

**ORDINANCE NO. 1174**

**AN ORDINANCE OF DRAPER CITY AMENDING CHAPTER 9-18 OF THE LAND USE AND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO 11400 SOUTH LONE PEAK PARKWAY COMMERCIAL SPECIAL DISTRICT.**

**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 Land Use and Development Code regarding the creation of a 11400 South Lone Peak Parkway 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 the creation of a 11400 South Lone Peak Parkway CSD: 1) The proposed amendment meets the intent, goals, and objectives of the Draper City General Plan. 2) The proposed development plans meet the requirements and provisions of the Draper City Municipal Code. 3) The proposed development plans will not be deleterious to the health, safety, and general welfare of the general public nor the residents of adjacent properties. 4) The proposed development conforms to the general aesthetic and physical development of the area. 5) Public services are available to the subject property.

**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 10<sup>th</sup> DAY OF November, 2015.**

**ATTEST:**

**DRAPER CITY:**

  
City Recorder

By:   
Mayor



**EXHIBIT A**  
**11400 SOUTH LONE PEAK PARKWAY CSD TEXT AMENDMENT**

**9-18-100: 11400 SOUTH LONE PEAK PARKWAY COMMERCIAL SPECIAL DISTRICT:**

A. Purpose: The 11400 South Lone Peak Parkway Commercial Special District (CSD-11400 LPP) is an area approximately 28 acres in size, located at the Southwest corner of 11400 South and Lone Peak Parkway. The 11400 South Lone Peak Parkway CSD is a master planned retail and office project designed as an automobile center to include the sale of new and used vehicles, auto repair, collision repair, auto rental, and sales of auto related products and services, together with office buildings and general office and commercial uses. The project will incorporate the community's design goals for commercial development and promote economic development within Draper City.

B. Permitted Uses: Unless otherwise allowed by state law, the following uses are considered permitted uses within the CSD:

Commercial/retail.

Automotive collision repair.

Automotive self-service station.

Automotive service and repair.

Auto, truck, RV, equipment storage.

Bank or financial institution.

Business or financial services.

Car wash.

Dealership, new (autos, trucks, RV, ATV, boat, sales and service).

Dealership, rental (autos, trucks, RV, ATV, boat, sales and service).

Dealership, used (autos, trucks, RV, ATV, boat, sales and service).

Equipment sales and service.

Government Service.

Municipal uses.

Museum.

Office, general.

Parking structure.

Professional office.

Restaurants.

Retail, general.

Utility, minor.

Vehicle rental.

Wireless telecommunication tower.

C. Conditional Uses: Unless otherwise allowed by state law, the following uses are considered conditional uses within the CSD:

Assisted living facility.

Convenience store.

Dwelling, multiple family.

Franchise municipal uses.

Medical/health care office.

D. Extent Of CSD: The standards outlined in this section shall apply to all properties within the boundaries of the CSD which are shown in Exhibit A, "CSD District."

E. Schematic Development Plans, Site Plan Approval: Development within the CSD shall be substantially consistent with the general, conceptual development plan shown in Exhibit B, "Conceptual Site Plan." Development within the CSD may proceed in phases and shall be consistent with the following requirements:

1. Access.

a. Driveway Access: The access points depicted on the Conceptual Site Plan as "proposed access point(s)" along Lone Peak Parkway are approved and additional access points may be added in accordance with city and state processes. All access points on 11400 South shall require Utah Department of Transportation (UDOT) approval, provided that the city approves the continued use of the existing access point on 11400 South shown on the Conceptual Site Plan. Except where otherwise required for compliance with applicable codes and for fire lanes, driveways shall be a minimum of twenty four feet (24') wide and all drives shall have a minimum 12.5 foot radius.

b. De-acceleration lanes: Two de-acceleration lanes shall be installed at an access point to allow right-in traffic travelling south along Lone Peak Parkway and a second de-acceleration lane to allow right-in traffic travelling east along 11400 South Street, subject to UDOT approval.

