

**CITY OF BLUFFDALE, UTAH**

**ORDINANCE NO. 2015-04**

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF TITLE 11 OF THE BLUFFDALE CITY CODE IN ORDER TO REVISE LANDSCAPING, DESIGN, AND LOT STANDARDS FOR NONRESIDENTIAL ZONES.**

**WHEREAS** the City of Bluffdale Land Use Ordinance sets forth lots standards and landscaping and building design requirements for nonresidential zones;

**WHEREAS** the City of Bluffdale General Plan recommends development of flexible land use ordinances to help facilitate the development of unique properties and the creation of design standards for commercial developments;

**WHEREAS** the proposed ordinance will facilitate economic development and well-designed development projects; and

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

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

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

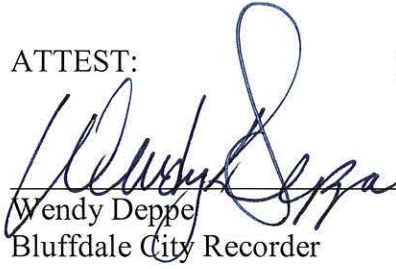
**Section 2. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

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

APPROVED, ADOPTED AND PASSED and ordered published by the Bluffdale City Council, this 22nd day of April, 2015.

CITY OF BLUFFDALE

  
Mayor

ATTEST:  
  
Wendy Deppe  
Bluffdale City Recorder

[SEAL]



Council members

Voting:

AYE NAY

Alan Jackson	X	_____
Bruce Kartchner	_____	X
Ty Nielsen	X	_____
Heather Pehrson	X	_____
Justin Westwood	X	_____

## Exhibit A. Zone Text Amendments

### 11-9A-13: OTHER REQUIREMENTS:

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. A minimum of 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 20% landscaping so long as 20% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscape plan detailing the types and sizes of planting materials to be used. The landscaping plan shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

...

### 11-9B-13: OTHER REQUIREMENTS:

...

B. Landscaping: Each lot or parcel shall be completely landscaped, except those areas used for buildings or parking. A minimum of 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 20% landscaping so long as 20% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

...

### 11-9C-3: LOT AREA:

The minimum lot area requirement in the HC zone is one-half (1/2) acre.

### 11-9C-4: LOT WIDTH:

The minimum width requirement in the HC zone shall be one hundred fifty feet (150') for all of the area located in ~~the any~~ required front setback area.

### 11-9C-5: 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 street through cross access or private right of way provided through an adjacent lot or parcel.

### 11-9C-6: SETBACK REQUIREMENTS:

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

#### A. Setbacks for lots or parcels abutting a public street:

1. Front Setback: Each lot or parcel ~~in the HC zone~~ abutting a public street shall have a minimum front setback of thirty feet (30').

#### ~~B2.~~ Side And Rear Setback:

1. ~~Except as provided in subsection B2 of this section, e~~ Each lot or parcel abutting a public street in the HC zone shall have a minimum side and rear setback of twenty feet (20'). 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.

2. ~~One side of the building or the rear of the building can be built on the property line if approved by the fire chief.~~

B. Setbacks for lots or parcels abutting a private street or right of way shall be determined at the time of site plan approval.

...

### 11-9C-9: DISTANCE BETWEEN BUILDINGS:

The distance between any building or structure and any other building or structure shall ~~be at least twenty feet (20').~~ satisfy the building and fire codes in place at the time of site plan approval.

**11-9C-10: LOT COVERAGE:**

The sum total of all buildings, structures and parking on any parcel or project in the HC zone shall not exceed eighty five percent (85%) of the total area of the parcel or project.

...

**11-9C-13: OTHER REQUIREMENTS:**

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. ~~in an effort to eliminate, to the extent possible, dust and erosion. A minimum of 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 15% landscaping so long as 15% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. On larger parcels, an alternative method of landscaping may be presented to the city council for their consideration and approval. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.~~

...

