

ORDINANCE NO. 23-19

AN ORDINANCE AMENDING WASATCH COUNTY CODE CHAPTER 16.33 TO UPDATE PARKING STANDARDS, INCLUDING SHARED PARKING STUDIES AND ON-GOING MONITORING OF PROJECTS WHEN PARKING REDUCTIONS ARE GRANTED.

RECITALS

WHEREAS, Wasatch County Code Chapter 16.33 establishes general parking standards for projects within the county; and

WHEREAS, the parking standards were last reviewed for potential code considerations in 2019, but the most recent comprehensive update was 2012; and

WHEREAS, recent project approval requests have identified a need to address clarity and provide for better mechanisms for data driven parking reduction requests; and

WHEREAS, the General Plan seeks to develop multi-modal transportation infrastructure and to encourage reduced auto-centric travel demands; and

WHEREAS, the parking standards have a direct impact on the ability to encourage the transportation options desired under the General Plan; and

WHEREAS, the County Legislative Body has also considered criteria that can be updated to more fully promote the stated purpose of the parking standards; and

WHEREAS, Utah Code 17-27a-502 requires Wasatch County to give notice of public hearing as provided in Utah Code 17-27a-205(1)(a), and to hold a public hearing; and

WHEREAS, Wasatch County gave notice of all public meetings and public hearings related to this ordinance as required, and the planning commission held a public hearing as required; and

WHEREAS, the County Legislative Body, having considered all of the evidence provided to be in the best interest of the health, general welfare, and safety of the inhabitants of Wasatch County;

NOW THEREFORE, the County Legislative Body of Wasatch County ordains that the Wasatch County Zoning Map and Land Use and Development Code be amended as follows:

SECTION I: Enactment. The following amendments, additions, and deletions to Title 16, the Land Use and Development Code, are hereby enacted: See attached exhibit.

SECTION II: Repealer. If any provisions of the County Code heretofore adopted are wholly inconsistent with this ordinance, they are hereby repealed.

SECTION III: Amendment of Conflicting Ordinances. To the extent that any ordinances, resolutions, or policies of Wasatch County partially conflict with this ordinance, they are hereby amended to comply with the provisions hereof.

SECTION IV: **Effective Date.** This Ordinance shall become effective immediately upon execution by the Chair of the County Council and the completion of public notice requirements imposed by state statute.

SECTION V: **Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION VI: **Public Notice.** The Wasatch County Clerk, and ex officio Clerk of the Wasatch County Council, is hereby ordered, in accordance with the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, to do as follows:

- a. Enter at length this ordinance in the ordinance book;
- b. Deposit a copy of this ordinance in the office of the County Clerk;
- c. Publish a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance, for at least one publication in a newspaper published in and having general circulation in the county; or post a complete copy of this ordinance in nine (9) public places within the County.

APPROVED and **PASSED** this 20 day of December, 2023.

Attest:

WASATCH COUNTY COUNCIL:


 Joey Granger
 Wasatch County Clerk / Auditor




 Spencer Park, Chair
 Wasatch County Council

Spencer Park, Chairman	VOTE
Karl McMillan, Vice-Chair	<u>Y</u>
Luke Searle	<u>Y</u>
Steve Farrell	<u>Y</u>
Erik Rowland	<u>—</u>
Kendall Crittenden	<u>Y</u>
Mark Nelson	<u>Y</u>

ADOPTION OF ORDINANCE AFFIDAVIT

STATE OF UTAH)
): ss.
COUNTY OF WASATCH)

I, the undersigned, the duly qualified and acting County Clerk of Wasatch County, Utah, and ex officio Clerk of the Wasatch County Council do hereby further certify, according to the records of said Council in my official possession, and upon my own knowledge and belief, that I have fulfilled the requirements of Section 17-53-208, Utah Code Annotated, 1953, as amended, by:

- [x] (a) Causing this ordinance to be entered at length in the ordinance book;
[x] (b) Causing three (3) copies of this ordinance to be deposited in the office of the County Clerk;
[x] (c) Causing a short summary of this ordinance, together with a statement that a complete copy of the ordinance is available at the County Clerk's office and with the name of the members voting for and against the ordinance to be published for at least one publication in The Wasatch Wave, a newspaper of general circulation within the geographical jurisdiction of Wasatch County; or posting a complete copy of this ordinance in nine (9) public places within the County.

