

CITY OF BLUFFDALE, UTAH

ORDINANCE NO. 2017-07

AN ORDINANCE AMENDING THE INDEPENDENCE VILLAGE RESIDENTIAL SPECIAL DISTRICT (SD-R INDEPENDENCE VILLAGE), WHICH AMENDS THE ZONING ORDINANCE TEXT CHAPTER AND FENCING PLAN FOR A SPECIFIC GEOGRAPHICAL AREA.

WHEREAS the City of Bluffdale Land Use Ordinance has adopted a Special District special purpose and overlay zone chapter which allows property owners to propose specific zoning regulations and plans for their properties;

WHEREAS an applicant and property owner representative have made application to create the Independence Village Special District (Independence SD-R) which presents specific zoning regulations and plans which will govern the subject property's development; and

WHEREAS an applicant and property owner representative have made an application to amend the fencing requirements of the Independence Village Special District (SD-R);

WHEREAS the text amendments and fencing plan 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 and Zoning Map.

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

Section 1. Text Amendments. The City Council hereby amends the chapter in the City's Land Use Ordinance entitled SD-R Independence Village Project Plan as indicated in Exhibit 'B'

See Exhibit 'B'

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.

EXHIBIT B

ARTICLE I. SD-R INDEPENDENCE VILLAGE PROJECT PLAN

11-111-1: PURPOSE:

11-111-2: EXISTING CONDITIONS

11-111-3: CONCEPTUAL SITE PLAN:

11-111-4: DEVELOPMENT STANDARDS AND DESIGN GUIDELINES:

11-111-1: PURPOSE:

The purpose is to develop Independence Village, a residential neighborhood consisting of 181 single family detached lots on public streets, an HOA owned and maintained park and trail and the dedication of a City fire station all on approximately 34.6 acres located east of Noell Nelson Drive (1000 West) at approximately 14900 South.

11-111-2: EXISTING CONDITIONS

Figure 1 shows the existing conditions on the property and immediate surroundings.



Figure 1

—Figure 1. Independence Village Concept Plan Statistical Summary

Land Use	Acres	Residential Density (DU/Ac)	No. of lots
40'x90' SFD Lots	8.61	9.87	85
45'x108' SFD Lots	.56	8.92	5
50'x90' SFD Lots	9.95	7.63	76
55'x90' SFD Lots	1.61	8.07	13
60'x95' SFD Lot	.38	5.26	2
Public-Dedicated Streets	5.88		
Residential subtotal	26.99	6.70	181
Fire Station Dedication	1.28		
Private Active Trail	.66		
Private Active (HOA Park)	2.42		
Private Passive (Canal)	1.99		
Detention Pond Dedication	.44		

