

ORDINANCE NO. 1255

AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO CROSSGROVE HOUSE TEXT AMENDMENT.

WHEREAS, Utah State law grants to Draper City the authority to regulate division of property by subdivision code; 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 Development Code of the Draper City Municipal Code has been established to provide regulations concerning general subdivisions within the City Boundaries; and

WHEREAS, the City Council of Draper City adopted Land 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 Development Code regarding the special exceptions; 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 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 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 Development Code in regards to the special exceptions: 1) The proposed development plans meet the intent, goals, and objectives of the Draper City General Plan. 2) The proposed amendment will not create a conflict with any other section or part of Draper City Municipal Code. 3) The proposed amendment will not be deleterious to the health, safety, and general welfare of the general public. 4) The proposed amendment will provide flexibility for development of properties containing historically significant buildings, which will help preserve such structures.

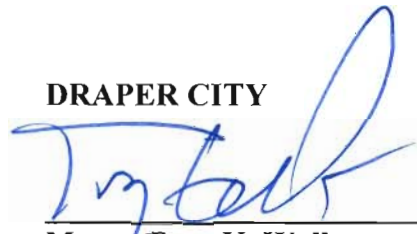
Section 2. Revision. Land Development Code of the Draper City Municipal Code are hereby revised to read as set forth in Exhibit A.

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 11th DAY OF APRIL, 2017.



DRAPER CITY


Mayor Troy K. Walker

ATTEST:



Rachelle Conner, City Recorder

VOTE TAKEN:

	YES	NO
Councilmember Rapplepe	<input checked="" type="checkbox"/>	_____
Councilmember Stenquist	<input checked="" type="checkbox"/>	_____
Councilmember Summerhays	_____	<input checked="" type="checkbox"/>
Councilmember Vawdrey	<input checked="" type="checkbox"/>	_____
Councilmember Weeks	<input checked="" type="checkbox"/>	_____
Mayor Walker	_____	_____

EXHIBIT A

17-1-110: SPECIAL EXCEPTIONS:

Where strict compliance with the provisions of this title would cause an unusual and unnecessary hardship on the subdivider because of peculiarities regarding the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas, ~~or~~ the existence of other unusual physical conditions, or the existence of a local, state, or federally registered historic structure on the property to be subdivided, the city council, after receiving a recommendation from the planning commission, may modify such requirements and require such conditions as will secure, insofar as practicable, the objectives of the requirement modified. ~~Any special exception authorized shall be entered in the minutes of the city council.~~ (Ord. 480, 12-3-2002, eff. 1-1-2003)

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. 1255** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 11th day of April, 2017**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

Posted: April 18, 2017, through May 8, 2017



A handwritten signature in blue ink, which appears to read "Rachelle Conner". The signature is written in a cursive style and is positioned above the printed name of the signatory.

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