

ORDINANCE NO. 2022-13

AN ORDINANCE AMENDING SECTION 12.52.080 OF THE CENTERVILLE ZONING CODE REGARDING NUMBER AND TYPE OF PARKING SPACES, AMENDING SECTION 12.52.110 OF THE SAME REGARDING PARKING MODIFICATIONS, AND AMENDING SECTION 12.52.300 OF THE SAME REGARDING OFF-STREET PARKING SCHEDULE

WHEREAS, the City Council has adopted Chapter 12.52 the Centerville Zoning Code regarding Off-Street Parking and Loading; and

WHEREAS, the City Council desires to amend various sections of Chapter 12.52 of the Centerville Zoning Code to address and update various parking requirements; and

WHEREAS, the City Council has determined that the proposed revisions to the parking requirements as set forth herein are advisable and in the best interest of the public health, safety, and welfare to provide more efficient and relevant parking requirements for various uses; and

WHEREAS, the proposed amendments to the Centerville Zoning Code as set forth herein have been reviewed by the Planning Commission and the City Council and all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, AS FOLLOWS:

Section 1. Amendment. Section 12.52.080 of the Centerville Zoning Code regarding Number and Type of Parking Spaces is hereby amended to read in its entirety as follows:

12.52.080 Number and Type of Parking Spaces

- (a) Parking Required. All required parking shall be located on-site and shall be provided in accordance with this Section for every land use regulated by this Title except as otherwise expressly allowed by this Title. The total number of parking spaces required by this Section shall be determined by adding together the parking required by each of the Subsections in this Section. On-street parking shall not be included in any required parking calculation.
- (b) Standard Parking Spaces. Standard parking spaces shall be provided in the Off-Street Parking Schedule set forth Section 12.52.300.
- (c) Handicapped Parking Spaces. Parking spaces for handicapped persons shall be provided as required by the applicable provision of the Construction Codes and the Uniform Federal Accessibility Standards Manual, as amended.
- (d) Stacked Parking Spaces. Stacked or queue spaces shall be provided as follows:
 - (1) Bank drive-thru including automatic teller machines: 3 spaces ~~Three~~ per lane.

- (2) Car wash:
 - A. Self wash: 3 spaces per bay.
 - B. Automatic wash accessory use: 4 spaces per bay.
 - C. Automatic wash primary use: 4 spaces per bay.
- (3) Gasoline pump island: 1 space per pump.
- (4) Fast-food restaurant drive-thru: 12 spaces (216 feet)5 per lane.
- (e) Off-Street Loading Spaces. Off-street loading spaces with a height clearance of 14 feet or more shall be provided for buildings used for retail, office, industrial, hospital, storage warehousing, and similar uses as follows:

Gross Floor Area	Required Number of Loading Spaces
3,000 - 20,000 square feet	1
Each additional 20,000 square feet	1

- (f) Tandem Parking Spaces. Tandem parking spaces shall not qualify as required parking unless approved by the Planning Commission in the following instances:
 - (1) Multiple-family dwellings with garages, when both spaces in a tandem parking area are for the same dwelling unit; or
 - (2) In conjunction with valet parking service.
- (g) Recreational Vehicle Parking. Adequate and accessible recreational vehicle parking storage areas shall be required in each multiple-family and planned residential development project unless the premises are subject to restrictive covenants or other means limiting the parking of such vehicles.

Section 2. Amendment. Section 12.52.110 of the Centerville Zoning Code regarding Parking Modifications is hereby amended to read in its entirety as follows:

12.52.110 Parking Modifications

- (a) Modification Permitted. The number of parking spaces required under CZC 12.52.060 may be modified in accordance with the provisions in this Section. The purpose of such modifications is to avoid creating unnecessary parking areas that will be essentially unused. In considering a modification, the Planning Commission may require a parking study to be completed as provided in Subsection (e).

- (b) Mixed Use Development and/or Shared Use Parking. The Planning Commission may authorize shared use of a parking lot subject to the following conditions:
- (1) The uses sharing the parking lot are unlikely to produce a substantial demand for parking at the same time. The City may require a shared parking study to be completed to justify a conclusion that shared spaces will be used at different times of the day, week, month or year.
 - (2) Required parking spaces reserved for persons with disabilities shall not be reduced.
 - (3) Ongoing shared use of the parking lot is assured by a recorded agreement or easement approved by the City which requires:
 - A. The parking lot to be continuously available unless an alternative legal parking lot is provided;
 - B. All spaces to be available without charge;
 - C. No future building additions, enlargements, or new buildings within whole or part of a shared use site arrangement, which requires additional on-site parking, shall be undertaken unless the original on-site required parking count is provided, or a new parking modification is approved by the City.
 - ~~C. The Zoning Administrator to be notified 30 days prior to the expiration or termination of the agreement or easement; and~~
 - ~~D. Provision of additional parking up to the amount otherwise required under this Chapter if the Zoning Administrator determines, based on parking counts, that a shared parking lot does not satisfy the off street parking demand of the uses involved.~~
- (c) Commercial, Office, and Non-Industrial Use Mixed-Use Development. The Planning Commission may modify the number of parking spaces required or allowed for commercial, and office, ~~or mixed-use~~ development after considering the following factors and finding that adequate parking will be provided:
- (1) Total number of spaces that would otherwise be required for each individual establishment in the development;
 - (2) Hours of operation for each business establishment located in the development, including peak business hours;
 - (3) Estimated trade-off between businesses which are open when others are closed;
 - (4) Availability of on-street or shared parking;
 - (5) Transportation alternatives, including proximity to transit stations; and
 - (6) Car or van pooling programs available to users of the development.