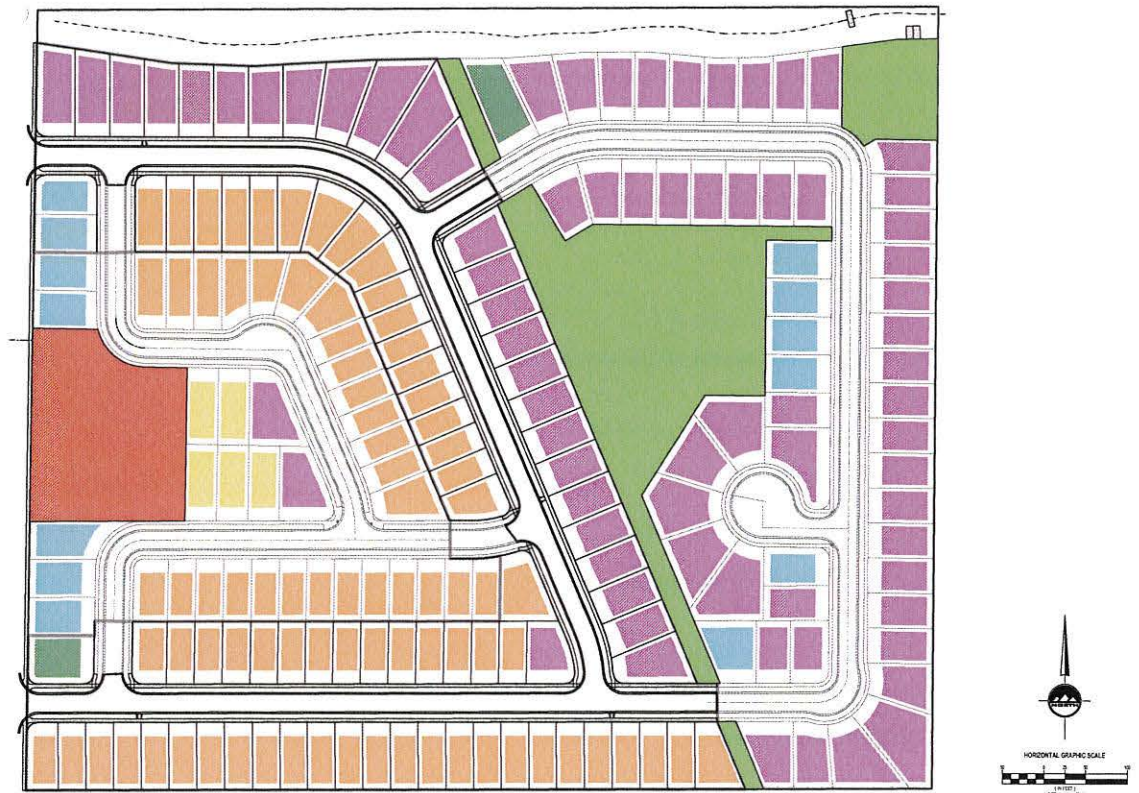
Open Space subtotal	5.51		
1000 West Dedication	.80		
TOTALS	34.58	5.23	181

11-11-1-3 Conceptual Site Plan

1. Conceptual Site Plan

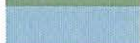
Figure 2 is the Independence Village Conceptual Site Plan.

Figure 2. Concept Plan



Independence Village Bluffdale, Utah

Gross Property Area 34.58 Acres
Total 181 Lots in 3 Phases

Land Use	Lot Size & Type	Qty	Phase 1	Phase 2	Phase 3
	Minimum 60'x95' SFD	2	1		1
	Minimum 55'x90' SFD	13	2	5	6
	Minimum 50'x90' SFD	76	27	2	47
	Minimum 45'x108' SFD	5		5	
	Minimum 40'x90' SFD	85	58	27	
Total		181	88	39	54

HOA Park	2.42 Acres
Private Trails	0.66
Canal	1.99
Detention Pond	0.44
Open Space Total	5.51
Fire Station	1.28

2. Fire Station Dedication

The property owner shall dedicate a minimum of ~~1.15~~ **has deeded 1.1528** acres along the east side of Noell Nelson Drive (1000 West) to ~~Bluffdale City~~ **the City of Bluffdale** to construct and operate a fire station. **The fire station parcel, "Parcel A", shall be exempted from IVARC review and the Independence Village CC&Rs shall not be recorded against it. This leaves a difference of 0.13 acres in the size of the fire station site, 1.28. The 0.13 acres is the equivalent of a 50 foot wide lot that was deleted to enlarge the fire station site. The property owner is requesting compensation for the net revenue lost in the 0.13 acres.**

3. Parks, Open Space and Trails Plan

Within a small lot, single family detached neighborhood like Independence Village, active open space needs to be provided to compensate for the smaller, private rear yard areas. Each lot contains sufficient private rear yard open space for small family gatherings, outdoor entertaining and small children play areas. Active park and trail areas will provide the opportunity for larger, family and neighborhood gatherings, picnicking and informal play areas for sports and similar recreation.

Independence Village's active open space includes a 0.66-acre private trail and a 2.42-acre private park. The **property owner intends to dedicate the 0.44 acre detention pond shall be dedicated to the City of Bluffdale along with an easement along the storm drain with Phase 3 of the project. The detention pond shall also be exempted from IVARC review and the Independence Village CC&Rs shall not be recorded against it.**

The trail will connect with the City owned and maintained trail along the north side of Independence at the Point. Independence Village ~~shall obtain~~ **has obtained** a permit from Rocky Mountain Power to permit the trail extension and connection across the powerline easement. The trail connection will allow Independence Village residents to access both park and school facilities within all of Independence. As a private HOA owned and maintained trail, the developer will not request City reimbursement for the value of the trail land and the improvements.