2. Site Plans.

a. Each dealership and the office use depicted on the Conceptual Site Plan may be developed independent of the other and the precise boundaries

of each use will not be set until an overall site plan or each individual site plan is submitted for approval.

b. The general configurations depicted on the Conceptual Site Plan are approved and site plans which conform to the Conceptual Site Plan shall be approved in accordance with this section. The Zoning Administrator shall be the land use authority designated to approve any site plans submitted in this CSD District, and each site plan approval shall be treated as a separate administrative approval.

c. Site plans for any particular site may vary from the Conceptual Site Plan, without requiring an amendment of this ordinance, so long as the site plans comply with applicable city ordinances.

F. Development Standards:

1. Architectural Theme: All buildings shall share a similar architectural theme as depicted in Exhibit C, "Architectural Theme" of this section.

2. Architectural Design And Materials:

a. Primary building materials shall be selected which require low maintenance, such as brick, split face concrete masonry units (CMU), aluminum composite material (ACM) panels, stone, ceramic tile, wood or concrete fiber composite siding, cultured stone, metal, or hardi-board.

b. Secondary building materials may include stucco, EIFS and other metals.

c. Prohibited materials and finishes include corrugated sheet metal, exposed (unpainted) concrete, vinyl siding and shake shingles.

d. Tilt-up concrete construction is permitted.

e. Roofs shall not be exposed unless they are part of the decorative or architectural treatment of the building such as parapets, columns, etc. Varying rooflines and parapets shall be used to add architectural interest and to avoid the appearance or sense of monotonous roofline expanses.

f. Building entrances shall be clearly articulated to indicate a transition from the exterior to the interior of the building.

3. Lot Coverage: Lot coverage by buildings shall not exceed forty percent (40%) of each site.

4. Buffers, Fences, And Walls: As part of the site plan approval process, special buffers, fences, and/or walls shall be required to provide separations between public/commercial areas, service, loading, refuse collection, equipment and/or storage areas.

5. Building Size: There is no maximum building size based on square footage.



6. Building Height: Maximum building height measured to the roof plane shall be fifty six feet (56'), exclusive of parapets and building equipment.

7. Parking/Vehicle Storage: The minimum number of parking spaces required for an automobile dealership shall be 2.5 spaces per 1,000 square feet of showroom sales floor area plus 2 spaces per 1,000 square feet for vehicle repair floor area. All other uses shall provide at least the minimum parking spaces required by city code.

8. New and Used Car Display: Car displays, arrangement of parking spaces, and circulation shall be at the dealer's option. However, no car displays shall block minimum required clear vision areas at driveway intersections or block lanes for public safety, egress or fire access. These clear vision areas and emergency access lanes required driveways shall be noted on the proposed site plan.

9. Security for Display Vehicles: To the extent deemed necessary by individual dealers, curb walls no higher than sixteen inches (16"), closely spaced concrete bollards, berms, low security fencing and rails may be used. Design must be compatible with project theme and architectural detailing in other parts of the site.

10. Inventory/Parts Storage Areas: Inventory/parts storage areas shall be provided within buildings or on-site behind buildings or in screened areas. To the extent practical, areas for storage should be combined with adjacent dealership properties.

11. Fences, Screens And Walls:

a. Fences, screens and walls shall be compatible and architecturally complimentary between two (2) adjoining sites. This may be achieved by use of similar materials and finishes to the building, landscaping materials, or other architectural design features.

b. Location of fences shall be compatible with adjoining property users to permit the common use of gates and accesses.

c. Neither chainlink fencing nor plain concrete block fences are permitted except where not visible from public streets or outdoor sales and display parking areas, unless adequately screened with landscaping materials.

d. Ten foot (10') screening walls around auto storage areas shall be permitted.

