

**ORDINANCE NO. 2023-23**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUFFDALE, UTAH, AMENDING BLUFFDALE CITY CODE SECTIONS 11.90 AND 11.100 (COMMERCIAL AND INDUSTRIAL ZONES) RELATING TO MINIMUM LOT AREA, FRONTAGE, WIDTH, AND SETBACK REQUIREMENTS IN THE HEAVY COMMERCIAL AND LIGHT INDUSTRIAL ZONES**

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

WHEREAS, the subject text amendment modifies the regulations for minimum lot area, frontage, width, and setbacks in the heavy commercial and light industrial zones which remove unnecessary restrictions on innovative subdivision and site design; 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 enhance public health, safety, and welfare.

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

**SECTION 1. Amendment.** Sections 11.90 and 11.100 of the Bluffdale City Code are hereby *amended* as shown in Exhibit A:

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 11th DAY OF OCTOBER, 2023, BY THE FOLLOWING VOTE:**

	YES	NO	ABSTAIN	ABSENT
Councilmember Aston	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Crockett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Gaston	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Hales	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Kallas	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Mayor: *Natalie C. Hall*  
 Natalie C. Hall

Attest: *Jenni Finlayson*  
 City Recorder



## **Exhibit A - Heavy Commercial (HC) and Light Industrial (I-1) Zone Development Standards Text Amendments**

### **Heavy Commercial Zone Amendments**

#### **11.90.030.010 Purpose And Zone Characteristics**

The HC heavy commercial zone is established to provide areas within the city for various uses that under the right circumstances are compatible with each other. The zone allows for ~~limited a variety of~~ commercial and service uses.

#### **11.90.030.020 Permitted, Conditional And Accessory Uses**

1. Permitted And Conditional Uses: Permitted and conditional uses allowed within the HC zone are set forth in ~~section 11-35-2~~ section 11.350.020 of this title.
2. Accessory Uses: Accessory uses allowed within the HC zone are set forth in section ~~11-35-2~~ 11.350.020 of this title. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses shall not be allowed on a lot or parcel without the establishment of an approved permitted or conditional use.

#### **11.90.030.030 Lot Area**

There ~~is no required~~ minimum lot area requirement in the HC zone, ~~is one-half (1/2) acre.~~

#### **11.90.030.040 Lot Width**

There ~~is no~~ minimum width requirement in the HC zone, ~~shall be one hundred fifty feet (150') for all of the area located in any required front setback area.~~

#### **11.90.030.050 Lot Frontage**

All parcels in the HC zone shall abut a public street or approved private street or right of way ~~for at least one hundred fifty feet (150')~~ or have acceptable access to a public ~~or private~~ street through cross access or private right of way ~~easements~~ provided through an adjacent lot or parcel.

#### **11.90.030.060 Setback Requirements**

The following minimum setback requirements shall apply in the HC zone. Each setback is measured from the property or right of way line of the lot or parcel, whichever is greater.

1. Setbacks for lots or parcels abutting a public or private street:
  1. Front Setback: Each lot or parcel shall have a minimum front setback of fifteen feet (15').
  2. Side And Rear Setbacks: Each lot or parcel shall have a minimum side and rear setback of ~~twenty ten~~ feet (120'). ~~A total reduction of the rear and side setbacks of up to twenty feet (20') may be approved if doing so does not violate the adopted building and fire codes. Side and rear setbacks may be reduced to zero if it does not violate existing easements or required land use buffers.~~
2. Internal setbacks for lots or parcels within an approved development or subdivision which do not abut a private or public street or right of way shall be determined at the time of site plan approval.

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### **11.90.030.120 Project Site Plan Approval Required**

- ~~1. Any request for project Site plan approval is required in the HC Zone and is subject to any and all applicable City resolutions and ordinances and adopted standards, including the subdivision ordinance, design guidelines and standard specification, and the City General Plan.~~
- ~~2. Projects in the HC Zone will be reviewed and approved in accordance with chapter 15 of this title. (Ord. 10-24-00-1, 10-24-2000)~~

### **11.90.030.130 Other Requirements**

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

1. Signs: Signs are allowed in the HC Zone in accordance with chapter 11.22022 of this title.
2. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. A minimum of fifteen percent (15%) 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 fifteen percent (15%) landscaping so long as fifteen percent (15%) of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in section 11-15-511.150.050 of this title.
3. Trash, Junk, Storage And Other Debris: No trash, used materials, unsightly storage of any kind, or nonlicensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or, ~~if deemed appropriate by the City,~~ by a sight obscuring fence.
- ~~4. Design Guidelines: The City Council may require specific design guidelines be employed in the project if it can be 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. (Ord. 10-24-00-1, 10-24-2000)Development shall adhere to all design guidelines found in Chapter 11.150 of the Bluffdale City Code and all other applicable requirements or development agreements.~~
5. Public Utility Easements. The width and location of public utility easements may be modified as approved by the City Engineer.

