

**BLUFFDALE CITY
ORDINANCE 2021-14**

AN ORDINANCE CREATING A NEW SPECIAL DEVELOPMENT ZONE (SD-C HOLIDAY PARK ZONE), WHICH CREATES A NEW ZONING MAP DESIGNATION, A NEW ZONING ORDINANCE TEXT CHAPTER, AND ADOPTS AN DEVELOPMENT STANDARDS FOR A SPECIFIC GEOGRAPHICAL AREA.

WHEREAS, Utah Code § 10-9a-102 grants the Bluffdale City Council (the “City Council”) authority to enact or amend ordinances that it considers necessary or appropriate for the use and development of land in the City of Bluffdale (the “City”); and

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, the special development district (SD) zone designation is provided in order to allow the most efficient and creative development of lands that have unique or unusual characteristics and is intended to be used for development when it can be shown that no other zone classification would be adequate for reasonable development that otherwise conforms to or furthers the goals and objectives of the city's general plan and economic development strategic plan;

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

WHEREAS, the City Council has held a public hearing and reviewed the subject text amendment and finds that the subject text amendment will enhance the public health, safety, and welfare.

NOW THEREFORE, be it ordained by the Council of the Bluffdale City, in the State of Utah, as follows: Section 1. Zoning Map Amendment. The City Council hereby amends the official zoning map from the SG-1 Sand and Gravel Zone designation to a new designation of SD-C Holiday Park Zone on the entire property as indicated in Exhibit ‘A’: See Exhibit ‘A’ Section 2. Text Amendments. The City Council hereby adopts a new chapter in the BCC 11.110.120 entitled SD-C Holiday Park Zone, which includes the development requirements for the Holiday Park project, as indicated in Exhibit ‘B’ See Exhibit ‘B’ SECTION 1. 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 2. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

SECTION 1: **ADOPTION** “11.110.120 SD-C Holiday Park Zone” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120 SD-C Holiday Park Zone(*Added*)

SECTION 2: **ADOPTION** “11.110.120.010 Intent, Purpose and Uses” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120.010 Intent, Purpose and Uses(*Added*)

- A. The SD-C Holiday Park Zone recognizes the unique placement of retail, commercial, flex space, restaurant, and other appropriate commercial facilities at the southeast intersection of Porter Rockwell Boulevard and Freedom Point Way. The development of these facilities are enhanced with a major intersection along a future state highway and on a site that has compelling geographic features which facilitate a variety of commercial uses as outlined below.
- B. This zone allows for various commercial uses shown in the Table of Uses listed below. The conceptual layout for the project is divided into three (3) areas of development as follows:
 - 1. Area A: Gas Station, Convenience Store, Car Wash
 - 2. Area B: Commercial Flex Space, Warehouse, Retail, Office and other uses as identified in the Table of Uses.
 - 3. Area C: Restaurant, Retail, Office and other uses as identified in the Table of Uses.
- C. The developable acres of each area shall not be increased or decreased



D. Permitted Use Table for Area A, B, and C (P= Permitted; N= Not Permitted)

https://s3-us-west-2.amazonaws.com/municipalcodeonline.com-new/bluffdale/ADC/files/ordinance/1625857878_11.110.120 SD-C HOLIDAY PARK ZONE 07.08.21 PC.pdf

SECTION 3: **ADOPTION** “11.110.120.020 Land Use Authority for Site Plans and Subdivisions” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120.020 Land Use Authority for Site Plans and Subdivisions(*Added*)

A site plan approval is required for all projects in the SD-C Holiday Park Zone. All site plan applications are subject to 11.150 of this title and other land use ordinances unless specified herein. The City of Bluffdale staff shall be the Land Use Authority to review and approve all commercial site plans within the SD-C Holiday Park zone following a review and approval by the Holiday Park Architectural Review Committee (HPARC). If the owner desires to separate parcels of land, all future subdivisions of land within the SD-C Holiday Park zone are subject to all requirements of Title 12 of this code and reviewed and approved by the designated Land Use Authority as stated.

