

**BLUFFDALE CITY
ORDINANCE 2021-06**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUFFDALE,
UTAH, AMENDING BLUFFDALE CITY CODE SECTIONS 11.20.020, 11.90.020,
11.120, AND 11.150, WHICH RELATES TO THE CITY'S DESIGN STANDARDS.**

WHEREAS, Utah Code § 10-9a-102 grants the Bluffdale City (the “City”) authority to enact ordinances that the Bluffdale City Council (the “City Council”) considers necessary or appropriate for the use and development of land within the City; and

WHEREAS, the subject text amendment relates the to City's design standards; and

WHEREAS, the Planning Commission and City Council has held a public hearing and reviewed the subject text amendment; and

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety, and welfare.

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

SECTION 1: **AMENDMENT** “11.20.020 General Definitions” of the Bluffdale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.20.020 General Definitions

The following definitions are specific to this title. If there is occasion to need interpretation of any word or phrase not listed below, the Zoning Administrator shall provide the interpretation.

ACCESSORY BUILDING OR STRUCTURE: A subordinate and secondary building or structure to the primary building/structure/use on the site.

ACCESSORY OUTSIDE STORAGE: Temporary storage of equipment, supplies, and materials to support the approved use on the property. Does not include items such as inoperable vehicles, equipment or other not maintained items.

ADMINISTRATIVE DECISION: A land use decision based on the existing City ordinances. Such decisions by the Land Use Authority are an administrative act, even if the Land Use Authority is the legislative body.

AGRICULTURAL PRODUCTS: Includes floricultural, horticultural, viticulture, forestry, nut, dairy, livestock, poultry and any farm products which are produced on the same property at which they are sold.

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. Fur farms;
- E. Boarding of animals.

AGRICULTURE: Use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as meat, fruit, or other food packing and/or processing plants, fur farms, livestock feeding operations, or animal hospitals.

APARTMENT HOUSE: See definition of dwelling, multi-family.

APPEAL AUTHORITY: The person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.

ASSISTED LIVING FACILITY:

- A. A residential facility, licensed by the State of Utah, with a homelike setting that provides an array of coordinated supportive personal and healthcare services, available twenty four (24) hours per day, to residents who have been assessed under Utah Department of Health or the Utah Department of Human Services rules to need any of these services and who have a service plan based on the assessment, which may include:
 - 1. Specified services of intermittent nursing care;
 - 2. Administration of medication; and
 - 3. Support services promoting resident's independence and self-sufficiency.
- B. An assisted living facility does not include a residential facility for persons with a disability or an adult daycare provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

AUTOMOBILE AND RECREATIONAL VEHICLE SALES: An establishment engaged in the retail sale or wholesale from the premises of motorized vehicles, along with incidental service or maintenance. Typical uses include new and used automobile and truck sales, boat sales, recreational vehicle sales, and motorcycle sales.

AUTOMOTIVE SERVICE: An establishment providing motor vehicle repair or maintenance services within completely enclosed buildings, including paint and body shops or other general vehicle repair services which have associated storage, overnight or otherwise, of vehicles, equipment, supplies, parts, or inventory in an enclosed area outside of the building.

BANK OR FINANCIAL INSTITUTION: An organization involved in deposit banking, finance, investment, mortgages, trusts, and the like, but excluding uses specifically classified in another definition herein. Typical uses include commercial banks, credit unions, finance or mortgage companies, and savings institutions.

BAR: An establishment which allows for the storage, sale, service and on-premises consumption of alcoholic beverages where on-premises prepared food is available for the customer the entire time the bar is open.

BEE COLONY: A group of bees made up of a queen, drones, and workers.

BRICK: A solid masonry unit of clay or shale, formed into a rectangular prism while plastic and burned or fired in a kiln.

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.

BUILD-TO LINE: The minimum distance a primary structure must be constructed from a property line measured to the foundation wall of the structure.

BUILDING: Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

BUILDING, ACCESSORY: A subordinate building, the use of which is incidental to that of the main building.

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.

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 ten feet (10') of a main building, shall be considered as a part of the main building.

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.

BUSINESS SERVICES: An establishment completely operating within a building, providing other businesses with various services including maintenance, repair and service, testing, rental, etc.; also includes business equipment repair services (except vehicle repair), computer related services (rental, repair), equipment rental businesses within buildings, film processing and photo finishing, janitorial and window cleaning services, mailbox services and similar uses.

CAR WASH: An establishment primarily engaged in cleaning or detailing motor vehicles, including cars, passenger trucks, recreational vehicles, whether self-service, automatic or by hand. This definition applies only to car washes that are the primary use of land. A car wash associated with a gas station is not included in this definition.

CARETAKER: A person who is employed to look after or take charge of goods, property or a person; a custodian.

CARETAKER'S DWELLING UNIT: A dwelling which is incidental to a primary use and located on the same site as the principal use that is occupied by an individual or family which is employed at the site in the capacity of a caretaker or watchman.

CARPOR: A structure not completely enclosed by walls for the shelter of automobiles.

CEMETERY GROUNDS AND FACILITIES: Land used or intended to be used for the burial of the dead, whether human or animal, and ancillary uses such as administration and maintenance buildings, funeral homes, mortuaries, crematoriums, mausoleums, and chapels.

COMMERCIAL VEHICLE AND EQUIPMENT RENTAL OR SALE: An establishment engaged in the retail sale, wholesale, or rental from the premises of motorized commercial vehicles, trailers, and equipment, along with incidental service or maintenance. Typical uses include new or used commercial vehicle and truck sales, moving trailer and truck rental, construction equipment rental yards and farm equipment and machinery sales and rental.

COMMON AREA: An area designated to serve two (2) or more dwelling units in separate ownership with convenient access to the area.

COMMUNITY BUILDING: A building in which members of the community can meet for social, cultural, or recreational activities.

COMPLETE APPLICATION: A land use application is considered submitted and complete when the applicant provides the application in a form that complies with the requirements of applicable ordinances and pays all applicable fees. An applicant who has submitted a complete land use application, including the payment of all application fees, is entitled to substantive review of the application under the land use regulations in effect on the date that the application is complete and applicable to the application or to the information shown on the application.

CONDITIONAL USES: A use which has been specifically permitted by the terms of this title and which requires special consideration by the Planning Commission before a permit therefor may be issued. Conditional use means a land use that, because of its unique characteristics or potential impact on the Municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

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.

CONDOMINIUM PROJECT: A plan or project whereby two (2) 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.

CONSTITUTIONAL TAKING: Final action(s) by the City to physically take or exact private real property that requires compensation to the owner because of the mandates of the Fifth or Fourteenth Amendment to the Constitution of the United States, or of article I, section 22, of the Utah Constitution.

CONSTRUCTION SALES AND SERVICE: An establishment engaged in the retail or wholesale sale of materials and services used in the construction of buildings or other structures, as well as the outdoor storage of construction equipment or materials on lots other than construction sites. Typical uses include lumberyards, lawn and garden supply stores, construction equipment sales and rental, electrical, plumbing, air conditioning and heating supply stores, swimming pool sales, landscaping and property maintenance contractors' offices and storage yards, construction and trade contractors' offices and storage yards and public utility corporation storage yards.

CONVENIENCE STORE/GAS STATION: An establishment, not exceeding five thousand (5,000) square feet of gross floor area, serving a limited market area and engaged in the retail sale or rental, from the premises, of food, beverages and other frequently or recurrently needed items for household use, which may include the sale of gasoline and petroleum products. Such establishment may also include automatic and self-serve car washes which are accessory to the primary use.

CONVENTION FACILITY: A building or group of buildings that include large meeting rooms, exhibit areas, or conference rooms designed for conventions, industrial shows, or similar events.

DATA CENTER: A facility used to house computer systems and associated components, such as telecommunications and storage systems.

DAYCARE CENTER: See definition of "preschool/daycare center".

DENSITY: The number of dwelling units per acre of land.

DEVELOPMENT ACTIVITY: Any construction or expansion of a building, structure, or use that creates additional demand and need for public facilities; any change in use of a building or structure that creates additional demand and need for public facilities; or any change in the use of land that creates additional demand and need for public facilities.

DEVELOPMENT AGREEMENT: A contract or agreement between an applicant or property owner and the City pursuant to the provisions in this Code and used as an implementation

document for developments.

DEVELOPMENT RIGHT: The right held by a fee simple property owner to build on a legally established parcel of real property. This right is limited by applicable zoning ordinances.

DISABLED OR HANDICAP PERSON: A person with a physical or mental impairment that substantially limits one or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment; a person with a "Disability" under Utah Code 57-21; a person with a "Disability" under 42 USC § 12102(1); and a person with a "Handicap" under 42 USC § 3602(h). A disabled or handicap person does not include a person engaged in the current illegal use of, or addiction to, any federally-controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 USC § 802.

DOCUMENTATION; DECLARATION: The legal instruments required under the provisions of this title and applicable State law for approval of large scale development.

DORMITORY: A dwelling that primarily provides sleeping and residential quarters to unrelated people.

DRIVE-THROUGH FACILITIES: Service of patrons in vehicles from a window adjacent to a drive aisle or lane.

DWELLING: A building having one or more dwelling units occupied as, or designed or intended for occupancy as, a residence by one or more families, but not including hotels, motels, boarding houses or other facilities offering transient lodging facilities.

DWELLING, CONVENTIONAL CONSTRUCTION: A dwelling that is constructed in compliance with the provisions of the building, mechanical, electrical, plumbing and other applicable construction codes, standards, rules and regulations as adopted by the City.

DWELLING, MULTI-FAMILY: A dwelling containing three (3) or more dwelling units.

DWELLING, SINGLE-FAMILY: A dwelling containing only one dwelling unit.

DWELLING, TWO-FAMILY: A dwelling containing only two (2) dwelling units.

DWELLING UNIT: One or more rooms in a dwelling designed for or occupied as separate living quarters which provide sleeping and sanitary facilities and which include one kitchen, where all rooms are for exclusive use by a single family maintaining a household in the dwelling unit.

DWELLING UNIT, ACCESSORY: A second dwelling unit within a single-family dwelling which is accessory to the single-family dwelling.

EQUESTRIAN FACILITY: A commercial horse facility that may include indoor or outdoor riding arenas, pens, barns, or stables for the purpose of providing boarding, riding lessons,

shows, and training to the public. Equine veterinary services may be provided as part of an equestrian facility. This term does not apply to private residential horse facilities.

FAMILY:

- A. One person living alone;
- B. Two (2) or more persons related by blood, marriage, adoption, or factual and functional equivalent living together in a single dwelling unit and maintaining a common household; or
- C. Not more than four (4) unrelated persons residing together as a single, nonprofit housekeeping unit.

FENCE, LIGHT PROOF: A fence that does not allow light to penetrate through the materials utilized in the construction of the fence.

FENCE, SIGHT OBSCURING: A fence having a height of at least six feet (6') above grade which permits vision through not more than ten percent (10%) of each square foot more than ~~four~~ ~~eight~~ inches (48") above ground.

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.

FISH HATCHERY: An establishment or premises used for the cultivation of fish or other aquatic or marine life for commercial, recreational or educational purposes.

FLOOD CHANNEL: A natural or artificial watercourse with definite bed and banks to confine and conduct floodwater.

FLOOD, 100-YEAR: A flood, the magnitude of which will probably occur only once in one hundred (100) years.

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 centerline of walls separating buildings. The floor area does not include unoccupied features, such as pipe trenches, exterior trenches or steps, chimneys, roof overhangs, etc.

FORESTRY OPERATION: Any commercial activity relating to the growing or harvesting of any forest tree species.

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.

FRATERNITY OR SORORITY HOUSE: A dwelling in which the members of a fraternity or sorority reside.

FRONTAGE: The length of the sides along the street or any other principal public thoroughfare, but not including such length along an alley, watercourse, railroad, street or thoroughfare with no permitted access.

FUNERAL HOME: An establishment engaged in preparation of funeral services. Uses may include the preparation of the deceased for burial, for the display of the deceased and/or for ceremonies or services related thereto. A funeral home may include facilities for embalming and cremation. It may also include facilities for the storage of caskets, funeral supplies, and funeral vehicles. A funeral home may also be known as a funeral parlor or a mortuary.

GARAGE, DETACHED: A building which is intended for the storage of personal property. Occupiable space, as defined by the International Building Code, as adopted, is only allowed for uses such as a home theater, trophy room, den, recreation room, and other similar uses for the use of the residents of the main dwelling. This would also allow for the use of such space as a home occupation business office.

GENERAL PLAN (MASTER PLAN): A document that the City adopts that sets forth general guidelines for proposed future development of the land within the City.

GRADE OF BUILDING:

- A. For buildings fronting one street only, the elevation of the sidewalk or centerline 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 centerline of surrounding streets, whichever is higher.

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.

GROUP LIVING ARRANGEMENTS (GLAs): A group living or congregate living arrangement where groups of more than four (4) unrelated persons live together in a single dwelling or housekeeping unit, including, but not limited to, assisted living unit, boarding house, lodging house, nursing home, senior housing, assisted living facility, nursing care facility, residential facility for the handicapped, dormitory, student housing, fraternity, club, institutional group, halfway house, convent, monastery, or other similar group living or congregate living arrangement of unrelated persons. A group living arrangement does not include clinics, medical or dental; hospital(s) or hospital/clinic.

GUEST: A person staying or receiving services for compensation at a hotel, motel, boarding house, rooming house or rest home, or similar use.

HEIGHT OF BUILDING: The weighted average vertical distance from the grade to the top of the outside walls of the building.

HOME OCCUPATION: Any occupation conducted within a dwelling and carried on by persons residing in the dwelling.

HOSPITAL: A facility primarily engaged in providing diagnostic services and extensive

medical treatment including surgical and other hospital services. Such establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete or specialized healthcare. May include accessory retail uses and helipads.

HOTEL: An establishment with or without fixed cooking facilities in individual rooms offering transient lodging accommodations to the public, and which may provide additional services such as restaurants and meeting rooms.

HOTEL SUBLICENSE PREMISES: An area, enclosure, or room located within a hotel for the storage, sale, furnishing, and onpremises consumption of alcoholic beverages which has been licensed by the Utah Alcoholic Beverage Control Commission.

HOUSEHOLD PETS: Cats and dogs and other domestic animals ordinarily permitted in the house and kept for company or pleasure and not for profit. "Household pets" shall not include chickens, ducks, geese or other domestic farm variety animals, nor any animals which are capable of inflicting harm or discomfort or endangering the health, safety or welfare of any person or property.

IDENTICAL PLANS: Building plans submitted to the City that: are clearly marked as "identical plans"; are substantially identical to building plans that were previously submitted to and reviewed and approved by the City; and describe a building that:

- A. Is located on land zoned the same as the land on which the building described in the previously approved plans is located;
- B. Is subject to the same geological and meteorological conditions and the same law as the building described in the previously approved plans;
- C. Has a floor plan identical to the building plan previously submitted to and reviewed and approved by the City; and
- D. Does not require any additional engineering or analysis.

IMPACT FEE: A payment of money imposed under Utah Code 11-36a, Impact Fees Act.

IMPROVEMENT COMPLETION ASSURANCE: A cash escrow bond or other equivalent security, acceptable to and required by the City, to guarantee the proper completion of landscaping or an infrastructure improvement required as a condition precedent to:

- A. Recording a subdivision plat; or
- B. Development of a commercial, industrial, mixed use, or multifamily project.

IMPROVEMENT WARRANTY: An applicant's unconditional warranty that the applicant's installed and accepted landscaping or infrastructure improvement:

- A. Complies with the City's written standards for design, materials, and workmanship; and
- B. Will not fail in any material respect, as a result of poor workmanship or materials, within the improvement warranty period.