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and impressed hereon the official seal of the County Council of Wasatch County, Utah, this 20 day of December, 2023.

Handwritten signature of Joey Granger
Joey Granger
Wasatch County Clerk / Auditor



SUBSCRIBED AND SWORN to me, a Notary Public, this 20 day of December, 2023.

Handwritten signature of Wendy McKnight
Wendy McKnight
Notary Public

Residing in: Wasatch
My commission expires: 09/10/2026

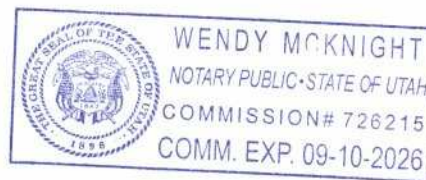


EXHIBIT A – PROPOSED AMENDMENT**Chapter 16.33: GENERAL PARKING STANDARDS**

...

16.33.03: NONCONFORMITY

Any use of property which on the effective date of this chapter, or of any subsequent amendments thereto, is nonconforming relating to off street parking facilities, may continue in the same manner as if the parking facilities were conforming. Such parking facilities shall not be further reduced. If the use is expanded, current parking standards will apply.

16.33.04: OFF STREET PARKING REQUIRED

~~There shall be provided a~~At the time of the establishment of any use or at the time any ~~main~~ building, ~~structure, or improvement~~ is enlarged or constructed, minimum off street parking shall be provided, and permanently maintained, with adequate provisions for ingress or egress by standard sized automobiles as provided and described in this chapter. The actual number of spaces and whether such spaces must be covered are determined using the parking computation matrix in this chapter.

The required off-street parking facilities shall be a continuing obligation of the property owner so long as the use requiring the vehicle parking or vehicle loading facilities continues. It shall be unlawful for any owner of any building or use to discontinue with the required vehicle parking facilities.

16.33.05: PARKING PLAN REQUIRED

A site plan showing the proposed parking area, number of stalls, aisle layout and accesses thereto shall be provided and approved prior to issuance of any building permit or ~~project-site~~ plan approval. In addition, the site plan shall clearly show the location, size, shape, design, bumpers, landscaping, lighting, building and use square footages and other features relevant to the proposed parking area.

16.33.06: COMPUTATION OF PARKING REQUIREMENTS

A. Each use shall be calculated as a separate unit separately. The parking requirements for land uses which are not specified in this Chapter shall be determined by the Planning Director. Said determination shall be based upon the requirements for the most comparable use specified herein. Uses not listed in the parking computation matrix may be required to provide a parking analysis for review and approval at the discretion of the Planning Director.

B. Off-street parking facilities for one (1) use shall not be considered as providing required parking facilities for any other use unless approved for a parking reduction plan as specified herein. Any request to consider a ~~shared~~ parking reduction plan shall require submission of a formal parking count justification study prepared by a transportation planner, traffic consultant, licensed engineer, or architect for consideration by the planning commission and legislative body- taking

37 into consideration the following: See section 16.33.13, "Parking Computation", Parking
38 Computation Matrix, of this chapter.

