

ORDINANCE NO. 1471

AN ORDINANCE OF DRAPER CITY AMENDING THE TEXT OF THE LAND USE AND DEVELOPMENT CODE OF THE DRAPER CITY MUNICIPAL CODE RELATING TO PARKING

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 parking; 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 parking: 1. The proposed amendments are 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; and 6. The proposed text amendments implement best current, professional practices of urban planning, design, and engineering practices.

Section 2. Revision. 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 _____ DAY OF _____, 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

9-25-030: PARKING TO BE PROVIDED:

A. Parking Required: Every land use established under the authority of this title shall have parking as required by this chapter. Each person who establishes any such land use shall provide the required parking. The establishment of a land use shall include any change in use and any increase in the capacity or intensity of an existing use.

B. Continuing Obligation To Provide Parking: Provision of parking as required by this chapter shall be a continuing obligation so long as a use continues which requires parking. It shall be unlawful for any building owner, land use operator, or person responsible for providing parking to discontinue or dispense with required parking facilities without providing an alternate parking area which meets the requirements of this chapter.

C. Alteration Where Parking Insufficient: A building, structure, or use which lacks sufficient parking as required by this chapter may not be altered, enlarged, or changed unless additional parking for the alteration, enlargement, or change is supplied that meets the requirements of this chapter.

D. Parking Continually Available: Except as specifically authorized elsewhere in this Title, each designated parking space shall be used solely for the parking or storage of one motor vehicle. Dual use of parking spaces for public safety and emergency access aisles, internal vehicular aisles, queuing lanes, or similar uses is prohibited. Internal vehicular aisles providing access to parking spaces may not be encumbered by required queuing spaces or other waiting/loading areas, with the exception of emergency access lanes, that could impede access to and from the parking spaces.

9-25-060: NUMBER AND TYPE OF PARKING SPACES:

A. Parking Required: Off street parking spaces shall be provided in accordance with this chapter for every land use authorized by this title except as otherwise expressly allowed by this title. The total number of parking spaces required shall be a sum of the requirement for each individual use on any one site, as determined by section 9-25-100, table 9-25-1 of this chapter, and subject to the provisions of section 9-25-090 of this chapter.

B. Parking Space Calculations: Standard parking spaces shall be provided as set forth in section 9-25-100, table 9-25-1 of this chapter. Formulas and calculations shown in section 9-25-100, table 9-25-1 of this chapter, represent both the maximum and minimum parking requirements subject to the provisions of section 9-25-090 of this chapter. Uses and terms listed in section 9-25-100, table 9-25-1 of this chapter, shall have no affect on the permissibility or definition of uses.

C. Accessible Parking Spaces: Parking spaces compliant with ADA regulations shall be provided as required by the current building codes adopted by the city and any other standards officially adopted by the city. Accessible spaces shall be counted toward the fulfillment of the on site parking requirement for each use.

