

**BLUFFDALE CITY
ORDINANCE 2022-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BLUFFDALE,
UTAH, AMENDING BLUFFDALE CITY CODE 11.20.020 (DEFINITIONS),
11.350.020 (TABLE OF PERMITTED, CONDITIONAL, AND ACCESSORY USES
FOR NONRESIDENTIAL ZONES), 11.350.030 (TABLE OF PERMITTED
CONDITIONAL, AND ACCESSORY USES FOR RESIDENTIAL ZONES) AND
11.160.160 (PUBLIC UTILITY SUBSTATIONS).**

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

WHEREAS, the subject text amendment modifies the permitted uses for Public Utility Substations, creates a new definition and updates the Public Utility Substation Ordinance in the Supplementary Provision; and

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

WHEREAS, after holding a public hearing and reviewing the subject text amendment, the City Council finds that the subject text amendment will enhance public health, safety, and welfare.

NOW THEREFORE, be it ordained by the Council of the Bluffdale City, in the State of Utah, as follows:

SECTION 1: **AMENDMENT** “11.160.160 Public Utilities In Residential Areas” of the Bluffdale Municipal Code is hereby *amended* as follows:

A M E N D M E N T

11.160.160 Public ~~Utilities In Residential Areas~~Utility Substations

- A. ~~Conditional And Permitted Uses:~~ Where allowed by the Tables of Allowed Uses (11.35.020 and 11.35.030) ~~not otherwise authorized in this title~~, the Zoning Administrator ~~Planning Commission~~, may permit ~~as a conditional use, subject to standards in chapter 20 of this title~~, the use of land ~~in a residentially zoned district~~ for a public utility substation, as defined in this Title (see section 11.20.20). ~~public utility building, electrical substation, radio or television relay station, including necessary tower appurtenances and other similar public utilities of over two hundred (200) square feet. Structures as defined above under two hundred (200) square feet are permitted uses.~~ These ~~specific~~ standards of review shall be required; ~~also be considered in the permit application and the commission's review:~~

1. ~~From the evidence presented, the Planning Commission finds that it is essential in order to provide the area with adequate electrical, gas, telephone, television or communication service.~~
 2. ~~It shall determine that, due to certain peculiar conditions, the facility could not be located outside the residentially zoned district and properly serve the City.~~
 3. A site plan application is required.
 4. All structures on the premises are designed to conform to the residential or commercial city design standards, as applicable. ~~character of the districts.~~
 5. ~~All yard spaces as required for the permitted use in the district are provided.~~
 6. If adjacent to residential zoning, a land use buffer is required (see section 11.150.050.C of this code).
 7. ~~Adequate screening is provided for proper landscaping and fencing where the facility is not within a building~~
 8. Landscaping: The Perimeter of the substation site shall be landscaped in accordance with a landscaping plan approved by the zoning administrator, which meets the following minimum standards:
 - a. An irrigated landscaped setback with a minimum depth of ten feet (10') which includes at least medium sized trees (see section 7.40.030 of this Code) is required.
 - b. Landscaping must adhere to the City's water efficiency standards (see section 11.150.050.9.B of this code).
 9. Perimeter Wall: The perimeter of the substation site shall be surrounded by a visually obscuring solid wall for public safety and to minimize visual impact for the surrounding residential or non-residential area.
 - a. Materials. Perimeter wall shall be constructed of concrete masonry units (CMU), architectural pre-cast concrete panels, or brick. CMU must be colored and textured. All walls shall feature architectural finishes with consideration of the surrounding area in design. Standard grey CMU is not allowed. CMU shall not be painted.
 - b. Height. Minimum 8' (feet). Maximum 12' (feet) shall be allowed.
 - 10.
- B. ~~Authority Limited: Staff Review: Nothing in this section shall be interpreted as giving the Planning Commission the authority to permit a privately owned or operated commercial radio, television or communication tower in any residential district, or contrary to chapter 24 of this title, or other applicable provisions of City ordinances. (Ord. 2018-05, 3-14-2018)~~ All site plan applications for approval of a public utility substation will be reviewed by City staff for conformance to adopted standards.

