

**ORDINANCE NO. 1405**

**AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND USE AND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO COMMERCIAL BUILDING HEIGHT IN THE CSD-DP (DRAPER PEAKS COMMERCIAL SPECIAL DISTRICT) ZONE.**

**WHEREAS**, Utah State law grants to Draper City the authority to regulate uses of property by zoning districts; and

**WHEREAS**, it is necessary from time to time to revise certain terms of the Draper City Municipal Code to address provisions that become diminished in appropriateness, applicability, or clarity; and

**WHEREAS**, the Land Use and Development Code of the Draper City Municipal Code has been established to provide regulations concerning general developments within the City Boundaries; and

**WHEREAS**, the City Council of Draper City adopted Land Use and Development Code to guide development within the City Boundaries; and

**WHEREAS**, the City Council of Draper City finds good cause to revise the terms and provisions of Land Use and Development Code regarding the commercial building height in the Draper Peaks Commercial Special District; and

**WHEREAS**, notice has been issued according to the requirements of the Utah Code Annotated and Draper City Municipal Code for public hearings before the Planning Commission and City Council to receive public input regarding the revision of the Land Use and Development Code; and

**WHEREAS**, the Planning Commission and City Council have each held a public hearing to receive public input regarding the revision of the Land Use and Development Code.

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


**Section 1. Findings.** The City Council of Draper City has made the following findings that the proposed text amendment regarding the Land Use and Development Code in regards to commercial building height in the Draper Peaks CSD: 1) The proposed amendment is consistent with goals, objectives and policies of the city's general plan. 2) The proposed amendment furthers the specific purpose statements of the zoning ordinance. 3) The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the zoning ordinance. 4) The proposed amendment will not create a conflict with any other section or part of this title or the general plan. 5) The potential effects of the proposed amendment have been evaluated and determined not to be detrimental to public health, safety, or welfare and represents an overall community benefit.

**Section 2. Revision.** Land Use and Development Code of the Draper City Municipal Code are hereby revised to read as set forth in Exhibit A.

**Section 3. 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 4. Effective Date.** This Ordinance shall become effective immediately upon 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, ON THE 8<sup>TH</sup> DAY OF OCTOBER, 2019.**

**DRAPER CITY**  
  
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**Mayor Troy K. Walker**



**ATTEST:**

  
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**Laura Oscarson, City Recorder**

VOTE TAKEN:	YES	NO
Councilmember Green	<input checked="" type="checkbox"/>	_____
Councilmember Lowery	<input checked="" type="checkbox"/>	_____
Councilmember Summerhays	<u>Abstain</u>	_____
Councilmember Vawdrey	<input checked="" type="checkbox"/>	_____
Councilmember Weeks	<input checked="" type="checkbox"/>	_____
Mayor Walker	_____	_____

## EXHIBIT A

### 9-18A-040: PROPOSED DEVELOPMENT STANDARDS:

- A. Commercial: The Draper Peaks commercial special district will provide design guidelines for the buildings, landscaping, parking, housing and signage located within the district boundaries. The Draper Peaks project is a master planned mixed use development containing approximately sixty (60) acres of developed and undeveloped land along the 12300 South arterial corridor. The master plan provides for commercial and residential development in designated areas of the district in accordance with the development standards set forth herein. The commercial phase of new construction along the north side of 12300 South has five (5) pad sites along the frontage, four (4) multi-tenant buildings on either side of a central entrance boulevard and approximately one hundred eighty thousand (180,000) square feet of retail space in several buildings along the rear of the site as shown on the site plan, section [9-18A-090](#), exhibit A of this article. All commercial buildings within the district shall comply with the following development standards:
6. No building shall be taller than ~~forty~~ fifty five feet (455').

To be published on Thursday, October 10, 2019, in the *Salt Lake Tribune* and *Deseret News*

City of Draper Notice of Ordinance Adoption – On October 8, 2019, the Draper City Council approved Ordinance #1405, amending the text of the Land Use and Development of Draper City Municipal Code. The complete ordinance is on file at the Draper City Recorder’s Office and online at [www.draper.ut.us](http://www.draper.ut.us). Published this 10<sup>th</sup> day of October, 2019. Laura Oscarson, Draper City Recorder.