12. Display Pedestals:

a. The number of display pedestals allowed in the front setback shall be one pedestal per one hundred feet (100') of street frontage. The total number of pedestals allowed on the site may be clustered together to achieve more effective display, sales area, or circulation.

b. Display pedestals shall be no closer than two feet (2') from a property line.

13. Site Lighting:

- a. The height of any light source shall not exceed thirty feet (30') to the top of the luminaire or pole.
- b. No lighting of 150 watts or greater shall be used after 10:30 PM except for light fixtures used for security lighting.
- c. Pole lighting should only be implemented for parking areas, automotive sales areas, automotive display areas and other vehicular circulations features.
- d. Wall pack lighting may be used to illuminate building entrances, parking areas, display areas, and vehicular circulation areas.
- e. The number of primary light poles shall not be restricted except to the foot-candle maximums listed herein.
- f. Light pole spacing shall be determined by a site photometric plan.
- g. Security lighting shall be provided to protect persons and property as well to allow for proper function of surveillance equipment.
- h. Illumination intensities for auto dealerships and auto dealership canopies shall be 55 foot-candles maximum and 20 foot-candles maximum average.
- i. After hour illumination intensities for auto dealerships and auto dealership canopies shall be 30 foot-candles maximum and 10 foot candles maximum average.
- j. After hours lighting reduction shall be accomplished by one of the following:
  - 1. Every third fixture to shut off by time clock after hours, or
  - 2. Dimming all fixtures by at least 33% if LEDs or similar technology is used
- k. Staged lighting is not required for this project.
- l. Buffering: Any lighting implemented as a part of a plan along a property line shared with a residential zoning district shall conform to the following. These requirements shall not apply if property line is adjacent to a public right-of-way, railway, commercial property, or automotive dealership.
- m. The maximum illumination at any point along the property line shall be 1.0 foot-candle measured at finish grade.
- n. A lighting study shall be provided for this project with illumination readings spaced no greater than 10' apart.

G. Landscape Standards:

1. Landscaping shall consist of a variety of trees, shrubs, flowers, grass and other planted material, and shall be primarily comprised of water wise landscaping applications of ground covers, rock and mulch totaling at least fifteen percent (15%) of the CSD District.
2. All new landscaping shall incorporate water efficient landscape materials to the extent feasible.
3. A minimum of six feet (6') width of perimeter landscaping without berms or screening will be required along all public rights of way. A minimum of four feet (4') width of landscaping will be required as rear and side yard landscaped areas.
4. Within the required perimeter landscape area along public rights of way, at least one tree shall be planted for every one hundred feet (100') of frontage.
5. Within the parking lot landscape areas of parking/display areas, the landscape area required shall be a landscape island at the end of each parking row with a minimum of one (1) tree per island.
6. Parking lot landscaping for all uses which are not related to an automobile dealership shall be a minimum of seven percent (7%) of the parking area. The parking areas may use diamond planters and all planters shall be configured to allow efficient and safe parking and may be located at the end of parking rows.
7. Landscaping or other side or rear yard barriers or side yards between properties within this CSD District may be eliminated if the yard area is used in conjunction with an adjoining property for common driveways, display and/or parking.

H. Signage: Signage is an important component for the success of the sales activities within the CSD District. All signs shall comply with the Draper City sign ordinance with the following exceptions:

1. General Standards:
  - a. Location of all ground mounted signs shall be located to meet the requirements for traffic safety and visibility and shall be located outside the clear view area.
  - b. Illuminated signs shall be internally lighted. Exposed neon is also permitted as an accent or decorative sign element.
  - c. No flat faced box or cabinet type sign with painted copy shall be permitted.
  - d. If signage is integrated with an architectural feature of the building such as a backlit element, face or column, or a design element that is cast into architectural materials, only the portion of the sign that is text or corporate logo shall be counted toward the total allowed signage area.
  - e. Approval of this CSD shall constitute the approval of the master sign program as shown in Exhibit D, "Master Sign Plan" and Exhibit E, "Sign Theme" of this section.



f. All banner signs, inflatables, flags, balloons, animated signs and temporary signs, as allowed in this text, shall not require an additional sign permit from Draper City.