### **Light Industrial Zone Amendments**

#### **11.100.010.010 Purpose And Zone Characteristics**

The I-1 light industrial zone is established to provide areas within the city for manufacturing, processing and warehousing of goods and materials. The zone allows for limited a variety of commercial, ~~and service,~~ and light industrial uses.

### **11.100.010.020 Permitted, Conditional And Accessory Uses**

1. Permitted And Conditional Uses: Permitted and conditional uses allowed within the I-1 zone are set forth in section ~~11-35-211.350.020~~ of this title.
2. Accessory Uses: Accessory uses allowed within the I-1 zone are set forth in section ~~11-35-211.350.020~~ of this title. Any accessory use must be clearly incidental to a permitted or conditional use of the property. Accessory uses shall not be allowed on a lot or parcel without the establishment of an approved permitted or conditional use.

### **11.100.010.030 Lot Area**

The ~~re is no~~ minimum lot area requirement in the I-1 zone. ~~is one-half (1/2) acre, except for parcels created prior to the adoption of this article and parcels which are created solely for access use or required utility or infrastructure uses.~~

### **11.100.010.040 Lot Width**

The ~~re is no~~ minimum width requirement in the I-1 zone. ~~shall be one hundred feet (100') for all of the area located in any required front setback area, except for parcels created prior to the adoption of this article and parcels which are created solely for access use or required utility or infrastructure uses.~~

### **11.100.010.050 Lot Frontage**

All parcels in the I-1 zone shall abut a public or private street or approved right of way ~~for at least one hundred feet (100')~~ or have acceptable access to a public ~~or private~~ street through cross access or private right of way ~~easements~~ provided through an adjacent lot or parcel. ~~except for parcels created prior to the adoption of this article and parcels which are created solely for access use or required utility or infrastructure use.~~

### **11.100.010.060 Setback Requirements**

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

1. Setbacks for lots or parcels abutting a public ~~or private~~ street:
  1. Front Setback: Each lot or parcel abutting a public street shall have a minimum front setback of ~~thirty-fifteen~~ feet (~~30'15'~~).
  2. Side And Rear Setbacks: Each lot or parcel ~~abutting a public street~~ shall have a minimum side and rear setback of ~~twenty-ten~~ feet (~~120'~~). ~~A total reduction of the rear and side setbacks of up to twenty feet (20') may be approved if doing so does not violate the adopted building and fire codes. Side and rear setbacks may be reduced to zero if it does not violate existing easements or required land use buffers.~~
2. ~~Internal setbacks for lots or parcels within an approved development or subdivision which do not abut a private or public street or right of way shall be determined at the time of site plan approval.~~
- 2.3. ~~Setbacks for lots or parcels abutting a private street or right of way shall be determined at the time of site plan approval. (Ord. 2015-04, 4-22-2015)~~

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#### **11.100.010.120 Project Site Plan Approval Required**

1. ~~Any request for projectSite~~ plan approval is required in the I-1 Zone and is subject to any and all applicable City ~~resolutions and ordinances~~ and adopted standards, ~~including the subdivision ordinance, design guidelines and standard specifications, and the City General Plan.~~
2. ~~Projects in the I-1 Zone will be reviewed and approved in accordance with chapter 15 of this title. (Ord. 10-24-00-1, 10-24-2000)~~

#### **11.100.010.130 Other Requirements**

The following 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:

1. Signs: Signs are allowed in the I-1 Zone in accordance with chapter 11.220 of this title.
2. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. A minimum of fifteen percent (15%) 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 fifteen percent (15%) landscaping so long as fifteen percent (15%) of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in section ~~11-15-511.150.050~~ of this title.
3. Trash, Junk, Outside Storage And Other Debris: No trash, used materials, unsightly storage of any kind, or nonlicensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building or; ~~if deemed appropriate by the city,~~ by a sight obscuring fence.
4. Design Guidelines: ~~The city council may require specific design guidelines be employed in the project if it can be 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. Development shall adhere to all design guidelines found in Chapter 11.150 of the Bluffdale City Code and all other applicable requirements or development agreements.~~
5. ~~Large Buildings: Any building larger than forty thousand (40,000) square feet in the I-1 zone shall be designed to have main entrances on at least two (2) 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. (Ord. 10-24-00-1, 10-24-2000)~~