

ORDINANCE NO. 2022-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUFFDALE, UTAH, AMENDING BLUFFDALE CITY CODE 11.20.020 (DEFINITIONS), 11.160 (SUPPLEMENTARY PROVISIONS) AND 11.80 (RESIDENTIAL ZONES) UPDATING THE STANDARDS RELATED TO ALLOWED LOCATIONS FOR SMALL ACCESSORY BUILDINGS AND STRUCTURES INCLUDING LOT COVERAGE

WHEREAS, Utah Code § 10-9a-102 grants the City of Bluffdale (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 modifies the regulations for the placement of small accessory buildings, including setbacks and overall lot coverage in certain residential zones to increase flexibility for storage and property usage; and

WHEREAS, the Planning Commission held a public hearing and gave the City Council its recommendation; and

WHEREAS, after holding a public hearing and reviewing the subject text amendment, the City Council finds that the subject text amendment will not negatively impact public health, safety, and welfare.

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

SECTION 1. Amendment. Bluffdale City Code is hereby *amended* as follows:

See Exhibit A

SECTION 2. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF BLUFFDALE, UTAH, ON THIS 9th DAY OF November, 2022, BY THE FOLLOWING VOTE:

| | YES | NO | ABSTAIN | ABSENT |
|------------------------|--------|--------|---------|--------|
| Councilmember Aston | _____ | _____ | _____ | _____✓ |
| Councilmember Crockett | _____ | _____✓ | _____ | _____ |
| Councilmember Gaston | _____✓ | _____ | _____ | _____ |
| Councilmember Hales | _____ | _____✓ | _____ | _____ |
| Councilmember Kallas | _____✓ | _____ | _____ | _____ |
| Mayor Hall | _____✓ | _____ | _____ | _____ |

Mayor: Natalie C. Hall
Natalie C. Hall

Attest: Ann Finney
City Recorder



Exhibit A – Small Accessory Buildings Ordinance Amendments

Exhibit A. Zoning Ordinance Changes for Small Accessory Buildings

Amend Existing Definition

11.20.020 General Definitions

...

~~PORTABLE SMALL ACCESSORY BUILDING OR STRUCTURE: Any small accessory building or compact structure that is 400 square feet or less, mounted on skids or otherwise constructed so that it can be readily moved from one location to another without change in structure or design. Small accessory Portable buildings shall have no connected utilities with the exception of electric power, that can be readily disconnected.~~

...

Amend Existing Land Use Code

11.160.230: Construction Within Easements

No dwelling, main building, accessory structures, ~~portable-small accessory building or structure~~, or swimming pool shall be located within a recorded easement area unless the property owner either produces written evidence satisfactory to the Zoning Administrator that the easement has been released, modified, allowed to be encroached upon, or executes a recordable document, in a form approved by the ~~C~~city ~~A~~ttorney, indicating that notwithstanding apparent existence of the easement, the structure may be subject to the superior interest of the easement holder and may be required to be relocated at the property owner's expense to accommodate such interest. The City is considered to have an interest within Public Utility Easements in subdivisions, to be verified by the City Engineer.

A. Location: Any structure in an easement area shall be located pursuant to the setback and other applicable requirements of this title.

B. No Expansion Of Legal Rights: Nothing in this section is intended to expand or restrict the rights or obligations of any party to any recorded easement.

...

11.160.260 ~~Portable-Small Accessory Buildings and Structures~~

A. ~~Portable-Small accessory buildings and structures~~ shall be allowed to be constructed in any residential zone within any ~~required~~ rear or side yard setbacks, subject to the following requirements:

1. ~~Portable-Small accessory buildings and structures~~ shall be subject to the permit and construction requirements of all adopted building and fire codes;
2. Shall not be constructed closer than two (2') feet to any side or rear ~~rd~~ property line.

3. Shall adhere to the requirements of City Code section 11.~~160.230-16-25~~ if proposed to be constructed within recorded utility easements;
 4. Shall be limited to a maximum of 400 square feet in floor area, which shall be included in a parcel's overall lot coverage;
 5. Shall have a maximum wall height of 120 feet, excluding end gables, and a maximum roofline height of 165 feet;
 6. Shall be used for storage use only;
 7. ~~Shall~~ May be located in the rear or side yard, no less than 10 feet behind the front vertical plane ~~of the most rearward wall of the primary of the~~ dwelling;
 8. Shall not overhang into or direct any drainage from the building or foundation into any adjacent property.
- B. ~~Portable Small accessory~~ buildings and structures within any non-residential zone may be allowed within any rear or side yard setbacks without setback limitations, subject to the following requirements:
1. Shall conform to all site plan approval and design requirements found in City Ordinances;
 2. Shall be subject to the permit and construction requirements of all adopted building and fire codes;
 3. Shall adhere to the requirements of City Code section 11.~~160.230-16-25~~ if proposed to be constructed within easements;
 4. Shall be limited to a maximum of 400 square feet in floor area, which shall be included in a parcel's overall lot coverage;
 5. Shall have a maximum wall height of 120 feet, excluding end gables, and a maximum roofline height of 165 feet;
 6. Shall be used for storage use only;
 7. Shall be located in the rear yard, behind the vertical plane of the most rearward wall of the primary structure;
 8. Shall not overhang into or direct any drainage from the building or foundation into any adjacent property.

R-1-43 specific changes

11.80.010.110 Permissible Lot Coverage

The sum total of all buildings and structures on any parcel in the R-1-43 Residential Zone shall not be greater than thirty percent (30%) of the total area of the parcel. In the subdivisions within Parry Farms and Spring View Farms, which were approved as Clustered Residential Overlay Zones, the maximum permissible lot coverage is forty percent (40%) of the total area of the parcel.

11.80.010.100 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than ten feet (10'). The distance between any accessory building and another accessory building shall not be less than two feet (2').

R-1-10 Specific Changes

11.80.020.100 Distance Between Buildings

The distance between any accessory building and any dwelling shall not be less than ten feet (10'). The distance between any accessory building and another accessory building shall not be less than two feet (2').