

CITY OF BLUFFDALE, UTAH

ORDINANCE NO. 2016-05

**AN ORDINANCE CREATING A SPECIAL DISTRICT ZONING DESIGNATION
WITHIN THE CITY OF BLUFFDALE LAND USE ORDINANCE**

WHEREAS the City of Bluffdale Land Use Ordinance contains various special purpose and overlay zones;

WHEREAS an applicant and property owner representative have made application to create a new allowed zoning ordinance designation titled Special Districts to allow more flexible and specific land use development; and

WHEREAS the City of Bluffdale General Plan recommends development of flexible land use ordinances to help facilitate the development of properties within the City; and

WHEREAS the proposed text amendments set forth herein have been reviewed by the Planning Commission and the City Council, and all appropriate public hearings have been held and public notice given in accordance with Utah law and local ordinance to obtain public comment regarding the proposed amendments to the Land Use Ordinance.

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

Section 1. Text Amendments. The City Council hereby adopts the following amendments to Title 11 of the Bluffdale City Code, as indicated in Exhibit 'A' (All parts of these sections and subsections not specifically listed as changed shall remain unaffected):

See 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 and provisions of this Ordinance shall be severable.

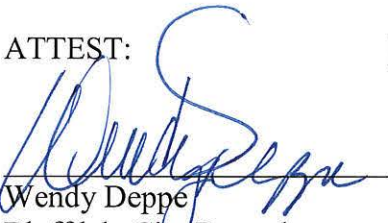
Section 3. Effective Date. This Ordinance shall take effect upon recording in the office of the City Recorder, publication, posting, or thirty (30) days after passage, whichever occurs first.

APPROVED, ADOPTED AND PASSED and ordered published by the Bluffdale City Council, this 11th Day of May, 2016.

CITY OF BLUFFDALE



Mayor

ATTEST: 

Wendy Deppe
Bluffdale City Recorder



Council Members Voting:

	AYE	NAY
Alan Jackson	Absent	_____
Ty Nielsen	<u> X </u>	_____
Boyd Preece	<u> X </u>	_____
Justin Westwood	Absent	_____
James Wingate	<u> X </u>	_____

Exhibit A
New Chapter 11-11H Added to Bluffdale City Municipal Code in its entirety

ARTICLE H. SPECIAL DEVELOPMENT (SD) ZONE

11-11H-1: PURPOSE:

11-11H-2: QUALIFICATION:

11-11H-3: LAND USES ALLOWED:

11-11H-4: DISTRICT DESIGNATION:

11-11H-5: CITY COUNCIL REVIEW TO SUBMIT AN APPLICATION FOR SPECIAL DEVELOPMENT DISTRICT (SD) ZONE

11-11H-6: DEVELOPMENT AGREEMENT

11-11H-7: PROJECT PLAN:

11-11H-8: SPECIFIC DEVELOPMENT STANDARDS AND REGULATIONS:

11-11H-9: AMENDMENTS OR EXCEPTIONS TO DEVELOPMENT PLANS AND DESIGN STANDARDS AFTER ADOPTION OF ZONE AND PROJECT PLAN:

11-11H-10: EFFECT OF APPROVAL

11-11H-1: PURPOSE:

The Special Development District (SD) Zone designation is provided in order to allow the most efficient and creative development of lands that have unique or unusual characteristics. The SD Zone is intended to be used for development when it can be shown that no other zone classification would be adequate for reasonable development that otherwise conforms to or furthers the goals and objectives of the City's General Plan, Economic Development Strategic Plan, and/or the City's Parks, Trails, Recreation, and Open Space Plan.

11-11H-2: QUALIFICATION:

For property to qualify for SD Zone classification the following conditions shall be met:

1. The property to be classified shall be at least ten (20) acres for residential and mixed use projects. The property shall be at least five (5) acres for commercial, industrial, or manufacturing projects.
2. The proposal conforms to the goals, objectives, and density recommendations of the City's General Plan.
3. The applicant shall demonstrate to the Planning Commission and City Council that development on the property would be constrained by topographic or other natural features, by platting or ownership configuration, by impact from public utility structures or other public structures or facilities, or that no other zone classifications exist that more appropriately suit the proposed development of the property.
4. The development of the property shall prepare a comprehensive Project Plan that addresses development issues specific to the site including, but not limited to, architectural design standards, landscaping, street trees, open space and parks, trail connections to the City's existing or proposed system, phasing and processing of development or similar characteristics.
5. The entire site proposed for SD District classification shall be included in a development plan for review and recommendation by the Planning Commission and approval by the City Council as an amendment to the City's Land Use Ordinance and Official Zoning Map.

11-11H-3: LAND USES ALLOWED:

Land uses allowed within an SD Zone shall be established by the review process as described in Section 11-11H-8: Specific Development Standards and Regulations.

11-11H-4: DISTRICT DESIGNATION:

When the land uses to be allowed in a specific SD Zone are determined, a permanent suffix for the district shall be established that shall be adopted and shown on the official Bluffdale City Zoning Map. Establishment of an SD designation shall conform to the hearing and approval requirements for Zoning Map and Land Use Ordinance

text amendments. The suffix shall describe the dominant land use characteristic of the district, as illustrated and shall also include the name for the particular district:

1. SD-R (residential uses) - name
2. SD-I (industrial or manufacturing uses) - name
3. SD-C (commercial uses) - name
4. SD-X (mixed residential and commercial uses) - name

11-11H-5: CITY COUNCIL REVIEW PRIOR TO SUBMITTAL OF AN APPLICATION FOR SPECIAL DEVELOPMENT DISTRICT (SD) ZONE

The application for the SD Zone combines applications for a zone map amendment, zone text amendment and a concept plan. Prior to the City accepting a rezoning application to the SD Zone, an applicant shall participate in a City Council planning session during a regularly scheduled and agendized public meeting, where the City Council shall discuss the proposed SD Zone rezoning application and whether it qualifies for SD Zone consideration as indicated by the criteria outlined in Section 11-11H-2. The determination of the Planning Commission and City Council are advisory and are performed to provide the applicant with additional information prior to submitting the formal, complete application.

