

Midway City Council  
14 March 2018  
Regular Meeting

Ordinance 2018-11 /  
Parking Requirements in  
Commercial Zones



## **CITY COUNCIL MEETING STAFF REPORT**

**DATE OF MEETING:** March 7, 2018  
**NAME OF APPLICANT:** Midway City  
**AGENDA ITEM:** Code Text Amendment  
**ZONING DESIGNATION:** C-2 & C-3

### **ITEM: 11**

Midway City is proposing a Code Text Amendment regarding parking location requirements in the C-2 and C-3 zones. The proposed amendment would allow direct parking stall access from the right-of-way without the currently required driveway when the property is adjacent to open space. The proposal will help preserve open space in the commercial zones by reducing the amount of hard surface required by the current code.

### **BACKGROUND:**

This item is a request for a Code Text Amendment of a section of the code title “Off-Street Parking and Loading”. This section of code requires all off-street parking is accessed by a driveway that is 24 feet in width. The proposed code text amendment would allow an exception to this requirement when landscaped open space is provided that complies with certain requirements. The purpose of the proposed ordinance is to preserve open space areas in commercial zones, along local streets, by allowing a parking configuration that will require less area than the current requirements. This proposed code could not be used on any collector, arterial or highways. It could only be used on City streets that are classified as local streets.

The following is the proposed amendment to Section 16.13.39.F.

#### **F. Access to Parking Facilities**

1. Access driveways shall be a minimum of 24 feet in width and provide for ingress to and egress from all parking and loading facilities. Each parking and loading space shall be easily accessible to the intended user.

2. Forward travel in an automobile to and from parking facilities from a dedicated street or alley shall be required for all uses *except for the following*:

a. parking which has been provided in connection with one and two-family dwelling

b. *parking in commercial zones that meet the following criteria:*

*i. A significant landscaped or open area (a minimum of 45 feet in width and 0.15 acres is preserved by incorporating the required off-street parking into the street right-of-way.*

*ii. No required parking is provided along the street frontage of a building.*

*iii. Required off-street parking in the street right-of-way is only allowed on local streets within the commercial zones. Required off-street parking in the street right-of-way of collector, arterial or highways is prohibited.*

*iv. A 6-foot asphalt buffer area is required between the edge of the local road and the end of the 18-foot parking stall.*

*v. The property owner is required to maintain the asphalt parking area and the buffer area.*

*vi. The Midway City Council may require a development agreement for commercial properties that use local street right-of-way for their required off-street parking. The development agreement will set forth other conditions and obligations that apply to the property.*

*vii. If the required open area is developed, then the parking that was allowed because of the open area must be removed and will not be “grandfathered”. Required parking from the original development and for the development on the open area must meet all the off-street parking requirements.*

*viii. A pedestrian walkway must be provided the length of the development. If the stalls front the walkway then the width of the walkway shall be seven feet (7') because of vehicle overhang.*

*ix. The maximum number of consecutive stalls is 11. An eight foot (8') wide landscaped island must be provided for every 11 stalls.*

3. Access to all off-street parking facilities shall be designed in a manner that will not interfere with the movement of a vehicular and pedestrian traffic. Off-street parking areas shall be adequate to facilitate the turning of vehicles to permit forward travel upon entering a street.

## **ANALYSIS:**

If the proposed change is approved then first, it will allow the parking to directly access local streets without the requirement of an access driveway if open space is provided. There will be a four-foot area between the street and any parking stalls that will provide for visibility as vehicles pull into the street. Second, landscaped open space will be preserved because of the proposed parking configuration. The same number of stalls that could be accessed as proposed will take up less space than a traditional off-street parking lot. This will allow businesses to use the open space areas for business related activities, such as outside eating areas. Third, overall impervious surface will be reduced but the amount of paved area along the street will increase. This may create the feel that the street is wider but the balance to that impact will be the open space that is preserved. Also, this amendment will only be allowed on local streets. Main Street and south Center Street will not have this option. Local streets have much less traffic than Main Street and Center Street so the ability to back into the street will be easier.

This item has been noticed in the local newspaper for two weeks and in the State's website for the Planning Commission meeting.

## **PLANNING COMMISSION RECOMMENDATION:**

**Motion:** Commissioner Bouwhuis: I'll make a motion that we approve the code text amendment and we approve the staff findings and we approve it as stated in the staff report with the following exceptions that in item one that the or lessor dimensions as approved by the City Council is removed. In line seven we insert the word required in front of the first open area, so it states, "if the required open area is developed" the rest of that as is. We include another additional item that the maximum length of consecutive stalls is 11, which puts it at 100' basically. If a landscape bulb out is provided between areas that there be a minimum of eight feet. We have another item that requires a pedestrian pathway that continues along the front of the stalls and connects to the pedestrian pathways on either end. If the vehicle overhang encroaches into that sidewalk that the sidewalk be a minimum of seven feet wide.

