

ORDINANCE #18-18

AN ORDINANCE AMENDING TITLE 15A OF THE REVISED ORDINANCES OF SANDY CITY (THE LAND DEVELOPMENT CODE), 2008 BY AMENDING TITLE 15A, CHAPTER 24 “PARKING, ACCESS, AND CIRCULATION REQUIREMENTS”; ALSO PROVIDING A SAVING CLAUSE AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS, a request has been made to amend Title 15A of the Revised Ordinances of Sandy City (the Land Development Code), 2008 by amending 24 “Parking, Access, and Circulation Requirements”; and

WHEREAS, the Planning Commission held a public hearing on June 7, 2018, which hearing was preceded by notice by publication in the Salt Lake Tribune on May 25, 2018 and by posting in Sandy City Hall, the Sandy City Parks & Recreation building, the Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on May 25, 2018; and

WHEREAS, following the public hearing before the Planning Commission, the Commission recommended the amendment to the City Council; and

WHEREAS, a public meeting was held by the Sandy City Council on June 12, 2018, to consider the adoption of the proposed amendment, which meeting was preceded by publication in the Salt Lake Tribune on May 25, 2018 and by posting in Sandy City Hall, the Sandy City Parks & Recreation building, the Salt Lake County Library-Sandy, on the Sandy City Website - <http://www.sandy.utah.gov>, and the Utah Public Notice Website - <http://pmn.utah.gov> on May 25, 2018; and

WHEREAS, the City Council has been given specific authority in Title 10, Chapter 9a, Utah Code Ann. to adopt a zoning plan, including an ordinance and map which divide the municipality into districts or zones, and within such districts to regulate the erection, construction, reconstruction, alteration, repair and uses of buildings and structures, and the uses of land; and

WHEREAS, the State legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the City to pass ordinances which are reasonably and appropriately, related to the objectives of that power, i.e., providing for the public health, morals, and welfare; and

WHEREAS, the foregoing legitimate governmental objectives are achieved by reasonable means, in that any adverse impact on private property value or use has been carefully balanced against the corresponding gain to the public; and the regulations have been calculated, on recommendation of City planning staff to permit property owners to beneficially use their properties for the practical purposes to which the property is reasonably adaptable, and procedures have been established by the Land Development Code and Utah Cod Ann. whereby appeals can be heard and decided if it is alleged that there is legislative or administrative error, or where a special exception or variance to the ordinance is required.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Sandy City, State of Utah as follows:

Section 1. Title 15A, Chapter 24, "Parking, Access, and Circulation Requirements"; is hereby amended as shown on **Exhibit "A"**, which is attached hereto and by this reference made a part hereof.

Section 2 If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined in its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

Section 3. This ordinance shall become effective upon publication of a summary thereof.

PASSED AND APPROVED by vote of the Sandy City Council this _____ day of _____, 2018.

Linda Martinez Saville,
Chair, Sandy City Council

ATTEST:

City Recorder

PRESENTED to the Mayor of Sandy City for his approval this _____ day of _____, 2018.

APPROVED this _____ day of _____, 2018.

Kurt Bradburn
Mayor, Sandy City

ATTEST:

City Recorder

PUBLISHED this _____ day of _____, 2018.

Exhibit “A”

15A-24-03 Special Access and Parking Provisions

B. Parking Reduction/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 or less 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 reductions or increases in parking space requirements as specified below:

1. Reduction/Increase up to 10%. The Director may approve a reduction or 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.
 - c. Walkability and Multi-Model Design. If a reduction is requested, a site plan design that demonstrates walkable elements and promotes multiple modes of transportation that would help reduce the number of needed parking stalls and automobile trips
 - d. Proximity to Transit. If a reduction is requested, a site that is within a half-mile of existing or immediately planned local mass transit systems that would help reduce the number of needed parking stalls and automobile trips.
2. Reduction/Increase above 10%. The Planning Commission may approve a reduction or 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.

E. 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.