

**BLUFFDALE CITY
ORDINANCE NO. 10-24-00-1**

**AN ORDINANCE APPROVING AND ADOPTING AN AMENDED ZONING
ORDINANCE FOR BLUFFDALE CITY, UTAH**

WHEREAS, the provisions of the Municipal Land Use Development and Management Act, specifically Utah Code Ann. § 10-9-401, *et seq.*, authorize the City Council to periodically amend the zoning ordinance; and

WHEREAS, the Bluffdale City Planning Commission has recommended to the City Council the approval and adoption of an amended zoning ordinance; and

WHEREAS, the Bluffdale City Council has determined following receipt of the Planning Commission's recommendation and input through a public hearing that the proposed amended zoning ordinance is in the best interest of the health, safety and general welfare of the City;

NOW, THEREFORE, be it ordained by the City Council of Bluffdale City, State of Utah, as follows:

1. The attached Ordinance, which shall be known as Title 12, Zoning Ordinance of Bluffdale City, which is attached hereto as Exhibit A, is hereby adopted by the City Council of Bluffdale City, Utah, as if fully and completely set forth in this ordinance.

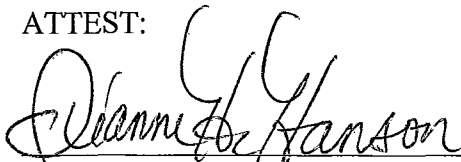
2. All of the former provisions of Title 12 and the Zoning Ordinance of Bluffdale City, Utah, together with all ordinances, resolutions or parts thereof in conflict with the provisions of this ordinance, are hereby repealed.

3. This ordinance shall take effect immediately after passage and adoption by the City Council and subsequent publication or posting as required by law.

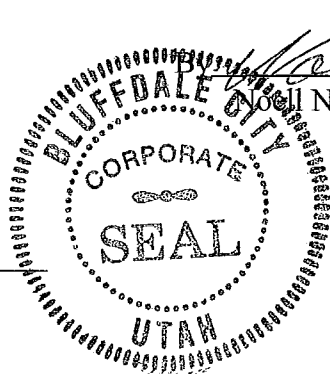
PASSED, ADOPTED AND APPROVED by the Bluffdale City Council this 24th day of October, 2000.


BLUFFDALE CITY

ATTEST:



Dianne H. Hanson
Bluffdale City Recorder




Noel Nelson, Mayor

Title 12 Zoning Ordinance**Title 12 Zoning Ordinance**

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Chapter 12.1**Title, Authority and Purpose**

- 12.1.1 Title
- 12.1.2 Authority
- 12.1.3 Purpose and Intent
- 12.1.4 Conflicting Provisions Repealed
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- 12.1.8 Penalty
- 12.1.9 Intended to be Consistent With General Plan

12.1.1 Title

This ordinance shall be known as Title 12, Zoning Ordinance and may be so cited and pleaded. This ordinance may also be referred to herein as the Zoning Ordinance or ordinance.

12.1.2 Authority

This ordinance has been prepared and adopted in accordance with § 10-9-401, et seq., of the Utah Code Annotated 1953, as amended. The Bluffdale City Council
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hereby exercises all authority granted by the Utah Code for zoning purposes.

12.1.3 Purpose and Intent

The purpose of this ordinance is to promote the health, safety, morals, convenience, order, prosperity, and general welfare of the citizens of Bluffdale City. It is the intent of this ordinance to:

1. Encourage and facilitate the orderly growth and development of Bluffdale City.
2. Secure economy in municipal expenditures, and to facilitate adequate provision of transportation, water, sewerage, parks, schools, and other public services.
3. Lessen congestion on the streets, prevent overcrowding of the land, and provide adequate light and air.
4. Secure safety from fires, floods, and other natural hazards and dangers.
5. Protect and improve property values.
6. Protect and stabilize tax base.
7. Promote attractive, planned and well managed development.
8. Create conditions favorable to prosperity, civic activities, and recreational, educational, and cultural opportunities.
9. Protect sensitive lands from inappropriate development patterns.

12.1.4 Conflicting Provisions Repealed

All ordinances, resolutions, or parts thereof in conflict with the provisions of this ordinance are hereby repealed insofar as they conflict with the provisions set forth in this ordinance.

All of Title 12 entitled Zoning Ordinance of Bluffdale City, Utah together with all subsequent amendments are hereby repealed to become effective concurrent with the effective date of this ordinance.

12.1.5 Illegal Uses Prohibited

Any building or use of land, or any construction thereon which was not previously authorized by or under Title 12, including all subsequent amendments thereto, or which is illegal under such ordinance, shall remain unauthorized and illegal unless expressly authorized or permitted in the provisions of this ordinance.

12.1.6 Procedure for Violation

When it becomes necessary to enter actions in court in order to obtain compliance with one or more of the provisions herein, staff shall first refer such matters to the City Council for their action and shall thereafter follow the instructions of the City Council.

12.1.7 Savings Clause, Severability

The provisions of this ordinance shall be construed to promote the purposes of this ordinance and fulfillment of the Bluffdale City General Plan. Every effort is made to

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avoid possible conflict with the laws of the United States, the State of Utah, Salt Lake County, Bluffdale City, and any other legal limitation. If any Section, provision, sentence or clause of this ordinance is declared unconstitutional, illegal or improper by a court of competent jurisdiction, such determination shall not impair the validity of the remainder of this ordinance, which shall remain in full force and effect.

10. It is not the intent of this ordinance to repeal, abrogate, annul, or in any way impair or interfere with any existing ordinance, law, statute, resolution, code, regulation, standard, or other provision of law except those which are specifically repealed under the terms of this ordinance. In the case of conflict between this ordinance and any other ordinance, law, statute, resolution, code, regulation, standard, or other provision of law, the more restrictive of the two shall apply unless otherwise provided herein.

12.1.8 Penalty

Any person, firm, or corporation violating any of the provisions of this ordinance shall be guilty of a Class C misdemeanor.

12.1.9 Intended to be Consistent with General Plan

This ordinance is intended to be consistent with the Bluffdale City General Plan in every way. Further, a significant purpose of this ordinance is to serve as an implementation tool for the realization of the General Plan.

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Chapter 12.2

Administration and Procedures

- 12.2.1 Preparation and Adoption
- 12.2.2 Zoning Map
- 12.2.3 Role of City Council
- 12.2.4 Establishment of Planning Commission
- 12.2.5 Board of Adjustment
- 12.2.6 City Staff
- 12.2.7 Savings Clause, Severability
- 12.2.8 Notice Requirements and Public Hearings
- 12.2.9 Amendments to Zoning Ordinance and Map
- 12.2.10 Relationship to Other Ordinances
- 12.2.11 Development Applications
- 12.2.12 Termination of Application
- 12.2.13 Vested Rights & Constitutional Takings Issues
- 12.2.15 Temporary Regulations

12.2.1 Preparation and Adoption

This ordinance has been prepared and adopted in accordance with § 10-9-402 of the Utah Code Annotated 1953, as amended. This ordinance was prepared under the direction of the Planning Commission and, following a recommendation from the Planning Commission, adopted by the City Council following a public hearing.

12.2.2 Zoning Map

The Planning Commission has prepared and recommended, and the City Council, following a public hearing, has adopted the official Zoning Map that identifies the zoning districts within the City.

Where uncertainty exists with respect to the boundaries of various zones, an interpretation of the zoning district boundary shall be determined using the following criteria:

1. Where indicated boundaries on the Zoning Map are approximately street center lines, the street center line shall be construed to be the zone boundary.
2. Where the indicated boundaries are approximately lot lines, the lot lines shall be construed to be the zone boundary.
3. Where land has not been subdivided into lots and blocks, the zone boundaries shall be determined by use of the scale of measurement shown on the map.
4. Where the indicated boundaries are approximately canals, water courses or bodies, or other clearly defined natural boundaries, the centerlines of the canal or water course, or the edge of other clearly defined natural boundaries shall be construed to be the zone boundary.
5. Where other uncertainty exists, the Planning Commission shall provide interpretation of the map. The interpretation of the Planning Commission may be appealed in writing to the

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City Council for a zone boundary interpretation. The official Zoning Map can be found in the office of the City Recorder. If the Zoning Map is amended in accordance with the requirements found in Section 12.2.8 herein, all previous Zoning Maps are no longer in effect for the purpose of identifying zone district boundaries.

12.2.3 Role of City Council

The City Council shall adopt the Zoning Ordinance in accordance with § 10-9-401, , et seq., of the Utah Code Annotated 1953, as amended. Unless otherwise delegated herein, all final decisions regarding this ordinance shall be by a majority vote of the City Council. As it relates to this ordinance, the City Council shall have the following powers and duties:

1. Adoption the Zoning Ordinance.
2. Initiation of amendments to the text or Zoning Map.
3. To render, or appoint a hearing officer to render, a determination if an applicant asserts a deprivation of, or has been subject to, a taking of property without just compensation or asserts some other invalidity by the passage of this ordinance.
4. To establish a fee schedule by resolution for applications for development approval, zone district amendments and all other approvals, permits and licenses required by this ordinance.
5. To approve, approve with conditions, remand back to the Planning Commission for further review, or deny development applications.

12.2.4 Establishment of Planning Commission

There is hereby established a Bluffdale City Planning Commission hereinafter referred to as the Planning Commission or Commission. The organization of the Planning Commission shall be consistent with § 10-9-201, , et seq., of the Utah Code Annotated 1953, as amended. The Commission shall be an advisory body to the City Council in making decisions pertaining to this ordinance and amendments to this ordinance. The Planning Commission shall also render final decisions when properly delegated in this ordinance by the City Council. As it relates to this ordinance, the Commission shall have the following powers and duties:

1. To prepare, or cause to be prepared, the Zoning Ordinance, or Zoning Map, and all proposed amendments to the Zoning Ordinance, or Zoning Map, and issue a recommendation to the City Council regarding this ordinance, or Zoning Map, or amendments to this ordinance, or Zoning Map.
2. To review and make recommendations to the City Council on applications for development approval, site plans, signs, or other proposals subject to this ordinance.
3. To review and issue conditional use permits.
4. To adopt bylaws, policies, procedures and regulations for the conduct of Commission duties, meetings,

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Commission shall be a non-voting member of the Commission elected from within the body of the Commission. Existing Planning Commissioners may be re-appointed by the City Council.

2. That the Commission elects a Chair person and a Vice Chair person at the first meeting of each year who shall be in charge of all proceedings necessary to preserve the order and integrity of Planning Commission meetings.

12.2.5 Board of Adjustment

There is hereby established a Board of Adjustment or Board. The organization of the Board of Adjustment shall be consistent with § 10-9-701, et seq., of the Utah Code Annotated 1953, as amended. The Board of Adjustment is organized to provide just and fair treatment in the administration of the Zoning Ordinance, and to ensure that substantial justice is done. The Board of Adjustment shall have the powers and duties expressly granted in §§ 10-9-703, 10-9-704 and 10-9-707 of the Utah Code Annotated 1953, as amended.

12.2.6 City Staff

Members of the City staff shall provide necessary information to the City Council, Planning Commission and Board of Adjustment in regards to the Zoning Ordinance. The City Council may hire additional staff or consultants to provide necessary information. The City Recorder shall prepare agendas and take minutes of meetings.

12.2.7 Notice Requirements and Public Hearings

All notice requirements and public hearing notice requirements shall satisfy State law and City ordinances or resolutions. The public notice shall contain ample information to allow the general public to determine what action is being proposed, a short description of the proposal, the time, date, and location of the public hearing, and where additional information, if any, may be obtained. Any action which requires a public hearing by State law, City resolution or ordinance, or the provisions of this ordinance shall be noticed in the following manner:

1. The notice shall be posted in at least three (3) public places within the City at least fourteen (14) days prior to the date of the public hearing.
2. The notice shall be published in a newspaper having general circulation within Bluffdale City at least fourteen (14) days prior to the date of the public hearing. The publication date, not the date of submission to the newspaper, must satisfy the fourteen (14) day notice requirement.
3. For any notice required by State law or City ordinance or resolution, the applicant shall be responsible to prepare and provide stamped addressed envelopes to be mailed to owners of property within one thousand (1000) feet, as listed on the latest tax assessment roles of Salt Lake County, no less than fourteen (14) days prior to the public hearing.

Any costs associated with the provision of the notice requirements herein shall be the responsibility of the proponent of the action. If notice given under authority of this Section is not challenged as provided by State law within thirty (30) days from the date of the meeting for which notice was given, the notice is considered adequate and proper.

12.2.8 Amendments to Zoning Ordinance and Map

The City Council may amend the number, shape, boundary, or area of any zoning district. The Council may also amend any regulation or other provisions of a zoning district. The amendments may only occur in accordance with the following procedure.

Any person, including staff, the Planning Commission or City Council, seeking an amendment to the Zoning Ordinance or Zoning Map shall submit to the Planning Commission, on forms provided by the City, the following:

1. A description of the specific amendment to the Zoning Ordinance or Zoning Map.
2. The reason and justification for the proposed amendment and how the proposed amendment would further the purpose and intent of the Zoning Ordinance, and how the proposed amendment is consistent with the General Plan. If the proposed amendment is inconsistent with the General Plan, the applicant shall submit, concurrently with the amendment application, an application for amendment to the General Plan.
3. Supporting documentation, maps, studies and any other information that would allow the City Council to make a well-informed decision.
4. The payment of the appropriate fee in accordance with the City fee schedule.

Upon receipt by the Planning Commission of the proposed amendment, the Commission shall hold a public hearing in accordance with Section 12.2.7 herein. Following the public hearing, the Planning Commission shall forward a recommendation to the City Council on the proposed amendment.

The City Council shall hold a public hearing on the proposed amendment in accordance with Section 12.2.7 herein. The City Council may approve, amend and approve, remand the proposed amendment back to the Planning Commission for further review, or deny the proposed amendment.

12.2.9 Relationship to Other Ordinances

This ordinance is intended to be consistent with all other laws, ordinances and resolutions of Bluffdale City, specifically including, but not limited to, the following:

1. The Bluffdale City General Plan and General Plan Map.

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2. The Bluffdale City Subdivision Ordinance.
3. The Bluffdale City Design Guidelines and Standard Specifications.

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The City Council shall establish a period of limited effect for the temporary regulations, not to exceed six (6) months.

12.2.10 Development Applications

A development application shall be required for approval of all proposed development reviewed under this ordinance including additions to existing buildings and temporary uses. All development applications are available from the City Recorder. The City is not obligated to act on any application that is not complete or does not contain all of the information required herein.

Any application for a subdivision shall also satisfy the applicable requirements of the Subdivision Ordinance. Review of zoning requirements and subdivision approval may be completed concurrently.

No use, development or development activity may be commenced until all necessary approvals, permits, and licenses have been issued in accordance with the provisions of this ordinance, and all required fees have been paid by the applicant.

12.2.11 Termination of Application

If a request of the City Council, Planning Commission, Board of Adjustment, or staff has not been responded to within sixty (60) days of the written request, the application may be terminated. The City Council may extend this deadline, or reinstate the application upon request by the applicant.

An application will be considered null and void if substantial construction or development has not occurred in connection with the application within one (1) year of final approval.

Should the application be terminated, the applicant shall be required to resubmit the application and shall satisfy all requirements in place at the time of resubmission, including the payment of fees.

12.2.12 Vested Rights & Constitutional Takings Issues

In order to provide certainty and predictability in the development approval process, the City Council has developed a procedure for considering and evaluating vested rights claims made under Utah law as amendments are made to this ordinance from time to time. This procedure may include the processing of consent agreements for the settlement of disputes pertaining to vested rights or other legal claims arising from this ordinance.

12.2.13 Temporary Regulations

In accordance with § 10-9-404 of the Utah Code Annotated 1953, as amended, the City Council may, without a public hearing, enact ordinances establishing temporary zoning regulations for any part or all of the area within the municipality.

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Chapter 12.3
General Provisions

- 12.3.1 Building Permits and Plats Required
- 12.3.2 Permits to Comply with Zoning Standards
- 12.3.3 Certificate of Occupancy & Zoning Compliance
- 12.3.4 Assurance for Improvements

12.3.1 Building Permits and Plats Required

No building or structure shall be constructed, reconstructed, altered, or moved, nor shall the use of land be changed, except after the issuance of a permit by the City.

If property boundaries are in any way uncertain, applications for building permits shall be accompanied by a plat, drawn to scale, showing the actual dimensions of the lot to be built on, the size and location of existing and proposed buildings, and any other information needed to make a well informed decision.

The staff, Planning Commission or City Council may require, at the applicant's expense, a legal description, professional survey, title search showing ownership, contour map, and any other information deemed necessary to enforce the terms of this ordinance.

12.3.2 Permits to Comply with Zoning Standards

No permit shall be issued or granted for the construction or alteration of any building or structure, the moving of any building onto a lot or parcel, a change in the use of a building or structure, or for a change in the use of land if the construction, alteration, moving, or change in use would result in a violation of any provision of this ordinance. Further, No sewer, water, or electrical utility facilities shall be installed to serve any premises if any use of the lot or parcel will be in violation of this ordinance.

12.3.3 Certificate of Occupancy

It shall be unlawful to use or occupy any building, structure or parcel of land until a Certificate of Occupancy has been issued for the building, structure or parcel. It shall also be unlawful to allow any use that is not consistent with the requirements of this ordinance following the issuance of a Certificate of Occupancy.

The Certificate of Occupancy may be issued upon completion of all the requirements of this ordinance and any and all other laws and ordinances recognized by the City and a final inspection of the building, structure or parcel by the staff. The information required for issuance of a Certificate of Occupancy includes, but is not limited to:

- 1. Residential buildings or structures.
 - a. The number of residential units in each building.
 - b. The number, if any, of potential tenants or renters anticipated to reside in each building.
 - c. The number of legal-sized off-street parking spaces being provided on the premises.

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- d. A signature of the owner of the building stating that the information is accurate and will be maintained at all times unless otherwise approved.
- 2. Commercial, Industrial and Institutional Certificates.
 - a. The proposed number of employees.
 - b. The number of legal-sized off-street parking spaces being provided on the premises for both employees and visitors.
 - c. The square footage of each building and the type of occupancy or the percentage of the building used for each type of occupancy.
 - d. A signature of the owner of the building stating that the information is accurate and will be maintained at all times unless otherwise approved.

Failure to obtain a Certificate of Occupancy, or changing the intensity of use or number of occupants, shall be a Class C misdemeanor. Occupation of any building for which there is no Certificate of Occupancy shall be declared to be a nuisance and shall be abated as such.

12.3.4 Assurance for Improvements

The City Council shall require the applicant to post an acceptable guarantee at the time of approval of any improvements regulated by this ordinance. The amount, estimated by the City Engineer and approved by the City Council, shall be sufficient to assure to the municipality the satisfactory construction, installation, and dedication of the uncompleted portion of required improvements. The amount of the guarantee shall be equal to one hundred and twenty (120) percent of the estimated cost of the required improvements as determined by the City Engineer.

The posting of guarantees are in lieu of actual construction and are therefore established for the benefit of and to ensure to the public at large that the work will be properly completed. As such, they are not to be used for satisfying contractor or mechanics liens or other unrelated obligations. The performance guarantee shall comply with all statutory requirements and shall be satisfactory to the City Attorney as to form, sufficiency, and manner of execution as set forth by the City Attorney.

The period within which required improvements must be completed shall be specified by the City Council upon approval and shall be incorporated in the guarantee and shall not in exceed one (1) year from the date of approval. The City Council may, given a valid reason, extend the completion date set forth in such guarantee for a maximum period of one additional year. The City Council may at any time during the period of such guarantee accept a substitution of principal or sureties.

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Chapter 12.4

Off-Street Parking

- 12.4.1 Purpose
- 12.4.2 Parking for Non-Conforming Uses
- 12.4.3 Parking Spaces Required
- 12.4.4 Handicapped Parking Spaces Required
- 12.4.5 Parking for Non-Specified Uses
- 12.4.6 General Provisions
- 12.4.7 Design and Construction Standards
- 12.4.8 Landscaping
- 12.4.9 Maintenance
- 12.4.10 Reduction in Parking Standards

12.4.1 Purpose

The purpose for off-street parking requirements is to provide adequate parking for the intended use of a parcel while eliminating the need to park in the public right-of-way. The number of off-street parking spaces required in connection with any particular land use shall be not less than that set forth in this Chapter, except in accordance with Section 12.4.7 of this Chapter.

Every building, structure, improvement, and use shall provide permanent, maintained off-street parking as specified in this Chapter. The parking shall be a continuing obligation of the property owner as long as the use continues. It shall be unlawful for a land owner to eliminate required off-street parking unless otherwise provided on the parcel and approved by the City.

12.4.2 Parking for Non-Conforming Uses

Any use of property that, on the effective date of this Chapter or of any subsequent amendment, is non-conforming with the regulations relating to off-street parking facilities may continue in the same manner, provided that parking facilities shall not be further reduced.

12.4.3 Parking Spaces Required

Off-street parking shall be provided as follows for all new buildings and structures, or enlargement of any existing buildings or structures. Should the required parking stalls as calculated using the following standards end in a fraction, the standard shall be rounded up to the next whole number.

1. Amusement Centers, Recreation Centers, Reception Centers, Health Clubs and spas, and similar uses: One parking space for every two hundred (200) square feet of floor space.
2. Automobile Repair Facilities: Four (4) parking spaces per service bay or one (1) parking space for each eight hundred feet of floor space, whichever is greater.
3. Bars, Liquor Stores or Taverns: One (1) space for every two hundred (200) square feet of floor space.
4. Bed and Breakfast, or Inn: Two (2) parking spaces for tenants and one (1) space for each guest room.
5. Business Office: One (1) parking space for each three

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- hundred (300) square feet of floor area.
6. Car Wash: Two (2) parking spaces plus at least three (3) stacking spaces per washing bay.
7. Churches: One (1) parking space for each one hundred (100) square feet of floor space.
8. Day Care Center: One parking space per six (6) people based on the maximum allowable occupancy.
9. Gas Stations: One (1) parking space for every two hundred (200) square feet of floor space. Pumping areas are not to be included in the parking calculation.
10. Government Buildings: One parking space for every four hundred (400) square feet of floor space.
11. Grocery Stores, Drugs Stores, Convenience Stores: One (1) parking space per two hundred (200) square feet of floor space.
12. Hospitals: One parking space for each four hundred (400) square feet of floor space.
13. Hotel/Motel: Two (2) parking spaces plus one (1) parking space for each sleeping unit. If the Hotel/Motel has conference rooms, the City Council may require additional off-street parking.
14. Manufacturing: (1) parking space for every four hundred (400) square feet of floor space plus parking for office uses, consistent with # 5 herein.
15. Mortuaries: One (1) parking space for each one hundred (100) square feet of floor space.
16. Movie Theaters: One parking space for every four (4) seats.
17. Nursing Home or Convalescent Center: One (1) parking space for each employee and one (1) space for each five (5) beds.
18. Personal Services, Barber Shops, Beauty Shops, Travel Agencies: One (1) parking space for every two hundred (200) square feet of floor space.
19. Professional Offices, Medical and Dental Offices: One (1) parking space for every two hundred (200) square feet of floor space.
20. Restaurants: One (1) space for each four (4) seats plus three stacking spaces for restaurants with drive-up windows.
21. Retail Sales, Furniture, Appliances, Hardware: One (1) space for each six hundred (600) square feet of floor space.
22. Residential: Two (2) parking spaces per unit plus visitor parking where appropriate.
23. Schools, Elementary: Two (2) parking spaces for each classroom.
24. Schools, Secondary, Higher Education: One parking space for each employee and one (1) space for every four (4) students (calculated at capacity of the facility).

If a use not indicated above is proposed, the amount of off-street parking may be determined by the City Council following a recommendation from staff.

12.4.4 Handicapped Parking Spaces Required

Any building which is required to have adaptations in accordance with the Uniform Building Code or the

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Americans with Disabilities Act (ADA) shall also provide handicapped parking stalls as indicated below. These provisions are minimum and may be increased or decreased by the City Council to meet the practical needs of the proposed use.

Total Parking Spaces	Required Handicapped Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-999	2% of total spaces
Over 1000	20 spaces + 1 per each 100

The parking stalls shall be identified by typical symbols and should be placed in areas that are most convenient to the entrance of the structure. Each parking stall shall satisfy the minimum size standards in accordance with Section 12.4.7 herein and shall provide an additional five (5) foot loading zone which is directly accessible to a hard surfaced walkway. One van accessible space with an eight (8) foot loading zone shall be required for each eight (8) handicapped spaces provided. The unloading zones shall be clearly marked by diagonal striping four (4) inches wide and six (6) inches apart.

12.4.5 General Provisions

The following general provisions apply to all off-street parking requirements of this Chapter.

1. The location of off-street parking facilities shall be as follows, and shall not be located within the public right-of-way:
 - a. For single family, duplex, and multi-family residential dwellings, required parking shall be located on the same lot as the building that they are required to serve.
 - b. For all other uses, including commercial and industrial uses, required parking shall be located on the same lot or on an abutting lot. In no case shall required parking be located across a public street without written approval of the City Council.
 - c. If parking is located on a lot or parcel under different ownership, a perpetual easement must be recorded in the office of the Salt Lake County Recorder prior to final approval.
 - d. Required off-street parking shall not be located in a required setback.
 - e. Tandem parking will not be allowed to satisfy the requirements found herein.
2. Any lights provided or required to illuminate a parking area shall be arranged in a manner that will reflect light away from adjacent properties.
3. The City Council may approve the joint use of a

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parking lot or facility provided that the applicant can show that conflict between the different users can be effectively eliminated. For instance, willing parties such as a church and a commercial business may share parking facilities if typical heavy use parking times allow. Any arrangement to share parking must be recorded in the office of the Salt Lake County Recorder.

4. In commercial or industrial zones, the owners of several businesses may be allowed to work together to provide off-street parking in a lot or structure. Participants must be able to adequately show agreements to the City Council for long term maintenance and ownership.
5. Construction plans for any lot or structure, or the expansion of any lot or structure shall be submitted to the City for review and comment and shall be approved by the City Council. A parking lot or structure may be approved as part of the project approval.

12.4.6 Design and Construction Standards

All parking lots or structures shall satisfy the following minimum standards for design of parking stalls and construction standards.

1. All parking lots and parking structures shall be hard surfaced with asphalt or concrete. The materials shall be approved by the City Engineer and be capable of handling the anticipated size and weight of vehicles, including public safety vehicles.
2. Each parking lot shall be surrounded by a concrete curb, or other border approved by the City Engineer to ensure the life of the surface and to limit the access to approved ingress and egress.
3. All parking spaces shall have minimum dimensions of eight and one half (8 ½) square feet by eighteen (18) square feet.
4. Backing Space in parking areas shall have a minimum depth of twenty four (24) square feet.
5. Parking stalls designed at less than a ninety (90) degree angle shall be allowed for one way traffic only.
6. Parking shall be designed to avoid backing onto a public street. If an applicant is unable to do so, the City Council may approve parking that backs onto a public street.
7. Sub-grade parking shall be reviewed for access and safety and must be approved by the City Council following recommendations from the staff.
8. A parking structure shall not be located within thirty feet of any property line, or in any clear view area required by this ordinance.
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12.4.7 Landscaping

Any parking lot designed to provide ten (10) or more parking spaces shall be required to provide no less than ten (10) percent landscaping within the boundaries of the parking lot. The landscaping plan shall be approved by the City Council and shall include an automatic sprinkling

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system. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.

The setback area of any parking structure shall be landscaped. A landscaping plan shall be approved by the City Council and shall include an automatic sprinkling system. As noted above, at its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.

The landscaping shall consist of grass, trees, shrubs and other attractive plant materials. The landscaping shall include a border to separate the plants from the parking lot to protect the planting area.

12.4.8 Maintenance

All parking lots and structures shall be maintained and kept free of garbage and debris. Striping of parking stalls shall be kept in a manner that allows each stall to be identified. Potholes, cracks, and other damage to the surface shall be repaired in a timely manner.

Any violation of this Section shall be determined to be a Zoning Violation and shall be punishable by a Class C misdemeanor.

12.4.9 Reduction in Parking Standards

An applicant may apply for a reduction in the amount of parking spaces. The applicant must clearly demonstrate that the required number of parking stalls is unnecessary for the proposed use and any possible future use of the building. Any request which lowers the amount of parking stalls by more than twenty (20) percent shall not be approved by the City Council.

Title 12 Zoning Ordinance
Chapter 12.5
Street Master Plan

As Adopted on October 24, 2000

- 12.5.1 Preparation of Street Master Plan and Map
- 12.5.2 Permits to Conform with Street Master Plan
- 12.5.3 Relationship to Subdivision Plat Approval

12.5.1 Preparation of Street Master Plan and Map

The Planning Commission shall prepare, with assistance from the City Engineer, a Street Master Plan for the City indicating the proposed location of all arterial and collector streets, along with any other street deemed necessary or appropriate by the City Council. The City Council shall review and approve the Street Master Plan and construction of any streets shall be in conformance with the Street Master Plan to the extent allowed by law.

12.5.2 Permits to Conform with Street Master Plan

Permits for any building or structure, or any part thereof shall not be issued on any land located within the proposed street right-of-way shown on the Street Master Plan unless each of the following can be shown:

1. The applicant will be denied a substantial property right observed by other property owners within the same district.
2. The applicant can show an alternative street pattern that will satisfy, in every way, the original intent of the Street Master Plan including, but not limited to, circulation, safety, service provision, and access to adjacent properties.
3. The interests of the property owner outweigh the need of the City and the citizens at large to have the road constructed in the planned location.

12.5.3 Relationship to Subdivision Plat Approval

A subdivision plat may not be filed with the City nor recorded in the office of the County Recorder until it has been submitted and reviewed by appropriate staff and, if deemed necessary by the City Council, for consistency with the Street Master Plan.

All subdivisions shall be able to show how traffic from the proposed subdivision will circulate into the traffic pattern of the City. The City may require, at the applicant's expense, a detailed traffic analysis in order to justify any assumptions made by an applicant for subdivision approval.