**Seconded:** Commissioner O'Toole

**Chairman Kohler:** Any discussion on the motion?

**There was none**

**Chairman Kohler:** All in favor.

**Ayes:** Commissioners Streeter, Nicholas, Payne, O'Toole, Ream and Bouwhuis

**Motion:** Passed

## **POSSIBLE FINDINGS:**

- The proposal would allow more open space to be preserved in the commercial zones
- The proposal will reduce the amount of impervious surface required for parking
- This option would only be allowed on local streets

## **ALTERNATIVE ACTIONS:**

1. Approval. This action can be taken if the City Council feels that the proposed change is an acceptable amendment to the Municipal Code.
  - a. Accept staff report
  - b. List accepted findings
  - c. Place condition(s)
2. Continuance. This action can be taken if the City Council feels that there are unresolved issues.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for continuance
    - i. Unresolved issues that must be addressed
  - d. Date when the item will be heard again
3. Denial. This action can be taken if the City Council feels that the request is not an acceptable amendment to the Municipal Code.
  - a. Accept staff report
  - b. List accepted findings
  - c. Reasons for denial



## ORDINANCE 2018-11

### **AN ORDINANCE AMENDING PORTIONS OF SECTION 2.03 OF THE MIDWAY CITY CODE REGARDING PARKING REQUIREMENTS IN THE C-2 AND C-3 COMMERCIAL ZONES, AND RELATED MATTERS.**

**WHEREAS**, the Midway City desires to amend the Midway City Code regarding parking requirement for the C-2 and C-3 Commercial Zones in the Midway City Code; and

**WHEREAS**, the proposed amendment would provide for an exception to the current code requirements by allowing direct parking stall access from the right-of-way without the current requirement of a driveway when the property is adjacent to open space; and

**WHEREAS**, the proposed Code text amendment will help preserve open space in the commercial zones by reducing the amount of hard surface required by the current code; and

**WHEREAS**, the purpose of the amendment is to preserve open space areas in commercial zones, along local streets, by allowing a parking configuration that will require less hard surface area than the current requirements; and

**WHEREAS**, the amendment would not apply to any collector, arterial or highway, but would only be applied in limited circumstances along City streets that are classified as local streets; and

**WHEREAS**, the City Council has determined that the amendment to the City Code as contained herein will be in the best interests of the City and its citizens.

**NOW THEREFORE**, for the reasons stated above, the City Council of the City of Midway, Wasatch County, Utah, hereby adopts, passes and publishes the following:

**BE IT ORDAINED**, by the City Council of Midway City, Wasatch County, State of Utah:

Section 16.13.39 (F) of the Midway City Code is hereby amended, and shall hereafter read as follows:

F. Access to Parking Facilities

1. Access driveways shall be a minimum of 24 feet in width and provide for ingress to and egress from all parking and loading facilities. Each parking and loading space shall be easily accessible to the intended user.
2. Forward travel in an automobile to and from parking facilities from a dedicated street or alley shall be required for all uses except for the following:
  - a. parking which has been provided in connection with one and two-family dwelling
  - b. parking in commercial zones that meet the following criteria:
    - i. A significant landscaped or open area (a minimum of 45 feet in width and 0.15 acres is preserved by incorporating the required off-street parking into the street right-of-way.
    - ii. No required parking is provided along the street frontage of a building.
    - iii. Required off-street parking in the street right-of-way is only allowed on local streets within the commercial zones. Required off-street parking in the street right-of-way of collector, arterial or highways is prohibited.
    - iv. A 6-foot asphalt buffer area is required between the edge of the local road and the end of the 18-foot parking stall.
    - v. The property owner is required to maintain the asphalt parking area and the buffer area.
    - vi. The Midway City Council may require a development agreement for commercial properties that use local street right-of-way for their required off-street parking. The development agreement will set forth other conditions and obligations that apply to the property.
    - vii. If the required open area is developed, then the parking that was allowed because of the open area must be removed and will not be "grandfathered". Required parking from the original development and for the development on the open area must meet all the off-street parking requirements.
    - viii. A pedestrian walkway must be provided the length of the development. If the stalls front the walkway then the width of the walkway shall be seven feet (7') because of vehicle overhang.
    - ix. The maximum number of consecutive stalls is 11. An eight foot (8') wide landscaped island must be provided for every 11 stalls.
3. Access to all off-street parking facilities shall be designed in a manner that will not interfere with the movement of a vehicular and pedestrian traffic. Off-street parking areas shall be adequate to facilitate the turning of vehicles to permit forward travel upon entering a street.

This ordinance shall be effective immediately upon passage. A copy of this ordinance shall be posted at each of three (3) public places within the corporate limits of Midway City and a summary published in a paper of local circulation.

**PASSED AND ADOPTED** by the City Council of Midway City, Wasatch County, Utah  
 this                    day of                    , 20                    .

|                                | AYE   | NAY   |
|--------------------------------|-------|-------|
| Council Member Lisa Christen   | _____ | _____ |
| Council Member Jeff Drury      | _____ | _____ |
| Council Member Bob Probst      | _____ | _____ |
| Council Member JC Simonsen     | _____ | _____ |
| Council Member Ken Van Wagoner | _____ | _____ |

APPROVED:

\_\_\_\_\_  
Celeste Johnson, Mayor

ATTEST:

\_\_\_\_\_  
Brad Wilson, City Recorder

APPROVED AS TO FORM:

\_\_\_\_\_  
Corbin Gordon, City Attorney

(SEAL)