

**ORDINANCE NO. 1507**

**AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND USE AND DEVELOPMENT CODE (TITLE 9) OF THE DRAPER CITY MUNICIPAL CODE RELATING MODIFICATIONS OF DEVELOPMENT STANDARDS IN 136 CENTER COMMERCIAL SPECIAL DISTRICT (136C-CSD).**

**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 Development Standards within the 136 Center CSD; 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 Kum & Go Store #2500 Text Amendment:

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.

6. The proposed text amendment implements best current, professional practices of urban planning, design, and engineering practices.

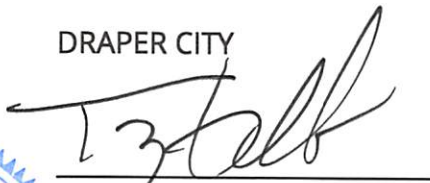
**Section 2. Revision.** Chapter 9-18L of the Land Use and Development Code of the Draper City Municipal Code are hereby revised to read as set forth in Exhibit A.

**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 16<sup>TH</sup> DAY OF NOVEMBER, 2021.

DRAPER CITY



Mayor Troy K. Walker



ATTEST:



Laura Oscarson, CMC, City Recorder

VOTE TAKEN:

YES

NO

Councilmember Green

Councilmember T. Lowery

Councilmember F. Lowry

Councilmember Roberts

Councilmember Vawdrey

Mayor Walker

## EXHIBIT A

### 9-18L-030: DEVELOPMENT STANDARDS:

The development standards of the 136 Center Commercial Special District will guide the design of the buildings, landscaping, parking and signage located within the district boundaries. The master plan provides for office and retail development in designated areas in accordance with the development standards set forth in this article.

- A. Commercial District: The Commercial District is located along 200 West and may have retail pads along the 200 West frontage. All buildings within the Commercial District shall comply with the following development standards:
  - 2. Retail buildings:
    - c. Building Height: Buildings shall be single-story. Fuel canopies shall be no more than twenty-five feet (25') in height.
    - f. Public address and music systems shall be designed and operated so they are not discernible at the property line of any lot or parcel containing a single-family home.
- C. To the extent that the text of this Article does not specifically address a matter or concern related to land use or development, the matter or concern is governed by applicable provisions of federal and state law, and the provisions of the Draper City Municipal Code.

### 9-18L-050: PARKING DESIGN:

The districts will be configured to reduce the appearance of large parking expanses and be designed in accordance with the following standards:

- B. Retail uses, to include gasoline service stations and convenience stores, shall have the range of parking at a minimum of 3.5 stalls and a maximum of ten (10) stalls per one thousand (1,000) square feet.

### 9-18L-060: LIGHTING DESIGN:

- E. Canopy lighting shall provide adequate illumination for safe operation, while providing uniform lighting levels. Fixtures shall be a combination of directional and down-lighting, or as required to illuminate dispensers and general under-canopy area.
  - 1. The average light levels under the auto fuel canopy shall be forty (40) footcandles measured at the ground.
  - 2. Minimum light levels to be fifteen (15); maximum light levels to be sixty (60) footcandles.

### 9-18L-070: SIGNAGE:

Signage design and location will be an important component of the 136 Center commercial special district. All signs shall be reviewed and approved by the 136 Center commercial special district architectural review committee. Allowed signage shall include:



- A. One monument sign will be allowed per building. Each monument sign shall have a uniform, architecturally compatible design consistent with the 136 Center commercial special district design theme with faces not larger than one hundred (100) square feet. Locations must be approved by the city to ensure clearance of sight distance requirements at entries and adequate separation for readability. Monument signs shall not exceed ~~seven feet (7')~~ eight feet (8') in height and fourteen feet (14') in width. Please see section 9-18L-100, exhibit H of this article.
- H. ~~Two (2)~~ One (1) pole signs shall be permitted on the I-15 frontage and one(1) pole sign shall be permitted on the Bangerter Highway frontage. These signs may be a multi-tenant sign, shall be designed to be architecturally compatible with the office park design theme and shall be no taller than thirty five feet (35') and no wider than twenty five feet (25'). The maximum allowed sign area shall be no more than two hundred (200) square feet.
- J. Gasoline price signs may be used in conjunction with allowed pylon or monument signs and shall be included in the area calculation for the sign. Gasoline price signs may be electronic, but shall have a black background or face and multi-colored, changeable electronic fuel prices only. No continuous animation or graphics are permitted.
- K. Awning signs shall be allowed at one (1) square foot of signage for each linear foot of awning, up to a maximum of thirty-two (32) square feet per awning face.
- L. Flag poles shall be permitted on each lot, with a maximum height of forty (40) feet.