Independence Village proposes a privately owned and maintained HOA park of approximately 2.42 acres. It is anticipated that the park will be an informal play area that includes turf, trees and an automatic irrigation system supplied by a secondary water system. As a privately owned and maintained park, the developer will not request reimbursement for the value of the park land and the improvements. **The private park and trail shall be installed per adopted city standards prior to the City Council's acceptance of the subdivision phase in which those improvements are included.**

1.99 acres of the site is within an easement for the East Jordan Canal and will be dedicated to

the canal company who will maintain the canal and its immediate surroundings. The developer shall build an IVARC approved thematic fence along the rear lot line of the lots adjacent to the canal and along the east property line of the detention pond **prior to the City Council's acceptance of the subdivision phase in which the fencing is located.**

The total active and passive parks, trails and open space areas are approximately 5.51 acres. This is 15.9% of the gross site area and 16.3% of the net site area, not including the Noell Nelson Drive 0.80-acre dedication.

4. Street Cross Sections

All of the streets in Independence Village are designed to be public streets constructed to the City's "Standard Residential A" street standard, generally described a 55 foot right of way, 25 feet of asphalt, 2.5-foot concrete curb and gutters, a 7.5 foot landscaped park strips and a 5 foot concrete sidewalks.

11-111-4: DEVELOPMENT STANDARDS AND DESIGN GUIDELINES:

The SD Zone requires specific development standards and regulations that apply to Independence Village. The purpose is to develop standards that will enhance the overall appearance of the neighborhood.

1. Permitted, Conditional and Accessory Uses

a. Permitted Uses: Unless specifically listed, any other use is not a permitted use, Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in Title 11:

Single-family dwellings, detached.

Childcare facilities (less than 6 children).

Parks and recreational facilities.

Public or private rights of way.

Public schools.

Public uses.

Public or private utilities and maintenance facilities.

Residential facilities for elderly persons or persons with a disability in accordance with Chapter 27 of Title 11.

Subdivisions pursuant to the subdivision ordinance and the densities approved in this SD-R Zone.

b. Conditional Uses: The following land use types are allowed as conditional uses. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Chapter 20 of Title 11:

Religious buildings and structures.

c. Accessory Uses and Structures: The following land use types are allowed as accessory uses. Unless specifically listed, any other use is not allowed as an accessory use. 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.

All accessory structures including garages, carports, sheds or similar structures shall be located in the rear one-half of the lot.

Accessory structures for the housing of animals or poultry is not permitted, other than incidental shelter for pets as allowed by city ordinance.

Home occupations pursuant to chapter 23 of Title 11.

Small wind power facilities as provided in chapter 33 of Title 11.

2. Lot Areas, Widths and Depths

1. Lots designated on Figure 1: Independence Village Conceptual Site Plan as "40'x90' SFD".

- Minimum lot area: 3,600 Square Feet
- Minimum lot width: 40 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is

satisfied at the building setback line.

- Minimum lot depth: There is no minimum lot depth.

2. Lots designated on Figure 1: Independence Village Conceptual Site Plan as 45'x108' SFD"

- Minimum lot area: 4,860 Square Feet
- Minimum lot width: 45 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.
- Minimum lot depth: There is no minimum lot depth.

2. Lots designated on Figure 1: Independence Village Conceptual Site Plan as "50'x90' SFD".

- Minimum lot area: 4,500 Square Feet
- Minimum lot width: 50 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.
- Minimum lot depth: There is no minimum lot depth.

3. Lots designated on Figure 1: Independence Village Conceptual Site Plan as "55'x90' SFD".

- Minimum lot area: 4,950 Square Feet
- Minimum lot width: 55 Feet (for all of the area within the required front setback. If the lot or parcel

is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.