**11-9D-6: TABLE:**

Development Requirement	Standard
Required landscaping	<del>Each lot or parcel shall be completely landscaped, except those areas used for buildings or parking. A minimum of 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 20% landscaping so long as 20% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. All areas not included with the site occupied by buildings, structures and required parking shall be landscaped with trees, shrubs, ground cover or grass.</del>

...

**11-9E-13: OTHER REQUIREMENTS:**

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. ~~but at a minimum, twenty percent (20%) of the lot or parcel shall be landscaped. A minimum of 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 20% landscaping so long as 20% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system. A landscaping buffer shall be required for areas adjacent to residential uses or adjacent to the street.~~

...

**11-10A-4: LOT WIDTH:**

The minimum width requirement in the I-1 zone shall be one hundred feet (100') for all of the area located in ~~the~~ 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.

**11-10A-5: 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 street through cross access or private right of way 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.

**11-10A-6: SETBACK REQUIREMENTS:**

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

**A. Setbacks for lots or parcels abutting a public street**

**1. Front Setback:** Each lot or parcel ~~in the I-1 zone abutting a public street~~ shall have a minimum front setback of thirty feet (30').

**B2. Side And Rear Setbacks:**

~~1. Except as provided in subsection B2 of this section, e Each lot or parcel abutting a public street in the I-1 zone shall have a minimum side and rear setback of twenty feet (20'). 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.~~

~~2. One side of the building or the rear of the building can be built on the property line if approved by the fire chief.~~

B. Setbacks for lots or parcels abutting a private street or right of way shall be determined at the time of site plan approval.

...

**11-10A-9: DISTANCE BETWEEN BUILDINGS:**

The distance between any building or structure and any other building or structure shall satisfy the requirements of the building and fire codes in place at the time of site plan approval.~~be at least twenty feet (20').~~

**11-10A-10: LOT COVERAGE:**

The sum total of all buildings, structures and parking on any parcel or project in the I-1 zone shall not exceed eighty five percent (85%) of the total area of the parcel or project.

...

**11-10A-13: OTHER REQUIREMENTS:**

...

**B. Landscaping:** Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. A minimum of 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 15% landscaping so long as 15% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscape plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. On larger parcels, an alternative method of landscaping may be presented to the city council for their consideration and approval. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

...

**11-10B-4: LOT WIDTH:**

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

**11-10B-5: LOT FRONTAGE:**

All parcels in the I-2 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 street through cross access or private right of way provided through an adjacent lot or parcel.

**11-10B-6: SETBACK REQUIREMENTS:**

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

A. Setbacks for lots or parcels abutting a public street

1. Front Setback: Each lot or parcel in the I-2 zone abutting a public street shall have a minimum front setback of forty feet (40').

B2. Side And Rear Setback:

1. Except as provided in subsection B2 of this section, e Each lot or parcel abutting a public street in the I-2 zone shall have a minimum side and rear setback of twenty feet (20'). 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.

2. One side of the building or the rear of the building can be built on the property line if approved by the fire chief.

B. Setbacks for lots or parcels abutting a private street or right of way shall be determined at the time of site plan approval.

...

**11-10B-9: DISTANCE BETWEEN BUILDINGS:**

The distance between any building or structure and any other building or structure shall be at least twenty feet (20'). satisfy the requirements of the building and fire codes in place at the time of site plan approval.

**11-10B-10: LOT COVERAGE:**

The sum total of all buildings, structures and parking on any parcel or project in the I-2 zone shall not exceed eighty five percent (85%) of the total area of the parcel or project.

...

**11-10B-13: OTHER REQUIREMENTS:**

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking. A minimum of 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 15% landscaping so long as 15% of the total developed project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. On larger parcels, an alternative method of landscaping may be presented to the city council for their consideration and approval. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

...

**11-10C-14: OTHER REQUIREMENTS:**

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking in an effort to eliminate, to the extent possible, dust and erosion. A minimum of 15% of the total area of the lot or parcel shall be landscaped. Lots or parcels located in a development consisting of a landscaped common area may have less than 15% landscaping so long as 15% of the total project area is landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. On larger parcels, an alternative method of landscaping may be presented to the city council for their consideration and approval. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.