Add New Definition in 11.20.20

PUBLIC UTILITY SUBSTATION: Any aboveground device of a culinary water, irrigation, sewer, natural gas, electrical, telecommunications, including, but not limited to, radio, telephone, cable television, or other public or private utility system not owned or operated by Bluffdale City which is intended to regulate the function of a utility line or which receives or transmits a signal. Excluded from this definition are: A. Conventional utility poles, features or equipment to be placed on such a pole, light poles; B. Features or equipment whose primary benefit is limited to the building or land use where the feature or equipment is located; and C. Features or equipment with maximum horizontal and vertical dimensions of three feet (3').

SECTION 2: AMENDMENT “11.350.020 Table Of Permitted, Conditional, And Accessory Uses For Nonresidential Zones” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.350.020 Table Of Permitted, Conditional, And Accessory Uses For Nonresidential Zones

Proposed Uses	PO-1	G C-1	H C	RC	N C	I-1	I-2	S G-1	D R	CI
Agriculture	N	N	N	N	N	P	P	P	N	N
Assisted living facility	N	N	N	N	C	N	N	N	N	N
Automobile and recreational vehicle sales	N	P	P	P	N	P	N	N	N	N
Automotive service	N	P	P	P	N	P	N	N	N	N
Bank or financial institution	N	P	P	P	P	N	N	N	P	N
Business services	P	P	P	P	P	N	N	N	N	N
Car wash	N	P	P	P	N	N	N	N	N	N
Caretaker dwellings in association with storage unit facilities	N	N	N	N	N	P	N	N	N	N
Cemetery grounds and facilities	N	N	N	N	N	N	N	N	N	P
Commercial vehicle and equipment rental or sale	N	P	N	N	N	N	N	N	N	N
Community buildings	N	N	N	N	N	N	N	N	N	P
Construction sales and service	N	N	P	N	N	P	N	N	N	N
Convenience store/gas station	N	P	P	P	P	N	N	N	P	N

Convention facility	N	N	N	P	N	N	N	N	N	N
Data center	N	N	P	P	N	P	P	N	N	N
Drive-through facilities	P	P	P	P	P	N	N	N	N	N
Group Living Arrangments (GLAs) ¹	N	N	N	N	N	N	N	N	N	N
Fish hatchery	N	N	C	N	N	N	N	N	N	N
Funeral home	N	P	P	P	P	N	N	N	N	N
Hospital	C	C	C	C	N	N	N	N	N	N
Hotel	P	P	P	P	N	N	N	N	P	N
Laundry services	N	N	P	N	P	N	N	N	N	N
Library	N	N	N	N	N	N	N	N	N	P
Liquor store	N	N	N	N	N	N	N	N	P	N
Loan center	N	N	P	N	N	N	N	N	N	N
Manufacturing, general	N	N	C	N	N	P	P	P	N	N
Manufacturing, limited	N	N	P	N	N	P	P	P	N	N
Medical service/urgent care clinic	P	P	P	N	P	N	N	N	N	N
Mills (steel and wood, except burning)	N	N	N	N	N	N	P	N	N	N
Mines, quarries, gravel pits, crushers, batching plants, and other uses intended for excavation purposes	N	N	N	N	N	N	N	C	N	N
Movie theater	N	P	P	P	N	N	N	N	P	N
Municipal offices	P	P	P	P	P	P	P	P	N	P
Museum	P	P	P	P	P	P	P	N	P	P
Nursery	N	N	C	C	N	C	C	C	N	N
Nursing home	P	P	P	P	P	N	N	N	N	N
Office, general	P	P	P	P	P	P	P	N	N	N
Open storage	N	N	A	N	N	A	N	N	N	N
Parks	P	P	P	P	P	N	N	N	N	P
Pawnshop	N	N	N	N	N	N	N	N	P	N
Personal instruction service	P	P	P	P	P	P	N	N	N	N
Personal service establishment	N	P	P	P	P	P	N	N	P	N
Preschool/daycare center	P	P	P	P	P	P	N	N	N	N