IMPROVEMENT WARRANTY PERIOD: A period:

- A. No later than one year after the City's acceptance of required landscaping; or
- B. No later than one year after the City's acceptance of required infrastructure, unless the Municipality:
 - 1. Determines for good cause that a one-year period would be inadequate to protect the public health, safety, and welfare; and
 - 2. Has substantial evidence, on record of prior poor performance by the applicant; or that the area upon which the infrastructure will be constructed contains suspect soil and the City has not otherwise required the applicant to mitigate the suspect soil.

INFORMATION BROCHURE: A written statement setting forth the organizational structure of a homeowners' association, and the rights and obligations of the developers, homeowners' association, lot owners and the City.

INFRASTRUCTURE IMPROVEMENT: Permanent infrastructure that an applicant must install:

- A. Pursuant to published installation and inspection specifications for public improvements; and
- B. As a condition of:
 - 1. Recording a subdivision plat; or
 - 2. Development of a commercial, industrial, mixed use, condominium, or multifamily project.

INTERNAL LOT RESTRICTION: A platted note, platted demarcation, or platted designation that: runs with the land; and creates a restriction that is enclosed within the perimeter of a lot described on the plat; or designates a development condition that is enclosed within the perimeter of a lot described on the plat.

JUNKYARD; SALVAGE YARD: A place where scrap, waste and discarded salvaged materials are bought, sold, exchanged, baled, packed, disassembled, or handled or stored, including auto wrecking yards, used lumberyards 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.

KENNEL: A commercial establishment having three (3) or more dogs or cats for the purpose of boarding, breeding, buying, grooming, letting for hire, training for fee or selling.

LAND USE APPLICANT: A property owner, or the property owner's designee, who submits a land use application regarding the property owner's land.

LAND USE APPLICATION: An application that is required by the City and is submitted by a land use applicant to obtain a land use decision and does not mean an application to enact, amend, or repeal a land use regulation.

LAND USE AUTHORITY:

- A. A person, board, commission, agency, or body, including the local legislative body, designated by the City Council, to act upon a land use application; or
- B. If the City Council has not designated a person, board, commission, agency, or body, the City Council acts as the Land Use Authority by default.

LAND USE DECISION: An administrative decision of a Land Use Authority or Appeal Authority regarding: a land use permit; a land use application; or the enforcement of a land use regulation, land use permit, or development agreement.

LAND USE PERMIT: A permit issued by a Land Use Authority.

LAND USE PLAN: A plan adopted and maintained by the Planning Commission, which shows how the land should be used; an element of the General Plan.

LAND USE REGULATION: A legislative decision enacted by ordinance, law, code, map, resolution, specification, fee, or rule that governs the use or development of land; includes the adoption or amendment of a zoning map or the text of the Zoning Code; and does not include: a land use decision of the legislative body acting as the Land Use Authority, even if the decision is expressed in a resolution or ordinance; or a temporary revision to an engineering specification that does not materially: increase a land use applicant's cost of development compared to the existing specification; or impact a land use applicant's use of land.

LANDSCAPING: The use and integration of a combination of planted trees, shrubs, vines, ground cover, lawns, rocks, foundations, pools, artworks, screens, walls, fences, benches or surfaced walkways set into an aesthetically pleasing arrangement. However, the use of structures or surfaced walkways alone, in the absence of planted trees, lawns, etc., shall not meet the requirements of this title.

LARGE ANIMALS: Cows, horses, sheep, goats, pigs or hogs, and other similar animals for agricultural or domesticated purposes.

LAUNDRY SERVICES: An establishment providing household laundry and dry cleaning services with customer drop off and pick up where laundering or cleaning is done on the site. This use also includes an establishment providing home type washing, drying, and/or ironing machines for hire or rent to be used by customers on the premises, such as a laundromat.

LEGISLATIVE BODY: The Bluffdale City Council.

LIBRARY: A building or room containing collections of books, periodicals, films, music, and other media made available for public use.

LIQUOR STORE: A retail outlet for the sale of packaged liquor located on premises owned or leased by the State of Utah.

LOAN CENTER: An establishment involved in providing of loans or consideration to customers in exchange for personal property, such as property titles or personal checks. Such services shall include check cashing businesses licensed and/or defined by the State pursuant to the Check Cashing Registration Act, car title loan businesses, deferred deposit loan businesses, and businesses of a similar nature offering such services as a primary function. One such establishment shall be allowed for every twenty thousand (20,000) residents living in the City of Bluffdale. This term shall not include fully automated stand alone services, such as automated teller machines, nor those uses defined herein as "bank or financial institution".

LODGING HOUSE: A building containing sleeping rooms that are rented to guests on a daily or weekly or monthly basis.

LOT AREA: The total land area of a lot or parcel measured on a horizontal plane, reduced by the area of any of the following:

- A. Public or private street rights-of-way or the right-of-way width of any shared driveway, except for an approved lot of record which meets City requirements for that determination.

LOT, CORNER: A lot abutting on two (2) intersecting or intercepting streets where the interior angle of intersection or interception does not exceed one hundred thirty five degrees (135°).

LOT, INTERIOR: A lot other than a corner lot.

LOT LINE: A line of record bounding a lot or parcel that divides one lot or parcel from another or from a street.

LOT LINE ADJUSTMENT: The relocation of the property boundary line in a subdivision between two (2) adjoining lots with the consent of the owners of record.

LOT LINE, FRONT: A lot line separating a lot or parcel from an existing street right-of-way or, where a new street or street widening is proposed, the proposed street right-of-way line as shown on the master traffic and transportation plan. For an interior lot, the lot line adjoining the street; for a corner lot, the lot line adjoining the street the direction to which the dwelling is facing; for a double frontage lot, a lot line adjoining one of the streets as elected by the City; for a lot accessed from a private right-of-way or access easement, the easement or right-of-way line. Lot lines which have been recorded as internal lot restrictions on recorded plats in accordance with adopted development agreements, special districts, Clustered Residential Overlays, planned residential developments, or clustered residential developments shall remain in effect.

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 gore 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 feet (10').

LOT LINE, SIDE: Any lot boundary line not a front lot line or a rear lot line.

LOT, ZONING: A parcel of land which:

- A. Complies with all existing area, frontage, width, setback and supplementary requirements of the zone in which it is located.
- B. Has frontage on a City street, which street: 1) has been accepted by the City Council and has been improved in accordance with City standards and is in use by the public; or 2) has frontage on a private right-of-way within an approved large-scale development.
- C. 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.

MANUFACTURED HOME: A transportable factory built housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections that: a) in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is four hundred (400) or more square feet; and b) is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems.

MANUFACTURING, GENERAL: An establishment engaged in the manufacture of finished products or parts, predominantly from previously prepared materials, including processing, fabrication, assembly, treatment and packaging, and incidental storage, sales and/or distribution of such products, but excluding basic industrial processing and manufacturing activities.

MANUFACTURING, LIMITED: An establishment engaged in the limited processing, fabrication, assembly and/or packaging of products utilizing processes that:

- A. Have no noise, odor, vibration, or other impacts discernible outside a building; and
- B. Do not violate any applicable noise ordinance.

MASTER PLAN: See definition of General Plan (Master Plan).

MEDICAL SERVICE/URGENT CARE CLINIC: An establishment providing therapeutic, preventive, urgent care, or corrective personal treatment services on an outpatient basis by physicians, dentists, and other practitioners of the medical or healing arts, as well as the provision of medical testing and analysis services.

MILL (STEEL AND WOOD, EXCEPT BURNING): A facility used to grind, work, treat, or shape wood or steel into a manufactured product.

MINES, QUARRIES AND GRAVEL PITS: An operation centered around the removal of sand, gravel, dirt, or other materials by grading or excavating.

MITIGATE: To reduce or lessen the impacts. Mitigate does not mean eliminate.

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 adopted Building, Mechanical, Electrical and Plumbing Codes.

MOBILE HOME PARK: An area or tract of land used to accommodate two (2) or more mobile homes.

MOVIE THEATER: A facility which includes one or more theaters for the presentation of motion pictures. May also include accessory retail uses and concessions.

MUNICIPAL OFFICES: A room or building where official functions of the City of Bluffdale or any City department are performed, but not including maintenance or storage facilities or yards.

MUSEUM: A building or room in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited.

NONCOMPLYING STRUCTURE: A structure that legally existed before its current land use designation; and because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land.

NONCONFORMING USE: A use of land that legally existed before its current land use designation; has been maintained continuously since the time the land use ordinance governing the land changed; and because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

NURSERY: An establishment for the retail or wholesale sale of plants, flowers, trees, shrubs, garden plants, bushes, landscaping materials, or similar plantings including materials, tools, implements, equipment, and packaged substances for the maintenance and care of such plantings intended for ornamental, garden, or landscaping purposes. Typical uses include greenhouses, garden centers not in conjunction with another use, permanent tree lots, and garden supply stores. Typical uses do not include sod farms or storage sites for landscaping materials.

NURSING HOME: An intermediate care/nursing facility or a skilled nursing facility for the care of adults who due to advance age, disability, or impairment require assistance and/or supervision by staff. Such facility does not include adult daycare provided in conjunction with a residential facility for elderly persons or a residential facility for persons with a disability.

OFF SITE: Of or pertaining to the territory outside of the boundaries of a particular project.

OFFICE, GENERAL: A building, room or department where executive, management, administrative or professional services are provided, except medical services, and excluding the sale of merchandise, except as incidental to a principal use. Typical uses include real estate brokers, insurance agencies, credit reporting agencies, property management firms, investment firms, employment agencies, travel agencies, advertising agencies, secretarial services, data processing, call centers; Post Offices and express mail offices as an accessory or complementary use to a professional and business office development, but excluding major mail processing and distribution; offices for utility bill collection; professional or consulting services in the fields of law, architecture, design, engineering, accounting and similar professions; interior decorating consulting services; and business offices of private companies, utility companies, public agencies, trade associations, unions and nonprofit organizations.

ON SITE: Of or pertaining to the territory within the boundaries of a particular project.

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.

OPEN SPACE EASEMENT: The right or privilege to preserve a specific parcel of land in open space.

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.

OPEN STORAGE: The storage of materials and goods not within an enclosed structure for more than seventy two (72) hours. This includes the storage of inoperable vehicles for automobile-related primary uses.

PARK STRIP: A landscaped area within a public right-of-way, located between the back of the street curb and the sidewalk or in the absence of the sidewalk, the right-of-way line.

PARKING SPACE: A space, not less than eighteen feet (18') in length and not less than eight and five-tenths feet (8.5') in width for the parking of a mobile vehicle, exclusive of driveways and ramps.

PARKS: A playground or other area or open space providing opportunities for active or passive recreational or leisure activities.

PAWNSHOP: An establishment that buys and sells new or used merchandise, and offers loans in exchange for personal property. This differs from consignment or thrift shops, which do not offer loans in exchange for personal property.

PERMITTED USE: A use of land, building or structure that is allowed within a zone under the terms of this title.

PERSON: An individual, corporation, partnership, association, trustee or other legal entity.

PERSONAL INSTRUCTION SERVICE: An establishment primarily engaged in the provision of informational, instructional, personal improvement and similar services of a nonprofessional nature. Typical uses include art and music schools, driving and computer instruction, gymnastic and dance studios, handicraft or hobby instruction, health and fitness studios, massage therapist instruction, martial arts training, and swimming clubs.

PERSONAL SERVICE ESTABLISHMENT: An establishment providing nonmedical services to individuals as a primary use. Examples of these uses include barbershops, beauty salons, day/health spa, hair salons, nail salons, shoe repair shops, tanning salons, tailors and similar businesses not including tattoo establishments.

PLANNED UNIT DEVELOPMENT: A tract of land that is planned and developed as a single entity and wherein part of the land facilities are held in common.

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.

PORTABLE BUILDING: Any small, compact structure mounted on skids or otherwise constructed so that it can be readily moved from one location to another without change in structure or design. Portable buildings shall have no connected utilities with the exception of power that can be readily disconnected.

PORTABLE HOME: A mobile dwelling unit which is less than four hundred (400) square feet, but not less than two hundred (200) square feet, in floor area and is permanently attached to a towable trailer.

PREMISES: A zoning lot, together with buildings and structures located thereon.

PRESCHOOL/DAYCARE CENTER: An establishment, other than an occupied dwelling, operated by a person or organization qualified by the State, which provides daycare, protection or supervision and/or preschool instruction.

PRIMARY: The main use or structure on a parcel. Accessory uses are not to be defined as primary uses.

PRINTING SHOPS: The production of books, magazines, newspapers and other printed matter, as well as publishing, engraving and photoengraving.

PRIVATE HOBBY GARAGE DEVELOPMENT: A development consisting of individual condominiumized personal hobby garage units for non-retail use. Each development must contain no more than sixty (60) hobby garage units and each unit must be a minimum of one thousand (1,000) square feet and cannot be subdivided into smaller units. Subject to additional supplementary zoning standards in section 11-16-27 of this title.

PROPERTY LINE (Also Referred To As LOT LINE): A line of record bounding a lot or parcel that divides one lot or parcel from another or from a street, private right-of-way, or shared driveway.

PUBLIC HEARING: A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

PUBLIC MEETING: A meeting that is required to be open to the public, and may or may not include public input, under Utah Code 52-4, Open and Public Meetings Act.

PUBLIC USES: A facility or use, exclusive of public utility facilities, owned or operated exclusively by a public entity, having the purpose of serving the public health, safety or general welfare. Public uses include such uses and facilities as libraries, community buildings, schools, fire stations, police stations, etc.

PYGMY GOATS: Pygmy goats include dwarf and pygmy breed goats as well as miniature goats (a standard goat bred to a dwarf or pygmy goat).

RECEPTION CENTER: A facility rented for private social gatherings.

RECREATION AND ENTERTAINMENT (INDOOR): A commercial recreational land use conducted entirely within a building, including arcade, arena, athletic and health clubs, bowling alley, community center, gymnasium, pool or billiard hall, skating rink, swimming pool, tennis court or similar indoor facility. Related indoor uses may include a retail area for the sale or rental of equipment and a snack bar.

RECREATION AND ENTERTAINMENT (OUTDOOR): An area or facility that offers entertainment or recreation outside. This use may include, but not be limited to, a golf driving range, baseball batting cages, riding arenas, tennis facilities, water sports facilities, cycling facilities, and miniature golf, and may include, as accessory uses, associated eating and drinking areas, retail sales areas and staff offices.

RECREATION VEHICLE: A vehicle used or maintained primarily as a temporary dwelling for travel, vacation or recreation purposes; having a width of not more than eight feet (8') and a length of not more than forty feet (40'), and which can be driven or pulled upon the highway without a special permit.

RECREATION VEHICLE COURT: An area or tract of land used to accommodate two (2) or more vacation vehicles or camper units for a short period of time (less than 30 days).

REPAIR SERVICE: An establishment primarily engaged in providing repair services to individuals and households rather than firms, but excluding automotive, vehicular and

equipment services uses. Typical uses include appliance repair shops, computer and other electronic equipment repair, furniture repair and upholstery shops, watch or jewelry repair shops, and musical instrument repair shops.

REQUIRED YARD: The yard resulting from the application of the minimum setback requirements within the zone.

RESEARCH AND DEVELOPMENT LABORATORIES: An establishment engaged in industrial, medical, or scientific inquiries.

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, pergolas, tennis courts and private greenhouses.

RESIDENTIAL FACILITY FOR THE HANDICAPPED: Any facility that provides, or seeks to provide, housing or treatment to five (5) or more persons with a handicap.

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.

RESTAURANT: A facility where food and drink is prepared and served to the public for on site consumption (dine in), takeout, or delivery service. A restaurant may include a drive-through.

RETAIL, GENERAL: An establishment that rents or sells goods to the public but excluding uses specifically classified in another definition herein. Typical uses include apparel stores, antique shops, art and hobby supply stores, bicycle shops, bookstores, clothing rental stores, department stores, discount stores, drugstores, electronic appliance stores, florists, food stores, furniture and appliance stores, gift and novelty shops, glass and mirror shops, hardware stores, home improvement centers, jewelry stores, medical supply stores, music stores, optical retail sales, paint stores, pet stores, photocopying and blueprinting shops, photography supply stores, record, tape and video stores, sporting goods stores, toy stores and variety stores.