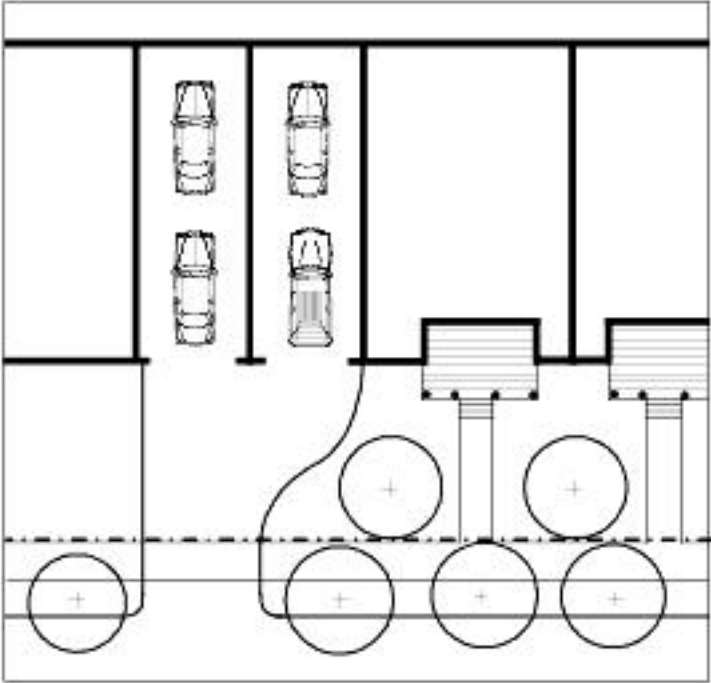
- D. ~~Stacking~~ Queuing Spaces: ~~Stacking or q~~Queuing spaces shall be provided as follows:
1. Banks, pharmacies, and retail uses with drive-through lanes, including automated teller machines, shall provide two (2) ~~stacking or~~ queuing spaces per lane, including the vehicle positioned to communicate with the teller or automated teller machine.
 2. Car washes shall provide ~~stacking or~~ queuing spaces as follows:
 - a. Self-wash bays shall provide three (3) queuing spaces per bay, including the space for the vehicle actively using the bay;
 - b. Automatic wash bays as an accessory use shall provide three (3) ~~stacking or~~ queuing spaces per bay in addition to the space for the vehicle being washed; and
 - c. Automatic wash bays as a primary use shall provide five (5) ~~stacking or~~ queuing spaces per bay in addition to the space for the vehicle being washed.
 3. Gasoline pump islands shall provide one ~~stacking or~~ queuing space per pump, in addition to the space for the vehicle at the pump.
 4. Restaurant drive-through lanes shall provide three (3) ~~stacking or~~ queuing spaces per lane from the ordering location or the first building window, whichever is greater, in addition to the space for the vehicle at the window or ordering station. ~~Stacking or q~~Queuing spaces shall not block parking spaces on the site.
 5. ~~Stacking and q~~Queuing spaces for tandem uses. Sites which incorporate a tandem design for features of the site requiring queuing ~~or stacking~~ may divide the required number of queue or stacking spaces between the features according to the following:
 - a. That no deviation to required number of ~~stacking or~~ queuing spaces listed in this subsection D be permitted;
 - b. That the number of ~~stacking or~~ queuing spaces for sites utilizing tandem features be provided in an amount for a single feature; and
 - c. That the number of ~~stacking or~~ queuing spaces for sites utilizing tandem features of three (3) or more be provided in an amount of one and one-half (1^{1/2})Times the requirement for a single feature.
 6. Where queuing spaces are proposed on any site for the purpose of facilitating the drop off or pick up of passengers, the queuing spaces including queuing lanes or aisles may not block or impede access to or from the street and the on-site parking spaces required by this title.
 7. Queuing spaces may not impede any public safety and emergency access aisle.

FIGURE 9-25-1
STACKING QUEUING



E. Off Street Loading Spaces: When buildings or uses are designed to include delivery loading areas or docks, such spaces shall not be located facing a public street unless specifically approved by the planning commission. When approved, such spaces shall be provided in an amount as follows:

1. One space for buildings containing a total gross floor area up to twenty thousand (20,000) square feet; and
2. One additional space for every additional twenty thousand (20,000) square feet or portion thereof.



F. Tandem Parking Spaces: Tandem parking spaces shall count toward required parking as only a single parking space per pairing. Both spaces in a tandem pairing may be counted toward required parking in the following instances:

1. Multi-family dwellings with garages and driveways of at least the minimum dimensions of standard parking spaces may count toward resident parking requirements but shall not count toward guest parking requirements; or
2. Valet parking services.

G. Recreational Vehicle Parking: Adequate and accessible recreational vehicle parking storage areas shall be required in each multi-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles.

9-25-080: PARKING AREA DESIGN AND CONSTRUCTION:

A. Parking Plans: Parking plans for any proposed parking area shall be submitted to the zoning administrator as a part of a site plan or site plan amendment application. The plan shall clearly indicate the proposed development, including location, size, shape, design, curb cuts, lighting, landscaping, and other features and appurtenances of the proposed development.

