, and
183 drip irrigation;

184 b. A WaterSense labeled irrigation controller which automatically adjusts the
185 frequency and/or duration of irrigation events in response to changing
186 weather conditions. All controllers shall be equipped with automatic rain
187 delay or rain shut-off capabilities;

188 i. **Overhead Spray Irrigation shall be no greater than 12" above ground.**
189 **Overhead irrigation is not permitted within 18" of any non-permeable**
190 **surface. Overhead Spray Irrigation may be used for Lawn/Turf, but**
191 **does not constitute a Water Wise landscaping method when used**
192 **with other vegetation.**

193 c. **Greywater System locations.**

194 **6. LAWN/TURF**.

195 a. **Lawn/Turf is prohibited on slopes with a ratio greater than 3:1.**

196 b. Irrigated Lawn/Turf areas are limited to a maximum percentage of the
197 allowed Limits of Disturbance Area of a Lot or Property that is not covered
198 by Buildings, Structures, or Impervious Surfaces, based on the size of the
199 Lot or Property according to the following table:

200

Lot Size	Maximum Lawn/Turf as a percentage of the allowed Limits of Disturbance Area of the Lot that is not covered by Buildings, Structures, or Impervious Surfaces
Greater than one (1) acre	20%
0.50 acres to one (1) acre	30%
0.10 acres to 0.49 acres	40%
Less than 0.10 acres	No limitation

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202

c. Lawn/Turf is prohibited on parking strips or areas less than eight feet (8') in width in new Residential Development.

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204

d. No more than 35% of the Front and Side Yard Landscaped Area in new residential development is lawn/turf. If there is an Active Recreation Area on the lot, then no more than 20% total Landscaped Area in new Residential Development is lawn/turf.

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e. Lawn/Turf limitations do not apply to small Residential Lots with less than 250 square feet in Landscaped Area.

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210

f. Lawn/Turf area limitations apply to all city-owned property with the exception of an Active Recreation Area or as determined by the Planning Commission under a Conditional Use Permit review.

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214 Encouraged Lawn/Turf practices include:

- 215 1. Only using Lawn/Turf in areas where it is functional, such as play areas, and
216 areas needing temperature, noise, or dust mitigation;
- 217 2. Choosing non-irrigated Lawn/Turf or Lawn/Turf species with lower water
218 requirements;
- 219 3. Not planting Lawn/Turf in narrow, small, or oddly shaped areas that are
220 difficult to efficiently irrigate;
- 221 4. Mowing Lawn/Turf at a height of four inches (4”);
- 222 5. Planting Lawn/Turf in shaded areas on the lot;
- 223 6. Planting deep-rooted turfgrass on slopes;
- 224 7. Using healthy soil practices, such as biochar and/or compost;
- 225 8. Artificial turf is not recommended in any landscaping due to its impact on the
226 Urban Heat Island Effect;
- 227 9. Per PCMC Title 13 Section 1-21(A): Areas using City water will be restricted
228 to every other day from May 1 to September 30. Outside watering at even-
229 numbered street addresses shall be limited to even-numbered days of the
230 month and outside watering at odd-numbered addresses shall be limited to
231 odd-numbered days of the month. Hours of outside watering shall be
232 restricted to between 7:00 p.m. and 10:00 a.m.

233

234 HISTORY

235 Adopted by Ord. 02-07 on 5/23/2002

236 Amended by Ord. 06-56 on 7/27/2006

237 Amended by Ord. 11-05 on 1/27/2011

- 238 Amended by Ord. 12-37 on 12/20/2012
- 239 Amended by Ord. 2018-27 on 5/31/2018
- 240 Amended by Ord. 2019-30 on 5/30/2019
- 241 Amended by Ord. 2020-19 on 4/16/2020
- 242 Amended by Ord. 2020-35 on 7/9/2020
- 243 Amended by Ord. 2020-42 on 9/17/2020
- 244 Amended by Ord. 2021-05 on 1/21/2021

245

246 **Section 15-15-1 Definitions**

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248 **ACTIVE RECREATION AREA.** An area of a lot or parcel that is: not in low density
249 residential development, comprised of lawn or turf dedicated to active use; installed or
250 maintained on areas with a slope of not more than 25%. Active use means regular use
251 for playing, exercise, recreation, or regular outdoor, activities that are ordinarily
252 associated with lawn or turf, such as: a sports field, a social gathering area, an
253 amphitheater, a public or private park, the playing area, including rough, driving ranges,
254 and chipping and putting greens, of a golf course.