**Title 12 Zoning Ordinance
Establishment of Zoning Districts**

As Adopted on October 24, 2000

- 12.6.1 Purpose of Zoning Districts
- 12.6.2 Zoning Map
- 12.6.3 A-5 Residential-Agriculture Zone
- 12.6.4 R-1-43 Residential Zone
- 12.6.5 R-1-10 Residential Zone
- 12.6.6 Planned Residential Developments (PRD)
- 12.6.7 PO-1 Professional Office Zone
- 12.6.8 GC-1 General Commercial Zone
- 12.6.9 I-1 Light Industrial Zone
- 12.6.10 I-2 Heavy Industrial Zone
- 12.6.11 SG-1 Sand and Gravel Zone
- 12.6.12 MU-1 Multi-Use Zone
- 12.6.13 R-MF Multi-Family Housing Zone
- 12.6.14 GW-R Gateway-Redwood Overlay Zone
- 12.6.15 AGP-O Agriculture Preservation Overlay Zone
- 12.6.16 I-O In-fill Overlay Zone

12.6.1 Purpose of Zoning Districts

In order to accomplish the purposes of this ordinance, the City Council has divided the City into various zoning districts in accordance with § 10-9-401, et seq., of the Utah Code Annotated, 1953, as amended. After due and careful consideration of quantities of land needed for each use, suitability of land for various uses, and the probable future conditions of the City, zoning is established according to Sections 12.6.3 through 12.6.15 which are also indicated on the official Zoning Map adopted by the City Council.

The uses listed as permitted, conditional, or accessory uses, respectively, and no others, are allowed in each zone. If a desired use is not listed in the zone, an applicant may attempt to amend the ordinance to allow the desired use. Any amendment to the Zoning Ordinance or the Zoning Map shall occur in accordance with Section 12.2.8 herein.

12.6.2 Zoning Map

The Zoning Map is a graphic representation of the zoning districts of the City. Any necessary interpretation of the map shall occur in accordance with Section 12.2.2 herein. The official Zoning Map can be found in the office of the City Recorder. If the Zoning Map is amended in accordance with the requirements found in Section 12.2.8 herein, all previous Zoning Maps are no longer in effect for the purpose of identifying zone district boundaries.

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12.6.3 A-5 Agriculture Zone

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- 12.6.3.1 Purpose and Zone Characteristics
- 12.6.3.2 Permitted, Conditional and Accessory Uses
- 12.6.3.3 Lot Area
- 12.6.3.4 Lot Width
- 12.6.3.5 Lot Frontage
- 12.6.3.6 Lots Created Prior to Adoption of Ordinance
- 12.6.3.7 Setback Requirements
- 12.6.3.8 Projections into Setbacks
- 12.6.3.9 Building Height Requirements
- 12.6.3.10 Distance Between Buildings
- 12.6.3.11 Permissible Lot Coverage
- 12.6.3.12 Parking, Loading and Access
- 12.6.3.13 Project Plan Approval
- 12.6.3.14 Other Requirements

12.6.3.1 Purpose and Zone Characteristics

The Agriculture Zone (A-5) is established to provide areas within the City where agricultural pursuits can be encouraged and supported. Uses permitted in the zone, in addition to agriculture, should be incidental thereto and should not change or inhibit the basic agricultural character of the zone. Rezoning of land in the A-5 Zone should be accomplished in an orderly manner to avoid undue and inefficient extension of City infrastructure, and "leap-frog" development patterns. Large tracts of agricultural land should not be separated by residential development. Rather, where possible residential development in the A-5 Zone should occur near the edge of existing residential development.

12.6.3.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the A-5 Agriculture Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. Agriculture and forestry
2. Keeping of animals pursuant to City Ordinance
3. Single family dwellings - detached
4. Utility rights-of-way and maintenance facilities
5. Public or private maintenance facilities
6. Parks and recreational facilities
7. Subdivisions pursuant to the Subdivision Ordinance
8. Residential Facilities for Elderly Persons or Persons with a Disability in accordance with Chapter 12.21 herein
9. Planned Residential Developments in accordance with Title 12

Conditional Uses

The following land use types are allowed as conditional uses in the A-5 Agriculture Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this

ordinance.

1. Agricultural support facilities, barns and sheds
2. Clustered Residential Development in accordance with Section 12.6.3.3.1 herein
3. Cellular and low power towers pursuant to Section 12.17 herein
4. Ranch or farm employee dwellings (limited to one unit per twenty (20) acres of land area which must be reviewed and renewed every three (3) years)
5. Water storage facilities, culinary or irrigation
6. Cemetery grounds and facilities
7. Religious buildings and structures
8. Resorts and group camps
9. Golf courses

Accessory Uses

The following list of land use types are allowed as accessory uses in the A-5 Agriculture Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Garages - detached
2. Storage facilities for products, machinery and equipment as an accessory use to a permitted or conditional use in the zone
3. Buildings used for the confinement or protection of animals used as a permitted or conditional use in the zone
4. Private riding arenas and stables, no outdoor lighting
5. Public riding arenas and stables, with outdoor lighting
6. Stands for selling goods and products produced on the premises as a permitted or conditional use in the zone
7. Home occupations in accordance with City ordinance.

12.6.3.3 Lot Area

Each dwelling in the Agriculture Zone shall be on a separate lot containing not less than five (5) acres, except that ranch or farm employee housing may be on a smaller parcel in conjunction with a bona fide agricultural use at a ratio of one (1) unit per twenty (20) acres that must be reviewed and approved every three (3) years.

12.6.3.3.1 Clustered Residential Development

At the discretion of the City Council, an applicant may be allowed to reduce the required lot size in order to accomplish one or more of the following objectives:

1. Protection or preservation of environmentally sensitive areas.
2. Provision of open space used for view shed protection or public recreational use.

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3. Protection of valuable agricultural land with lots arranged to allow continued agricultural use of the property.
4. Improved circulation and traffic flow.
5. More efficient operation and maintenance of public infrastructure.

In no case may the lot size in the A-5 Agriculture Zone be less than one half (½) acre. It is not the intention of this Section to increase density. The Bluffdale City Council finds that clustering of residential lots is a bonus for the applicant. Lot sizes and arrangement may vary to take advantage of topographical or aesthetic features.

The City Council is under no obligation to allow clustered residential development. Each proposed clustered development will be reviewed and approved and denied on its own merits. Denial of a clustered residential development will not affect the ability of the applicant to develop the property in accordance with the standards set forth in this Chapter.

12.6.3.4 Lot Width

Each lot in the Agriculture Zone shall have a minimum width of two hundred (200) feet for all of the area within the required front setback of the zone, unless approved for a more narrow lot in accordance with Section 12.6.3.3.1.

12.6.3.5 Lot Frontage

Each lot in the Agriculture Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of two hundred (200) feet, unless approved for less frontage in accordance with Section 12.6.3.3.1.

12.6.3.6 Lots Created Prior to Adoption of Ordinance

Lots or parcels of land which were legally created and eligible for a building permit prior to the adoption and application of this zone shall not be denied the issuance of a building permit for the construction of one (1) single family dwelling solely on the reason of non-conformance with the parcel size requirements of this Chapter. A building permit must be obtained and all requirements of the appropriate building code must be satisfied.

It shall be the burden of the applicant to demonstrate that the parcel legally existed and was recorded in the office of the County Recorder.

12.6.3.7 Setback Requirements

The following minimum setback requirements shall apply in the A-5 Agriculture Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the A-5 Agriculture Zone shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each lot or parcel in the A-5 Agriculture Zone, unless otherwise noted below, shall

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have a minimum side setback of twenty (20) feet.

- a. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of ten (10) feet, except that accessory buildings that house animals or poultry shall have a minimum side setback of fifty (50) feet and be located no less than seventy-five (75) feet from any dwelling unit.
3. Rear setback - Each lot or parcel in the A-5 Agriculture Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may be located no less than twenty (20) feet of the rear property line provided it is not used to house animals or poultry.
 - b. Accessory buildings that house animals or poultry shall have a minimum rear setback of fifty (50) feet and be located no less than seventy-five (75) feet from any dwelling unit.

12.6.3.8 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.3.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, except that accessory buildings may not exceed eighteen (18) feet in height unless it can be shown that the building or structure must be higher to accommodate a bona fide agricultural use.

12.6.3.10 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than twenty (20) feet. Accessory buildings that house animals or poultry shall have a minimum side setback of fifty (50) feet and be located no less than one hundred (100) feet from any dwelling unit.

12.6.3.11 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the A-5 Agricultural Zone shall not be greater than fifteen (15) percent of the total area of the parcel.

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12.6.3.12 Parking, Loading and Access

Each lot or parcel in the A-5 Agricultural Zone shall have on the lot or parcel two off-street parking spaces for each dwelling unit. The spaces should be hard surfaced with asphalt or concrete and be accessed from a public road, or private drive if approved. If approved, access may be composed of dirt or road base, but only if it can be shown that the dwelling can be adequately served by public safety vehicles.

12.6.3.13 Project Plan Approval

Any request for project plan approval in the A-5 Agricultural Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

12.6.3.14 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - The following signs, and no others, are allowed in the A-5 Agricultural Zone:
 - a. Name plates not exceeding two (2) square feet in area to identify the name and address of the occupant.
 - b. One sign advertising the sale of agricultural products produced on the parcel not to exceed four (4) square feet in area.
2. Landscaping - Each dwelling unit shall landscape the lot or parcel from the front of the unit to the public street prior to issuance of a Certificate of Occupancy.
3. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.

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12.6.4 R-1-43 Residential Zone

- 12.6.4.1 Purpose and Zone Characteristics
- 12.6.4.2 Permitted, Conditional and Accessory Uses
- 12.6.4.3 Lot Area
- 12.6.4.4 Lot Width
- 12.6.4.5 Lot Frontage
- 12.6.4.6 Lots Created Prior to Adoption of Ordinance
- 12.6.4.7 Setback Requirements
- 12.6.4.8 Projections into Setbacks
- 12.6.4.9 Building Height Requirements
- 12.6.4.10 Distance Between Buildings
- 12.6.4.11 Permissible Lot Coverage
- 12.6.4.12 Parking, Loading and Access
- 12.6.4.13 Project Plan Approval
- 12.6.4.14 Other Requirements

- 1. Clustered Residential Development in accordance with Section 12.6.4.3.1 herein
- 2. Water storage facilities, culinary or irrigation
- 3. Cemetery grounds and facilities
- 4. Religious buildings and structures
- 5. Resorts and group camps
- 6. Residential care facilities for the elderly or handicapped in accordance with State law
- 7. Attached accessory apartments
- 8. Golf courses

12.6.4.1 Purpose and Zone Characteristics

The R-1-43 Residential Zone is established to provide areas within the City for single family dwellings on relatively large lots. Higher density development is discouraged in this zone due to lack of infrastructure and services. This area often borders agricultural areas where traditional agricultural pursuits can be encouraged and supported. Rezoning of land in the R-1-43 Zone should be accomplished in an orderly manner to avoid undue and inefficient extension of City infrastructure, and “leap-frog” development patterns.

Accessory Uses

The following land use types are allowed as accessory uses in the R-1-43 Residential Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

12.6.4.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the R-1-43 Residential Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

- 1. Garages - detached
- 2. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use in the zone
- 3. Buildings used for the confinement or protection of animals allowed in accordance with City ordinance
- 4. Home occupations in accordance City ordinance

- 1. Single family dwellings – detached
- 2. Two family dwellings, if approved in accordance with Section 12.6.4.3.1
- 3. Public or private rights-of-way
- 4. Public or private utilities and maintenance facilities
- 5. Parks and recreational facilities
- 6. Subdivisions pursuant to the Subdivision Ordinance
- 7. Child care facilities (less than 6 children)
- 8. Keeping of animals pursuant to City ordinance
- 9. Residential Facilities for Elderly Persons or Persons with a Disability in accordance with Chapter 12.21 herein
- 10. Planned Residential Developments in accordance with Title 11

12.6.4.3 Lot Area

Each dwelling in the R-1-43 Residential Zone shall be on a separate lot containing not less than one (1) acre, except in accordance with Section 12.6.4.3.1.

12.6.4.3.1 Clustered Residential Development

At the discretion of the City Council, an applicant may be allowed to reduce the required lot size in order to accomplish one or more of the following objectives:

- 1. Protection or preservation of environmentally sensitive areas.
- 2. Provision of open space used for view shed protection or public recreational use.
- 3. Protection of valuable agricultural land with lots arranged to allow continued agricultural use of the property.
- 4. Improved circulation and traffic flow
- 5. More efficient operation and maintenance of public infrastructure.

Conditional Uses

The following land use types are allowed as conditional uses in the R-1-43 Residential Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

In no case may the lot size in the R-1-43 Residential Zone be less than ten thousand (10,000) square feet. It is not the intention of this Section to increase density. The Bluffdale City Council finds that clustering of residential lots is a bonus for the applicant. Lot sizes and arrangement may vary to take advantage of topographical or aesthetic features. Two family dwellings may be allowed in order to further accomplish the goals of this Section, but the City

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Council in under no obligation to allow two family dwellings.

The City Council is under no obligation to allow clustered residential development. Each proposed clustered development will be reviewed and approved or denied on it's own merits. Denial of a clustered residential development will not affect the ability of the applicant to develop the property in accordance with the standards set forth in this Chapter.

12.6.4.4 Lot Width

Each lot in the R-1-43 Residential Zone shall have a minimum width of one hundred and fifty (150) feet for all of the area within the required front setback of the zone, unless a more narrow lot is approved in accordance with Section 12.6.4.3.1.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to one hundred (100) feet, provided that the requirement is satisfied at the front setback line.

12.6.4.5 Lot Frontage

Each lot in the R-1-43 Residential Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of one hundred and fifty (150) feet, unless less frontage is approved in accordance with Section 12.6.4.3.1.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the frontage requirement may be reduced to one hundred (100) feet, provided that the width requirement is satisfied at the front setback line.

12.6.4.6 Lots Created Prior to Adoption of Ordinance

Lots or parcels of land which were legally created and eligible for a building permit prior to the adoption and application of this zone shall not be denied the issuance of a building permit for the construction of one (1) single family dwelling solely on the reason of non-conformance with the parcel size requirements of this Chapter. A building permit must be obtained and all requirements of the appropriate building code must be satisfied.

It shall be the burden of the applicant to demonstrate that the parcel legally existed and was recorded in the office of the Salt Lake County Recorder.

12.6.4.7 Setback Requirements

The following minimum setback requirements shall apply in the R-1-43 Residential Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the R-1-43 Residential Zone shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each lot or parcel in the R-1-43 Residential Zone, unless otherwise noted below, shall have a minimum side setback of twenty (20) feet.
 - a. Side setback for accessory building - The side

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setback for any permitted accessory building shall be a minimum of ten (10) feet.

3. Rear setback - Each lot or parcel in the R-1-43 Residential Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may not be located less than twenty (20) feet from the rear property line.
 - b. Accessory buildings that house animals or poultry shall have a minimum rear setback of fifty (50) feet and be located no less than seventy-five (75) feet from any dwelling unit.

12.6.4.8 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.4.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, except that accessory buildings may not exceed eighteen (18) feet in height.

12.6.4.10 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than twenty (20) feet.

12.6.4.11 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the R-1-43 Residential Zone shall not be greater than twenty (20) percent of the total area of the parcel, unless approved for greater coverage in accordance with Section 12.6.4.3.1.

12.6.4.12 Parking, Loading and Access

Each lot or parcel in the R-1-43 Residential Zone shall have on the lot or parcel two (2) off-street parking spaces for each dwelling unit. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road or private road by a hard surfaced, composed of asphalt or concrete, drive approach.

12.6.4.13 Project Plan Approval

Any request for project plan approval in the R-1-43 Residential Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

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12.6.4.14 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - Signs are permitted in accordance with Chapter 12.15 herein.
2. Landscaping - Each dwelling unit shall landscape the lot or parcel from the front of the unit to the public street prior to issuance of a Certificate of Occupancy.
3. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.

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12.6.5 R-1-10 Residential Zone

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- 12.6.5.1 Purpose and Zone Characteristics
- 12.6.5.2 Permitted, Conditional and Accessory Uses
- 12.6.5.3 Lot Area
- 12.6.5.4 Lot Width
- 12.6.5.5 Lot Frontage
- 12.6.5.6 Lots Created Prior to Adoption of Ordinance
- 12.6.5.7 Setback Requirements
- 12.6.5.8 Projections Into Setbacks
- 12.6.5.9 Building Height Requirements
- 12.6.5.10 Distance Between Buildings
- 12.6.5.11 Permissible Lot Coverage
- 12.6.5.12 Parking, Loading and Access
- 12.6.5.13 Project Plan Approval
- 12.6.5.14 Other Requirements

12.6.5.1 Purpose and Zone Characteristics

The R-1-10 Residential Zone is established to provide areas within the City for single family, two family, and limited multi-family dwellings on average sized large lots with very limited commercial services such as home occupations. The City encourages in-fill development, where appropriate, in accordance with Section 12.6.14, herein, in the R-1-10 Zone.

12.6.5.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

- 1. Single family dwellings – detached
- 2. Public or private rights-of-way
- 3. Public or private utilities and maintenance facilities
- 4. Parks and recreational facilities
- 5. Subdivisions pursuant to the Subdivision Ordinance
- 6. Child care facilities (less than 6 children)
- 7. Residential Facilities for Elderly Persons or Persons with a Disability in accordance with Chapter 12.21 herein
- 8. Planned Residential Developments in accordance with Title 12

Conditional Uses

The following land use types are allowed as conditional uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

- 1. Two family dwellings and multi-family dwellings in accordance with Section 12.6.5.3.1
- 2. Water storage facilities, culinary or irrigation
- 3. Cemetery grounds and facilities
- 4. Religious buildings and structures

- 5. Residential care facilities for the elderly or handicapped in accordance with State law
- 6. Public and private schools, not daycare facilities
- 7. Golf courses

Accessory Uses

The following land use types are allowed as accessory uses in the R-1-10 Residential Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

- 1. Garages - detached
- 2. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use in the zone and only behind the dwelling unit. The accessory building shall not be larger than ten (10) percent of the total area of the lot or parcel and must meet all setback requirements
- 3. Except as a legal non-conforming use, accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for pets as allowed by City ordinance
- 4. Home Occupations pursuant to City ordinance

12.6.5.3 Lot Area

Each dwelling in the R-1-10 Residential Zone shall be on a separate lot containing not less than ten thousand (10,000) square feet, unless otherwise approved for clustering in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

12.6.5.3.1 Clustered Residential Development

At the discretion of the City Council, an applicant may be allowed to reduce the required lot size in order to accomplish one or more of the following objectives:

- 1. Protection or preservation of environmentally sensitive areas.
- 2. Provision of open space used for view shed protection or public recreational use.
- 3. Protection of valuable agricultural land with lots arranged to allow continued agricultural use of the property.
- 4. Improved circulation and traffic flow
- 5. More efficient operation and maintenance of public infrastructure.

It is not the intention of this Section to increase density. The Bluffdale City Council finds that clustering of residential lots is a bonus for the applicant. Lot sizes and arrangement may vary to take advantage of topographical or aesthetic features. Two family dwellings and limited multi-family dwellings may be allowed in order to further accomplish the goals of this Section, but the City Council in under no

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obligation to allow two family dwellings or multi-family dwellings.

The City Council is under no obligation to allow clustered residential development. Each proposed clustered development will be reviewed and approved and denied on its own merits. Denial of a clustered residential development will not affect the ability of the applicant to develop the property in accordance with the standards set forth in this Chapter.

12.6.5.4 Lot Width

Each lot in the R-1-10 Residential Zone shall have a minimum width of one hundred (100) feet for all of the area within the required front setback of the zone, unless otherwise approved in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to eighty (80) feet, provided that the requirement is satisfied at the front setback line.

12.6.5.5 Lot Frontage

Each lot in the R-1-10 Residential Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of one hundred (100) feet, unless otherwise approved in accordance with Section 12.6.5.3.1 or as an in-fill parcel in accordance with Section 12.6.14 herein.

If the lot or parcel is located on an approved curve radius or cul-de-sac, the frontage requirement may be reduced to eighty (80) feet, provided that the width requirement is satisfied at the front setback line.

12.6.5.6 Lots Created Prior to Adoption of Ordinance

Lots or parcels of land which were legally created and eligible for a building permit prior to the adoption and application of this zone shall not be denied the issuance of a building permit for the construction of one (1) single family dwelling solely on the reason of non-conformance with the parcel size requirements of this Chapter. A building permit must be obtained and all requirements of the appropriate building code must be satisfied.

It shall be the burden of the applicant to demonstrate that the parcel legally existed and was recorded in the office of the County Recorder.

12.6.5.7 Setback Requirements

The following minimum setback requirements shall apply in the R-1-10 Residential Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the R-1-10 Zone shall have a minimum front setback of thirty (30) feet.

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2. Side setback - Each lot or parcel in the R-1-10 Zone, unless otherwise noted below, shall have a minimum side setback of twelve (12) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the R-1-10 Zone shall have a minimum setback of twenty (20) feet along the public street on the side of the lot not being used as the front setback.
 - b. Side setback for accessory building - The side setback for any permitted accessory building shall be a minimum of ten (10) feet.
11. Rear setback - Each lot or parcel in the R-1-10 Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may not be located less than ten (10) feet from the rear property line.
 - b. Accessory buildings that house animals or poultry shall have a minimum rear setback of fifty (50) feet and be located no less than seventy-five (75) feet from any dwelling unit.

12.6.5.8 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.5.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, except that accessory buildings may not exceed eighteen (18) feet in height.

12.6.5.10 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than ten (10) feet.

12.6.5.11 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the R-1-10 Zone shall not be greater than forty (40) percent of the total area of the parcel, unless approved for clustering in accordance with Section 12.6.5.3.1.

12.6.5.12 Parking, Loading and Access

Each lot or parcel in the R-1-10 Residential Zone shall have on the lot or parcel two off-street parking spaces for each dwelling unit. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public or private road by a hard surfaced, composed of asphalt or concrete, drive approach.

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12.6.5.13 Project Plan Approval

Any request for project plan approval in the R-1-10 Residential Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

12.6.5.14 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - Signs are permitted in accordance with Chapter 12.15 herein.
2. Landscaping - Each dwelling unit shall landscape the lot or parcel from the front of the unit to the public street prior to issuance of a Certificate of Occupancy.
1. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.

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12.6.6 Planned Residential Developments (PRD)

- 12.6.6.1 Definition and Explanation
- 12.6.6.2 Application and Requirements
- 12.6.6.3 Relationship to other Ordinances

12.6.6.1 Definition and Explanation

A Planned Residential Development (PRD) is a development containing residential lots or units with some or all of the parcels reduced below the minimum lot sizes required by the zoning district. Projects are planned to achieve a coordinated, functional and unified development pattern. A PRD allows greater flexibility in project layout while assuring that the character of the underlying district is maintained and the requirements of the Design Guidelines and Standard Specifications are satisfied. Applicants are eligible for a density bonus based on provision of additional amenities in the development. Planned Residential Developments are allowed in all agricultural and residential zones of Bluffdale City.

A Planned Residential Development may be allowed at the discretion of the City Council following a recommendation of the Planning Commission in any agricultural or residential zone. An application for approval of a PRD is a request by the applicant for additional density and flexibility than that allowed by the underlying zoning. An applicant will not be denied the right to develop property in the traditional manner by satisfying all of the requirements of this Title and all other Sections of this Ordinance. It is the sole responsibility and burden of the applicant to convince the Planning Commission and City Council that the proposed alternative development layout is preferable to a traditional subdivision. Denial of a PRD shall not result in a takings claim against the City because no applicant shall be denied the right to develop property in accordance with the underlying zoning requirements by satisfying all of the requirements of this Title and all other Sections of this Ordinance. The City Council need not provide detailed findings or reasons for denial of a PRD in light of their decision being clearly legislative and an assumption that denial of a PRD is in the best interest of the citizens of Bluffdale City as a whole.

The intention of this Section is to allow and encourage a flexible, efficient and imaginative development pattern. Planned Residential Developments can:

- 2. Provide flexible development options where a standard lot pattern is not practical or desirable due to physical constraints.
- 3. Promote attractive architectural design, creative lot configuration, provide open spaces, and ensure efficient delivery of services.
- 4. Promote usable public and private recreation areas, parks, trails and open space with assurance of maintenance.

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- 5. Reduce development costs and ongoing maintenance costs.

12.6.6.2 Application and Requirements

An applicant may apply for approval of a Planned Residential Development in any agricultural or residential zone. The density of the project shall be constrained in accordance with Section 11.10 of the Subdivision Ordinance.

The City Council may require that all subdivisions and residential projects on contiguously owned property larger than twenty (20) acres or more than fifty (50) lots or residential units be processed as a Planned Residential Development. If approved by the City, a Planned Residential Development with mixed uses will not be considered a spot zoning.

The requirements for a Planned Residential Development are supplementary to the other requirements of this Title and the Subdivision Ordinance. Therefore, an application for a Planned Residential Development will be reviewed and approved or denied in accordance with Section 11.10 of the Subdivision Ordinance, relevant Sections of the Subdivision ordinance, and relevant Sections of this ordinance.

12.6.6.3 Relationship to other Ordinances

This Section is intended to be supplementary to the other provisions of this Title. Unless specifically indicated in this Section, all requirements of this Title and any and all other development ordinances of Bluffdale City must be satisfied with the following exceptions:

- 1. The setback requirements are waived for all structures within the Planned Residential Development except those that border the development.
- 2. The frontage requirements are waived for all lots or parcels within the Planned Residential Development except those located directly across a public street from a development which meets the frontage requirements.
- 3. The density of the development shall be equal to the Total Project Density in accordance with Section 12.10.7 whether consistent with the remainder of the Zoning Ordinance or not.

It is the intent of these regulations that subdivision review be carried out simultaneously with the review of a PRD.

12.6.7 P0-1 Professional Office Zone

- 12.6.7.1 Purpose and Zone Characteristics
- 12.6.7.2 Permitted, Conditional and Accessory Uses
- 12.6.7.3 Lot Area
- 12.6.7.4 Lot Width
- 12.6.7.5 Lot Frontage
- 12.6.7.6 Setback Requirements
- 12.6.7.7 Projections Into Setbacks
- 12.6.7.8 Building Height Requirements
- 12.6.7.9 Distance Between Buildings
- 12.6.7.10 Permissible Lot Coverage
- 12.6.7.11 Parking, Loading and Access
- 12.6.7.12 Project Plan Approval
- 12.6.7.13 Other Requirements

12.6.7.1 Purpose and Zone Characteristics

The PO-1 Professional Office Zone is established to provide areas within the City for hospitals and other medical services, office buildings and other professional services. The PO-1 Zone is intended to have limited commercial and retail services directly related to the primary use of the zone. Rezoning to the PO-1 Zone should be carefully reviewed to ensure compatibility with existing development and neighborhoods.

12.6.7.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the PO-1 Professional Office Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. Hospitals and medical clinics, laboratories
2. Veterinary clinics and services (no outside facilities)
3. Professional office buildings
4. Pharmacies
5. Travel agencies
6. Financial, insurance, and real estate services
7. Business services
8. Public or private utilities and maintenance facilities

Conditional Uses

The following list of land use types are allowed as conditional uses in the PO-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

1. Religious buildings and structures
2. Ground story retail and commercial businesses

Accessory Uses

The following list of land use types are allowed as accessory uses in the PO-1 Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.

12.6.7.3 Lot Area

The minimum parcel size allowed in the PO-1 Zone shall be one half (1/2) acre and shall be in single ownership or single control.

12.6.7.4 Lot Width

Each parcel in the PO-1 Zone shall maintain a width no less than one hundred (100) feet in the required front setback area.

12.6.7.5 Lot Frontage

Each parcel in the PO-1 Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of one hundred (100) feet.

12.6.7.6 Setback Requirements

The following minimum setback requirements shall apply in the PO-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the PO-1 Zone shall have a minimum front setback of thirty-five (35) feet.
2. Side setback - Each lot or parcel in the PO-1 Zone, unless otherwise noted below, shall have a minimum side setback of twenty (20) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the PO-1 Zone shall have a minimum setback on all areas of road frontage of twenty-five (25) feet.
 - b. Side setback for driveway - Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty (20) feet and shall be hard surfaced.
 - c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of fifteen (15) feet.

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- 3. Rear setback - Each lot or parcel in the PO-1 Zone shall have a minimum rear setback of twenty (20) feet.
 - a. Rear setback for accessory building - An accessory building may be located within fifteen (15) feet of the rear property line.

requirements found in this ordinance or any other applicable resolution or ordinance.

- 1. Signs - Signs are allowed in the PO-1 Zone in accordance with Section 12.15 herein.
- 2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.
- 1. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
- 2. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
- 3. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

12.6.7.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

- 1. Fences and walls in conformance with all applicable City ordinances and resolutions.
- 2. Appropriate landscaping.
- 3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

- 1. Cornices, eaves, sills, buttresses, or other similar architectural features.
- 2. Awnings, decks, and planter boxes.

12.6.7.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.7.9 Distance Between Buildings

The distance between any building or structure and any other building shall not be less than twenty (20) feet, unless the accessory building is attached to the building or structure.

12.6.7.10 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the PO-1 Zone shall not be greater than sixty (60) percent of the total area of the parcel.

12.6.7.11 Parking, Loading and Access

Each project in the PO-1 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

12.6.7.12 Project Plan Approval

Any request for project plan approval in the PO-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the PO-1 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.7.13 Other Requirements

The following requirements are in addition to the

12.6.8 GC-1 General Commercial Zone

- 12.6.8.1 Purpose and Zone Characteristics
- 12.6.8.2 Permitted, Conditional and Accessory Uses
- 12.6.8.3 Lot Area
- 12.6.8.4 Lot Width
- 12.6.8.5 Lot Frontage
- 12.6.8.6 Setback and Build-To Requirements
- 12.6.8.7 Projections into Setbacks
- 12.6.8.8 Building Height Requirements
- 12.6.8.9 Distance Between Buildings
- 12.6.8.10 Permissible Lot Coverage
- 12.6.8.11 Parking, Loading and Access
- 12.6.8.12 Project Plan Approval
- 12.6.8.13 Other Requirements

12.6.8.1 Purpose and Zone Characteristics

The GC-1 General Commercial Zone is established to provide areas within the City where general retail and service uses can be established. The zone allows for a variety of commercial and retail uses and limited residential uses. Rezoning to the GC-1 Zone should be carefully reviewed to ensure protection of the existing zone and business district.