B. Access To Public Street: Every parking area shall have access to a public street or an approved private street. Except for approved on street parking, access to any parking space within a parking area shall be from a drive aisle and not directly from a public street. Such access may be established through platted or recorded easements, designed parking areas as a part of an approved site plan, reciprocal arrangements, or other guaranteed means. (Ord. 986, 3-20-2012)

C. Curb Cuts:

1. (Rep. by Ord. 1025, 9-18-2012)
2. Spacing: Except as otherwise provided in this subsection C, minimum spacing for all curb cuts and driveways with access to or from a public street right of way shall be as follows:

Street	From	To	Access Spacing (Feet)
Bangerter Parkway	Bangerter Highway	Highland Drive	500
Bangerter Highway	Jordan River	Bangerter Parkway	No access allowed ¹
Highland Drive	14600 South	Sandy City border	200
State Street	11400 South	12300 South	3501
700 East	11400 South	12300 South	3501
11400 South	Jordan River	700 East	2001
12300 South	Jordan River	State Street	500
12300 South	State Street	700 East	350
12300 South	700 East	1700 East	200

Other arterial streets	200
Major collector class streets	200
Minor collector class streets	150
Local streets	No minimum

Note:

1. As specified by the Utah department of transportation.

3. Right Turn Access: Right in right out restricted accesses may be allowed within the minimum access spacing when approved by the city engineer.

4. Spacing Measurement: Minimum curb cut spacing shall be measured from the centerline of one curb cut opening to the closest edge of the next curb cut opening.

5. Curb Cut And Driveway Design: Curb cuts and driveway access shall be provided and designed according to the adopted standard detail drawings of the Draper City engineer and the following:

Land Use	Approach Width		Curb Return Radius	
	Minimum	Maximum	Minimum	Maximum
Residential	10 ft.	28 ft.	2.5 ft.	10 ft.
Commercial, retail, multi-family, mixed use	24 ft.	36 ft.	10 ft.	30 ft.

6. Residential Curb Cuts And Driveways: Curb cuts and driveway accesses onto public rights of way shall:

- a. Be limited to one curb cut or driveway access per street frontage; and
- b. Be located a minimum of forty feet (40') from the closest point of the intersection for corner lots. (Ord. 986, 3-20-2012)

D. Parking Setback: All on site parking areas shall be set back at least ten feet (10') from any public or private right of way. The setback area shall be established with bermed vegetative ground covers or plantings that provide screening of the parking area from the right of way. (Ord. 1132, 2-17-2015)

E. Cross Access:

1. Cross access between existing, proposed, or anticipated nonresidential development shall be designed and provided as follows:

a. Parking areas associated with all nonresidential developments shall be designed to accommodate cross access to existing and anticipated neighboring nonresidential developments;

b. Nonresidential developments on individual parcels which have access onto a street of a major collector or arterial class shall provide cross access for parking areas to neighboring sites of a similar circumstance;

c. Adjacent nonresidential developments accessing a street of a major collector or arterial class shall provide a combined street access between sites;

d. In the event any nonresidential site provides, or is designed to provide, a combined street access with an abutting site, cross access between their parking areas may be waived in lieu of the provision the combined street access; and

e. When cross access is to be provided, a reciprocal easement to effect those provisions shall be recorded with the office of the county recorder against each property involved at the time of development or redevelopment of the individual parcels.

2. Nonresidential developments may be approved without providing cross access when the planning commission finds that:

- a. The cross access would result in a slope greater than twelve percent (12%);
- b. Requirements of this title prevent the provision of cross access by creating a nonconformity in those requirements; or
- c. The uses for which the cross access would link are incompatible; and
- d. The site cannot be otherwise designed to accommodate the cross access and avoid the conditions of subsections E2a through E2c of this section.

F. Internal Circulation:

1. Vehicular Circulation: Each parking area shall provide for traffic circulation on the property to access all parts thereof without the necessity of exiting onto any street.

2. Pedestrian Circulation: Each parking area shall provide for safe pedestrian travel to and through parking areas. Parking areas shall also be designed with safety features in areas where pedestrians cross vehicular drive aisles.

