

CITY OF BLUFFDALE, UTAH

ORDINANCE NO. 2015-14

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE CITY OF BLUFFDALE LAND USE ORDINANCE FOR THE GATEWAY REDWOOD ZONE, TITLE 11-11A, BLUFFDALE CITY CODE

WHEREAS the City of Bluffdale Land Use Ordinance contains a specific set of zoning ordinance regulations for the Gateway Redwood Commercial Zone;

WHEREAS the property owner within the Gateway Redwood zone has requested consideration of various amendments to the zone to address current market conditions, transportation alternatives, and development guidelines;

WHEREAS the City of Bluffdale General Plan recommends development of flexible land use ordinances to help facilitate the development of properties within the City and the Gateway Redwood area has been identified as a prioritized commercial location within the community;

WHEREAS the proposed ordinance will facilitate economic development in our Gateway Redevelopment Area; 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 Exhibit 'A' (All parts of these sections and subsections not specifically listed as changed shall remain unaffected):

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 and provisions of this Ordinance shall be severable.

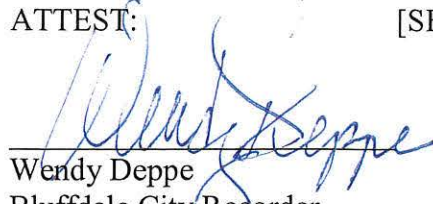
Section 3. Effective Date. This Ordinance shall take effect upon recording in the office of the City Recorder, publication, posting, or thirty (30) days after passage, whichever occurs first.

APPROVED, ADOPTED AND PASSED and ordered published by the Bluffdale City Council, this 9th Day of December, 2015.

CITY OF BLUFFDALE


Mayor

ATTEST:


Wendy Deppe
Bluffdale City Recorder

[SEAL]



Council members

Voting:

AYE NAY

Alan Jackson	X	_____
Bruce Kartchner	X	_____
Mark Lemery	X	_____
Ty Nielsen	X	_____
Justin Westwood	X	_____

Exhibit 'A' (clean copy)

**Article A
GW-R Gateway Redwood Zone**

- 11.11A.1 Purpose and Zone Characteristics**
- 11.11A.2 Permitted, Conditional and Accessory Uses**
- 11.11A.3 Lot Access**
- 11.11A.5 Setback and Build-to Requirements**
- 11.11A.6 Projections into Setbacks**
- 11.11A.7 Building Height Requirements**
- 11.11A.8 Distance between Buildings**
- 11.11A.9 Minimum Landscaping Requirement**
- 11.11A.10 Parking, Loading and Access**
- 11.11A.11 Massing of Buildings**
- 11.11A.12 Transition into Residential Areas**
- 11.11A.13 Design Guidelines and Motif**
- 11.11A.14 Landscaping of Roadway Frontage**
- 11.11A.15 Other Requirements**
- 11.11A.16 Project Plan Approval**

11.11A.1 Purpose and Zone Characteristics

The GW-R Gateway Redwood Zone is established to provide an attractive entry corridor into Bluffdale City. The purpose of the GW-R Zone is to encourage and allow development of a wide range of commercial and mixed use development to establish a community shopping center and to create and enhance the aesthetics and ambiance, architecture, and character of the district as further identified in that certain Conceptual Master Plan and Design Guidelines ("Concept Plan and Design Guidelines") which has been approved by the City in connection with this zoning ordinance.

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

11.11A.2 Permitted, Conditional and Accessory Uses

Permitted Uses

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

1. Agricultural products.
2. Automotive service (except in transition area described in Section 11/11A/12).
3. Bank or financial institution (excluding loan center).
4. Business services.
5. Car wash.
6. Convenience store.

7. Daycare center.
8. Farmers market.
9. Funeral home.
10. Gas station.
11. Hotel.
12. Kennel (inside boarding only).
13. Laundry services.
14. Liquor store.
15. Loan center.
16. Medical service (excluding blood or plasma donation facilities).
17. Movie theater.
18. Municipal offices.
19. Museum.
20. Nursery.
21. Nursing home.
22. Office, general.
23. Personal instruction service.
24. Personal service establishment.
25. Preschool/daycare center.
26. Public uses.
27. Reception center.
28. Recreation and entertainment (indoor).
29. Recreation and entertainment (outdoor).
30. Repair service.
31. Rest home.
32. Restaurant.
33. Retail, general.
34. School.
35. Tattoo establishment.
36. Tobacco specialty business.
37. Veterinary service.