RETIREMENT CENTER: See definition of "nursing home".

SALVAGE YARD: See definition of junkyard; salvage yard.

SCHOOL: A building or group of buildings housing a public or private school serving at least two (2) of any of the grades K through 12, and does not exclusively include any privately owned or run preschool for children, but which may include a preschool as an accessory or secondary use to the school.

SETBACK: The shortest distance between the lot line and the outside surface of the foundation, wall or main frame of the building.

SEXUALLY ORIENTED BUSINESSES: See title 3, chapter 5, "Sexually Oriented Businesses", of this Code.

SIGNS: See Chapter 11.220 for additional definitions pertaining to signs and sign permit administration.

SIGN, ELECTRONIC DISPLAY (EDS): Any non-appurtenant advertising structure, or portion thereof, that displays electronic images, graphics or pictures, with or without textual information. Such a non-appurtenant advertising structure has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. Electronic display signs include computer programmable, microprocessor controlled electronic or digital displays.

SIGN, NON-APPURTENANT: 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.

SIGN, NON-APPURTENANT ADVERTISING STRUCTURE (BILLBOARD): A non-appurtenant sign, commonly referred to as a billboard, that is mounted or otherwise affixed to a pylon or other support structure.

SIGN, NONACCESSORY; 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.

SIGN, NONCONFORMING: Any sign or non-appurtenant advertising structure which was lawfully erected and maintained prior to such time as it came within the purview of this chapter, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of this chapter.

SLOPE: The average grade of the surface of land expressed either in percentage or in degrees.

SNOW SHACK/SHAVE ICE STAND: A seasonal business selling ice-based desserts which may operate between May 1 and September 30 and shall follow all standards and regulations as set forth by the Salt Lake County Health Department.

STORAGE FACILITY: A building which is intended for the storage of personal property as an accessory use to a permitted use. Occupiable space, as defined by the International Building Code, as adopted, is only allowed for uses such as a home theater, trophy room, den, recreation room, and other similar uses for the use of the residents of the main dwelling. This would also allow for the use of such space as a home occupation business office.

STORAGE UNITS: A storage facility of a commercial nature containing independent, fully enclosed bays which are leased to persons exclusively for storage of their household goods or personal property. Where permitted, may include a caretaker dwelling no larger than one thousand (1,000) square feet.

STORY: That portion of a building included between the surface of a floor and the ceiling next above it.

STREET: A public or private right-of-way, including avenues, highways, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements, shared private driveways and other ways, that provides access to adjoining property.

STREET, MAJOR: A road that has been designated on the City master plan as a collector, arterial or other principal thoroughfare as distinguished from a minor street.

STREET, MINOR: Any dedicated street serving as the principal means of access to property, which street is shown on the major street plan as a principal thoroughfare.

STREET, PRIVATE: A right-of-way or shared private driveway which has been reserved by dedication unto the subdivider, lot owners, or homeowners' association to be used as a private access to serve property and complying with the adopted street, private right-of-way, or private shared driveway cross section standards of the City. All private streets shall be approved by the City and maintained by the subdivider or other private entity.

STREET, PUBLIC: A roadway that has been designated as a Federal or State highway, or which has been designated as a City street.

STRUCTURE: Anything constructed, the use of which requires a fixed location on or in the ground, or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground; definition includes "building".

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two (2) 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. "Subdivision" includes: the division or development of land whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument; and except as provided in Utah Code § 10-9A-103(57)(c), divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

"Subdivision" does not include: a bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance; a recorded agreement between owners of adjoining unsubdivided properties adjusting their mutual boundary if: no new lot is created; and the adjustment does not violate applicable land use ordinances; a recorded document, executed by the owner of record: revising the legal description of more than one

contiguous unsubdivided parcel of property into one legal description encompassing all such parcels of property; or joining a subdivided parcel of property to another parcel of property that has not been subdivided, if the joinder does not violate applicable land use ordinances; mutual boundary if: no new dwelling lot or housing unit will result from the adjustment; and the adjustment will not violate any applicable land use ordinance; a bona fide division or partition of land by deed or other instrument where the Land Use Authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels; or, a parcel boundary adjustment. The joining of a subdivided parcel of property to another parcel of property that has not been subdivided does not constitute a subdivision under Utah Code § 10-9A-103(57) as to the unsubdivided parcel of property or subject the unsubdivided parcel to the City's subdivision ordinance.

SUBSTANTIAL CONSTRUCTION OR DEVELOPMENT: All grading, excavation, construction, grubbing, mining, or other development activity which disturbs or changes the natural vegetation, grade, or any existing structure, or the act of adding an addition to an existing structure, or the erection of a new principal or accessory structure on a lot or property.

SWIMMING POOL: A portable or permanent structure above or below grade, designed to hold water eighteen inches (18") deep or greater and/or one hundred (100) square feet or greater surface area and which will be designed or used for swimming, wading or immersion purposes by individuals, used or intended to be used solely by the owner, lessee or tenant thereof and his family and by friends invited to use it without payment of any fees, except for approved home occupation.

TATTOO ESTABLISHMENT: Any facility where tattooing is performed or any business engaged in tattooing, except for permanent cosmetics.

TEMPORARY DWELLING: A recreational vehicle or portable home that is mobile and non-permanent in nature which may be connected to utilities and temporarily occupied during the construction of a new detached single family home.

TEMPORARY USES: Uses which are proposed to exist for a relatively short period of time and are not permanent in nature.

TENDER: An offer or proposal made for acceptance.

TIME AND TEMPERATURE DEVICE: Any mechanism that displays the time and/or temperature, but does not display any commercial advertising or identification.

TOBACCO PRODUCT: Any cigar, cigarette, or electronic cigarette; chewing tobacco; any substitute for a tobacco product, including flavoring or additives to tobacco; and tobacco paraphernalia.

TOBACCO SPECIALTY BUSINESS: Pursuant to Utah Code § 10-8-41.6, a commercial establishment in which the sale of tobacco products accounts for more than thirty five percent (35%) of the total annual gross receipts for the establishment; food and beverage products, excluding gasoline sales, is less than forty five percent (45%) of the total annual gross receipts

for the establishment; and the establishment is not licensed as a pharmacy.

TRADE OR TECHNICAL SCHOOLS: An establishment, for profit or not, conducting a course of instruction, training, or retraining to prepare individuals to follow an occupation or trade offering regularly scheduled instruction in technical, commercial or trade skills, such as, but not limited to, business, real estate, building and construction trades, electronics, computer programming and technology, automotive and aircraft mechanics and technology, and similar types of instruction.

TRAILS: A designated path which may be paved or unpaved, intended to be used by a variety of users (excluding motorized vehicles) for transportation or recreational purposes.

UNNECESSARY HARDSHIP: A general restriction placed upon a lot with respect to setback or area where, by reason of an 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.

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 title.

VETERINARY SERVICE: An establishment providing medical care and treatment for animals, which may include accessory grooming or boarding services.

WHOLESALE AND WAREHOUSING: An establishment that is primarily engaged in the storage and sale of goods to customers or other businesses for resale, as well as activities involving significant movement and storage of products or equipment. Uses include major distribution centers, frozen food lockers, moving and storage firms, and warehousing facilities.

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.

ZONING DISTRICT: An area identified on the official zoning map to which a uniform set of regulations applies as set forth herein, which districts are co-terminus with, and which are designed to implement the City of Bluffdale General Plan.

ZONING MAP, OFFICIAL: The map adopted by the City Council depicting the geographic scope of the City's land use designations. (Ord. 2018-24, 9-26-2018)

SECTION 2: **AMENDMENT** “11.90.020.040 Lot Width” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.040 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 city council finds that the width is inefficient or undesirable, the city council may require that the massing, uses and other design characteristics be compatible with surrounding uses.~~ (Ord. 10-24-00-1, 10-24-2000)

SECTION 3: AMENDMENT “11.90.020.050 Lot Frontage” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.050 Lot Frontage

There shall be no minimum 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 city council finds that the frontage is inefficient or undesirable, the city council may require that the massing, uses and other design characteristics may be compatible with surrounding uses.~~ (Ord. 10-24-00-1, 10-24-2000)

SECTION 4: AMENDMENT “11.90.020.060 Setback And Build-To Requirements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.060 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.

- A. Front Setback: Each lot or parcel in the GC-1 zone shall have a minimum front setback of ten feet (10'), ~~and a minimum build-to line of fifty feet (50')~~.
- B. Side Setback; Corner Lot; Driveway Access; Accessory Buildings:
 1. 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 feet (20') unless approved in accordance with section 11-16-24 of this title.
 2. Each corner lot or parcel in the GC-1 Zone shall have a minimum setback on all areas of road frontage of twenty feet (20').

3. Each side setback, when used for access to a garage, carport or parking area shall have a minimum setback of twenty feet (20') and shall be hard surfaced.
 4. The side setback for any permitted accessory building shall have a minimum side setback of fifteen feet (15'). (Ord. 2014-04, 2-25-2014)
- C. Rear Setback; Accessory Buildings:
1. Each lot or parcel in the GC-1 Zone shall have a minimum rear setback of twenty feet (20') 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.
 2. An accessory building may be located within fifteen feet (15') of the rear property line. (Ord. 10-24-00-1, 10-24-2000)

SECTION 5: **AMENDMENT** “11.90.020.070 Projections Into Setbacks” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.070 Projections Into Setbacks

- A. Permitted: 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.
- B. Setback Areas: The following structures may be erected on or projected into any required front or rear setback not more than four feet (4'), and into a side setback not more than two feet (2'):
1. Cornices, eaves, sills, buttresses or other similar architectural features.
 2. Awnings, decks and planter boxes.
- C. No projections are allowed into a required land use buffer. (Ord. 10-24-00-1, 10-24-2000)

SECTION 6: **AMENDMENT** “11.90.020.080 Building Height Requirements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.080 Building Height Requirements

A primary building or structure may not exceed thirty five feet (35') in height, nor be lower than ten feet (10') in height, ~~unless reviewed and approved by the Fire Chief and the City Council.~~ (Ord. 10-24-00-1, 10-24-2000)

SECTION 7: AMENDMENT “11.90.020.120 Project Plan Approval” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.120 ~~Project~~Site Plan Approval Required

- A. Any request for ~~project site~~ 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 City General Plan.~~ Projects in the GC-1 Zone will be reviewed and approved in accordance with chapter 15 of this title: codes and adopted standards. (Ord. 10-24-00-1, 10-24-2000)

SECTION 8: AMENDMENT “11.90.020.130 Other Requirements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.90.020.130 Other Requirements

The following additional requirements ~~are in addition to the requirements found in this article, the general provisions or supplementary provisions of this title, or any other applicable resolution or ordinance~~ apply to development in the GC-1 zone:

~~Signs: Signs are allowed in the GC-1 Zone in accordance with chapter 22 of this title. (Ord. 10-24-00-1, 10-24-2000)~~

- A. Landscaping: Each lot or parcel shall be completely landscaped, except those areas used for buildings or parking. A minimum of twenty percent (20%) of the total area of the lot or parcel shall be landscaped. Individual lots or parcels located in a development consisting of a landscaped common area may contain less than twenty percent (20%) landscaping so long as twenty percent (20%) of the total developed project area is landscaped at any time during the phasing of development pursuant to an approved phasing plan. All landscaping shall comply with the landscaping and design requirements in section ~~11-15-511.150.050~~ of this title. (Ord. 2015-04, 4-22-2015)
- B. Trash, Junk And Other Debris: No trash, used materials, stored construction materials, excess inventory, 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.~~

- C. Design Guidelines for Community Gateways: In addition to the general design guidelines for all site plans and buildings found in Chapter 11.150 of the BCC, the following additional requirements apply to all GC-1 zoned properties located adjacent to 2700 West, 13900 S, 14000 South, and Redwood Road as follows:
1. Buildings fronting directly on 2700 West, 14000 South, and Redwood Road - including corner lots - shall not exceed 25 feet in height. Ornamental features, such as decorative roof elements, arches, or entry features may be allowed up to 30 feet in height in these areas.
 - a. Second stories may be allowed - up to the maximum height allowed in the zone - when the second story is developed into office space, general retail, or restaurant use as a full story.
 2. Buildings on parcels which do not have any frontage on 2700 West, 14000 South, and Redwood Road may utilize the full maximum height allowance in the GC-1 zone.
 3. The maximum building size for buildings directly fronting along 2700 West, 14000 South, and Redwood Road is 20,000 square feet, except that single user retail buildings, which are not subdivided into smaller condominium units or leasable spaces, such as stand-alone grocery stores, pharmacies, hardware stores, clothing stores, or substantially similar single user retail buildings, may be allowed up to 40,000 square feet.
 4. In addition to City design requirements for windows, transparency and glazing found in Chapter 11.150 of the BCC, primary building elevations along 2700 West, 14000 South, 13900 South, and Redwood Road shall have a minimum of forty percent (40%) transparency or window glazing within the first nine (9) feet of the structure; above that, the remaining facade area shall have a minimum of 15% windows or glazing. Other facades in the GC-1 zone shall have a minimum fifteen percent (15%) window requirement, which can include the use of clerestory windows where high ceilings exist. Mirrored glass shall not be allowed on the ground floor. Spandrel glass or faux windows may be utilized to meet this requirement where not feasible due to building structural design limitations to be transparent. Where spandrel glass or faux windows are not feasible due to architectural or structural limitations, an applicant may apply for a deviation from strict compliance pursuant to BCC 11.150.060(E).
 - a. Glass garage doors, including opaque glass, may be used to calculate and qualify for this requirement.
 - b. Where a facade is not visible from any public street or highway, based on a site specific visual analysis of before and post construction conditions, submitted by the applicant and reviewed by Staff, no minimum window percentage is required. However, provision of natural light into the building is strongly encouraged.
 5. The term brick, when used in this Title and Chapter, is as defined as brick in 11.20 of the BCC, which is a kiln-fired product. Brick shall not be painted.

6. Brick shall be utilized as a primary visible exterior material in building construction which fronts 2700 West and Redwood Road and the street sides of corner lots on 13900 South, 14000 South, and Porter Rockwell Boulevard. Brick or thin brick veneers applied may qualify, and shall be constructed with a minimum of fifty percent (50%) brick on each street facing façade in these areas, including canopy supports for gas station pump islands. Windows shall be excluded from the calculation of exterior building material requirements. Manufactured (not kiln-fired), Nichiha patterned brick composite material, or imprinted dry-vit, eifs, or similar stucco type, patterned or stenciled as brick do not meet the definition of brick.
7. Along 14000 South, on buildings which are not located on corner lots on 2700 West, and in other areas and facades within the GC-1 zone not specifically identified in this section, brick materials shall make up a minimum of 25% of each facade. Brick shall be utilized as wainscot, window lintels and sills, quoins, columns, decorative features, and/or emphasizing building entrances.
 - a. When utilized as an exterior material, concrete masonry units (CMU) must be colored and feature decorative or architectural finishes such as honed, scored, offset, split faced, or exposed aggregate. Gray CMU block is not an acceptable finished material and shall not be permitted on any finished building elevation with the exception of minimal foundation exposure. CMU shall not be painted.
 - b. When CMU is utilized as the primary exterior material, brick may be reduced to a secondary material required to be placed on 10% of the exterior surfaces of the facades.
 - c. Pre-engineered metal buildings shall meet all general design requirements found in section 11.150 of this Title along with all requirements of this section in the GC-1 zone.
 - d. Where a facade is not visible from any public street or highway, based on a site specific visual analysis of before and post construction conditions, submitted by the applicant and reviewed by Staff, no minimum brick percentage is required on that facade.
8. Additional secondary building materials may include: brick, stone, fiber/cement composite siding, architectural metal panels with reveals, CMU, exposed and patterned concrete, wood or similar material in composition and of a complementary hue and shade to the brick. A maximum of two (2) accent colors may be allowed for secondary materials. Stucco/EIFS/Dry-Vit type systems may be used to accent building design and for wall signage areas in a percentage not to exceed 10% of any one building façade.
9. Primary color tones shall be complimentary in hue and shade to the brick or CMU included in the primary or secondary façade material and shall generally be subtle, subdued, low reflectance, neutral, or earth tones. White is not allowed as a primary building color.
10. Brick, rock, CMU, and stone elements of a building shall not be painted to create compliance with the color palette of the site.

