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# MEMORANDUM

August 29, 2018

**To:** City Council via Planning Commission  
**From:** Community Development Department  
**Subject:** Parking Reductions CODE-05-18-5437  
 Amend Title 15A, Chapter 24-03, Special Access and  
 Parking Provisions, Land Development Code, Revised  
 Ordinances of Sandy City, 2008

**HEARING NOTICE:** *This item has been noticed on public websites, and in the newspaper at least 10 days prior to the Public Hearing.*

PROPERTY CASE HISTORY	
Case Number	Case Summary
CODE-5-18-5412	Adopted changes to section 15A-24-03(b), Parking Reduction/Increase on June 12, 2018 through ordinance #18-18. The changes removed the ability to reduce required parking on a development and refined the criteria to allow a development to be over parked.

### REQUEST

The Community Development Department has filed a request to amend Title 15A, Chapter 24-03, Special Access and Parking Provisions, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to make changes in our code that responds to changes in market conditions regarding parking requirements, specifically to allow for parking reductions based on certain criteria that help address specific needs.

### BACKGROUND

Earlier this year, staff brought forward some proposed changes to this section of code. Staff proposed changes to section 15A-24-03(b) that dealt with parking reduction and increase requests. The original proposal was to make the criteria to qualify for a parking increase/decrease to be more clearly defined. The proposal was altered during the City Council Meeting to only allow for parking increases and eliminate all other provisions pertaining to reductions. A separate motion was made after approving these changes to direct staff to bring back another code amendment to address parking decreases.

The code originally read as follows before any amendments were made:

**B. Parking Reduction/Increase.**

1. In cases where parking, other than herein required, may be appropriate, the Planning Commission may increase or reduce requirements based upon actual usage of employees and customers, but in no case shall the requirements be increased or reduced by more than 25 percent.
2. At the time of site plan review, a parking plan shall be submitted showing all parking spaces, the overall circulation system, an analysis of the parking demand for the specific land uses proposed, and other justification as necessary for requesting reductions in parking space requirements.
3. Developments may be under parked upon the review and approval of the Planning Commission if justified with a walkable design that demonstrates such and/or where local multi-modal transit systems exist or are immediately planned that would help reduce the number of needed parking stalls and automobile trips.

This section of code was amended to be the following:

**B. Parking Increase.** Developments are required to provide a certain number of parking stalls, as determined by this code, based on the land uses associated with the site. In some cases, it may be appropriate to allow for more than the required parking. At the time of site plan review, a parking plan shall be submitted showing all parking spaces, the overall circulation system, and justification for requesting increases in parking space requirements as specified below:

1. **Increase up to 10%.** The Director may approve an increase of up to 10% of the amount of required parking upon review of one or more of the following that justifies the request:
  - a. **Parking Demand Analysis.** A study provided by a licensed transportation engineer that demonstrates actual usage of employees and customers of the proposed land use or similarly situated land uses in other locations.
  - b. **Market Demand Analysis.** A study provided by a licensed real estate professional or real estate financial professional that provides estimates of current market demand for a particular land use.
2. **Increase above 10%.** The Planning Commission may approve an increase of up to 25% of the amount of required parking upon review of the criteria listed in section 15A-24-03(B)(1). The Planning Commission may approve a request to increase the amount of parking provided beyond the 25% increase of required parking if the additional parking is sited within a parking structure that meets the following criteria:

- a. The parking structure contains at least 90% or more of the total proposed parking stalls of the development; and
- b. The footprint of the parking structure consumes no more than 50% of the above grade total site area, is contained within the proposed building footprint, or is completely underground; and
- c. The parking structure contains at least three levels; and
- d. The parking structure does not exceed the height of the surrounding buildings within the site.

### **ANALYSIS**

Staff is seeking some revisions to the Development Code that would allow for some reductions in the amount of parking that is provided within a development. A developer is currently required to provide no more and no less than the required parking as required by other sections of this chapter. There is no flexibility in these requirements, except for those found in section 15A-24-03(B), Parking Increase, as cited above. Staff's proposal would add a new section C that follows a similar pattern of requirements of the preceding section. After receiving feedback from the Council and other staff members, this proposed section has been revised from the original proposal. The requirements for reductions are proposed to be more stringent than those for an increase. It introduces a graduated scale of additional requirements for greater percentage reductions. For example, the Community Development Director would have the ability to make minor adjustments based upon the applicant providing at least one of the criteria found in the section up to 10% of the required amount of parking. The Planning Commission would have the ability to approve requests up to 25%. However for every 5% above 10%, the applicant must meet an additional criterion as listed in the section.

The other proposed changes are just paragraph formatting that is needed to add this additional section.

### **NON-CONFORMING USES**

This Code Amendment would not create any non-conforming situations.

### **LAND DEVELOPMENT CODE PURPOSE COMPLIANCE**

The Sandy City Land Development Code in 15A-01-03 lists the criteria explaining the intent and purpose of the Ordinance. The purpose is:

#### **15A-01-03 Purpose**

This Code is adopted to implement Sandy City's General Plan and to promote: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration. Specifically, this Code is established to promote the following purposes:

#### **1. General**

- a. To facilitate the orderly growth and development of Sandy City.
- b. To facilitate adequate provision for transportation, water, sewage, schools, parks, and other public requirements.

- c. To stabilize property values.
  - d. To enhance the economic well-being of Sandy City and its inhabitants.
2. **Implementation of General Plan**  
To coordinate and ensure the implementation of the City’s General Plan through effective execution of development review requirements, adequate facility and services review and other goals, policies, or programs contained in the General Plan.
  3. **Comprehensive, Consistent and Equitable Regulations**  
To establish a system of fair, comprehensive, consistent and equitable regulations, standards and procedures for review and approval of all proposed land development within the City.
  4. **Efficiently and Effectively Managed Procedures**
    - a. To promote fair procedures that are efficient and effective in terms of time and expense.
    - b. To be effective and responsive in terms of the allocation of authority and delegation of powers and duties among ministerial, appointed, and elected officials.
    - c. To foster a positive customer service attitude and to respect the rights of all applicants and affected citizens.