G. Backing Space: Backing space shall be provided for all parking areas so that cars will not back onto any street, except for approved on-street parking spaces. Sidewalks, ~~and~~ pedestrian walkways, [and queuing spaces](#) shall not be used as a part of the required backing area. Separate exits shall be provided for angled and one-way parallel parking so that vehicles will not exit by backing onto any street. [Backing space for parking areas shall comply with the applicable aisle widths specified in Table 9-25-2.](#)

H. Landscaping: Parking areas shall be landscaped as provided in chapter 23 of this title. In addition, the design of parking area landscaping shall adhere to each of the following:

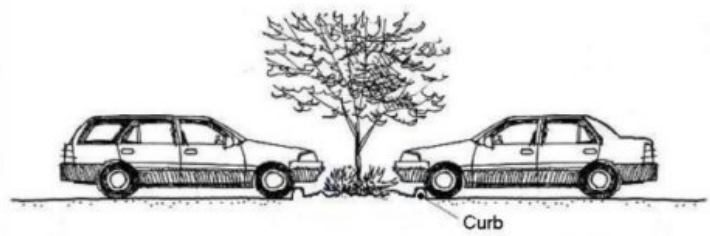
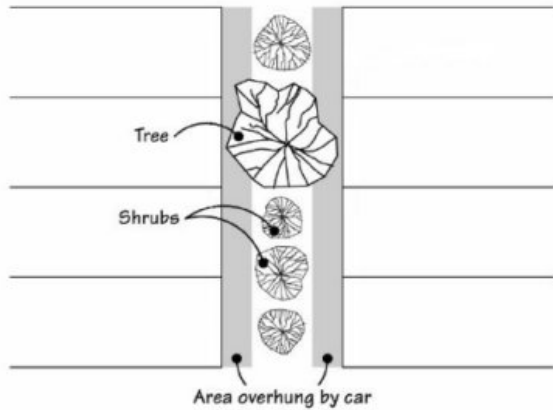
1. Landscaping Islands: Landscaping islands shall be provided at each end of parking rows.

2. Parking Row Dividing Landscaping:

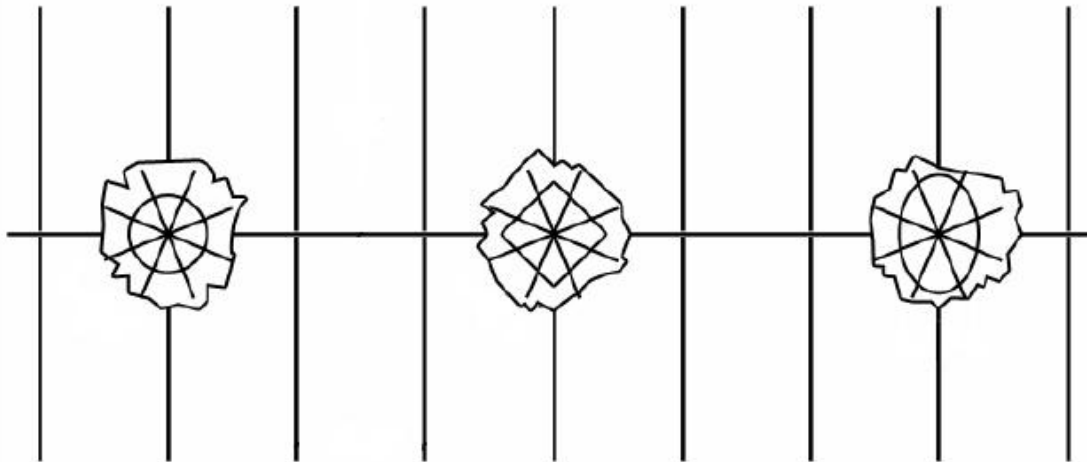
a. Rows of adjacent parking shall be separated by landscaping of at least five feet (5') in width or nine feet (9') in width if vehicles are allowed to overhang the landscaping. Where the planning commission finds that it is not feasible for rows of parking to be separated by landscaping, parking areas shall be designed to include tree diamonds. In order to determine this feasibility, the planning commission must find that:

(1) The site requires a deviation from strict compliance to reduce parking; or
(2) The site would require a deviation from strict compliance to reduce parking in order to implement such landscaping; and

(3) Constraints of the site would necessitate the elimination of required parking spaces or reduction of site boundary landscaping buffers in order to facilitate such landscaping.