11. Four-sided architectural design is required. The design of a building shall be considered on all sides of the building with each facade being required to meet the terms of this section and Title.
12. Overhead and garage doors, truck bays, loading areas, and truck bays shall not face 2700 West, 13900 South, 14000 South, Redwood Road, Porter Rockwell Boulevard, or Bangerter Highway and shall have architectural treatment or painting which includes colors complimentary to the building design (not white) and which include glass and windows. Overhead and garage doors and truck bays shall be substantially screened from view from public streets and adjacent residential areas through the use of architectural concrete block walls, concrete panel walls, sight obscuring landscaped berms, and enhanced landscaping materials and plant types, such as clustered plantings, additional evergreen trees, and installation of materials of larger stature.
13. Architectural variations and relief in building walls and rooflines is required every 50 feet. Variations should imply an undulation in wall surface or additional architectural elements that break up the large surface into smaller sections.
14. Buildings shall have a pronounced relationship to the public street and any public spaces.
15. Building entrances shall orient toward the streets and shall be accessed from a public sidewalk. Where a public sidewalk is not adjacent, the site plan shall clearly delineate a safe pedestrian walkway from the closest public sidewalk to the building entrance. The entrance shall be designed to be clearly visible, and functional.
16. Building Placement: Building placement is integral to the site design and the overall effect any development has on surrounding properties. Building placement shall be carefully considered as part of the overall development review.
 - a. All buildings shall be located with the main facade facing the principal street to which it has frontage, except that tandem buildings with an internal street layout and parking may be constructed perpendicular to 2700 West. In this case, the building facade on 2700 West and the internal street shall be considered primary facades.
 - b. Buildings located on corner lots shall orient main facades to each street and give architectural treatment to each consistent with this Chapter.
 - c. Buildings located on corner lots should include a prominent architectural feature of greater height or emphasis at the corner where the two (2) public streets meet.
 - d. Buildings should be located as close to the front property line as possible considering site, use, parking, landscaping requirements, and other constraints or requirements.
 - e. Main entrances shall be oriented toward the street rather than parking where feasible.

17. The following are encouraged brick features for all commercial buildings identified in this section:
 - a. Decorative brick quoins
 - b. Brick columns
 - c. Brick accent walls or wainscot
 18. Design shall encourage comfortable and safe pedestrian use, including landscaping, seating areas, walkways, and lighting.
 19. Street trees with an emphasis on deciduous shade providing species, rather than ornamental, shall be placed in all parkstrips by developer in spacing recommended for the individual species. Where parkstrips do not exist, shade tree species shall be placed as close to the sidewalk as practicable to provide a street tree appearance.
 20. Lighting should be designed to minimize the number of poles used within the parking area with preferred methods being building mounted lights or bollard type lighting. Pedestrian pathways shall be illuminated using bollard lighting, when lit separately from other approved site or building lighting.
 21. Outdoor amenities are required for every development on a site with a combined building floor area totaling thirty thousand (30,000) square feet or greater. Outdoor amenities, which can be designed within required landscaping plans are designed for employees and customers. Amenities shall at least create outside seating areas, and may include plazas or other focal points that are inviting to site patrons. These amenities shall be located near focal points and areas where employees may congregate within the development where they will be convenient and comfortable for users.
 22. ~~The City Council may require 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.~~
- D. Large Buildings: 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 (2) prominently visible 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.~~
- E. Pollution: No dust, odor, smoke, vibration, intermittent light, glare or noise shall be emitted which is discernible beyond the premises, except for normal traffic movements. (Ord. 10-24-00-1, 10-24-2000)

SECTION 9: AMENDMENT “11.120.030 Parking Spaces Required” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.120.030 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.

TABLE A

Amusement centers, recreation centers, reception centers, health clubs and similar uses	1 parking space for every 200 square feet of floor space.
Automobile repair facilities	4 parking spaces per service bay or 1 parking space for each 800 feet of floor space, whichever is greater.
Bars, liquor stores or taverns	1 space for every 200 square feet of floor space.
Bed and breakfast, or inn	2 parking spaces for tenants and 1 space for each guestroom.
Business office	1 parking space for each 300 square feet of floor area.
Car wash	2 parking spaces, plus at least 3 stacking spaces per washing bay.
Churches	1 parking space for each 100 square feet of floor area.
Daycare center	1 parking space per 6 people based on the maximum allowable occupancy.
Gas stations/convenience stores	1 parking space for every 200 square feet of floor space. Pumping areas are not to be included in the parking calculation.
Government buildings	1 parking space for every 400 square feet of floor space.
Grocery stores, drugstores, convenience stores	1 parking space per 200 square feet of floor space.
Hospitals	1 parking space for each 400 square feet of floor space.
Hotel/motel	2 parking spaces, plus 1 parking space for each sleeping unit. If the hotel/motel has conference rooms, the City may require additional off street parking.
Industrial manufacturing	1 parking space for every 10,000 square feet of floor space, plus parking for office uses, consistent with the requirement

	for business office in this section.
Manufacturing	1 parking space for every 400 square feet of floor space, plus parking for office uses, consistent with business office in this section.
Mortuaries	1 parking space for each 100 square feet of floor space.
Movie theaters	1 parking space for every 4 seats.
Nursing home or convalescent center	1 parking space for each employee and 1 space for each 5 beds.
Professional offices, medical and dental offices	1 parking space for every 200 square feet of floor space.
Professional services, barbershops, beauty shops, travel agencies	1 parking space for every 200 square feet of floor space.
Residential dwellings:	
Single-family/two-family	2 parking spaces per dwelling unit enclosed in garage. 20 foot minimum driveway required.
Single-family on shared driveway (auto court)	2 parking spaces per dwelling unit enclosed in garage. Guest parking: 1 guest parking space per 3 dwelling units.
Multi-family/condominium/townhome with a driveway	2 parking spaces per dwelling unit enclosed in garage. 20 foot minimum driveway required. Guest parking: 1 guest parking space per 4 dwelling units.
Multi-family/condominium/townhome without a driveway	2 parking spaces per dwelling unit enclosed in garage. Guest parking: 1 guest parking space per 3 dwelling units.
Apartments	2 parking spaces per 1 or 2 bedroom units. 2.5 parking spaces per 3 or more bedroom units.
Restaurants	1 space for each 4 seats, plus 3 stacking spaces for restaurants with drive-up windows.
Retail sales, furniture, appliances, hardware	1 space for each 600 square feet of floor space.
Schools:	
Elementary	2 parking spaces for each classroom.
Secondary, higher education	1 parking space for each employee and 1 space for every 4 students (calculated at capacity of the facility).
Storage units	1 parking space for every 200 units with a minimum of 4 required.
Warehouse	1 parking space for every 10,000 square feet of floor space with a minimum of 5 spaces, including required handicap

spaces.

If a use not indicated above is proposed, the amount of off street parking may be determined by the ~~City Council~~ Land Use Authority following a recommendation from staff, based on a professionally prepared parking analysis submitted by the applicant. (Ord. 10-24-00-1, 10-24-2000; amd. Ord. 2001-04, 3-13-2001; Ord. 2010-02, 4-27-2010; Ord. 2014-04, 2-25-2014; Ord. 2016-07, 5-25-2016; Ord. 2018-24, 9-26-2018)

SECTION 10: AMENDMENT “11.120.050 General Provisions” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.120.050 General Provisions

The following general provisions apply to all off street parking requirements of this chapter:

A. Parking Allotment:

1. Location: For all residential dwelling units, parking facilities shall be provided on the same lot as the use for which the parking facilities are required, except for approved common or guest parking facilities.
2. Guest Parking: Provide parking spaces as identified in section 11-12-3, table A of this chapter. Parking spaces shall be scattered throughout the project, so as to minimize the walking distance to the dwelling units. This requirement may be modified by the land use authority if the applicant can show that the design of the project makes this requirement unnecessary.
3. Public Street Parking: Parking on public streets shall not be allowed to satisfy the off street parking or guest parking requirements for any residential dwelling unit.
4. Driveways: All residential units providing a driveway shall be a minimum of twenty feet (20') in length.
5. Other Uses: For all other uses, including commercial and industrial uses, required parking shall be located on the same lot or on an abutting lot. Off street parking shall not be located within twenty feet (20') of the front property line off a public street. In no case shall required parking be located across a public street without written approval of the city council.
6. Easement: 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.

B. Lighting: Any lights provided or required to illuminate a parking area shall be arranged in a manner that will reflect light away from adjacent properties.

C. Joint Use Of Lot Or Facility: The ~~city council~~ Land Use Authority may approve the joint use of a parking lot or facility; provided that, the applicant can show that conflict between the different users can be effectively eliminated, based on a professionally

prepared parking analysis. 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.

- D. Commercial Or Industrial Zones; Agreements: 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~~City for long term maintenance and ownership.
- E. Construction Plans Submitted: Construction plans for any private lot or structure, or the expansion of any private lot or structure, shall be submitted to the city for site plan review and comment and shall be approved by the ~~city council~~Land Use Authority. A parking lot or structure may be approved as part of the project site plan approval. (Ord. 2016-07, 5-25-2016)

SECTION 11: AMENDMENT “11.120.060 Design And Construction Standards” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.120.060 Design And Construction Standards

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

- A. Surfacing: All parking lots and parking structures shall be hard surfaced with asphalt or concrete. The materials shall ~~be approved by the city engineer~~meet adopted City standards and be capable of handling the anticipated size and weight of vehicles, including public safety vehicles.
- B. Curb Or Border: Each parking lot shall be surrounded by a concrete curb, or other border ~~approved by the city engineer~~which meets adopted City standards, to ensure the life of the surface and to limit the access to approved ingress and egress.
- C. Dimensions: All parking spaces shall have minimum dimensions of eight and one-half feet by eighteen feet (~~98 1/2~~'x18').
- D. Backing Space: Backing space in parking areas shall have a minimum depth of twenty four feet (24').
- E. Stall Angle: Parking stalls designed at less than a ninety degree (90°) angle shall be allowed for one-way traffic only.
- F. Avoidance Of Backing Onto Public Street: Parking shall be designed to avoid backing onto a public street. If an applicant is unable to do so effectively, the ~~city council~~Land Use Authority may approve parking that backs onto a public street, as recommended by the City Engineer.
- G. Subgrade Parking: Subgrade parking shall be reviewed for access and safety and must be approved by the ~~City Council~~Land Use Authority, ~~following recommendations from the staff~~.
- H. Structure Location: A parking structure shall not be located within thirty feet (30') of

any property line, or in any clear view area required by this title. (Ord. 2005-15, 7-12-2005)

SECTION 12: AMENDMENT “11.120.070 Landscaping” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.120.070 Landscaping

- A. ~~Parking lots must be landscaped in accordance with the requirements found in BCC 11.150.050(A)(10).~~
- B. ~~Parking Area Landscaping: Parking areas shall be landscaped at a rate of at least fifteen (15) square feet of landscaping per required off street parking stall. Said landscaping is to be located within the boundaries of the parking lot. Landscaping areas located along the perimeter of a parking lot may not be included toward satisfying this requirement. Materials: The landscaping shall consist of ground cover, trees, and plant materials in accordance with section 11-15-5 of this title. Interior parking lot landscaping areas shall be dispersed through the parking lot. Landscaped islands shall be required at the end of parking rows. The landscaping shall include a concrete curb border to separate the plants from the parking lot to protect the planting area. Exemptions: In commercial and industrial zones, hard surfaced area used as operational yard areas for trucks, trailers and other incidental vehicles, other than passenger automobiles and light trucks, and which are not parking lots for employees, clients, and customers, shall be exempt from parking lot interior landscaping requirements. (Ord. 2015-04, 4-22-2015)~~

SECTION 13: AMENDMENT “11.150 SITE PLANS AND DESIGN REQUIREMENTS” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.150 SITE PLANS AND DESIGN REQUIREMENTS

SECTION 14: AMENDMENT “11.150.010 Purpose And Intent” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.150.010 Purpose, Scope, And Intent

- A. The purpose of this chapter is to define the requirements, approval process and appeals process for permitted commercial, industrial, manufacturing, research and development projects, institutional, and other non-single family residential site plans. Site plans are divided into two (2) categories - those with minor potential detrimental effects, called "minor", and those with major anticipated detrimental effects, called "major". Site plan review is an administrative process with minor site plans eligible for administrative review and approval ~~processed~~ by the Zoning Administrator as the Land Use Authority or designee and major site plans ~~processed~~ reviewed by staff, and approved by the Planning Commission as the Land Use Authority. It is the intention of this chapter to set standards and provide an efficient, yet thorough development review to allow the applicant to obtain approval of a building permit in a timely manner.
- B. The purposes of these architectural, engineering, and site plan approval requirements are to assure compliance with this chapter and related chapters in this title and find:
1. That higher quality site and building designs will assist in increasing or maintaining value to the commercial community of Bluffdale City and attract businesses which positively contribute to the overall quality of life in Bluffdale City.
 2. That quality long lasting materials are required for all buildings in order to contribute to the aesthetics of the community over the long term. Permanence in design and construction will add to and assist in maintaining the overall value and sustainability of the community.
 3. That Bluffdale City welcomes a variety of businesses, including local and national retailers, for whom branding has become an important aspect of developing a successful and competitive business. While Bluffdale City acknowledges this fact, the design standards and guidelines enumerated in this chapter are intended to help and encourage development of imaginative and unique design solutions which meet these branding needs, while at the same time preserving Bluffdale City's community identity and community design objectives.
 4. That the provisions in this chapter are meant to supplement the objectives of other chapters in this title which also impose certain design standards or requirements that are zone specific.
 5. These requirements are intended to improve the quality and compatibility of development, particularly with regard to building design, site design, and compatibility with surrounding neighborhoods. These criteria apply to all applicable projects and are the minimum standards.
 6. That these design standards are intended to ensure quality development and permanence in design. The implementation of these standards ensures that the goals and values of the community are reflected in each applicable development and contribute positively to the overall built environment.
 7. That these standards promote the health, safety and welfare of city residents by establishing minimum standards for the preservation, installation and continued maintenance of landscaping and buffering.
 8. That these standards can assist in protecting existing desirable and significant vegetation and trees, as practicable.