Conditional Uses

The following land use types are allowed as conditional uses in the GW-R Zone. Unless specifically listed, any other use is not a permitted use in the Zone. Each conditional use must be reviewed and approved in accordance with chapter 20 of this title.

1. None

Accessory Uses

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

1. Off street parking lots or structures.

2. Storage facilities for machinery and equipment as an accessory use to a permitted or conditional use (enclosed).
3. Trails, paths, and other pedestrian facilities.

11.11A.3 Lot Access

All lots and parcels in the GW-R Zone shall have access to a public street, public right-of-way, or an approved private right of way. All lots and parcels shall have reciprocal cross-access easements with every other lot and parcel in the GW-R Zone.

11.11A.5 Setback and Build-to Requirements

Unless a lot or parcel is adjoining a public road or residential zone, no setbacks shall be required. Setbacks adjacent to a public road or residential zone shall conform to the Concept Plan and Design Guidelines.

11.11A.6 Projections into Setbacks

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

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

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

1. Cornices, eaves, sills, buttresses, or other similar architectural features
2. Awnings, decks and planter boxes.
3. Necessary above-ground appurtenances for utility services.
4. Signs (including monument and pylon signs).

11.11A.7 Building Height Requirements

Retail buildings or structures, including those located in the Retail Core identified in the Concept Plan and Design Guidelines may not exceed forty (40) feet in height, nor be lower than ten (10) feet in height. Buildings or structures located in the Office Area identified in the Concept Plan and Design Guidelines may not exceed one hundred (100) feet in height, nor be lower than ten (10) feet in height.

11.11A.8 Distance between Buildings

All buildings shall conform to the Concept Plan and Design Guidelines and shall meet all then applicable construction codes.

11.11A.9 Minimum Landscaping Requirement

The entire project within the GW-R Zone shall contain a minimum of fifteen (15) percent landscaping in accordance with the adopted Concept Plan and Design Guidelines. Individual lots will be averaged within the project, including setback areas to satisfy this requirement, pursuant to City phased development requirements.

11.11A.10 Parking, Loading and Access

Each project in the GW-R Zone shall satisfy the off-street parking requirements found in chapter 12 of this title. Notwithstanding the foregoing, parking requirements may be adjusted by the City based on a professionally prepared shared parking analysis. The spaces shall be hard surfaced with asphalt or concrete and shall be accessed from a public road by a hard surfaced, composed of asphalt or concrete, drive approach. There will be no maximum limit to the amount of parking that may be provided.

Loading and unloading shall not occur on a public street.

11.11A.11 Massing of Buildings

Buildings shall conform to the Concept Plan and Design Guidelines.

11.11A.12 Transition into Residential Areas

Notwithstanding Section 11-16-20 or any other ordinance to the contrary, the transition into residential areas, defined as south of 13970 South from Redwood Road to the proposed roundabout, shall include a minimum 10 foot wall with appropriate landscaping on the property line as depicted in the Concept Plan and Design Guidelines.

In order to promote the compatibility between the GW-R Zone and any residential zone, the Land Use Authority may require special conditions including, but not limited to, the following:

1. Businesses located in the transition area shall not transact business between 9:00 p.m. and 7:00 a.m., including garbage collection and deliveries.
2. No automotive businesses are allowed in the transition area.
3. That a 20 feet landscaping buffer as shown on page 15 of the Concept Master Plan and Design Guidelines is required to be installed.
4. Any business located within the transition area shall only be allowed to have exterior speakers on the north side of any building, pointed away from the adjacent residential properties to the south.
5. Restrictions on lighting, emissions, noise, and other potential impacts.
6. Appropriate screening.
7. Parking lot lighting south of 13970 shall be:
 - a. illuminated adequately for security and safety, but such illumination shall be controlled to prevent glare and avoid decreasing the visibility of neighboring properties;
 - b. installed at a maximum height of twenty five feet (25');
 - c. designed so the minimum illumination at grade level, immediately adjacent to southernmost boundary is between two-tenths (0.2) and three-tenths (0.3) in residential zones and three-tenths (0.3).

11.11A.13 Design Guidelines and Motif

Buildings constructed within the GW-R Zone shall conform to the Concept Plan and Design Guidelines.