One of the stated purposes of the City’s land use ordinances is to facilitate the orderly growth and development of Sandy City. Some of the general purposes of the City’s Development Code are to implement Sandy City’s General Plan, and to promote the following public policies: public health, safety, convenience, aesthetics, welfare; efficient use of land; sustainable land use and building practices; transportation options and accessibility; crime prevention; timely citizen involvement in land use decision making; and efficiency in development review and land use administration.

**GENERAL PLAN COMPLIANCE**

The General Plan encourages appropriate development standards for all uses and zoning categories within Sandy City. This code amendment would further that goal and objective.

**STAFF RECOMMENDATION**

The Community Development Department requests that the Planning Commission forward a positive recommendation to the City Council to adopt the proposed ordinance amendment as shown in Exhibit “A”, attached, for the following reasons:

1. Compliance with the Purpose of the Land Development Code by facilitating the orderly growth and development of Sandy City.
2. Compliance with the Goals and Policies of the General Plan by establishing appropriate development standards for all uses and zoning categories within Sandy City.

Planner:

Reviewed by:




Mike Wilcox  
Zoning Administrator

## Exhibit "A"

### 15A-24-03 Special Access and Parking Provisions

- C. **Parking Reduction.** Developments are required to provide a certain number of parking stalls, as determined by this code, based on the land uses associated with the site. In some cases, it may be appropriate to allow for less than the required amount of parking. At the time of site plan review, a parking plan shall be submitted showing all proposed parking spaces, the overall circulation system, and justification for requesting reductions in parking space requirements as specified below:
1. **Reduction up to 10%.** The Director may approve a reduction of up to 10% of the amount of required parking upon satisfactory review of one (1) or more of the following that applies to the request:
    - a. **Parking Demand Analysis.** A study provided by a licensed transportation engineer that demonstrate projected usage of residents, employees, and customers of the proposed land uses or similarly situated land uses in other locations.
    - b. **Market Demand Analysis.** A study provided by a qualified real estate market analyst that estimate current market demand for a particular land use. For the purpose of this section, a real estate analyst shall be defined as a real estate professional with expertise in financial analysis in support to the financing, acquisition, marketing and leasing of real property based on the study of economic conditions and market trends.
    - c. **Walkability and Multi-Modal Design.** Provide a site plan design that demonstrates walkable elements and promotes multiple modes of transportation. A study by a licensed transportation engineer shall provide a quantitative analysis of the anticipated parking demand and automobile trips based on the proposed design.
    - d. **Proximity to Transit.** A site that is within a half-mile ADA route distance of existing or immediately planned local fixed mass transit station that would help reduce the number of needed parking stalls and automobile trips.
  2. **Reduction above 10%.** The Planning Commission may approve a reduction above 10% of the amount of required parking. Upon satisfactory review of two (2) or more of the criteria listed in section 15A-24-03(C)(1), they may approve up to a 15% reduction. Upon satisfactory review of three (3) or more of those criteria, they may approve up to a 20% reduction. Upon satisfactory review of all four (4) of those criteria, they may approve up to a 25% reduction.
  3. **Residential Parking Reduction.** If a reduction to any parking requirement is granted for a residential development, it shall be required of the developer/owner to provide a minimum of one (1) stall to each residential unit and include it in the base sale or lease price of the unit.

4. **Amendments.** Any amendments to the approved site plan or change in land use will cause any previously approved parking reductions for the site to be reviewed again by the appropriate authority and ensure that the required justification requirements have been met.

**D. Shared Parking.**

1. **Shared Parking Proposal.** Notwithstanding any other parking requirements provided in this Chapter, when land uses occupy the same lot or adjacent lots, the total number of off-street parking spaces required for each use may be combined and shared. A proposal for sharing off-street parking shall be presented to the Director. If the proposal involves the accommodation of more than 10 parking spaces (total accumulated spaces required for all involved uses), the Director may present the proposal to the Planning Commission for site plan review.
2. **Requirements.** In order to qualify for approval for shared parking, applicants shall present the following:
  - a. The location and identity of each use that will share the facility.
  - b. The total parking requirement for each use.
  - c. The projected hours of operation of each use and the hours during which the peak parking demand will be experienced.
  - d. The number of existing and/or proposed parking spaces.
  - e. A site plan that provides for a distance of no greater than 500 feet from the nearest entrance of each use to the nearest edge of the parking facility.
  - f. A site plan that demonstrates that the proposed shared parking facility will comply with all standards required by this Code for parking lot development.

**E. Drive-Thru Business Stacking Space.**

(See Commercial, Office, Industrial, & Transit Corridor Development Standards Chapter)

- F. Excessive Parking.** Developments shall not have parking in excess of that required by this Code without prior approval of the Director or Planning Commission, upon written justification of the specific need for more parking spaces than the provisions of this Code allows. In addition, developers are encouraged to work out shared parking agreements with adjacent users wherever possible according to the provisions for shared parking contained within this Code.

- G. Prohibited Parking.** No parking shall occur in any alley, driveway, service driveway, traffic aisle (either public or ways open to the public), delivery area (other than for a minimal period of time needed for the delivery of goods and materials to a specific tenant) or other

location designed for through traffic unless:

1. Said area has been specifically designated for parking on the original approved site plan; or,
2. The original site plan has been specifically modified by written approval of the City Transportation Engineer, for parking space use; and
3. Be designed in accordance with the parking designs specified in this chapter.