

CITY OF BLUFFDALE, UTAH

Ordinance No. 2008-08

AN ORDINANCE AMENDING CHAPTER 12.8 COMMERCIAL DEVELOPMENT, SITE PLANS OF THE ZONING ORDINANCE

WHEREAS the Planning Commission has requested that staff prepare an amendment of Title 12 of the Bluffdale City Code, the Bluffdale City Land Use Ordinance, modifying Chapter 12.8 Commercial Development, Site Plans; and

WHEREAS the Planning Commission held a public hearing, has reviewed the application, and has made a recommendation to the City Council concerning the proposed change to Title 12, the Bluffdale City Land Use Ordinance, and the City Council has found the proposed amendments to be consistent with the City's general plan; and

WHEREAS the proposed text amendment set forth herein has 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 to obtain public input regarding the proposed revisions to the Subdivision Ordinance;

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

Section 1. **Amendments of various sections of the zoning ordinance related to site plans.** Chapter 12.8 of the Bluffdale City Land Use Ordinance, is hereby amended as shown on Attachment A.

Section 2. **Effective Date.** This Ordinance shall take effect upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF BLUFFDALE CITY, STATE OF UTAH, THIS 10th DAY OF JUNE, 2008.

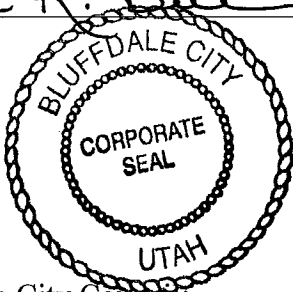
BLUFFDALE CITY

ATTEST:

Saddie K. Bue
Recorder

Charles [Signature]
Mayor

[SEAL]



Voting by the City Council:

	"AYE"	"NAY"
Councilmember Chisholm	<u> x </u>	<u> </u>
Councilmember Flanigan	<u> x </u>	<u> </u>
Councilmember Kartchner	<u> x </u>	<u> </u>
Councilmember Lord	<u> x </u>	<u> </u>
Councilmember Maxwell	<u> x </u>	<u> </u>

ATTACHMENT A

Chapter 12.8

Site Plans (amended 7/12/2005 Ord. No. 2005-15; 06/10/2008, Ord. 2008-08)

- 12.8.1 Purpose and Intent
- 12.8.2 Relationship to Other Sections Herein
- 12.8.3 Application and Approval Process
- 12.8.4 Large Scale Development Review
- 12.8.5 Parcel Improvements
- 12.8.6 Landscaping Requirements
- 12.8.7 Design Standards
- 12.8.8 Consideration in Review of Applications
- 12.8.9 Assurances for Completion of Improvements
- 12.8.10 Appeal Procedure

12.8.1 Purpose and Intent

The purpose of this Chapter is to define the requirements, approval process, and appeals process for commercial, industrial, manufacturing, research and development projects and other non-residential site plans. It is the intention of this Chapter to provide an efficient, yet thorough development review and allow the applicant to obtain approval of a building permit in a timely manner.

The purposes of architectural and site plan approval are:

- a. to determine compliance with this ordinance;
- b. to promote the orderly and safe development of land in Bluffdale City;
- c. to promote the general welfare by the construction of structures or additions or alterations which are accorded proper attention to site planning, attractive appearance, and harmony with their environments.

12.8.2 Relationship to Other Sections Herein

Each commercial, industrial, manufacturing, or research and development project reviewed under this Chapter is also subject to the requirements of the zone in which the proposed project is located.

12.8.3 Application and Approval Process

A. Application. The applicant for a site plan review shall submit a completed application form and a site plan with the required information in Subsection B of this Section. The applicant shall also pay a fee in an amount established by resolution of the City Council with the application.

B. Required Maps and Drawings.

Maps and drawings shall be prepared and drawn to a standard, engineer scale large enough to show details clearly with dimensions thereof. Said maps and drawings shall be stamped by a Registered Architect or Engineer in accordance with the laws of the State of Utah. The following shall be shown on said maps and drawings as a minimum:

1. For Preliminary Review:

- a. a vicinity map showing site orientation and location in relation to streets and arterial roads.
- b. statement of building use, occupancy, area tabulations, parking and landscaping tabulations.
- c. the location of all proposed and existing structures on the subject property and within fifty (50) feet on immediately adjoining properties to show that light and air are preserved, and to show that the development will not be detrimental to the orderly and harmonious development of the City.
- d. location and types of landscaping and/or fencing and screening within yards and setback areas, including proposed sprinkling and irrigation systems in compliance with Section 12.8.6 of this Chapter.
- e. location of existing and proposed utilities (i.e., power, water, sewer, gas, telephone, storm drains) and other public infrastructure improvements (i.e., curb, gutter, sidewalk, streets) together with existing easements and rights-of-way.
- f. design of ingress and egress to provide a functional on-site traffic flow and to prevent interference with traffic on adjacent streets.
- g. off-street parking and loading facilities in compliance with the off-street parking and loading standards as set for in Chapter 12.4 of this Ordinance, including provisions for pedestrians and the disabled.
- h. Existing and proposed contours at 2 foot intervals and spot elevations.
- i. preliminary drainage plan.
- j. preliminary building elevations and sections.

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2. For Final Review:

- a. detailed development of all items required for Preliminary Review.
- b. modifications required by conditions of the Preliminary Review and further optional modifications by the applicant.
- c. landscape plan including plant materials list and detail of installation, including the sprinkler and irrigation plan.