11.11A.14 Landscaping of Roadway Frontage

Parcels located adjacent to any roadway shall be required to provide attractive and appropriate landscaping of the frontage area that conforms with the Concept Plan and Design Guidelines. All landscaping shall be maintained by the owners of the project.

11.11A.15 Other Requirements

The following requirements are in addition to the requirements found in this Chapter, the General Provisions or Supplementary Provisions of the City's Land Use Ordinance, or any other applicable resolution or ordinance.

1. Signs – signs shall conform to the Concept Plan and Design Guidelines and shall be located within a forty (40) foot radius of the location depicted in the Concept Plan and Design Guidelines. Due to the size and nature of the GW-R zone, the purposes and objectives pertaining to signage in the GW-R zone are significantly different from those of any other area in the City. Therefore, the regulations applicable to signage in the GW-R zone shall also differ significantly from the regulations applicable to signage in other areas of the City. Signage in the GW-R zone shall be subject to more exacting/stringent requirements as to architectural style and aesthetics and shall also have more liberal treatment as to off-premise signage than other areas in the City. The more stringent requirements (as to aesthetics) and the more liberal treatment (as to off-premise signage) are justified by the following:
 - a. Future development in the GW-R zone will be the most intensive area of commercial activity in the City both in terms of size (acreage) and commercial activity (based on retail sales) as compared to any other development in the City. The area of the GW-R zone is effectively the commercial hub of the City. It is anticipated that with the adoption of the GW-R zone, commercial activity will become even more intense with the addition of new retail buildings, office buildings and parking structures. Signs which allow off-premise advertising are consistent and compatible with a development of this size, scale and intensity of use while they are not appropriate in most other commercial areas of the City. Off-premise signage is allowed in other large commercial and mixed use developments throughout the country that are similar to the anticipated development in the GW-R zone and the City has determined that limited off-premise signage will also be compatible in the GW-R zone.
 - b. The signage allowed in the GW-R zone, including off-premise signage, will enhance the aesthetic quality of the GW-R zone. Unlike any other zone or area in the City, signage in the GW-R zone will be required to conform to strict standards of architectural style and aesthetic quality. Signage in the GW-R zone is considered a critical component of development in the zone, not just for the messages they contain, but also for the aesthetic appeal of the signs themselves. In addition to their architectural quality, different types of signs, including allowable off-premise signs, are intended to enhance the aesthetic quality of the development in several ways, including, but not limited to the following:
 - i. Identifying the area as a hub of commercial commerce.
 - ii. Drawing attention to the site, its branding, and its tenants.

- iii. Enhancing the appearance of the development from major roadways.
- c. The overall signage scheme in the GW-R zone, with its variety in types of signs combined with the unique architecture, style, light, color and electronic display is designed to create a visual experience and a sense of excitement, energy and vibrancy that cannot be achieved or replicated on smaller, individual parcels. This will enhance the quality of the GW-R zone as a "destination" and gathering place for consumers in the city, county and state.
- d. Signage in the GW-R zone, including off-premise signage, will be part of a controlled and coordinated whole that is designed to enhance and be harmonious with its surroundings as opposed to an uncontrolled and uncoordinated scheme of individual sign approvals.
- e. Signs allowed in the GW-R Zone may include:
 - i. Marquee – large entry signs are signs that are located at an entrance to the GW-R zone. Large entry signs shall not exceed a height of one hundred feet (100') and shall have a maximum of three hundred (300) square feet of electronic signage and two hundred square feet of static signage per sign panel. Marquee signs may have up to four sign panels and may include an electronic screen on all or part of the sign panels. A total of two (2) marquee signs are permitted in the GW-R Zone.
 - ii. Entry Monument – The entry monument sign shall not exceed a height of sixty feet (60') and shall have a maximum of fifty (50) square feet per sign face. The entry monument sign may include an electronic screen as all or part of the sign panels. There may be one (1) entry monument sign in the GW-R Zone.
 - iii. Monument – Monument signs shall not exceed a height of twenty feet (20') and shall have a maximum of ten (10) sign panels with twenty (20) square feet per sign face. Monument signs may include an electronic screen as all or part of the sign panels. A total of twelve (12) monument signs are permitted in the GW-R Zone.
 - iv. District Area Sign -- A single "District Area Sign" may be located within GW-R Zone along Bangerter Highway and may operate as a nonappurtenant advertising sign advertising off-premise uses, notwithstanding any other provision in the Code to the contrary, provided that the sign meets the following requirements:
 - 1. may not exceed a height of forty feet (40') measured from the grade underneath the sign;

2. may be no larger than a maximum of seven hundred (700) square feet per sign face and no more than fifty (50) square feet of additional static advertising space per sign face;
3. may have up to two three sign faces and each face shall contain an electronic display face which meets the requirements set forth in Subsection 11-22-14(G)(7); and
4. shall be veneered with materials such as brick or stone, or shall be covered with other materials that are consistent with other signs within the GW-R Zone.