- 39 1. Shared Parking: When two (2) or more dissimilar uses are located adjacent to each other
40 and the demand times for parking would not conflict (i.e. one use is considered to be a
41 nighttime use, and the other use is considered to be a primarily daytime use), the
42 maximum number of parking spaces for the lower parking demand use may be reduced
43 by up to 50% as determined by the land use authority. The higher parking demand use
44 shall still provide the full parking requirement. If at any time there is a change in one or
45 both of the uses, additional parking may be required, or the change of use will not be
46 allowed.
- 47 2. Transportation Demand Management: In addition to the application materials required for
48 a site plan, an applicant shall submit with the parking count justification study, a TDM
49 program that may include, but is not limited to, the following:
- 50 a. Design of the project site so that landscaped areas, other than those required to
51 meet other provisions of this Title, such as open space or general landscaping,
52 can be converted to provide additional parking areas meeting the full
53 requirements of 16.33.13 if the County determines the parking originally
54 provided under this reduction is inadequate based on parking demand;
- 55 b. Robust bicycle amenities (e.g. bike lockers, e-bike charging stations, repair
56 facilities) and additional designated bicycle parking areas are provided;
- 57 c. Proximity of the proposed project to employment centers, mass transit,
58 commercial services, and public recreation spaces;
- 59 d. Incentive programs for employee uses of transportation modes other than single-
60 occupancy vehicles;
- 61 e. Designated priority parking for carpool, ride-share, or car-sharing services; and
62 f. Designated loading and unloading areas for micro-transit or shuttle services.
- 63 3. Any approval of a parking reduction plan, shall be required to record a parking agreement
64 governing the provision of parking for the project. Such agreement shall be between the
65 property owner and the county and shall run with the land and include provision for:
- 66 a. Monitoring of parking lot adequacy on at least an annual basis. After a period of
67 five (5) years, during which the number of parking stalls has never been found to
68 be inadequate, the Planning Director may authorize the monitoring report to be
69 reviewed every five years instead of annually;
- 70 b. Construction of additional parking spaces, implementation of parking demand
71 mitigation measures, or compliance with the full Wasatch County Code parking
72 standards if trip generation rates for uses within the development change from
73 those set forth in the parking count justification study, which may include
74 reductions in seating capacities, usable square footages, or other reductions
75 necessary to achieve compliance;
- 76 c. A financially responsible party shall be locally available to enforce provisions of
77 the agreement;
- 78 d. Binding community rules regarding occupancy (including tenant use and hours of
79 operation), parking, other limitations and enforcement procedures and a note on
80 any plat documents, and such rules shall be posted conspicuously on the
81 premises; and
- 82 e. Failure by the property owner to abide by the agreement shall be unlawful, shall
83 be a zoning violation, and will be subject to enforcement action(s) under this
84 Title.

85 **16.33.07: LOCATION OF PARKING FACILITIES**

86 The off street parking facilities required by this chapter shall be located on the same lot as the use except,
87 in cases of practical difficulty the designated land use authority may approve a substitute location which
88 meets the following conditions:

89 A. All or part of the substitute location must be on an adjacent lot, or within two hundred feet (200')
90 from the use, and easily accessible for pedestrian traffic so pedestrians are not required to cross a
91 public street to access the use for which the parking is provided.

92 B. The substitute lot must be in the same possession as the use it is intended to service and must be
93 maintained as long as the use or structure exists. Such possession may be by recorded deed or
94 long term lease and should run concurrently with the life of the building or use. The length of
95 such lease shall be at least twenty five (25) years, but may be terminated or modified earlier with
96 the consent of the county planning department, if the use for which the parking is required is
97 terminated or modified.

98 B.C. Off-street parking spaces required in connection with a use shall be in the same zone as
99 the use the parking is intended to serve and shall not be located within a different zone, unless
100 off-street parking lots are listed as a stand-alone permitted use within the adjacent different zone.

101 C.D. Parking shall not be located in required front or side yards.

102 **16.33.08: SIZE OF PARKING SPACES DESIGN STANDARDS**

103 All off-street parking facilities shall be built consistent with figures 16.33.14, 16.33.15, and in
104 conformance with the following design standards:

105 A. Each off street parking space shall be not less than nine feet by twenty feet (9' x 20') for diagonal
106 or ninety degree (90°) spaces, or nine feet by twenty two feet (9' x 22') for parallel spaces,
107 exclusive of access drives or aisles; ~~except that commercial and industrial parking lots may have~~
108 ~~not more than five percent (5%) of the parking spaces designated for motorcycles, which shall~~
109 ~~measure at least four feet by eight feet (4' x 8').~~ The planning department may consider allowing
110 up to a two foot (2') reduction in the length of diagonal or ninety degree (90°) parking spaces if
111 bumper guards are placed so that a vehicle can extend over a landscaped area without interfering
112 with the plants or pedestrian passage. No vehicle may protrude over any sidewalk or into the
113 drive aisle. Handicap stalls shall be in accordance with (ADA) Americans with ~~disabilities~~
114 Disabilities Act requirements.