- Minimum lot depth: There is no minimum lot depth.

4. Lots designated on Figure 1: Independence Village Conceptual Site Plan as "60'x95' SFD".

- Minimum lot area: 5,700 Square Feet
- Minimum lot width: 60 Feet (for all of the area within the required front setback. If the lot or parcel is located on an approved curve radius or cul-de-sac, the width requirement may be reduced to the width of the building, plus side yard setbacks; provided, that the requirement is satisfied at the building setback line.
- Minimum lot depth: There is no minimum lot depth.

5. Setbacks

1. Main Building

Front yard setbacks shall be a minimum of ten (10) feet. Front yard accessed garages facing a street shall be setback a minimum of twenty (20) feet.

Interior side yard setbacks shall be a minimum of five (5) feet. Side yards adjacent to a street shall be setback a minimum of ten (10) feet, except that garages facing a side street shall be setback twenty (20) feet.

Rear yards shall be setback a minimum of ten (10) feet.

2. Accessory Buildings

The side and rear yard setbacks for any permitted accessory building shall be a minimum of five feet (5').

3. Projections into Setbacks

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

Fences and walls in conformance with all applicable city ordinances and resolutions.

Appropriate landscaping.

Utility service boxes or similar structures.

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'):

Cornices, eaves, sills, buttresses, bay windows or other similar architectural features.

Awnings, decks and planter boxes.

4. Minimum Building Separations

The minimum building separation between a main and accessory building on the same lot shall be ten (10) feet.

5. Minimum and Maximum Building Heights

A main building or structure shall not exceed thirty-five feet (35') in height, nor be lower than ten feet (10') in height, rear detached garages shall not exceed fifteen feet (15') and other accessory buildings such as sheds or carports shall not exceed ten feet (10') in height.

6. Minimum Standards for Parking

Each dwelling unit shall have a minimum of two (2) spaces located within a fully enclosed garage.

7. Public Utility Easements

Public utility easements need to be a minimum of five feet (5') in width.

8. Minimum Standards for Architectural Design, Streetscape, Fencing and Landscaping

a. Independence Village Architectural Review Committee {IVARC}

The C,C & R's shall be recorded with any plat, **except the detention pond and fire station site**, and shall form the Independence Village Architectural Review Committee (IVARC) and give it the power and responsibility to review all building construction within the development. The IVARC shall be comprised of a minimum of two (2) individuals who have experience in either design or construction. The minimum responsibilities of the IVARC shall be the following.

Prior to submittal to Bluffdale City for building permit review, the IVARC shall approve all dwelling unit types including the variety of elevations, materials, color schemes, landscaping and accessory buildings.

The IVARC shall provide Bluffdale City with an approved set of plans and a letter of approval that shall be included with the submittal package for building permit review.

The IVARC shall approve all conceptual and final landscape plans for the design and construction of the HOA Park and the trail.

Prior to submittal to Bluffdale City for building permit review, the IVARC shall approve all requests for fencing construction to insure that the Independence Village thematic fencing is to be constructed.

b. Architectural Design Guidelines

Consistent with the requirements of the SD Zone, Independence Village requires enhanced architectural elements and features that will result in homes that are thematic and include enhancements to visible side and rear facades from either public streets or the private park or trail. The following architectural design guidelines shall dictate the design and construction of homes within Independence Village:

Stucco, masonry, fiber cement siding and /or similar construction products shall be used on all exterior walls. No vinyl siding shall be permitted

A minimum of two (2) elevations shall be drawn for each dwelling unit type. Differences between elevations may include rooflines, use of exterior materials, color schemes, use or size of porches, window location, size, shape or treatments and similar features that vary the appearance of the elevation.

Where the same dwelling unit type is to be constructed adjacent to or directly across the street, a different elevation shall be used including a different roofline, exterior materials and color schemes.

A front facade shall include either masonry or fiber cement siding that covers a minimum of 30% of the facade not including the area of the garage door.

Windows and doors on the front facade shall be trimmed with wood or a wood-like product that is a minimum six inches (6") in width.