...

**11-11E-11: OTHER REQUIREMENTS:**

...

B. Landscaping: Each lot or parcel shall be completely landscaped except those areas used for buildings or parking, but at a minimum, fifteen percent (15%) of the lot or parcel shall be landscaped. All landscaping shall comply with the landscaping requirements in 11-15-6. Each project application shall be accompanied by a complete landscaping plan detailing the types and sizes of planting materials to be used. The landscaping shall be maintained using an automatic sprinkling system and shall be completed prior to issuance of a certificate of occupancy. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system. A landscaping buffer shall be required for areas adjacent to residential uses or adjacent to the street.

## Exhibit B. Site Plans

### 11-15-6: LANDSCAPING REQUIREMENTS:

Landscaping shall be used as a tool to enhance and beautify the site and the building's architecture and design.

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

1. There shall be a minimum of one evergreen no less than eight feet (8') in height or deciduous tree with no less than one and one-half inch (1½") caliper for every five hundred (500) square feet of land not covered by an approved building or ~~required~~ parking.
2. There shall be a minimum of one 5-gallon or larger shrub for every two hundred (200) square feet of land not covered by an approved building or ~~required~~ parking.
3. ~~All area not covered by an approved building, required parking, trees or shrubs shall be covered by grass or another acceptable ground-cover such as bark, wood chips, clean gravel or rocks. 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 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.~~ Dirt, weeds and similar materials are not considered acceptable ground cover.
4. ~~Planting areas shall be attractively landscaped with shrubs, flowers and other plant materials.~~ Weeds, wild grass, garbage and other distracting materials shall be eliminated from planting areas on a regular basis.
4. Vegetative groundcover shall be utilized for at least 80% of a development site's frontage along any public right of way not including sidewalks, driveways, and entry points.

B. 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.

C. Waterwise Landscaping: The use of waterwise landscape practices to minimize the need for supplemental watering is strongly encouraged. Landscape plans should reflect the following techniques:

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

BD. Each applicant shall be required to furnish and install fences when the staff, planning commission, and/or city council determine that a hazardous condition may exist. The fences shall be architecturally compatible with the buildings and other improvements within the surrounding area, shall be constructed according to the standards found in section 11-16-14 of this title, and shall be noted as to height and material on the site plan. Where chainlink fencing is preferred, it shall be dark vinyl coated. No certificate of occupancy shall be issued until the fence improvements have been duly installed.

E. Parking Lots: Any parking lot designed to provide ten (10) or more parking spaces shall provide landscaping according to the requirements in 11-12-7.

F. Deviations from Strict Compliance: Because site conditions and development constraints vary greatly among sites, the Land Use Authority may approve landscape plans that deviate from strict compliance with any requirements of this ordinance.

1. 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 ordinance 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 ordinance and any applicable master plan;
  - b. Reflects a design that conforms to the requirements of this ordinance to the greatest extent possible and offers alternative methods for addressing the landscape requirement for which a deviation is being requested;
  - c. Will not adversely affect neighboring property owners or residents;
  - d. Will not adversely affect sight distance or otherwise diminish public safety;
  - e. Is justified by site constraints; and
  - f. Is of high quality and integrates aesthetically with the design of the primary buildings on site and established streetscape.