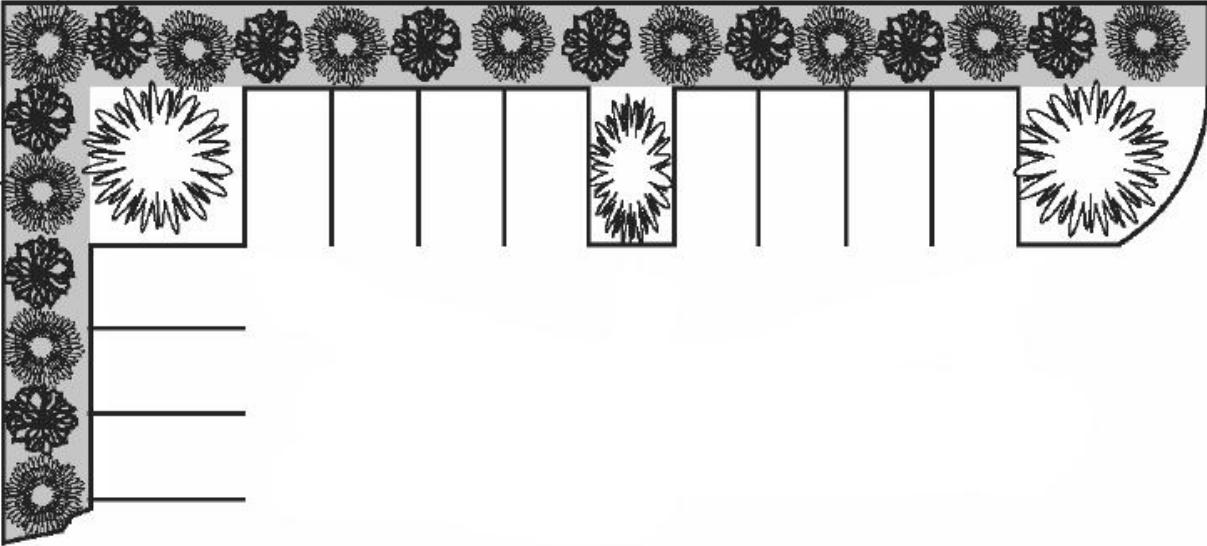


b. When tree diamonds are proposed, they shall be spaced no more than three (3) parking spaces apart and the area dedicated to the tree diamond shall be at least five by five feet (5 x 5') when square or at least five feet (5') in diameter when round or oval.



