

**TOQUERVILLE CITY**  
**ORDINANCE 2023.XX**



AN ORDINANCE OF THE CITY COUNCIL OF TOQUERVILLE, UTAH, AMENDING AND RESTATING SECTIONS 1 THROUGH 4 OF ARTICLE A (COMMERCIAL DESIGN STANDARDS) OF CHAPTER 21 (DESIGN STANDARDS FOR CONSTRUCTION AND DEVELOPMENT) OF TITLE 10 (LAND USE REGULATIONS) OF THE TOQUERVILLE CITY CODE TO MODIFY AND ENHANCE THE REGULATIONS OF THE CITY RELATING GENERAL COMMERCIAL DESIGN STANDARDS, COMMERCIAL SITE PLANNING, AND COMMERCIAL ARCHITECTURAL GUIDELINES.

**RECITALS**

WHEREAS, Toquerville City (“City”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, pursuant to Utah Code Annotated Title 10, Chapter 9a, Section 102, the City has the delegated police power to regulate land uses and development occurring within its municipal boundaries.

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 9a, Section 103, Subsection 30 and Title 10, Chapter 3b, Section 301, the Toquerville City Council (“City Council”) is designated as the governing body of the City and City’s “Land Use Authority”;

WHEREAS, after careful consideration by the City Staff and in consultation with the Toquerville City Planning Commission (“Planning Commission”), it has been determined that Sections 1-4 of Article A (General Commercial Design Standards) of Chapter 21 (Design Standards for Construction & Development) should be amended and restated in its entirety to contain a more comprehensive set of regulations for new commercial development.

**ORDINANCE**

NOW THEREFORE BE IT HEREBY ORDAINED by the City Council of Toquerville City, Utah, as follows:

1. AMENDMENT AND RESTATEMENT OF SECTIONS 1 THROUGH 4 OF ARTICLE A, CHAPTER 21, TITLE 10 OF THE. Sections 1 through 4 of Article A (General Commercial Design Standards) of Chapter 21, Title 10 of the Toquerville City Code (Land Use Regulations) of the Code is hereby amended restated in its entirety as follows:

***10-21A-1: INTRODUCTION:***

*A. Commercial developments will occupy dominant locations within Toquerville and serve essential community commerce needs at different levels, from neighborhood to region-wide. The design of commercial spaces reflects the community’s character. The care and attention paid to the design of commercial*

*projects exhibits the City's pride in itself and contributes to its socio-economic vitality.*

*B. The following guidelines provide design concepts and direction for all commercial projects, encourage high quality and innovative design solutions and recognize the importance of storefront visibility as well as parking and circulation design to the success of commercial enterprises. The guidelines that implement the Design Principles set forth are intended to foster developments which would be in keeping with the overall character of Toquerville.*

*C. Site-specific standards shall take precedence when in conflict with the guidelines. Where such standards are silent, these guidelines will serve as a supplement. Toquerville City Ordinance Title 9 Building Regulations and Title 10 Land Use Regulations should be consulted for specific regulations governing land use and zoning development standards.*

*D. These Design Standards apply to Neighborhood Commercial Districts, Highway Commercial, Planned Commercial Zones as defined in Chapter 12 of this Title and Commercial Planning Areas within a Master Planned Development Overlay (MPDO) Development as defined in Article C, Chapter 15 of this Title.*

*E. All new commercial development shall be reviewed by the City Staff for compliance with these Design Standards.*

**10-21A-2: GENERAL DESIGN OBJECTIVES:**

*A. The design of each commercial project in Toquerville shall:*

*1. Reinforce or establish a unique environmental image, for the commercial district zone within which the project site is located, by considering the scale, proportion and character of development in the surrounding area*

*2. Establish attractive and functional site arrangement of buildings, open space, parking areas and landscaping.*

*3. Provide site-specific, innovative, high quality architectural design solutions.*

*4. Provide stylistically diverse architectural design solutions which convey a sense of timelessness and elegance.*

*5. Facilitate pedestrian activity and access.*

*6. Minimize impacts of noise, light and traffic.*

*7. Preserve and take advantage of natural site amenities such as mature trees and hillside views.*

*8. Preserve and incorporate structures which are distinctive due to their age, cultural significance, or unique architectural style into the project*

*development proposal. Simple elegant forms, high quality design, details and materials are encouraged.*

**10-21A-3: SITE PLANNING:**

**A. Grading.**

*1. Landform preservation shall shape and guide site development of commercial proposals. Grading shall not substantially alter natural grades to increase the area of developable land. Grading of or within characteristic topographical areas such as ridgelines, unique hillside features and creeks is prohibited.*

