

## DISCUSSION DRAFT – 23 JANUARY 2018

### Chapter 19.80 - OFF-STREET PARKING REQUIREMENTS

#### Article 1 – General Provisions

##### 19.80.010 - Purpose.

The purpose of this chapter is to reduce street congestion and traffic hazards in the City by incorporating efficient, attractive facilities for off-street parking, loading, and internal automobile and pedestrian circulation as an integral part of every use of land.

##### 19.80.020 - Off-street parking required.

- A. At the time any building or structure is erected, enlarged, increased in capacity, or any use is established, off-street parking shall be provided in accordance with the requirements in this chapter.
- B. Plans Required to Obtain Building Permit. All applications for a building permit shall be accompanied by a site plan showing a parking layout that complies with the provisions of this chapter that shows ingress and egress, loading areas, **parking space striping**, internal automobile and pedestrian circulation, and landscaping. The plan shall be reviewed and approved by the ~~planning and development services division~~ **Planning Director or designee**, consistent with the provisions of this chapter. Parking requirements may be calculated separately for each business or land use in a building **or through a shared parking analysis or as per a parking study prepared by a transportation engineer/qualified individual.**

##### 19.80.030 - Specifications.

- A. Parking Stall Size. Each off-street parking space shall be at least nine feet by eighteen feet for diagonal or ninety-degree spaces, or eight by twenty feet for parallel spaces, exclusive of access drives or aisles. **Compact parking stalls shall be a minimum of 9 feet by 16 feet.** Parking stalls adjacent to a column or wall must have an additional two feet of width to accommodate ingress/egress from the vehicle. Access to parking spaces shall be from private roadways and not from public streets. **The Planning Director or designee may consider modifications to stall width and length requirements for up to 15% of the stall dimensions.**
- B. Parking Lot Policies. Millcreek City may adopt policies regarding aisle widths, angled parking, and turn-around areas for parking lots, and parking stall sizes for valet parking.
- C. Surfacing. Except for "provisional parking areas" as allowed under Section 19.80.110 of this chapter, any off-street parking area located in an R, C, M, MD, ~~or OR-D~~ zone shall be surfaced with an asphaltic or ~~portland~~ **concrete/cement** or other binder pavement, so as to provide a durable and dustless surface, shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide the orderly and safe loading or unloading and parking and storage of vehicles. Surfacing requirements **may vary** for parking areas located in FR-, FM-, A-, FA-, and S-1-G zones shall take into account the proposed land use, location of the property, and impact of paved parking. **Any parking area surface in serving more spaces than those required by this ordinance shall use pervious pavement and incorporate low impact stormwater retention practices.**
- D. Maintenance. Every parcel of land hereafter used as a public or private parking area, including commercial parking lots and automobile, farm equipment, or other open-air sales lots, shall be developed and maintained in accordance with the requirements set out in this chapter.
- E. Screening. The sides and rear of any off-street parking area for more than five vehicles which adjoins or faces an institutional use or residential building shall be effectively screened by a masonry wall or solid visual barrier fence unless otherwise provided for more specifically by the requirements of the zoning district in which such parking area is located. Such wall or fence shall be not less than six feet in height and shall be maintained in good condition without any advertising thereon.

- F. Landscaping. All parking areas shall contain landscaping in compliance with the provisions of Chapter 19.77 of this title.
- G. Lighting. Lighting used to illuminate any off-street parking area shall be so arranged as to direct light away from adjoining premises and from street traffic. No light source (light bulb, fluorescent tube, or other direct source of light used to illuminate a parking area) shall be visible beyond the property line of any off-street parking area **and shall not be exceed 0.5 foot candles at the property line. No light poles shall be located within 20' of a public street.**
- H. Coverage. No off-street parking area, **except a commercial parking lot**, shall occupy more than sixty-five percent of the property not occupied by buildings.

19.80.035 - Parking in R-1 and R-2 Residential Zones.

- A. Driveways. A driveway shall be provided for vehicular access from the street or right-of-way to the required parking spaces of any dwelling in an R-1 or R-2 zone. The driveway shall be constructed of a durable, hard surface such as: concrete (including permeable concrete), asphalt (including permeable asphalt), brick, pavers, stone, or block. The number, location, and width of driveways shall comply with the specifications set forth in sections 14.12.110 and 14.36.060 of the City Code of Ordinances. Driveways over one hundred fifty feet in length are subject to approval by the ~~fire authority~~ **fire marshal**. The area within the front yard of any single- or two-family dwelling not occupied by a driveway or parking surface set forth above shall be landscaped in compliance with the applicable provisions of this title regulating landscaping.

