

ORDINANCE NO. 1259

AN ORDINANCE AMENDING THE TEXT OF SECTION 9-18F OF THE DRAPER CITY MUNICIPAL CODE, OTHERWISE KNOWN AS THE LIVING PLANET AQUARIUM TEXT AMENDMENT

WHEREAS, the City has received a request submitted by the authorized agent of the subject parcel requesting certain described real property in Draper City, Salt Lake County, State of Utah, be rezoned, and that the text of Section 9-18F of the Draper City Municipal Code be amended; and

WHEREAS, the Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed text amendment, and the City Council has found the proposed text amendment to be consistent with the goals and objectives of the City's general plan; and

WHEREAS, the City Council recognizes the need to amend the text of Section 9-18F of the Draper City Municipal Code in order to accommodate some changes to the Living Planet Aquarium's business model; and

WHEREAS, all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the text of Section 9-18F.

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

Section 1. Zoning Text Amendment. The text changes contained in Exhibit A of this ordinance are hereby adopted.

Section 2. Severability Clause. If any 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 provisions, clauses and words of this ordinance shall be severable.

Section 3. 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 THIS 18th DAY OF APRIL, 2017.

ATTEST:

DRAPER CITY

By: 

Rachelle Conner, City Recorder

By: 

Mayor Troy K. Walker



VOTE TAKEN:

YES

NO

Councilmember Rappleye

✓

Councilmember Stenquist

✓

Councilmember Summerhays

✓

Councilmember Vawdrey

✓

Councilmember Weeks

✓

Mayor Walker

EXHIBIT A

Chapter 18 COMMERCIAL SPECIAL DISTRICTS (CSD)

ARTICLE F. LIVING PLANET AQUARIUM COMMERCIAL SPECIAL DISTRICT

9-18F-010: PURPOSE: 9-18F-020: PERMITTED USES: 9-18F-030: SCHEMATIC DEVELOPMENT PLANS: 9-18F-040: DEVELOPMENT STANDARDS: 9-18F-050: LANDSCAPE STANDARDS: 9-18F-060: PARKING DESIGN: 9-18F-070: LIGHTING: 9-18F-080: SIGNAGE: 9-18F-090: EXHIBITS:

9-18F-010: PURPOSE:

The Living Planet Aquarium commercial special district (CSD) is hereby created to facilitate commercial development along the Lone Peak Parkway area. The property is characterized by the completed Living Planet Aquarium site and an adjacent seven-acre parcel to the south, a large vacant parcel with freeway frontage and visibility and ample access to frontage roads. The area is approximately 5-82-16.5 acres in size, including a portion of the Rocky Mountain Power corridor. Given the site's proximity to the freeway, the city anticipates a substantial entertainment and retail presence within the CSD that forwards the community's economic development goals. (Ord. 1011, 6-19-2012)

9-18F-020: PERMITTED USES:

Aquarium.

Bank or financial institution.

Cinema theater.

Daycare, general.

Dining club.

Hotel.

Live theater/music.

Pavilion.

Office, general.

Reception center.

Recreation and entertainment, indoor and outdoor.

Restaurant without a drive-through facility.

Retail, general (Ord. 1011, 6-19-2012)

9-18F-030: SCHEMATIC DEVELOPMENT PLANS:

Development within the CSD shall be in accordance with either a schematic development plan as shown in section 9-18F-090, exhibit B of this article, or a schematic development plan that combines any elements of such exhibits or combination of permitted uses. Development within the Living Planet Aquarium CSD may be in phases. (Ord. 1011, 6-19-2012)

9-18F-040: DEVELOPMENT STANDARDS:

