



2267 N 1500 W
Clinton UT 84015

Planning Commission Members

*Chair – Dan Evans
Vice Chair – Dereck Bauer
Mark Gregersen
Dan Evans
Jolene Cressall
Ed Olsen*

Date of Meeting	June 20, 2023	Call to Order	7:01 p.m.
Staff Present	Community Development Director Peter Matson and Lisa Titensor recorded the minutes.		
Attendees			
Prayer or Thought	Commissioner Thompson		
Pledge	Commissioner Bauer		
Roll Call/Attendance	Present were: Dereck Bauer, Jolene Cressall, Dan Evans and Tony Thompson Excused were: Mark Gregersen, Ed Olson		
Declaration of Conflicts	There were none.		
1) PUBLIC HEARING: REVIEW AND ACTION ON A REQUEST BY JAMI MCFARLAND (MCFARLAND FAMILY FARMS) FOR A CONDITIONAL USE PERMIT FOR A TEMPORARY PRODUCE STAND TO BE LOCATED AT 1867 NORTH 2000 WEST (PARCEL NO. 14-266-0006)			
Petitioner	Petitioner: Jami McFarland, McFarland Family Farms Submitted by: Peter Matson, Community Development		
Discussion	<p>(1) The proposal consists of a temporary produce stand that would commence operations on July 7th and continue through September 8th. The stand will be located along the 2000 West corridor on the frontage of a commercial property located at 1867 North 2000 West. Proposed hours of operation are 9:00 am to 6:30 pm daily, Monday to Saturday.</p> <p>(2) This use is intended to be temporary, although they would like to operate at this location in subsequent seasons. Planning Commission may choose to approve the CUP for a single year or for multiple years (with possible renewal prior to expiration). In any case, written authorization of the property owner is required to be provided to the City prior to each season. Staff recommends a three year approval, but the timeframe is up to the discretion of the Commission.</p> <p>(3) Proposed signage is a banner tacked to the stand, which could be considered consistent with the City's requirements for banners being attached to buildings. A separate free standing temporary sign advertising one of their top seller items is also proposed and approved providing it is located on-site, outside of the public rights-of-way and clear vision triangles.</p> <p>(4) CUP REVIEW FINDINGS: The proposed use is (a) not detrimental to persons or property, (b) consistent with the objectives of the General Plan (c) compatible with the character of the site, adjacent properties and surrounding neighborhoods. (The Design Compatibility finding is not applicable for temporary uses.) The site can accommodate a temporary produce stand, has sufficient parking for both employees and customers, will not generate excessive traffic not already otherwise</p>		

	<p>present in this commercial area, and the access to the property is obtained from two access points along 2000 West and one on 1800 North.</p> <p>(5) Required Public Notice was made. No public comment has been received to date.</p> <hr/> <p>CONDITIONS OF APPROVAL</p> <p>1) This approval is for a Conditional Use Permit (CUP) for a temporary produce stand located at 1867 North 2000 West (Parcel No. 14-266-0006). The CUP will expire three (3) years from the date of approval. Prior to expiration, an application for renewal of the CUP Permit may be submitted, reviewed and forwarded to the Planning Commission for possible renewal.</p> <p>2) The temporary produce stand is seasonal and will operate from July 7th through September 8th. Hours are approximately 9:00 am to 6:30 pm, Monday through Saturday.</p> <p>3) The applicant shall obtain and provide the City the written authorization from the property owner prior to commencing business each season. The CUP is only valid with property owner’s permission, and may expire sooner if property is sold and new owner does not authorize such use.</p> <p>4) The banner attached to the produce stand and the 3x5 on-site sweet corn sign are approved. (Temporary signage shall only be located on the private property with which the business is operating, not within any public rights-of-way, or within the clear vision triangle at intersections.)</p> <p>5) Customer parking must be on site and not permitted on the shoulder along 2000 West. Applicant should communicate this with the customers.</p> <p>6) Prior to operating, the applicant shall obtain a Temporary Business License from the City, and shall also obtain any applicable County and State approvals/licenses.</p> <p>Councilmember Bauer requested staff ask applicant to request no parking on 2000 W.</p> <p>Commissioner Evans opened the public hearing at 7:13 pm.</p> <p>Jami McFarland stated McFarland Farms have been in Clinton for four years. They feel their service is beneficial to the community.</p> <p>With no public comment, Commissioner Evans closed the public hearing at 7:16 pm.</p>
<p>CONCLUSION</p>	<p><i>Commissioner Bauer moved approve the Conditional Use Permit request for a temporary produce stand located at 1867 North 2000 West for a term of three (3) years, after which the CUP is eligible for review and possible renewal with the conditions identified above and the addition of a sign encouraging parking on site rather than on 2000 W. Commissioner Thompson seconded the motion. Voting by roll call is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Evans, aye; Commissioner Olsen, aye; Commissioner Thompson, aye.</i></p>
<p>2) PUBLIC HEARING: REVIEW AND POSSIBLE ACTION ON ZONING ORDINANCE TEXT AMENDMENTS TO THE LANDSCAPING PROVISIONS THROUGHOUT THE ZONING TITLE WITH SPECIFIC REGULATIONS IN CHAPTER 3 REGARDING WATER EFFICIENT LANDSCAPE STANDARDS FOR COMMERCIAL AND RESIDENTIAL PROPERTIES – ORDINANCE 23-04Z</p>	
<p>Petitioner</p>	<p>Peter Matson, Community Development</p>