**Driveways accessing a public street in excess of 66' in width shall include a means to prevent backing out onto such roadways, such as a circular drive or a perpendicular paved area to the driveway that enables the driver to turn the vehicle around, so that the vehicle can access the street without backing out onto the street. If such driveways are required, the requirement for front yard landscaping in Chapter 14.12:.10 is waived for the driveway area.**

- B. Private vehicles. Private vehicles parked on residential property in any R-1 or R-2 zone shall comply with the following:
  1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a private vehicle may be located in the front yard, side yard, or rear yard of a dwelling.
  2. If parked or stored on any other type of surface, private vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot, tall (minimum) opaque fence.
- C. Recreational Vehicles. Recreational vehicles parked or stored on residential property in any R-1 or R-2 zone shall comply with the following:
  1. If parked or stored on a paved surface in compliance with section 19.80.030.C or 19.83.035.A, a recreational vehicle may be located in the front yard **at least 10' back from the public ROW**, side yard, or rear yard of a dwelling. **Recreational vehicles parked in a front yard must be licensed and operable.** Additionally, a recreational vehicle may be parked or stored on a parking pad which is constructed of six inches of compacted gravel. This area must be kept weed free.
  - ~~2. If parked or stored on any other type of surface, recreational vehicles must be behind the front line of the dwelling and screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence.~~
    2. **Shall not be stored in the public right of way, which includes any portions of the public right of way that are not improved.**
- D. Commercial vehicles. Commercial vehicles shall not be parked or stored on residential property in an R-1 or R-2 zone, except in the following circumstances:
  1. Commercial vehicles may be parked on a property in conjunction with lawfully permitted construction, maintenance, or site development activities so long as said activities are diligently pursued.

**Comment [JJ1]:** these seem to cause sight distance issues. I'd prefer out of the front yard but the reality is they are there

2. One commercial vehicle may be parked behind the front line of the dwelling and, screened from view from public streets or neighboring properties with a six-foot tall (minimum) opaque fence/gate, provided it does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.
3. One commercial vehicle may be parked in the front yard or side yard of a dwelling, in the R-1 or R-2 zones upon issuance of a permit by ~~planning and development services~~ **Community Development Department**, as long as all of the following criteria are met:
  - a. No other commercial vehicle is parked or stored on the property.
  - b. The operator of the vehicle is required to be on call 24 hours a day to use the vehicle in response to an emergency;
  - c. The commercial vehicle is parked on a paved surface in compliance with section 19.80.030.C or 19.80.035.A;
  - d. The commercial vehicle is parked entirely on private property, not parked on or over the street or sidewalk; and
  - e. The commercial vehicle does not exceed Class 5 (two-axle, six tire single unit trucks) in Federal Highway Administration vehicle classification.
  - f. **Shall not be stored or parked in the public right of way, which include any portions of the public right of way that are not improved.**

## Article II. - Parking Requirements

### 19.80.040 - Number of spaces required.

- A. Except where variations and exceptions are allowed under Sections 19.80.070 through 19.80.100 of this chapter, a number of parking spaces equal to the sum of the required number of parking spaces for all uses on a property, including multiple uses within the same building, shall be provided. ~~Except in cases where A site-specific traffic and parking study may substitute for but not necessarily supersede these requirements, as determined by the Planning Commission, or the Planning Director or designee demonstrates a need for additional parking, no parking area for more than twenty stalls shall exceed the number of stalls required below unless the additional parking is installed as "provisional parking" under Section 19.80.110 of this chapter. If required, the City shall commission a traffic and/or parking study. A parking study, undertaken by a parking specialist, shall take into account the setting, the quality and type of available transit, biking, bedrooms, stall dimensions, area walkability, visitor parking, trends in occupancy, and overflow parking. A traffic study, undertaken by a traffic engineer, shall consider project demand (for multi-family projects demand should be based on the number bedrooms), current and future traffic congestion, available street ROWs and potential reconfiguration, pavement striping, stacking issues, turning issues, transit, sidewalk connections, anticipated directional demands, and other specific site considerations. These studies shall be paid for by the applicant but managed by the City.~~ The number of off-street parking spaces required shall be as follows:
  1. ~~Amusement center (arcade), one space per one hundred square feet of floor area;~~
  2. ~~Automobile or machinery sales and service garages, two spaces plus one space for each four hundred square feet of floor area;~~
  3. ~~Banks, post offices, business and professional offices, one space for each two hundred fifty square feet of gross floor area;~~
  4. ~~Bowling alleys, five for each alley;~~
  5. ~~Churches, one space for each six and one half feet of linear pew or three and one half seats in an auditorium; provided, however, that where a church building is designed or intended to be~~

used by two congregations at the same time, one and one-half parking spaces shall be provided for each three and one-half seats in the auditorium. For buildings designed or intended to be used for conferences or other special meetings involving more than the regular congregations, additional parking shall be required as determined by the Planning Commission;