3. For Building Permit:

- a. all final construction documents including detailed development of all items required for Preliminary and Final Review.
- b. documentation showing compliance with County Flood Control requirements.
- c. surface and subsurface drainage, including catch basins, piping and detention basins.
- d. landscaping and sprinkler plans and details of installation.

C. Review Process.

Any proposed commercial, industrial, manufacturing, or research and development building or site plan that does not require more than fifty (50) parking spaces in accordance with Section 12.4 herein and/or does not contain more than fifteen thousand (15,000) square feet of floor space shall be approved administratively by City staff. Approval shall be in accordance with all of the laws, ordinances, and resolutions of Bluffdale City, the State of Utah, and the United States. On large commercial projects, staff will provide information to the Planning Commission and City Council, at their regular meetings, regarding the proposed site plan, building locations and, if known, types of businesses.

Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents shall be submitted to the Planning Commission and City Council for their review. The Planning Commission may recommend and the City Council may hold a public hearing on any proposed Site Plan.

The following list represents development approvals that will not be processed administratively. These developments must receive a recommendation from the Planning Commission following a public hearing with at least a ten (10) day notice, and approval from

the City Council following a public hearing with at least a ten (10) day notice.

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- 1. Subdivisions of land. All subdivisions are approved by the City Council in accordance with the Subdivision Ordinance.
- 2. Commercial, industrial, manufacturing, or research and development site plans which are required to provide fifty (50) or more parking spaces in accordance with Section 12.4 herein.
- 3. Commercial, industrial, manufacturing, or research and development buildings that contain more than fifteen thousand (15,000) square feet of floor space.
- 4. Any project determined by staff likely to have a significant impact on traffic, environmental quality, lighting, compatibility of uses, or the health, safety, or general welfare of the surrounding properties, property values, or residents.
 - a. Any project determined by staff likely to have significant impact on the surrounding properties, property values, or residents shall be submitted to the Planning Commission for their review and recommendation. The Planning Commission recommendation will be presented to the City Council for final approval.
 - b. The City Council may choose to have a public hearing on any project likely have significant impact on the surrounding properties, property values, or residents.

12.8.4 Large Scale Development Review

Any proposed commercial, industrial, manufacturing, or research and development building or site plan that can not be approved administratively by City staff in accordance with Section 12.8.3 herein shall be submitted to the Planning Commission for their recommendation. The Planning Commission shall recommend approval, approval with conditions or denial of the application. The City Council shall approve, approve with conditions, or deny the proposed commercial, industrial, manufacturing, or research and development building or Site Plan. The City Council may choose to have a public hearing on any project likely have significant impact on the surrounding properties, property values, or residents.

12.8.5 Parcel Improvements

Each parcel approved in accordance with this Section shall satisfy all applicable requirements of this Ordinance, the Subdivision Ordinance, as well as any applicable requirements of the Design Guidelines and Standard Specifications of the City.

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12.8.6 Landscaping Requirements

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 (8) feet in height or deciduous tree with no less than one and one half (1 ½) inch 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 five 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. 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.

12.8.7 Design Standards

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.

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.

12.8.8 Considerations in Review of Applications

The following matters, and others when applicable, shall be considered by those reviewing site plans, and may refer the plans to one or more experts consultants for large scale developments if the Planning Commission deems it necessary.

- A. Considerations relating to traffic, safety and traffic congestion:
 1. the effect of the site development on traffic conditions on abutting streets.
 2. the layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, drives and walkways.
 3. the arrangement and adequacy of off-street parking facilities to prevent traffic congestion, and compliance with the provisions of Chapter 12.4 of this Ordinance.
 4. the location, arrangement and dimensions of truck loading and unloading facilities.
 5. the circulation patterns within the boundaries of the development.
 6. the surfacing and lighting of off-street parking facilities.
- B. Considerations relating to signs:
 1. signs that are integral to the architectural design of the buildings and are in compliance with the provisions of Chapter 12.15 of this Ordinance.
 2. directional and/or informational signs are in compliance with the provisions of Chapter 12.15 of this Ordinance and are in locations and of such dimensions to not cause poor visibility for traffic.
- C. Considerations relating to landscaping:
 1. the location, height, and materials of walls, fences, hedges, and screen plantings concealing storage areas, utility installations, or other unsightly development insure harmony with adjacent development.
 2. the planting of ground cover and other surfacing is designed to prevent dust and erosion.
 3. the design keeps the destruction of existing healthy trees to a minimum.

D. Considerations relating to buildings and site layout:

1. the general building silhouette and mass, including location on the site, elevations, and relation to natural plan coverage, is in appropriate and harmonious relationship to the character of the neighborhood.
2. the exterior design is appropriate and harmonious in relation to adjoining structures in height, bulk, area openings, breaks in facade facing the street (or streets), line and pitch of roofs, and arrangement of structure on the parcel.

E. Considerations relating to drainage:

1. the effect of the site development plan on the adequacy of the storm and surface water drainage facilities.

12.8.9 Assurances for Completion of Improvements

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.

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 Bluffdale 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 of Utah, 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 Bluffdale 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.

12.8.10 Appeal Procedure

Any applicant or person aggrieved by any application processed under this Chapter shall appeal the decision, within fourteen (14) days of the decision, to the City Council.