- A. Building Height: Maximum building/structure height is one hundred seventy-five feet (400') (175').
- B. Building Design: Building/structure design consistent with the user's corporate determined architectural style shall be permitted. Concrete masonry unit construction or concrete tilt-up type construction with decorative reveals or decorative elements to incorporate LED lighting shall be permitted. Additional architectural materials, such as brick, rock, stucco, metal or glass shall be permitted.
- C. LED Lighting: The buildings/structures shall be allowed to incorporate LED building lighting as an architectural feature.
- D. Setbacks: The buildings/structures shall be set back from property lines a minimum of five feet (5') on all sides and shall comply with building safety code requirements.
- E. Landscape Buffers: No landscape buffers between land uses on properties outside of the Living Planet Aquarium CSD are required.
- F. Lot Size, Frontage: No minimum lot size or frontage is required.
- G. Architecture, Pedestrian Pathways: ~~The aquarium building's architecture and pedestrian pathway shall incorporate similar architectural materials and detailing as those shown in the conceptual renderings in section 9-18F-090, exhibits C through H of this article. (Ord. 1011, 6-19-2012)~~ The buildings/structures within the CSD shall complement each other in materials and detailing and shall incorporate unifying architectural elements to be identified by the architect and approved by the planning commission.

9-18F-050: LANDSCAPE STANDARDS:

- A. Landscaping Percentage: The property developed within the boundaries of the Living Planet Aquarium CSD will be required to provide a minimum of fifteen percent (15%) of the site in landscaping, which includes all landscaped areas, and parking lot tree diamonds and islands. Hardscape plaza areas or pedestrian corridors that incorporate decorative pavers, architectural concrete, planters, trees, benches, or fountains shall be calculated in the overall landscape percentage.
- B. Power Line Corridor: Landscaping within the Rocky Mountain Power line corridor shall be shrubs, ~~and trees~~ grass, flowers, and small plants as approved by Rocky Mountain Power.
- C. Phases: As the CSD develops, each additional phase shall meet the minimum fifteen percent (15%) overall landscape percentage. This is a cumulative total which can be calculated as total landscaped area over developed site area. Landscaping within the public right of way shall not be

calculated in the overall landscape percentage.

D. Specific Requirements: Specific landscaping requirements are:

1. To mitigate the reduced overall landscaping, more intensive plantings in certain areas may be required.
2. Tree diamonds or islands measuring a minimum of twenty five (25) square feet shall be installed throughout the parking area at a rate of one tree for every twenty five (25) parking stalls. Tree diamonds or islands at the end of parking rows and on the perimeter of parking areas are required and shall be counted in calculating the requirements of this section. (Ord. 1011, 6-19-2012). This requirement shall not apply to parking areas within the Rocky Mountain Power corridor.

9-18F-060: PARKING DESIGN:

- A. Requirements: Parking requirement shall be three (3) stalls per one thousand (1,000) square feet of the public occupied building space. Modifications to the standards may be authorized, if justified by a parking study and approved by the planning commission, in accordance with section 9-25-090 of this title. Such study must present data on the proposed uses, square footages and floor plans, hours of operation, and shared parking areas within the sites. Notwithstanding the foregoing, in the event that the requirement under chapter 25, "Parking", of this title for any particular use is less than specified herein, the lesser requirement in that chapter shall control and the requirement herein shall not be applicable.
- B. Pedestrian Corridors: Pedestrian corridors shall be identified by a change in color or scoring of pavement material, or striping with an emphasis on pedestrian safety. (Ord. 1011, 6-192012)

9-18F-070: LIGHTING:

Parking lot lighting shall provide adequate illumination without spillage into adjacent residential areas, as verified by a photometric plan submitted with the site plan for each lot or phase of development. Site lighting shall not exceed thirty five feet (35') in height. The lighting source must be recessed and shielded. (Ord. 1011, 6-19-2012)

9-18F-080: SIGNAGE:


- A. Permitted Signs: Signage is very important to the success of the Living Planet Aquarium CSD. Freeway frontage of more than eight hundred fifty feet (850') warrants special signage consideration. For this reason, the district shall be allowed two (2) tower signs along the freeway, not to exceed forty feet (40') in height. The tower signs shall be permitted to have up to two hundred (200) square feet in area and be multisided. Additionally, the Living Planet Aquarium CSD shall be permitted to have two (2) double sided monument signs, not to exceed ten feet (10') in height. The monument signs shall be permitted to have up to eighty (80) square feet in sign area.
- B. Electronic Message Centers On Tower Signs: The tower signs may incorporate electronic message centers, providing the electronic message center meets the provisions of subsection 9-26-090B6 of this title.

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. 1256** for the **City of Draper**, which **Passed and Adopted by the City Council of Draper City, State of Utah on the 18th 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 21, 2017, through May 10, 2017



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