6. Dancehalls and assembly halls without fixed seats, exhibition halls, except church assembly rooms in conjunction with auditorium, three spaces for each one hundred square feet of floor area used by assembly or dancing;
7. Day care center for children, four spaces plus one space per five hundred square feet of floor area;
8. Dormitory building, one space for each tenant;
9. Dwellings, multiple, two spaces for each dwelling unit. In multi-family developments and dwelling groups where private covered parking is utilized, additional parking for guests shall be required. The Planning Commission shall determine the amount of guest parking required to meet the parking needs of each development;
10. Dwellings, single-family, two spaces for each dwelling unit. For single-family dwellings, the parking spaces may be arranged one behind the other;
11. Funeral homes, mortuaries, reception centers, one space for each forty square feet of floor area in assembly room;
12. Furniture and appliance stores, household equipment or furniture repair shop, one space for each six hundred square feet of gross leasable area;
13. Hospitals and convalescent hospitals, two spaces per bed for the total capacity of building;
14. Hotels, motels and motor hotels, one space for each living or sleeping unit, plus parking for all accessory uses as defined in this title;
15. Indoor firearms and/or archery range, two spaces per shooting point;
16. Manufacturing plants, research or testing laboratories, bottling plants, one space for each person employed on the highest employment shift;
17. Medical or dental clinics, six spaces for each doctor's office;
18. Nursing homes, four spaces plus one space per each five beds;
19. Recreation, four spaces per court for tennis courts, three spaces per court for racquetball courts, two spaces per court for squash courts;
20. Residential health care facility:
  - a. Four spaces for facilities with five or less residents, the parking spaces may be arranged one behind the other,
  - b. Four spaces plus one space per each five beds;
21. Restaurants or private nonprofit clubs, one space for each two and one-half seats or three spaces per one hundred square feet of floor area, whichever is greater;
22. Retail stores, shops, etc., except as provided in this subsection, one space for each two hundred fifty square feet of gross floor area;
23. Rooming and lodging homes, one space for each tenant;
24. Schools, one space for each three and one-half seats in an auditorium, plus one space for each administrator and faculty;
25. Shopping centers and other multi-tenant retail buildings, five spaces for each one thousand square feet of gross leasable area;

- 26. Sports arenas, auditoriums, theaters, assembly halls and meeting rooms, one space for each three and one-half seats of maximum seating capacity;
- 27. Trailer sales, five spaces minimum, or five percent of the total site area excluding the landscaped areas, whichever is greater;
- 28. Wholesale establishments, warehouses, service and maintenance centers and communication equipment buildings, one space for each person employed during the highest employment shift;
- 29. Bed and breakfast homestay, two spaces for each dwelling unit plus one space for each guestroom;
- 30. Short-term rental, two spaces per dwelling unit plus one additional space for each bedroom exceeding two bedrooms. For buildings with two dwelling units or less, the third and fourth spaces, when required, can be in tandem with the first two spaces required;
- 31. Bed and breakfast inn, one space for each person employed on the highest employment shift, plus one space for every guestroom, plus parking for all accessory uses defined in this title;
- 32. Residential facility for elderly persons, two spaces for the dwelling unit plus two spaces for visitors, the parking spaces may be arranged one behind the other;
- 33. Apartments for elderly persons, one space for each dwelling unit;
- 34. Outdoor display and sales, including garden centers, nurseries, lumber yards, building materials sales yards; one space for each one thousand square feet of display and sales area.

B. Number of Parking Spaces for Uses Not Specified. For any use of buildings not specified in this section, or for uses of a seasonal or temporary nature, the off-street parking requirement shall be determined by the division director being guided, where appropriate, by comparable ordinances from other jurisdictions, accepted planning industry standards, or the requirements set forth in this section for uses or buildings which, in the opinion of the division director, are similar to the use or building under consideration.