2. Permanent Signage.

a. Marquee Sign. The CSD District may have one "Marquee Sign", or monolithic sign, which is a sign which complies with the following requirements and limitations:

(1) One (1) Marquee Sign may be located in the approximate location shown on Exhibit D;

(2) The maximum height shall not exceed seventy-five (75') above sidewalk grade adjacent to the Marquee Sign;

(3) The maximum sign area shall not exceed six hundred (600) square feet per sign face area and shall have no more than two (2) sign faces; and

(4) No more than two (2) electronic changeable message displays may be located on the Marquee Sign and each electronic display and shall not exceed fifty percent (50%) of each sign face area. Electronic message displays shall incorporate photocell light sensors, with automatic dimming technology. The sign illumination levels for the electronic display shall never operate at a brightness intensity exceeding 0.5 footcandles over ambient lighting conditions when measured two hundred (200') feet from the sign face;

(5) Each electronic changeable message display shall be oriented to either those exiting Interstate 15 or travelling along 11400 South Street.

b. Dealership Identification Signs. The CSD District may have up to three (3) "Dealership Identification Signs" in the style of a pole sign, monolithic sign, or tower sign, each of which is a sign which complies with the following requirements and limitations:

(1) Each Dealership Identification Sign may be located in the approximate location depicted on Exhibit D hereto;

(2) The maximum height of each Dealership Identification Sign may not exceed sixty (60) feet measured from the adjacent sidewalk;

(3) The maximum sign area of each Dealership Identification Sign may not exceed four hundred square feet (400') per each sign face.

c. Primary Monument Signs. The CSD District may have up to four (4) "Primary Monument Signs," each of which is a sign which complies with the following requirements and limitations:

(1) Each Primary Monument Sign may be located in the approximate location depicted on Exhibit D hereto;

(2) The maximum height of each Primary Monument Sign may not exceed sixteen (16) feet measured from the adjacent sidewalk;

(3) The maximum sign area of each Primary Monument Sign may not exceed two hundred square feet (200') per each sign face.

d. Office Monument Signs. The CSD District may have up to three (3) "Office Monument Signs," each of which is a sign which complies with the following requirements and limitations:

(1) Each Office Monument Sign may be located in the approximate location depicted on Exhibit D hereto;

(2) The maximum height of each Office Monument Sign may not exceed sixteen (16) feet measured from the adjacent sidewalk;

(3) The maximum sign area of each Office Monument Sign may not exceed two hundred square feet (200') per each sign face.

e. Building Signage. Each building within the CSD District may have building signage complying with the following requirements and limitations:

(1) Location: Signs shall be mounted on building facades parallel to and contiguous with the wall upon which the sign is attached. Signs may be attached to screen walls or service buildings facing a street.

(2) Sign Area: A maximum sign copy area allowance for each facade of a building facing a public right of way shall be ten percent (10%) of the facade. In the case that a building fronts a public way on more than one facade, the maximum sign area allowance shall apply to each facade. A transfer of sign allowance area between facades on the same building shall not exceed one hundred twenty five percent (125%) of the allowed area for any given facade.

(3) Construction: Signs shall be any one or a combination of the following:

(a) Internally illuminated individual pan channel;

(b) Internally illuminated channel lume;

(c) Halo illuminated reverse pan channel; or

(d) Construction methods with similar intent.

f. On Site Directional/Destination And Information Signs: On site signs shall be located as needed to facilitate internal circulation and destination identification.