255

256 **ARTIFICIAL TURF.** Simulated or artificially created life-like individual blades of
257 Lawn/Turf that emulate natural Lawn/Turf in look and color.

258

259 **GRAVEL.** Round rock or crushed stone less than **three inches (3")** in diameter.

260

261 **GRAYWATER.** Wastewater from bathtubs, showers, bathroom washbasins, clothes
262 washing machines, or laundry tubs used for landscaping as approved by the Summit
263 County Health Department.

264

265 **LAWN/TURF.** Nonagricultural land planted in closely mowed, managed grasses.

266

267 **MULCH.** Organic and inorganic material such as rock, bark, wood chips, or other
268 materials left loose and spread over an area of landscape.

269 **Organic mulches.** Wood, bark chips, pole peelings, wood grindings, shredded bark,
270 nut shells, pine needles, discarded plant parts.

271 **Rock mulches.** Crushed rock, stone, lava, pea gravel or other small stones or
272 inorganic material.

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274 **OVERHEAD SPRAY IRRIGATION.** Above ground irrigation heads that spray water
275 through a nozzle.

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277 **ROCKS.** Stones greater than three inches (3").

278

279 **SIGNIFICANT VEGETATION.** Includes all large trees six inches (6") in diameter or
280 greater measured four and one-half feet (4.5') above the ground, all groves of small
281 trees, and all clumps of oak or maple covering an Area fifty square feet (50 sq. ft.) or
282 more measured at the drip line.

283 **1. HISTORIC SIGNIFICANT VEGETATION.** Includes vegetation identified as part

284 of the Historic Site Form or Historic District Design Review Application and
285 compliant with Chapter 15-13.

286

287 **VEGETATIVE COVER.** Ground level surface area covered by the exposed leaf area of
288 a plant or group of plants at full maturity, excluding trees.

289

290 **WATER WISE LANDSCAPING.** A landscaping method developed especially for arid
291 and semiarid climates utilizing water-conserving techniques such as the use of non-
292 invasive drought-tolerant plants, mulch, and efficient irrigation that reduces the need for
293 supplemental irrigation. Installation of plant materials suited to the microclimate and soil
294 conditions that can remain healthy with minimal drip irrigation once established, be
295 maintained without the use of overhead spray irrigation, use water for outdoor irrigation
296 through proper and efficient irrigation design and water application such as
297 Hydrozoning, use of other landscape design features that minimize the need of the
298 landscape for supplemental water from irrigation, or reduce the landscape area
299 dedicated to Lawn/Turf.

300 **Hydrozones/Hydrozoning.** Plant grouping according to water needs, allowing for
301 more efficient irrigation. Plants, trees, and shrubs that are appropriate to the local
302 climate are used, and care is taken to avoid losing water to evaporation and run-off.

303 **Xeriscaping.** Sustainable landscape that conserves water and is based on sound
304 horticultural practice designs that incorporate low-water-use plants planted in
305 Hydrozones.

306

307 **WILDLAND URBAN INTERFACE IMMEDIATE IGNITION ZONE.** The area extending
308 from zero (0) to five (5) feet from any Structure, any overhang, or deck attached to a
309 Structure.

310

311 **WILDLAND URBAN INTERFACE INTERMEDIATE IGNITION ZONE.** The area
312 extending from the edge of the Immediate Ignition Zone to a distance not to exceed 30
313 feet.