Wall signs will also be allowed on the perimeter of all commercial structures. Wall signs shall not exceed ten (10) percent of the sum total of the square footage of the wall on which the sign is located. Additionally, accessory signage such as wayfinding, menu boards, and informational signs are allowed provided such signs shall conform to the Concept Plan and Design Guidelines.

Each sign must use materials and colors consistent with the Concept Plan and Design Guidelines and all signs shall comply with Subsection 11-2-14(G)(7) of the City Code as modified by Ordinance No. 2015-XX.

2. Landscaping – Each developed lot or parcel shall be completely landscaped except those areas used for buildings or parking. Landscaping shall be consistent with the Concept Plan and Design Guidelines. Undeveloped lots or parcels shall have gravel caps or natural grasses and/or ground covers which shall be mowed and maintained in a commercially reasonable fashion.

All landscaping, including frontage park strip landscaping, shall be maintained by the property owner or other acceptable association.

3. Trash, junk and other debris – No trash, used materials, unsightly storage of any kind, or non-licensed or abandoned vehicles shall be stored in an open area. All such materials shall be enclosed in a building. Notwithstanding the foregoing, recycling facilities and seasonal sales areas shall be permitted provided such areas are maintained in a commercially reasonable manner.
4. Design Guidelines. In addition to satisfying this ordinance and the Concept Plan and Design Guidelines, except for the Anchor Tenant Prototype Elevations which have been approved in connection with the Concept Plan and Design Guidelines, no building permit may be issued until approvals have been obtained by an Architectural Control Committee which shall be established pursuant to one or more declarations to be recorded against the property comprising the GW-R Gateway Redwood Zone.
5. Architectural Features: Any approved architectural theme or motif shall be extended to all sides of each building in the development.

6. Pedestrian and Bicycle Facilities: The project shall provide trails, walkways, sidewalks, bike racks, or other pedestrian and cycling facilities. These facilities shall link to other existing or planned pedestrian facilities in the community and be similar in size and contain compatible materials in relation to other existing or planned facilities.
7. Solid Waste: The project shall contain solid waste receptacle areas enclosed with a solid masonry wall using materials and colors found within the development, with the exception that a solid, sight obscuring fence or gate for access will be allowed on one (1) side.
8. Lighting: The lighting in each development shall be ample to provide safety and convenience to patrons of the development, including street lights where required. Directional lighting shall be focused on the intended area and be designed to reduce, to the extent possible, over spill to adjacent property. Photometric plans shall meet the City's outdoor lighting ordinance requirements except that North of 13970 South:
 - a. Parking lot lighting may be installed up to a maximum height of thirty five feet (35'). Height shall be measured from the ground surface being illuminated to the bottom of the lighting fixture.
 - b. Parking lot lighting shall be designed so the minimum illumination at grade level is between three-tenths (0.3) and five-tenths (0.5) foot-candles and the ratio of average parking lot illumination to minimum parking lot illumination shall not exceed four to one (4:1).
9. All utilities in the GW-R Zone shall be located underground unless the utility provider has written policies which preclude underground utilities.
10. Nothing in this ordinance shall prevent a Gas Station or Convenience Store from operating twenty-four (24) hours per day.

11.11A.16 Site Plan Approval

Any request for site plan approval in the GW-R Zone is subject to any and all applicable City ordinances.

Administrative Approvals. After the City Council approves the initial Concept Plan and Design Guidelines for the Project, approval of site plans for individual pad sites identified on the approved Concept Plan and Design Guidelines may be approved administratively by the Zoning Administrator if they are found to be in accordance with the Concept Plan and Design Guidelines and other application and approval standards of this ordinance. Site plan and building permits submittals must include written approval from the Architectural Control Committee prior to being accepted by the City.