3. Temporary Signage:

a. General Standards:

- (1) Signs shall not be placed in or over a public right of way.
- (2) Signs shall not flash, blink, spin, rotate, block traffic visibility, constitute a vehicular or pedestrian traffic hazard, or cause a public nuisance of any kind.
- (3) Signs shall not be attached to telephone poles, trees or security gates.
- (4) Signs must be firmly secured.
- (5) Signs within a power line easement shall comply with height conditions of the easement.
- (6) Prior to December 15 of each calendar year, property owners within the CSD shall jointly submit to Draper City a calendar for the coming year of special promotion periods and holiday promotion periods that establishes "fly dates" for temporary signs, balloons, and inflatables. Fly dates shall comply with the provisions for special promotion and holiday promotion periods established in this section.

b. Banners:

- (1) Flag banners may be placed along frontage streets with a minimum interval spacing of at least thirty feet (30').
- (2) Pole banners may be attached to poles and supports.
- (3) Flag banners may be freestanding feather banners with inground supports and spikes.

c. Temporary Sign Devices: The following types of sign devices may be used during the permitted special promotion and holiday promotion periods:

- (1) Banners attached to the buildings, not exceeding fifteen percent (15%) of the building facade and no more than one banner per facade, but temporary building banners shall not be counted toward maximum allowance for permanent signage;
- (2) Vehicle decorations including antenna flags, balloons, windshield paintings and hood displays;
- (3) Tall balloons design to attract attention from long distances including cloud busters (balloons attached in a series with string or pennant flags) and hot air balloons;
- (4) Carnival tents;
- (5) Search or spot lights; and

(6) Inflatable objects for the purpose of advertising a specific product or to bring attention to a special promotion, such as inflatable mascots, gorillas, bounce houses, and promotional sponsors.

d. Special Promotion Periods:

(1) Dealerships within the CSD may implement jointly up to twenty one (21) special promotion periods per calendar year.

(2) Each period may not exceed five (5) consecutive days in length.

(3) Special promotional periods shall not be combined to run consecutively and must be separated by nine (9) calendar days between each special promotion period.

(4) A sign permit for temporary signage is not required provided the signage meets the requirements of this section.

e. Holiday Promotion Periods:

(1) Dealerships within the CSD may implement jointly up to nine (9) holiday promotion periods per calendar year.

(2) Unless otherwise noted below, each period may not exceed six (6) consecutive days in length.

(3) Holiday promotional periods may be combined to run consecutively with other special promotion periods.

(4) The following days shall be considered holiday promotion periods:

(a) New Years Day (January);

(b) Presidents Day (February);

(c) Tax Season (April, 7 days);

(d) Memorial Day (May);

(e) Fourth of July (July);

(f) 24th of July (July);

(g) Labor Day (September);