9. That these standards promote water efficiency by encouraging landscape design in accordance with Jordan Valley Water Conservancy District water efficiency standards.
 10. That these standards enhance the value and appearance of property by buffering land uses.
 11. That these standards may assist in the reduction of air, noise, and water pollution.
 12. That increased emphasis on landscaping design and maintenance may improve environmental conditions by providing air purification, oxygen regeneration, groundwater recharge and decreased stormwater runoff, noise and glare.
 13. That these standards improve the aesthetic appearance of all development by establishing minimum landscaping, buffering, and site design standards.
- C. Except as may be specifically provided elsewhere in this title, or applicable development agreements, the standards of this chapter shall apply to all new development and to expansions and modifications of existing development. All landscaping, buffering and site design features required by this chapter and previous regulations shall be continuously maintained according to the standards herein.
(Ord. 2018-05, 3-14-2018)

SECTION 15: **AMENDMENT** “11.150.020 Relationship To Other Sections” of the Bluffdale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.150.020 Relationship To Other Sections

Each commercial, industrial, manufacturing, research, non-single family residential, or institutional development project, reviewed under this chapter is also subject to the requirements of the zone in which the proposed project is located and all other applicable ordinances and regulations, including any applicable development agreements. (Ord. 2018-05, 3-14-2018)

SECTION 16: **AMENDMENT** “11.150.030 Application Requirements And Approval Process” of the Bluffdale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.150.030 Application Requirements And Approval Process

- A. Application: The applicant is encouraged to arrange a pre-application meeting with the City staff prior to submitting a formal [site plan](#) application. The applicant for a site plan review shall submit a completed application form and a site plan with the required information and plans listed in subsection B of this section. The applicant shall also pay a fee in an amount established by the City's [consolidated](#) fee schedule.
- B. Required Maps And Drawings: Maps and drawings shall be prepared and drawn to a standard engineering scale large enough to show details clearly with dimensions thereof [and submitted in 'PDF' format](#). Said maps and drawings shall be stamped by a registered architect, [landscape architect](#), or engineer in accordance with the laws of the State. The following shall be shown on said maps and drawings as a minimum:
1. Site Plan Requirements: In addition see section 11.150.050, "General Requirements", of this chapter:
 - a. A vicinity map showing site orientation and location in relation to streets and arterial roads.
 - b. Statement of building use, occupancy, area tabulations, parking and landscaping tabulations.
 - c. The location of all proposed and existing structures on the subject property and within fifty feet (50') on immediately adjoining properties to show that light and air are preserved, and to show that the development will not impose significant detrimental effects.
 - d. Location and types of landscaping and/or fencing and screening within yards and setback areas, including proposed sprinkling and irrigation systems in compliance with section ~~11-15-5~~ [11.150.050](#) of this chapter. Landscape plans shall include a plant materials list and detail of installation, including the sprinkler and irrigation plan.
 - e. Location/size and system design of existing and proposed utilities (i.e., power, water, sewer, gas, telephone, cable, storm drains) and other public infrastructure improvements (i.e., curb, gutter, sidewalk, streets) together with existing easements and rights-of-way.
 - f. Design of ingress and egress to provide a functional on-site traffic flow and to prevent interference with traffic on adjacent streets along with a traffic study to assess the traffic impacts of the development, as per subsection ~~11-15-7A~~ [11.150.070\(A\)](#) of this chapter.
 - g. Off street parking areas including parking space striping, landscaping, parking tabulations, plans for snow removal and storage, and loading facilities shall comply with the standards as set forth in chapter 12 of this title, including provisions for pedestrians and the disabled. A parking demand study as per section ~~11-15-7~~ [11.150.070](#) of this chapter may be required by the Zoning Administrator if the development has unique characteristics that are contrary to the standards found in chapter 12 of this title.
 - h. Existing and proposed contours at one foot (1') intervals and spot elevations drawn to a maximum scale of 1"=40'.
 - i. Drainage report as per the requirements included in title 8, chapter 6

of this Code.

- j. Building elevations and sections, including the location of all proposed signs.
- k. Diagrams showing typical road or access cross-sections drawn to a scale no greater than 1"=10'.
- l. Utility plans (sewer, water, irrigation, electric, gas, communication).
- m. Lighting plans including location, height, and shielding to direct light downward and away from neighboring properties as per subsection 11.150.060(F)-15-6F of this chapter.
- n. Maps showing areas of substantial earth moving and grading with an erosion control plan.
- o. Description of master sign program, pursuant to the requirements of 11.220.050 A.
- p. A materials board containing a sampling of the proposed materials and their colors. No photos shall be permitted.

(Ord 2020-18, 8/26/2020)

C. Review/Approval Process:

1. Types Of Review:

- a. Minor site plans: Are defined as having less than fifty (50) parking spaces and/or less than fifteen thousand (15,000) square feet of gross floor space:

Any proposed commercial, industrial, manufacturing, institutional, non-single family residential or research and development building or site plan that does not require more than fifty (50) parking spaces in accordance with chapter 12 of this title and/or does not contain more than fifteen thousand (15,000) square feet of gross floor space ~~shall~~may be approved administratively by the Zoning Administrator or designee, acting as the Land Use Authority. Approval shall be in accordance with all of the laws, ordinances and resolutions of the City, the State and the United States.

Site plans determined to create significant detrimental effects on the zone/area in which it is located, by traffic, parking, access or circulation, or applications which request deviations from strict compliance as allowed by the Chapter, can, by a determination of the Zoning Administrator, become "major" site plans, and administered through that review process with the Planning Commission as Land Use Authority.

- b. Major site plans: Are defined as site plans with fifty (50) or more parking spaces and/or greater than fifteen thousand (15,000) square feet of gross floor space or having significant detrimental effects as determined by the Zoning Administrator:

On major commercial, industrial, manufacturing, institutional, or research and development projects, the Zoning Administrator or

designee will provide the application information to the Planning Commission, at their regular meetings, regarding the proposed site plan, building locations and, if known, types of businesses. The Planning Commission, acting as the Land Use Authority, in a public meeting, shall make a decision of approval as submitted or approval with modifications based on compliance with City ordinances. Failure to adhere to City ordinances will halt processing of the application. (Ord. 2018-05, 3-14-2018)

SECTION 17: AMENDMENT “11.150.040 Parcel Improvements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.150.040 Parcel Improvements

Each parcel or land use application approved in accordance with this chapter shall satisfy all applicable requirements of this title, the subdivision ordinance, as well as any applicable requirements of the design guidelines and standard specifications of the City, including any approved development agreements. (Ord. 2018-05, 3-14-2018)

SECTION 18: AMENDMENT “11.150.050 General Requirements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.150.050 General Requirements and Landscaping

- A. Landscaping Plan Required: All areas not covered by approved buildings, structures, parking, drive aisles, and roadways, must be completely landscaped and maintained using an automatic irrigation system. Landscaping shall be used as a tool to enhance and beautify the site, and the building's architecture and design. A complete landscaping plan is required to be submitted with the site plan application and shall be sealed by a landscape architect licensed to practice in the state of Utah. ~~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:

1. General: Trees and plants used in landscape design pursuant to this chapter shall, to the greatest extent possible, be:

- a. Drought tolerant;
 - b. Water efficient;
 - c. Appropriate for the setting in which they are to be planted;
 - d. Have non-invasive growth habits;
 - e. Have low maintenance characteristics and provide high quality appearance; and
 - f. Be commercially available.
- 2. Plant Quality: Plants installed pursuant to this chapter shall conform to or exceed the plant quality standards of the most recent edition of "American Standard For Nursery Stock" (ANSI Z60.1), published by the American Horticulture Industry Association.
- 3. Artificial Plants: No artificial plants or vegetation shall be used to meet any standards of this chapter.
- 4. Ground Treatment: The ground area within required landscape areas shall receive landscape treatment and present a finished appearance and reasonably complete coverage upon planting. Areas not planted with trees, shrubs, ground cover, perennials, or bedding plants may be sodded, except as set forth for in this subsection. Sodded lawn areas shall be sodded with a species suitable as permanent lawns in the city. Sod shall not exceed 20% of non-residential site plans, pursuant to adopted Jordan Valley Water Conservancy District (JVWCD) efficiency standards.
- 5. Tree Diameter and Height:
 - a. For the purpose of this subsection, "caliper" means a trunk diameter measurement for nursery grown trees taken six inches (6") above the ground up to and including four inch (4") caliper size. If the caliper at six inches (6") above the ground exceeds four inches (4"), the caliper shall be measured at twelve inches (12") above the ground.
 - b. Shade and deciduous trees planted to satisfy the standards of this chapter shall have a minimum caliper of two inches (2").
 - c. Ornamental trees planted to satisfy the standards of this chapter shall have a minimum height of six feet (6'). Ornamental trees shall be a species that has flowers, colored foliage, or a unique growth habit or other distinguishing characteristic that adds variety to the overall landscape plan.
 - d. Evergreen trees planted to satisfy the standards of this chapter shall have a minimum height of eight feet (8').
- 6. Quantities:
 - a. There shall be a minimum of one evergreen no less than eight feet (8') in height or deciduous tree with no less than two inches (2") caliper for every ~~four~~ five hundred (4500) square feet of land not covered by an approved building or parking.
 - b. There shall be a minimum of one (1) 5-gallon or larger shrub for every two hundred (200) square feet of land not covered by an approved building or parking.
 - c. Deciduous And Evergreen Shrubs: Shrubs required as part of a land

use buffer or adjacent to parking lots in perimeter plantings shall have a minimum height of eighteen inches (18") at the time of planting. Shrubs in other areas may be a minimum 5-gallon shrub.

- d. Annuals, biennials and perennials, decorative stone or similar materials shall be used in planting beds and may be used as an alternative to grasses. Ground covers and bedding plants may be used together with mulch to provide complete coverage of bare ground. Where ground cover is not used, planting beds shall be mulched with bark chips, decorative stone, or similar materials. Mulch or decorative stone shall not be used by itself as a substitute for required landscaping. Mulch shall be installed and maintained at a minimum depth of three inches (3") on all planted areas except where ground cover plants are fully established. Mulch may be approved as a permanent ground treatment in landscape designs where ground cover or sod is impractical. Rock mulch with an accompanying weed barrier may be used in a limited way when appropriate to a design concept and as a ground treatment in areas where drainage is a problem; provided, that the use of rock adjacent to buildings shall be minimized. Dirt, weeds and similar materials are not considered acceptable ground cover. Weeds, wild grass, garbage and other distracting materials shall be eliminated from planting areas on a regular basis.
- e. Ground cover may be planted in lieu of sod. Ground cover shall be of a size and spacing to provide a minimum of fifty percent (50%) coverage after the first full growing season and complete coverage at maturity. Edging shall be provided for all ground cover.
- f. Vegetative ground cover shall be utilized for at least eighty percent

(80%) of a development site's frontage along any public right-of-way not including sidewalks, driveways, and entry points. Percentage is calculated based on the plant coverage at maturity.

- 7. Landscaping shall be used to enhance the site as well as buffer it from surrounding uses. An irrigated landscaped setback with a minimum depth of ten feet (10') is required adjacent to residential uses and/or residential zones with medium sized trees (see section 7-4-3 of this Code) planted at a maximum interval of thirty feet (30'), and shall comply with all required land use buffer standards.
- 8. Vertical Landscaping: All areas adjacent to buildings shall have vertical landscaping (trees, shrubs, bushes, etc.) planted in a minimum five foot (5') deep planting bed except where entries and other necessary paving preclude it.
- 9. Water ~~Efficient~~^{wise} Landscaping: The use of water efficient landscape practices to minimize the need for supplemental watering is required. Landscape plans shall reflect the following conservation techniques, which are intended to comply with Jordan Valley Water Conservancy District (JVWCD) standards:
 - a. ~~Using plant materials with comparatively low moisture~~

~~requirements; Selecting plants on the basis of specific slope, aspect, soil and microclimate conditions; Using native and adapted plant species; Minimizing the amount of irrigated turf area; Planting and designing slopes to minimize runoff; Separating irrigation zones according to plant water requirements and using drip/trickle irrigation systems to conserve water; Emphasizing soil improvement by conserving topsoil, deeply loosening soil, and incorporating organic matter and amendments based on soil tests; and Using mulch in planting areas to reduce weed growth, promote soil cooling, and reduce evaporation.~~

b. Water efficient design definitions per JWCD:

- (1) Activity Zones: Portions of the landscape designed for recreation or function, such as storage areas, fire pits, vegetable gardens, and playgrounds.
- (2) Active Recreation Areas: Areas of the landscape dedicated to active play where Lawn may be used as the playing surface (ex. sports fields and play areas).
- (3) Central Open Shape: An unobstructed area that functions as the focal point of Locascapes and is designed in a shape that is geometric in nature.
- (4) Gathering Areas: Portions of the landscape that are dedicated to congregating, such as patios, gazebos, decks, and other seating areas.
- (5) Hardscape: Durable landscape materials, such as concrete, wood, pavers, stone, or compacted inorganic mulch.
- (6) Lawn: Ground that is covered with grass or turf that is regularly mowed.
- (7) Locascapes®: A landscaping approach designed to create locally adapted and sustainable landscapes through a basic 5-step approach (central open shape, gathering areas, activity zones, connecting pathways, and planting beds).
- (8) Mulch: Any material such as rock, bark, compost, wood chips or other materials left loose and applied to the soil.
- (9) Park Strip: A typically narrow landscaped area located between the back-of-curb and sidewalk.
- (10) Paths: Designed routes between landscape areas and features.
- (11) Planting Bed: Areas of the landscape that consist of plants, such as trees, ornamental grasses, shrubs, perennials, and other regionally appropriate plants.
- (12) Total Landscaped Area: Improved areas of the property that incorporate all of the completed features of the landscape. The landscape area does not include footprints of buildings or structures, sidewalks, driveways, and other non-irrigated areas intentionally left undeveloped.

c. Water efficient Landscaping Requirements:

- (1) All irrigation shall be appropriate for the designated plant material to achieve the highest water efficiency. Drip irrigation or bubblers shall be used except in Lawn areas. Drip irrigation systems shall be equipped with a pressure regulator, filter, flush-end assembly, and any other appropriate components.
- (2) Each irrigation valve shall irrigate landscaping with similar site, slope and soil conditions, and plant materials with similar watering needs. Lawn and planting beds shall be irrigated on separate irrigation valves. In addition, drip emitters and sprinklers shall be placed on separate irrigation valves.
- (3) Landscaped areas shall be provided with a WaterSense labeled smart irrigation controller which automatically adjusts the frequency and/or duration of irrigation events in response to changing weather conditions. All controllers shall be equipped with automatic rain delay or rain shut-off capabilities.
- (4) At least three (3) inches of mulch, permeable to air and water, shall be used in planting beds to control weeds and improve the appearance of the landscaping.
- (5) At maturity, landscapes are recommended to have enough plant material (perennials and shrubs) to create at least 50% living plant cover at maturity at the ground plane, not including tree canopies.
- (6) Lawn shall not be installed in parkstrips less than eight feet in width, paths, or on slopes greater than 25% or 4:1 grade, nor be less than 8 feet wide at its narrowest point in other applications. To the extent reasonably practicable, lawn shall be free from obstructions (trees, signs, posts, valve boxes, etc.).
- (7) In commercial, industrial, institutional, and multi-family development common area landscapes, lawn areas shall not exceed 20% of the total landscaped area, outside of active recreation areas.
- (8) Certain special purpose landscape areas (e.g. stormwater management areas, etc.) may receive exceptions from the slope limitations and other elements of the landscaping requirements and may request a deviation from strict compliance.
- (9) These outdoor standards are not intended to be in conflict with other landscaping requirements as defined by Utah law, including stormwater retention requirements and low-impact development guidelines. Notwithstanding these outdoor standards, whenever any requirement may be in conflict with Utah law, such conflicting requirements shall not apply.

10. Parking Lots: Any parking lot designed to provide ten (10) or more parking spaces or three thousand five hundred (3,500) shall provide landscaping as follows:
- a. When lots are provided on a multiuse site, the amount shall be determined based on the predominant use served by the parking spaces.
 - b. Total parking lot area shall be measured along the perimeter of the lot, including all parking spaces, accessways, and landscaped islands within the perimeter and at the corners of the lot. Total parking lot area shall not include loading and service areas, but shall include customer service drive-up areas and accessways jointly used by parking lot and service traffic. Minimum percentage of parking lot required to be in landscaping is as follows:
 - (1) Multiple-family residential sites: Ten percent (10%) of total parking lot area.
 - (2) Office and commercial sites: Seven percent (7%) of total parking lot area.
 - (3) Industrial or warehouse sites: Five percent (5%) of total parking lot area.
 - (4) Materials and Design: Parking lot islands shall be at least five feet (5') wide and one hundred (100) square feet in area and dispersed throughout the parking lot. A minimum of one tree shall be planted per three hundred (300) square feet of overall internal landscaped area, with at least one shade tree planted in each island. The remainder of the island shall be landscaped with additional shrubs, ground cover, or turf, and shall include an appropriate irrigation system. Plants and trees may be grouped in order to create larger landscaped area.