12.6.8.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the GC-1 General Commercial Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. General retail stores and shops
2. Grocery stores
3. Large scale commercial buildings
4. Restaurants and fast food
5. Personal service establishments
6. Furniture and home furnishing stores
7. Travel agencies
8. Financial, insurance, and real estate services
9. Business services
10. Watch, clock, and jewelry repair and sales
11. Legal services
12. Professional services
13. Hardware and variety stores
14. Video rental shops
15. Machinery rental shops
16. Service and gasoline stations
17. Automobile Dealerships
18. Public or private utilities and maintenance facilities

Conditional Uses

The following list of land use types are allowed as conditional uses in the CC-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this

ordinance.

1. Religious buildings and structures
2. Second story and higher residential (limited by parking, and no more than one apartment per one thousand (1,000) square feet of floor space on the story used as residential)
3. Commercial day care centers and commercial schools

Accessory Uses

The following list of land use types are allowed as accessory uses in the GC-1 Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.

12.6.8.3 Lot Area

There is no minimum lot area requirement in the GC-1 Zone.

12.6.8.4 Lot Width

There shall be no minimum width requirement in the GC-1 Zone, except that any parcel smaller in width than the average of the parcels on that block shall be reviewed and approved by the City Council. If the Council finds that the width is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses.

12.6.8.5 Lot Frontage

There shall be no frontage requirement in the GC-1 Zone, except that any parcel with less frontage than the average of the parcels on that block shall be reviewed and approved by the City Council. If the Council finds that the frontage is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses.

12.6.8.6 Setback and Build-To Requirements

The following minimum setback and build-to requirements shall apply in the GC-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the GC-1 Zone shall have a minimum front setback of ten (10) feet, and a minimum build-to line of fifty (50) feet.
2. Side setback - There is no side setback in the GC-1 Zone provided that each building satisfies the building code in effect at the time of approval and issuance of a Certificate of Occupancy, except those structures constructed adjacent to residentially zoned areas. The side setback for structures constructed adjacent to residentially zoned areas shall be a minimum of twenty (20) feet.

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- a. Side setback for corner lot - Each corner lot or parcel in the GC-1 Zone shall have a minimum setback on all areas of road frontage of twenty (20) feet.
 - b. Side setback for driveway - Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty (20) feet and shall be hard surfaced.
 - c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of fifteen (15) feet.
3. Rear setback - Each lot or parcel in the GC-1 Zone shall have a minimum rear setback of twenty (20) feet unless it can be clearly demonstrated that a structure could be placed nearer the property line without causing a negative impact on adjacent property owners.
 - a. Rear setback for accessory building - An accessory building may be located within fifteen (15) feet of the rear property line.

12.6.8.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.8.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.8.9 Distance Between Buildings

The distance between any building or structure shall satisfy the requirements of the building code in place at the time of approval and Certificate of Occupancy. This is in no way meant to eliminate the use of zero lot line development.

12.6.8.10 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the GC-1 Zone shall not be greater than eighty (80) percent of the total area of the parcel.

12.6.8.11 Parking, Loading and Access

Each project in the GC-1 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and

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be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.8.12 Project Plan Approval

Any request for project plan approval in the GC-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the GC-1 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.8.13 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - Signs are allowed in the GC-1 Zone in accordance with Section 12.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.
3. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
4. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
5. Buildings larger than forty thousand (40,000) square feet - Any building larger than forty thousand (40,000) square feet in the GC-1 zone shall be designed to have main entrances on at least two sides of the building, preferably front and back. This

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requirement is intended to produce a more attractive building on all sides, not just the front, and to improve traffic flow.

6. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.

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12.6.9 I-1 Light Industrial Zone

- 12.6.9.1 Purpose and Zone Characteristics
- 12.6.9.2 Permitted, Conditional and Accessory Uses
- 12.6.9.3 Lot Area
- 12.6.9.4 Lot Width
- 12.6.9.5 Lot Frontage
- 12.6.9.6 Setback Requirements
- 12.6.9.7 Projections into Setbacks
- 12.6.9.8 Building Height Requirements
- 12.6.9.9 Distance Between Buildings
- 12.6.9.10 Lot Coverage
- 12.6.9.11 Parking, Loading and Access
- 12.6.9.12 Project Plan Approval
- 12.6.9.13 Other Requirements

12.6.9.1 Purpose and Zone Characteristics

The I-1 Light Industrial Zone is established to provide areas within the City for manufacturing, processing, and warehousing of goods and materials. The zone allows for limited commercial and service uses.

12.6.9.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following list of land use types are permitted uses in the I-1 Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. Manufacturing, processing, and warehousing buildings not to exceed fifty thousand (50,000) square feet.
2. Industrial parks
3. Large scale office buildings
4. Storage Units
5. Uses found by the City Council to be in harmony with the intention of the zone.
6. Public or private utilities and maintenance facilities

Conditional Uses

The following list of land use types are allowed as conditional uses in the I-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

1. Restaurants, food courts, and cafes (when planned as part of an industrial park to provide service to workers)
2. Agriculture (when such use is to use land productively while waiting for an industrial parcel to be built on)

Accessory Uses

The following list of land use types are allowed as accessory uses in the I-1 Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a

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permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.

12.6.9.3 Lot Area

The minimum lot area requirement in the I-1 Zone is one half (1/2) acre, except for parcels created prior to the adoption of this ordinance.

12.6.9.4 Lot Width

The minimum width requirement in the I-1 Zone shall be one hundred (100) feet for all of the area located in the required front setback area, except for parcels created prior to the adoption of this ordinance. Regardless of the adoption date, if the Council finds that the width is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses.

12.6.9.5 Lot Frontage

All parcels in the I-1 Zone shall abut a public street for at least one hundred (100) feet, except for parcels created prior to the adoption of this ordinance. Regardless of the adoption date, if the Council finds that the frontage is inefficient or undesirable, the Council may require that the massing, uses, and other design characteristics be compatible with surrounding uses.

12.6.9.6 Setback Requirements

The following minimum setback requirements shall apply in the I-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the I-1 Zone shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each parcel in the I-1 Zone shall have a minimum side setback of thirty (30) feet.
 - a. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
3. Rear setback - Each lot or parcel in the I-1 Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may be located within twenty (20) feet of the rear property line.

12.6.9.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

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The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.9.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.9.9 Distance Between Buildings

The distance between any building or structure and any other building or structure shall at least twenty (20) feet.

12.6.9.10 Lot Coverage

The sum total of all buildings, structures and parking on any parcel in the I-1 Zone shall not exceed sixty (60) percent of the total area of the parcel.

12.6.9.11 Parking, Loading and Access

Each project in the I-1 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.9.12 Project Plan Approval

Any request for project plan approval in the I-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the I-1 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.9.13 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - Signs are allowed in the I-1 Zone in accordance with Section 12.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using

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an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval. At its discretion, the City Council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

3. Trash, junk, outside storage and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
4. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
5. Buildings larger than forty thousand (40,000) square feet - Any building larger than forty thousand (40,000) square feet in the GC-1 zone shall be designed to have main entrances on at least two sides of the building, preferably front and back. This requirement is intended to produce a more attractive building on all sides, not just the front, and to improve traffic flow.

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12.6.10 I-2 Heavy Industrial Zone

- 12.6.10.1 Purpose and Zone Characteristics
- 12.6.10.2 Permitted, Conditional and Accessory Uses
- 12.6.10.3 Lot Area
- 12.6.10.4 Lot Width
- 12.6.10.5 Lot Frontage
- 12.6.10.6 Setback Requirements
- 12.6.10.7 Projections into Setbacks
- 12.6.10.8 Building Height Requirements
- 12.6.10.9 Distance Between Buildings
- 12.6.10.10 Lot Coverage
- 12.6.10.11 Parking, Loading and Access
- 12.6.10.12 Project Plan Approval
- 12.6.10.13 Other Requirements

12.6.10.1 Purpose and Zone Characteristics

The I-2 Heavy Industrial Zone is established to provide areas within the City for manufacturing, processing, warehousing, and fabrication of goods and materials. The zone allows for limited commercial and service uses.

12.6.10.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following list of land use types are permitted uses in the I-2 Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

- 1. Manufacturing, processing, and warehousing
- 2. Steel and other fabrication
- 3. Mills (steel and wood, except burning)
- 4. Printing shops
- 5. Storage Units
- 6. Industrial parks
- 7. Large scale office buildings
- 8. Uses found by the City Council to be in harmony with the intention of the zone.
- 9. Public or private utilities and maintenance facilities

Conditional Uses

The following list of land use types are allowed as conditional uses in the I-2 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

- 1. Restaurants, food courts, and cafes (when planned as part of an industrial park to provide service to workers)
- 2. Agriculture (when such use is to use land productively while waiting for an industrial parcel to be built on)
- 3. Sexually Oriented Businesses

Accessory Uses

The following land use types are allowed as accessory uses in the I-2 Zone. Unless specifically listed, any other

use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

- 1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.

12.6.10.3 Lot Area

The minimum lot area requirement in the I-2 Zone is one (1) acre.

12.6.10.4 Lot Width

The minimum width requirement in the I-2 Zone shall be one hundred (100) feet for all of the area located in the required front setback area.

12.6.10.5 Lot Frontage

All parcels in the I-2 Zone shall abut a public street for at least one hundred (100) feet.

12.6.10.6 Setback Requirements

The following minimum setback requirements shall apply in the I-2 Zone. Each setback is measured from the property line of the lot or parcel.

- 1. Front setback - Each lot or parcel in the I-2 Zone shall have a minimum front setback of forty (40) feet.
- 2. Side setback - Each parcel in the I-2 Zone shall have a minimum side setback of thirty (30) feet.
 - a. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
- 3. Rear setback - Each lot or parcel in the I-2 Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may be located within twenty (20) feet of the rear property line.

12.6.10.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

- 1. Fences and walls in conformance with all applicable City ordinances and resolutions.
- 2. Appropriate landscaping.
- 3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

- 1. Cornices, eaves, sills, buttresses, or other similar architectural features.
- 2. Awnings, decks, and planter boxes.

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12.6.10.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.10.9 Distance Between Buildings

The distance between any building or structure and any other building or structure shall at least twenty (20) feet.

12.6.10.10 Lot Coverage

The sum total of all buildings, structures and parking on any parcel in the I-2 Zone shall not exceed seventy (70) percent of the total area of the parcel.

12.6.10.11 Parking, Loading and Access

Each project in the I-2 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.10.12 Project Plan Approval

Any request for project plan approval in the I-2 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the I-2 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.10.13 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - Signs are allowed in the I-2 Zone in accordance with Section 12.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.

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3. Trash, junk, storage and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
4. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.

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12.6.11 SG-1 Sand and Gravel Zone

- 12.6.11.1 Purpose and Zone Characteristics
- 12.6.11.2 Permitted, Conditional and Accessory Uses
- 12.6.11.3 Lot Area
- 12.6.11.4 Lot Width
- 12.6.11.5 Lot Frontage
- 12.6.11.6 Setback Requirements
- 12.6.11.7 Projections into Setbacks
- 12.6.11.8 Building Height Requirements
- 12.6.11.9 Distance Between Buildings
- 12.6.11.10 Lot Coverage
- 12.6.11.11 Parking, Loading and Access
- 12.6.11.12 Reclamation
- 12.6.11.13 Project Plan Approval
- 12.6.11.14 Other Requirements

a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

- 1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.
- 2. Temporary job trailers and offices

12.6.11.1 Purpose and Zone Characteristics

The SG-1 Sand and Gravel Zone is established to provide areas within the City for the extraction of sand, gravel, and other similar materials. The zone allows for limited commercial and service uses.

12.6.11.3 Lot Area

The minimum lot area requirement in the SG-1 Zone is five (5) acres.

12.6.11.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following list of land use types are permitted uses in the SG-1 Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

12.6.11.4 Lot Width

The minimum width requirement in the SG-1 Zone shall be two hundred (200) feet for all of the area located in the required front setback area.

- 1. Agriculture
- 2. Public or private utilities and maintenance facilities

12.6.11.5 Lot Frontage

All parcels in the SG-1 Zone shall abut a public street for at least two hundred (200) feet.

Conditional Uses

The following list of land use types are allowed as conditional uses in the SG-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

12.6.11.6 Setback Requirements

The following minimum setback and build-to requirements shall apply in the SG-1 Zone. Each setback is measured from the property line of the lot or parcel.

- 1. Restaurants, food courts, and cafes (when planned as part of an research park to provide service to employees)
- 2. Attendant non-polluting light manufacturing, processing and testing facilities that are clearly accessory to a primary permitted use
- 3. Land preparation for extraction and land reclamation
- 4. Mines, quarries, gravel pits, crushers, batching plants, and other uses intended for excavation purposes
- 5. Plant nurseries
- 6. Single family dwellings - detached

- 1. Front setback - Each parcel in the SG-1 Zone shall have a minimum front setback of thirty (30) feet.
- 2. Side setback - Each parcel in the SG-1 Zone shall have a minimum side setback of thirty (30) feet.
 - a. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
- 3. Rear setback - Each lot or parcel in the SG-1 Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may be located within twenty (20) feet of the rear property line.

Accessory Uses

The following list of land use types are allowed as accessory uses in the SG-1 Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to

12.6.11.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

- 1. Fences and walls in conformance with all applicable City ordinances and resolutions.
- 2. Appropriate landscaping.
- 3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

- 1. Cornices, eaves, sills, buttresses, or other similar architectural features.
- 2. Awnings, decks, and planter boxes.

12.6.11.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in

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height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.11.9 Distance Between Buildings

The distance between any building or structure and any other building or structure shall at least twenty (20) feet.

12.6.11.10 Lot Coverage

The sum total of all buildings, structures and parking on any parcel in the SG-1 Zone shall not exceed fifty (50) percent of the total area of the parcel.

12.6.11.11 Parking, Loading and Access

Each project in the SG-1 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.11.12 Reclamation

In an effort to control erosion, protect the natural and visual environment, and ensure efficient re-use of the land, each development in the SG-1 Zone shall be required to reclaim the land to a state that is both aesthetically pleasing and environmentally sound. Because each project is different, it is likely that each reclamation plan will be different. The applicant must convince the City Council, prior to development approval, that the proposed reclamation plan will satisfy the intention of this Section.

12.6.11.13 Project Plan Approval

Any request for project plan approval in the SG-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the SG-1 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.11.14 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - Signs are allowed in the SG-1 Zone in accordance with Section 12.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking in an effort to eliminate, to the extent possible, dust and erosion. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using

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an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.

3. Trash, junk, storage and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
4. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
5. Reclamation Bond - Any land disturbed in the SG-1 Zone shall first obtain an excavation permit from Bluffdale City. The permit shall indicate the total allowable disturbance. The applicant will be required to submit a complete reclamation plan together with an estimated cost for reclamation. The applicant shall post a bond for the estimated cost of reclamation with consideration for inflation.

- 12.6.12.1 Purpose and Zone Characteristics
- 12.6.12.2 Permitted, Conditional and Accessory Uses
- 12.6.12.3 Lot Area
- 12.6.12.4 Lot Width
- 12.6.12.5 Lot Frontage
- 12.6.12.6 Setback Requirements
- 12.6.12.7 Projections into Setbacks
- 12.6.12.8 Building Height Requirements
- 12.6.12.9 Distance Between Buildings
- 12.6.12.10 Lot Coverage
- 12.6.12.11 Parking, Loading and Access
- 12.6.12.12 Project Plan Approval
- 12.6.12.13 Other Requirements

12.6.12.1 Purpose and Zone Characteristics

The MU-1 Multi-Use Zone is established to provide areas within the City for various uses that under the right circumstances are compatible with each other. The zone allows for limited commercial and service uses.

12.6.12.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the MU-1 Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

1. Planned Industrial/Commercial Parks
2. Manufacture of fabric and leather apparel
3. Self-storage units
4. Outdoor miniature golf
5. Mortuaries, reception centers, and wedding chapels
6. Trade or technical schools
7. Finance, insurance, real estate, medical, dental and other professional services
8. Grocery and foodstuffs retailing
9. Convenience stores
10. Hotels and motels
11. Furniture, home furnishings, and equipment sales
12. Restaurants, cafeterias, and fast-food establishments
13. Department, drug, variety, and discount stores
14. Commercial printing
15. Retail malls and commercial centers
16. Sporting goods, bicycles, and toy retail sales
17. Motion picture theaters
18. Exercise facilities
19. Class "A" beer outlet
20. Community uses
21. Agriculture tilling and gardening
22. Daycare and preschools
23. Neighborhood personal services (beauty and barber, tanning, etc.)
24. Nursing home, convalescent center
25. Residential facilities for elderly persons
26. Laundry, clothes cleaning/pressing and alterations
27. State liquor stores in restaurant

Conditional Uses

The following land use types are allowed as conditional uses in the MU-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

1. Canning, processing and preserving of food products
2. Manufacture and assembly of communications equipment, electronic components and computers
3. Manufacture of professional, scientific and controlling instruments and optical goods
4. Coating, plating, and engraving
5. Recreation vehicle parks
6. Research and development laboratories
7. Paint, glass, and wallpaper manufacture and sales
8. Automotive and recreation dealerships and service centers, leasing
9. Drive-in restaurants
10. Lumber, hardware and home improvement sales
11. Books, stationary, art and hobby supplies and sales
12. Wholesale distribution of manufactured products
13. Telecommunications facilities
14. Class "B" and Class "D" beer outlets
15. Group homes for the mentally disadvantaged
16. Single family dwellings incidental to commercial use
17. Small appliance repair
18. Veterinary hospital
19. Condominiums
20. Automatic car wash
21. Hospital
22. State liquor store

Accessory Uses

The following list of land use types are allowed as accessory uses in the MU-1 Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use.
2. Temporary job trailers and offices

12.6.12.3 Lot Area

The minimum lot area requirement in the MU-1 Zone is one (1) acre.

12.6.12.4 Lot Width

The minimum width requirement in the MU-1 Zone shall be one hundred and fifty (150) feet for all of the area located in the required front setback area.

12.6.12.5 Lot Frontage

All parcels in the MU-1 Zone shall abut a public street for at least one hundred and fifty (150) feet.

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12.6.12.6 Setback Requirements

The following minimum setback requirements shall apply in the MU-1 Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each parcel in the MU-1 Zone shall have a minimum front setback of thirty (30) feet.
2. Side setback - Each parcel in the MU-1 Zone shall have a minimum side setback of thirty (30) feet.
 - a. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
11. Rear setback - Each lot or parcel in the MU-1 Zone shall have a minimum rear setback of thirty (30) feet.
 - k. Rear setback for accessory building - An accessory building may be located within twenty (20) feet of the rear property line.

12.6.12.7 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.12.8 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.12.9 Distance Between Buildings

The distance between any building or structure and any other building or structure shall at least twenty (20) feet.

12.6.12.10 Lot Coverage

The sum total of all buildings, structures and parking on any parcel in the MU-1 Zone shall not exceed fifty (50) percent of the total area of the parcel.

12.6.12.11 Parking, Loading and Access

Each project in the MU-1 Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

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Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.12.12 Project Plan Approval

Any request for project plan approval in the MU-1 Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Projects in the MU-1 Zone will be reviewed and approved in accordance with Section 12.8, Commercial Development, Site Plans, herein.

12.6.12.13 Other Requirements

The following requirements are in addition to the requirements found in this ordinance or any other applicable resolution or ordinance.

1. Signs - Signs are allowed in the MU-1 Zone in accordance with Section 12.15 herein.
2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking in an effort to eliminate, to the extent possible, dust and erosion. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. On larger parcels, an alternative method of landscaping may be presented to the City Council for their consideration and approval. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.
3. Trash, junk, storage and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
4. Design Guidelines - The City Council may require specific design guidelines be employed in the project if it can be reasonable shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.

12.6.13 R-MF Multi-Family Housing Zone

5. Ground level retail and commercial businesses

- 12.6.13.1 Purpose and Zone Characteristics
- 12.6.13.2 Permitted, Conditional and Accessory Uses
- 12.6.13.3 Minimum Project Area
- 12.6.13.4 Project Density Calculation
- 12.6.13.5 Project Width
- 12.6.13.6 Project Frontage
- 12.6.13.7 Setback and Build-To Requirements
- 12.6.13.8 Projections into Setbacks
- 12.6.13.9 Building Height Requirements
- 12.6.13.10 Distance Between Buildings
- 12.6.13.11 Permissible Lot Coverage
- 12.6.13.12 Parking, Loading and Access
- 12.6.13.13 Project Plan Approval
- 12.6.13.14 Other Requirements

Accessory Uses

The following land use types are allowed as accessory uses in the R-MF Multi-Family Residential Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

12.6.13.1 Purpose and Zone Characteristics

The R-MF Multi-Family Residential Zone is established to provide areas within the City for multi-family dwellings designed to be compatible with surrounding uses. The R-MF Zone is intended to have limited commercial services including ground level retail and commercial businesses and home occupations. Rezoning to the R-MF Zone should be carefully reviewed to ensure compatibility with existing development and neighborhoods.

1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use in the zone and only behind the dwelling units. The accessory building shall be constructed of essentially the same materials as the main residential buildings or structures.
2. Except as a legal non-conforming use, accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for household pets.
3. Home occupations.

12.6.13.2 Permitted, Conditional and Accessory Uses

Permitted Uses

The following land use types are permitted uses in the R-MF Multi-Family Residential Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

12.6.13.3 Minimum Project Area

Each development project in the R-MF Multi-Family Residential Zone shall be located on a parcel containing not less than five (5) acres.

1. Multi-family dwellings
2. Retirement Centers
3. Sanitariums, convalescent centers
4. Public or private rights-of-way
5. Public or private utilities and maintenance facilities
6. Parks and recreational facilities
7. Subdivisions pursuant to Title 20
8. Child care facilities (less than 6 children)
9. Planned Residential Developments in accordance with Title 11

12.6.13.4 Project Density Calculation

Multi-Family development projects may be granted up to ten (10) units per acre, provided that all of the requirements of this Section including, but not limited to, lot coverage, setback, and parking have been satisfied.

Conditional Uses

The following land use types are allowed as conditional uses in the R-MF Multi-Family Residential Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

A multi-family development project may be granted up to twelve and one half (12 ½) units per acre, provided that all of the requirements of this Section including, but not limited to, lot coverage, setback, and parking have been satisfied and the exterior of the buildings or structures are constructed using brick or stone, except roofing materials. Cinder block, stucco, and other similar materials shall not qualify for the higher density calculation. Further, in order to obtain a density bonus, a multi-family development must gain approval of a Planned Residential Development in accordance with Section 11.10 of the Subdivision Ordinance.

1. Single Family Dwellings
2. Water storage facilities, culinary or irrigation
3. Religious buildings and structures
4. Residential care facilities for the elderly or handicapped in accordance with State law

12.6.13.5 Project Width

Each project in the R-MF Multi-Family Residential Zone shall have a minimum width of two hundred (200) feet for all of the area within the required front setback of the zone.

12.6.13.6 Project Frontage

Each project in the R-MF Multi-Family Residential Zone shall abut a public street, or private street if approved by the City Council, for a minimum distance of two hundred (200) feet.

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12.6.13.7 Setback and Build-To Requirements

The following minimum setback and build-to requirements shall apply in the R-MF Multi-Family Residential Zone. Each setback or build-to line is measured from the property line of the lot or parcel.

1. Front setback - Each building or structure in the R-MF Zone shall have a minimum front setback of thirty (30) feet and a build-to line of forty (40) feet.
2. Side setback - Each building or structure in the R-MF Zone, unless otherwise noted below, shall have a minimum side setback of twenty (20) feet.
 - a. Side setback for corner lot - Each corner lot or parcel in the R-MF Zone shall have a minimum setback of twenty-five (25) feet along the public street on the side of the lot not being used as the front setback.
 - b. Side setback for driveway - Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty (20) feet and shall be hard surfaced.
 - c. Side setback for accessory building - The side setback for any permitted accessory building shall have a minimum side setback of twenty (20) feet.
3. Rear setback - Each building or structure in the R-MF Zone shall have a minimum rear setback of thirty (30) feet.
 - a. Rear setback for accessory building - An accessory building may be located within twenty (20) feet of the rear property line.

12.6.13.8 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions.
2. Appropriate landscaping.
3. Necessary appurtenances for utility service.

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features.
2. Awnings, decks, and planter boxes.

12.6.13.9 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in

height, except that accessory buildings may not exceed eighteen (18) feet in height.

Any building or structure proposed to exceed the height restrictions shall be approved by the Fire Chief and be equipped with the appropriate internal and external fire sprinkler system.

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12.6.13.10 Distance Between Buildings

The distance between any residential building or structure and any other residential building or structure shall not be less than twenty (20) feet.

The distance between any accessory building and any residential building or structure shall not be less than ten (10) feet, unless the accessory building is attached to the building or structure.

12.6.13.11 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the R-MF Zone shall not be greater than forty (40) percent of the total area of the parcel.

12.6.13.12 Parking, Loading and Access

Each unit in the R-MF Zone shall have on the premises two off-street parking spaces, one of which shall be covered. Additionally, there shall one (1) guest parking space for each four (4) dwelling units. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Each project may also have a recreational vehicle parking area not to exceed two thousand (2,000) square feet per acre of the project secured by a six (6) foot sight obscuring fence. The recreational vehicle parking area may be placed in the rear or side setback area of the project.

The parking requirements found listed above represent the minimum and maximum parking requirements. Any additional parking, beyond that required above, must be approved by the City Council due to a loss in the amount of landscaping in the project.

12.6.13.13 Project Plan Approval

Any request for project plan approval in the R-MF Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Bluffdale City General Plan.

Each applicant shall first submit a Concept Plan of the proposed development. Following review of the Concept Plan and after receiving staff comments, the applicant may prepare a Preliminary Plan and Construction Plans in accordance with Section 12.28 of the Subdivision Ordinance. The Planning Commission and City Council will hold a public hearing to receive input about the Preliminary Plan. Notice of the public hearing will be in accordance with Section 12.2.8 herein. Following a public hearing the Planning Commission will forward a recommendation to approve, approve with conditions, or deny the Preliminary Plan.

After receiving a recommendation from the Planning Commission, the City Council will hold a public hearing to receive input about the Preliminary Plan. Notice of the

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public hearing will be in accordance with Section 12.2.8 herein. Following the public hearing the City Council may approve, amend and approve, approve with conditions, remand the proposed development back to the Planning Commission for further review, or deny the application for Preliminary Plan approval.

Following approval of the Preliminary Plan by the City Council, the applicant may prepare the Final Development Plan. After their review, the City Council may approve, amend and approve, approve with conditions, remand the subdivision back to the Planning Commission for further review, or deny the application for Final Plat approval. The City Council, at their discretion, may approve the Preliminary Plan and the Final Plat concurrently. A copy of the Final Development Plan will be included in the Planning Commission packet for their review prior to final review by the City Council.

12.6.13.14 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - The following signs, and no others, are allowed in the R-MF Zone:
 - a. Development entrance signs not exceeding thirty-six (36) square feet in area to identify the project. The entrance signs are limited in height to eight (8) feet and must be approved at the time of development approval.
 - b. As part of a Conditional Use Permit, signs advertising on-site ground level retail or commercial businesses, not to exceed thirty-six (36) square feet in area and eight (8) feet in height. Each project is limited to one such sign per project and the sign must be approved at the time of development approval.
2. Landscaping - All open areas not covered by residential buildings or structures, parking, or permitted accessory structures shall be attractively landscaped and maintained. Each Multi-Family project shall submit a complete landscaping and irrigation system plan. The initial landscaping plan shall include at least one (1) tree for every two (2) dwelling units, half of which shall be coniferous evergreen trees. The coniferous trees shall be at least eight (8) feet in height and the deciduous trees shall be at least two (2) inches in caliper. Additionally, there shall be no less than one shrub of five (5) gallon size for each two (2) dwelling units. All other landscaped grounds must contain grass or other ground cover approved on the landscaping plan. The landscaping plan is an essential part of the project and the project shall not be approved prior to approval of the landscaping plan.
3. Project amenities - Each development approved in the R-MF Zone shall include appropriate amenities for the residents of the project. Because each project will

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be different in nature, the amenities are likely to be different. As a general rule, there shall be picnic areas with tables and barbecue areas, active recreation areas with sport courts, shuffleboard, swimming pools, tennis courts, playgrounds, clubhouses etc., and passive recreation (lawn) areas. The amount of amenities required shall be in proportion to the proposed number of units in the development.

Projects with less than ten (10) units shall furnish picnic areas with tables and barbecue areas. Projects with ten (10) to twenty (20) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet or shuffleboard for retirement facilities, and a playground complete with equipment. Projects with twenty (20) to fifty (50) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet or shuffleboard for retirement facilities, two (2) playgrounds complete with equipment, and a clubhouse used for gatherings of residents not less than seven hundred and fifty (750) square feet in size complete with restrooms. Developments with more than fifty (50) units shall furnish picnic areas with tables and barbecue areas, a sport court with at least five hundred (500) square feet or shuffleboard deck for retirement facilities, three (3) playgrounds complete with equipment, a clubhouse used for gatherings of residents not less than seven hundred and fifty (750) square feet in size complete with restrooms, and either a regulation size lighted tennis court or a sub-surface swimming pool no less than twenty (20) feet by forty (40) feet in size.

4. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed to not be injurious to adjacent properties and appropriate by the City, by a sight obscuring fence.
5. Fencing standards - Multi-Family projects shall be fenced on at least three sides by a six (6) foot sight obscuring fence unless it can be demonstrated that the fence is unnecessary to make the proposed project compatible with the surrounding area.

12.6.14 GW-R Gateway Redwood Overlay Zone

permitted uses, and conditional uses shall remain as conditional uses.

