

WEST BOUNTIFUL CITY

ORDINANCE #423-20

AN ORDINANCE AMENDING WEST BOUNTIFUL MUNICIPAL CODE TO ADDRESS REGULATIONS FOR OFF STREET PARKING

WHEREAS, Utah Code Annotated §10-9a-101 et seq., also known as the “Municipal Land Use, Development, and Management Act,” grants authority to the West Bountiful City Council to make changes to its Land Use Ordinances; and

WHEREAS, the West Bountiful Planning Commission is reviewing the City’s Municipal Code for compliance with current federal and state laws, adding clarification, and updating where appropriate; and

WHEREAS, the West Bountiful Planning Commission held a properly noticed public hearing on January 14, 2020 to consider appropriate modifications; and,

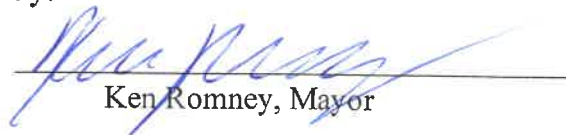
WHEREAS, the West Bountiful Planning Commission has recommended adoption of proposed amendments to WBMC 17.52 for off street parking.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF WEST BOUNTIFUL THAT WBMC CHAPTER 17.52 AND 16.12.060.E BE MODIFIED AS SHOWN IN ATTACHED EXHIBIT A.

This ordinance will become effective upon signing and posting.

Adopted this 19th day of May 2020.

By:


Ken Romney, Mayor

Voting by the City Council:	Aye	Nay
Councilmember Ahlstrom	☒	☐
Councilmember Bruhn	☒	☐
Councilmember Enquist	☒	☐
Councilmember Preece	☒	☐
Councilmember Wood	☒	☐



Attest:


Cathy Brightwell, City Recorder

17.52 OFF-STREET PARKING

May 14, 2020 – CLEAN

17.52.010 Off-Street Parking Required; Purpose

The purpose of this chapter is to set a minimum standard for off-street parking to ensure that ample parking for the generated demand of each land use will be available.

Sufficient parking should be provided to assure maximum utilization of the facilities on site will not unduly impose on neighbors in the vicinity or create an unsafe environment.

Off-street parking is required for residential, commercial, industrial and retail buildings and structures based on current use, size and capacity in accordance with the requirements of this chapter.

17.52.020 Size

The dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least nine (9) feet by twenty (20) feet for diagonal and ninety (90) degree spaces, and ten (10) feet by twenty-four (24) feet for parallel spaces. Drive aisle widths shall be a minimum of twenty-two (22) feet for ninety (90) degree and parallel parking and sixteen (16) feet for angled parking.

17.52.030 Access to Individual Parking Space

Except for residential dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle.

17.52.040 Number of Parking Spaces Required

An adequate number of off-street parking spaces shall be provided for all uses as follows. In no case, however, shall parking provided be less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer parking.

- A. Business or professional offices: one parking space for each two hundred (200) square feet of floor area.
- B. Churches with fixed seating: one parking space for each 3.5 fixed seats, or one parking space for each seven feet of linear pew, whichever is greater.
- C. Churches without fixed seats, sports arenas, auditoriums, theaters, assembly halls, reception centers, meeting halls: one parking space for each three seats of seating capacity.
- D. Residential dwellings: two parking spaces for each dwelling unit including garages and driveways.
- E. Furniture and appliance stores: one parking space for each six hundred (600) square feet of retail floor area.
- F. Hospitals: two parking spaces for each bed.
- G. Hotels and motels: one space for each living or sleeping unit.
- H. Residential health care facilities: one parking space for each five beds.
- I. Restaurants, taverns, private clubs, and all other similar dining or drinking establishments (except for fast food dining or drinking establishments): one parking space for each 3.5 seats or one parking space for each one hundred (100) square feet of floor area (excluding kitchen and storage), whichever is greater.
- J. Retail stores (except as provided in subsections E and P of this section): one parking space for each one hundred (100) square feet of retail floor space.