Covered porches shall be supported by a minimum six inch (6") wood or wood-like post that extend from a minimum thirty-six inch (36") and 12 inch (12") width based covered by the same masonry or fiber-cement siding used on the front facade.

Where masonry is used on the front exterior at corners, it shall be wrapped around to the side exterior a minimum of 24 inches.

Rooflines shall not be flat or at a low angle, generally described as less than a 6:12 pitch. Prairie style homes may have a roof pitch no less than 4:12.

Front facing garages shall be placed in line with the front elevation, be extended no more than five feet in front of the front elevation or be recessed behind the front elevation. It is encouraged that some of the homes extend the living space or a covered porch to the ten foot (10') front yard setback line or within five feet (5') of the front setback line.

Rear or side end facades that are visible to a street, the private park or trail shall include additional treatments such as, but not limited to, the addition of the front facade wainscoting down the visible side facade, additional fiber cement siding, additional windows, pop-outs and window or door wood or wood-like trims a minimum of six inches (6") in width.

c. Streetscape Design, Street Trees and Front Yard Landscaping

Independence Village streets will be public streets designed to the City's

"Standard Residential A" street standard. The standard provides a 7.5 foot park strip and a 5 foot concrete sidewalk between the back of curb and the right of way / property line. To create a more cohesive neighborhood appearance, similar landscaping of the parkways shall be performed by the home builder. The following standards shall be followed in the landscaping of the front yards and street side yards.

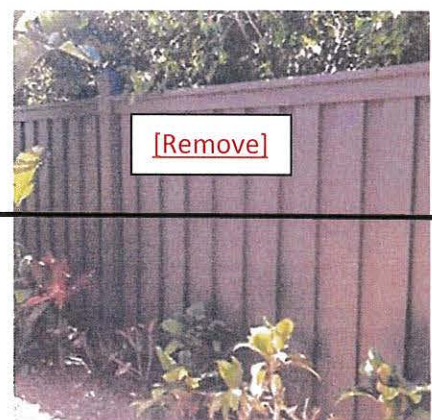
Turf shall be planted in the parkways. Where possible, drought tolerant turf species may be used to reduce water usage.

Street trees shall be planted and maintained in compliance with City Code Title 7 Chapter 4. A licensed landscape architect shall select three trees from the City approved street tree list and submit these choices with the landscape plan in each plat application. These trees shall be installed by the home builder according to City guidelines **prior to the issuance of a certificate of occupancy** and **shall be** maintained by the adjacent property owner. The City of Bluffdale shall be responsible for maintaining the park strip and removing snow from the sidewalk along the eastern side of Noell Nelson Drive from Rutledge Road to McKenna Road (The rears of Lots 152, 187, 188, 201, 202, 230, 231, 232, and the front of "Parcel A").

The home builder shall landscape the front yards, **side yards, and park strips** of all lots based upon a conceptual landscape plan approved by the IVARC. The landscaping shall include an automatic irrigation system supplied by the culinary water system. The landscaping shall include turf, shrubs and groundcovers.

The front yard, **side yard, and park strip** landscaping shall be installed prior to issuance of a certificate of occupancy except that between the months of October and April, the home builder may delay the installation until the end of the following month of June if a bond is posted pursuant to the City's adopted fee schedule.

~~The home builder shall construct the IVARC approved thematic fencing between homes at a distance no more than five (5) feet behind the corner of the dwelling unit.~~ The home builder shall also construct the IVARC



approved thematic fencing along the length of the street side lot line from a distance no more than five (5) feet from the building corner and the lot rear corner.