Printing shops	N	N	P	N	N	P	P	N	P	N
Private hobby garage development for personal, non-retail use	N	P	N	N	N	N	N	N	N	N
Public or private utilities and maintenance facilities	C N	P N	P P	C N	C N	P	N P	P	N	P N
Public uses	P	P	P	P	P	P	P	P	N	P
Public Utility Substations	P	N	P	P	N	P	N	P	N	P
Reception center	N	P	P	P	N	N	N	N	N	N
Recreation and entertainment (indoor)	N	P	P	P	N	P	N	N	P	N
Recreation and entertainment (outdoor)	N	C	C	C	N	N	N	N	N	N
Religious buildings and structures	P	N	N	N	P	N	N	N	N	N
Repair service	N	P	P	N	P	P	N	N	N	N
Research and development laboratories	P	P	P	N	N	P	P	N	N	N
Restaurant	P	P	P	P	P	P	N	N	P	N
Retail, general	P	P	P	P	P	P	N	N	P	N
Schools	P	P	P	P	P	P	P	P	N	P
Sexually oriented businesses	N	N	N	N	N	N	C	N	N	N
Small wind power facilities	A	A	A	A	A	A	A	A	N	A
Storage facilities for machinery and equipment	A	A	A	A	A	A	A	A	N	A
Storage units	N	N	N	N	N	N	N	N	N	N
Tattoo establishment	N	N	P	N	N	N	N	N	N	N
Temporary job trailers and offices	N	N	N	N	N	N	N	A	N	N
Tobacco specialty business	N	N	P	N	N	N	N	N	P	N
Trade or technical schools	P	P	P	P	N	P	N	N	N	N
Veterinary service	P	P	P	P	P	P	N	N	N	N
Wholesale and warehousing	N	N	P	N	N	P	P	N	N	N

1. GLAs which are not expressly permitted within a zone or by the zoning ordinance are expressly prohibited.

(Ord. 2018-24, 9-26-2018)

SECTION 3: AMENDMENT “11.350.030 Table Of Permitted, Conditional, And Accessory Uses For Residential Zones” of the Bluffdale Municipal Code is hereby *amended* as follows:

AMENDMENT

11.350.030 Table Of Permitted, Conditional, And Accessory Uses For Residential Zones

Use	A-5	R-1-43	R-1-10	R-1-87	R-MF
Accessory dwelling units in accordance with chapter 34 of this title	P	P	P	P	P
Agricultural support facilities	P	N	N	N	N
Agriculture and forestry	P	N	N	P	N
Canine hobby license	C	C	N	C	N
Caretaker's dwelling incidental to equine veterinary services only (no larger than 500 square feet)	N	A	N	N	N
Cemetery grounds and facilities	P	P	N	P	N
Detached accessory buildings	A	A	A	A	N
Equestrian facilities (4.0 acres minimum lot required)	C	C	N	C	N
Golf courses	C	C	N	C	N
Ground level retail and commercial businesses	N	N	N	N	C
Group Living Arrangements (GLAs) ¹	N	N	N	N	N
Home occupations in accordance with BCC 3.80	A	A	A	A	A
Multi-family dwellings	N	N	N	N	P
Parks and recreation facilities	P	P	P	P	P
Public or private rights-of-way	N	P	P	P	P
Public or private utilities and maintenance facilities	P	P	P	P	P
Public uses	N	P	P	P	P
<u>Public Utility Substations</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
Religious building and structures	P	P	P	P	P

Residential facility for the handicapped	P	P	P	P	P
Retirement centers	N	N	N	N	P
Sale of "agricultural products" as defined in section 11-2-2 of this title	P	C	N	C	N
Single-family dwellings, detached	P	P	P	P	P
Small wind power facilities as provided in chapter 33 of this title	A	A	A	A	A
Stands under 200 square feet in size for selling goods or products produced on the premises as a permitted or conditional use in the zone	A	A	N	A	N
Water storage facilities (culinary or irrigation)	P	P	P	P	P

Note:

1. GLAs which are not expressly permitted within a zone or by the zoning ordinance are expressly prohibited.

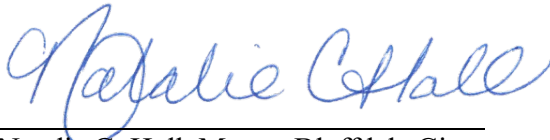
(Ord. 2018-24, 9-26-2018; amd. Ord. 2019-05, 3-27-2019)

PASSED AND ADOPTED BY THE BLUFFDALE CITY COUNCIL APRIL 13, 2022.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Aston	<u> X </u>	<u> </u>	<u> </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



Natalie C. Hall, Mayor, Bluffdale City



Wendy Deppe, City Recorder
Bluffdale City

