

## ORDINANCE NO. 1025

### AN ORDINANCE OF DRAPER CITY AMENDING SECTIONS 9-10 AND 9-25 OF THE DRAPER CITY MUNICIPAL CODE RELATING TO SECOND DRIVEWAY CUTS IN CERTAIN RESIDENTIAL ZONES

**WHEREAS**, Utah State law grants to Draper City the authority to regulate its Municipal Code in creating an approval process for residential development; and

**WHEREAS**, the City Council of Draper City has determined that it is in the best interest of the City and residents to clarify when and where a second driveway cut is to be allowed; and

**NOW, THEREFORE**, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:

**Section 1. Findings.** Through the adoption of this ordinance, the City Council of Draper City has made the findings this amendment to the text of Section 9-10 Section 9-25-080 C clarifies and sets forth criteria allowing a second driveway on corner lots in certain residential zones. Further, the adoption of this ordinance will 1) Create safer access to public streets, 2) will create safer line of sites at intersections, and 3) promote the health, safety, and general welfare of Draper City and its citizens as a whole.

**Section 2. Amendment.** Section Chapter 9-10 of the Draper City Municipal Code is hereby amended by adding a new section 9-10-075 to read:

(a) **Allowed Driveways.** Each parcel within the RA1, RA2, RH, RM1 and RM zones shall be allowed one driveway access to a public street. The first or primary drive approach shall be indicated and approved as part of the site plan review associated with the issuance of a building permit. Additional drive approaches may be approved for parcels with lot frontages that exceed the minimum lot frontage required in the zone by 20 percent. When the length of parcel frontage exceeds the minimum lot width, requests for additional drive approach access points may be approved on residential streets when a site plan and written request indicating the purpose and intended use of such additional access points is submitted to the Community Development Department. Complete requests including the payment of review fees shall be routed to the City Engineer for review and recommendation for approval, approval with conditions or denial. The justification by the applicant shall demonstrate that traffic safety, sight distance, and character of the neighborhood is not adversely impacted and shall comply with the design standards set forth in the Draper Standard Specifications and Details.

(1) **Corner Lots.** Curb cuts and allowed driveway shall conform to the requirements shown in Figure 1 of this Section. The primary curb cut on either frontage shall be located farthest from the intersection. A second curb cut is not allowed on either frontage when the primary driveway is located on the longest frontage (see Figure 1 of this Chapter).

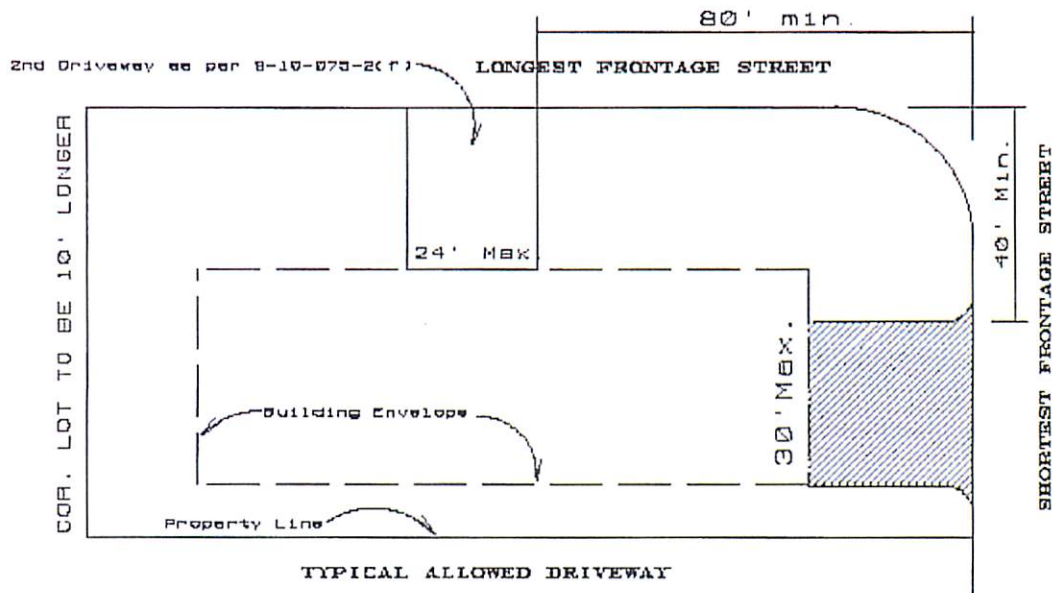
(2) Where applicable, the following provisions shall modify the foregoing standards:

(i) On a residential lot where an additional driveway is requested, the second access drive may not exceed 24 feet in width regardless of the lot width (See Figure 1).

(ii) Driveways fronting on cul-de-sacs or similar “eyebrow half street circles” may be constructed up to 30 feet in width regardless of the lot width at the property line as long as the driveway maintains a separation from any adjoining interior property line of at least five feet at the front property line and no portion of the driveway shall encroach upon the frontage of an adjacent property.

(iii) Construction of any driveway shall require and be subject to the conditions of a driveway permit issued by the requirements of Title 9, Land Use and Development Code of the City of Draper at the time a building permit is issued.

Section 9-10-075 - Figure 1.



**Section 3. Repealer.** Section 9-25-080(C)(1) of the Draper City Municipal Code is hereby repealed:

C. Curb Cuts.

~~1. Curb Cuts Allowed. Curb cuts and driveways allowing access to a public street shall be provided unless cross-access is established, provided, and approved and must meet the design and placement standards set~~

~~forth by the Draper City Engineer or the Utah Department of Transportation. New curb cuts for properties accessing non-local class streets shall be aligned with existing curb cuts on the opposite side of the street. Where not feasible, curb cuts may be located between curb cuts on the opposite side of the street following submission and approval of a Traffic Impact and Access study that addresses the need for non-alignment and the mitigation of traffic movement conflicts to the satisfaction of the Draper City Engineer.~~

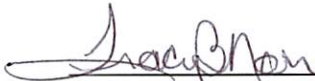
**Section 4. Severability.** If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts and provisions of this Ordinance shall be severable.

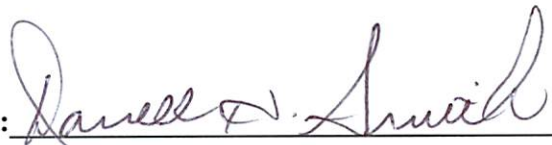
**Section 5. Effective Date.** This Ordinance shall become effective 20 days after publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 18<sup>th</sup> DAY OF SEPTEMBER, 2012.**

**DRAPER CITY**

**ATTEST:**

  
\_\_\_\_\_  
**City Recorder**

**By:**   
\_\_\_\_\_  
**Mayor**





**Affidavit of Posting**

**SALT LAKE COUNTY, STATE OF UTAH**

I, the Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1025** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 18<sup>th</sup> day of September, 2012** were posted at the following places: Draper City Bulletin Board, Draper Senior Citizens Center, and Draper Library within the municipality.

**Posting Period:** September 20, 2012 through October 10, 2012

City Seal



A handwritten signature in blue ink, which appears to read "Tracy B. Norr". The signature is written in a cursive style and is positioned above a horizontal line.

Tracy B. Norr, MMC  
City Recorder  
Draper City, State of Utah