(h) Thanksgiving (November); and

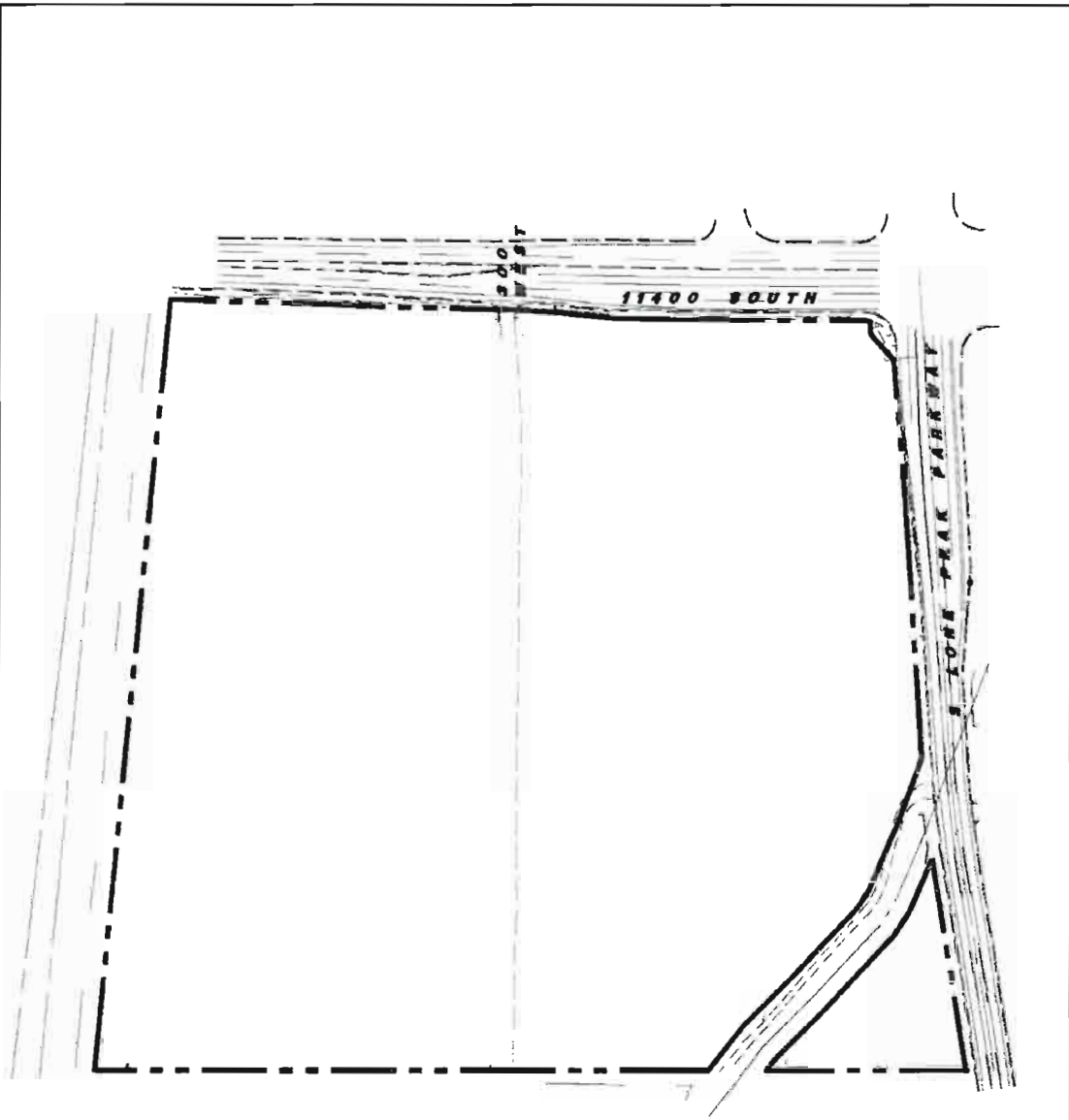
(i) Year End/Christmas (December 15 - December 31).

EXHIBIT A

CSD District



W:\5-0/8 LHV - Ford Droper (11400)\dwg\5-C7BexA.dwg, 10/13/2015 9:12:28 AM, :1, DWG