<p>Discussion</p>	<p>Ordinance 23-04Z includes two enactment sections – Section 1 refers to Exhibit A which includes text changes to the various Zoning Ordinance chapters listed above, and Section 2 refers to Exhibit B which includes the new water efficient landscape standards in Chapter 3, Section 28-3-21. The proposed changes in Exhibit A are intended eliminate conflicts between the new water efficient standards and existing zoning ordinance text. Modifications are shown in strikeout text and additions are shown in <u>underline</u> text. Many of changes presented in the last meeting and corrections/clarifications from Councilmember Dougherty have been incorporated in Exhibit A. Hopefully this separation of the text changes in Exhibit A and the new regulations in Exhibit B will simplify your review of this ordinance amendment.</p> <p>The Council discussed this ordinance amendment during their June 13th public hearing. The Council is committed to putting a code in place to meet the Weber Basin standards necessary for city residents to be eligible for incentives through the “Landscape Lawn Exchange Program.” Minimum program requirements that must be adopted into landscape ordinances include:</p> <ul style="list-style-type: none"> • Areas within the public right of way between the curb and gutter and the sidewalk shall not be landscaped with lawn. • Lawn areas will not be allowed in areas that are less than 8 ft wide at its narrowest point. • Lawn areas will not exceed 35% of the front and side yard landscaped areas for single-family residential. • New commercial, industrial, institutional, and multi-family developments shall not have lawn areas that exceed 15% of the total landscaped area, outside of designated active recreational areas that meet District design and landscape standards. <p>Additionally, the new standards in Exhibit B require new residential landscapes to adhere to these basic standards with a simplified landscape plan review and approval process compared to the commercial standards.</p> <p>Commissioner Evans identified the public hearing remains open from the June 6, 2023 Planning Commission meeting.</p> <p>The Planning Commission discussed proposed changes to the ordinance which are included as Attachment A.</p> <p>Commissioner Evans closed the public hearing at 9:48 pm.</p>
<p>CONCLUSION</p>	<p><i>Commissioner Bauer moved to forward a recommendation to the City Council to adopt Ordinance 23-04Z amending Title 28 Zoning regarding water efficient landscape standards for commercial and residential properties with the notes included in Attachment A. Commissioner Thompson seconded the motion. Voting is as follows: Commissioner Bauer, aye; Commissioner Cressall, aye; Commissioner Thompson, aye; Commissioner Evans, aye.</i></p>
<p>OTHER ISSUES</p>	<p>a. Approval of June 6, 2023 Planning Commission Meeting Minutes. <i>Commissioner Cressall moved to approve the minutes of the June 6, 2023 Planning Commission Meeting. Commissioner Thompson seconded the motion. Commissioners Bauer, Cressall, Evans and Thompson voted in favor.</i></p> <p>b. City Council Report</p> <p>c. Commission Reports – The July 4, 2023 Planning Commission meeting will be cancelled. Training is available in September and funds are available for the Planning Commission to attend. Commissioner Cressall expressed appreciation for the great job Clinton did for Heritage Days.</p> <ul style="list-style-type: none"> • There were none.
<p>ADJOURNMENT</p>	<p><i>Commissioner Cressall moved to adjourn. Commissioner Bauer seconded the motion. Commissioners Bauer, Cressall, Evans and Thompson voted in favor. The meeting adjourned 10:26 p.m.</i></p>

ATTACHMENT A

CHAPTER 28-2 DEFINITIONS

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"Landscaping, Non-living" Rocks, gravel, mulches, wood chips or other non-living materials typically used in landscaping may be used as ground covers under plant materials. ~~Such materials used solely as ground cover, without plants above, will not cover more than ten (10) percent of the ground area required to be landscaped. If more than ten (10) percent is desired, approval must be given by the planning staff based on the criteria in § 3.20.3 for Commercial developments and § 3.21.3 for residential dwellings of this title.~~

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CHAPTER 28-3 REGULATIONS APPLICABLE TO ALL ZONES

28-3-4 Additional Yard Regulations.