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
<b>RESIDENTIAL</b>			
Residential Facilities for the Elderly or Disabled / Group Home Housing	A minimum of 2 parking spaces plus 1 parking space for every 4 handicapped persons.	None	The Planning Commission or staff may vary off-street parking needs in relation to the number of staff/employees required and the special needs of the residents.
Mobile Home Dwelling within a Mobile Home Park	2 spaces per unit.	None	Tandem is permitted provided sufficient visitor parking is located within the park.

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Single Family Dwelling Two Family Dwelling Three- or Four-Family Dwelling	2 spaces per unit with at least one covered space per unit.	None	Tandem parking is prohibited, except for visitor parking for multiple family dwellings and in the case of individually owned units. Minimum off-street parking shall not be located within the minimum required front yard setback.
Multiple Family Units: Studio Units One Bedroom Units Two Bedroom Units Three Bedroom Units Four Bedroom Units Guest/visitor parking	.75 space per unit 1.5 spaces per unit 2 spaces per unit 2.5 spaces per unit 3 spaces per unit .33 spaces per unit	25%	If the Planning Commission finds that reducing the parking spaces per unit requirement is not detrimental to the surrounding area and will enhance the proposed development, it may reduce these parking standards, based on a traffic/parking study by a qualified specialist.
<b>HEALTH SERVICES</b>			
Churches, auditoriums, Assembly Halls, Mortuaries and other places of public assembly	1 space for each 6.5 feet of linear pew or 3.5 seats in an auditorium provided, however, that where a church building is designed or intended to be used by 2 congregations at the same time, an additional 50% of the minimum spaces required shall be provided.	25%	

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Day care, Preschool and Nursery Schools	1 space per 300 square feet of gross floor area.	25%	If drop-off facilities are contemplated, they shall be designed to provide a continuous flow of vehicles to safely load and unload children without stacking on public streets.
Hospitals	2 spaces per bed in the total facility.	25%	A traffic/parking study may be required. Accessory units and clinics will be calculated as outlined in this Chapter.
Medical, Dental Offices and Clinics	1 space per 200 square feet of gross floor area.	25%	
Nursing Homes	1 space per 2.5 beds for nursing and convalescent homes.	None	
Veterinarians and Veterinary Hospitals	1 space per 200 square feet of gross floor area excluding kennel boarding area.	25%	
<b>ENTERTAINMENT AND RECREATION</b>			
Amusement Center	1 space per 100 square feet of floor space.	25%	
Bowling Alleys and Billiard Halls	5 parking spaces per alley and 2 spaces per billiard table.	25%	Ancillary uses such as restaurants shall comply with the specific requirements outlined in this Chapter.
Commercial Riding Stables	1 space per 5 horses boarded on site.	None	

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Golf Courses Miniature Golf Courses Driving Ranges	6 spaces per hole 3 spaces per hole 1 space per hole	25%	Ancillary uses such as commercial pro shops and restaurants shall provide sufficient parking as required in this Chapter.
Health Spas and Sports Complexes	1 space per 200 square feet of gross floor area.	25%	Ancillary uses such as restaurants to provide parking as required by this Chapter.
Movie Theaters	1 space per 4 seats	25%	
Tennis, Handball and Racquetball facilities	3 spaces per court.	25%	Ancillary uses to provide sufficient additional parking as required by this Chapter.
<b>COMMERCIAL</b>			
Auto Repair, Service and Auto Parts Sales	3 spaces for each service bay plus 1 space for every 300 square feet of retail sales area.	25%	If towing service is provided, sufficient area shall be located on-site for temporary storage of vehicles and the tow truck.  Vehicles in areas dedicated for customer parking must be licensed and operable.
Auto Sales	1 customer parking space per 400 square feet of gross floor area in the automobile sales area or 5 parking spaces, whichever requirement is greater.	25%	
Hotels and Motels	1 space per room where no cooking facilities are provided. Living units with cooking facilities shall provide 1.25 parking spaces per unit.	25%	Ancillary uses such as restaurants or retail shops shall provide additional parking as identified for the specific use as required by this Chapter.