Plantings should:

 - (A) Anticipate foot traffic patterns;
 - (B) Be used to discourage foot traffic where dictated by safety concerns;
 - (C) Not impair adequate visibility for the safety of pedestrians and vehicles;
 - (D) The landscaping shall include a concrete curb border to separate the plants from the parking lot to protect the planting area.
 - (E) Landscape islands shall allow for storm drainage to enter the island, if the drainage plan design can reasonably accommodate directing the flow to the islands.
 - (F) For parking lots adjacent to a street, a screen wall 2.5 feet to three feet (3') in height or a landscaped berm of the same height shall be constructed.

- (5) Location: Islands shall be located in the following priority:
 - (A) To define major drives and accessways;
 - (B) To delineate ends of parking rows;
 - (C) At aisle intersections; and
 - (D) Within parking rows.
- (6) Exemptions: In heavy commercial and industrial zones, hard surfaced area used as operational yard areas for trucks, trailers and other incidental vehicles, other than passenger automobiles and delivery trucks, and which are not parking lots for employees, clients, and customers, shall be exempt from parking lot interior landscaping requirements, as long as the overall site meets all applicable landscape percentage and other requirements of this Title.
- 11. Tree and Vegetation Protection: Development shall be designed to preserve existing trees and vegetation to the greatest extent possible and shall incorporate existing significant stands of trees as well as individual trees. Existing trees and vegetation that are to be preserved shall be identified on site plans and shall be protected from all construction activities, including earthwork operations, movement and storage of equipment and materials and dumping of toxic materials. A minimum protection zone shall be established by installing temporary fencing at or beyond the drip line of the vegetation to be preserved. Protective fencing shall be maintained throughout the construction period.
- 12. Park Strip Landscaping. All park strips shall be landscaped pursuant to applicable requirements of the BCC and shall include shade providing deciduous tree species, not ornamental varieties, where feasible. Sod is not allowed on parkstrips less than eight feet wide, pursuant to water efficiency standards.
- 13. Perimeter Landscaping. Plantings as specified in this section and accompanying tables shall be provided around the perimeter of each development site which requires site plan approval, except single-family lots, based on the orientation of property and the classification of the roads adjacent to the site. Perimeter plantings may be located anywhere between the property line and adjacent pavement or structure, in a landscaped area of the minimum horizontal depth designated. However, the minimum number of shade trees along street frontages should be located within fifteen feet (15') of the right of way or as close to the right of way as site features allow. The minimum depth of the perimeter landscaped area along front, rear and interior lot lines shall be ten feet (10'). In instances where the minimum building setback is allowed to be zero or reduced below 10 feet (10') per this title, no perimeter landscaping is required between a building and the front property line in order to encourage building presence in the streetscape. Where the requirements of a land use buffer along the same property line exceed those of the perimeter plantings, the land use buffer requirements shall supersede.

B.

Table 1 Perimeter Plantings Along Street Frontages

A. Per 100 Linear Feet	Freeway	Arterial	Collector	Local
Adjacent to Building or Open Area	2 Shade Trees	2 shade trees; 1 ornamental tree; 16 shrubs; 100 sq ft beds ¹	2 shade trees; 1 ornamental tree; 12 shrubs; 75 sq ft beds	2 shade trees
Adjacent to parking lot ²	As above plus: 3' shrubs or berm for continuous screening	As above plus: 3' shrubs or berm for continuous screening	As above plus: 3' shrubs or berm for continuous screening	As above plus: 3' shrubs or berm for 75% screening
Adjacent to service areas (loading docks, outside storage, generators, and trash compactors) ³	As above plus: evergreen trees, shrubs, and/or berm for 100% screening	As above plus: evergreen trees, shrubs, and/or berm for 75% screening	As above plus: evergreen trees, shrubs, and/or berm for 75% screening	As above plus: evergreen trees, shrubs, and/or berm for 50% screening

Notes: 1. Decorative planting bed with flowers, other color, small shrubs, and non-turf ground cover. 2. A 3 foot high decorative wall, compatible with the design of the main building, may be used in lieu of berms or shrubs for parking lot screening. 3. Service area screening shall be designed to meet the above criteria after 5 years of normal growth.

Table 2. Perimeter Plantings Along Interior Lot Lines

Per 100 Linear Feet	Side	Rear
Adjacent to building	1 shade tree	<u>1 shade tree</u>
Adjacent to parking lot	1 shade tree, 9 shrubs	<u>1 shade tree 9 shrubs</u>

Adjacent to service area	As above, plus: <u>Evergreen trees and shrubs that at maturity will screen from view 50% of the service area</u>	As above, plus: <u>Evergreen trees and shrubs that at maturity will screen from view 50% of the service area</u>
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Notes: 1. Perimeter plantings may be reduced or deleted when adjacent to a service area, nonpublic area, or area with substantially obscured view from multiple vantage points. 2. Perimeter plantings not required when buildable area abuts a lot line, pursuant to all other applicable requirements.

- A. 1. 14. Installation, Irrigation, Maintenance, and Replacement.
 - a. Any required landscaping shall be installed, maintained, irrigated and replaced in accordance with the following standards:
 - (1) Installation: All landscaping and buffering shall be installed according to sound nursery practices and water efficiency standards in a manner designed to encourage vigorous growth.
 - (2) Irrigation: Landscape areas shall be irrigated as necessary to maintain required plant materials in good and healthy condition, in accordance with water efficiency standards.
 - (3) Maintenance: Landowners and their successors in interest shall be jointly and severally responsible for all of the following:
 - (A) Regular maintenance of all landscape areas, including park strips, in good condition and in a way that presents a healthy, neat and orderly appearance. All landscaping shall be maintained free from disease, pests, weeds and litter. This maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching or other maintenance, in accordance with acceptable horticultural practices.
 - (B) The repair or replacement of landscape structures (e.g., walls, fences) to a structurally sound condition and original appearance.
 - (C) Perpetual maintenance to prohibit the reestablishment of undesirable and harmful species within landscape and preservation areas.
 - (D) Regular maintenance, repair or replacement of any plant material, screening or buffering required by this chapter in conjunction with approved plans. Any landscaping required to be planted or preserved by this chapter shall be replaced with the largest available equivalent vegetation.
 - (E) The city may require that any dead trees, shrubs and plants be replaced within the current or next planting

season.

2. 15. Substitution of Plant Materials. The land use authority may approve the installation of comparable substitute plant species or materials to satisfy the requirements of an approved landscape plan when the approved plants and landscape materials are not available at the time that installation is to occur or when other unforeseen conditions prevent the use of the exact materials shown on the approved landscape plan. The land use authority may not reduce the number of plants required. Any significant change to landscaping plans previously approved by the land use authority shall be subject to review and approval of the land use authority.

3. 16. Temporary Suspension of Landscaping Installation. The installation of landscaping required by this chapter may be temporarily suspended, in individual cases, by the zoning administrator during periods of adverse weather conditions or when plants and landscape materials are not available. If the landscape standards of this chapter are suspended, the developer shall enter into an escrow assurance (cash escrow deposit) agreement with the city that will cover the cost of installation and determine a date to be completed by.

B. Fences and Walls: Each applicant shall be required to furnish and install fences when the Land Use Authority determines that a hazardous condition to the public or abutting properties or uses may exist or where the proposed project abuts residential parcels and when required as a land use buffer. The fences shall meet the standards found in this chapter and be architecturally compatible with the buildings and other improvements within the surrounding area, and shall be noted as to height (maximum 8 feet), color, and material on the site plan. Chainlink fencing is prohibited unless located within the Sand and Gravel (SG-1) Zone. Where chainlink fencing is approved, it shall be dark vinyl coated. No certificate of occupancy shall be issued until required wall and~~the~~ fence improvements have been duly installed or bonded for in accordance with this Title.

1. Parking lots adjacent to residential zones shall include a ~~light proof solid fence~~ or wall as described in this Chapter with a maximum height of ~~ten-eight~~ (8+0'), pursuant to Land Use Buffer requirements.

2. The provisions of this section shall not apply to:

- a. Fences required by State law to surround or enclose public utility installations, hazardous areas, public schools or other public buildings.
- b. 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.

3. All ~~site-plan-related~~ fences and walls shall be constructed of substantial materials and the design and construction shall be consistent with the quality of buildings and other improvements within the surrounding area. It shall be unlawful to erect or to maintain any barbed wire, concertina or razor wire, or electric fence along or adjacent to any public street in conjunction with a site plan approval.

C. Land Use Buffers. Land use buffers shall be provided along the side and rear property lines of commercial, institutional, multi-family, and industrial properties to enhance community appearance and to protect residents, neighboring property owners, and visitors from the traffic, noise, glare, trash, activity, vibration, odor, visual disorder and other adverse or harmful effects typically associated with such land uses.

1. Land Use Buffer Requirements: The amount of landscaping and fencing required for a land use buffer shall be as follows:

a. A landscape buffer of twenty feet (20') shall be provided between all commercial and office uses when adjacent to a residential zone and when a multi-family use is adjacent to a single-family zone.

b. A landscape buffer of thirty feet (30') shall be provided between industrial uses and residential uses or zones.

c. Trees within the buffer area shall described in this Title shall be planted at one tree per four hundred (400) square feet of buffer area.

(1) Trees may be grouped.

(2) At least one buffer tree shall be planted between commercial, office, institutional, multi-family and industrial uses and each single-family residential lot. Trees shall be arranged to provide linear coverage between commercial, office, institutional, and industrial uses and adjacent residential units.

d. The rest of the buffer area shall consist of ground covers, shrubs and planting beds, consistent with this Chapter.

e. A minimum eight (8'), tall, solid sight-obscuring constructed of masonry, precast concrete, or lightweight precast fiber reinforced concrete wall shall be used between abutting commercial, industrial, institutional, office, and multi-family residential land uses and residential zones. Except for required footings or foundations, the wall shall extend from the adjacent finish grade of the property upward to the required height. Any gaps in the bottom of the fence panel and the adjacent finish grade of the property may not exceed four inches (4"). Such gaps are not counted toward the required height of the fence. The height of fences shall be reduced in clear view triangle areas or where they may impact sight visibility with a driveway as specified in this Title.

2. Exemptions: No land use buffer shall be required between land uses located in the same zone or where a commercial zone abuts an existing institutional use, such as a school, church, or municipal facility.

3. Reductions:

a. The Land Use Authority may reduce land use buffer requirements based on the impact of specific uses, building orientations, topographic features, or other unique characteristics of adjoining uses. A reduced buffer shall consist of a minimum ten foot (10') wide landscape buffer and an eight foot (8') tall, solid sight obscuring wall which is in compliance with all required specifications of BCC Section above.

nonmotorized trails. In no event shall structures or uses, such as, but not limited to, play fields, stables, swimming pools, golf courses, tennis courts, parking lots and vehicular use areas, equipment storage and other open storage, or buildings be permitted within land use buffers.

D. ~~Parking Lots: Any parking lot designed to provide ten (10) or more parking spaces shall provide landscaping according to the requirements in section 11-12-7 of this title.~~

E. Deviations From Strict Compliance With Landscaping Requirements: Because site conditions and development constraints vary greatly among sites, the Land Use Authority may approve landscape plans that deviate from the requirements of this chapter. Such a deviation may include the use of water efficient materials in lieu of otherwise required materials.

1. Proposed Deviation: Any proposed deviation from the requirements of this chapter shall be:

- a. Clearly identified on the proposed landscape plan; and
- b. Accompanied by a written description of the proposed deviation showing how the purpose and intent of this chapter will be met by the proposed plan.

2. Findings Required: The Land Use Authority may authorize a landscape plan deviation only if it finds the deviation:

- a. Is consistent with the purpose of this section, this Title, and any applicable City standard. Master Plan;
- b. Reflects a design that conforms to the requirements of this section to the greatest extent possible and offers alternative methods for addressing the landscape requirement for which a deviation is being requested. Alternative methods may include additional fencing or walls, berming and plant material in excess of what would otherwise be required;

;

- c. Will not adversely affect sight distance or otherwise diminish public safety;
- d. Is justified by ~~unusual~~ site constraints; and
- e. Is of high quality and integrates aesthetically with the design of the primary buildings on site and established streetscape.

f. Complies with all land use buffer requirements. (Ord. 2018-05, 3-14-2018)

SECTION 19: AMENDMENT “11.150.060 Design Standards” of the Bluffdale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.150.060 Design Standards

- A. Adopted Design Standards: All buildings and developments shall satisfy the adopted design standards for the zone in which the building or development is located and the following criteria:-
1. Arrangement: All elements of site development shall be arranged to create a safe, functional, convenient, healthful, durable and attractive living environment for residents, tenants, workers and occupants of properties. All sloped areas shall be stabilized against erosion by living or rock/paving landscaping or other appropriate means as determined by the city, both during and following development.
 2. Buildings: Buildings shall be located to ensure the provision of adequate open space for outdoor living areas, facilities, services and amenities and to provide natural indoor light, air and privacy.
 3. All buildings, other structures, and parking lots shall be located to integrate with the natural topography and to minimize deep cuts and fills, excessive foundation wall depth, unnecessary steps, use of vertical retaining walls, and steep access gradients.
 4. Circulation: Safe and convenient pedestrian and vehicular circulation shall be provided.
 5. Climate: Extreme temperature, sunlight, wind and other climatic factors should

be mitigated by appropriate site layout and design, including placement of landscaping.

6. Grading: Site grading shall be designed and implemented to:
 - a. Retain desirable major vegetation whenever practicable;
 - b. Make use of existing natural drainageways;
 - c. Minimize increased runoff and erosion; and
 - d. Buffer objectionable noise and views.
7. Integration: Landscaping design should be integrated with building and site design. Consideration should be given to planting types, growth rates, canopy sizes and required maintenance in relationship to building location, sightlines and underground/aboveground utilities.
8. Landscape plans shall conform to the visual obstruction and clearview requirements found within the BCC.
9. All areas not approved as impervious surface area, parking, walkways, and buildings on a development site shall be devoted to landscaping.
10. Landscaping shall be integrated into the design, placement, and enhancement of pedestrian plazas, sitting areas, walkways, flagpoles, and signs. This may be accomplished by giving special attention to any plantings immediately adjacent to pedestrian areas and walkways. This landscaping shall not overgrow or impede pedestrian areas but rather allow for detail and aesthetics more amenable to pedestrians.

B. Context: All building designs shall consider surrounding or nearby buildings and developments and implement design solutions which are sensitive to those nearby buildings, neighborhoods, and developments. The review of this requirement shall be based on the following:

1. The buildings reflect the character of surrounding development through use of similar and compatible features;
2. The buildings demonstrate imaginative design; and
3. Where proposed building designs closely copy or mirror surrounding development, the buildings shall vary in colors, materials, or architectural elements.

C. ~~Commercial: For commercial~~ Non-residential buildings and sites:

1. **Windows:** Windows shall make up at least ~~fifty~~forty percent (450%) of first floor street-facing facades. For buildings over three (3) stories, top floors shall have architectural differentiation from the other floors in the building.

Mirrored glass shall not be allowed on the ground floor. On buildings which are constructed with single story high ceiling construction, this requirement shall be measured within the first nine feet (9') of the structure. Above the first nine feet and on non street facing facades, windows shall make up at least 10% of the facades.

- a. If it is determined through a site specific visual analysis submitted by the applicant, which includes post construction conditions, that a facade on the interior of a site is not visible from any public right of way, no minimum window percentage is required. However, provision of natural light into building spaces is strongly encouraged.