*2. Innovative grading concepts such as contour grading, that incorporate use of variable slopes and meandering tops and toes of slopes techniques are encouraged. Smooth, gradual transitions between manufactured and natural slopes are recommended.*

*3. Use of retaining walls shall be minimized. Where use of retaining walls cannot be avoided, they shall be screened to the maximum extent possible and use of plantable retaining walls systems should be employed as part of the design solution.*

**B. Compatibility.**

*1. Project design shall complement the surrounding built environment in pattern, function, scale, character and materials. Natural site features including streams, scenic vistas and stands of mature trees shall be integrated into the overall project design where applicable.*

*2. The placement of structures, circulation patterns and open space location should acknowledge the site's characteristics. Culturally and architecturally significant structures shall be preserved and incorporated in the project development proposal.*

*3. Increased setback buffers, intensified landscaping, and building orientation and design techniques shall be utilized to attain the greatest degree of compatibility between commercial developments and lower intensity land uses.*

*4. Linkages between commercial and residential uses are encouraged, where appropriate.*

**C. Site Entry Design.**

*1. Site entries may be accentuated by ornamental landscaping, decorative paving, raised medians, gateway structures, and monument signage.*

*2. Where deemed appropriate, based on context considerations, main entry drives should include the following design features:*

- a. *A median with a 10-ft. (min) wide clear landscaped area between the street and the first bisecting parking aisle.*
- b. *A 5ft. (min) wide sidewalk on each side of the driveway.*
- c. *A 10-ft. (min) wide landscaped parkway on each side of the driveway.*
- d. *A 20-ft. (min) wide decorative paving band.*

*D. Building Siting.*

1. *Structure siting shall take into consideration surrounding context, location of incompatible uses and unique site characteristics.*
2. *The placement and design of structures on corner and mid-block parcels should create a strong visual and physical connection to the street frontage.*
3. *Building and site arrangements shall facilitate pedestrian activity, screen parking and foster public use of spaces.*
4. *Clustering of structures to create plazas and pedestrian malls is encouraged. When clustering is infeasible, visual and physical linkages between separate structures should be established by the selected architectural style, freestanding architectural elements (e.g. arcade systems, trellises) landscaping and hardscape.*
5. *The building design of structures sited adjacent to street corners shall recognize the importance and visibility of the “local” by incorporating appropriate building massing and forms to “anchor” the intersections. Angled or curvilinear building forms and plazas are encouraged at corner locations.*
6. *Extensive parking lot areas between buildings and right-of-ways are discouraged along pedestrian oriented as well as auto oriented corridors.*
7. *Parking lots shall occupy no more than 60% of a site’s street frontage. Use of landscaping and architectural elements to enhance perimeter parking areas is encouraged.*

*E. Vehicular Access/ Circulation/ Parking.*

1. *Site access and circulation design shall promote safety, efficiency, and convenience for vehicular and pedestrian traffic.*
2. *Use of streets to fulfill internal circulation needs is not permitted. A continuous circulation network system shall be provided throughout the site to the greatest extent possible. Dead-end driveways will be minimized. Adequate areas for maneuvering, stacking, truck staging, loading and emergency vehicle access shall be provided on site.*
3. *The number of site access points shall be proportional to the functional needs and scale of the development.*

4. *Placement of driveway entrances in proximity to street intersections shall be avoided. Use of common or shared driveways is encouraged.*

5. *Driveway entry locations should be aligned with existing or planned median openings and driveways on the opposite side of the roadway.*

6. *Buildings and/ or plazas should “anchor” corner locations.*

7. *The parking lot design, particularly of larger parking lots, should differentiate and provide the following: major access drives with no direct access to parking spaces; primary circulation drives with minimal parking; and parking aisles for direct parking space access. Loading and service access and circulation should be independent from the general circulation system.*

8. *Parking shall not dominate street frontages. Parking areas shall be screened by landscaping and structures.*

9. *Larger parking lots should be divided into a series of interconnected areas.*

10. *A raised walkway and landscape strip should be provided between parking areas and buildings. Walkway and landscape strip dimensions shall amply accommodate anticipated functions, intensity of use, landscaping theme and associated planting materials.*

11. *Placement of parking areas along primary circulation driveways and adjacent to building entrances is discouraged.*

#### *F. Pedestrian Circulation*

1. *Pedestrian linkages shall be established between buildings, sidewalks and parking areas.*

2. *Clearly defined pedestrian paths must be provided from sidewalks and parking areas to primary building entrances.*

3. *Pedestrian pathways should be separated from vehicular traffic by a change in grade level. Use of raised pedestrian pathways in conjunction with enhanced paving, landscaping and bollards to delineate pedestrian paths is recommended.*

