

ORDINANCE NO. 1251

**AN ORDINANCE AMENDING THE TEXT OF THE DRAPER CITY MUNICIPAL CODE TO CLARIFY THAT FOR PURPOSES OF LOCATING AN ACCESSORY BUILDING ON A CORNER LOT, THE "FRONT WALL PLANE" IS THE PLANE OF THE MAIN BUILDING CONTAINING THE PRIMARY ENTRANCE.**

**WHEREAS**, Section 9-10-040-A-2-b(1) requires that an accessory building over 200 square feet shall be located behind the front wall plane of the main building; and

**WHEREAS**, the above-referenced code does not anticipate the situation where the main building of a corner lot, which by definition has two fronts, is set back a greater distance from the street right-of-way than the zoning code requires; and

**WHEREAS**, locating an accessory building in such cases can place a greater burden on the property owner than what the code intended, and therefore the City Council has determined that for purposes of locating an accessory building on a corner lot, the "front wall plane" shall be defined as the plane of the main building containing the primary entrance; and

**WHEREAS**, the proposed text amendment has been reviewed by the Planning Commission and City Council, and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revision.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, AS FOLLOWS:**

**Section 1. Findings.** In adopting these changes to the DCMC, the City Council finds: 1) that the proposed text amendment is in harmony with the adopted General Plan; 2) that the proposed text amendment would not be detrimental to the health, safety and general welfare of the community and its citizens; 3) that it is in the best interest of Draper City residents to clarify what "front wall plane" means with respect to locating an accessory building.

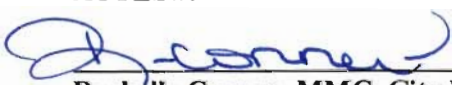
**Section 2. Amendment.** Section 9-10-040-A-1-e of the DCMC is hereby amended to include the following: *For purposes of locating an accessory building on a corner lot, the "front wall plane" is the plane of the main building containing the primary entrance. "Primary entrance" is the entry point to the main building designed to receive the public. It is usually located on the street bearing the main building's formal postal address.*

**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.

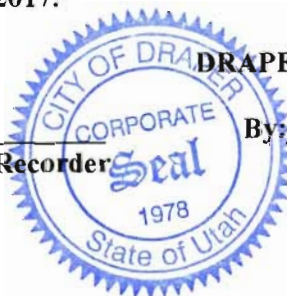
**Section 4. Effective Date.** This ordinance shall become effective immediately upon publication or posting, or 30 days after final passage, whichever is closer to the date of final passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 21<sup>st</sup> DAY OF MARCH, 2017.**

ATTEST:

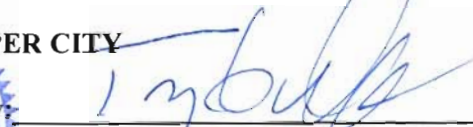


Rachelle Conner, MMC, City Recorder



DRAPER CITY

By:

  
Mayor Troy K. Walker

**VOTE TAKEN:**

**YES**

**NO**

Councilmember Rappleye



\_\_\_\_\_

Councilmember Stenquist



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Councilmember Summerhays



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Councilmember Vawdrey



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Councilmember Weeks



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Mayor Walker

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**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. 1251** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 21<sup>st</sup> day of March, 2017**, was posted at the following places: Draper City Bulletin Board, Salt Lake County Library, Draper Crescent Senior Citizens Center, within the municipality.

**Posted:** March 27, 2017, through April 17, 2017



A handwritten signature in blue ink, appearing to read "Rachelle Conner", is written over a horizontal line. The signature is fluid and cursive.

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