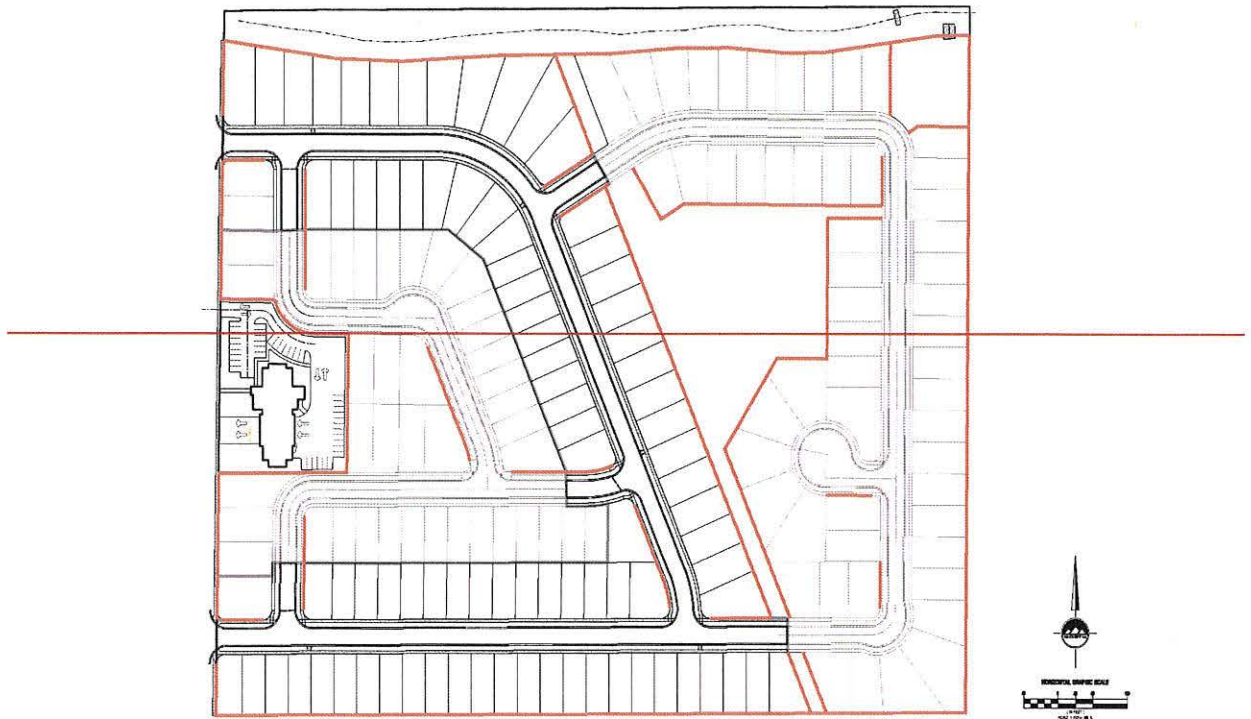
~~As part of the IVARC approval, the home builder may choose to not build the fencing between homes if full landscaping including side and rear yards is installed.~~