#### **11-15-7: DESIGN STANDARDS:**

- A. If enacted in a particular zone, all developments shall satisfy the design standards adopted by the city. Design requirements may include restrictions on building size, materials, colors, styles, lighting and other design criteria. All buildings and developments shall satisfy the adopted design standards for the zone in which the building or development is located.
- B. If specific design standards have not been adopted, all developments shall be reviewed for compatibility with recent or new development in the general area in respect to building size, traffic circulation, massing, uses, colors, lighting and any other appropriate design review. An exterior surface of painted metal shall not be acceptable. in the zone, all building designs shall consider recent or new surrounding or nearby buildings and developments and implement design solutions which are sensitive to those nearby buildings and developments. The review of this requirement shall be based on the following:
  1. The buildings positively contribute to the overall character of the City of Bluffdale and the area in which it is located;
  2. The buildings demonstrate imaginative design or reflect the character of surrounding development through use of some similar positive and desirable features, and;
  3. Where proposed building designs closely copy or mirror surrounding development, the buildings vary colors, materials, or architectural elements.
- C. 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:
  1. A prominent architectural feature that is unique to the overall building design;
  2. Complimentary yet differing building materials or colors;
  3. Increased use of windows or glass;
  4. Pedestrian amenities that may include patios, porches, special paving treatments, seating areas, or awnings; or
  5. Increased landscaping.
- D. Metal shall not be permitted as a primary exterior surface. Pre-engineered metal buildings shall have an architectural treatment of stone, brick, stucco, or another similar material. Metal buildings may be allowed in the SG-1 zone with the approval of the City Council.

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#### **11-15-9: ASSURANCES FOR COMPLETION OF IMPROVEMENTS:**

- A. Landscaping, sprinkling systems, walls, fences and or screening structures, walks, parking areas and other on site improvements shall be installed in accordance with a final site plan 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 owner or developer, a conditional certificate of occupancy may be issued if a

performance security and deferral agreement is signed by the developer or owner which shall guarantee completion of all unfinished improvements. Such agreement shall be reviewed and approved by the city attorney.

B. The performance security and deferral agreement shall consist of:

1. A signed statement by the owner or developer that such improvements will be completed by the earliest possible date to be determined by mutual agreement between the owner or developer, the city planner and/or city engineer. An extension beyond this date may be granted if the owner or developer contacts the city fourteen (14) days prior to the original completion date, the city planner 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 twenty five percent (125%) of the estimated cost of installation of the unfinished improvements, is received in the form of either a security bond by a surety company duly authorized to do business in the state, or a letter of credit by a bank or savings and loan institution, or a cash deposit. The performance security shall be refunded upon inspection and acceptance of the improvements by the city.
3. A signed agreement by the 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 owner 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 multi-phase 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.

**Exhibit C. Off Street Parking**

**11-12-5: GENERAL PROVISIONS:**

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A. Location: The location of off street parking facilities shall be as follows, and shall not be located within the public right of way:

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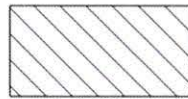
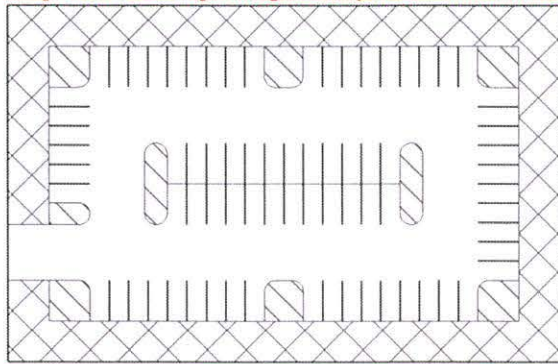
4. Off street parking shall not be located within twenty feet (20') of the front property line off a public street.

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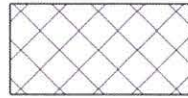
**11-12-7: LANDSCAPING:**

A. Requirements: Any parking lot designed to provide ten (10) or more parking spaces shall be required to provide ~~no less than ten percent (10%) landscaping within the boundaries of the parking lot. The landscaping plan shall be approved by the city council and shall include an automatic sprinkling system. At its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.~~ landscaping in accordance with the provisions of this section.

B. 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.



Counts towards parking lot landscaping



Does not count towards parking lot landscaping

~~B. Setback Areas: The setback area of any parking structure shall be landscaped. A landscaping plan shall be approved by the city council and shall include an automatic sprinkling system. As noted above, at its discretion, the city council may approve xeriscaping or other water conserving landscaping which would not require an automatic sprinkling system.~~

C. Materials: The landscaping shall consist of ~~grass, trees, shrubs and other attractive plant materials.~~ groundcover, trees, and plant materials in accordance with 11-15-6. 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.

D. 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.