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(7) Front-yards shall remain free of impervious surfaces except as allowed in 28-4 for parking and access to covered parking or as allowed in 28-3-4 (4) above. ~~Minor landscape features shall not cover more than 5% of the available front yard.~~

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28-3-10 Site Plan and Architectural Approval

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(e) Landscaping.

(i) Landscaping Plan: As part of any proposed development, the owner or developer shall submit a landscape plan to the Community Development Department for approval. All landscaping plans shall demonstrate conformance with the applicable requirements contained in this Section and other applicable regulations in this Title.

(ii) Landscaping Objectives: Landscaping should substantively satisfy the following objectives to the extent that they apply to the specific site:

(A) Landscaping should be encouraged that will serve the function of enhancing the visual environment by:

- (1) Adding visual interest through texture, color, size and shape, etc;
- (2) Enhancing perspective by framing views, complementing architecture, screening and creating points of interest and activity; and

(3) Defining and screening parking areas and associated access lanes from adjacent residential zones and public rights of way.

(B) Landscaping, combined with other design elements, shall be encouraged that will serve the function of ensuring public safety by:

- (1) Guiding the circulation of cars and people;
- (2) Controlling access to parking lots;
- (3) Making traffic diverters prominent; and
- (4) Defining the relative importance of streets by varying the species, height and location of landscaping.

(C) Landscaping should be encouraged that will serve the function of minimizing the nuisance of noise and glare.

(D) Landscaping should be encouraged that will service the function of conserving energy by:

- (1) Shading hot summer sun; and
- (2) Blocking cold winter winds.

(E) Care should be taken to integrate the project to the site. Landscaping is one tool in carrying out this thoughtful consideration of the land. Sensitivity to topography and useful existing vegetation should be used in determining building location and special uses. The total landscape should be harmonious with the overall neighborhood concept.

(F) Preservation of existing landforms and mature trees is usually desirable.

(G) Visual variety should be the aim of landscaping treatment. Landscaping should be used to break up large expanses of pavement.

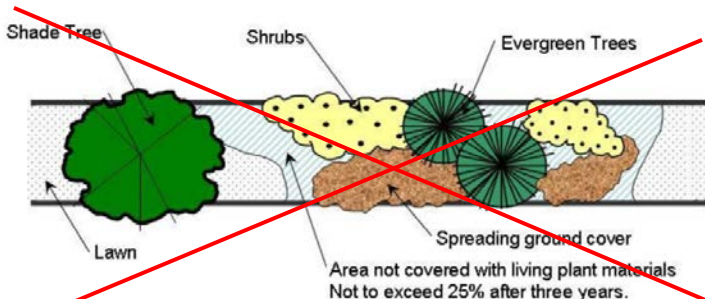
(H) Species that are a public nuisance or that cause excess litter should be avoided.

(I) Landscaping and other design elements, such as pavers, lighting, seating, etc., as deemed appropriate, should enhance the visual environment by creating a visually obvious and definite entry point or entry corridor, ~~en~~-framing views, complementing the architecture, screening objectionable views and creating points of interest.

(iii) General Requirements:

(A) ~~Landscaping shall be installed in~~ All areas not occupied by buildings, parking, storage, future phased plan areas or access-ways, as well as the area of the public right of way defined by a curb or gutter shall be landscaped utilizing ground covers, turf, trees and/or shrubs.

~~(B) When shrubs or ground covers other than turf are used for landscaping, the spacing, type and size of plants used shall be such that seventy five percent (75%) of all landscaped areas shall be covered with living material within three (3) years of planting.~~



(C) Planting beds shall be covered with rock or wood mulch to a minimum depth of three inches ~~(3")~~.

~~(CD)~~ Plant material shall be species that are regionally appropriate and suitable for the site-specific planting conditions, including available moisture, shade, salt tolerance, wind exposure and soil pH.

~~(DE)~~ The maximum allowable cut or fill slope is two feet ~~(2:1)~~ horizontal distance for one foot ~~(1:1)~~ of rise.

Slopes steeper than two to one ~~(2:1)~~ will require retaining walls or other types of approved slope stabilization methods.

~~(EF)~~ No plant material greater than ~~twenty-four 24~~ inches ~~(24")~~ in height shall be located within ~~twenty-five feet (25')~~ 25 feet of a curb cut or drive approach except for street trees as required herein.

(iv) Size of Landscape Materials at Time of Planting: Unless specified elsewhere in this Code:

(A) Deciduous shade trees shall have a minimum caliper size of two inches ~~(2")~~ as defined by industry standards.