12.6.14.1 Purpose and Zone Characteristics

- 12.6.14.2 Permitted, Conditional & Accessory Uses
- 12.6.14.3 Density Requirements
- 12.6.14.4 Lot Frontage
- 12.6.14.5 Setback and Build-To Requirements
- 12.6.14.6 Projections into Setbacks
- 12.6.14.7 Building Height Requirements
- 12.6.14.8 Distance Between Buildings
- 12.6.14.9 Minimum Landscaping Requirement
- 12.6.14.10 Parking, Loading and Access
- 12.6.14.11 Massing of Buildings
- 12.6.14.12 Transition into Residential Areas
- 12.6.14.13 Design Guidelines and Motif
- 12.6.14.14 Landscaping of Roadway Frontage
- 12.6.14.15 Other Requirements
- 12.6.14.16 Project Plan Approval

12.6.14.1 Purpose and Zone Characteristics

The GW-R Gateway Redwood Overlay Zone is established to provide an attractive entry corridor into Bluffdale City. The purpose of the GW-R Zone is to create and enhance the aesthetics and rural ambiance, architecture, and character of the district. Development should be compatible with the construction, architectural features, and other distinctive characteristics of the area surrounding the district. The site plan should include ample landscaping and open space that reflects the rural character of the community.

This area is highly visible and will have a significant impact on the image of the community. The Gateway Redwood Zone is located at a major entrance to the City. The Redwood Road-Bangerter Highway intersection is an intersection of two arterial roads within Bluffdale City.

12.6.14.2 Permitted, Conditional & Accessory Uses

Permitted Uses

The following land use types are permitted uses in the GW-R Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

- 1. Banks and other financial institutions
- 2. Restaurants, but not drive through
- 3. Retail stores
- 4. Personal service establishments limited to beauty and nail salons, barber shops, tanning salons, and dry cleaning establishments
- 5. Professional offices including medical and dental offices
- 6. Convenience stores with or without gas stations
- 7. Public and private utilities, easements, and rights of way
- 8. All uses permitted in the previous zone as allowed on March 22, 1999. Permitted uses shall remain

Conditional Uses

The following land use types are allowed as conditional uses in the GW-Historic Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

- 1. Religious buildings and structures
- 2. Housing for the Elderly
- 3. Day care centers
- 4. Private and commercial schools
- 5. Arts and crafts centers
- 6. Library
- 7. Fitness center
- 8. Senior citizens center
- 9. Assisted living facilities in accordance with § 26-21-2 of the Utah Code Annotated, 1953, as amended
- 10. Nursing Care facilities in accordance with § 26-21-2 of the Utah Code Annotated, 1953, as amended
- 11. Theaters not to include sexually oriented businesses
- 12. Drive through restaurants

Accessory Uses

The following land use types are allowed as accessory uses in the GW-R Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

- 1. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use
- 2. Off street parking lots
- 3. Trails, paths, and other pedestrian facilities
- 4. Recreational facilities

12.6.14.3 Density Requirements

Commercial buildings shall not exceed sixty thousand (60,000) square feet unless approved as part of a commercial development containing several commercial businesses such as a strip mall or an anchor store.

12.6.14.4 Lot Frontage

All parcels in the GW-R Zone shall abut a public street for at least ninety (90) feet, except for parcels created prior to the adoption of this ordinance. Regardless of the adoption date, if the Council finds that the frontage is inefficient or undesirable, the Council may require that

the massing, uses, and other design characteristics be compatible with surrounding uses.

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12.6.14.5 Setback and Build-To Requirements

The following minimum setback and build-to requirements shall apply in the GW-R Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the GW-R Zone shall have a minimum front setback of forty (40) feet.
2. Side setback - The side setback in the GW-R Zone shall be ten (10) feet, except as provided below.
 - a. Each corner lot or parcel in the GW-R Zone shall have a minimum setback on all areas of road frontage of twenty (20) feet.
 - b. Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty-four (24) feet and shall be hard surfaced with curb and gutter on both sides.
 - c. The side setback for any permitted accessory building shall be a minimum of fifteen (15) feet.
3. Rear setback - Each lot or parcel in the GW-R Zone shall have a minimum rear setback of thirty (30) feet, unless it can be clearly demonstrated that a structure could be placed nearer the property line without causing a negative impact on adjacent property owners.
 - a. Rear setback for accessory building - No accessory building may be located closer than fifteen (15) feet of the rear property line.
4. Setbacks for structures adjacent to residential zones - No structure shall be constructed within one hundred (100) feet of a residential zone.

12.6.14.6 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions
2. Appropriate landscaping including buffer areas adjacent to residential zones
3. Necessary appurtenances for utility service

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features
2. Awnings, decks, and planter boxes

12.6.14.7 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.14.8 Distance Between Buildings

The distance between any building or structure shall be a minimum of twenty (20) feet, except structures sharing a common wall.

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12.6.14.9 Minimum Landscaping Requirement

Each lot or parcel in the GW-R Zone shall contain a minimum of fifteen (15) percent landscaping.

12.6.14.10 Parking, Loading and Access

Each project in the GW-R Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.14.11 Massing of Buildings

Buildings shall relate, in scale, to those in the immediate vicinity and other buildings in the development.

12.6.14.12 Transition Into Residential Areas

The transition into residential areas shall include a one hundred (100) foot landscaped buffer, including a berm no less than six (6) feet in height, adjacent to all residential areas. The slopes of the berm shall not exceed a four to one (4:1) slope. The landscaping plan required for this area shall be consistent with the landscaping requirements found herein. Public and private utilities may be placed within the one hundred (100) foot buffer area.

In order to promote compatibility between the GW-R Zone and any residential zone, the City Council shall require special conditions including but not limited to the following:

1. Businesses located in the transition area shall not transact business between 10 p.m. and 6:00 a.m.
2. Restrictions on lighting, emissions, noise, and other potential impacts.
3. Appropriate screening through fencing, landscaping, building design, or any combination of the fencing, landscaping or building design.
- 4.

12.6.14.13 Design Guidelines and Motif

The City Council encourages the appropriate use of materials, colors, and other features indicative of the rural nature of the area. This design motif applies to all structures in the GW-R Zone. The City staff shall have on file a design guideline booklet that has been reviewed and approved by the City Council. The booklet shall provide graphic illustrations of the architecture, colors, materials, and general design of the desired buildings in the GW-R Zone. Failure to satisfy the standards of the design guidelines may result in the denial of any proposed project.

12.6.14.14 Landscaping of Roadway Frontage

Parcels located adjacent to any roadway shall be required to provide attractive and appropriate landscaping of the frontage area. Frontage landscaping shall be maintained

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12.6.14.5 Setback and Build-To Requirements

The following minimum setback and build-to requirements shall apply in the GW-R Zone. Each setback is measured from the property line of the lot or parcel.

1. Front setback - Each lot or parcel in the GW-R Zone shall have a minimum front setback of forty (40) feet.
2. Side setback - The side setback in the GW-R Zone shall be ten (10) feet, except as provided below.
 - a. Each corner lot or parcel in the GW-R Zone shall have a minimum setback on all areas of road frontage of twenty (20) feet.
 - b. Each side setback, when used for access to a garage, carport, or parking area shall have a minimum setback of twenty-four (24) feet and shall be hard surfaced with curb and gutter on both sides.
 - c. The side setback for any permitted accessory building shall be a minimum of fifteen (15) feet.
3. Rear setback - Each lot or parcel in the GW-R Zone shall have a minimum rear setback of thirty (30) feet, unless it can be clearly demonstrated that a structure could be placed nearer the property line without causing a negative impact on adjacent property owners.
 - a. Rear setback for accessory building - No accessory building may be located closer than fifteen (15) feet of the rear property line.
4. Setbacks for structures adjacent to residential zones - No structure shall be constructed within one hundred (100) feet of a residential zone.

12.6.14.6 Projections into Setbacks

The following structures may be erected on or projected into any required setback:

1. Fences and walls in conformance with all applicable City ordinances and resolutions
2. Appropriate landscaping including buffer areas adjacent to residential zones
3. Necessary appurtenances for utility service

The following structures may be erected on or projected into any required front or rear setback not more than four (4) feet, and into a side setback not more than two (2) feet:

1. Cornices, eaves, sills, buttresses, or other similar architectural features
2. Awnings, decks, and planter boxes

12.6.14.7 Building Height Requirements

A primary building or structure may not exceed thirty-five (35) feet in height, nor be lower than ten (10) feet in height, unless reviewed and approved by the Fire Chief and the City Council.

12.6.14.8 Distance Between Buildings

The distance between any building or structure shall be a minimum of twenty (20) feet, except structures sharing a common wall.

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12.6.14.9 Minimum Landscaping Requirement

Each lot or parcel in the GW-R Zone shall contain a minimum of fifteen (15) percent landscaping.

12.6.14.10 Parking, Loading and Access

Each project in the GW-R Zone shall satisfy the off-street parking requirements found in Section 12.4 herein. The spaces shall be hard surfaced with asphalt or concrete and be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach.

Loading and unloading areas shall be located in an area that can be secured from public access. Further, loading and unloading shall not occur on a public street.

12.6.14.11 Massing of Buildings

Buildings shall relate, in scale, to those in the immediate vicinity and other buildings in the development.

12.6.14.12 Transition Into Residential Areas

The transition into residential areas shall include a one hundred (100) foot landscaped buffer, including a berm no less than six (6) feet in height, adjacent to all residential areas. The slopes of the berm shall not exceed a four to one (4:1) slope. The landscaping plan required for this area shall be consistent with the landscaping requirements found herein. Public and private utilities may be placed within the one hundred (100) foot buffer area.

In order to promote compatibility between the GW-R Zone and any residential zone, the City Council shall require special conditions including but not limited to the following:

1. Businesses located in the transition area shall not transact business between 10 p.m. and 6:00 a.m.
2. Restrictions on lighting, emissions, noise, and other potential impacts.
3. Appropriate screening through fencing, landscaping, building design, or any combination of the fencing, landscaping or building design.
- 4.

12.6.14.13 Design Guidelines and Motif

The City Council encourages the appropriate use of materials, colors, and other features indicative of the rural nature of the area. This design motif applies to all structures in the GW-R Zone. The City staff shall have on file a design guideline booklet that has been reviewed and approved by the City Council. The booklet shall provide graphic illustrations of the architecture, colors, materials, and general design of the desired buildings in the GW-R Zone. Failure to satisfy the standards of the design guidelines may result in the denial of any proposed project.

12.6.14.14 Landscaping of Roadway Frontage

Parcels located adjacent to any roadway shall be required to provide attractive and appropriate landscaping of the

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frontage area. Frontage landscaping shall be maintained by the owners of the project.

12.6.14.15 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of this ordinance, or any other applicable resolution or ordinance.

1. Signs - Signs allowed in the GW-R Zone include monument signs not to exceed one hundred (100) square feet in size. The maximum height of any sign in the zone shall not exceed ten (10) feet. The City Council may require several businesses to work together to produce a project sign for an entire development rather than approve a different sign for each business. If such an arrangement is not possible or is impractical, a single monument sign for an individual business shall not exceed fifty (50) square feet nor exceed six (6) feet in height.

Wall signs will also be allowed on the front wall of all commercial structures. Wall signs shall not exceed ten (10) percent of the sum total of the square footage of the wall on which the sign is located.

Each sign must use materials and colors consistent with the Design Guideline Booklet for the GW-R Zone. The Design Guideline Booklet is available for review from Bluffdale City.

2. Landscaping - Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. Unless landscaping is approved by the City Council such as xeri-scaping, the landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a Certificate of Occupancy. At its discretion, the City Council may approve xeri-scaping or other water conserving landscaping which would not require an automatic sprinkling system.

3. The landscaping plan shall be prepared using trees, shrubs, turf, and ground cover appropriate for the climatic zone of Bluffdale City. There shall be a minimum of one tree with no less than a two (2) inch caliper (unless otherwise approved by the City Council) or an evergreen tree no less than eight (8) feet in height for every three hundred (300) square feet of landscaped area. At least fifty (50) percent of the required trees must be an evergreen trees.

Parking areas shall contain landscaping space equal to no less than fifteen (15) percent of the total parking area. The landscaping space shall be enclosed by a protective curb and shall be properly maintained.

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Adequate measures must be in place to ensure proper maintenance of all landscaping prior to project approval and the maintenance agreements shall be recorded with the Final Plat of the project.

4. Trash, junk, and other debris - No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, if deemed appropriate by the City, by a sight obscuring fence.
5. The City Council may require that specific design guidelines be employed in the project if it can be reasonably shown that the materials, colors, or elevations of the buildings could have a significant impact on the existing or future atmosphere of the area, and to improve compatibility. The design guidelines may include, but are not limited to, architectural controls, colors, materials, building mass, innovative design of buildings and access, and any other features deemed appropriate by the City Council.
6. Stand alone buildings larger than twenty thousand (20,000) square feet - Any building larger than twenty thousand (20,000) square feet shall be designed to have at least two (2) main entrances. Where possible or feasible, the entrances should be located on two sides of the building. This requirement is intended to produce a more attractive building on all sides, not just the front, and to improve traffic flow.
7. Any approved architectural theme or motif shall be extended to all sides of each building in the development. The City Council may require architectural features and elevation breaks on buildings in order to create a more attractive design.
8. No dust, odor, smoke, vibration, intermittent light, glare, or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements.
9. Each project shall provide trails, walkways, sidewalks, or other pedestrian facilities. These facilities shall link to other existing or planned pedestrian facilities in the community and be similar in size and contain compatible materials in relation to other existing or planned facilities.
10. Each development shall be required to maintain and protect existing natural drainage channels. These areas shall be attractively landscaped and, if necessary, shall provide a maintenance easement.
11. Each development shall contain solid waste receptacle areas enclosed with a solid wall using materials and colors found within the development, with the exception that a sight obscuring fence for access will be allowed on one (1) side.
12. The lighting in each development shall be ample to provide safety and convenience to patrons of the development. Directional lighting shall be focused on

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the intended area and be designed to reduce, to the extent possible, over spill to adjacent property.

Streetlights shall be installed, by the applicant, at all intersections. These lights shall be consistent, to the extent possible with examples found in the design booklet available from Bluffdale City.

13. Each development in the GW-R Zone shall include a white rail fence, with three rails, along all roadways. Maintenance of the fence shall be provided by the applicant in a manner acceptable to the City Council.
14. All utilities in the GW-R Zone shall be located underground unless the utility provider has written policies which preclude underground utilities.

12.6.14.16 Project Plan Approval

Any request for project plan approval in the GW-R Zone is subject to any and all applicable City resolutions and ordinances including the Subdivision Ordinance, Design Guidelines and Standard Specifications, and the Comprehensive Plan.

Prior to, or simultaneously with, approval by the City Council, each development project in the GW-R Zone shall enter into a development agreement that shall be signed by the proponent of the development and the Mayor of Bluffdale City, with consent of the City Council.

Notice of all public hearings shall be consistent with City ordinance. Notice, at the applicant's expense, shall be given to all property owners, as shown on the latest tax assessment rolls of the County, within one thousand (1000) feet of any boundary of the proposed development. The notice shall include a summary of the proposed development as well as the time, place, and date of the public hearing scheduled for the proposed development. Failure of the applicant to provide proper notice may result in denial of the proposed development by the City Council.

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12.6.15 AGP-O Agriculture Protection Overlay Zone

- 12.6.15.1 Purpose and Objectives
- 12.6.15.2 Issuance of Licenses and Permits
- 12.6.15.3 Review of Rezonings for Compatibility
- 12.6.15.4 Right to Farm Provisions
- 12.6.15.5 Zone Area Requirements
- 12.6.15.6 Permitted, Conditional, and Accessory Uses
- 12.6.15.7 Parcel Requirements

12.6.15.1 Purpose and Objectives

The purpose and objectives of the AGP-O Agricultural Protection Overlay Zone include, but are not limited to, the following:

- 1. To preserve agricultural areas and uses
- 2. To provide protection for agriculture from encroaching development.
- 3. To maintain a rural atmosphere in the community.

12.6.15.2 Issuance of Licenses and Permits

Licenses and permits shall not be issued for the construction or alteration of any building or structure, or the relocation of a building onto a lot, or for the change of the use in any land, building, or structure if the construction, alteration, moving, or change in use would encroach upon, or inhibit agricultural pursuits.

12.6.15.3 Review of Rezonings for Compatibility

Any proposed rezone to the AGP-O Zone shall be reviewed by the Planning Commission and City Council for compatibility with the purposes and objectives of the zone.

Rezoning to the AGP-O Zone shall be completed in accordance with Section 12.2.8 herein. Likewise, repeal of the AGP-O Zone shall be completed in accordance with Section 12.2.8 herein.

12.6.15.4 Right to Farm Provisions

Properties located in the AGP-O Zone are entitled to certain right to farm provisions. These provisions include the following:

- 1. Any property located within five hundred (500) feet of an AGP-O Zone proposed to be developed shall provide information about how the proposed development will affect existing agriculture.
- 2. It is hereby a policy of the City that complaints of normal smells, dust, hours of operation, and similar ordinary agricultural uses shall be discarded unless it can be shown that the agriculture in the area has become unusual since approval of the development.
- 3. Residential developments along the borders of the AGP-O Zone shall be discouraged.

12.6.15.5 Zone Area Requirements

Each AGP-O Zone shall contain no less than twenty (20) acres.

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12.6.15.6 Permitted, Conditional, and Accessory Uses

Permitted Uses

The following uses, and no others, are permitted uses in the AGP-O Zone:

- 1. Agriculture and forestry
- 2. Keeping of animals pursuant to City ordinance
- 3. Single family dwellings - detached
- 4. Utility rights-of-way and maintenance facilities
- 5. Public or private maintenance facilities
- 6. Parks and recreational facilities

Conditional Uses

The following land use types are allowed as conditional uses in the AGP-O Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance.

- 1. Agricultural support facilities
- 2. Ranch or farm employee dwellings (limited to one unit per twenty (20) acres of land area which must be reviewed and renewed every three (3) years)
- 3. Water storage facilities, culinary or irrigation
- 4. Mining and quarrying facilities and activities

Accessory Uses

The following land use types are allowed as accessory uses in the AGP-O Zone. Unless specifically listed, any other use is not allowed as an accessory use in the zone. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses are not allowed without the approval of a permitted or conditional use of the parcel unless otherwise noted in this Section.

- 1. Garages - detached
- 2. Storage facilities for products, machinery and equipment as an accessory use to a permitted or conditional use in the zone
- 3. Buildings used for the confinement or protection of animals used as a permitted or conditional use in the zone
- 4. Stands for selling goods and products produced on the premises as a permitted or conditional use in the zone

12.6.15.7 Parcel Requirements

The parcel requirements are the same as those listed in the underlying zone, unless the parcel qualifies as an existing and legal non-conforming use.

Title 12 Zoning Ordinance
12.6.16 I-O In-fill Overlay Zone

- 12.6.16.1 Purpose and Objectives
- 12.6.16.2 Review of Applications for Compatibility
- 12.6.16.3 Guidelines for Neighborhood Preservation
- 12.6.16.4 Zone Area Requirements
- 12.6.16.5 Permitted, Conditional, and Accessory Uses
- 12.6.16.6 Duration

12.6.16.1 Purpose and Objectives

The City encourages in-fill development that is compatible and consistent with existing uses, provided that adequate infrastructure is in place to service any proposed development. The I-O In-fill Overlay Zone may only be employed in the R-1-10 Zone of Bluffdale City. The purpose and objectives of the I-O In-fill Overlay Zone include, but are not limited to, the following:

1. To allow the orderly development of the older parts of the community.
2. To encourage reinvestment and maintenance of existing neighborhoods.
3. To stabilize and enhance property values.
4. To foster community pride.
5. To promote new development that will enhance and protect the existing structures.
6. To strengthen the economy and improve the quality of life.

Use of the I-O Overlay Zone is a request for increased intensity in the permitted uses of the underlying zone. Therefore, any applicant for use of the I-O Overlay Zone understands and acknowledges that the development rights on the subject property are those found in the underlying zone until, and unless, approved to use the I-O Overlay Zone, at which time the regulations found in this Chapter may be applied. The applicant further understands and acknowledges that denial for the use of the I-O Overlay Zone shall not constitute a takings claim in that the applicant shall not be denied the ability to use the property in accordance with the underlying zone.

Approval for the use of the I-O Overlay Zone shall be processed in the same manner as a zone change in accordance with Section 12.2.8 herein, with the exception that approval for the use of the I-O Overlay Zone need not be shown on the Zoning Map.

12.6.16.2 Review of Rezonings for Compatibility

Any application for use of the I-O Overlay Zone shall be reviewed by the Planning Commission and City Council for compatibility with the purposes and objectives of the overlay zone. *Applications for the purpose of using the overlay zone to simply avoid compliance with this ordinance, or any building code or any federal, state, county or local law, shall not be approved.*

12.6.16.3 Guidelines for Neighborhood Preservation

The guidelines found in this Section are in addition to, and do not necessarily take the place of any other adopted

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ordinance or resolution of Bluffdale City, Salt Lake County, the State of Utah, and the United States Government.

Each request for the use of the I-O Overlay Zone shall be reviewed separately and judged on its own merits. *The intention of the zone is to allow for in-fill development that is compatible with existing uses.*

12.6.16.4 Zone Area Requirements

Each I-O Overlay Zone will differ in size from a single lot or parcel, to several lots or parcels.

12.6.16.5 Permitted, Conditional, and Accessory Uses

Each I-O Overlay Zone may be different in nature, focus and scope, and thus the permitted, conditional, and accessory uses shall be determined on a case by case basis by the City Council. *However, residential development is limited to single family homes in the I-O Overlay Zone.*

Each application for an I-O In-fill Overlay Zone shall include, at a minimum, the following information:

1. The lots or parcels proposed to be included in the zone.
2. The reason for the zone change request in accordance with one or more of the criteria found in Section 12.6.15.1 herein.
3. Proposals for special requirements of the zone including architectural controls, materials, uses, massing, or other similar ideas.
4. A detailed explanation of how the proposed use will be compatible and consistent with the existing neighborhood.
5. Any other information that will assist the Planning Commission and City Council determine appropriate characteristics and controls leading to the success of the proposal.
6. Proposed setback, width, frontage, parcel size and other requirements of the zone.

12.6.16.6 Duration

Unless otherwise specified by the City Council, approval of the overlay zone shall be valid for one year. If substantial construction of the proposed structure has not been completed, the approval for use of the overlay zone shall be null and void.

Chapter 12.7

Relationship to Subdivision Ordinance

12.7.1 Relationship to the Subdivision Ordinance

12.7.2 More Strict Ordinances to Apply

12.7.3 Satisfaction of Zoning Requirements not to be construed as subdivision approval.

12.7.1 Relationship to the Subdivision Ordinance

The Zoning Ordinance is a companion ordinance to the Subdivision Ordinance both created and adopted to assist the City in the fulfillment of the General Plan and to provide for orderly development patterns.

12.7.2 More Strict Ordinance to Apply

When the Zoning Ordinance and Subdivision Ordinance are in conflict, the more strict or protective ordinance shall apply.

**12.7.3 Satisfaction of Zoning Ordinance not to be
Construed as Subdivision Approval**

Satisfaction of the requirements of the Zoning Ordinance will not be construed as subdivision approval. Each proposed subdivision must satisfy the requirements of the Subdivision Ordinance.

Title 12 Zoning Ordinance

Chapter 12.8

Commercial Development, Site Plans

- 12.8.1 Purpose and Intent
- 12.8.2 Relationship to Other Sections Herein
- 12.8.3 Approval Process
- 12.8.4 Large Scale Development Review
- 12.8.5 Parcel Improvements
- 12.8.6 Landscaping Requirements
- 12.8.7 Design Standards
- 12.8.8 Assurances for Completion of Improvements
- 12.8.9 Appeal Procedure

12.8.1 Purpose and Intent

The purpose of this Chapter is to define the requirements, approval process, and appeals process for commercial, industrial, manufacturing, research and development projects and site plans. It is the intention of this Chapter to provide an efficient, yet thorough development review and allow the applicant to obtain approval of a building permit in a timely manner.

12.8.2 Relationship to Other Sections Herein

Each commercial, industrial, manufacturing, or research and development project reviewed under this Chapter is also subject to the requirements of the zone in which the proposed project is located.

12.8.3 Approval Process

Any proposed commercial, industrial, manufacturing, or research and development building or site plan that does not require more than fifty (50) parking spaces in accordance with Section 12.4 herein and/or does not contain more than fifteen thousand (15,000) square feet of floor space shall be approved administratively by City staff. Approval shall be in accordance with all of the laws, ordinances, and resolutions of Bluffdale City, the State of Utah, and the United States. On large commercial projects, staff will provide information to the Planning Commission and City Council, at their regular meetings, regarding the proposed site plan, building locations and, if known, types of businesses.

Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents shall be submitted to the Planning Commission and City Council for their review. The Planning Commission may recommend and the City Council may hold a public hearing on any proposed Site Plan.

The following list represents development approvals that will not be processed administratively. These developments must receive a recommendation from the Planning Commission following a public hearing with at least a fourteen (14) day notice, and approval from the City Council following a public hearing with at least a fourteen (14) day notice.

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1. Subdivisions of land. All subdivisions are approved by the City Council in accordance with the Subdivision Ordinance.
2. Commercial, industrial, manufacturing, or research and development site plans which are required to provide fifty (50) or more parking spaces in accordance with Section 12.4 herein.
3. Commercial, industrial, manufacturing, or research and development buildings that contain more than fifteen thousand (15,000) square feet of floor space.
4. Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents.
 - a. Any project determined by staff likely to have significant impact on the surrounding properties, property values, or residents shall be submitted to the Planning Commission for their review and recommendation. The Planning Commission recommendation will be presented to the City Council for final approval.
 - b. The City Council may choose to have a public hearing on any project likely have significant impact on the surrounding properties, property values, or residents.

12.8.4 Large Scale Development Review

Any proposed commercial, industrial, manufacturing, or research and development building or site plan that can not be approved administratively by City staff in accordance with Section 12.8.3 herein shall be submitted to the Planning Commission for their recommendation. The Planning Commission shall recommend approval, approval with conditions or denial of the application. The City Council shall approve, approve with conditions, or deny the proposed commercial, industrial, manufacturing, or research and development building or Site Plan. The City Council may choose to have a public hearing on any project likely have significant impact on the surrounding properties, property values, or residents.

12.8.5 Parcel Improvements

Each parcel approved in accordance with this Section shall satisfy all applicable requirements of this Ordinance, the Subdivision Ordinance, as well as any applicable requirements of the Design Guidelines and Standard Specifications of the City.

12.8.6 Landscaping Requirements

All areas not covered by approved buildings and structures or required parking, must be completely landscaped and maintained using an automatic irrigation system. A complete landscaping plan is considered part of the application. Each landscaping plan shall include the types and sizes of all planting materials along with plans for an automatic irrigation system. All landscaping plans shall meet or exceed the following standards.

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1. There shall be a minimum of one evergreen no less than eight (8) feet in height or deciduous tree with no less than one and one half (1 ½) inch caliper for every two hundred (200) square feet of land not covered by an approved building or required parking.
2. There shall be a minimum of one five gallon or larger shrub for every two hundred (200) square feet of land not covered by an approved building or required parking.
3. All area not covered by an approved building, required parking, trees or shrubs shall be covered by grass or another acceptable ground cover such as bark, wood chips, clean gravel, or rocks. Dirt, weeds and similar materials are not considered acceptable ground cover.
4. Planting areas shall be attractively landscaped with shrubs, flowers, and other plant materials. Weeds, wild grass, garbage and other distracting materials shall be eliminated from planting areas on a regular basis.

12.8.7 Design Standards

If enacted in a particular zone, all developments shall satisfy the design standards adopted by the City. Design requirements may include restrictions on building size, colors, styles, lighting, and other design criteria.

If specific design standards have not been adopted, all developments shall be reviewed for compatibility with surrounding uses in respect to building size, traffic circulation, massing, uses, colors, lighting and any other appropriate design review.

12.8.8 Assurances for Completion of Improvements

Assurances for completion of improvements shall be consistent with the requirements found in the Subdivision and Zoning Ordinances of the Bluffdale City Code.

12.8.9 Appeal Procedure

Any applicant or person aggrieved by any application processed under this Chapter shall appeal the decision, within fourteen (14) days of the decision, to the City Council.

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Chapter 12.9
Supplementary Provisions

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within the triangular area provided they are placed in a planter strip and are pruned to be at least five (5) feet above the grade of the adjacent curb.

- 12.9.1 Purpose and Intent
- 12.9.2 Requirements to be Met on One Lot or Parcel
- 12.9.3 Sale or Lease of Required Lot Space Prohibited
- 12.9.4 Each Dwelling or Building on a Zoned Lot
- 12.9.5 Clear View Areas
- 12.9.6 Drainage
- 12.9.7 Transfer of Adequate Water
- 12.9.8 Pollution Prevention
- 12.9.9 Concessions in Public Parks and Playgrounds
- 12.9.10 Utility Buildings and Structures
- 12.9.11 Lots to be Improved Prior to Issuance of Permit
- 12.9.12 All Lots Must Abut Public or Private Streets
- 12.9.13 Public Benches on Public or Private Property
- 12.9.14 Fences and Walls
- 12.9.15 Placement of Temporary Structures

12.9.6 Drainage

Surface water from roof tops shall not be allowed to drain onto adjacent lots or streets, except after written agreement between the two parties.

12.9.7 Transfer of Adequate Water

No building permit shall be issued for the construction of a residential dwelling or any other structure in any zone without first conveying to the City adequate water rights in accordance with the Water Ordinance.

12.9.8 Pollution Prevention

Any use shall be prohibited which emits or discharges gasses, fumes, or other pollutants into the atmosphere in amounts that exceed the standards as prescribed by the Utah State Air Conversation Board, the Board of Health, or such appropriate body as may be appointed by the City Council. Any use shall also be prohibited which emits or discharges liquids or solid material onto the soil or water in amounts which result in pollutants entering any water or drainage system in amounts exceeding the standards prescribed by the Utah State Water Pollution Control Board or the State Board of Health.

12.9.9 Concessions in Public Parks and Playgrounds

Concessions, including but not limited to, amusement devices, recreational buildings, and refreshment stands, shall be permitted in a public park or playground when approved by the City Council.

12.9.10 Utility Buildings and Structures

Utility buildings and structures, such as electric buildings and sub-stations, may be constructed in all zones.

12.9.11 Lots to be Improved Prior to Issuance of Permit

No building permit shall be issued for the construction of a dwelling or commercial or industrial structure which is to be located on a lot or parcel outside of an approved subdivision or large scale development unless the lot or parcel is fully improved. If an extension of time is given to place any of the improvements, there must be a Performance Bond or a Letter of Credit, or a Cashier Check posted for one hundred and twenty (120) percent of the cost of the improvements.