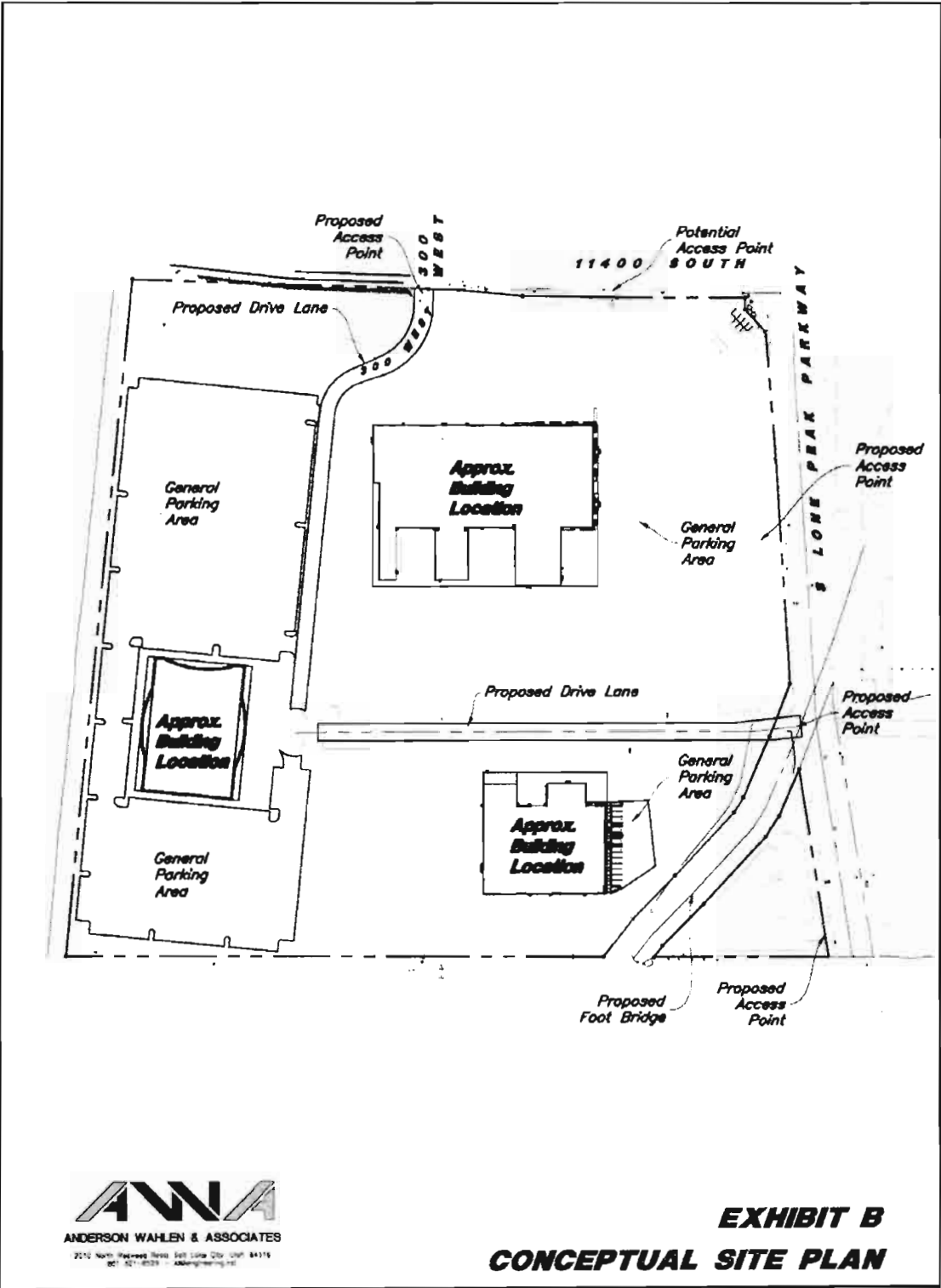


**EXHIBIT A**  
**"CSD DISTRICT"**

EXHIBIT B

Conceptual Site Plan

W:\15-078 LHV Forc Dropper (11400)\cwg\15-078ex3.dwg, 10/23/2015 9:14:59 AM, 1:1, D.W