(B) Evergreen trees shall be a minimum of six ~~(6)~~ feet tall.

(C) Shrubs shall be of a size generally known in the landscape industry as requiring at least a one ~~(1)~~ gallon container.

~~(v) Installation and Maintenance:~~

~~(A) Landscaping shall be installed prior to occupancy of any unit in the structure. In the case of inclement weather that prevents the installation of the required improvements, the time completion of the improvements may be extended, in writing, upon the approval of the applicable reviewing body or designee. However, in no case shall the time for completion be extended beyond June 1 immediately following the completion date. A financial guarantee according to 28-3-22 of this Title shall be required prior to issuing building permits.~~

~~(B) All landscaping, fencing, walls and other buffering/screening materials shall be maintained in a good, healthy, weed-free, effective condition by the owner. Diseased or dead plant material shall be removed and replaced by June 1 if due to winterkill or October 1 if the plant material dies during summer months. Deteriorated or ineffective fencing material shall be removed and replaced within three (3) months of notice of correction.~~

~~(C) Landscaping materials shall be contained so as not to obstruct any portion of the public sidewalk or street pavement.~~

~~(D) All landscaping shall be protected from automobile overhang, by use of a curb or a wheel bumper.~~

~~(vi) Irrigation System Design:~~

~~(A) Irrigation systems shall be designed to avoid or minimize overspray of water onto paved surfaces or structures.~~

~~(B) Landscaped areas shall be irrigated with an underground irrigation system, not including single-family residential dwellings. Areas with existing natural vegetation of shrubs or trees are not required to be irrigated unless site improvements have altered the historic drainage pattern or soil absorption patterns so as to reduce the amount of available water so the planting cannot exist in its natural state.~~

~~(vii) Tree Preservation:~~

(A) Existing trees that are in a healthy condition and have a minimum caliper of four inches ~~(4")~~ as measured by industry standards shall be considered "significant," and shall be preserved to the extent reasonably feasible. Existing trees and shrubs within areas that can be developed may be used to satisfy the landscaping requirements of this Section. All required landscape plans shall accurately identify the locations, species, size, condition and proposed disposition of all significant trees.

(B) Species that are a public nuisance or that causes excess litter should be avoided.

(C) Existing trees that will remain and their root systems shall receive adequate water to ensure survival, and shall be protected from damage, soil contamination and compaction within the drip line during construction through the use of barricades or fencing.

~~(viii) Street Trees:~~ When the public street frontage has existing curbs or is required to install curbs as part of the development improvements, street trees shall be required to be installed in the ~~parkway~~ park strip. Trees shall be spaced based upon the species or as established in the site plan review. If the space in the ~~parkway~~ park strip is less than four feet ~~(4')~~, the required trees shall be placed outside of the ~~parkway~~ park strip but within ~~twenty-five feet (25')~~ 25 feet of the curb line and may be arranged in a formal or informal manner.

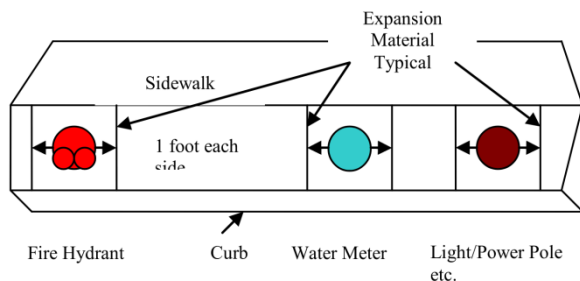
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28-3-20 Required Residential and Commercial Landscaping.

28-3-20.1 Required Residential Landscaping

(1) All front & side yards that are visible from public view (excluding fenced rear yards), shall be landscaped; as well as the area within the public right of way between the curb and gutter and sidewalk otherwise known as the "park -strip".

(a) The park strip may be covered with non-turf landscaping or non-living landscaping. Concrete is not allowed in park strips of local streets, only major streets, known as collector and arterial streets. However, e Concrete is placed in the park strip area of collector and arterial streets around the water meter ring, fire hydrants and similar utilities, the area surrounding the item shall be separated from the utilities with expansion joint material or other approved material on each side of the item from the remainder of the concrete. -This joint material shall be located one foot from the largest edge of the item on each side, extending from sidewalk to curb, thus facilitating removal of the concrete around the item without damage to the adjacent concrete in the park strip. -In no case will the City be required to replace any concrete or other material that it may remove. Caution should be exercised not to place items in the park strip that could be a hazard to pedestrian or vehicular traffic.



(b) Additional information related to structures, trees, excavation, height limitations, and maintenance requirements associated with the right-of-way and park strip can be found in Title 25, Chapters 15 and 16.

