

ORDINANCE NO. 1211

AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND USE AND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO BUILDING HEIGHT IN THE TOWN CENTER 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 building height of the Town Center zone; 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 building height of the Town Center Zone: 1) The proposed amendment is appropriate given the context of the request and there is sufficient justification for a modification to the zoning ordinance. 2) The proposed amendment will not create a conflict with any other section or part of this title or the general plan. 3) 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. 4) The proposed text amendment implements best current, professional practices of urban planning, design, and engineering practices. 5) The addition of this property into the TC zone will continue the long history of this streets involvement in the town center zone. 6) Neighboring zones including the RA2, CN and CO1 zones allow for a height of 35-feet without a limitation on the number of stories or a unique height calculation.

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,
THIS ~~20~~¹⁴ DAY OF JUNE, 2016.**

ATTEST:

DRAPER CITY:



Rachelle Conner, City Recorder

By: 

Mayor Troy K. Walker



EXHIBIT A

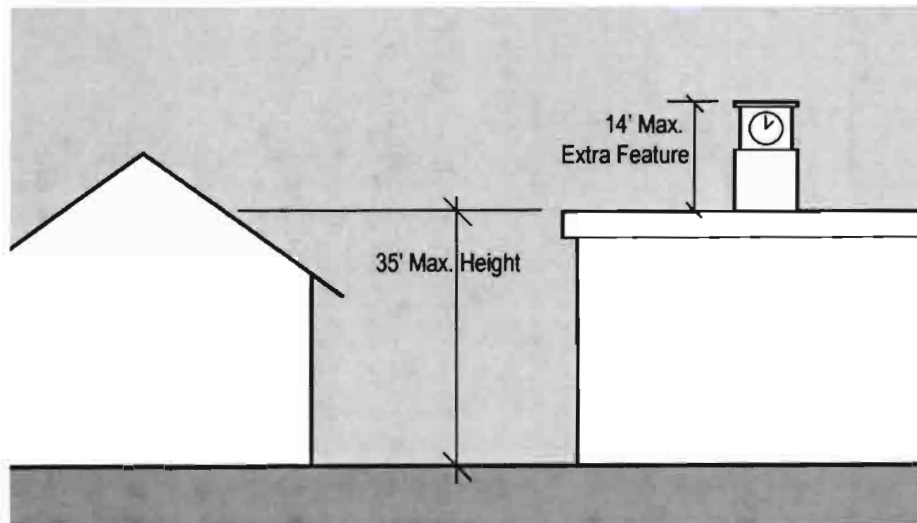
9-11-090: (TC) TOWN CENTER ZONE:

D. Development Standards: The following property development standards shall apply to all land and buildings in the town center zone:

2. Building Design Requirements:

a. Building Height: No new building or addition to an existing building constructed within the TC zone shall exceed a maximum height of thirty five feet (35') ~~as measured from the elevation of the back of the curb to the midpoint of the roof elevation. No new building or addition to an existing building shall have more than two (2) stories above the elevation of the back of the curb along the frontage of the property.~~ Building heights may be limited to less than thirty five feet (35') to ensure compatibility with neighboring buildings. Furthermore, towers, spires, chimneys, enclosures for necessary mechanical equipment, clocks, and similar structures that enhance the architectural character of the building, equaling not more than ten percent (10%) of the building footprint, may exceed the maximum building height by not more than fourteen feet (14'), as approved by the planning commission, with a commercial site plan application. Accessory buildings shall be a maximum of twenty feet (20') total height with no additional height allowance for architectural features.

FIGURE 8
BUILDING HEIGHT



Affidavit of Posting

SALT LAKE/UTAH COUNTY, STATE OF UTAH

I, the City Recorder of Draper City, by my signature below, certify that copies of **Ordinance No. 1211** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 7th day of June, 2016**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

Posted: June 20, 2016 through July 11, 2016

City Seal



A handwritten signature in blue ink, appearing to read "Rachelle Conner", written over a horizontal line.

Rachelle Conner, MMC
City Recorder
Draper City, State of Utah