115 1. Notwithstanding the above provisions, commercial and industrial parking lots may have
116 not more than five percent (5%) of the parking spaces designated for motorcycles, which
117 shall measure at least four feet by eight feet (4' x 8').

118 B. Parking located adjacent to walls or other similar obstructions must be one (1) foot wider to
119 accommodate door opening clearance and vehicle maneuverability.

120 C. Additional back-up areas, such as a hammerhead, shall be provided at the end of a dead-end
121 parking aisle.

122 D. All bicycle parking facilities shall be built consistent with the Association of Pedestrian and
123 Bicycle Professionals' Essential of Bike Parking guide. In no case shall any bicycle parking be
124 placed in a manner that obstructs pedestrian movements, ADA accessibility, or blocks doors.

126 **16.33.09: PARKING FACILITIES RESTRICTED TO APPROPRIATE**
127 **ZONERESERVED**

128 Off street parking space, which is required in connection with a use, shall be construed to be part of that
129 use and shall be in the same zone and not be located within a zone, unless such use is permitted therein.

130 ...

131 **16.33.12: COMMERCIAL, INDUSTRIAL, INSTITUTIONAL OR RESIDENTIAL OF**
132 **THREE OR MORE UNITS**

133 ...

134 E. Parking Lot Improvement Requirements: Every parcel of land hereafter used as a public or
135 private parking area, including commercial parking lots and automobiles, farm equipment, or
136 other open air sales lots and residential developments of three (3) or more units, shall be
137 developed and maintained in accordance with the following requirements:

138 1. Parking areas shall be properly graded for drainage, surfaced with concrete, ~~asphaltic~~
139 ~~concrete~~, asphalt, brick or stone ~~pavers~~. Such surface must be maintained in good
140 condition, free of weeds, dust, trash and debris;

141 ...

142 ~~I. Authorization For Parking Space Reduction Or Combination: The planning staff may approve or~~
143 ~~deny reduction of off street parking and loading space as part of an approved shared parking plan,~~
144 ~~taking into consideration the following, which must be set forth in a written form:~~

145 1. ~~Reduction In Parking Space: After consideration of the shared parking plan, the nature of~~
146 ~~the buildings or premises, and specific conditions, the planning department believes the~~
147 ~~shared parking plan would lessen the need for the parking spaces as specified in this~~
148 ~~chapter.~~

149 2. ~~Combined Parking Space: When two (2) dissimilar uses are located adjacent to each~~
150 ~~other and the demand times for parking would not conflict, the maximum number of~~
151 ~~parking spaces for the larger use, may be allowed. If at any time there is a change in one~~
152 ~~or both of the uses, additional parking may be required.~~

153 ~~I.I. Guest/Recreation Vehicle Parking: For residential development containing attached units or~~
154 ~~single-family planned unit developments of twenty five (25) or more units, recreation vehicle~~
155 ~~parking areas may be required by the legislative body, after a recommendation for or against by~~
156 ~~the planning commission.~~

157 ~~I. Parking Analysis: Uses not listed in the parkway computation matrix may be required to~~
158 ~~provide a parking analysis for the review and approval by the planning director.~~

159 **16.33.13: PARKING COMPUTATION**

160 ~~PARKING COMPUTATION MATRIX~~

161 ~~Except as otherwise provided in this Title, the number of off-street parking spaces shall be as follows:~~

Use Description	Off Street Spaces Required
Residential:	

Single-family dwelling	2 per unit up to 3 bedrooms 0.25 per bedroom above 3 (Minimum of 2 spaces are to be covered)
Multi-family	2 per unit up to 3 bedrooms and an additional .25 for each bedroom above 3 bedrooms (Minimum of 1 space per unit is to be covered)
Accessory dwelling	1 for up to 2 bedrooms, plus 1 for each additional bedroom
Assisted living facilities	1 for every 2 units, plus 1 for each 4 units for guest parking (Minimum of half [50%] of the spaces are to be covered)
Retirement housing, single-family detached or attached without medical assistance	Treat the same as single-family dwelling (Minimum of half [50%] of the spaces are to be covered)
Batching apartment	2 stalls per bedroom, plus 1 stall for visitor parking per unit, unless designated for single room (1 person) occupancy, for which there shall be 1 stall per bedroom and 1 per unit for visitor parking
Bed and breakfast - small	1 for each bedroom, plus 1 for each daytime employee, plus 2 for residential family
Commercial:	
Adult entertainment (SOB)	1 space for each 3 seats, based upon design capacity
Art gallery	1 per every 200 square feet of display area, plus 1 for each employee
Auction house	2 per every 100 square feet of floor area
Auditorium, stadium or	1 for every 3 seats, based upon design capacity