(2) Existing and New Residential Uses:

(a) Existing single-family residential uses which have either not installed landscaping, or residential uses where the landscaping no longer exists, must install landscaping according to these regulations and shall be installed within 18 months from the enactment of this provision.

(b) For all single-family homes that are constructed after the enactment of this provision, landscaping must be installed within 18 months after the initial occupancy of the home.

28-3-20.2 Required Commercial Landscaping

When an area is required to be landscaped under the terms of this Title, the requirements shall be met by the installation and maintenance of improvements as set forth in 28-3-10 and below:

(1) General Requirements:

(a) All plantings shall be maintained in a healthy and attractive condition.

(b) Landscaping materials shall be contained so as not to spill into the public right of way.

(c) All areas not occupied by buildings, parking, storage, future phased plan areas or access-ways, shall be landscaped; as well as the area within the public right of way between the curb and gutter and sidewalk shall be landscaped, unless the area falls along a gateway or entry corridor as designated in the general plan. ~~Public right of way defined by a curb or gutter can be landscaped utilizing ground covers, trees and shrubs instead of turf. When shrubs or ground covers are used for landscaping, the spacing, type and size of plants used shall be such that seventy five percent (75%) of all landscaped areas shall be covered with living material within three (3) years of planting.~~

~~(d) For all uses except single-family dwellings, all landscaping shall be serviced by an acceptable underground sprinkling or irrigation system.~~

(2) Gateway and Entry Corridor Rights Of Way:

(a) For areas at an entry point or along an entry corridor, the area within the public right of way between the curb and gutter and sidewalk may be fully landscaped, or may invoke a combination of landscaping, pavers and other design elements to create the desired visual impact. The use of landscaping and pavers at entry points and along entry corridors should substantively satisfy the following objectives:

(i) Landscaping, combined with pavers and other design elements such as lighting, seating, etc., as deemed appropriate, should enhance the visual environment by creating a visually obvious and definite entry point or entry corridor through use of a texture, color, size and shape, etc., enhancing perspective by framing views, complementing architecture, screening, and creating points of interest and activity;

(ii) Landscaping, combined with other design elements, shall be encouraged that will serve the function of ensuring public safety by:

(A) Guiding the circulation of cars and people;

(B) Controlling access to parking lots;

(C) Making traffic diverters prominent; and

(D) Defining the relative importance of streets by varying the species, height and location of landscaping.

(iii) Landscaping combined with other design elements should minimize maintenance to ensure these points of first impression are maintained at an optimum level.

(b) Care should be taken to integrate the design of the entry point or entry corridor to the surrounding areas in a way that maximizes the assets of the area while still maintaining the desired continuity and visual impact.

(c) Visual continuity and overall design shall control the balance of landscaping and other design elements. However, whenever possible, landscaping shall be used.

(3) More Than Ten Percent Nonliving Ground Cover:

~~When considering if more than ten percent (10%) of nonliving ground cover shall be allowed the following principles shall be in place in the landscaping or landscaping design:~~

~~(a) The overall landscaping on the property enhances the visual environment by:~~

~~(i) Adding visual interest through texture, color, size and shape, etc., and~~

~~(ii) Enhancing perspective by framing views complementing architecture, screening and creating points of interest and activity;~~

~~(b) The design includes elements which work with existing topography and is designed in such a way as to make softened transitions from the landscaping of adjoining properties to the property in question;~~

- ~~(c) Plant species that are a public nuisance or that cause excess litter should be avoided;~~
- ~~(d) The other aspects of water wise design are included on the properties which are:~~
- ~~(i) An overall landscape design for the entire property,~~
- ~~(ii) Mulches are used in planting bed areas,~~
- ~~(iii) Turf areas are used in high use areas of the lot,~~
- ~~(iv) Plants are selected and installed which are appropriate for the physical condition of site specific locations, and~~
- ~~(v) The landscaping is kept free of weeds and junk materials.~~

~~(4) General Maintenance:~~

~~All landscaped areas, whether required or otherwise, shall be kept and maintained in accordance with all of the following standards:~~