~~(6)~~(7) The total number of on-site required parking shall not be reduced by more than 30% of the original parking requirement.

(d) Multiple-Family and Planned Developments. The Planning Commission may modify the total number of parking spaces required for multiple-family or planned developments after considering the following and making a finding that adequate parking will be provided:

- (1) Size of housing units by number of bedrooms;
- (2) Cost range of units proposed;
- (3) Owner/tenant characteristics and lifestyle i.e., singles, couples, families, professionals, retired, elderly, etc.;
- (4) Examination of existing successful comparables by area or project;
- (5) Size of project;
- (6) Special parking requirements for visitors and recreational vehicles;
- (7) Future parking expansion capabilities;
- (8) Transportation alternatives, including proximity to transit stations;
- (9) Workplace relationships;
- (10) Handicap requirements;
- (11) Restrictive covenants; and
- (12) Availability of approved on-street parking for required guest parking.

(e) Parking Space Study. When a parking space study is required for a particular use shown in Section 12.52.300, or when an applicant requests a modification in the number of parking spaces required under CZC 12.52.080, a parking study shall be provided by the applicant which recommends an adequate number of parking spaces and sets forth the basis of the recommendation.

- (1) The study shall provide:
 - A. Planning and traffic engineering data, including estimates of parking demand based on recommendations from the Institute of Parking Engineers;
 - B. Data collected from uses or combinations of uses that are the same or comparable to the proposed project as indicated by density, scale, bulk, area, type of activity, and location;
 - C. The source of data used to develop the study's recommendations; and
 - D. The name and qualifications of the persons who prepared the study.

- (2) The Planning Commission shall determine the required number of parking spaces after:
- A. Considering the recommendations of the parking study and any recommendations from City staff; ~~and~~
 - A.B. All minimum landscaping requirements shall be satisfied unless a landscaping waiver of strict compliance is granted in accordance with CZC 12.51.050;
 - B.C. Parking modifications shall be limited to commercial, office, non-industrial use, mixed-use, multi-family, or planned developments, as listed in this Chapter;
 - C.D. All industrial uses, as listed in this Chapter, shall be prohibited from obtaining any parking modification; and
 - D.E. Making the findings required under Subsections (c) or (d), as the case may be.

Section 3. Amendment. Section 12.52.300 of the Centerville Zoning Code regarding Off-Street Parking Schedule is hereby amended to correct internal inconsistencies as follows:

- (a) References in CZC 12.52.300 to CZC 12.52.090(e) are amended to refer to CZC 12.52.110(e)
- (b) Reference in CZC 12.52.300 to CZC 12.52.060(d)(1) for “Bank or Financial Institution” is amended to refer to CZC 12.52.080(d)
- (c) Reference in CZC 12.52.300 to CZC 12.52.060(d)(2) for “Car Wash” is amended to refer to CZC 12.52.080(d)
- (d) Reference in CZC 12.52.300 to CZC 12.52.060(d)(3) for “Gasoline Service Station” is amended to refer to CZC 12.52.080(d)
- (e) Reference in CZC 12.52.300 to CZC 12.52.060(d)(4) for “Restaurant, Fast-Food” is amended to refer to CZC 12.52.080(d)

Section 4. Findings. The Zoning Code amendments set forth herein are based on the following findings:

- (a) In early 2021, the Planning Commission initiated the process for updating the parking calculations in accordance with CZC 12.21.080(c).
- (b) The Planning Commission previously requested the services to ESI Engineering to review the Planning Commission identified various land uses and make any recommendations for possible changes to the Zoning Code.
- (c) The City Council finds that the proposed text amendments are consistent with and more broadly further the objectives and policies of the General Plan.
- (d) The City Council finds that the proposed amendments are acceptable and/or consistent with review factors of CZC 12.21.080(e) of the Zoning Code.

Section 5. Severability. If any section, part, or provision of this Ordinance is held invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all sections, parts, and provisions of this Ordinance shall be severable.

Section 6. Omission Not a Waiver. The omission to specify or enumerate in this ordinance those provisions of general law applicable to all cities shall not be construed as a waiver of the benefits of any such provisions.

Section 7. Effective Date. This Ordinance shall become effective immediately upon publication or posting, or thirty (30) days after passage, whichever occurs first.

PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH, ON THIS 6th DAY OF DECEMBER, 2022.

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Gina Hirst
Mayor Pro Tem Gina Hirst

Voting by the City Council:

	“AYE”	“NAY”	“ABSENT”
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	_____	_____	<u>X</u>
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB’s Gas Station, on the foregoing referenced dates.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 12-7-2022

RECORDED this 7th day of December, 2022.

PUBLISHED OR POSTED this 7th of December, 2022.