4. *Parking areas should be designed in a manner that allows pedestrians to walk parallel to moving cars and minimize the need for pedestrians to cross parking aisles and landscape islands to reach building entries.*

#### *G. Plazas and Courtyards*

1. *Inclusion of plazas and courtyards within commercial developments is encouraged. Entries to plazas and courtyards should be inviting and well lit.*

2. *Landscaping, water features, and public art should be incorporated into plaza and courtyard design.*

3. *Courtyards should be buffered from parking areas and drive aisles.*
4. *Primary access to public plazas and courtyards should be provided from the street. Secondary access should be provided from retail shops, restaurants, offices and other uses within the development.*
5. *Shade trees or architectural elements which provide shelter and relief from direct sunlight should be provided within plazas and courtyards.*
6. *Inclusion of architecturally integrated outdoor dining areas should be integrated within the overall site and building design.*

#### *H. Auxiliary Structures/Areas*

1. *Auxiliary structures and areas such as play structures should be integrated within the overall site and building design.*

#### *I. Loading, Delivery, Trash Enclosures, Screenings*

1. *Loading and delivery service areas shall be located and designed to minimize their visibility, circulation conflicts and adverse noise impacts.*
2. *The building structure(s), architectural wing walls, freestanding walls and landscape should be used to screen loading and delivery service areas.*
3. *Placement of loading and delivery areas within setback areas is discouraged.*
4. *The location of trash enclosures should be easily accessible for trash collection and shall not impede general site circulation patterns during loading operations.*
5. *Trash Walls and fences should be designed to complement the project's architecture. Landscaping should be used to soften the appearance of wall and fence surfaces.*
6. *Solid wall enclosures with pilasters, decorative caps and offsets are recommended for screening purposes.*
7. *Solid walls and fences within front and exterior side yards of commercial sites shall be avoided.*
8. *The design of outdoor dining enclosures should be integrated within the overall project design and should be consistent with the architectural theme.*

#### *J. Paving.*

1. *Paving materials should complement the overall architectural theme. Use of unadorned concrete paving solutions is generally discouraged. Use of decorative paving materials is recommended.*

2. *Decorative paving should be incorporated into parking lot design, driveway entries, pedestrian walkways and crosswalks on private property.*

3. *Use of pavers that allow water infiltration is encouraged. Use of stone and brick is acceptable, where such materials are deemed appropriate. Use of stamped and color concrete treatments is acceptable, where such materials are deemed appropriate decorative paving is encouraged.*

*K. Lighting.*

1. *The type and location of parking lot and building lighting shall preclude direct glare onto adjoining property, streets, or skyward. Lighting systems should be designed for two operating levels; a higher intensity lighting level for business operating hours and a reduced intensity level for non-operating hours.*

2. *The design of the light fixtures and their structural support should be architecturally compatible with the theme of the development.*

3. *Pedestrian scale/decorative light fixtures are encouraged. "High mast" poles are discouraged.*

4. *Lighting should be designed to satisfy functional and decorative needs. Security lighting should be designed as part of an overall lighting plan.*

5. *Storefront lighting should complement the architectural style of the building while providing illumination of building facades and entrances.*

6. *Use of accent architectural lighting is encouraged.*

7. *Title 10, Chapter 24 should be consulted for specific regulations governing lighting standards.*

*L. Other Site Amenities.*

1. *Site amenities must be coordinated in terms of color, materials and design in order to convey a cohesive project appearance and distinctive character.*

*M. Site Furniture.*

1. *Seating will be included within plazas, courtyards and along pedestrian circulation areas.*

*N. Tree Grates/Guards.*

1. *Tree grates should be utilized along street frontages and plaza areas where a decorative and/or continuous walking surface is desirable.*

2. *Grates should be a minimum of four feet in diameter and should incorporate knockouts to accommodate the growth of the tree trunk over time.*

3. *Tree guards should be provided to protect trees in high activity areas. Their design should be compatible with site furnishings.*

*O. Bollards.*

1. *Bollard design if utilized shall be consistent with the overall project theme and should complement other site furnishings.*

2. *At locations where emergency access may be necessary, removable bollards shall be used.*

*P. Pots and Planters.*

1. *The placement of planters and pots may be used to organize, accent and direct pedestrian traffic flow.*

2. *Planters and pots should be utilized to provide visual interest and color accent building recesses, at locations where access is discouraged and adjacent to blank walls.*

3. *Planter colors and materials shall be compatible with the architectural theme.*

*Q. Kiosks, Bulletin Boards, Directories.*

1. *Kiosks, bulletin boards and directories shall be provided near vehicular and pedestrian entrances to multi-tenant commercial developments.*