- ~~(a) Landscaped areas shall be kept free of litter and debris.~~
- ~~(b) Landscaped areas shall be weeded on a regular basis.~~
- ~~(c) Trees and shrubs shall be pruned so as to avoid damage to other improvements, structures or utility lines.~~
- ~~(d) Dead branches or dead trees, shrubs or other plant materials are removed from the property.~~
- ~~(e) Lawns are mowed on a regular basis according to the growth habit of the type of turf grass used.~~
- ~~(f) All plant materials shall be adequately watered to maintain a healthy condition as by the typical color of the plant under normal growing conditions; provided that when water use restrictions are imposed by the city or applicable secondary water provider during times of drought, no violation shall occur as long as the owner or occupant is watering within such restrictions.~~
- ~~(g) Required trees, shrubs or other plant materials that have died shall be removed and must be replaced.~~
- ~~(5) Landscaping shall be installed in all areas not occupied by buildings, parking or access ways and according to the approved plot plan. Landscaping shall be installed prior to occupancy of any unit in the structure. In the case of inclement weather that prevents the installation of the required improvements, the time completion of the improvements may be extended, in writing, upon the approval of the applicable reviewing official or body, or designee. However, in no case shall the time for completion be extended beyond June 1 immediately following the completion date. A financial guarantee according to 28-3-22 of this Chapter shall be required prior to issuing building permits.~~

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28-3-26 Model and Display Homes.

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(1) Model Homes

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- (i) Full landscaping, consistent with the water efficient landscape provisions of this Chapter, must be installed prior to occupying the building as a model home. The Community Development Director or an appointed staff member may grant ~~a~~^{one} ~~(1)~~ time up to a six-month extension for weather-related reasons.

(2) Display Homes

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- (e) Full landscaping, consistent with the water efficient landscape provisions of this Chapter, must be installed prior to occupying the building as a model home. The Community Development Director or an appointed staff member may grant ~~a~~^{one} ~~(1)~~ time up to a six-month extension for weather-related reasons.

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CHAPTER 28-4 PARKING AND LOADING SPACE, VEHICLE TRAFFIC AND ACCESS REGULATIONS

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28-4-18 Parking Lot Landscaping.

Parking lot screening, perimeter and interior landscaping shall be consistent with the water efficient landscape standards and landscape plan requirements set forth in Section 28-3-21 of this Title.

(1) Landscaping and Screening: Whenever parking spaces for five ~~(5)~~ or more cars and their associated access driveways are located in or near a residential zone, screening is required to protect residential properties from potential impacts of lights, noise, increased pedestrian and automobile traffic, invasions of privacy and physical intrusions on property. Based on the applicant's site plan, the department will determine the potential impacts resulting from location, site design and layout as they relate to the areas of concern identified in Table A of this section. The nature of surrounding topography may be considered in determining whether impacts exist. The applicant may then choose from among those screening options in Table B of this section that are designed to mitigate identified impacts. The specified standard for each option is identified in Table B of this section. Determinations may be appealed to the Planning Commission. If there are no potential impacts, screening may not be required. The fencing and landscaping required under this section shall be maintained and replaced as needed in order to provide an effective screen. Whenever a fence abuts a parking area, tire blocks will be required; the tire blocks must be set back a minimum of two and one-half feet (2-1/2') from the curb, in order to protect the fence from traffic. Landscaping shall be protected from automobile overhang, excluding low growing ground covers ~~and turf.~~

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28-4-18 Parking Lot Landscaping. (continued)**TABLE B: SCREENING OPTION DESCRIPTIONS**

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B - Berm with shrub landscaping sufficient to achieve a four-foot-high (4') high-screen

Screens parking lot and buffers building. Evergreen shrubs shall be of a locally adapted species ~~such as pyracantha, yew, juniper or evergreen euonymus.~~ Shrubs shall be a minimum of five (5) gallons when planted and shall be expected to reach a height of at least four feet (4') within five (5) years of planting. Shrubs shall be planted at a maximum of five feet (5') on center. The berm shall have a stabilized side slope no greater than three-3 to one-1 ratio ~~(3:1)~~ of run to rise.

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E - A six-foot-6'-wide (6') landscaped strip and either a six-foot-6'-tall (6') solid fence of either ~~wood,~~ vinyl or chain-link with interlocking opaque vinyl, or a six-foot-tall (6') tall decorative masonry wall with textured surfacing facing residential use.

Screens ground level lights, higher level lights, noise, and objectionable views; provides privacy, access restriction and additional noise mitigation. Trees shall be a minimum of two-inch (2") caliper in size, spaced at a minimum of twenty-20 feet (20') on center.

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28-4-18 Parking Lot Landscaping. (continued)

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(3) Parking Lot Interior Landscaping: ~~In addition to the site landscaping requirements;~~

(a) Required parking areas shall install landscaped islands with raised curbs. Islands shall not be placed over asphalt or concrete. A curb shall be provided along all interior roadways to prevent vehicular intrusion into landscape areas. Whenever a landscaped island under this provision is required it shall be a minimum width of nine feet ~~(9')~~ and the length of the parking stalls it abuts. Landscaped islands shall be required for each of the following conditions:

(i) The end of all rows ~~(s)~~ of stalls.

