

TOWN OF HIDEOUT

ORDINANCE #2024-O-12

AN ORDINANCE AMENDING TITLE 10, CHAPTER 08, SECTION 36 “LANDSCAPING AND IRRIGATION” TO EXTEND THE TIME TO COMPLETE LANDSCAPING, REMOVE THE BOND REQUIREMENT FOR RESIDENTIAL LANDSCAPING, AND INCLUDE A TEMPORARY CERTIFICATE OF OCCUPANCY PROVISION

WHEREAS, the Hideout Council (“Council”) previously enacted land use ordinances regulating installation of landscaping and irrigation in Ordinance 2024-O-05; and

WHEREAS, since the enactment of Hideout’s ordinance, the Utah legislature amended the state statute prohibiting a municipality from requiring a completion assurance for residential landscaping; and

WHEREAS, due to the short building weather window in Hideout the Council desires to extend the timeline for residential landscaping installation.

NOW, THEREFORE, BE IT ORDAINED BY THE HIDEOUT COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: Title 10, Chapter 08, Section 36 is amended as indicated below:

**10.08.36 LANDSCAPING AND IRRIGATION**

A. **Landscape Improvements and Guarantees.** All landscape improvements (landscape materials, irrigation system, landscape buffers, etc.) shall be installed and paid for by the Developer or ~~homeowner~~ property owner on the site in accordance with the approved Final Landscape Plan prior to, or within nine (9) months of, the issuance of a certificate of occupancy or a temporary certificate of occupancy for the building or use. ~~When weather conditions do not permit installation of the landscape improvements prior to the issuance of the certificate of occupancy, and, upon presentation of a cash bond, cash deposit, or assured letter of credit in an amount sufficient to guarantee installation of the landscaping and irrigation system, the Town Engineer may approve a delay in the immediate installation of the required landscape improvements for a period of time not to exceed six (6) months. In those instances where the Town Engineer approves a delay in the installation of the required landscape improvements, a temporary certificate of occupancy shall be issued for the building or use conditioned upon the satisfactory installation of the required landscape improvements within the time period approved by the Town Engineer.~~

A failure to complete the landscaping within the time limits in this section may subject the developer or property owner to a refusal, suspension, or revocation of the certificate of occupancy and other civil or administrative actions.

B. **Minimum Size of Plantings.** Unless otherwise specified herein, all required deciduous trees shall be a minimum of two-inch caliper in size. All evergreen trees shall be a minimum of six feet in height. All shrubs shall be a minimum of five gallon in size.

C. **Plant Materials.** Plant shall be well-suited to the soil and climate conditions at the project site. Native plant materials are encouraged. The Applicant shall provide the water requirements for all plant material.

D. **Natural Topping of Landscape Areas.** All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: groundcover, planting, or wood mulch. Decorative rock (commonly known as rice gravel, pea gravel or decomposed granite [DG]) may be used as a ground cover for up to 25% of a property's landscape area (exclusive of building footprint and driveway/parking area).

E. **Irrigation Standards**

1. All landscaped areas shall be supported by an automatic irrigation system which may be a spray, soaker, or drip type system. The irrigation system shall meet all State and Town requirements for potential cross-connections that must be protect against backflow to the culinary water system. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the road, sidewalk, or parking areas.
2. Each valve shall irrigate a landscape with similar site, slope and soil conditions and plant materials with similar watering needs. Sod and non-sod areas shall be irrigated on separate valves. Drip Emitters and sprinklers shall be placed on separate valves.
3. Separate Connection. Any landscaping that will be owned and maintained by the Town shall have separate irrigation line connection prior to the master meter. A backflow prevention device shall be installed by the Developer or Property Owner as required by the Town Planner or Town Engineer.

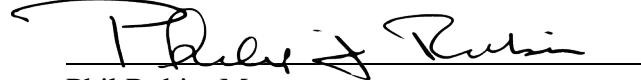
F. **Soil Preparation.** Soil preparation will be suitable to provide healthy growing conditions for the plants and to encourage water infiltration and penetration. Soil preparation shall include ripping, tilling, and/or scarifying the soil to a minimum depth of six (6) inches and amending the soil with organic material.

G. **Landscape Buffer.** A minimum fifteen-foot-wide landscape buffer with a minimum of one (1) screening tree spaced at each ten-foot interval (staggered configuration) shall be required along those Property lines of a site developed for multiple-family residential, commercial, or industrial uses when such Property lines are contiguous with any residential development or residential zoning district; except that no such landscape buffers shall be required for multiple-family residential contiguous with other multiple-family development.

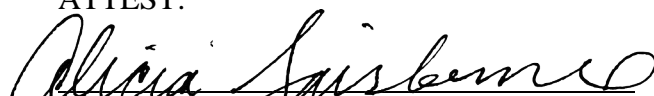
SECTION II: Effective Date. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED by the Hideout Council of Hideout, Utah, this 11th day of September in the year 2024.

TOWN OF HIDEOUT

  
Phil Rubin, Mayor

ATTEST:

  
Alicia Fairbourne, Recorder for Hideout