SECTION 4: **ADOPTION** “11.110.120.030 Holiday Park Architectural Review Committee” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120.030 Holiday Park Architectural Review Committee(*Added*)

- A. The construction of any building, sign, or other structure within the project, including the design, architecture, exterior elevations, exterior finishes, and other architectural attributes will first be approved by the Holiday Park Architectural Review Committee (“HPARC”). Confirmation of the HPARC’s approval must be submitted along with all site plan and building permit applications.
- B. The HPARC shall be comprised of not less than three (3) persons. At least one (1) member shall be a professional in the field of architecture, at least one (1) member shall be employed in the Planning or Community Development department at the City of Bluffdale, and at least one (1) member shall be the applicant, owner or the owner’s representative of the property. Other professionals with experience in construction may be consulted during the review process of the HPARC.
- C. Decisions of the HPARC must be made by a majority vote of the then existing members.

SECTION 5: **ADOPTION** “11.110.120.040 Conceptual Site Plan” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120.040 Conceptual Site Plan(*Added*)

Project Area and Concept Plan: The Holiday Park project includes the entire 18.11 acre parcel and the overall conceptual layout and design is shown in Figure 1.



FIGURE 1

SECTION 6: **ADOPTION** “11.110.120.050 Commercial Development Standards and Design Requirements” of the Bluffdale Municipal Code is hereby *added* as follows:

ADOPTION

11.110.120.050 Commercial Development Standards and Design Requirements(*Added*)

A. 11.110.120.050 Commercial Development Standards and Design Requirements a. Setback Requirements i. Each setback is measured from the property line of the lot or parcel. 1. Building setbacks abutting a public street: a. Front Setback: Each lot or parcel abutting a public street shall have a minimum setback of twenty feet (20’). b. Side and Rear Setback: Each lot or parcel abutting a public street 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. ii. Parking setbacks for lots or parcels abutting a public street: 1. Along Porter Rockwell Boulevard: No Parking 2. Along

Freedom Point Way: No Parking 3. Side and Rear Setback: Along parcel lines not abutting a public street a landscaped setback of not less than five feet (5') and averaging not less than ten feet (10') shall be maintained. iii. Projections into Setbacks: 1. Permitted: the following structures may be erected on or projected into any required setback: 2. Fences and walls in conformance with applicable city ordinances and resolutions. 3. Appropriate landscaping. 4. Necessary appurtenances for utility service. 5. Retaining walls, whether cast-in-place concrete, pre-cast concrete, or rock when required to accommodate grading of existing slopes of improvements. iv. 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'): 1. Cornices, eaves, sills, buttresses or other similar architectural features. 2. Awnings, decks, planter boxes 3. Patio's, pergola's, hard and soft landscaping v. Distance Between Buildings: The distance between any building or structure and any other building or structure shall satisfy the Building and Fire Codes in place at the time of site plan approval. vi. Lot Coverage: The sum total of all buildings, structures and parking in the Holiday Park Zone shall not exceed eighty-five percent (85%) for the total area of the parcel. b. Building Height Requirements: Buildings shall have a minimum height of one (1) story with a four (4) story maximum limit. The buildings in Area A, B and C shall not exceed eighty feet (80') in height. Height of buildings may be reduced but shall not exceed the maximum height for any building within the SD-C Holiday Park Zone to accommodate site, design, or market conditions in any designated area. c. Architectural Standards. No building or structure within the project will be constructed, reconstructed, altered, added to or maintained in such a fashion as to alter, in any material respect, the architectural appearance, character, motif or functional purpose of such item, unless such alteration is first approved in writing by the HPARC. The HPARC is not responsible for determining compliance with structural and building codes or City codes all of which are the responsibility of the applicable owner. i. A Site Plan approval is required for all projects in the Holiday Park Zone. All site plan applications are subject to 11.150 of this title including building materials, windows, façade articulation, entrances and access, screening, landscaping, buffers, and all other site requirements. ii. Parking, Circulation, Loading, and Access. All site plan applications are subject to 11.120 of this title. d. Signage. Signs are allowed in the SD-C Holiday Park Zone in accordance with the provisions of 11.220 of this title unless otherwise exempted as stated herein. As this development is located in a highly visible area adjacent to Porter Rockwell Boulevard and a future minor collector from Pony Express and proximity to I-15, signage is a critical component to success of the development. i. Types of Signage Allowed: 1. Tower Sign: One (1) multiple tenant sign along Porter Rockwell Boulevard inclusive of all pads within the development, subject to the following. a. Such signs shall identify the project, building, business or businesses within the development, or development. b. The maximum area of such sign shall be seventy-five (75) square feet. c. The maximum height of such sign shall be twenty feet (20'). d. Such sign shall be placed within a landscaped area of four (4) square feet for each one square foot of sign area. e. The entire allowed sign area may be used for a change panel sign. f. The sign shall have an architectural base consistent with the approved architectural requirements and shall have a design approval from the HPARC. 2. Monument Signs: a. The maximum number of signs per street frontage shall be one, except as follows: i. A Commercial Center having a minimum of six hundred fifty feet (650') of linear frontage along a single public street may have additional monument signs in accordance with the following: 1. No more than four (4) monument signs; and 2. A minimum of two hundred (200) linear feet between signs. b. The maximum sign area shall be twenty-four (24) square feet. c. The maximum height shall be six feet (6'). d. The maximum vertical dimension of the cabinet or panel shall be four feet (4'). e. The maximum horizontal