- K. Wholesale establishments, warehouses, manufacturing establishments and all industrial uses: as determined by the zoning administrator.
- L. Shopping center or other groups of uses not listed above: one parking space for each two hundred (200) square feet of total floor space.
- M. Medical/Dental office: one parking space for each 200 square feet of gross floor area or five spaces per doctor/dentist, whichever is greater.
- N. Fast food dining or drinking establishments: one parking space for each 75 square feet of floor area with a minimum of 5 spaces, plus 3 stacking spaces per drive-through lane.
- O. Auto dealer: one parking space for each 200 square feet of sales office area plus one space for every ten vehicles displayed, or five spaces, whichever is greater. Separate storage area for vehicles for sale or under repair shall be provided.
- P. Grocery store: one parking space for every 200 square feet of retail floor area.
- Q. All other uses not listed above: as determined by the zoning administrator. All required determinations of the zoning administrator under this section shall be based on the nearest comparable use standards.

17.52.050 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

1. Residential Lots. Each residential lot may have not more than two drive approaches on each of two street frontages. Each drive approach shall be a minimum of twelve (12) feet and a maximum of thirty-six (36) feet wide at the property line, with a separation island of a minimum width of twelve (12) feet. The maximum combined drive approach width on any single street frontage is thirty-six (36) feet. The drive approach flare entrance shall be no closer than four feet (4') to the abutting property line, or as approved by the City Engineer. On a corner lot, no driveway shall be closer than twenty (20) feet from the point of intersection of the front lot line and street side lot line.
2. Non-Residential Lots. Access shall be provided to meet the following requirements:
 1. Not more than two driveways shall be used for each one hundred (100) feet of frontage on any street;
 2. No two of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three feet;
 3. Each driveway shall be not more than thirty-six (36) feet wide, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way;
 4. No driveway shall be closer than twenty (20) feet from the point of intersection of the front lot line and street side lot line at any corner, and no driveway shall extend across such extended property line; and
 5. On a street where there are no curbs or gutters, all driveways shall be well marked and street frontage and pedestrian access protection provided the entire length of the frontage exclusive of the driveways as per approved plans.

17.52.060 Maintenance of Parking Lots

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

1. Surfacing. Each off-street parking lot shall be surfaced with gravel, asphaltic or Portland cement or other binder pavement and permanently maintained to provide a dustless surface. The parking area shall be designed and maintained consistent with WBMC 13.30, Storm Water Management.

2. Screening. The sides and rear of any off-street parking lot which adjoins an area that is primarily residential shall be screened from such area by a masonry wall or solid visual barrier fence not less than four nor more than six feet in height.
3. Landscaping. Each parking lot shall provide along the entire frontage of the property (except for any drive approach) a minimum depth of ten (10) feet of permanently maintained landscaping.
4. Lighting. Lighting used to illuminate any parking lot shall be directed downward and arranged to reflect the light away from adjoining residential uses and from street traffic.
5. All surfacing, screening, landscaping, lighting, and any other parking area elements shall be continually and properly maintained.

17.52.070 Location of Off-Street Parking

Off-street parking in non-residential districts is allowed in the front setback, as long as the parking area is set back, and the frontage of the property is permanently landscaped, in accordance with Section 17.52.060.3.

16.12.060 Lots

- E. Interior lots having frontage on two streets shall be prohibited except when exceptional circumstances, as determined by the planning commission, would make such lots functionally acceptable. In all instances when such lots are permitted, the subdivider shall record deed restrictions in perpetuity for those lots, limiting access from those lots to one street only so that all adjacent interior lots have front yards on the same street. Such deed restrictions shall not prohibit access to the rear yard from another street.

17.52 OFF-STREET PARKING

May 12, 2020 - Redline

17.52.010 Off-Street Parking -Required: Purpose

The purpose of this chapter is to set a minimum standard for off-street parking to ensure that ample parking for the generated demand of each land use will be available on site to avoid the necessity of parking on the street, except in certain areas designated by the City where off-street parking requirements cannot be met and where other programs are in effect to mitigate the parking problem.

Sufficient parking should be provided to assure maximum utilization of the facilities on site will not unduly impose on neighbors in the vicinity or create an unsafe environment., and any reasonable future use will have adequate parking

Off-street parking is required for residential, commercial, industrial and retail buildings and structures based on current use, size and capacity in accordance with the following requirements of this chapter.

At the time any commercial, industrial or retail use building or structure is erected or enlarged or increased in capacity or any use is established, off-street parking spaces shall be provided for automobiles in accordance with the following requirements, or as otherwise required by conditional use permit.