(ii) A row of parking has over ~~fifteen (15)~~ 15 parking stalls. One island shall be placed between every ~~fifteen (15)~~ 15 stalls in the row. In the light manufacturing zone, if the parking is located behind the building and is not in public view from the street, the island placed between every ~~fifteen (15)~~ 15 stalls can be relocated and placed as one large island. The area for the large island shall be the cumulative square footage of the separate islands. Such combined area shall be located at the entrance to the row of parking which is most visible from the public street.

(iii) To define parking lot entrances.

(iv) To define the main interior circulation road pattern.

(b) When landscaped islands are required, a minimum of one deciduous tree shall be planted in each island. This tree requirement is in addition to the number of trees required on the remainder of the lot.

The surface of the island shall be planted in ~~grass-mulch, ground cover~~ or shrubs. ~~If shrubs are used they shall meet the requirement of seventy-five percent (75%) of the landscaped area covered with living plant material within three (3) years.~~ Plantings shall be maintained at a height not to exceed ~~three-two feet (3')~~

(c) Required public and employee parking areas over ~~two hundred (200)~~ 200 stalls shall be divided by a minimum ~~ten-10-~~ foot (10') wide landscaped planting island perpendicular to the parking stalls. The planting island shall be placed along every fourth row of parking. Trees shall be planted in the island at ~~forty-40 feet (40')~~ on center and shall be a minimum ~~two-foot-inch (2')~~ two-foot-inch (2') caliper size. ~~Where possible, these islands should line up with exit & entryways of the buildings and have a minimum of a five-foot (5')~~ walkway, within the island.

(d) A minimum of six percent ~~(6%)~~ of the interior space (as measured by drawing a rectangular shaped area around the maximum extent of each parking area) of all parking lots with ~~ninety-nine (99)~~ 99 or less spaces, and ~~ten-10~~ percent ~~(10%)~~ of all parking lots with ~~one hundred (100)~~ 100 or more spaces shall be landscape areas.

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CHAPTER 28-18 LIGHT MANUFACTURING (MP-1) ZONE

28-18-10 Bufferyard Requirements.

(1) Bufferyard requirements are outlined in Table 18.7.

(a) The following plant material substitutions shall satisfy the requirements of this section.

(i) Evergreen canopy or evergreen understory trees may be substituted for deciduous canopy forest trees without limitation.

(ii) In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.

(2) If the development on the adjoining use is existing, planned, or deed-restricted for solar access, understory trees may be substituted for canopy trees where canopy trees would destroy solar access.

(3) Any existing plant material which ~~otherwise~~ satisfies the requirements of this section may be counted toward satisfying all such requirements.

(4) The exact placement of required plants and structures shall be the decision of each user except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival.

(5) All bufferyard areas shall be ~~seeded with grass and provided with a means of watering~~ planted, irrigated and maintained consistent with the water efficient landscape standards of this Title.

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CHAPTER 28-19 PERFORMANCE STANDARDS STANDARD ZONE

...

28-19-11 Open Space.

(1) Land which is required by this chapter to remain as open space may be used for the recreation, agriculture, resource protection, amenity and other purposes specified in this section. Open-space land shall be freely accessible to all intended users of a development with the exception that agricultural land uses shall be permitted to restrict access to that land to those solely engaged in agricultural pursuits. Open-space land shall not be occupied by non-recreational buildings, roads, road right-of-way or parking areas.

(2) All developments required by this chapter to provide open space shall meet the following requirements:

(a) Land designated as open space shall be maintained as open space and may not be separately sold, subdivided, or developed except as provided below.

(b) An open-space landscape plan shall be submitted as a part of the application for site plan approval. This landscape plan shall follow the standards outlined in Section 28-3-21 of this Title. ~~designate and indicate the boundaries of all open-space areas required by this ordinance. The plan shall:~~

~~(i) Designate areas to be reserved as open space. The specific design of open-space areas shall be sensitive to the physical and design characteristics of the site.~~

~~(ii) Designate the type of open space which will be provided.~~

~~(iii) Specify the manner in which the open space shall be perpetuated, maintained, and administered.~~

(c) The types of open space which may be provided to satisfy the requirements of this ordinance, together with the maintenance required for each type, are as follows:

(i) Agricultural uses. No specific maintenance is required.

(ii) Greenways are linear green belts linking residential areas with other open-space areas. These greenways may contain bicycle paths, footpaths, and bridle paths. Connecting greenways between residences and recreational areas are encouraged. Maintenance is limited to a minimum removal and avoidance of hazards, nuisances, or unhealthy conditions.

(iii) Lawns consist of grass with or without trees. Any lawn or turf areas shall be consistent with the water efficient landscape standards in Section 28-3-21 of this Title. Maintenance is limited to watering and mowing to ensure neatness.