2. Corner Lots: Corner lots are deemed to have two (2) front yards with only one building entrance required facing the principal street to which it has frontage, shall orient main facades to each street, give detailed architectural treatment to each facade.
3. Landscaping: Landscaping ~~along the street~~ shall comply with ~~this chapter, chapter 12 of this title, and the zone in which the use is proposed~~all applicable provisions in the BCC, adopted standards and water efficiency requirements. An irrigated landscaped setback with a minimum depth of ten feet (10') is required adjacent to residential uses with medium sized (see section 7-4-3 of this Code) trees planted with a maximum of thirty foot (30') centers. Such areas shall be fenced with a light proof fence with a maximum height of eight feet (8').
 - a. Landscaped areas and solid walls shall be used to decrease noise levels and separate loading and service bays from customer parking where possible. Service and loading bays (automotive, service, tire, etc.) should be oriented away from neighboring residential areas and major public streets and screened from view with solid walls and landscaping. The general public should be restricted from accessing such areas when possible.
4. Signage: Signage for commercial or office uses is defined in chapter 22 of this title.
5. Parking And Circulation:
 - a. Developments which shall include an analysis of the proposed development's impact on the current and future transportation system, and methods to control traffic (such as signage, turn lanes, medians, and traffic signals). The content of such analysis should follow guidelines established by the city.
 - b. Major internal circulation roadways that provide access from the public right of way or between buildings on the same site shall be separated from parking areas using curb and gutter and a combination of any of the following methods:
 - (1) Landscaping;
 - (2) Pedestrian walkways; or
 - (3) Lighting.
 - c. Pedestrian walkways shall have a minimum five foot (5') wide free travel width. Where deadmen or parking stops are not used to keep

vehicles off the walkway, one foot (1') shall be added to the walkway for vehicle overhang in addition to the five foot (5') wide free travel width. Additionally, where other encroachments into the walkway exist, widths of the walkways shall be increased to ensure the five foot (5') wide free travel width.
 - d. Cross access for automobiles and pedestrians to future and existing commercial developments shall be legally provided during site planning and construction, and in perpetuity.

6.

7. Garbage And Recycling: The development shall be designed to accommodate and efficiently manage the collection, storage, and removal of garbage so as to minimize detrimental effects of the collection, storage, and removal on any residence within the development or abutting neighborhoods. If dumpster or trash receptacle enclosures are provided for the development, no refuse dumpster or dumpster enclosure structure shall be located closer than ten feet (10') to any perimeter property line. Enclosure structures must have a minimum of four (4) sides that ~~reflect~~ shall be constructed of masonry walls no less than six feet (6') in height of the same or compatible or emulate the materials and in accordance with the, design, architecture, and quality of the overall development. Enclosures shall provide complete visual screening of the receptacle and be screened through the use of landscaping or incorporation into the building architecture. -All developments are encouraged to provide recycling services.
8. Building Materials: Exterior materials shall be of a durable or resilient nature such as brick (as defined in BCC 11.20), stone, ~~stucco~~ ceramic tile, concrete masonry units (CMU) prefinished composite or pre-finished architectural metal panels, composite materials, architectural pre-cast concrete, ~~or~~ other materials of similar quality, hardness, and low maintenance characteristics, which meet the City requirements for composition and percentage of primary and secondary materials, shall be used. No single material is allowed to exceed fifty percent (50%) on street-facing facades, unless required by other adopted City guidelines. Other materials may be considered for soffits, or as an accent or architectural feature. Minimum twenty (20) year guarantee, architectural shingles and/or other longer lasting roof materials are required. For commercial buildings unfinished/plain concrete block shall not be permitted. Vinyl and aluminum lap siding, shall not be permitted as a primary exterior surface. Pre-engineered metal buildings shall have ~~an~~ primary architectural treatment of stone, brick, composite siding, stucco, insulated metal panels with exterior finishes or another similar material, as indicated below. Pre-engineered metal buildings with exterior fastening methods, such as PBR (Purlin Bearing Rib) or R-panels (ribbed steel) may only be allowed without additional exterior finishes in the SG-1 Zone and for approved livestock arenas, stables, and barns in the R-1-43 Zone.
- a. When utilized, CMU must be colored and feature decorative or architectural finishes such as honed, scored, offset, split face, or exposed aggregate. Gray CMU block is not an acceptable finished building material and shall not be permitted on any finished building elevation with the exception of minimal foundation exposure.
 - b. Brick, rock, concrete masonry units and stone elements of a building shall not be painted to create compliance with the color palette of the site.
 - c. Each building face shall have a minimum of two (2) durable primary materials as listed above. At least seventy five percent (75%) of each building's face shall be in primary materials.

- d. No single material is allowed to exceed 50% on street facing facades unless required by other specific design standards in this Title. However, when brick is used as a primary material, it may be utilized up to one hundred percent (100%) of the facade material, in which case, no secondary material shall be required.
- e. Doors, glass and roofing materials shall not be included in the calculations of primary and secondary materials.
- f. Secondary materials may include stucco; EIFS, including specialty finishes; metal, excluding corrugated sheet metal; exposed concrete; vinyl; shake shingles or wood siding. Materials such as awnings, wood timbers and other similar features will be considered accent and not figured into the totals of secondary materials; stone, fiber/cement composite siding, metal and metal panels, concrete masonry units, exposed and patterned concrete, wood or similar material in composition and of a complementary hue and shade to the brick. A maximum of two (2) accent colors may be allowed for secondary materials, in addition to primary material. Stucco type systems may be used in a percentage not to exceed 25% of any one building façade, and shall include breaks and/or other features to show relief.
- g. Pre-engineered metal buildings, constructed of insulated metal panels (IMP's) shall not expose any metal panels which do not have architectural finishes, such as embossing, striation, wood grain, and other textured finishes, and shall comply with all other architectural standards in this chapter and Title. IMP's with an exterior finish of paint only may be allowed as a secondary or accent material..
- h. Exposed tilt-up concrete. Variation in materials along the base and near the entrances of concrete tilt-ups is required, in addition to other requirements in this Chapter.
- i.
- j. All facades visible from public streets shall present multiple finishes.

9.

10. Building Relief Facade Articulation: All commercial buildings shall provide variation in the facade, especially in the use of materials and relief, to avoid monotonous design. Relief is defined as foundation jogs or recesses in the ~~front vertical plane~~ of the facade ~~over one foot (1')~~, window variation, cantilevered spaces, color variations, etc. Buildings designed with completely flat facades and monotone color or finish schemes are not permitted. A

minimum of two (2) colors per elevation shall be required. Color utilization should be sensitive to existing development within the vicinity and the natural landscape in which the project is situated.

More than three (3) colors are discouraged for front facades. All buildings shall demonstrate articulation of all facades.

- a. Horizontal and vertical facade variations shall occur at least every

forty feet (40') or along a minimum of sixty percent (60%) of the horizontal length of buildings with facades one hundred feet (100') or greater, as applicable, based on length of building. This shall be accomplished by using methods such as:

- (1) Variation in the vertical surface plane, that may include pop outs, bays, columns, and recesses shall be at least four inches (4");
- (2) Variation in the horizontal plane shall be at least one foot (1")
- (3) Variation in the surface pattern such as arches, banding, and paneling; or
- (4) Distinguished treatment of windows, doors, and eaves that may include molding or framing.

- b. Facades greater than 100 feet in length shall include major relief features in the vertical surface plane of at least 20 feet (20') wide, which are greater than four inches (4").
- c. Primary color tones shall be complimentary in hue and shade to the brick included in the primary façade material and shall generally be subtle, subdued, low reflectance, neutral, or earth tones.
- d. Reveals and joinery are not considered relief.

11. Height And Roofline: All buildings shall vary rooflines in order to add architectural interest and avoid the appearance or sense of monotonous roofline expanses. All buildings shall:

- a. Provide roofline and parapet variations where there are long, continuous, and undisturbed rooflines fifty feet (50') or greater;
- b. Use similar materials and colors on the back of false fronts, parapets, cornices, or other parts of the building which extend beyond the roofline or main building so that the building appears cohesive from all views; and
- c. Provide for screening of mechanical equipment and systems that need to be mounted on the roof. Any minimal portion of these pieces of equipment that may not be fully shielded shall be painted a color which is compatible with the roofing or parapet materials.

12. Massing: Buildings shall have a composition which clearly relates to surrounding buildings, as well as the overall scale of the built environment in nearby residential or commercial neighborhoods. Proper massing reduces the impact of the massive bulk created by large buildings that may not otherwise relate in scale to surrounding development. Vertical articulation, horizontal articulation, and multi-planed roof and awning designs should be used to mitigate the impact that may occur on surrounding development and the

overall landscape.

13. Pedestrian Considerations: Buildings designed at the human scale effectively relate to pedestrians and create inviting and hospitable commercial districts that encourage pedestrian activity and social interaction. All buildings shall consider pedestrians as an integral part of the design. Additionally, buildings that contain more than one story or that are above twenty feet (20') in height

shall provide a clearly articulated and more detailed base that relates to pedestrians. Measures shall be taken to ensure adequate access and safety for pedestrians on the site.

- a. Pedestrian access from the public right of way through the site to main entrances shall be provided. These walkways shall be constructed of different materials than the roadway or parking area, and provide for clearly defined crossings where there are points of conflict with automobiles.
- b. Similar pedestrian access from public transit stations and stops into the site and to each building entrance shall be provided.
- c. Differing roadway materials within parking lots shall be used directly in front of entrances to slow motorists and create a safer environment for pedestrians.
- d. Pedestrian drop off locations when incorporated within overall circulation patterns shall be convenient and safe for pedestrians.
- e. Benches, pedestrian scaled lighting, bike racks, and other pedestrian amenities shall be placed appropriately throughout the site.

14. Bicycle Parking.

- a. Bicycle parking shall be provided at a ratio of one (1) space for every twenty (20) automobile Parking Spaces. There shall be no fewer than two (2) and no more than thirty (30) bicycle parking spaces.
- b. Bicycle parking shall not be located where it will obstruct pedestrian movement and circulation. It shall be located at a maximum distance of one-hundred (100) feet of a central Building Entrance or at least as close as the closest automobile space, excluding handicapped Parking Spaces.
- c. All bicycle racks, lockers, or other facilities shall be securely anchored to the ground or to the structure.
- d. Businesses which are solely auto-oriented including automobile sales and car washes shall be excluded from the bicycle parking requirements.

15. Signs: Signs located on any building facade shall be compatible with the building's overall design. As an integral design element, signs shall be compatible with the style of the buildings in terms of location, scale, color, and lettering.

- a. The locations for signs on a building's facade shall be planned for as part of the building's overall design.
- b. Signs located on facades should integrate similar or complementary materials as the building.

16. Windows: Windows are key to the overall design of a building and the

relationship between the exterior and interior. The majority of windows shall relate to the scale of the person.

- a. Windows should be at eye level when possible and provide for transparency into the building.

b. Where buildings are adjacent to pedestrian walkways, transparent windows shall be used to relate the scale of the building and the building's interior to pedestrians. Where transparent windows may not be desirable or possible due to building design or structural concerns, tinted windows, false windows, spandrel glass or glass block shall be used.

(1) Window awnings are an effective way to add detail and variation to a building, emphasize pedestrian scale windows, and create an exciting and inviting environment. When placing awnings:

(A) Quality materials shall be used which are durable and are able to withstand extremes in the weather;

(B) Colors should be complementary to the color of the building on which the awning is located; and

(C) Styles should be compatible with the architectural features and overall architecture of the building on which the awning is located.

17. Roof Mounted Heating And Air Conditioning: Roof mounted heating and air conditioning shall be concealed on all sides by elements that are an integral part of the building design and which are equal to or greater in height than the mechanical equipment.

~~screened from a pedestrian point of view from the edge of the right-of-way.~~

18. Building Entrances: All building entrances shall be clearly articulated to indicate a transition from the exterior to the interior of the building. Every main entrance shall have a special emphasis when compared to the other portions of the building. This shall be accomplished through any combination of the following:

a. A prominent architectural feature that is unique to the overall building design;

b. Complementary yet differing building materials or colors;

c. Increased use of windows or glass;

d. Pedestrian amenities that may include patios, porches, special paving treatments, seating areas, or awnings; or

e. Increased landscaping.

f. For commercial buildings the entrance shall face the adjacent street.

On corner lots, only one street frontage needs to serve as the entrance.

19. Ground Mounted Utility Boxes, Meters And Mechanical Equipment: Ground mounted utility boxes, meters, and mechanical equipment shall be screened from off site view by landscaping or other architectural elements compatible in material and color with the primary structure. Screening requirements may be waived in rear and rear side yard locations when adjacent to other service or mechanical areas, or when not subject to primary views from off site.

20. Outside storage areas: Where allowed by the underlying zone, approved outdoor storage areas shall be fully screened from view using the a solid masonry wall, compatible in colors and materials to the building, a minimum of eight feet in height (8'). Enclosures shall also be surrounded by landscaping

to further minimize their visual impact. The general public shall be restricted from accessing such areas.

21. Shopping cart corrals are highly visible and needed to keep development sites safe and orderly. Corrals shall be located in fixed positions and be made of the same as or complimentary material to the building. Shopping corrals shall also contain some similar architectural or design features as the building.
22. Generators and other large auxiliary equipment shall be placed at locations where they will be least intrusive in terms of noise, appearance, and odors, particularly for occupants of neighboring properties. Site plans should also consider public utilities equipment placement and communicate early in the planning process with the various public utility providers about potential utility equipment placement on the site.
 - a. Equipment should be kept low to the ground.
 - b. Exhaust systems shall not protrude above the equipment.
 - c. Walls, landscaping, and other screening shall be used.
23. Security: Security of the site shall be strongly considered in any site design. To maximize safety and crime deterrence, site development should take into account features which maximize surveillance ability, access control, territoriality, and property maintenance.

~~D. Parking Lots: For parking lots with over ten (10) spaces, landscape islands shall include at least one tree (2 inch caliper), and allow for storm drainage to enter the island, if the drainage plan design can reasonably accommodate directing the flow to the islands. For parking lots adjacent to a street, a screen wall 2.5 feet to three feet (3') in height or a landscaped berm of the same height shall be constructed.~~

~~E. D. Transitional Development Standards For Uses Abutting Residential Zones: The purpose of this subsection is to provide standards for transitional areas between abutting lots zoned for dissimilar uses so that potential negative effects are mitigated.~~

1. ~~Landscaping Along Property Line; Setback: Where a lot in any multiple-family residential, business, commercial or industrial zone abuts a single-family residential or agricultural zone, or where a business, commercial or industrial zone abuts a lot in a multiple-family residential zone, a minimum landscaped yard at least ten feet (10') wide, including medium sized (see section 7-4-3 of this Code) trees on a maximum of thirty foot (30') centers, shall be provided on such lot along the property line where the lot abuts one or more of the aforementioned lots, unless a lesser setback is approved in accordance with section 11-16-24 of this title. Building setback in such areas shall be at least one foot (1') for each two feet (2') of building height. Buildings over twenty feet (20') high shall be set back at least ten feet (10').~~ All landscaping and setbacks shall meet the standards of the underlying zone and

all required land use buffer and perimeter landscaping standards.

2. ~~Minimum Side Yard Setback On Corner Lot: Where the side yard of a commercial or multiple-family residential corner lot abuts the same street as the front yard of an adjoining residential property facing the same street, the~~

~~minimum side yard setback on the corner lot shall be twenty feet (20') from the street right-of-way line.~~ All setbacks shall meet the standards of the underlying zone and all required land use buffer and perimeter landscaping standards.