dimension of the cabinet or panel shall be ten feet (10'). f. Such signs shall be placed within a landscaped setting of not less than two hundred forty (240) square feet. g. The entire allowed sign area may be used for a change panel sign. h. The sign shall have an architectural base consistent with the approved architectural requirements and shall have a design approval from the HPARC. i. Area A as shown on the concept plan shall allow plan allow electronic message displays (EMD) on monument signs to provide advertising that displays electronic images, graphics or pictures, with or without textual information which has the capability of being changed or altered by electronic means on a fixed display screen composed of a series of lights, including light emitting diodes (LEDs), fiber optics, plasma displays, light bulbs, or other illumination devices within the display area where the message is displayed. i. All electronic message centers are subject to the following standards: 1. Such signs shall display full color messages or images only and the use of single colored text and images is prohibited. 2. Each message/advertisement displayed on an EMD shall remain static for a minimum of eight (8) seconds. Animation, flashing, starburst or other similar frame effects are prohibited. 3. Pixel pitch shall be as follows: a. shall have a true pixel pitch between one millimeter (1 mm) and ten millimeters (10 mm) due to closer proximity of travelers to signs. 4. No EMD shall utilize a white or solid colored background for greater than or equal to fifty percent (50%) of the sign area. 5. All EMDs are required to comply with the following LED sign illumination requirements: a. All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and is programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 foot-candle measurements. In addition, EMDs must have a default mechanism to turn off the sign within twenty-four (24) hours of a reported malfunction. b. Sign illumination levels for EMCs shall never, at maximum display intensity, exceed 0.3 foot-candle over ambient lighting conditions when measured at the distance based on the formula of square root of area of sign times one hundred (100) (area of sign x 100). Light cutoff devices shall minimize light above the sign. c. The illuminance of an EMC shall be measured with an illuminance meter set to measure foot-candles accurate to at least two (2) decimals. Illuminance shall be measured with the EMC off, and again with the EMC displaying a white image. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in subsection D1f(2) of this section. d. The applicant shall submit a photometric matrix (showing the dispersal in foot-candles) showing that the sign meets all the requirements of this code. e. The owner shall be required to submit written certification from the sign manufacturer that the light intensity shall not exceed the maximum levels specified in the above table and photocell dimming prior to the issuance of a sign permit. f. EMD monument signs must have a minimum ten-foot (10') setback from any right of way. e. Porter Rockwell Boulevard. Any development or construction along the right of way for Porter Rockwell Boulevard will be coordinated and in compliance with Utah Department of Transportation UDOT requirements.

PASSED AND ADOPTED BY THE BLUFFDALE CITY COUNCIL JULY 14, 2021.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Aston	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Councilmember Crockett	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Gaston	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Hales	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Kallas	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer


Derk P. Timothy, Mayor, Bluffdale City


Wendy Deppe, City Recorder Bluffdale
City