(iv) Interim open space. Land intended for future development may be designated as a holding zone and thus remains vacant until such time as this land is annexed or rezoned as a development district.

(d) All designated open space shall be large enough to be useable open space. The minimum dimension for usable open space shall be ~~(10)~~ feet and the minimum area shall be ~~one hundred (100)~~ 100 square feet.

(3) Preservation of open space. Open-space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open-space areas may be owned, preserved, and maintained as required by this section by any of the following mechanisms or combinations thereof:

(a) Dedication of open space to the City or an appropriate public agency, if there is a public agency willing to accept the dedication.

(b) Common ownership of the open space by a homeowner's association which assumes full responsibility for its maintenance.

(c) Dedication of development rights of open space may be made to an appropriate public agency with ownership remaining with the developer or homeowner's association. Maintenance responsibility shall remain with the property owner.

(d) Deed-restricted private ownership which shall prevent development and/or subsequent subdivision of the open-space land and provide the maintenance responsibility.

In the event that any private owner of open space fails to maintain same according to the standards of this ordinance, Clinton City may, in accordance with the Open-Space Landscape Plan and following reasonable notice, demand that deficiency of maintenance be corrected and enter the open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.

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28-19-18 Bufferyard Requirements.

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(4) The following plant material substitutions shall satisfy the requirements of this section.

(a) In bufferyards F, G, H, and I, evergreen canopy or evergreen understory trees may be substituted for deciduous canopy forest trees without limitation.

(b) In bufferyards A, B, C, D, E, and G, evergreen canopy or evergreen understory trees may be substituted as follows:

(i) In the case of deciduous canopy forest trees, up to a maximum of fifty (50) ~~50~~ percent of the total number of the deciduous canopy trees otherwise required.

(ii) In the case of deciduous understory, without limitation.

(iii) In all bufferyards, evergreen or conifer shrubs may be substituted for deciduous shrubs without limitation.

(iv) In all bufferyards required of public service uses, the public service use may substitute evergreen canopy or evergreen understory plant materials for canopy forest trees and understory plant materials, without limitation.

(v) If the development on the adjoining use is existing, planned, or deed-restricted for solar access, understory trees may be substituted for canopy trees where canopy trees would destroy solar access.

(vi) Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.

(vii) The exact placement of required plants and structures shall be the decision of each user except that the following requirements shall be satisfied:

(a) Evergreen (or conifer) class III and IV plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival.

(b) Berms with masonry walls (BW1, BW2, and BW3) required of bufferyard I are intended to buffer more significant nuisances from adjacent uses and, additionally, to break up and absorb noise, which is achieved by the varied heights of plant materials between the masonry wall and the noise source.

(c) All bufferyard areas shall be landscaped according to the water efficient landscape standards in Chapter 3 of this Title seeded with grass and provided with a means of watering.

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CHAPTER 28-20 CENTRAL BUSINESS DISTRICT DESIGN STANDARDS
28-20-6 Additional Design Objectives
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Clinton City Street Tree List – Table 20.2

<i>In a 3 to 4 foot park strip:</i>		
Columnar Norway Maple	Chanticleer Pear	Mountain Ash
Queen Elizabeth Hedge Maple	Bradford Pear	Bechtel Crabapple
Flowering Plum	Aristocrat Pear	Eastern Redbud
<i>In a 4 to 5 1/2 foot park strip:</i>		
Chanticleer Pear	Imperial Honey locust	Emerald Queen Norway Maple
Bradford Pear	Sunburst Honey locust	Schwedleri Norway Maple
Aristocrat Pear	Shademaster Honey locust	Deborah Norway Maple
Little Leaf Linden	Hackberry	Queen Elizabeth Hedge Maple
<u><i>Trees listed above to be cross referenced with the Weber Basin Water Efficient Tree List as part of the landscape plan review and approval process.</i></u>		
<i>The following are not acceptable or allowed as street trees:</i>		
All varieties of Bearing Nut Trees <u>(including Walnut, Pecan & Hickory)</u>	All species of Willow <u>(including Walnut, Pecan & Hickory)</u>	All up-right-growing species and varieties of Conifers (including Spruce, Pine, Fir, and Juniper)
Tree of Heaven (Bird of Paradise Tree)	All varieties of bearing fruit trees (including Crabapple)	All species of Birch
		All species of Elm
All species of Cottonwood	All species of Poplar	Catalpa
Paul’s Scarlet Hawthorn	Globe Catalpa	Silver Maple
London Planetree	Boxelder	Black Locust
Apple, Pear, Plum & Cherry	Sycamore	Mulberry
	Umbrella Catalpa	

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