theater (indoor or outdoor)	
Automobile and machinery sales and service garages (not gas stations)	2 spaces plus 1 space for each 400 square feet of display area(s), plus 1 space for each daytime employee
Bank, savings and loans, drive-in banking	Minimum of 20 spaces with 10 additional spaces for every teller cage over 3. For drive-in windows, 1 space in use, plus 3 in each approach lane. (Minimum of 1 space per 200 square feet of floor area on main floor and 1 space per 500 square feet on any other floor)
Barber/beautician shop	2 spaces per station
Bowling alley	4 spaces per alley, plus 1 for each employee, plus any required based upon accessory uses such as cafes or taverns
Cafes, cafeterias, restaurants	1 space for each 100 square feet of floor space <u>including outside seating areas.</u>
Car wash	3 spaces in each approach lane to each wash bay
Churches	1 space for every 3 seating spaces in the main assembly room(s), based upon the maximum occupancy
Commercial recreation, i.e., billiard halls, etc.	1 space for each 2 persons such place is designed to accommodate, including participants and spectators, based upon design capacity
Dance halls	1 space for every 3 persons based upon maximum occupancy
Daycare center, children's nursery or preschool	4 spaces, plus 1 space per 500 square feet of floor area
Drive-in, fast food establishments	1 space per 100 square feet of floor area but not less than 10 spaces

Drive-up windows	1 space in use plus 4 in the approach lane. <u>If drive-up window traffic interferes with traffic on a road or unreasonably interferes with traffic flow in the parking lot, the drive-up window shall be closed.</u>
Dry cleaner	1 space per employee, plus 3 spaces for customer use
Gas stations and convenience stores	1 space per pump site, plus 1 space per employee. If convenience store also, add 3 spaces per 200 square feet of store area
Golf courses	4 spaces per hole, plus 1 per daytime employee
Hospitals, sanatoriums, convalescent hospitals, nursing homes	1 space for each 2 bed capacity, plus 1 space for every employee at the highest shift
Laboratory research, industrial, manufacturing, wholesale establishments	1 space per employee on the highest shift
Laundromat	1 space per washer/dryer combination
Library	5 spaces for every 500 square feet of public area, plus 1 for each daytime employee
Liquor store	1 space for every 200 square feet, plus 1 space for each daytime employee
Lounges, nightclubs, private clubs or taverns	1 space for each 100 square feet of floor space
Medical clinics	4 spaces per staff doctor, <u>physician's assistant</u> , or nurse practitioner, plus 1 for each daytime employee
Mortuary or funeral parlor	1 space for every 3 persons based upon design occupancy

Motel, hotel, inn	1 space for each unit and 1 space for each daytime employee, plus 1 space for every 200 square feet of assembly area(s)
Nursery or garden supplies	1 space for each daytime employee, plus 1 space for each 300 square feet of display area(s)
Offices	1 space per 200 square feet of office floor space, including reception area(s).
Post office	1 space per vehicle used by the operation, plus 1 space per employee at the highest shift, plus 10 spaces for customers
Professional office, i.e., legal, employment, insurance, travel, photo, real estate, etc.	1 space per 200 square feet of office floor space, including reception area(s).
Retail	1 space for each daytime employee, plus 1 space for each 200 square feet of floor area(s)
Skating rink	1 per 200 square feet in the building
Swimming pool	1 per 100 square feet of pool area, plus 1 for each daytime employee
Schools:	
Elementary	2 spaces for each classroom
Middle and junior high	2 spaces for each classroom
Senior high	1 space for each 4 seats provided in the auditorium or classroom, whichever is greater
College	1 space for each 3 seats provided in the classroom or auditorium, whichever is greater