11-11H-6: DEVELOPMENT AGREEMENT

The applicant may choose to submit a Development Agreement proposal as a part of the SD Zone application. If so, a Draft Development Agreement shall be submitted as part of the formal, complete application. After review by City Staff, the Draft Development Agreement shall be reviewed and approved by the City Council prior to or concurrent with adopting the ordinance approving the SD Zone rezoning.

11-11H-7: PROJECT PLAN:

Due to the site specific nature of the SD Zone, all requests for rezoning shall be accompanied by a Draft Project Plan for review and approval by the Planning Commission and City Council. The Project Plan shall be incorporated into the zoning text amendment proposal and formatted as necessary for codification.

The Project Plan must achieve and identify techniques to provide a development with uniform and compatible site and building standards when the project area is completely built out. The Project Plan must demonstrate compliance with the requirements of this article, as applicable. Any deviations from the City's Land Use Ordinance and City Standards requirements shall be specifically listed and approved by the City. The minimum submittal requirements included in the Project Plan shall be the following:

1. Existing Conditions Map that is a topographical map, aerial, satellite photos or equivalent, identifying all lands protected under state and federal statutes from development and any additional features or elements protected under city ordinance.
2. Conceptual Site Plan showing streets, lots and building placement where applicable.
3. Preliminary Street Cross Sections which conform to the City construction standards.
4. The proposed pedestrian, bicycle and active transportation network.
5. Conceptual Parks, Trails and Open Space Plan, which demonstrates connectivity with the City's existing and planned trail system
6. Preliminary plans for parking including off-street parking and snow removal where necessary.
7. Architectural requirements and design theme.
8. Street tree plan.
9. Other elements necessary to demonstrate or clarify the unique aspects of the proposal.

Based upon the specific circumstances of each proposed project, the City may require additional studies to be incorporated as part of the Project Plan. These studies may include, but not necessarily limited to, the following.

1. Preliminary culinary and irrigation water.

2. Preliminary storm drainage plans.
3. Preliminary utility plans.
4. Traffic analysis.
5. Geotechnical analysis.

11-11H-8: SPECIFIC DEVELOPMENT STANDARDS AND REGULATIONS:

As part of the Project Plan, the applicant shall prepare and submit to the City for Planning Commission review and City Council approval specific development standards and regulations for the proposed site. The specific development standards and regulations included shall be site specific provided such standards and regulations are in general conformity with adopted City policies, programs, and plans and all applicable chapters of this code. Such standards and regulations may include, but are not limited to, to:

1. Permitted, conditional and accessory uses.
2. Minimum lot areas, widths and depths.
3. Minimum setbacks.
4. Minimum building separations.
5. Minimum and maximum building height requirements.
6. Maximum lot coverage.
7. Minimum standards for access, parking and loading.
8. Minimum amount of open space including active and passive parks, trails, recreation facilities and active and passive open spaces including the long term plans for ownership and maintenance.
9. Minimum standards for architectural design, streetscape, fencing, signage and landscaping, including a process for design approval and administration.

- A. The Special Development (SD) Zone allows a property owner to develop using standards that are specific to the property thus permitting land use types, densities, lot sizes, setbacks and similar features that may differ from other City zones. There is an expectation that the buildings constructed in the SD Zone will be based upon architectural design guidelines that exceed requirements in other City zones. There is also an expectation that the architecture in the SD Zone will be more thematic and include more architectural elements and features. Where visible from an adjacent street or gathering place like a park or trail, there is an expectation that the visible side and rear facades of buildings will include additional architectural treatments that are usually placed on front facades, such as masonry, fiber cement siding or similar coverings and windows or doors will include additional treatments like pop-outs or wider wood or wood-like trims. The actual type of architectural feature and element enhancements for each building will vary depending upon the type of development and the perceived need but will be enumerated in the approved Project Plan.

10. Street tree plan.
11. Such other regulations and standards as may be necessary to accomplish the purposes and intent of the SD District.

11-11H-9: AMENDMENTS OR EXCEPTIONS TO DEVELOPMENT PLANS AND DESIGN STANDARDS AFTER ADOPTION OF ZONE AND PROJECT PLAN:

When a SD Zone Project Plan is adopted and the subject property has been placed in an SD Zone, the conceptual development plan and development standards associated with the zone shall be strictly construed. Only minor variations shall be made from the conceptual development plan based upon civil engineering and surveying considerations. Variations of the development standards adopted in the zone may be approved by the City Council as a land use ordinance text amendment with required hearings for the purpose of achieving better design. In taking such action, the City Council shall:

1. Receive a recommendation from the Planning Commission regarding said amendment;
2. Make a finding that the amendment will result in better design;

3. Be bound by the standards set forth in the text of the applicable SD Zone which governs the development plan; and
4. Meet all statutory requirements for land use ordinance text amendments.

11-11H-10: EFFECT OF APPROVAL

Approval of a SD Zone and accompanying land use ordinance text and Project Plan shall constitute zoning map, zoning text and concept subdivision plan approval and shall run with the land. Unless otherwise approved by the SD Zone approval, all other required City fees, approvals and requirements shall apply.