12.9.12 All Lots Must Abut on Public or Private Streets

Each lot shall abut on a street dedicated by the subdivision plat as an easement or an existing publicly dedicated street, or on a street which has become public by right of use.

12.9.1 Purpose and Intent

The intent of this Section is to provide for several miscellaneous land development standards that are applicable in all zones. The requirements of this Section shall be in addition to development standards contained within the various zones. Where the provisions of this Section may be in conflict with other provisions of this ordinance the more stringent shall prevail.

12.9.2 Requirements to be Met on One Lot or Parcel

All required yards, setbacks and other requirements shall be situated on the same lot as the building or structure to which it applies. No required yard, area, or other open space around a building or use which is needed to comply with the area, setback, or open space requirements of this ordinance shall be considered as providing the required area, yard, setback, or open space for any other building or use.

12.9.3 Sale or Lease of Required Lot Space Prohibited

The space needed to meet the area, frontage, width, coverage, off-street parking, frontage on a public street, or other requirement of this ordinance for a lot or building may not be sold or leased.

12.9.4 Each Dwelling or Building on a Zoned Lot

Only one single family dwelling shall be located and maintained on a zoning lot. Multi-family dwellings shall be located and maintained on a zoning lot in accordance with 12.6 herein.

12.9.5 Clear View Areas

In all zones, lots adjacent to streets or that lie adjacent to railroad tracks, shall not obstruct the view of automobile drivers within a triangular area formed by the street property lines, or the street property line and the railroad right-of-way line, as appropriate, and a line connecting them at points thirty (30) feet from the intersection of the street or railroad right-of-way. Trees may be permitted

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12.9.13 Public Benches on Public or Private Property

Public benches may be located on public or private property when approved as a conditional use by the City Council after receiving a recommendation from the Planning Commission. Approval shall be subject to the following:

1. The benches shall be located at an approved bus stop.
2. Only one bench shall be permitted per bus stop.
3. No public hazard or nuisance is created.
4. No bench shall be located closer than fifty (50) feet from an intersection or twenty (20) feet from a driveway approach or ingress or egress to a parking lot.
5. No bench shall be located on or within one (1) foot of a sidewalk.
6. No bench shall be closer than two (2) feet from the back of a curb and gutter or no closer than two (2) feet from the street where no curb exists.
7. The maximum height of a bench shall be three (3) feet and the maximum length shall be eight (8) feet.
8. The bench shall be permanently connected to the ground.
9. Bench covers may be installed over a bench to protect the bench from the environmental factors as long as the walls are of tempered glass or plastic meeting the requirements of the building code and the roof does not exceed twelve (12) feet in height or extend lower than eight (8) feet. Corners may be of wood or metal as long as they are not more than four (4) inches wide.
10. The bench must have proof of liability insurance of not less than \$100,000.
11. The bench shall be maintained in good repair at all times by the owner as determined by the Building Official.
12. Benches that are improperly located, damaged, in disrepair, or determined to be unsafe shall be repaired or removed within 24 hours of notification from the Building Official. Benches that are not removed as required above shall be removed by the City at the owners expense.
13. The City may revoke a conditional use permit for a bench if it finds that it interferes with other desired City uses of the location, or is objectionable for any other reason.

12.9.14 Fences and Walls

Residential Zones

No fence, wall, living fence or similar device extending into or enclosing all or part of the front setback shall be constructed or maintained at a height greater than forty-two (42) inches, unless the fence is chain link or another open mesh fence. The fence must remain non-sight obscuring (defined as at least seventy (70) percent open space when viewed from either side of the fence) and shall not exceed sixty (60) inches in height. The permitted height of any fence, wall, living fence or similar sight obscuring device situated within any other portion of a lot shall be six (6) feet, except where the vision of an

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adjacent driveway may be affected.

Any fence that may affect the vision of an adjacent driveway shall satisfy the following conditions.

1. The fence shall not be sight obscuring and shall be constructed of chain link or other similar material and be no less than seventy (70) percent open space; or,
2. The fence shall be terminated no less than twenty (20) feet in each direction from the front corner of the lot adjacent to the affected driveway thus forming a line of sight triangle; or,
3. The fence shall be no more than forty-two (42) inches in height at a point no less than twenty (20) feet in each direction from the front corner of the lot adjacent to the affected driveway thus forming a line of sight triangle; or,
4. The owner of the affected driveway may, in writing, waive the fencing restrictions for the adjacent lot, provided that it can be shown that the backing of vehicles can be accomplished in a safe manner.

Applicants for a fence greater than six (6) feet in height must receive a conditional use permit in accordance with Chapter 12.13 herein. Minimum fence height for multi-family units is six (6) feet.

Non-Residential Zones

Fences, walls, and living fences may be constructed in non-residential zones up to six (6) feet high. Fence alignment may be at the back of sidewalk. All commercial areas on corner lots shall meet the clear view of intersecting street criteria as defined in Section 12.9.5.

The provisions of this Section shall not apply to:

1. Residential zones where the back property line of lots or developed property is adjacent to arterial roads or major highways, six (6) foot high visual barrier fences are allowed on the back property line along the road or highway right-of-way, and may be required at the discretion of the City Council as condition of site plan approval.
2. Fences required by state law to surround or enclose public utility installations, hazardous areas, public schools or other public buildings.
3. Other fences such as sports court enclosures or patio enclosures in the front, side or rear yards may be approved by the City Council, if the fence does not create a hazard or violation of other ordinances.
4. Temporary construction fences that are installed to protect the public from injury during construction or to maintain security for the development which is under construction. Temporary construction fences must be removed as soon as construction is finished. A permit will be required before installation.

All fences and walls shall be constructed of substantial material and the design and construction shall be consistent with the quality of dwellings and other improvements within the surrounding area. It shall be

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unlawful for any person to erect or to maintain any barbed wire, constantina or razor wire, or electric fence along or adjacent to any public street in the City.

Before commencing construction, plans for all fences, living fences and walls shall be submitted to and approved by the City.

Where, in the opinion of the City staff, a proposed fence, living fence or wall does not conform to the above criteria, the staff shall refer the application to the City Council for action. The City Council shall have the authority to reverse, affirm or modify any decision of the staff.

12.9.15 Placement of Temporary Structures

It shall be unlawful to place any temporary recreational vehicle on any lot or parcel of land in the area covered by the Zoning Map and to use the structure for human habitation, except when located in a vacation vehicle court.

It shall be unlawful to place a temporary manufactured home on any lot or parcel of land in an area covered by the Zoning Map and to use the structure for human

habitation, except when located in a licensed mobile home park or in a vacation vehicle court.

Temporary structures for commercial purposes may be allowed for not more than one year, provided that a building permit has been issued for the construction of a permanent structure.

Temporary structures used as construction trailers or residential sales offices shall obtain approval at least annually.

When permitted under this Section, temporary structures shall meet the following regulations:

1. The use of the temporary structures shall be in compliance with the zone in which it is located.
2. Temporary structures shall only be allowed for uses that are permitted in the zones that they are to be located in.
3. The structure shall be connected to the water and sewer, and electric system of the City.
4. The structure shall be secured to the earth to prevent displacement due to seismic or wind forces.
5. The temporary structure and location shall conform to City building codes and setback requirements as set forth in this ordinance.
6. The applicant has submitted payment of all fees.

Title 12 Zoning Ordinance
Chapter 12.10
Clustered Residential Developments

As Adopted on October 24, 2000

- 12.10.1 Subdivision Ordinance to Dictate
- 12.10.2 Planned Unit Developments

12.10.1 Subdivision Ordinance to Dictate

The City Council may, following a recommendation from the Planning Commission, approve a Clustered Residential Development. In many cases, the development pattern of the development will not be consistent with the requirements of the Zoning Ordinance. In such a case, the Subdivision Ordinance shall dictate.

Furthermore, a Clustered Residential Development allows a flexible development layout and density bonuses in return for desirable amenities. If a Clustered Residential Development is approved by the City Council, it shall not be considered a spot zone, nor be required to obtain a zone change.

12.10.2 Planned Unit Developments

Planned Unit Developments are similar in nature to Planned Residential Developments and shall take precedence of this ordinance as well, if approved in accordance with the Subdivision Ordinance.

Title 12 Zoning Ordinance

Chapter 12.11

Temporary Uses

- 12.11.1 Purpose and Intent
- 12.11.2 Permitted Temporary Uses
- 12.11.3 Application for Temporary Uses
- 12.11.4 Approval Process

12.11.1 Purpose and Intent

The following regulations are provided to accommodate certain uses that are temporary or seasonal in nature.

12.11.2 Permitted Temporary Uses

Certain uses may be permitted on a temporary basis in any zone when approved by the City Council, which may delegate such approval to appropriate staff. Temporary uses may include, but will not be limited to:

- 1. Carnivals and circuses
- 2. Christmas tree sales lots
- 3. Flower stands
- 4. Rummage sales
- 5. Promotional displays
- 6. Tents for religious services
- 7. Political rallies
- 8. Music festivals
- 9. Seasonal Fruit and Vegetable Stands

12.11.3 Application for Temporary Uses

Prior to the establishment of any temporary use, an application for a temporary use permit shall be submitted to and approved by the City Council. The application shall contain the following information:

- 1. A description of the proposed use.
- 2. A description of the property to be used, rented, or leased for the temporary use, including all information necessary to accurately portray the property.
- 3. Sufficient information to determine the yard requirements, sanitary facilities, and availability of parking space to service the proposed use.

12.11.4 Approval Process

The City Council may approve the application provided the Council finds:

- 1. That the proposed use is a permitted temporary use or in the opinion of the City Council is similar to those uses permitted.
- 2. That the proposed use will not create excessive traffic hazards or other unsafe conditions in the area, and that if traffic control is required, it will be provided at the expense of the applicant.
- 3. That the proposed use shall occupy the site for a period not to exceed thirty (30) days. Except for Christmas tree lots which shall not exceed forty (40) days.

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- 4. That the applicant will have sufficient liability insurance for the requested use or event.
- 5. That the applicant shall provide for, at their expense, the restoration of the site to its original condition including clean-up and replacement of facilities as may be necessary.

The City Council may authorize staff to issue temporary use permits for certain temporary uses without Council review. Where the request is for a temporary use that is not listed or where, in the opinion of staff, the characteristics of the proposed use are not in compliance with the above standards, the staff shall refer the application to the City Council for their action.

In granting approval, the City Council may attach additional conditions as they deem appropriate to insure that the use will not pose any detriment to persons or property. The Council may also require a bond to insure that necessary clean-up or restoration work will be performed.

Title 12 Zoning Ordinance
Chapter 12.12
Annexation

- 12.12.1 Purpose and Intent
- 12.12.2 Consistency with General Plan
- 12.12.3 Application Procedure
- 12.12.4 Acceptance or Denial of Annexation Petition
- 12.12.5 Approval Process for Accepted Petitions
- 12.12.6 Notification Requirements for Accepted Petitions
- 12.12.7 Recordation of Annexation
- 12.12.8 General Annexation Guidelines
- 12.12.9 Financial Review
- 12.12.10 Water Requirements for Annexations
- 12.12.11 Zoning Designation
- 12.12.12 Staff Report and Recommendation
- 12.12.13 Annexation Agreement
- 12.12.14 Appeals and Other Costs of Annexation
- 12.12.15 Review Fees

12.12.1 Purpose and Intent

The purpose of this Section is to provide a process for extension of the City corporate limits through annexation. The process will allow the City Council, staff and citizens of the community to carefully consider the affect of any proposed annexation and provide a method to mitigate potential negative impacts.

It is the intent of this ordinance to conduct annexation proceedings in accordance with Utah State law and in particular § 10-2-401, et seq., of the Utah Code, and any other applicable federal, state, or local laws governing municipal extension. If there is any conflict between this Chapter and the provisions of the Utah Code, the provisions of the Utah Code shall dictate. When amendments are made to the Utah Code they shall cause like amendments to this Chapter. The requirements of this Chapter are supplementary and in addition to those found in the Utah Code.

Annexations are legislative matters and applicants should be aware that the City is not required to accept any petition for annexation, regardless of location, even if the proponent of an annexation is prepared to comply with all provisions required for annexation. The proponent of an annexation is not eligible for any refund of the fees required by the City if the petition is denied. If a petition for annexation is denied by the City Council, the proponent of the annexation shall be required to submit a new application and pay all associated fees in order to have the petition reviewed again by the City Council and staff.

Once an applicant has completed the requirements of this Chapter and has received final approval from the City Council, the staff shall prepare an annexation agreement that will describe the annexation in detail. Once the Mayor and applicant have signed the annexation agreement and annexation plat, and the agreement and plat have been recorded in the office of the County

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Recorder, the annexation shall be considered complete. The annexation agreement runs in perpetuity with the area being annexed and all future owners of the land are subject to the agreement. Any violation of the agreement may result in disconnection from the City, denial of development applications, or appropriate legal action.

1. For the purposes of this Section, the proponent, petitioner, applicant, or developer shall be defined as those persons who have signed the annexation petition in favor of annexing their real property into Bluffdale City. Reference to the singular shall include plural when appropriate.

12.12.2 Consistency with General Plan

All annexations shall be consistent with the Bluffdale City General Plan. If the proponent of an annexation proposes an annexation that is inconsistent with the General Plan, the proponent shall also submit an application for an amendment to the General Plan that would allow the proposed annexation to be consistent. The applicant will be required to pay all fees associated with a General Plan amendment in addition to the fees required for review of the proposed annexation.

The process for a General Plan amendment may be completed concurrently with review of the proposed annexation provided that the requirements for each process are completely satisfied. Public hearings on annexations and General Plan amendments shall be held separately with the General Plan amendment public hearing occurring prior to the hearing on the proposed annexation.

Consistency with the General Plan includes all elements of the plan including, but not limited to the Land Use Element, Trails Element, Open Space Element, and any other elements adopted as part of the General Plan.

12.12.3 Application Procedure

The proponent for annexation shall make application on a form provided by the City and pay all applicable fees prior to any review by staff, the Planning Commission or the City Council. The application shall include, at a minimum, the following information:

2. An ownership plat map from Salt Lake County showing all property owners in the City within one thousand (1000) feet of the proposed annexation and ½ mile of the annexation in the unincorporated area of the County. If the petition is accepted for further review, the applicant shall provide pre-addressed stamped envelopes with the names of all property owners in the City within one thousand (1000) feet of the proposed annexation and property owners within

one half (½) mile of the annexation in the unincorporated area of the County.

2. Signatures from the owners of real property located in the area proposed for annexation that covers a

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majority of the private land and is equal in value to at least one third (1/3) of the value of all private property, as shown by the latest tax assessment rolls of Salt Lake County, in the proposed annexation.

3. An accurate map prepared by a licensed surveyor of the area proposed for annexation suitable for recordation in the office of the County Recorder.
4. Documentation for provision of adequate water, public rights-of-way, streets, and other dedications required by this Section or other federal, state, or local laws or ordinances.
5. An agreement to observe and obey all applicable laws, ordinances, and resolutions recognized by Bluffdale City.
6. The applicant shall indicate the proposed zoning designation of the area to be annexed.

12.12.4 Acceptance or Denial of Annexation Petition

Once an applicant has completed the application procedure in accordance with Section 12.12.3, the application will be reviewed by the Planning Commission and City Council. The review of the annexation petition shall be completed in the following manner.

1. The Planning Commission shall review the annexation petition to determine if the applicant has satisfied the requirements of Section 12.12.3 and to ensure that all review fees have been paid. The Planning Commission shall also determine whether the proposed application is consistent with the General Plan and review the proposed zoning designation. Following the review of the application, the Planning Commission will forward a recommendation to the City Council indicating items that need to be completed prior to acceptance of the petition for further review by the staff.
2. The City Council shall review the recommendation of the Planning Commission, along with the application for annexation and any other relevant information. The City Council shall determine if the application satisfies the requirements of Section 12.12.3 and ensure that all review fees have been paid. The City Council shall also determine whether the proposed application is consistent with the Bluffdale City General Plan. Following the review of the application, the City Council shall accept the annexation petition for further review, accept the petition for further review based on the satisfaction of certain conditions, remand the petition back to the Planning Commission for further review, or deny the petition for annexation.
3. Acceptance of the annexation petition is only an action to further study the proposed annexation. The City Council is under no obligation to annex the area following a staff analysis of the proposed annexation. If the petition is accepted for further review, the applicant is eligible to satisfy the requirements of this Chapter in order to complete the annexation process. At any point in the approval process the City Council may deny the petition for annexation by notifying the

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applicant in writing.

If accepted for further review, the application will be reviewed by the staff who will generate a list of items needed to complete the review of the proposed annexation. Staff will inform the applicant of the items needed to complete the review within thirty (30) days of the City Council action to accept the petition for further review. An applicant may appeal, to the City Council, the need for particular information at a regular meeting of the City Council.

Once the staff has received all of the information requested, the staff shall prepare a recommendation to present to the City Council within forty-five (45) days. Staff shall not begin review of the annexation until all of the information requested has been received. Staff shall prepare a recommendation based on the requirements of this Chapter and any other information that would mitigate negative impacts of the annexation.

4. Denial of a petition for annexation will have the affect of ending any further review of the proposed annexation. In order to have the land annexed into the City, the applicant will need to re-submit the proposed annexation as a new petition and satisfy each of the requirement of this Chapter including the payment of all review fees.

Annexation is a municipal legislative decision. If the City Council takes action to deny a petition for annexation, there will be no appeal process.

12.12.5 Approval Process for Accepted Petitions

After the City Council has accepted an annexation petition for further review and the staff has prepared a recommendation (within forty five (45) days of receiving all of the required information), the City Recorder shall schedule a public hearing before the City Council.

The City Recorder shall schedule a public hearing before the City Council with at least fourteen (14) days notice. The notice requirements of Section 12.12.6 herein shall be satisfied prior to holding the public hearing. The City Council shall review the recommendation of the staff, allow the applicant to make a presentation or respond to the staff recommendation, and shall receive public input concerning the annexation. Following the public hearing, the City Council may approve the proposed annexation, approve the proposed annexation along with the recommendation of the staff, approve the proposed annexation based on the satisfaction of certain conditions, or deny the proposed annexation. The City Council will base their decision on the information contained in this Chapter, specifically Sections 12.12.06 through 12.12.14 and the annexation agreement between the City and the applicant.

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12.12.6 Notification Requirements for Accepted Petitions

The City, at the expense of the applicant, shall provide notice, in accordance with state law specifically § 10-2-406 of the Utah Code, prior to the public hearing on the proposed annexation. The notice shall appear in a newspaper having general circulation in Bluffdale City prior to the hearing and the notice shall be posted at the City Center.

Courtesy notice shall be mailed to property owners in the City within one thousand (1000) feet of the proposed annexation and those owners in the unincorporated area located within ½ mile of the area to be annexed. The applicant shall provide pre-addressed stamped envelopes complete with the names of each property owner within one thousand (1000) feet as shown on the latest Salt Lake County tax assessment rolls.

The notice shall contain the place, time and date of the public hearing on the proposed annexation along with a general description of the area to be annexed. The notice shall state that public input will be accepted at the hearing and how to contact the City to obtain additional information.

12.12.7 Recordation of Annexation

If the proposed annexation is approved by the City Council, a copy of the plat of the proposed annexation and the annexation agreement shall be recorded in the office of the Salt Lake County Recorder. All recording fees shall be the responsibility of the proponent of the annexation.

12.12.8 General Annexation Guidelines

There are several annexation guidelines that applicants should be aware of prior to submission of a petition for annexation. Some of these guidelines are dictated by state statute and others are policy of Bluffdale City. In any instance, the following guidelines shall be reviewed upon submission of each annexation petition.

1. An annexation that would create, or have the affect of creating, an unincorporated island or peninsula will not be approved. An island shall be defined as an area of unincorporated land completely surrounded by land located in Bluffdale City. A peninsula shall be defined as an area surrounded on more than ½ of its boundary distance, but not completely, by the City.
2. Existing uses may or may not be allowed in the annexation process. Animal rights, agricultural uses, and other uses, if inappropriate may not be allowed following annexation.

12.12.9 Financial Review

Each applicant for annexation to the City will be required to enter into an annexation agreement with the City. The agreement will specify site specific requirements for each annexation which are appropriate as reviewed on a case by case basis. The following list includes several items

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that may be reviewed at the time of annexation. However, these are in no way intended to be the only items which will be reviewed at annexation and the City Council may include any conditions or requirements which, in their judgment, are necessary or desirous prior to approving the proposed annexation.

1. Each proponent of an annexation shall complete an analysis of the tax consequences to residents of the area proposed for annexation, current residents of Bluffdale City, and Salt Lake County. The analysis shall include sufficient information to determine the fiscal impact of the proposed annexation taking into consideration City service provision.
2. Each proponent of an annexation shall identify the anticipated demand on City provided facilities and services for the area to be annexed. These services include, but are not limited to, culinary water, irrigation, waste water, transportation facilities, drainage, emergency services provision, solid waste disposal, potential students and distances to public schools, and parks and recreation.
3. Each proponent of an annexation will need to provide information about the impact the annexation will have on the Capital Improvements Program (CIP). The information should indicate whether the proposed annexation will advance or inhibit the completion of the CIP. The proponent shall also indicate the proposed timing of capital improvements and how the services will be financed.

12.12.10 Water Requirements for Annexations

Each proponent of an annexation shall mitigate the water concerns prior to approval of the proposed annexation. The City Council reserves the right to evaluate any provision of water proposed for use by the City, and refuse to accept any arrangement, if it is determined that the quantity, quality or ability to use the water is in question.

1. Each proponent of an annexation will be required to provide adequate water for current and future use by Bluffdale City prior to recordation of the annexation. The amount of water shall be determined by zoning district. If future development on the land being annexed increases in density, through a zone change or amendment to City ordinance that would allow a higher density, the City shall require additional water prior to development approval. If a future applicant desires a zone change to a less intense zone, the City is under no obligation to refund the cost of providing water to the proponent of an annexation. The water required in each zone as directed in accordance the Water Ordinance.
2. When land is annexed without the consent of the owner, the proponent of the annexation shall be responsible to provide the water required in this Section. If a future applicant seeks a zone change that would allow a higher density, the applicant shall be

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required to provide any additional required water shares.

3. The City Council may waive or modify the water requirement, dependent upon proposed usage, for any land owned by federal, state, county, or local municipal governments.

12.12.11 Zoning Designation

When land is annexed into the City it shall be given a zoning designation. In general, zoning should be consistent with surrounding zoning that would allow uses similar to those already in existence prior to the annexation. In all cases, zoning shall be consistent with the General Plan. Annexations may include more than one zoning district if appropriate. The City Council may assign zoning to the proposed annexation or accept the applicant's zoning proposal.

12.12.12 Staff Report and Recommendation

Upon receipt of all information required by this Chapter and any additional information requested by the staff or City Council, staff will complete a review of the proposed annexation and render a report to the City Council. The report will include the findings of the staff in regard to the accuracy of the information provided by the applicant, consistency with the General Plan and other City ordinances, and provide recommendations which would be beneficial in the formation of the annexation agreement between the City and applicant. Staff analysis would include a determination of how City services would be affected by the proposed annexation.

The staff shall also prepare the annexation agreement for review by the City Council. The City Council may request changes in the annexation agreement prior to the public hearing. If a change is proposed, the applicant will be contacted in regards to the proposed changes.

The staff report shall be available to the City Council, applicant, and general public at least fourteen (14) days prior to the public hearing on the proposed annexation.

12.12.13 Annexation Agreement

Prior to final approval of any annexation, the proponent of an annexation and the City shall enter into an annexation agreement specifying the terms and conditions of the annexation. Each annexation agreement will be based on a site specific basis and the elements of the agreement may, and probably will, differ on each annexation. Because each annexation agreement may differ, each annexation will be processed on a case by case basis with no precedent set by previous annexation agreements.

Each annexation agreement shall be signed by both the Mayor of Bluffdale City, upon ratification by the City Council, and the proponent of the annexation. By signing the annexation agreement, both parties are agreeing to uphold the provisions of the agreement as written. Amendments to the annexation agreement may be completed only if agreed to in writing by the City Council

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and the applicant.

Should the proponent of an annexation default on any provisions of the agreement, the City may pursue appropriate legal action to enforce the provisions of the agreement including revocation of the annexation and disconnection from the City.

The items listed below are issues that may be addressed in the annexation agreement, but is not necessarily a complete list of items that may be addressed by the City Council or staff.

1. Each annexation agreement shall include a description of the property complete with a legal description and amount of acreage which shall be depicted on a plat drawn to scale in a manner and on a medium that can be recorded in the office of the Salt Lake County Recorder.
2. Each annexation agreement shall include the designated zoning district and the proposed project density. The City Council may require actual density to be indicated in the annexation agreement as well as proposed development layout and proposed provision of services. The circulation pattern for the area and alignment of other City services will be indicated prior to the approval of the City Council. However, approval of an annexation shall not be considered development approval. Following annexation approval, each applicant shall be required to complete the development approval process.
3. Each annexation agreement will indicate areas proposed for trails, open space and recreation areas. The agreement will specify ownership of these areas and proposed maintenance arrangements. If the annexation area includes an area that requires unusual fire prevention measures as an open space area, the agreement will indicate specific measures that will be taken to minimize potential fire hazard.
4. Each annexation agreement shall indicate the provision of water in accordance with Section 12.12.10 of this Chapter.
5. The City Council may require proposed building pads to be shown on the annexation plat and indicated in the annexation agreement. The City Council may also require limits of disturbance plans to be indicated along water courses and bodies, steep slopes, wetlands, view sheds, and other environmentally sensitive areas.
6. The City Council may impose any other appropriate requirements in the annexation agreement that will mitigate potential impacts to the City.

12.12.14 Appeals and Other Costs of Annexation

The proponent of an annexation shall agree to pay any and all Bluffdale City costs related to the annexation proceedings including appeals, reimbursement, special studies, recordation, and other annexation related expenses. Because each annexation is different, the costs associated with each particular annexation may vary.

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12.12.15 Review Fees

The proponent of an annexation shall pay an annexation review fee as set forth in the Bluffdale City Fee Schedule. Annexation review fees do not include other review fees including, but not limited to, development review fees, impact fees, building permit fees, and connection fees.

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Chapter 12.13
Conditional Use Permits

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when determining whether a conditional use permit application should be approved, approved with conditions or denied:

- 12.13.1 Purpose
- 12.13.2 Permit Required
- 12.13.3 Approval Procedure
- 12.13.4 Planning Commission Review
- 12.13.5 Criteria and Factors
- 12.13.6 Duration
- 12.13.7 Fees
- 12.13.8 Other Requirements
- 12.13.9 Appeals
- 12.13.10 Implementation
- 12.13.11 Amendment or Revocation
- 12.13.12 Violation

1. Harmony of the request with the general objectives of the General Plan, Zoning Ordinance, Subdivision Ordinance, any other City ordinance and the particular zone in which the request is located.
2. Harmony of the request with existing uses in the neighborhood.
3. Development or lack of development adjacent to the site.
4. Whether or not the request may be injurious to potential development in the vicinity.
5. Present and future requirements for transportation, traffic, water, sewer, and other utilities.
6. Suitability of the specific property for the proposed use.
7. Number of other similar conditional uses in the area and the public need for the conditional use.
8. Economic impact on the neighborhood.
9. Aesthetic impact on the neighborhood.
10. Safeguards to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor.
11. Attempts by the applicant to minimize other adverse affects on people and property in the area.
12. Impact of the proposed use on the health, safety and welfare of the City, the area, and persons owning or leasing property in the area.

12.13.1 Purpose

Uses designated as conditional uses require special consideration from the City Council. These uses may or may not be appropriated for a specific piece of property. The purpose of this Chapter is to allow the City Council to evaluate the appropriateness of designated conditional uses on a case by case basis. The conditional use permit procedure allows the City Council to approve, deny, or conditionally approve any request for a conditional use permit.

12.13.2 Permit Required

No person or entity shall operate or conduct a use designated as a conditional use within the applicable zone without first obtaining a conditional use permit from the City.

12.13.3 Procedure for Approval

The applicant for a conditional use permit shall submit a completed application form and a site plan with sufficient information to allow the Planning Commission and City Council to make a well informed decision. The applicant shall also pay a fee in an amount established by resolution of the City Council with the application.

12.13.4 Planning Commission Approval

The Planning Commission shall review the proposed conditional use considering the criteria and factors set forth in Section 12.13.6. Following a public hearing, the Planning Commission shall approve, approve with conditions or deny the application for a conditional use permit. The hearing shall be noticed in accordance with Section 12.2.7 herein. The validity of the permit shall be conditioned upon strict compliance with applicable City ordinances, the approved project plan and any additional conditions or requirements imposed by the Commission.

Prior to granting a conditional use permit and after receipt of reports and recommendations of the staff, the Planning Commission shall hold a public hearing to accept and consider public comment.

12.13.6 Criteria and Factors to be Considered

The following factors shall be weighed and considered

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12.13.7 Duration

Unless otherwise specified by the Planning Commission, and subject to the provisions in this Section relating to the amendment or revocation of a conditional use permit, a conditional use permit shall be of indefinite duration and shall run with the land. The Commission may grant a conditional use permit for a limited period of time if it finds that a limited permit is necessary to protect the health, safety or welfare of the community.

12.13.8 Fees

Fees shall be established by the City Council by resolution, and shall be assessed as a condition of the submission of any conditional use permit application.

12.13.9 Other Requirements

An applicant or user of a conditional use permit shall be held to all of the requirements relating to project plan approval, improvement, bonding, maintenance and completion. The conditional use permit shall not be valid until a bond guaranteeing all required and proposed improvements has been posted. Nothing in this Chapter shall be interpreted to waive the bonding, licensing or permit requirements set forth in other City ordinances.

12.13.10 Appeals

Any person aggrieved by or affected by any decision of the Planning Commission may appeal the decision to the City Council.

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12.13.11 Implementation

A conditional use permit shall expire and become null and void if the permit has not been implemented by the recipient within one year of the date of approval. The permit shall be considered implemented if the recipient either engages or participates in the conditional use or completes substantial construction on the project for which the permit was granted.