Tree Diamonds

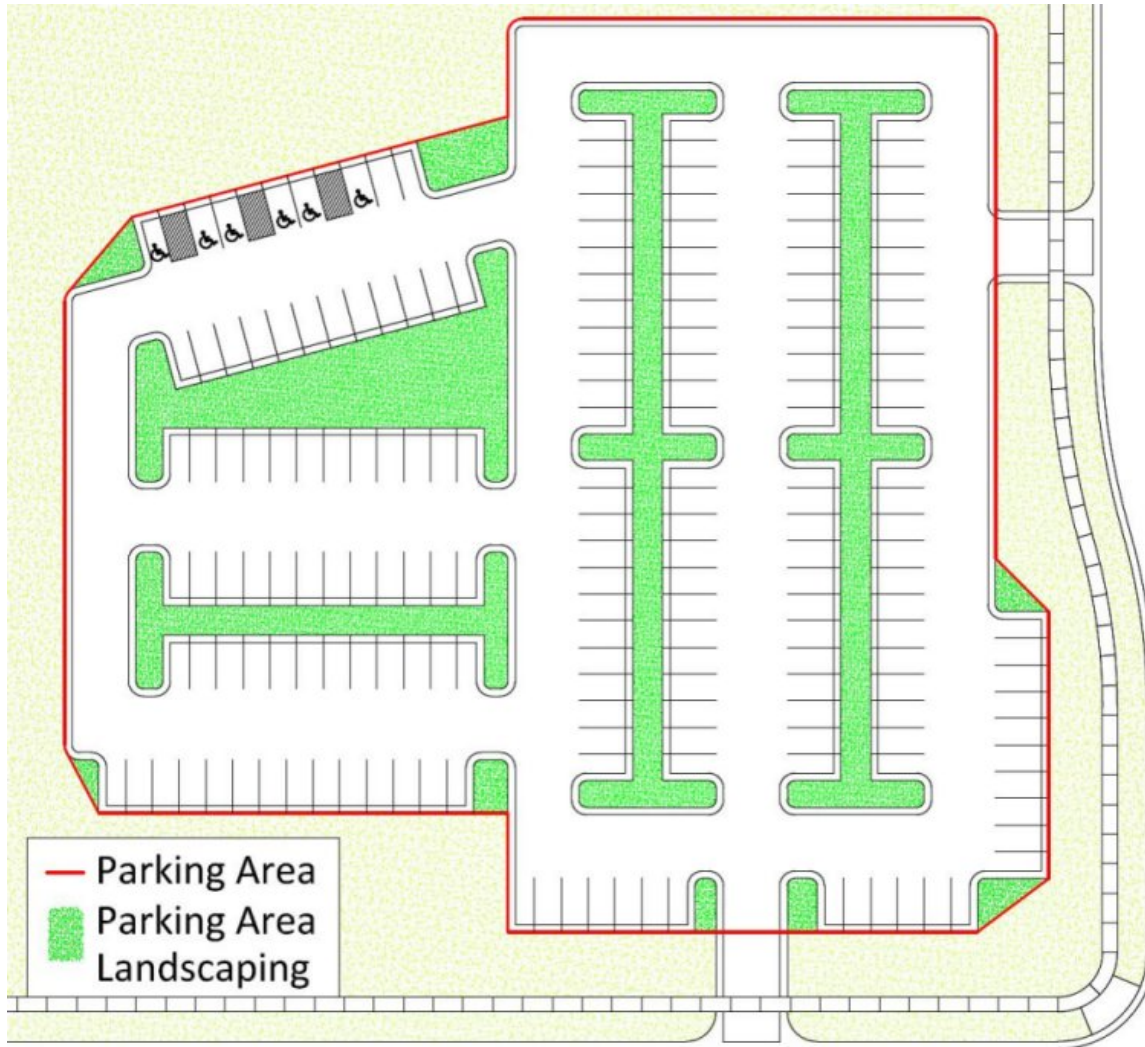
3. Spacing Between Landscaping Islands: The maximum number of parking spaces in a row without separation by a landscaping island shall be fifteen (15).



Parking Area Landscaping Islands

4. Amount Of Landscaping: Landscaping within parking areas shall be provided in a proportion determined in subsection 9-23-100A of this title. Landscaping eligible for consideration as parking area landscaping shall be as demonstrated in the diagram below. Parking area landscaping shall be calculated independently from site area landscaping, but may also count toward site area landscaping.

**FIGURE 9-25-2
PARKING AREA LANDSCAPING**



5. Borders And Separation: All parking area landscaping and landscaping adjacent to parking areas shall be bordered and separated from the parking area by six inch (6") high back concrete curbing. Curbing may be reduced or eliminated if the entire site is being developed as a low impact development (LID) for storm drainage purposes and wheel stops are installed in all parking stalls to prevent vehicle intrusion into landscaped areas.

I. Lighting: Lights used to illuminate a parking area shall be arranged to reflect the light away from adjacent lots or parcels and shall be consistent with the standards set forth in chapter 20 of this title.

J. Paving: Every area used as a parking space or area shall be paved with asphaltic cement or concrete, be maintained so as to eliminate dust or mud, and shall be graded so as to drain and dispose of all surface water according to city standards. Surface water drainage shall not cross a sidewalk or pedestrian walkway. Such surfacing shall also be required for spaces or areas used for the storage of vehicles, recreational vehicles, and trailers. Unfinished parking areas may be permitted in association with a temporary use or special event only.

K. Public Safety and Emergency Access Aisles: Every lot or parcel that includes a parking area with internal vehicular aisles for access to parking spaces shall provide public safety and emergency access ~~and facilitation~~ aisles. Public safety and emergency access aisles shall conform to the international fire code. The location and details of public safety and emergency access aisles shall require approval of the Draper City Fire Marshal. ~~adopted by the state of Utah, as adopted by the unified fire authority.~~