17.52.020 Size

The dimensions of each off-street parking space, exclusive of access drives or aisles, shall be at least ~~ten~~ nine (409) feet by twenty (20) feet for diagonal and ninety (90) degree spaces, and ten (10) feet by twenty-two ~~four~~ four (2224) feet for parallel spaces. However, in parking lots of not less than twenty (20) parking spaces, upon site plan approval by the planning commission, up to forty (40) percent of such spaces may be seven and one half feet by fifteen (15) feet if marked and used for compact automobiles only. Drive aisle widths shall be a minimum of twenty-two (22) feet ~~behind~~ for ninety (90) degree and parallel parking and sixteen (16) feet for angled parking.

17.52.030 Access ~~To~~ Individual Parking Space

Except for ~~single family and two family residential~~ dwellings, direct access to each parking space shall be from a private driveway and not from a public street. All parking spaces shall have independent access not blocked by another parking space or other obstacle.

17.52.040 Number ~~Of~~ Parking Spaces Required

An adequate number of ~~off-street~~ parking spaces shall be provided for all uses as follows. In no case, however, shall parking provided be less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and adequate customer ~~employee~~ parking. (moved from Q below)

- A. Business or professional offices: one parking space for each two hundred (200) square feet of floor area.
- B. Churches with fixed seating: one parking space for each 3.5 fixed seats, or one parking space for each seven feet of linear pew, whichever is greater.
- ~~C.~~ Churches without fixed seats, sports arenas, auditoriums, theaters, assembly halls, reception centers, meeting halls ~~rooms~~: one parking space for each three seats of maximum seating capacity.
- ~~D.~~ C.
- ~~E.~~ D. Residential ~~D~~ dwellings: two parking spaces for each dwelling unit including garages and hard surface driveways.
- D.
- ~~F.~~ E. Furniture and appliance stores: one parking space for each six hundred (600) square feet of retail floor area.
- ~~G.~~ F. Hospitals: two parking spaces for each bed.

- ~~H.G.~~ H.G. Hotels and motels: one space for each living or sleeping unit, plus parking space for all necessary uses as herein specified ~~vehicles used in conducting the business including~~ and one space for each employee parking at the highest shift.
- ~~I.H.~~ I.H. ~~Nursing homes~~ Residential Health Care facilities: four parking spaces, plus one parking space for each five beds, plus one parking space for each employee at the highest shift.
- ~~J.I.~~ J.I. Restaurants, taverns, private clubs, and all other similar dining and/or drinking establishments (except for fast food dining or drinking establishments): one parking space for each 3.5 seats or one parking space for each one hundred (100) square feet of floor area (excluding kitchen, and storage, etc.), whichever is greater.
- ~~K.J.~~ K.J. Retail stores (except as provided in subsections E and P of this section): one parking space for each one hundred (100) square feet of retail floor space.
- ~~L.K.~~ L.K. Wholesale establishments, warehouses, manufacturing establishments and all industrial uses: as determined by conditional use permit or by planned unit development requirements if applicable, or by the planning commission the zoning administrator, but in no case less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and customer parking.
- L. Shopping center or other groups of uses not listed above: one parking space for each two ~~one~~ hundred fifty (150) ~~200~~ square feet of total floor space, or as determined by conditional use permit.
- M. Medical/Dental office: one parking space for each 200 square feet of gross floor area or five spaces per doctor/dentist, whichever is greater.
- N. ~~Fast Food dining or drinking establishments~~: one parking space for each 75 square feet of floor area with a minimum of 5 spaces, plus 3 stacking spaces per drive-through lane.
- O. ~~Auto Dealer~~: one parking space for each 200 square feet of sales office area plus one space for every ten vehicles displayed, or five spaces, whichever is greater. Separate storage area for vehicles for sale or under repair shall be provided.
- ~~M.P.~~ M.P. Grocery ~~Store~~: one parking space per every 200 square feet of retail floor area.
- Q. All other uses not listed above: as determined by conditional use permit the zoning administrator. All required determinations of the zoning administrator under this section shall be based on the nearest comparable use standards. In no case, however, shall parking provided be less than one space for each employee projected for the highest employment shift plus additional parking for vehicles used in conducting the business and adequate customer parking MOVE TO BEGINNING OF SECTION SO THAT IT APPLIES TO ALL.