12.13.12 Amendment or Revocation

Any interested party may apply to the City for the amendment or revocation of a conditional use permit. For purposes of this Section, "interested party" shall include the following persons or entities:

1. The owner or lessee of the property for which the conditional use was granted.
2. The City.
3. Any owner or lessee of property that lies within two hundred feet (200') of the property for which the conditional use permit was granted.
4. Any person that can show that the conditional use has a direct impact upon his or her health, safety or welfare.
5. Fee. Any person or entity, other than the City, seeking to amend or revoke a conditional use permit, shall pay a fee in an amount established by resolution of the City Council.

The procedure for amending or revoking a conditional use permit shall be the same as the original application procedure set forth in Section 12.13.3.

A conditional use permit may be amended at the request of the holder of the permit upon a showing of good cause. A conditional use permit may be amended or revoked at the request of any other interested party if the City Council finds one or more of the following:

1. That the conditional use permit was obtained by misrepresentation or fraud.
2. That the use for which the permit was granted has ceased or has been suspended for six months.
3. That the holder or user of the conditional use permit has failed to comply with any of the conditions placed on the issuance of the permit.
4. That the holder or user of permit has failed to comply with any City regulations, governing the conduct of the use.
5. That the holder or user of the conditional use permit has failed to construct or maintain the approved site as shown on the approved site plan.
6. That the operation of the use or the character of the site has been found to be a nuisance or a public nuisance by a Court of competent jurisdiction in any civil or criminal proceeding.

No conditional use permits shall be amended or revoked against the wishes of the applicant for the permit without first giving the applicant an opportunity to appear before the Planning Commission and show cause as to why the permit should not be amended or revoked. Amendment or revocation of the permit shall not limit the City's ability to initiate or complete other legal proceedings against the holder or user of the permit.

12.13.13 Violation

A violation of any of the terms of this Chapter or any conditions imposed as part of a conditional use permit shall be unlawful, and may be remedied or punished as allowed by law.

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Chapter 12.14
Non-Conforming Uses

- 12.14.1 Non-Conforming Use Defined
- 12.14.2 Maintenance Permitted
- 12.14.3 Additions, Enlargements, and Moving
- 12.14.4 Restoration of Damaged Buildings
- 12.14.5 Pre-Existing Use may be Continued
- 12.14.6 Affect of Vacating a Non-Conforming Use

12.14.1 Non-Conforming Use Defined

A non-conforming use is defined in this ordinance as a use that legally existed prior to the adoption of this ordinance that because of the adoption of one of or both of these ordinances can no longer satisfy the requirements of the zone.

12.14.2 Maintenance Permitted

A non-confirming use or building shall be maintained and kept in good repair. Basic repairs and structural improvements may be made to a non-conforming building or to a building housing a non-conforming use.

12.14.3 Additions, Enlargements, and Moving

A building or structure occupied by a non-conforming use and a building or structure non-conforming in height, area, and yard requirements shall not be added to or enlarged in any manner, or moved to another location on the lot except as provided herein:

1. The addition or enlargement of or moving of the building will be in harmony with one or more of the purposes of this ordinance.
2. The addition, enlargement, or movement will bring the non-conforming use or building into closer compliance with the current Zoning Ordinance.
3. The proposed change does not impose any unreasonable burden upon the lands located in the vicinity of the non-conforming use or structure nor does it violate the development policies adopted in the General Plan.

12.14.4 Restoration of Damaged Buildings

A non-conforming building or structure or a building or structure occupied by a non-conforming use which is damaged or is destroyed by fire, flood, wind, earthquake or other calamity or Act of God, or the public enemy, may be restored. The occupancy or use of such building, structure, or part thereof, which existed at the time of such damage or destruction may be continued or resumed, provided that such restoration is started within a period of one (1) year and is completed in conformance with the ordinances of Bluffdale City within two (2) years.

12.14.5 Pre-Existing Use May be Continued

Land and/or buildings utilized prior to the effective date of this ordinance for a use which after the effective date of this ordinance is non-conforming, may continue to be utilized as a non-conforming use unless the building is

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vacated or the use ceased for a continuous period in excess of one (1) year. However, it does not constitute a safety or health hazard, is not a nuisance nor is otherwise dangerous to life and property values. No such non-conforming use of land may in any way be expanded or extended, either in the same or on adjoining property.

12.14.6 Effect of Vacating a Non-Conforming Use or Building

A vacant building may be occupied by a use for which the building or structure was used, designed or intended, if so occupied within a period of one (1) year after the use became non-conforming.

However, a building or portion thereof occupied by a non-conforming use which is, or hereafter becomes, vacant and remains unoccupied by said non-conforming use for a continuous period in excess of one (1) year, shall not thereafter be occupied except by a use which conforms to the use regulations of the district in which it is located.

Should a non-conforming use of land be ceased for a period in excess of one (1) year, any future use of such land shall be in conformity with the provisions of this ordinance and the previously authorized non-conforming use is expressly prohibited.

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Chapter 12.15
Signs and Outdoor Advertising

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- 12.15.1 Specific Definitions
- 12.15.2 Administration
- 12.15.3 Punishment
- 12.15.4 Fees
- 12.15.5 General Requirements
- 12.15.6 Signs on Premises
- 12.15.7 Exceptions
- 12.15.8 Location Standards
- 12.15.9 Special Purposes
- 12.15.10 Classification of Signs
- 12.15.11 Signs Permitted in Agricultural and Residential Zones
- 12.15.12 Signs Permitted in the Commercial Zones
- 12.15.13 Signs Permitted in the Industrial Zone
- 12.15.14 Signs Permitted in the Professional Office Zone
- 12.15.15 Outdoor Advertising Structures
- 12.15.16 Non-conforming Signs

12.15.1 Specific Definitions

The following words and phrases, whenever used in this Title, shall be construed as defined in this Chapter:

1. A-frame Sign - Any sign or structure composed of two (2) sign faces mounted or attached back-to-back in such a manner as to form a triangular vertical cross-section through the faces.
2. Abandoned Sign - Any sign applicable to a use that has been discontinued for a period of one year.
3. Animated Sign - Any sign that is designed and constructed to give its message through movement or semblance of movement created through a sequence of progressive changes or parts, lights, or degree of lighting.
4. Appurtenant Sign - Any sign which advertises products, services, or business establishments which are located, conducted, manufactured, or sold upon the same premises upon which the sign is erected.
5. Building Face - The visible outer surface of a main exterior wall of a building. The area of the face of the building shall be the total area of such surface including the area of doors and windows that open into a surface.
6. Canopy Sign - See Marquee Sign.
7. Erect - To build, construct, place, relocate, enlarge, substantially alter, attach, suspend, paint, post, or display. Normal maintenance, including refinishing, is not included in this definition provided the sign copy is not changed or altered.
8. Freestanding Sign - Any sign that is standing on or erected into the ground. Such signs are usually, but not necessarily, supported from the ground by one (1) or more poles or posts or similar uprights, with or without braces. Any sign that is mounted into the ground, but has the supports passing through any portion of the roof of a building or structure, shall be considered to be a roof sign.

9. Frontage - The length of the sides along the street or any other principle public thoroughfare, but not including such length along an alley, water course, railroad, street, or thoroughfare with no permitted access.
10. Height of Sign - The height of a sign is the vertical distance measured from the ground plane to the top of the sign.
11. Marquee Sign - A marquee shall mean and include any roofed structure attached to and supported by a building and projecting over public property.
12. Movable, Freestanding Sign - Any sign not affixed to or erected into the ground.
13. Non-Appurtenant Sign - Any sign which advertises products, services, or business establishments which are not located, conducted, manufactured, or sold upon the same premises upon which the sign is erected.
14. Non-Conforming Signs - Any advertising structure or sign which was lawfully erected and maintained prior to such time as it came within the preview of this Chapter and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this Chapter.
15. Off-premise Sign - See Non-Appurtenant Sign.
16. On-Premise Sign - See Appurtenant Sign.
17. Projecting Sign - Any sign attached to a building or structural wall and extending horizontally outward from such wall more than eighteen (18) inches.
18. Residential Zone or District - Any zone which is designated by the prefix "R" in this Title.
19. Roof Sign - Any sign which is erected upon or over the roof or over a parapet of any building.
20. Sign - Any words, lettering, parts of letters, figures, numerals, phrases, sentences, devices, designs, pictures, trade names, or trademarks by which anything is made known, such as are used to designate a firm, association, corporation, profession, business, or service, whether placed on the ground, rocks, trees, stumps, or other natural objects, or on a building, wall, roof frame, support, fence, or other man-made structure, which are visible from any public street, public highway, or public road right-of-way. For the purpose of this Title, the word "sign" does not include the flag, pennant, or insignia of any nation, state, City, or other political unit, or of a non-profit organization. Further, it shall not include any official notice issued by any court, public body or officer, or directional warning or information sign or structure required or authorized by law.
21. Sign Area - Sign area shall mean the area of a sign that is used for display purposes, excluding the minimum frame and supports. In computing sign area, only one (1) side of a back-to-back or double-face sign covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five (45) degrees. In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle,

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or circle large enough to frame the display.

22. Time and Temperature Device - Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.
23. Wall Sign - A sign with messages or copy erected parallel to and attached to or painted to the outside wall of a building and extending not more than eighteen (18) inches from the wall.

12.15.2 Administration

The Building Official is hereby authorized and directed to enforce all provisions of this Title. All signs that require the issuance of a building permit shall be inspected by the City Building Official at all reasonable times during or after construction.

12.15.3 Punishment

Any person found guilty of violating any of the provisions of this ordinance shall be guilty of an infraction, and upon conviction thereof, shall be punished by a fine not to exceed two hundred ninety-nine dollars (\$299.00). Each day that any violation of this chapter is permitted to continue shall constitute a separate offense.

12.15.4 Fees

The fee for a building permit will be calculated as specified in the Uniform Building Code as adopted by Bluffdale City.

12.15.5 General Requirements

The following general requirements shall apply to signs and outdoor advertising structures erected within the City of Bluffdale, unless otherwise provided in this Chapter.

1. No person shall erect, alter, or relocate any sign or outdoor advertising structure within the City without first obtaining a building permit from the Building Official in accordance with the provisions of the Uniform Building Code and the provisions of this Title. Any person denied a building permit for non-compliance with this Section may file an appeal with the Board of Adjustment.
2. Flashing or rotating signs are permitted in GC-1 zones. Flashing shall be limited to sequential, chasing, or subdued color change. No intense strobe-type flashing will be permitted. Rotation shall be limited to eight (8) revolutions per minute; provided however, that the lights described above may not be used within four hundred (400) feet of a residence, apartment, hotel, motel, or other residential structure.
3. No sign shall be designed for the purpose of emitting sound, smoke, or steam.
4. Except as otherwise provided in this Chapter, all movable, freestanding signs, including movable, freestanding A-frame signs are prohibited. This prohibition shall include signs mounted or painted upon vehicles or trailers which are parked in any location for the purpose of calling attention to or advertising a person, place, or thing. Any sign, handbill, poster, advertisement or notice of any kind

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or sort fastened, placed, posted, painted, or attached in any way on any curbstone, lamp post, telephone pole, power pole, hydrant, fence, tree, sidewalk, or street is prohibited.

5. A new business in the community located in a non-residential zone shall be permitted to erect an on-premise temporary banner for not more than ninety (90) days from the first day of opening. Existing businesses may erect temporary banners for not longer than thirty (30) working days in any given six (6) month period for any special events or promotions. The City may erect temporary banners and attach special signs to City-owned lamp posts for the advertising of special events and holidays that benefit the community as a whole. The above banners may be draped over a public right-of-way when approved by the City Council. No banner shall be placed in a manner that will be a public nuisance or hinder the safe movement of traffic or pedestrian walk ways. A banner shall not be erected within the areas defined in 12.50.10 for clear view of intersections. Banners over a walk way shall not be less than ten (10) feet high and not less than eighteen (18) feet over public streets, alleys, and parking areas.
6. Signs painted on or affixed to canopies that are part of the building shall be considered part of the total allowed area of wall signs for the walls from which the canopy projects. Signs painted on or affixed to canopies that are freestanding shall be considered part of the total allowable area of freestanding signs for that use. Signs suspended under canopies (marquees) which project over public right-of-way shall be limited to six (6) square feet. Signs with changeable copy (read boards) located on marquees of theaters or similar public assembly uses may combine the total allowable area for all building faces as permitted for wall signs in this Chapter so long as there are no wall signs placed upon building faces other than the face to which the marquee is attached.

12.15.6 Signs on Premises

Except as provided within the provisions of respective zoning districts, and unless otherwise expressly provided in this Chapter, no sign shall be permitted which is not used exclusively to advertise the ownership, sale, or lease of property upon which said sign is placed, or to advertise a business conducted, services rendered, goods produced or sold upon such premises, or to advertise or identify any other lawful activity conducted upon such premises.

12.15.7 Exceptions

This Chapter shall not apply to signs used exclusively for:

1. The display of official notices used by any court or public body or official, or the posting of notices by any public officer in the performance of a duty, or by any person giving legal notice.
2. Directional, warning, or information signs of a public or semi-public nature, directed and maintained by an official body or public utility.

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3. Barber poles not to exceed six (6) feet in height located on private property and bearing no advertising copy or message.
4. Any sign of a non-commercial nature when used to protect the health, safety or welfare of the general public.
5. Any official flag, pennant, or insignia of any nation, state, City, or other political unit.
6. Time and temperature signs and elements of commercial signs that convey only time, temperature, or weather conditions.
7. Campaign signs for the purpose of announcing the candidacy of any person or persons seeking public office, provided that such signs shall be removed within seven (7) days following the election.

12.15.8 Location Standards

The following restrictions shall apply to all signs:

1. No sign shall be erected in such a manner that any portion of the sign or its support will extend over a public or private walkway with a minimum clearance of less than ten (10) feet, nor may any sign extend over an adjoining property line without permission of the adjoining owner. Signs projecting over a public right of way shall be approved by the City Council after receiving a recommendation from the Planning Commission.
2. Any permanent free-standing sign or low profile sign must be incorporated within a landscaped planter area of at least twenty-five (25) square feet in size.
3. No sign shall be erected, altered or relocated so as to interfere with or restrict access to a window, fire escape, or required exit.
4. No sign or sign structure will be permitted which constitutes a safety hazard.

12.15.9 Special Purpose Signs

In addition to any other permitted sign(s), signs for special purposes set forth in this Section shall be permitted as provided herein:

1. In all zones, on premise signs may be erected to advertise the sale, rent or lease of property upon which said signs are placed. Said signs shall be limited to one (1) sign per street face, unless otherwise provided by the zoning provisions, and shall not exceed an area of six (6) square feet. Said signs shall be exempt from project plan approval and no building permit shall be required.
2. In all zones where group occupancies in office buildings, commercial buildings, or industrial buildings are permitted, on premise directory signs may be erected displaying the names of occupants of a building who are engaged in a particular profession, business, or industrial pursuit. Said sign shall be situated at least two (2) feet inside the property line and shall not exceed twelve (12) feet in height. Said sign shall not exceed an area of one hundred (100) square feet and shall not be placed within a clear-

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- vision area of a corner lot.
3. On premise signs may be erected in conjunction with construction projects and used for the purpose of publicizing the future occupants of the building, architects, engineers, and construction organizations participating in the project, and such other information as may be approved by the Building Official. In residential zones no such sign shall exceed thirty-two (32) square feet in area. In other zones, no such sign shall exceed an area of sixty-four (64) square feet, and no freestanding sign shall exceed twelve (12) feet in height. All such signs shall be maintained in a readable condition and be kept in a standing position. All such signs shall be removed before an Occupancy Permit is granted by the Building Official.
4. On premise directional signs may be erected for the purpose of facilitating or controlling the efficient or safe movement of pedestrians or vehicles on or into private property, and shall be located on the properties to which they pertain. No such sign shall exceed six (6) square feet.
5. Open house signs advertising real estate open for inspection for a prospective sale may be placed on private property in all districts with the consent of the owner, lessee, or occupant. Such signs may state the name of the person or firm sponsoring the open house. Such signs shall not exceed (6) square feet. Open house signs shall not require a building permit.
11. In all zones, a church or quasi-public organization may erect one (1) wall sign on the premises to identify the name of the organization and announce activities thereof. Apartment houses of five (5) or more dwelling units may erect one (1) sign on the premises to identify only the name of the apartment complex and to indicate a vacancy. Said wall sign shall not exceed an area of thirty-two (32) square feet, and may be mounted upon a freestanding, ornamental masonry wall. Said sign shall not obstruct the vision of a corner lot.
12. In all districts, a church and quasi-public organization may erect one freestanding on premise sign providing the following provisions are met:
 - a. The sign is not more than twenty-five (25) feet high.
 - b. The sign shall not project over a public way, sidewalk, or parking surface.
 - c. The sign area shall not exceed eighty (80) square feet per side.
 - d. The sign shall be permanently installed.
 - e. If the sign is elevated off of the ground the bottom of the sign shall not be lower than eight (8) feet.
 - f. The sign shall not be an animated sign or contain any flashing lights or moving parts.
8. One (1) development promotional sign may be placed on the premises of each subdivision, planned development, or condominium project having five (5)

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or more lots or approved dwelling units. The promotional sign may have an area of sixty-four (64) square feet. One (1) on-premise sign shall be permitted per entrance or access to a development with a maximum of four (4) development signs per development. Two (2) directional signs may be located off-site to contain only the name and direction of any subdivision or planned development. Said signs may have a maximum area of twelve (12) square feet each and shall not be located in the right-of-way of any public street. All signs shall be removed not later than thirty (30) days following the sale of all lots or dwelling units in the development and before an Occupancy Permit is granted by the Building Official.

9. One (1) name plate or marker shall be allowed for each dwelling to indicate only the occupants name. Said name plate shall not exceed two (2) square feet in area, and shall not contain an occupational designation. A name plate shall not require a building permit.
10. In all districts home occupations shall be permitted to install one on premise sign to identify the business and indicate the type of business being conducted providing the following provisions are met:
 - a. The permitted sign is to be an on premise freestanding or wall sign.
 - b. The sign shall not project over a public way, sidewalk, or parking surface.
 - c. A freestanding sign shall not be more than three (3) feet high.
 - d. The sign area shall not exceed nine (9) square feet.
 - e. The sign shall not be an animated sign or contain any flashing lights or moving parts.
11. Signs for children's seasonal entrepreneur projects such as the selling of lemonade and worms shall not be regulated by this code except that they are to be on premise signs and shall not be placed on or over a public way.
12. Garage Sales signs and shall not be placed on or over a public way. Each garage sale shall not exceed two (2)days in any given thirty (30) day period.
13. Non-conforming businesses which are properly licensed within the City may install directory signs and one low profile monumental sign meeting the following provisions:
 - a. The area of a low profile monumental sign shall not exceed thirty- two (32) sq. ft.
 - b. There may be not more than one (1) low profile monumental sign for each parcel of property.
 - c. No low profile monumental sign shall exceed forty two (42") inches in height.
 - d. No low profile monumental sign shall project over a property line.
 - e. No low profile monumental sign shall be permitted as an off premise sign.

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- f. Low profile monumental signs shall be permanently installed with supports meeting the requirements of the Building Code. All electrical connections shall meet the requirements of the Electrical Code.
14. Signs on public benches located on public or private property shall be approved by the City Council after receiving a recommendation from the Planning Commission. Approval shall be subject to the following:
 - a. No public hazard or nuisance is created.
 - b. The sign shall only be located on the back rest of the bench.
 - c. The sign shall not extend over the top nor past the sides of the bench.
 - d. The sign shall not contain any lights, moving parts, nor be in colors that would detract from the harmony of the neighborhood.
 - e. The sign shall not advertise the use of tobacco, alcoholic beverages, or illegal drugs or depict or allow the depiction of any matter deemed by the City to be obscene, harmful to minors, or in violation of law, or which in the opinion of the City is immoral or in such bad taste as to offend the moral standards of the residents of the City or any substantial portion thereof.
 - f. The sign shall not contain any wording or picture(s) that could divert the attention of operators of motor vehicles.

12.15.10 Classification of Signs

Every sign erected or proposed to be erected within the City shall be classified by the staff in accordance with the definitions of signs contained in this Chapter. Any sign that does not clearly fall within one (1) of the classifications shall be placed in the classification which the sign, in view of its design, location, and purpose, most clearly approximates in the opinion of the staff.

12.15.11 Signs Permitted in Agricultural and Residential Zones

No sign shall be erected in any agricultural or any residential zones except as provided within the provisions of the respective zoning districts as established in this Chapter, except that certain special-purpose signs may be erected in all zones in compliance with the provisions of Section 12.15.9 of this Chapter.

12.15.12 Signs Permitted in Commercial Zones

For each place of business or occupancy within a non-residential zone the following types of signs shall be permitted in conformance with the standards set forth:

1. Appurtenant freestanding shall comply with the following provisions:
 - a. Signs which are not over five (5) feet in height shall have an area not to exceed twenty (20) sq.

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- ft. plus .4 sq. ft. for each foot of frontage not to exceed one hundred (100) sq. ft. Signs that are over five (5) feet in height shall have an area not to exceed forty (40) sq. ft. plus one (1) sq. ft. for each foot of frontage not to exceed three hundred (300) sq. ft.
- b. There may be one (1) such sign on each parcel of property or commercial complex for each one hundred (100) ft. of frontage.
 - c. No sign shall exceed twenty-five (25) feet in height.
 - d. No sign shall project over a property line, nor more than five (5) feet into any required front yard.
2. Wall signs and painted wall signs, except as otherwise provided in this Chapter, located in a commercial zone shall comply with the following requirements:
- a. The area of a wall sign shall be permitted to have an area not to exceed twenty (20) sq. ft. plus .05 sq. ft. for each square foot of the building face but not to exceed two hundred sixty (260) sq. ft.
 - b. There may be two (2) such signs for each building face, but in no case shall a total wall sign area for each face exceed the area as allowed in #1 above. No building shall be deemed to have more than four (4) building faces.
 - c. No part of any sign shall extend above the top level of the wall upon, or in front of, which it is situated.
 - d. Projection: No such sign, including any light box or structural part, shall project more than eighteen (18) inches from the face of the part of the building to which it is attached. No copy is permitted on the sides of any such sign.
3. Roof signs in commercial zones shall comply with the following requirements:
- a. The area of a roof sign shall be included in the total area of all signs permitted under the requirements for wall signs.
 - b. There shall be no more than one (1) such sign for the roof of each business establishment.
 - c. No part of any sign shall project more than five (5) feet above the highest point of the roof.
 - d. No part of any such sign shall project beyond the front line of the building.
 - e. No roof sign shall be erected in such a manner that any supporting members are visible.
 - f. No part of any such sign shall have any animation except in the GC-1 zone.
4. Low profile monumental signs shall comply with the following provisions:
- a. The area of a low profile monumental sign shall

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- not exceed thirty- two (32) sq. ft.
- b. There may be not more than one (1) low profile monumental sign for each parcel of property or commercial complex for each one hundred (100) feet of frontage.
 - k. No low profile monumental sign shall exceed eight (8) feet in height. The bottom of a low profile monumental sign shall not be more than four (4) feet from the ground and shall be so arranged as to prevent the public from walking under it.
 - l. No low profile monumental sign shall project over a property line.
 - m. No low profile monumental sign shall be permitted as an off premise sign.
 - n. Low profile monumental signs shall be permanently installed with supports meeting the requirements of the Building Code. All electrical connections shall meet the requirements of the Electrical Code.

12.15.13 Signs Permitted in the Industrial Zones

Signs permitted in the industrial zones shall include the following:

1. Freestanding signs under five (5) feet in height may be permitted in any industrial zone in conformance with the following:
 - a. Signs which are not over five (5) feet in height shall have an area not to exceed twenty (20) sq. ft. plus .4 sq. ft. for each foot of frontage not to exceed one hundred (100) sq. ft. Signs that are over five (5) feet in height shall have an area not to exceed forty (40) sq. ft. plus one (1) sq. ft. for each foot of frontage not to exceed three hundred (300) sq. ft.
 - b. There may be one (1) such sign for each parcel of land in the industrial zone.
 - c. The maximum height of such sign shall be five (5) feet.
2. Wall signs and painted wall signs may be created in any industrial zone as follows:
 - a. The area of a wall sign shall be permitted to have an area not to exceed twenty (20) sq. ft. plus .05 sq. ft. for each square foot of the building face but not to exceed two hundred sixty (260) sq. ft.
 - b. There shall be one (1) such sign only on each face of the building that fronts upon a public street.
 - c. No part of any such sign shall project above the wall or building face upon which it is mounted or painted.
 - d. No such sign, including any light box or structural part, shall project more than eighteen (18) inches from the part of the building to which it is attached. No copy is permitted on the sides of any such sign.

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3. Roof signs in the industrial zone shall comply with the following requirements:
 - a. The area of a roof sign shall be included in the total area of all signs permitted under the requirements for wall signs.
 - b. There shall be no more than one (1) such sign for the roof of each business establishment.
 - c. No part of any such sign shall project more than five (5) feet above the highest point of the roof.
 - d. No part of any sign shall project beyond the front line of the building.
 - e. No roof sign shall be erected in such a manner that any supporting members are visible.
 - f. No part of any such sign shall have any animation in the industrial zone.
4. Low profile monumental signs shall comply with the following provisions:
 - a. The area of a low profile monumental sign shall not exceed thirty- two (32) sq. ft. The sign area may be increased under a special exception by the Board of Adjustment.
 - b. There may be not more than one (1) low profile monumental sign for each parcel of property or commercial complex for each one hundred (100) feet of frontage.
 - c. No low profile monumental sign shall exceed eight (8) feet in height. The bottom of a low profile monumental sign shall not be more than four (4) feet from the ground and shall be so arranged to prevent the public from walking under it.
 - d. No low profile monumental sign shall project over a property line.
 - e. No low profile monumental sign shall be permitted as an off premise sign.
 - f. Low profile monumental signs shall be permanently installed with supports meeting the requirements of the Building Code. All electrical connections shall meet the requirements of the Electrical Code.

12.15.14 Signs Permitted in the Professional Office Zone

For each place of business or occupancy within the Professional Office Zone, the following types of signs shall be permitted in conformance with the standards set forth:

1. Appurtenant freestanding shall comply with the following provisions:
 - a. Signs which are not over five (5) feet in height shall have an area not to exceed twenty (20) sq. ft. plus .4 sq. ft. for each foot of frontage not to exceed one hundred (100) sq. ft. Signs which are over five (5) feet in height shall have an area not

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- to exceed forty (40) sq. ft. plus one (1) sq. ft. for each foot of frontage not to exceed three hundred (100) sq. ft.. When a sign is for the advertising of a complex the area may be increased to one hundred and fifty (150) sq. ft. but only one sign will be permitted per parcel of land.
2. Wall signs and painted wall signs in the Professional Office Zone shall comply with the following requirements:
 - a. There may be one (1) such sign on each parcel of property or commercial business for each one hundred (100) ft. of frontage.
 - b. No sign shall exceed twenty-five (25) feet in height.
 - c. No sign shall project over a property line, nor more than five (5) feet into any required front yard.
2. Wall signs and painted wall signs in the Professional Office Zone shall comply with the following requirements:
 - a. The area of a wall sign shall be permitted to have an area not to exceed twenty (20) sq. ft. plus .05 sq. ft. for each square foot of the building face but not to exceed two hundred sixty (100) sq. ft.
 - b. There may be two (2) such signs for each building face, but in no case shall a total wall sign area for each face exceed the area as allowed in #1 above. No building shall be deemed to have more than four (4) building faces.
 - c. No part of any sign shall extend above the top level of the wall upon, or in front of, which it is situated.
 - d. No such sign, including any light box or structural part, shall project more than eighteen (18) inches from the face of the part of the building to which it is attached. No copy is permitted on the sides of any such sign.
3. Low profile monumental signs shall comply with the following provisions:
 - a. The area of a low profile monumental sign shall not exceed thirty- two (32) sq. ft.
 - b. There may be not more than one (1) low profile monumental sign for each parcel of property or commercial complex for each one hundred (100) feet of frontage.
 - c. No low profile monumental sign shall exceed eight (8) feet in height. The bottom of a low profile monumental sign shall not be more than four (4) feet from the ground and shall be so arranged to prevent the public from walking under it.
 - d. No low profile monumental sign shall project over a property line.
 - e. No low profile monumental sign shall be permitted as an off premise sign.
 - f. Low profile monumental signs shall be permanently installed with supports meeting the

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requirements of the Building Code. All electrical connections shall meet the requirements of the Electrical Code.

12.15.15 Outdoor Advertising Structures (Billboards)

Non-appurtenant advertising structures (billboards) shall be permitted along Interstate I-15 in the Industrial (I-1) Zone and shall be erected and maintained only in conformance with the following provisions:

1. Each non-appurtenant outdoor advertising structure shall have a maximum area of six hundred seventy-five (675) square feet per face.
2. Advertising structures shall have a maximum height of thirty-five (35) feet.
3. All such non-appurtenant advertising structures shall be located behind the line of the required front yard setback of the zone in which it is located and a minimum of four hundred (400) feet from the nearest residential zone. The advertising structures shall also be spaced with a minimum of one thousand (1,000) feet maintained between each non-appurtenant advertising structure measured in any direction.
4. Each non-appurtenant sign or outdoor advertising structure shall be limited to one (1) sign face, except that two (2) sign faces may be permitted when said faces are mounted back-to-back with faces in parallel planes at distances not exceeding four (4) feet apart; or that two (2) sign faces may also be permitted when the faces are mounted in a "V" configuration, when said faces are attached on one end and have a maximum distance of thirty (30) feet apart at the other end. Two (2) sign faces may also be permitted if the total area of two is not greater than the maximum area for one (1) face, if both faces were originally erected together.
5. All non-appurtenant signs and outdoor advertising structures shall be constructed of materials prescribed by the Uniform Building Code, and construction techniques shall be approved by the Building Official. All said non-appurtenant signs and outdoor advertising structures must be issued a building permit prior to construction.
6. The owner or persons in control of any sign shall be responsible for maintaining such signs, including border, trims, faces, weight-bearing and bracing structures, and surrounding grounds or environment in a litter-free and safe manner. Signs shall not be allowed to deteriorate and must be repaired or removed.