ANDERSON WAHLEN & ASSOCIATES

2212 North Redwood Street, Salt Lake City, UT 84116  
801-521-8223 - [AWAengineering.net](http://AWAengineering.net)

**EXHIBIT B**  
**CONCEPTUAL SITE PLAN**

EXHIBIT C

Architectural Themes

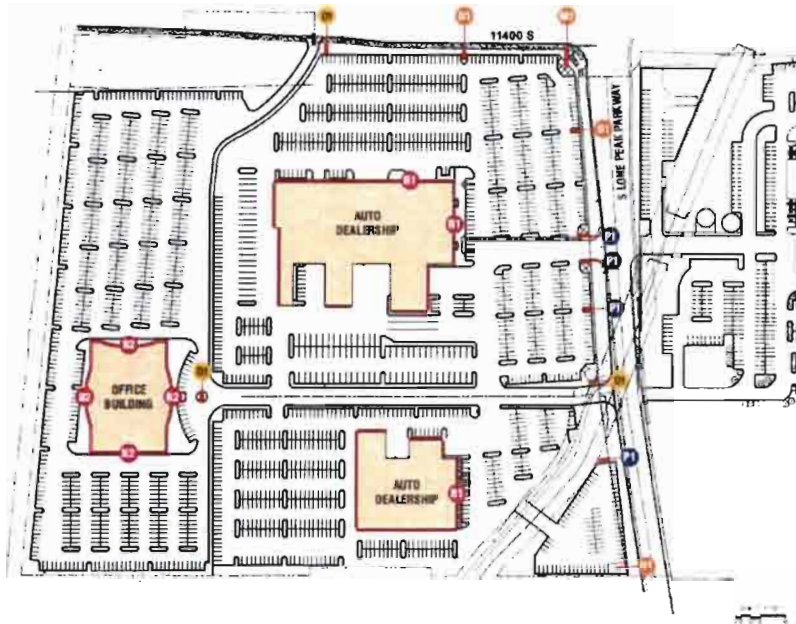








EXHIBIT D  
Master Sign Plan



- PROPOSED SIGN LOCATIONS**
- 1 Marquee Sign  
Auto Dealership, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft
  - 2 Dealership Identification Sign  
Auto Dealership, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft
  - 3 Primary Monument Sign  
Auto Dealership, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft
  - 4 Office Bldg Monument Sign  
Office Bldg, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft
  - 5 Building Wall Sign  
Auto Dealership, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft
  - 6 Building Wall Sign  
Office Bldg, Sign height: 10-12 ft, 10-15 ft, 15-20 ft, 20-25 ft, 25-30 ft

EXHIBIT E

Sign Theme

Sign Designs on this page are shown as examples of scope and scale.  
Actual design may vary depending on Auto Dealerships.



A. Dealership Sign Chartbook (Signs)

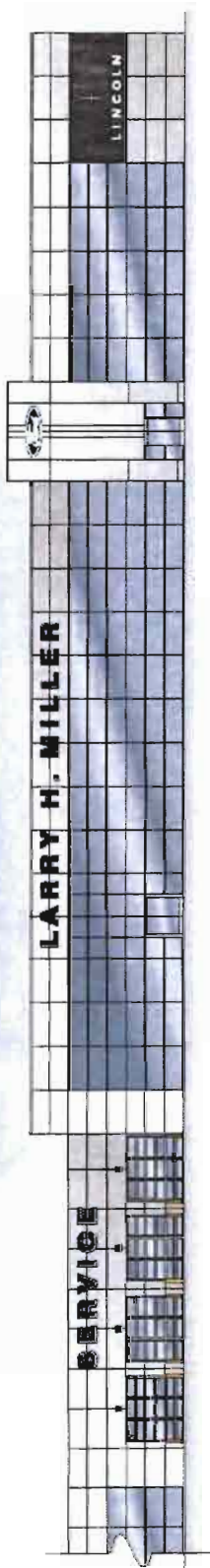
EXHIBIT E



Sign Design on this page is shown as examples of scope and scale. Actual design may vary depending on Auto Dealership.



Building Shown as an Example.  
Building Design to be Determined.



**(B)** Building Wall Signs\*  
See Appendix 1 for details.

**(A)** Signage over Openings  
See Appendix 1 for details.

**EXHIBIT E**  
Cont'd

**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. 1174** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 10<sup>th</sup> day of November, 2015**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

**Posted:** November 17, 2015, through December 7, 2015

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