17.52.050 Access Requirements

Adequate ingress and egress to and from all uses shall be provided as follows:

1. Residential Lots. ~~For each R-1-10, R-1-22, and A-1 residential lot,~~ can may have not more than two drive approaches which shall be a minimum of twelve (12) feet each and a maximum of thirty-two (32) feet wide at the property line, with a separation island of a minimum width of twelve (12) feet, and maximum combined drive approach width of thirty-two (32) feet on any single street frontage. The drive approach flare entrance shall be no closer than four feet (4') to the abutting property line, or as approved by the City Engineer. On a corner lot, No driveway shall be closer than twenty (20) feet to from the point of intersection of two property lines at any street corner as measured along the property lines the front lot line and street side lot line.
2. ~~Non-residential lots~~ Other Than Residential Lots. Access shall be provided to meet the following requirements:
 1. Not more than two driveways shall be used for each one hundred (100) feet of frontage on any street;
 2. No two of said driveways shall be closer to each other than twelve (12) feet, and no driveway shall be closer to a side property line than three feet;

3. Each driveway shall be not more than thirty-five-six (3536) feet wide, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way;
4. No driveway shall be closer than twentyen (2040) feet ~~from to~~ the point of intersection of the front lot line and street side lot line at any corner, two property lines at any corner as measured along the property line, and no driveway shall extend across such extended property line; and
5. On a street where there are no curbs or gutters, all driveways shall be well marked and street frontage and pedestrian access protection provided the entire length of the frontage exclusive of the driveways as per approved plans.

17.52.060 Maintenance ~~O~~of Parking Lots

Every parcel of land used as a public or private parking lot shall be developed and maintained in accordance with the following requirements:

1. Surfacing. Each off-street parking lot shall be surfaced with gravel, an asphaltic or Portland cement or other binder pavement and permanently maintained ~~so as~~ to provide a dustless surface. The parking area shall be ~~so graded as to dispose of all surface water designed and maintained consistent with WBMC 13.30, Storm Water Management. The planning commission may grant some industrial uses the ability to utilize dustless gravel for parking and outside storage areas through the site plan review process, provided there is a detention area in the parking lot. If such water is to be carried to adjacent streets, it shall be piped under sidewalks.~~
2. Screening. The sides and rear of any off-street parking lot which adjoins an area ~~which that~~ is to remain primarily residential shall be screened from such area by a masonry wall or solid visual barrier fence not less than four nor more than six feet in height.
3. Landscaping. Each parking lot shall ~~provide along the entire frontage of the property (except for any drive approach) a minimum depth of ten (10) feet of irrigated and permanently maintained landscaping. be adequately landscaped to comply with a plan approved by the planning commission and such landscaping shall be permanently maintained.~~
4. Lighting. Lighting used to illuminate any parking lot shall be directed downward ~~be and~~ arranged to reflect the light away from adjoining residential ~~premises uses~~ and from street traffic.
- 4.5. All surfacing, screening, landscaping, lighting, and any other parking area elements shall be continually and properly maintained in good working condition.

17.52.070 Location ~~O~~of Off-Street Parking

~~Off-street parking shall not be allowed in required front yard setbacks except by conditional use permit and in areas where the character of the street and general landscaping will not be adversely affected. Off-street parking in non-residential districts is allowed in the front setback, provided that as long as the parking area is set back, a minimum ten (10) feet from the front property line, and the balance of the front yard setback along the entire and the frontage of the property is permanently landscaped, in accordance with Section 17.52.060.3.~~

16.12.060 Lots

- E. Interior lots having frontage on two streets shall be prohibited except when exceptional circumstances, as determined by the planning commission, would make such lots functionally acceptable. In all instances when such lots are permitted, the subdivider shall record deed restrictions in perpetuity for those lots, limiting ~~access from frontage on~~ those lots to one street only so that all adjacent interior lots have ~~access to front yards on~~ the same street. Such deed restrictions shall ~~also not prohibit construction (except for fencing as allowed under Title 17) within that space adjacent to the street, from which access is prohibited, to a depth of thirty (30) feet. Access to the rear yard from another street.~~