3. Landscaped Front Yard: Where a ~~lot front yard~~ in any multiple-family residential, business, commercial or industrial zone abuts a ~~lot front yard~~ in any single-family residential or agricultural zone or where a business, commercial or industrial zone abuts a lot in a multiplefamily residential zone, there shall be provided a landscaped front yard on such lot equal to the residential zone requirement on the abutting property. Where the developing property abuts a residentially zoned lot, which is planned in the land use element of the General Plan as a non-residential use, the landscaped front yard requirement may be reduced to that required in the underlying zone.
4. Screening Parking Lot Areas: Any multiple-family residential, business, institutional, commercial or industrial parking lot consisting of four (4) or more spaces and that portion of the driveway back of the building line shall be screened from the street and from adjoining properties in the abutting residential or agricultural zone by either a landscaped berm with trees and shrubs, two feet (2') high at the crown, a hedgerow at least three feet (3') high at maturity, or a masonry wall not less than three feet (3') high in the front yard, and not more than eight feet (8') high located back of the building line.
5. Lighting: All building and parking lot lighting shall comply with the outdoor lighting regulations of subsection F of this section.
6. Pollution: Notwithstanding a permitted or conditional use provision to the contrary, a use that involves open storage of merchandise or equipment, trade or industry that is noxious or offensive by reason of the emission of odor, smoke, gas, vibration, or noise shall be set back one hundred feet (100') from property line abutting a residential or agricultural zone.
7. Overhead Doors: No overhead/bay doors shall be permitted in the wall of a building which faces a residential or agricultural zone if said wall is closer than twenty five feet (25') to the property line.
8. Mechanical Equipment: All mechanical equipment (i.e., air conditioners, fans, pumps, etc.) shall be located within a building or on a roof with parapet walls. Any mechanical equipment located on the outside of a building within twenty five feet (25') of the nearest residential zone shall have a visual/noise barrier (masonry wall/landscaping) that completely surrounds the equipment and extends at least one foot (1') above the equipment. Noise from mechanical equipment shall not exceed levels defined in the noise ordinance.
9. Loading And Delivery Areas: No loading dock or delivery pick up area shall be located within fifty feet (50') of a residential dwelling. These areas shall be screened from public view with a ~~six~~eight foot (~~8~~86') masonry wall.
10. Trash Containers: No trash container shall be located closer than ten feet (10') from the side property line of a lot in a residential or agricultural zone.
11. Required Wall; Noncompatible Uses: For proposed non-single family

residential projects abutting an established commercial or industrial use or proposed commercial or industrial projects abutting an established residential use a masonry, precast concrete, or lightweight precast fiber reinforced concrete wall of a minimum height of eight feet (8') shall be installed on all property lines abutting a noncompatible use, unless exempted in the land use buffer requirements in this Chapter. It shall be the responsibility of the newest incoming development to install the required wall. Where there is a difference in the grade of the properties on either side of the required wall the height shall be measured from the property with the highest grade or in such a way that provides the greatest possible visual screening.

F. (E) Deviations from Design Standards: In the event an applicant formally requests a deviation from the development or design standards of this chapter and has submitted a project that contains features and excellence in design above and beyond those required, ~~the~~ the planning commission Land Use Authority shall have the discretion to amend some or all of the architectural design standards as long as such deviation is consistent with the purpose and intent of the policies and development standards pertaining to the applicable zoning district as described in this Title and makes adequate findings on the record:

1. Deviation Criteria: The Land Use Authority shall take into consideration at least three (3) of the following criteria in considering a deviation of architectural design standards:
 - a. That the application of the particular design standard in question is infeasible or impractical due to adopted building and fire codes or structural design requirements.
 - b. That the standard in question is replaced with a suitable feature and design proposal that can be found to address the same architectural objective.
 - c. That additional landscaping or architectural site features are utilized to replace or shield from view the standard in question.
 - d. The variations are consistent with the purpose of this chapter and any applicable master plan or ordinance.
 - e. That the deviation for the project is required to create a consistent and compatible design in cases which involve redeveloped buildings, additions to existing buildings, minor structures added to a site, or new buildings within a previously approved phased project, which was originally developed under differing ordinance requirements.
 - f. Significant additional landscape plant material is provided more than the minimum required, including additional planting beds, plants, trees or a combination thereof.
 - g. The building design is a specific architectural style, such as contemporary or modern, which utilizes facade materials differently than prescribed in the applicable subsection of this chapter and is designed by a licensed architect.
 - h. The amount of primary materials used for a facade is at least ten percent (10%) greater than the minimum required amount.

i. Request Responsibility: The applicant shall demonstrate to the Land Use Authority that deviating from strict compliance to the standards of this chapter will meet the goals of the Land Use Ordinance by:

- (1) Providing a written description and analysis of the specific development standards to be lessened or modified and how that standard will be mitigated or replaced. The analysis shall be written by a licensed design professional, such as an architect, engineer or landscape architect;
- (2) Providing a written justification as to how the deviation meets the required findings of this subsection.
- (3) Findings Required: The Land Use Authority may approve deviations from the development standards listed in this chapter only if it finds, based upon a finding of facts as stated in subsection B of this section, that the deviation is in the benefit of the health, safety and welfare of the city and the project and substantially complies with the objectives of the Land Use Ordinance.

G. (F) Outdoor Lighting Standards: The purpose of this subsection is to regulate the placement, orientation, distribution patterns and fixture types of outdoor lighting installed as part of a site plan. It is the intent of the City to encourage lighting that provides safety, utility and security while preventing glare on public ways, protecting the enjoyment of private property rights, conserving energy resources and reducing atmospheric light pollution.

1. Design: Carefully planned lighting schemes shall have the effect of creating safe environments for pedestrians and motorists. Lighting shall also be considered an integral design element which adds to the overall site plan and building design.
 - a. Lighting schemes should include coordinating parking, wall, and pedestrian scaled fixtures which complement building architecture and site features.
 - b. Sensitively placed low light landscape lighting that highlights a site's desirable features is encouraged.
2. Outdoor Lighting Plan: If a proposed development, involves the installation or alteration of outdoor lighting fixtures, an outdoor lighting plan shall be submitted and shall include the following information:
 - a. A site plan drawn to a scale of one inch (1") equaling no more than twenty feet (20'), showing the location, height, manufacturer, model, lamp type, lumens, output and wattage of each outdoor lighting fixture in relationship to buildings, streets and parking areas. The City encourages yellow tint LED type site lighting.
 - b. A photometric plan showing the levels of illumination, in foot-candles, that would result at ground level from the lighting installation.
 - c. A certification that the lighting fixtures to be installed are fully shielded, cutoff type fixtures that will not allow light dispersion or

direct glare to shine above a ninety degree (90°) horizontal plane from the base of the fixture.

- d. A certification that the exterior lighting will comply with the maintained horizontal illuminance recommendations of the Illuminating Engineering Society of North America.

3. General Requirements:

- a. All commercial outdoor lighting shall be turned off after business hours, except for essential security lighting. All exterior lighting shall be fully shielded and directed downward to prevent off-site glare.
- b. Lighting of signs, buildings and displays shall be directed downward. Uplighting shall be prohibited; provided, that in landscaped areas, low level uplighting may be allowed if approved by the Zoning Administrator.
- c. Electrical service to outdoor lighting fixtures shall be underground unless fixtures are mounted directly on utility poles.

4. Exemptions: The following types of outdoor lighting shall be exempt from the provision of this subsection:

- a. Holiday lighting during the months of November, December and January. Seasonal decorations do not have to be shielded; provided, that they do not have a brightness of more than 0.1 foot-candles at the property line on which they are installed.
- b. Temporary lighting, including, but not limited to, circuses, fairs, carnivals and civic uses, for a period not to exceed thirty (30) calendar days, unless specified differently in an approved temporary use permit.
- c. Lighting associated with agricultural operations.
- d. Construction or emergency lighting; provided, that such lighting is temporary and is discontinued immediately upon the completion of the construction work or abatement of the emergency circumstances necessitating such lighting.
- e. Roadway lighting.

5. Parking Lot Lighting:

- a. Parking lots should be illuminated adequately for security and safety, but such illumination shall be controlled to prevent glare and avoid decreasing the visibility of neighboring properties.
- b. Parking lot lighting shall be installed at a maximum height of twenty feet (20') in residential zones and twenty feet (20') in commercial, office and industrial zones. Height shall be measured from the ground surface being illuminated to the bottom of the lighting fixture. Parking lot lighting shall not be located in any required setback.
- c. Parking lot lighting fixtures shall include "cutoff" and/or shielded fixtures and the maximum initial lumens generated by each fixture shall not exceed two hundred (200) (equivalent to a 150 watt incandescent bulb). The height of such lighting fixtures shall not exceed twenty feet (20').

- d. Parking lot lighting shall be designed so the minimum illumination at grade level is between two-tenths (0.2) and threetenths (0.3) in residential zones and between three-tenths (0.3) and five-tenths (0.5) foot-candles in commercial, office and industrial zones. Parking lot lighting shall not exceed three-tenths (0.3) at the property line in commercial office and industrial zones, and two-tenths (0.2) when adjacent to a residential use or zone. The ratio of average parking lot illumination to minimum parking lot illumination shall not exceed four to one (4:1).
6. Lighting Of Gasoline Station/Convenience Store Canopies:
 - a. Gasoline station and convenience store canopies shall provide adequate lighting for customers.
 - b. Lighting fixtures in the ceiling of canopies shall be fully recessed in the canopy.
 - c. Light fixtures shall not be mounted on the top or fascia of such canopies.
 - d. The fascia of such canopies shall not be illuminated, except for approved signage.
 - e. Areas around gasoline pump islands and under canopies shall have a minimum illumination at grade level between one foot-candle and five and one-half (5 1/2) foot-candles. The ratio of average illumination to the minimum illumination at grade in the areas around the gasoline pumps shall not exceed four to one (4:1).
7. Lighting Of Exterior Sales/Display Areas: The following provisions apply to businesses such as automobile, heavy equipment and recreational vehicle dealerships and other businesses, such as material stores, which rely on outdoor display of merchandise:
 - a. Areas designed for parking or passive display of merchandise shall be lighted in accordance with the standards for parking lots in subsection F4 of this section.
 - b. Light fixtures shall be shielded, cutoff type fixtures located, mounted and aimed so that direct light is not cast onto adjoining streets or properties.
 - c. Light fixtures shall be installed at a height not to exceed twenty feet (20').
 - d. Exterior display/sales areas shall be designed so that the minimum illumination at grade level is between one footcandle and five (5) foot-candles. The ratio of average display/sales area lighting to minimum display/sales area lighting shall not exceed four to one (4:1).
8. Lighting Of Outdoor Sports Or Performance Facilities:
 - a. The lighting plans to be submitted with the development plan shall be prepared by a qualified lighting designer, experienced in lighting such facilities. The plan shall demonstrate that the location, selection and aiming of the lighting fixtures will focus light on the playing or performing areas, minimize glare and visibility from neighboring

- areas, minimize night sky illumination, and promote energy efficiency.
- b. A dual lighting system shall be provided. The primary system shall be adequate for the sports or performing event. The primary system shall be shut off within forty five (45) minutes of the conclusion of the event. The secondary system shall be designed to facilitate the exiting of patrons, clean up and maintenance.
9. Security Lighting: Adequate lighting shall be provided to protect persons and property and to allow for the proper functioning of surveillance equipment as provided in this subsection:
- a. A security lighting plan shall utilize shielded fixtures. Floodlights shall not be permitted.
 - b. Vertical features, such as walls of a building, may be illuminated for security to a maximum height of eight feet (8') above grade.
 - c. Security lighting poles shall not exceed twenty feet (20') in height in residential zones and twenty feet (20') in commercial, office and industrial zones.
 - d. Security lights intended to illuminate a perimeter, such as a fence line, shall be allowed only if regulated by a motion detection system that triggers the lighting when an intruder moves to within five feet (5') of the perimeter.
 - e. The average horizontal grade level or vertical surface illumination of security lighting in residential zones shall not exceed one-half (1/2) foot-candle. The average horizontal grade level illumination of security lighting in commercial, office and industrial zones shall not exceed one and one-half (1 1/2) foot-candles.
10. Lighting Of Building Facades:
- a. Lighting of building facades is not allowed, except for approved security lighting. Government buildings, church buildings, and historic buildings listed on a City or State approved historic register shall be exempt from this requirement. When allowed, lighted facades shall not exceed an illumination of five (5) foot-candles on a vertical surface.
11. Illumination Of Signage:
- a. Externally illuminated signs shall be served by light fixtures that are shielded and directed downward. The average level of illumination on the sign face shall not exceed three (3) foot-candles and the ratio of average to minimum illumination shall not exceed two to one (2:1).
 - b. Internally illuminated signs shall be designed with light lettering or symbols on a darker background. If fluorescent lighting tubes are utilized, they shall be spaced on at least twelve inch (12") centers and be mounted at least three and one-half inches (3 1/2") from the sign face. (Ord. 2018-05, 3-14-2018)

SECTION 20: **AMENDMENT** “11.150.080 Assurances For Completion Of Improvements” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.150.080 Assurances For Completion Of Improvements

- A. Completion Of Installation: Landscaping, sprinkling systems, walls, fences and/or screening structures, walks, parking areas and other on and required off-site improvements shall be installed in accordance with the approved site plan and construction drawings prior to issuance of any occupancy permit. If the installation of any of these improvements cannot be completed due to weather or other circumstances beyond the control of the applicant/owner or developer, a conditional certificate of occupancy ~~shall~~may be issued if a performance security and deferral agreement is signed by the applicant/owner or developer which shall guarantee completion of all unfinished improvements, in a form approved by the City.
- B. Performance Security And Deferral Agreement: The performance security and deferral agreement shall consist of:
 - 1. A signed statement by the applicant/owner or developer that such improvements, identified by plans displaying the portions of the approved project improvements that are not complete, will be completed by the earliest possible date, not to exceed nine (9) months, to be determined by mutual

agreement between the applicant/owner or developer, the Zoning Administrator and/or City Engineer. An extension beyond this date may be granted if the applicant/owner or developer contacts the City fourteen (14) calendar days prior to the original completion date, the Zoning Administrator and/or City Engineer agree to such an extension, and the agreement is amended.

2. A performance security, in favor of the City and in an amount equal to one hundred percent (100%) of the estimated cost of installation of the unfinished improvements, is received in a form as approved by the City. The performance security shall be refunded upon inspection and acceptance of the improvements by the City.
3. The provisions of this section may be superseded by a development agreement, an adopted phasing plan, or the State Construction Code.
4. A signed agreement by the applicant/owner or developer that the bond will be forfeited to the City in the event the improvements are not installed by the agreed date, including a statement the City will have the right to take legal action to compel the completion of such improvements and a statement that the applicant/owner or developer will not allow the building to be occupied prior to the completion of such improvements.

C. Phased Development: Installation of landscaping with each phase of a multiphase development shall be permitted, provided that all landscaping required for each phase is installed concurrently with each phase. At no point shall the amount of installed landscaping go below the required percentage for the developed portion of the parcel or project. Partial releases of such bonds may occur by request of the applicant/owner or developer and after inspection and acceptance by the City. (Ord. 2018-05, 3-14-2018)

SECTION 21: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.


SECTION 22: **EFFECTIVE DATE** This Ordinance shall become effective immediately upon publication or posting as required by law.

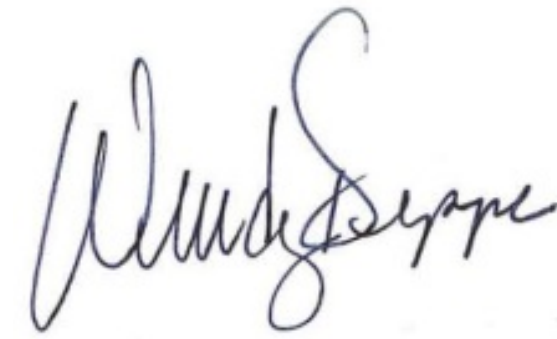
PASSED AND ADOPTED BY THE BLUFFDALE CITY COUNCIL MAY 26, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Aston	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Crockett	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Gaston	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Hales	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Kallas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer


Derk P. Timothy, Mayor, Bluffdale
City


Wendy Deppe, City Recorder
Bluffdale City

