

Midway City Council
7 April 2020
Regular Meeting

Ordinance 2020-03 /
Outside Dining and Parking



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: April 7, 2020

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Amendment for parking requirements for Restaurants and Cafes

ITEM: 8

Midway City is proposing a code text amendment of Section 16.13.39: Off-Street Parking and Loading. The proposed code will decrease the amount of parking required for restaurants and cafes based on inside dining area and it will require parking for outside dining at cafes and restaurants.

BACKGROUND:

Based on the discussion from the City Council's work meeting on March 3, 2020, staff has amended the proposed parking code. Staff was directed to make a couple of changes which included decreasing the amount of parking required for inside dining areas from one stall for every 150 square feet to one stall for every 200 square feet. Also, the outside dining requirement would be based on a ratio of 50% of the amount of inside dining area compared to the amount of outside dining area before parking stalls would be required. Any amount of outside dining area greater than 50% of the inside dining area would require a stall for every 250 square feet. Also, all outside dining required stalls could be allowed in approved off-site parking areas instead of the maximum 75% allowed for inside dining parking requirements. Staff is proposing the following code:

Section 16.13.390 Off-Street Parking and Loading

10. Restaurants and cafes shall have one parking space per ~~one hundred and fifty-two hundred~~ (150/200) square feet of dining room floor space. No additional parking is required for any outdoor dining area (open-air dining) less than 50% of the indoor dining area. In cases where the outdoor dining area is more than 50% of the indoor dining area, the portion of outdoor dining area exceeding 50% of the indoor dining area shall be calculated at one parking space per 250 square feet of the outdoor dining area.

B. Location and Control of Parking Facilities. The off-street parking facilities required by this Ordinance shall be located on the same lot or parcel of land as the use they are intended to serve except if the following apply:

- 1. A cross parking agreement has been entered into with a neighboring party; said agreement must be approved by City Council.*
- 2. 75% of the required parking may be located off-site at a city approved and designated area. If outdoor dining requires parking stalls, 100% of the required parking for the outside dining area may be located off-site at a city approved and designated area. The A parking stall fee will be assessed with the approval of the initial issuance of the business license and an annual fee per required stall will be assessed at the time of business license renewal each year. The required fee will be adopted by the City Council as part of the City's fee schedule.*

PROPOSED FINDINGS:

- Increasing parking for outside dining at restaurants and cafes may help alleviate potential parking problems for future restaurants and cafes
- Increasing parking for outside dining at restaurants and cafes will make it more expensive for eating establishments to locate in Midway
- Increased parking requirements will require more area in the commercial zones to be paved which may detract from the vision of Main Street as described in the General Plan
- The General Plan promotes a pedestrian experience along Main Street and increased parking requirements might detract from that experience
- Decreasing inside dining parking requirements will help offset the impact of adopting outside dining parking requirements

ALTERNATIVE ACTIONS:

1. Approval. This action can be taken if the City Council finds that the proposed language is an acceptable addition to the City's 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 would like to continue exploring potential options for the amendment.
 - 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 finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



ORDINANCE 2020-03

AN ORDINANCE AMENDING TITLE 16 OF THE MIDWAY CITY CODE REGARDING OFF-STREET PARKING AND LOADING, AND RELATED MATTERS

WHEREAS, the City Council of Midway City desires to amend public parking requirements in its commercial zones; and

WHEREAS, the City Council now desires to amend Title 16 of the Midway City Municipal Code to accomplish these purposes.

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

Subsection 10 of Section 16.13.390 of the Midway City Code is hereby amended to read as follows:

Section 16.13.390 Off-Street Parking and Loading

10. Restaurants and cafes shall have one parking space per two hundred (200) square feet of dining room floor space. No additional parking is required for any outdoor dining area (open-air dining) which totals less than 50% of the indoor dining area. In cases where the outdoor dining area totals more than 50% of the indoor dining area, the additional parking required for the portion of the outdoor dining area exceeding 50% of the total of the indoor dining area shall be calculated at one parking space per 250 square feet of the outdoor dining area.

B. Location and Control of Parking Facilities. The off-street parking facilities required by this Ordinance shall be located on the same lot or parcel of land as the use they are intended to serve except if the following apply:

1. A cross parking agreement has been entered into with a neighboring party; said agreement must be approved by City Council.
2. 75% of the required parking may be located off-site at a city approved and designated area. If outdoor dining required parking stalls, 100% of the required parking for the outside dining area may be located off-site at a city approved and designated area. A parking stall fee will be assessed with the approval of the initial issuance of the business license and an annual fee per required stall will be assessed

at the time of business license renewal each year. The required fee will be adopted by the City Council as part of the City's fee schedule.

This ordinance shall take effect upon publication as required by law.

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

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)