12.15.16 Non-Conforming Signs

All signs that have been made non-conforming by the adoption of provisions contained within this Chapter shall be subject to the following regulations:

1. Any sign or portion thereof declared unsafe by the Building Official must be restored to a safe condition or removed within thirty (30) days of written notice of the unsafe condition.

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2. A non-conforming sign shall not be reconstructed, raised, moved, placed, extended, or enlarged unless said sign is changed so as to conform to all provisions of this Chapter. Alterations shall, among other things, mean the changing of the text or message that the sign is conveying from one use of the premises to another use of the premises, and the changing of the ownership of the sign when that ownership necessitates a change in the text or message of the sign. Alterations shall not be interpreted to include changing the text or copy on off-premise advertising signs, theater signs, outdoor bulletins, and other similar signs that are designed to accommodate changeable copy. Alterations shall also not be interpreted to include cosmetic repairs.
3. Non-conforming signs which have been allowed to deteriorate or which have been damaged by fire, explosion, Acts of God, acts of the public enemy, or damaged by any other cause to the extent of more than sixty (60) percent of its assessed value shall, if repaired or rebuilt, be repaired or built in conformity with the regulations of this Chapter or shall be removed.
4. All non-conforming signs must be brought into compliance within ten (10) years of the original adoption of this Section. Note: This falls under the jurisdiction of the Board of Adjustments.

Title 12 Zoning Ordinance
Chapter 12.16
Home Occupations

- 12.16.1 Purpose and Intent
- 12.16.2 Permitted Home Occupations
- 12.16.3 Application and Approval Required
- 12.16.4 Continuing Obligation

12.16.1 Purpose and Intent

The following regulations have been established to provide minimum standards for the establishment and operation of home occupations within residential zones.

12.16.2 Permitted Home Occupations

In order to minimize traffic and off street parking, and to avoid health and sanitation risks from the disposal of medical wastes, medical, dental, and other health professional offices are specifically excluded as home occupations. Permitted home occupations include, but are not necessarily limited to the following:

1. Barber and beauty shops
2. Consulting services
3. Direct sales distribution
4. Data processing, computer programming, and service
5. Home crafts
6. Janitorial services
7. Insurance sales
8. Interior design
9. Mail order
10. Real Estate Sale, Broker, or Appraiser
11. Sales Representative
12. Contractors, provided there is no outside storage of equipment, and no more than one company vehicle stored on site.
13. Instructional Studios - Any dwelling unit in which instruction is offered for piano, gymnastics, voice, art, dance, or similar activities provided that instruction is offered for 4 -12 students, excluding the instructor's own participating family members. Instruction of 3 or fewer students excluding the provider's own children are exempt from these regulations.
14. Preschool and Homechild Care Centers - Any dwelling unit in which childcare is provided for, provided that the child care is offered for 4-12 children, excluding the provider's own pre-school age children, on the premises at the same time. Child care facilities with 3 or fewer children, excluding the provider's own pre-school aged children, are exempt from these regulations. This restriction shall not apply to those non-income producing child care activities, i.e., baby sitting co-operatives, baby sitting exchanges and informal instructional activities for preschool aged children). All child care and/or preschool facilities shall be permitted to provide outdoor play time as required by Federal, State, County and/or local laws governing such business activity.

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12.16.3 Application and Approval Required

Home occupations may be permitted in the appropriate zones in accordance with Section 12.6 herein and the following receipt of an application for the home occupation and subject to the following conditions:

1. General Requirements
 - a. A home occupation must be permitted in the zone.
 - b. The applicant for a home occupation shall reside in the residence for which the permit is being sought.
 - c. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those customarily provided for residential uses.
 - d. The home occupation shall be registered with the City. No more than one home occupation shall be approved per residence unless the applicant can demonstrate that the additional home occupation(s) will not impact the residential nature of the area.
 - e. If the applicant for a home occupation is not the legal owner of the residence, the applicant shall present to the City, in writing, permission from the legal owner of the residence to conduct the activities proposed.
 - f. Inspection during reasonable hours by City Officials may occur as necessary to assure compliance with these regulations.
 - g. The home occupation shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.
 - h. The home occupation shall not require alterations to the exterior of the residence. The residence shall maintain the general character and appearance of a residential dwelling and shall not unreasonably disturb the peace and quiet, including radio and television reception, of the neighborhood by reason of color, design, materials, construction, lighting, sounds, or vibrations.
 - i. The home occupation shall be conducted entirely within a dwelling.
 - j. Interior alterations for the purpose of accommodating the home occupation are prohibited if such alteration eliminates either the kitchen, dining area, bathrooms, living room or all of the bedrooms.
 - k. Not more than the equivalent of twenty-five percent (25%) of the ground floor area of the dwelling shall be devoted to the home occupation.
 - l. Incidental storage related to the home occupation may be located in the dwelling unit, but shall not be located in any yard space, covered patios or carports. However, an attached or detached garage, provided the required covered parking

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spaces are maintained, or a detached, fully enclosed accessory building may be used for incidental storage, but such storage area shall not exceed 400 square feet.

- m. The home occupation shall contain no facilities for the display of goods. The home occupation may include the sale of commodities, however it is the intent that it be limited to items produced on the premises, or items that are incidental to the service provided, (i.e. a beautician who also sells hair care products to his/her clientele).
- n. Signs shall be limited to one non-flashing sign not larger in area than two (2) square feet.
- o. Entrance to the home occupation from outside shall be the same entrance normally used by the residing family except when required otherwise by regulation of the State Health Department or other public agency.
- p. The physical appearance, traffic, and other activities in connection with the home occupation are not contrary to the intent of the zone in which the home occupation is located.
- q. Garage, basement, yard or other similar sales do not constitute a home occupation and are exempt from these provisions.

2. Patrons

- a. Visitors, customers, or vehicular traffic shall not exceed that normally and reasonably occurring for a residence in the neighborhood where the home occupation is located and shall be conducted so that the average neighbor will not be significantly impacted by its existence.
- b. No visitors in conjunction with the home occupation (clients, patrons, students, pupils, etc.) shall be permitted between the hours of 10:00 p.m. and 7:00 a.m.
- c. Promotional meetings for the purpose of selling merchandise, taking orders, or training shall not be held more than once per month.

15. Employees

- a. Permanent residents of the dwelling for which a home occupation has been approved may be employed in such residence without constraint.
- b. Recognizing that for the purposes of some home occupation activities additional employees are necessary or practical, the City may allow one (1) employee not residing on the premises, during appropriate daytime business hours to work at the location of a home occupation. If an applicant desires more than one (1) additional on-premise employee, the home occupation will require review and approval by the Planning Commission. In such a case, the applicant must clearly demonstrate that the additional employee(s) will not cause conflict with the residential use of the dwelling or the residential

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nature of the surrounding area. Off-street parking will be required for all on-premise employees of an approved home occupation.

15. Vehicles

- a. Vehicles or equipment may not be used primarily for the purposes of advertising the home occupation at the site of the home occupation.
- b. Only one vehicle may be used in association with the home occupation. The vehicle used for the home occupation shall be limited to a maximum size of one-ton gross vehicle weight. Nor shall a business be permitted that requires receipt or delivery of merchandise, goods, or equipment by other than a passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries. No deliveries by semi-tractor/trailer truck are permitted. There shall be no storage or parking of tractor trailers, semi-trucks, or other heavy equipment on the premises or on the streets in the vicinity of the premises of a home occupation, except that not more than one truck of one-ton capacity or less may be parked during off hours.

12.16.4 Continuing Obligation

All home occupations shall be operated in compliance with the conditions herein. Upon approval of a home occupation, a license to operate shall be obtained from the City. It shall be unlawful to operate a home occupation without first obtaining a license from the City. The license shall be refused or revoked upon failure of the owner or operator to maintain the home occupation in accordance with the standards and requirements as herein set forth at the time of approval.

Title 12 Zoning Ordinance
Chapter 12.17
Cellular and Low Power Towers

As Adopted on October 24, 2000

- 12.17.1 Purpose and General Provisions
- 12.17.2 Specific Definitions
- 12.17.3 General Provisions, Standards, Regulations
- 12.17.4 Approval Process
- 12.17.5 Types of Structures

- 6. Roof Mounted Antenna - An antenna or series of antennas mounted on an existing roof, mechanical room or penthouse of a building.
- 7. Wall Mounted Antenna - An antenna or series of antennas mounted against the vertical wall of a building or structure.
- 8. Whip Antenna - An antenna that is cylindrical in shape that can be directional or omnidirectional and vary in size depending upon the frequency and gain for which they are designed.

12.17.1 Purpose and General Provisions

The purpose of this Chapter is to provide standards and regulations for the height, location and general design of low power communication towers in Bluffdale City. The requirements of this Chapter apply to both commercial and private low power radio systems such as cellular or Personal Communication Systems (PCS), and paging systems. All facilities approved under this Chapter shall comply with these regulations and all other ordinances of Bluffdale City and any pertinent state or federal regulations.

Each facility shall be considered as a separate use and an annual business license shall be required for each such facility.

The staff will review each application for approval to ensure that the proposed facility is compatible with the height and mass of existing buildings and utility structures and that co-location of antennas or other structures is possible without significantly altering the existing facility. The facility shall blend with existing vegetation, topography and buildings. The location of a facility may not create a detrimental impact to adjoining property owners.

12.17.2 Specific Definitions

The following list of definitions is provided to add clarification to the terms used in this Chapter. If further clarification of these terms is required, it will be given by the Board of Adjustment.

- 1. Antenna - A transmitting or receiving device used in telecommunications that radiates or captures radio signals.
- 2. Guyed Wire Tower - An open steel frame supported by guyed wires that extend 80% of the height of the structure away from the structure.
- 3. Lattice Tower - A self supporting, multiple sided, open steel frame structure used to support telecommunications equipment.
- 4. Low Power Radio Services Facility - An unmanned structure that consists of equipment used primarily for the transmission, reception or transfer of voice or data through radio wave or wireless transmissions. Such sites typically require the construction of transmission support structures to which antenna equipment is attached.
- 5. Monopole - A single cylindrical steel or wood pole that acts as the support structure for antennas.

12.17.3 Approval Process

All applications for approval of a low power radio tower or cellular or PCS facility will be reviewed by the staff. Staff will review the size, height, color, accessory facilities, and general nature of the proposed tower.

- 1. Staff may recommend conditions on any tower to address the items detailed above and any other appropriate conditions.

If the proposed tower is a permitted use in the zone, the application may be approved administratively by staff. The staff may require the applicant for installation of any tower to obtain approval by the City Council if deemed necessary. All applications that require a Conditional Use Permit for approval of a low power radio tower or cellular or PCS facility, if approved, shall be in accordance with Section 12.13 herein. Review of the proposed tower shall be completed as follows:

- 2. Staff shall prepare a concise report indicating if all requirements of this Chapter have been satisfied along with a recommendation for approval, approval with conditions, or denial of the application.

Any interested party, including the applicant, may appeal the action of the Planning Commission to the City Council provided that such appeal is submitted to the Board within ten (10) days of the Commission decision. If the decision has not been appealed within ten (10) days of the decision, the action shall be final.

12.17.4 Types of Structures

Low power radio tower or cellular or PCS facilities are characterized by the type or location of the antenna structure. The five general types of such antenna structures include wall mounted, roof mounted, monopoles less than two feet in diameter, monopoles greater than two feet in diameter, and lattice towers. Standards for installation and construction of each type of structure are listed below:

- 3. Wall Mounted Antenna - An antenna or series of antennas mounted against the vertical wall of a building or structure. Structures include, but are not limited to, buildings, smoke stacks, water tanks, and grain elevators. Wall mounted antennas are a permitted use in the industrial zones of Bluffdale City and on City owned property, and a conditional use in

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the agriculture and commercial zones of the City (see Chart 1). Any wall mounted antenna shall comply with the following standards:

- a. Wall mounted antennas shall not extend above the wall line of the structure more than four (4) feet, nor shall it protrude more than four (4) feet from the wall.
 - b. Wall mounted antennas and associated equipment shall be painted to match the color of the predominant background against which they are most commonly seen. All support structures and antennas should be architecturally compatible with the building or structure. Whip antennas are not allowed on a wall mounted antenna structure.
 - c. If any associated equipment is located on the ground, it shall be enclosed by a sight obscuring fence and landscaped to match the surrounding landscaping or to the satisfaction of the Planning Commission.
 - d. The owner of any structure on which a wall mounted antenna is located must, in person or in writing, agree to all conditions of approval including the removal of a vacated antenna.
2. Roof Mounted Antenna - An antenna or series of antennas mounted on the roof, mechanical room, or penthouse of a building or structure. Roof mounted antennas are a permitted use on City owned property and a conditional use in the industrial and commercial zones of Bluffdale City (see Chart 1). Any roof mounted antenna shall comply with the following standards:
- a. Roof mounted antennas may only be erected on buildings or structures with a flat roof and shall be screened, constructed and/or colored to match the structure on which they are located.
 - b. Antennas must be setback from the edge of the structure no less than one (1) foot for every one (1) foot of vertical antenna height to a maximum height of ten (10) feet. In no case shall a roof mounted antenna be located closer than five (5) feet from the edge of the structure on which it is erected.
 - c. If any associated equipment is located on the ground, it shall be enclosed by a sight obscuring fence and landscaped to match the surrounding landscaping or to the satisfaction of the Planning Commission.
 - d. The owner of any structure on which a roof mounted antenna is located must, in person or in writing, agree to all conditions of approval including the removal of a vacated antenna.
3. Monopole Structures Less Than Two (2) Feet in Width - A single cylindrical steel or wooden pole that acts as the support structure for an antenna or series of antennas. Monopole structures less than two (2)

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feet in width are a permitted use in the industrial zones of Bluffdale City and on City owned property, and a conditional use in the commercial and agriculture zones of the City (see Chart 1). These types of structures are intended to be placed on light poles, light standards, flagpoles and other existing or planned vertical structures. The following requirements must be satisfied prior to construction of a monopole less than two (2) feet in width:

- a. The total antenna structure mounted on a monopole shall not exceed two (2) feet in width or diameter nor exceed ten (10) feet in height. The entire monopole itself shall not exceed sixty (60) feet in height.
 - b. No monopole antenna shall be placed in or within two hundred (200) feet of a residential zone.
4. Monopole Structures Greater Than Two (2) Feet in Width - A single cylindrical steel or wooden pole that acts as the support structure for an antenna or series of antennas. Monopole structures Greater than two (2) feet in width are a permitted use in the industrial zones of Bluffdale City and on City owned property, and a conditional use in the commercial and agriculture zones of the City (see Chart 1). The following requirements must be satisfied prior to construction of a monopole greater than two (2) feet in width:
- a. The actual antennas and antenna support structure on a monopole shall not exceed thirteen (13) feet in width and eight (8) feet in height.
 - b. No monopole shall be erected within two hundred (200) feet of a residential zone or within a one half mile radius to another monopole tower unless grid documentation is supplied by an independent consultant stating that co-location will create an unreasonable hardship.
 - c. All monopoles shall be less than sixty (60) feet in height unless the tower is designed for co-location of antenna structures. In the case of co-location, the height of the tower may be increased by twenty (20) feet for each potential co-location not to exceed three (3) potential co-locations or one hundred (100) feet in total monopole height.
 - d. Co-location of more than one antenna structure is a permitted use on all approved monopoles and is approved administratively by the staff.
 - e. The applicant must supply the City with a letter indicating that if technology renders the tower obsolete or the tower is vacated the applicant will remove the tower and all associated equipment within ninety (90) days of the vacation of the tower.
 - f. Monopole towers may not be constructed in the required setback, landscape buffer area, or required parking area of any zone.

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- g. All associated equipment located on the ground, shall be enclosed by a sight obscuring fence and landscaped similar to surrounding landscaping or to the satisfaction of the Planning Commission.
- h. The owner of any property on which a monopole tower mounted antenna is located must, in person or in writing, agree to all conditions of approval including the removal of a vacated antenna.

12.17.5 Location and Criteria for Conditional Use

Bluffdale City strongly supports the placement of facilities on existing structures and co-location of two or more towers. The staff, Planning Commission, and City Council may use the following criteria for determining necessary conditions to ensure:

1. The proposed facility is compatible with the height and mass of existing buildings and utility structures.
2. That co-location of antennas or other structures is possible without significantly altering the existing facility.
3. That the facility blends with existing vegetation, topography and buildings including color and screening.
4. That location of a facility will not create a detrimental impact to adjoining property owners.
5. That sufficient guarantees for removal of a vacated facility are in place.

The chart below indicates where low power radio communication towers, facilities, and antennas may be located in Bluffdale City and what type of approval is required.

Type of Facility	Residential Zones	Commercial Zones	Industrial Zones	Agricultural Zones	City Owned Property
Lattice Tower	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Monopole Tower	Not Permitted	Conditional Use	Permitted Use	Conditional Use	Permitted Use
Roof Mounted Facility	Not Permitted	Conditional Use	Conditional Use	Not Permitted	Permitted Use
Wall Mounted Facility	Not Permitted	Conditional Use	Permitted Use	Conditional Use	Permitted Use
Mounted on Existing Structure	Not Permitted	Conditional Use	Conditional Use	Conditional Use	Conditional Use

Title 12 Zoning Ordinance
Chapter 12.18
Condominiums

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12.18.4 Layout and Improvement

Each proposed condominium project shall conform to the following minimum standards:

Residential Projects

1. All Off-Street Parking shall be regulated pursuant to Section 12.4.
2. Common storage area in an amount of not less than 100 square feet per dwelling unit shall be provided for the storage of recreation vehicles, boats, and enclosed in a sight-obscuring fence or wall.
3. Each unit within the project shall have an appurtenant private patio, deck, balcony, atrium, or solarium with a minimum area of 130 square feet. The space shall be designed for the sole enjoyment of the unit owner, and shall have a shape and size that would allow for optimal usable space.
4. Provision of an area containing not less than ten (10) percent of the total area of the project shall be set aside as common open space for the use and enjoyment of the residents. The area shall be landscaped in accordance with City standards. The location and design shall be such that the area is easily accessible to all residents. Land used for parking, driveways, vehicle storage and similar uses, and the areas required to meet the front setback or the area devoted to peripheral planting, shall not be included in meeting this requirement.

- 12.18.1 Purpose and Intent
- 12.18.2 Permitted Uses
- 12.18.3 Approval Process and Documentation
- 12.18.4 Layout and Improvement
- 12.18.5 Utility and Facility Requirements

12.18.1 Purpose and Intent

The intent of this Section is to establish guidelines dealing specifically with design, construction and operation of proposed new condominium projects. These provisions along with Chapter 57-8 of the Utah Code Annotated, 1953, as amended shall govern the condominium projects.

12.18.2 Permitted Uses

Uses permitted within a condominium project shall be limited to those uses specifically permitted within the zone that underlies the area of the project, and shall be subject to all conditions and restrictions required within the zone for the use.

12.18.3 Approval Process and Documentation

The procedure leading to approval of a condominium project shall be the same as set forth in Section 12.6. The following documents shall be prepared and submitted by the developer for each condominium project:

1. Articles of incorporation
2. Corporation by-laws
3. Declaration of covenants, conditions, restrictions and management policies/declaration of condominium management agreement
4. Open space easements
5. Sales brochure
6. Documents transferring adequate water to the City
7. Record of survey map/final subdivision plat (when applicable)
8. The waiver of all animal rights in accordance with City standards that may result from a non-conforming use upon the adoption of this ordinance

12.18.5 Utility and Facility Requirements

All units shall be separately metered for water, gas, electricity, and sewer, unless the covenants, conditions and restrictions provide for the Association to pay the costs of services. Each unit shall be provided with readily accessible individual shut-off valves.

Where, in the opinion of the City Council, a particular document as required under this Section is inapplicable for the particular condominium project proposed, the City may waive the requirement for submitting the document.

It shall be unlawful to record any survey map or declaration of a condominium project in the office of the County Recorder, unless the same shall bear thereon final approval of the City Council as required by the terms of this ordinance. Any owner, or agent of any owner, of land or units located within a purported condominium project, who transfers or sells any land, structure, or condominium unit in a purported condominium project, before obtaining final approval from the City Council shall be guilty of a misdemeanor for each lot, parcel of land, structure or condominium unit so transferred or sold.

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Chapter 12.19
Manufactured Housing

As Adopted on October 24, 2000

Bluffdale City allows manufactured housing in accordance with Utah State law and specifically § 10-9-106.5 of the Utah Code Annotated.

In all cases, manufactured housing shall be consistent with and satisfy all of the requirements of the zone in which the unit is proposed to be used.

Title 12 Zoning Ordinance
Chapter 12.20
Travel Trailer Parks

- 12.20.1 Purpose and Intent
- 12.20.2 Site Plan Approval Process
- 12.20.3 Appeal Procedure
- 12.20.4 Issuance of Permit

12.20.1 Purpose and Intent

Vacation vehicle courts may be constructed upon approval of the City Council subject to satisfaction of the following conditions and requirements:

1. Vacation vehicle courts are listed as a permitted use within the zone.
2. The proposed site contains an area of at least one (1) acre.
3. A plan showing the design and layout of the proposed court, shall have been submitted to and approved by the City Council in accordance with Section 12.8 herein.
4. All vacation vehicle courts shall provide adequate service facilities and shall comply with Section V-3 and Section II-7 of Code of Camp, Trailer Court, Hotel, Motel and Resort Sanitation Regulations of the Utah State Division of Health.
5. Adequate assurance shall be given that the court will be constructed and operated in accordance with plan and stipulations attached.
6. An annual license to operate shall be obtained from the City. It shall be unlawful to operate a vacation vehicle court without first obtaining a license from the City and said license shall be refused or revoked upon failure of the owner and/or operator to maintain the court in accordance with the standards and requirements as herein set forth at the time of approval.

12.20.2 Site Plan Approval Process

Each applicant for a travel trailer park shall submit a complete site plan including, at a minimum, the following information:

1. Application for the site plan approval shall be submitted on forms provided by the City and shall be accompanied by all maps and drawings, and a filing fee paid in accordance with the adopted fee schedule.
2. The location of all existing and proposed buildings and structures on the site, with full dimensions showing the distance between buildings and distances from buildings to adjacent property lines.
3. The location of all parking spaces, driveways, and points of vehicular ingress and egress.
4. A complete landscaping plan showing the location, types and initial sizes of all planting materials to be used and the location of fences, walls, hedges, and decorative materials. The landscaping plan shall also

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indicate the irrigation system proposed to be used for maintenance.

5. Preliminary elevations of main buildings showing the general appearance and types of external materials to be used.
6. The locations of solid waste receptacles and trash pick-up areas.

Upon receipt of the application, payment of the filing fee, and submission of the information listed above, the Planning Commission shall review the site plan and forward a recommendation to the City Council. The City Council shall hold a public hearing on the proposed site plan and approve, approve with conditions, remand the site plan back to the Planning Commission for further review, or deny the proposed site plan. The City Council may attach such modifications or conditions as may be deemed appropriate to improve the layout, to ensure that the project will not pose any detrimental affect to persons or property, or to protect the health, safety, and general welfare of the citizens of the City.

12.20.3 Appeal Procedure

Any person aggrieved by a determination of the City Council may request a hearing before the Board of Adjustment.

12.20.4 Issuance of Permit

A building permit shall not be issued for any building or structure, or external alterations until the provisions of this Section have been complied with. Any construction not in conformance with an approved site plan shall be considered a violation of this ordinance. Any building permit issued shall ensure that development is undertaken and completed in conformity with the plans as approved.

Chapter 12.21

Residential Facilities for Elderly Persons or Persons with a Disability

- 12.21.1 Purpose
- 12.21.2 Scope
- 12.21.3 Permitted Uses
- 12.21.4 Development Standards
- 12.21.5 Reasonable Accommodation
- 12.21.6 Other Requirements

12.21.1 Purpose

The purpose of this Chapter is to comply with Sections 10-9-502 and 10-9-605 of the Utah Code Annotated, as amended, and to avoid discrimination in housing against persons with disabilities pursuant to the Utah Fair Housing Act and the Federal Fair Housing Act as interpreted by courts whose decisions are binding in Utah.

12.21.2 Scope

If any facility, residence, congregate living or other housing arrangement meets the definition of a residential facility for elderly persons or a residential facility for persons with a disability as set forth in this Title, the requirements of this Chapter shall govern the same notwithstanding any conflicting provision of this Title or the Bluffdale City Code. Except as provided herein, the requirements of this Chapter shall not be construed to prohibit or limit other applicable provisions of this Title, the Bluffdale City Code, or other local, state or federal law.

12.21.3 Permitted Uses

Notwithstanding any contrary provision of this Title, a residential facility for elderly persons and a residential facility for persons with a disability shall be permitted uses in any zone where a dwelling is allowed as a permitted or conditional use subject to the development standards in Section 12.21.4 of this Chapter.

A use permitted by this Chapter is nontransferable and shall terminate if:

1. The facility is devoted to a use other than a residential facility for elderly persons or a residential facility for persons with a disability.
2. Any license or certification issued by the Utah Department of Health or the Utah Department of Human Services for such facility terminates or is revoked.
3. The facility fails to comply with requirements set forth in this Chapter.

12.21.4 Development Standards

- 12.21.4.1 Building, Safety and Health Regulations
- 12.21.4.2 No Dangerous Persons Permitted
- 12.21.4.3 License and Certification
- 12.21.4.4 Separation

The development standards set forth in this Section shall apply to any residential facility for elderly persons or residential facility for persons with a disability.

12.21.4.1 Building, Safety and Health Regulations

A residential facility for the elderly or persons with a disability shall comply with any building, safety, and health regulations applicable to similar structures.

1. Each facility shall be subject to the same development standards applicable to similar structures located in the same zoning district in which the facility is located.
2. The minimum number of parking spaces required for a facility shall be the same as for similar structures located in the same zoning district in which the facility is located.

12.21.4.2 No Dangerous Persons Permitted

No facility shall be made available to an individual whose tendency would:

1. Constitute a direct threat to the health or safety of other individuals.
2. Result in substantial physical damage to the property of others

12.21.4.3 License and Certification

Prior to occupancy of any facility, the person or entity operating the facility shall:

1. Provide to Bluffdale City a copy of any license or certification required by the Utah State Department of Health or the Utah Department of Human Services.
2. Certify in a sworn statement that no person will reside or remain in the facility whose tendency would:
 - a. Constitute a direct threat to the health or safety of other individuals.
 - b. Result in substantial physical damage to the property of others

12.21.4.4 Separation Required

No facility for persons with a disability occupied by more than five (5) persons shall be established or maintained within one thousand (1000) feet, measured in a straight line between the closest lot or parcel lines, of any of the following facilities:

1. A residential facility for persons with a disability occupied by more than five (5) persons.
2. A residential facility for elderly persons occupied by more than five (5) persons.

12.21.5 Reasonable Accommodation

None of the requirements of this Chapter shall be interpreted to limit any reasonable accommodation

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necessary to allow the establishment or occupancy of a residential facility for persons with a disability. Any person or entity wanting a reasonable accommodation shall make application therefor to Bluffdale City and shall articulate in writing the nature of the requested accommodation and the basis for the request. The City Council shall render a decision on each application for a reasonable accommodation within thirty (30) days. If a reasonable accommodation request is denied, the decision may be appealed to the Board of Adjustment in the manner provided for appeals of administrative decisions set forth in this Title.

12.21.6 Other Requirements

12.21.6.1 Parking Standards

12.21.6.2 Density Requirements

In addition to the requirements listed above, each residential facility for the elderly or persons with a disability shall satisfy the requirements of this Section.

12.21.6.1 Parking Standards

Each residential facility for the elderly or persons with a disability shall provide two (2) parking spaces per dwelling unit plus one (1) space for each domestic or support staff person employed on the premises during the highest employment shift.

12.21.6.3 Density Requirements

Each residential facility for the elderly or persons with a disability shall satisfy the density requirements found in Chapter 12.6 herein.

Title 12 Zoning Ordinance
Chapter 12.22
Relocation of Buildings

As Adopted on October 24, 2000

12.22.1 Purpose and Intent

12.22.2 Standards and Procedures

12.22.1 Purpose and Intent

Since moved buildings have often been constructed in a time period prior to the adoption of a building code, and are frequently left in an unsafe and unattractive condition, extra precautions shall be taken to insure that the buildings meet the code and that the appearance of the premises is in keeping with buildings in the surrounding area.

12.22.2 Standards and Procedures

A permit shall not be issued for the moving of any building which has had prior use, from one site within the City to another site within the City or from a site outside of the City to a site within the City without a pre-inspection being made of the building by the Building Official prior to moving. The fee for conducting a pre-inspection shall be established by resolution of the City Council. The following information shall be filed with the Building Official at the time the application is made:

1. Location and address of the old and new site
2. Plan of the new location, showing adjacent lots on all sides of the property and indicating all structures and improvements on the lots
3. Plans and specifications for the proposed improvements at the new location, including plans for landscaping
4. Photographs of the buildings to be moved

The application shall be submitted to the City Council for approval. Before a permit to move a building may be granted, the applicant shall post a bond sufficient to cover costs of improvements as set forth in the City ordinances.

Moved buildings must comply in every way with this ordinance and the requirements of the adopted building code.

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Chapter 12.23
Development Agreements

As Adopted on October 24, 2000

The City Council hereby reserves the right to require and enter into a development agreement with any applicant for development approval under the provisions of this ordinance, the Subdivision Ordinance, or any other ordinance or resolution of the City.

The development agreement may address specific details about issues that have yet to be completely resolved, issues regarding phasing of a project, or any other requirement of the City Council.

Title 12 Zoning Ordinance
Chapter 12.24
Enforcement and Penalties

As Adopted on October 24, 2000

The City Council hereby declares that:

1. It shall be unlawful to erect, construct, reconstruct, alter, or change the use of any building or other structure within the City covered by these regulations without obtaining a building permit from the City.
2. The City shall not issue any permit unless the plans for the proposed erection, construction, or use fully conforms to the regulations then in effect.