e. Fencing

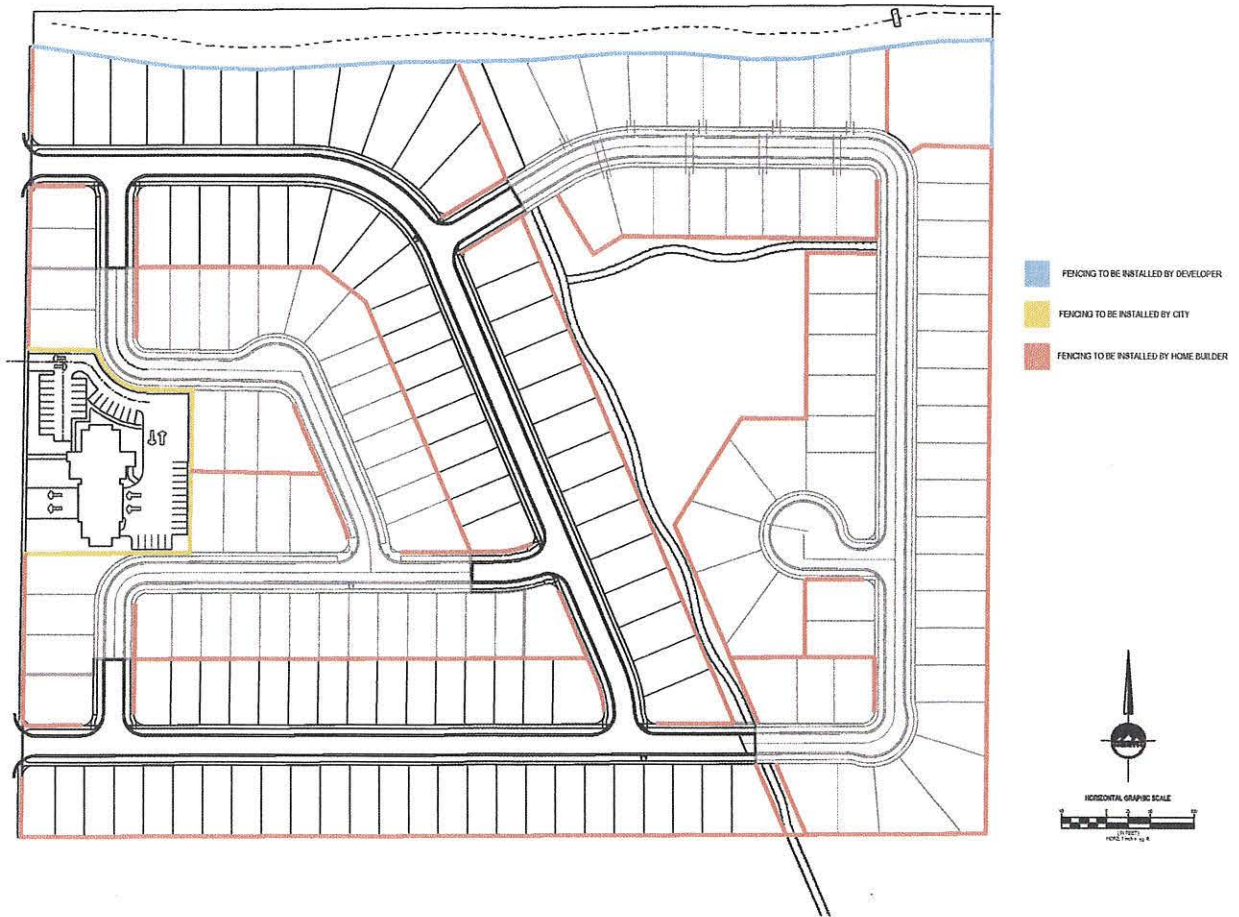
The consistent and uniform installation of thematic fencing will contribute to the Independence Village sense of neighborhood. The thematic fence shall be a brown-vinyl privacy fence in one color throughout the entire development. With the exception of the fence installed on the fire station site, all fencing shall be approved by the IVARC and it shall be the responsibility of the Independence Village HOA to insure all fencing continues to meet the requirements of the IVARC. All fencing shall comply with standards adopted in Section 11-16-14 of the Bluffdale City Code. ~~The thematic fence, TREX Seclusions Woodland Brown, maintenance free fence.~~

Figure 3 shows the location of required fencing that will be installed by the home builder, except that the developer will install the fencing along the rear lot line of the lots adjacent to the canal and along the east property line of the detention pond. The developer shall install the required thematic fencing prior to the City Council's acceptance of the subdivision phase in which the fencing is located. ~~The home builder will also be required to construct the thematic fencing between homes (interior side yard) no more than five (5) feet behind the house corner.~~ The homeowner may choose to install additional thematic fencing along other lot lines not noted on Figure 3.

Figure 3 – Fencing Plan
[old]



[new]

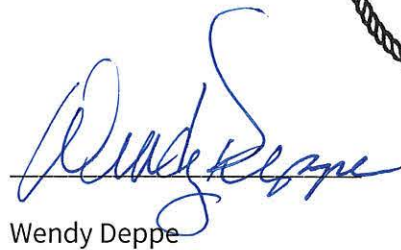


APPROVED, ADOPTED AND PASSED and ordered published by the Bluffdale City Council, this 22 Day
of March, 2017.

CITY OF BLUFFDALE


Mayor

ATTEST:


Wendy Deppe



Bluffdale City Recorder

Council members

Voting:

AYE NAY

Alan Jackson X

Ty Nielsen X

Boyd Preece X

Justin Westwood X

James Wingate

X