

ORDINANCE NO. 1435

AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND USE AND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO RESTAURANT SIGNAGE.

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 the 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 the Land Use and Development Code regarding the permitted on premise restaurant signage; 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 the signage of the RESTAURANT SIGN TA: 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.

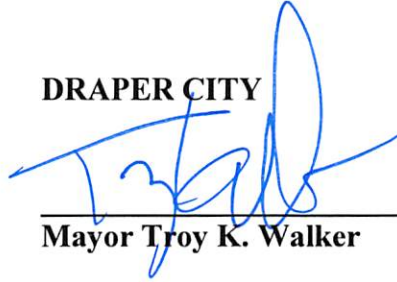
Section 2. Revision. The Land Use and Development Code of the Draper City Municipal Code are hereby revised to read as set forth in Exhibit A.

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 21ST DAY OF April 2020.

DRAPER CITY



Mayor Troy K. Walker

ATTEST:



Laura Oscarson, City Recorder



VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember T. Lowery

_____ ✓ _____

Councilmember Roberts

_____ ✓ _____

Councilmember Vawdrey

_____ ✓ _____

Councilmember F. Lowry

_____ ✓ _____

Mayor Walker

EXHIBIT A
PROPOSED TEXT CHANGES

9-26-070: PERMITTED ON PREMISES PERMANENT SIGNS

7. Restaurant Uses: Restaurants with drive-through facilities shall be allowed one on site freestanding sign per drive-through lane, in addition to that otherwise permitted by this section, according to the following requirements:

- a. The additional freestanding sign shall be located more than thirty feet (30') from the closest public right of way property line.
- b. The additional freestanding sign shall not be located more than five feet (5') from the drive-through lane.
- c. The maximum area of such sign shall be forty five (45) square feet.
- d. Such sign shall not be taller than seven feet (7').
- e. Such signs shall be illuminated ~~by internal means only~~, internally, backlit or illuminated digitally by means of EMC or LCD subject to requirements in section 9-26-060(G) and the illumination standards found in Section 9-26-090(D)(1)(f), and Section 9-20-040(B).
- f. Such signs shall be identified and accommodated in the approved sign allowance and shall require a sign permit prior to installation.

To be published on Saturday, April 25, 2020, in *Salt Lake Tribune* and *Deseret News*

City of Draper Notice of Ordinance Adoption – On April 21, 2020, the Draper City Council approved Ordinance #1435, amending the text of the land use and development code 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. Published this 25th day of April 2020. Laura Oscarson, Draper City Recorder.