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Chapter 12.25
Nuisances

As Adopted on October 24, 2000

- 12.25.1 Authority
- 12.25.2 Definition
- 12.25.3 Dangerous Buildings
- 12.25.4 Other Public Nuisances
- 12.25.5 Enforcement
- 12.25.6 Appeal Procedures
- 12.25.7 Legal Action
- 12.25.8 Penalty for Violation

12.25.1 Authority

Bluffdale City hereby incorporates as though fully set forth herein, the provisions of Utah Code Annotated §76-10-801, et seq., to define, control, eliminate, and set the punishment for any nuisance offense occurring within the City.

12.25.2 Definition

A public nuisance is a crime against the health, safety, or general welfare of any citizen of the City. In addition to the definition of a nuisance found in §76-10-803 of the Utah Code, Bluffdale City hereby defines a nuisance as:

1. Any condition or use of premises or of building exteriors which are deleterious or injurious, obnoxious or unsightly which include, but is not limited to keeping nor depositing on, or scattering over the premises lumber, junk, trash, debris, abandoned, discarded or unused objects or equipment such as furniture, stoves, refrigerators, freezers, cans, containers, or other items.
2. Anything that unreasonably or unlawfully affects the health or safety of one or more persons.
3. Anything which unreasonably or unlawfully interferes with, obstructs or tends to obstruct, or renders dangerous for passage, any public or private street, highway, sidewalk, stream, ditch or drainage way.
4. Noxious weeds, or weeds more than eight (8) inches tall, or weeds within thirty (30) feet of a structure, or weeds within five (5) feet of the outer edge of any public street, or weeds in any other location which constitute an unreasonable fire hazard.
5. Any building or structure which is unfit for human habitation, or which is an unreasonable hazard to the health of people residing in the vicinity thereof, or which presents an unreasonable fire hazard in the vicinity where it is located.
6. Any accumulation of rubbish, trash, refuse, junk, abandoned materials, metals, lumber, machinery or inoperable vehicles.
7. Noxious or unreasonable odors, fumes, gas, smoke, soot or cinders.
8. Leaving or permitting to remain outside of any dwelling for more than three (3) days, any vehicle on jacks, blocks or similar equipment, or having deflated tires, or from which the chassis, engine, wheels or tires have been removed, or without valid registration, or any part of a vehicle when such vehicle or part thereof is located in an area visible from a public street (except in a licensed junk yard).

12.25.3 Dangerous Buildings

The "Uniform Code for the Abatement of dangerous Buildings," 1979 edition, as may be amended from time to time, printed as a code in book form by the International Conference of Building Officials (providing for a just, equitable and practicable method whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required to be repaired, vacated, or demolished), three copies of which have been filed for use and examination by the public in the office of the clerk of the City, is hereby approved and adopted as the Abatement of Dangerous Buildings Code.

The provisions of the Abatement of Dangerous Buildings Code shall apply to all dangerous buildings as therein defined, which now exist or which may exist or hereafter be constructed in the City. All buildings or portions thereof which are determined, after inspection by the building inspector, to be dangerous as defined in the Abatement of Dangerous Building Code, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition, or removal.

Any appeal or interpretation provisions of the Abatement of Dangerous Buildings Code and to hear appeals provided for thereunder, there is hereby established an abatement of dangerous building board of appeals consisting of five members who shall not be employees of the City. The Building Inspector shall be an ex officio member of and shall act as secretary to the board. The board may adopt reasonable rules and regulations for conducting its business and shall render all decisions and findings in writing to the applicant with a copy to the building official. Appeals to the board shall be processed in accordance with the provisions contained in the adopted codes. Copies of all rules and regulations adopted by the board shall be delivered to the Building Inspector who shall make them accessible to the public without cost.

12.25.4 Other Public Nuisances

12.25.4.1 Maintenance of Planter Strips

12.25.4.2 Maintenance of Landscaping

12.25.4.1 Maintenance of Planter Strips

Planter strips along all public streets shall be maintained and kept in good order. The strips shall be planted in grass or other acceptable ground cover, and shall not contain weeds or other unsightly debris.

Trees and shrubs shall be properly trimmed and may not interfere with electric or telephone lines, or visually impair the safe movement of automobiles.

12.25.4.2 Maintenance of Landscaping

Landscaped areas shall be properly maintained and kept in good order. Grass should be mowed and trimmed in a

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manner consistent with proper landscaping techniques. Weeds, such as but not limited to dandelions and morning glory, shall be controlled by the property owner.

Trees and shrubs shall be properly trimmed and may not interfere with electric or telephone lines, nor overhang adjacent properties without the consent of the adjacent property owner.

12.25.5 Enforcement

12.25.5.1 Code Enforcement Officer

12.25.5.2 Notice of Violation to Property Owner

12.25.5.3 Failure to Comply

12.25.5.4 Immunity for Inspections

In accordance with §10-11-1, et seq., of the Utah Code, it is the intention of the City to establish a means whereby injurious and noxious weeds, garbage, refuse or unsightly and deleterious objects or structures can be removed or abated. It is declared that weeds, objects and structures constitute a nuisance when they create a fire hazard, a source of contamination, pollution of water, air or property, a danger to health, a breeding place of habitation for insects or rodents or other forms of life deleterious to human habitations, or unsightly or deleterious to their surroundings.

12.25.5.1 Code Enforcement Officer

The Code Enforcement Officer shall administer the provisions of this Chapter and the powers delegated to the City by statute, subject to such control and review as the City Council may from time to time direct. The Code Enforcement Officer may use the services of the Building Inspector and Fire Chief for the purpose of carrying out the provisions of this Chapter.

12.25.5.2 Notice of Violation to Property Owners

The Code Enforcement Officer shall make careful examination and investigation of any injurious and noxious weeds, garbage, refuse or unsightly or deleterious objects or structures. The Code Enforcement Officer shall obtain the names of the owners and descriptions of the premises where the weeds, garbage, refuse, objects or structures exist and serve notice in writing to the owner or occupant of the property. Notice shall be served either personally or by mailing notice to the owner or occupant at the last known address as found on the latest tax assessment rolls of the County Assessor. The notice shall state that the owner or occupant, as the case may be, must eradicate, destroy or remove, the violation within a time frame directed by the Code Enforcement Officer, which shall not be less than ten (10) days from the date of service of the notice. One notice shall be deemed sufficient on any lot or parcel of property.

12.25.5.3 Failure to Comply

If any owner or occupant of property that has received proper notice fails or neglects to eradicate, destroy or remove, weeds, garbage, refuse, object or structure upon the premises in accordance with the notice, the Code Enforcement Officer shall employ necessary assistance and

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cause the weeds, garbage, refuse, objects or structures to be removed or destroyed. The officer shall prepare an itemized statement of all expenses incurred and shall mail a copy of the expenses to the owner allowing payment to be made within twenty (20) days of the date of mailing. The notice shall be mailed by registered mail addressed to the property owner's last known address. In the event the owner fails to make payment of the amount set forth in the statement to the City treasurer within said twenty (20) days, the officer shall forward the issues to the City Attorney for appropriate legal action. In the event collection of the costs are pursued through the courts, the City may sue for and receive judgment upon all costs of removal and destruction together with reasonable attorneys' fees, interest and court costs. The City may execute on such judgment in the manner provided by law. In the event that the officer elects to refer the matter to the County Treasurer for inclusion in the tax notice of the property owner, the officer shall make in triplicate, an itemized statement of all expenses incurred in the removal and destruction and shall deliver the three copies of the statement to the County Treasurer within ten (10) days after the completion of the work of removing the weeds, garbage, refuse, objects or structures.

The Code Enforcement Officer shall be granted the discretion to determine whether weeds, garbage or refuse, are unsightly or deleterious objects or whether structures create a fire hazard, source of contamination, or pollution of water, air or property, a danger to health, a breeding place or habitation for insects or rodents or other forms of life deleterious to human habitation, or are unsightly or deleterious to their surroundings.

12.25.5.4 Immunity for Inspections

The Code Enforcement Officer, or any City employee working under the direction of the officer, together with the City, shall be immune from any liability for removal of any nuisances identified herein, after following the procedures set forth above and in the Utah Code Annotated §10-11-1, et seq.,

12.25.6 Appeal Procedure

Any person aggrieved by an action in accordance with this Chapter, including any person issuing a complaint, may appeal any decision made by the Code Enforcement Officer to the City Council. The City Council may affirm, amend and affirm, or overturn any action taken by the Code Enforcement Officer. Any decision made by the City Council is final and further action must be taken in a court of appropriate jurisdiction.

12.25.7 Legal Action

Civil Action

A civil action to abate or enjoin a nuisance, or for damages for causing or maintaining a nuisance (including the cost, if any, of cleaning the subject property), may be brought by Bluffdale City or by any private person directly affected.

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Criminal Action

It shall be unlawful for any person to maintain or assist in maintaining a nuisance after receiving notice to abate the nuisance. Notice to abate a nuisance shall be given as a prerequisite to prosecution by delivering a copy of the notice to abate to the offender by personal service in the manner described in the Utah Rules of Civil Procedure, or by mailing a copy of the notice to abate to the offending party by certified mail, return receipt requested. The notice to abate shall reasonably describe the nuisance and the steps necessary to abate the nuisance.

12.25.8 Penalty for Violation

Any violation of this Chapter shall initially be prosecuted as deemed appropriate by the City Attorney. The City reserves the right to pursue any legal means to ensure compliance with this ordinance.

Any owner, occupant or person having an interest in the property subject to this chapter who shall fail to comply with the notice or order given pursuant to this chapter shall be guilty of a class C misdemeanor as defined by Utah State Statutes.

Title 12 Zoning Ordinance
Chapter 12.26
Appeal of Zoning Decisions

As Adopted on October 24, 2000

- 12.26.1 Appeal Procedure
- 12.26.2 Eligible Matters
- 12.26.3 Time Limitation

12.26.1 Appeal Procedure

Any person or organization adversely affected by a decision administering or interpreting the Zoning Ordinance may appeal the decision to the Board of Adjustment. The Board of Adjustment shall hear appeals and make decisions consistent with § 10-9-701, et seq., of the Utah Code Annotated 1953, as amended.

The appellant, or agent, shall make an appeal on a form provided by the City and shall include all appropriate information. In all matters before the Board of Adjustment, the burden of proof to overturn a decision administering or interpreting the Zoning Ordinance shall rest with the appellant.

12.26.2 Eligible Matters

No person or organization is eligible to appeal a decision administering or interpreting the Zoning Ordinance until all other administrative remedies have been exhausted and a final decision has been made by the legislative body. Appeals of staff or Planning Commission decisions shall be heard by the City Council.

12.26.3 Time Limitation

An appeal of a decision administering or interpreting the Zoning Ordinance shall be submitted to the City within fourteen (14) days from the date of the final decision.

Title 12 Zoning Ordinance
Chapter 12.27
Vesting and Protection of Private Property

As Adopted on October 24, 2000

In addition to the items listed above, any applicant for a Constitutional Takings review shall submit the following information:

- 12.27.1 Vested Rights & Constitutional Takings Issues
- 12.27.2 Temporary Regulations

12.27.1 Vested Rights & Constitutional Takings Issues

In order to provide certainty and predictability in the development approval process, the City Council may develop a procedure for considering and evaluating vested rights claims made under Utah law as amendments are made to this ordinance from time to time. This procedure may include the processing of consent agreements for the settlement of disputes pertaining to vested rights or other legal claims arising from this ordinance.

The City Council strongly favors the careful consideration of matters involving Constitutional Takings in fairness to the owner of private property bringing the claim and in view of the uncertainty and expense involved in defending law suits alleging such issues. At the same time, the legitimate role of the City in lawfully regulating real property and the public's right to require the dedication or exaction of property consistent with the Constitution must be preserved. Consistent with this policy, it is desired that a procedure be established for the review of actions that involve the issue of a Constitutional Taking. These provisions are to assist the City in considering decisions that may involve Constitutional Takings. It is intended that a procedure for such a review be provided, as well as guidelines for such considerations. It is further intended and shall be construed to objectively and fairly review claims by citizens, that a specific City action should require payment of just compensation, yet preserve the ability of the City to lawfully regulate real property and fulfill its other duties and functions.

Any owner of real property who claims there has been a Constitutional Taking of private real property shall request a review of a final decision of the City. The following specific procedures are established for such a review:

1. The person requesting a review must have obtained a final and authoritative determination by the City relative to the decision from which they are requesting review.
2. Within thirty (30) days from the date of the final decision that gave rise to the concern that a Constitutional Taking has occurred, the person requesting the review shall file in writing, in the office of the City Recorder, a request for review of that decision. A copy shall be filed with the City Attorney.
3. The City Council, or an individual or body designated by the City Council, shall immediately set a time to review the decision that gave rise to the Constitutional Takings claim.

1. The form of ownership, whether sole proprietorship, for-profit or not-for-profit corporation, partnership, joint venture, or other. If owned by a corporation, partnership or joint venture the applicant shall submit the name and address of all principle owners.
2. A detailed description of the grounds for the claim that there has been a Constitutional Taking.
3. A detailed description of the property that has been taken.
4. Evidence and documentation of the value of the property taken, including the date and cost on the date the property was acquired. This should include any evidence of the value of the property before and after the alleged Constitutional Taking.
5. The nature of the protectable interest claimed to be affected, such as, but not limited to, fee simple ownership or leasehold interest.
6. The terms (including sales price) or any previous purchase or sale of a full or partial interest in the property in the three (3) years prior to the date of application.
7. All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the three (3) years prior to the date of application.
8. The assessed value of and ad valorem taxes on the property for the previous three (3) years.
9. All information concerning current mortgages or other loans secured by the property, including the name of the mortgagee or lender, current interest rate, remaining loan balance and term of the loan and other significant provisions, including, but not limited to, right of purchasers to assume the loan.
10. All listings of the property for sale or rent, prices asked and offers received, if any, within the previous three (3) years.
11. All studies commissioned by the applicant within the previous three (3) years concerning feasibility of development or utilization of the property.
12. For income producing property, itemized income and expense statements from the property for the previous three (3) years.
13. Information from a title policy or other source, showing all recorded liens or encumbrances affecting the property.
14. The City Council, or designee, may request additional information reasonably necessary, in their opinion, to arrive at a conclusion concerning whether there has been a Constitutional Taking.

The application shall not be deemed complete until the reviewing body or official certifies to the applicant that all the material and information required above has been received by the City.

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A final decision on the review shall be rendered within fourteen (14) days from the date the complete application for review has been received by the City Recorder. The applicant shall be notified in writing. If the City Council or designee fails to make a determination with fourteen (14) days, the request for review shall be considered denied. In making such a determination, the City Council or designee shall consider the following:

1. Whether the physical taking or exaction of the private real property bears an essential nexus to a legitimate governmental interest.
2. Whether legitimate governmental interest exists for the action taken by the City.
3. Is the property and exaction taken roughly proportionate and reasonably related, both in nature and extent, to the impact caused by the activities that are the subject of the decision being reviewed.

After completing the review, the City Council or designee shall make a determination regarding these issues and where determined to be necessary and appropriate, shall make a recommendation to the officer, employee, Board, Commission, or Council that made the decision that gave rise to the Constitutional Takings Claim.

12.27.2 Temporary Regulations

In accordance with § 10-9-404 of the Utah Code Annotated 1953, as amended, the City Council may, without a public hearing, enact ordinances establishing temporary zoning regulations for any part or all of the area within the municipality.

The City Council shall establish a period of limited effect for the temporary regulations, not to exceed six (6) months.

Title 12 Zoning Ordinance
Chapter 12.28
Fee Schedule

As Adopted on October 24, 2000

The purpose for the collection of review fees is to cover, at least partially, the cost of development review. It is the intention of the City Council to require applicants to pay the cost of the review and not expend General Fund revenues for this purpose. These fees are adopted by resolution of the City Council and may be amended from time to time and are available from the City.

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Chapter 12.29

Definitions

12.29.1 Purpose and Intent

12.29.2 Definitions

12.29.1 Purpose and Intent

The purpose for including certain definitions as part of this ordinance is to clarify meaning specific to this ordinance. Words and phrases used in the present tense include the future, singular words include the plural as well as the singular.

12.29.2 Definitions

The following definitions are specific to this ordinance. If there is occasion to need interpretation of any word or phrase not listed below, the Board of Adjustment shall provide the interpretation.

1. Agriculture - Agriculture shall mean the growing of soil crops in the customary manner in the open. It shall not include livestock raising activities.
2. Apartment House - See dwelling - multi-family.
3. Agricultural Support Facilities - Facilities, products or services including, but not limited to the following:
 - a. Storage of agricultural products
 - b. Meat cutting and packaging
 - c. Tree sales
 - d. Kennels
 - e. Fur Farms
 - f. Boarding of Animals
4. Batching Apartment - A dwelling unit occupied by four (4) or more unrelated individuals.
5. Boarding House - A dwelling containing not more than one kitchen where, for compensation, meals are provided pursuant to previous arrangements on a daily, weekly, or monthly basis as distinguished from a hotel, cafe, or rooming house.
6. Building - Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.
 - a. Building, Accessory - A subordinate building, the use of which is incidental to that of the main building.
 - b. Building, Main - One or more of the principal buildings upon a lot. Garages, carports, and other buildings which are attached to a dwelling or other main building or which are situated within 10 feet of a main building shall be considered as a part of the main building.
 - c. Building, Public - A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.
7. Build-To Line - The minimum distance a primary structure must be constructed from a property line measured to the foundation wall of the structure.

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8. Carport - A structure not completely enclosed by walls for the shelter of automobiles.
9. Common Area - An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.
10. General Plan (Master Plan) - A coordinated plan which has been prepared and adopted for the purpose of guiding development, including but not limited to a plan or plans of land use, resources, circulation, housing, and public facilities and grounds.
11. Conditional Uses - A use which has been specifically permitted by the terms of this ordinance and which requires special consideration by the Board of Adjustment, Planning Commission, or City Council before a permit therefore may be issued.
12. Condominium - The ownership of a single unit in a multi-unit project together with an undivided interest in common in the common areas and facilities of the property.
13. Condominium Project - A plan or project whereby two or more units, together with an undivided interest in the common area or facility, are separately offered or proposed to be offered for sale. This definition shall apply to existing or proposed apartments, commercial or industrial buildings, or structures. Condominium project shall also mean the property when the context so requires.
14. Density - The term density shall mean the number of dwelling units per acre of land.
15. Documentation - Declaration - The legal instruments required under the provisions of this ordinance and applicable State law for approval of large scale development.
16. Drive-in, Retail - Any form of merchandising, serving or dispensing of goods in which the customer is serviced while in his automobile.
17. Dwelling
 1. Dwelling Unit - One or more rooms in a building designed for living purposes (bathing, eating, and sleeping) and occupied by one family.
 2. Dwelling, One-Family - A detached residence designed for or occupied by one family.
 3. Dwelling, Two-Family - A building containing two dwelling units.
 4. Dwelling, Multi-Family - A building containing three or more dwelling units.
 5. Dwelling, Caretaker's - A dwelling which is occupied by an individual or family whose livelihood is derived primarily from watching or taking care of a farm, industry or other use which is located on the same premises as the dwelling.
 6. Dwelling - Conventional Construction - A dwelling that is constructed in compliance with the provisions of the Uniform Building Code, Uniform Mechanical Code, National Electrical Code, and State Plumbing Code as adopted by the City.
18. Family - An individual of two or more persons related by blood, marriage, or adoption, living together in a single dwelling unit and maintaining a

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- common household. A family may include two, but not more than two, non-related persons living with the residing family. The term "family" shall not be construed to mean a group of non-related individuals, a fraternity, club, or institutional group.
19. Day Care Center - A dwelling unit wherein ordinary care and supervision are provided during customary day-time periods by the resident family to non-related persons. To qualify, the dwelling must be approved by the State Division of Social Services or other appropriate State agency.
 20. Fence, Sight-Obscuring - A fence having a height of at least six (6) feet above grade which permits vision through not more than ten percent (10%) of each square foot more than eight (8) inches above ground.
 21. Final Plat - Record of Survey Map - A plat or plats of survey of land within a subdivision or other large scale development, which has been prepared in accordance with applicable City standards and/or state statutes for the purposes of recording in the office of the County Recorder.
 22. Flood, 100 year - A flood, the magnitude of which will probably occur only once in 100 years.
 23. Flood Channel - A natural or artificial water course with definite bed and banks to confine and conduct flood water.
 24. Floor Area - The sum of the areas of the several floors of the building, including basements, mezzanines, and penthouses of headroom height (6 feet), measured from the exterior walls or from the center line of walls separating buildings. The floor area does not include unoccupied features such as pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc.
 25. Foster Care Home - A dwelling unit wherein room, board, care, and supervision are provided by the resident family under the approval and supervision of the State Division of Social Services or other placement agency licensed by the State to provide for children who are unrelated to the resident.
 26. Grade of Building
 - a. For buildings fronting one street only -- the elevation of the sidewalk or center line of street, whichever is higher, at right angles to the midpoint of the fronting walls.
 - b. For buildings fronting on more than one street -- the average of the elevations of the sidewalk or center line of surrounding streets, whichever is higher.
 27. Grade of Street and Driveways - Grade shall mean the ratio of vertical distance to horizontal distance along such a street or driveway expressed in either percentage or degree.
 28. Guest - A person staying or receiving services for compensation at a hotel, motel, boarding house, rooming house or rest home, or similar use.
 29. Height of Building - The weighted average vertical distance from the grade to the top of the outside walls of the building.
 30. Home Occupation - Any occupation conducted

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- within a dwelling and carried on by persons residing in the dwelling.
31. Household Pets - Cats and dogs and other domestic animals that are housed in the residence in areas occupied by the family.
 32. Reserved.
 33. Junk Yard-Salvage Yard - A place where scrap, waste, discarded salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including places where such uses are conducted entirely within a completely enclosed building or where salvaged materials are kept incidental to manufacturing operations conducted on the premises.
 34. Information Brochure - A written statement setting forth the organizational structure of a Home Owners Association, and the rights and obligations of the developers, Home Owners Association, lot owners and the City.
 35. Landscaping - Landscaping shall mean the use and integration of a combination of planted trees, shrubs, vines, groundcover, lawns, rocks, foundations, pools, art works, screens, walls, fences, benches, or surfaced walkways set into an esthetically pleasing arrangement as determined by the Planning Commission or their authorized representatives. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this ordinance.
 36. Land Use Plan - A plan adopted and maintained by the City Planning Commission, which shows how the land should be used - an element of the Comprehensive Plan.
 37. Lodging House - A building containing sleeping rooms that are rented to guests on a daily or weekly or monthly basis.
 38. Lot
 - a. Lot Corner - A lot abutting on two intersecting or intercepting streets where the interior angle of intersection or interception does not exceed 135 degrees.
 - b. Lot Interior - A lot other than a corner lot.
 - c. Lot Line, Front - The front boundary line of a lot bordering on the street.
 - d. Lot Line, Rear - A lot line which is opposite and most distant from the front lot line. In the case of an irregular, triangular, or gors shaped lot, the rear lot line shall be a line within the lot, parallel to and at the maximum distance from the front lot line, having a length of at least ten (10) feet.
 - e. Lot Line, Side - Any lot boundary line not a front lot line or a rear lot line.
 - f. Lot, Zoning - A parcel of land which:
 - i. Complies with all existing area frontage, width, setback, and supplementary requirements of the zone in which it is located.

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- ii. Has frontage on a City street, which street has (a) been accepted by the City Council and has been improved in accordance with City standards and is in use by the public, or (b) has frontage on a private right-of-way within an approved large scale development.
 - iii. Is shown as a separate lot in an approved subdivision plat or large scale development plan, which plat or plan has been approved in accordance with the applicable ordinances or which is exempted from compliance with said ordinances.
39. Master Plan - See Comprehensive Plan.
40. Mobile Home - A dwelling unit which complies with the Mobile Home Building Code as adopted by the State of Utah and which is designed to be transported, after fabrication, on its own wheels or on detachable wheels and which is ready for occupancy as an independent dwelling unit except for connection to utilities. The term "Mobile Home" shall also include any vehicle meeting the above description which is used for an office, classroom, laboratory, processing, manufacturing, retail sales, or other such use, but shall not include a recreation vehicle or a mobile appearing house which complies with the City's adopted Building, Mechanical, Electrical, and Plumbing Codes.
41. Mobile Home Park - An area or tract of land used to accommodate two or more mobile homes.
42. Nonconforming Building - A building, structure, or portion thereof, which does not conform to the regulations of this ordinance applicable to the zone or district in which such building is situated, but which legally existed prior to the effective date of the controlling provision.
43. Nonconforming Lot of Record - A parcel of land which does not conform to the area, frontage, and/or width requirements for a zoning lot, but which was shown on the records of the County Recorder as an independent lot prior to the effective date of now controlling provision.
44. Nonconforming Use - A legal use of premises which does not conform to the regulations of this ordinance but which existed at the effective date thereof.
45. Offsite - Shall mean of or pertaining to the territory outside of the boundaries of a particular project.
46. Onsite - Shall mean of or pertaining to the territory within the boundaries of a particular project.
47. Open Space - Land which is open from the ground upward and which is not covered by dwellings or other buildings, or by pavement or other impervious material.
48. Open Space Preservation Agreement - An agreement between the City and a property owner in which the property owner agrees for himself and his successors and assigns to refrain from constructing dwellings and other buildings on a specific parcel of land for a specific period of time.
49. Open Space Easement - The right or privilege to preserve a specific parcel of land in open space.
50. Parking Space - A space, not less than twenty (20) feet in length and not less than eight and five-tenths (8.5) feet in width for the parking of a mobile vehicle, exclusive of driveways and ramps.
51. Person - An individual, corporation, partnership, association, trustee, or other legal entity.
52. Permitted Use - A use of land, building, or structure that is allowed within a zone under the terms of this ordinance.
53. Planned Unit Development - A tract of land that is planned and developed as a single entity and wherein part of the land facilities is held in common.
54. Planting Plan - A plan showing the location and dimensions of plants, irrigation equipment, curbs, and other protective features around the edge of the planting beds and the location and species of plants to be planted.
55. Premises - A zoning lot together with buildings and structures located thereon.
56. Primary - The main use or structure on a parcel. Accessory uses are not to be defined as primary uses.
57. Public Parks and Playgrounds - Shall mean a tract of land which is owned by the public and which has been partially or totally developed or designated for recreational purposes.
58. Required Yard - The yard resulting from the application of the minimum setback requirements within the zone.
59. Residential Accessory Structure - A building or other structure which is incidental to and which is constructed on the same zoning lot as the dwelling for the exclusive use of the residents of such dwelling, including, but not limited to, a detached garage or carport for not more than three automobiles, swimming pools, pergolas, tennis courts, and private green houses.
60. Rest Home - A dwelling for the care and keeping of elderly or infirm people affected with infirmities or chronic illness. To qualify said dwelling unit must be approved to operate by the State Division of Social Services or other state agency.
61. Salvage Yard - See Junk Yard.
62. Setback - The shortest distance between the lot line and the outside surface of the foundation, wall, or main frame of the building.
63. Sign - Any device designed and intended to bring the subject thereof to the attention of the public, provided, however, that the following shall not be included in the application of the regulations herein:
- a. Flags or insignia of any government except when displayed in connection with a commercial promotion.
 - b. Legal notices, curb (i.e., stop signs), and signs used for regulator, identification informational purposes erected by a governmental body.
 - c. Signs directing and guiding traffic and parking on private property but bearing no advertising matter.

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- d. Sign, Accessory - A sign that directs attention to a business or profession conducted on the premises.
 - e. Sign, Area of - That area enclosed by one continuous line connecting the extreme points or edges of a sign, excluding the main supporting sign structure and all other ornamental attachments not part of the main support. Where the sign consists of open letters or symbols, the area shall be considered to be that of the smallest parallelogram or triangle which encompasses all the letters or symbols. The area shall be determined using the largest silhouette useable at any one time. Free-standing or projecting signs having parallel planes not more than twenty-four (24) inches apart shall be considered as a single sign both as to number and area.
 - f. Sign, Non-Accessory - Billboard - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold or offered elsewhere than on the premises, and only incidentally on the premises, if at all.
 - g. Sign, Free-Standing - A sign which is not attached to or part of a building.
 - h. Sign, Facia - A sign attached to or erected against a wall or building with the face parallel to the building wall.
 - i. Sign, Moveable - A sign not permanently attached to the ground or building.
 - j. Sign, Projecting - A sign attached to a building or other structure and extending in whole or in part more than 15 inches away from the wall of the building or structure.
64. Slope - The average grade of the surface of land expressed either in percentage or in degrees.
 65. Special Exception - See Conditional Use.
 66. Story - That portion of a building included between the surface of a floor and the ceiling next above it.
 67. Street, Major - A road that has been designated on the City's Master Plan as a collector, arterial, or other principal thoroughfare as distinguished from a minor street.
 68. Street, Minor - Any dedicated street serving as the principal means of access to property, which street is not shown on the major street plan as a principal thoroughfare.
 69. Street, Public - A roadway that has been designated as a federal or state highway or which has been designated as a City street.
 70. Subdivision - Subdivision means any land that is divided, re-subdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions.
 - a. Subdivision includes the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument.
 - b. Subdivision includes division of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
 71. Temporary Uses - Uses which are proposed to exist for a relatively short period of time.
 72. Tender - An offer or proposal made for acceptance.
 73. Unnecessary Hardship - A general restriction placed upon a lot with respect to setback or area where, by reason of exceptional narrowness, shallowness, shape or topography of such lot, a literal enforcement of the general restrictions would result in an unfairness to the owner compared to the owner of other lots in the same zone and which literal enforcement would be unnecessary in order to achieve the intent of the zone.
 74. Variance - A reduction of a frontage, setback, area, or improvement requirements to a level which is less than that which is specifically set forth in this ordinance.
 75. Yard - The open space area on a lot or parcel, except for permitted protections and landscaping; encompassing the territory between the outer wall of the building and the closest opposite property line and extending the full width or depth, as appropriate, of the lot or parcel.
 76. Recreation Vehicle Court - A vehicle used or maintained primarily as a temporary dwelling for travel, vacation, or recreation purposes; having a width of not more than eight (8) feet and a length of not more than forty (40) feet, and which can be driven or pulled upon the highways without a special permit.
 77. Recreation Vehicle Court - An area or tract of land used to accommodate two or more vacation vehicles or camper units for a short period of time (less than 30 days).

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