2. *Directory and bulletin board siting must maximize their visibility while minimizing the potential for creating a traffic hazard.*

3. *Kiosk design shall be consistent with the architectural theme of the development and other site furnishings.*

*R. Trash Receptacles.*

1. *Trash receptacle design should coordinate with other streetscape furnishings.*

*S. Bicycle Racks.*

1. *Bicycle rack design should be consistent with other streetscape furnishings. Use of “loop racks” and “ribbon bars” are encouraged.*

2. *Bicycle racks should be located in visible areas.*

**10-21A-4: ARCHITECTURAL GUIDELINES:**

*A. Architectural Imagery.*

1. *The architectural design for all new structures which are located outside the historic downtown area must consider the City’s early Utah Pioneer heritage; however, no particular architectural “style” or theme will be*



required. Buildings should convey a sense of authenticity, timelessness and elegance regardless of style or genre. High quality, innovative architecture is encouraged. **avoiding extremes and uncharacteristic themes, styles, and color.**

2. The architectural style/design should enhance the site's context and shall be harmonious with existing building massing, scale, proportions, colors and materials. In all cases the selected architectural style shall be utilized on all building elevations.

3. Architectural details and variations in form should be incorporated in the building design in order to create visual interest.

4. Site-specific design solutions are encouraged.

5. Use of "building prototypes" for the purpose of achieving corporate image advertising objectives is discouraged.

#### *B. Building Façade and Roof Articulation.*

1. Buildings should be segmented in distinct massing elements.

2. Vertical and horizontal offsets should be provided to minimize building bulk.

3. Articulated building facades which employ variable architectural elements and details are encouraged along street frontages.

4. Structures such as pergolas, arcades and trellises should be utilized to visually and physically link buildings and create connections to adjacent sidewalks.

5. The architectural design and placement of "Anchor buildings" on site must balance and not overshadow minor "in-line" tenant spaces and "freestanding pad" structures.

6. Building entries should evoke a "sense of arrival" by being distinctively designed and readily identifiable. Variations in massing, architectural detailing, colors and materials are encouraged to articulate entry areas.

7. All wall surfaces visible to the public should be architecturally enhanced.

8. Where vertical architectural elements (e.g. clock towers, stair towers) are proposed as focal points, their scale and relationship to the main structure should be carefully considered.

9. Stairways should be designed as an integral part of the building architecture.

10. Nearly vertical or mansard roofs shall be avoided.

11. *Gutters and downspouts should be concealed, unless designed as a decorative architectural feature.*

12. *Mechanical equipment should be fully screened. All screening enclosures must be compatible with the building's architecture, colors and materials.*

*C. Fenestration.*

1. *The proportions and location of fenestration elements (e.g. doors, windows, skylights) should relate to the scale of the building upon which they are located.*

2. *Security hardware should be architecturally integrated within the building design. The use of scissor grilles is strongly discouraged.*

*D. Building Materials and Colors.*

1. *The colors and materials palette utilized by national franchise tenants should complement the overall design theme and surrounding development.*

2. *Use of precast building materials is generally discouraged and may be considered and permitted on a case-by-case basis.*

3. *A high quality stone and brick veneer as well as use of muted, deep tone color is encouraged.*

4. *Building Material Color: The color of all exterior building materials and surfaces shall blend the proposed new buildings with the city.*

*E. Building Lighting.*

1. *Lighting should be designed to satisfy functional and decorative needs.*

2. *Security lighting should be designed as part of an overall lighting plan rather than as single stand-alone elements.*

3. *Storefront lighting should complement the architectural style of the building while providing illumination of building facades and/or entrances.*

2. REPEALER. This Ordinance shall repeal and supersede all prior ordinances and resolutions governing the same.

3. SAVINGS CLAUSE: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

4. EFFECTIVE DATE. This Ordinance shall take effect immediately upon approval by the City Council.

PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2023.

Council Person:

Joey Campbell	AYE _____	NAE _____	ABSTAIN _____	ABSENT _____
Ty Bringhurst	AYE _____	NAE _____	ABSTAIN _____	ABSENT _____
Todd Sands	AYE _____	NAE _____	ABSTAIN _____	ABSENT _____
John 'Chuck' Williams	AYE _____	NAE _____	ABSTAIN _____	ABSENT _____
Gary Chaves	AYE _____	NAE _____	ABSTAIN _____	ABSENT _____

TOQUERVILLE CITY  
a Utah Municipal Corporation

\_\_\_\_\_  
Justin Sip, Mayor

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Daisy Fuentes, City Recorder