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Lumber Yards and Plant Nurseries	1 space per 300 square feet of indoor floor sales area.	25%	Additional spaces for outside storage and display areas may be added based on a parking study
Professional Offices and Banks	1 space per 250 square feet of gross floor area for the first 20,000 square feet plus 1 space per 300 square feet of gross floor area in excess of 20,000 square feet.	25%	Drive up windows shall provide sufficient stacking room and sufficient area for 4 spaces from teller window.
Restaurants and Fast Food Establishments	1 space per 100 square feet of gross floor area or 1 space for each 4 seats whichever is greater plus .5 space for each employee on the highest employment shift with a minimum of 5 spaces for employee parking.	25%	Drive up windows shall provide sufficient stacking room and sufficient area for 4 spaces from place of order and 4 spaces from pick up window.
Retail and Wholesale - Intensive General Merchandising including shopping centers	1 space per 250 square feet of gross floor area for the first 20,000 square feet plus 1 space per 300 square feet of gross floor area in excess of 20,000 square feet.	25%	
Retail and Wholesale - Less Intensive: such as Furniture, Carpet, showrooms	1 space per 400 feet of gross floor area.	25%	

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Sports Stadiums, Concert Venues, and Auditoriums (including school auditoriums)	1 space per 4 seats.	25%	
Dance Halls, Concert Halls, Club Licensees, Reception Centers, Semi-Nude Entertainment Businesses and other places of public assembly	1 space for each 50 square feet of gross floor area.	25%	
Swimming Pools (Commercial and Public)	1 space per each 10 persons based on capacity load.	25%	
<b>INDUSTRIAL</b>			
Detention Facility/Jail	2 spaces per 3 employees, 1 space per 20 inmates and 1 space per each service vehicle stored on site.		Parking spaces must be adequately sized for the vehicles being stored or parked on site.
Manufacturing	1 space per 500 square feet of gross floor area devoted to manufacturing plus required parking for business vehicles	30%	Ancillary uses such as offices are to provide parking as required by this Chapter.
Open Storage Uses in an approved industrial area	1 space per 5,000 square feet of open area being utilized for storage exclusive of access, landscaping, etc.		

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Research and Development	1 space per 350 square feet of gross floor area plus the required parking for business vehicles.	30%	
Truck Transfer Companies	1 space for each 2 employees plus parking for each truck associated with the business.		
Warehousing	1 space per 1,000 square feet of gross floor area for the first 20,000 square feet devoted to warehouse plus the required parking for square footage devoted to other uses. 1 space per 2,000 square feet for the second 20,000 square feet. 1 space per 2,500 square feet of floor area in excess of 40,000 square feet.		No conversions of any portion of a warehouse use to any other use shall be permitted unless the parking requirement for such other uses are met.
OTHER			

USE	MINIMUM OFF-STREET PARKING REQUIREMENT	MAX. % COMPACT USES ALLOWED	NOTES
Parking Spaces for uses not specified			The number of parking spaces for uses not specified herein shall be determined by the Planning Director being guided, where appropriate, by the requirements set forth herein for uses which are similar to the use not specified. Appeals to the decision of the Zoning Administrator are made to the Board of Adjustment.

**B.** Accessible Parking Spaces. For nonresidential parking areas, the accessible parking spaces required to satisfy the Americans with Disabilities Act shall be provided within the total number of stalls required above. ~~For multi-family residential developments, the accessible stalls shall be provided in addition to the number of stalls required above.~~

**C.** Bicycle Parking. To encourage the use of bicycles for personal transportation as an alternative to motor vehicles, requirements are established herein to provide bicycle parking at regional, community, neighborhood, and other transportation and travel destinations.

1. Bicycle parking facilities shall be provided for any new commercial, office, manufacturing, industrial, multi-family residential, recreational, public and/or quasi-public use for which automobile parking is required; or for modification or change of any use listed above that results in the need for additional automobile parking facilities, as follows:

- a. The number of bicycle parking spaces required shall be equal to five percent of the vehicular parking spaces required for such use, with a minimum requirement of two spaces, and a maximum requirement of twelve.
- b. Bicycle parking spaces shall be:
  - i. Located on the same lot as the principal use;
  - ii. Located and designed to prevent damage to bicycles by cars;
  - iii. Located so as not to interfere with pedestrian movements;
  - iv. Located in a highly visible, well-lighted area that is located near entrance(s) to the building;
  - v. Located to provide safe access from the spaces to the public right-of-way or bicycle lane;
  - vi. Designed **with racks** to accommodate a range of bicycle shapes and sizes, and to allow the frame and wheel(s) of each bicycle to be supported and secured against theft without interfering with adjacent bicycles;
  - vii. **Racks shall be** anchored to resist removal by vandalism and resistant to rust or corrosion.

2. Bicycle parking spaces which meet the above requirements may be located within the building.
3. The proposed bicycle parking spaces shall be clearly shown on the site plan indicating location and type.

19.80.050 - Off-street loading.

For every building or part thereof not provided with docking facilities which has a gross floor area of ten thousand square feet or more, and which is to be occupied by a commercial or industrial use to or from which delivery of materials or merchandise is regularly made by motor vehicle, there shall be provided and maintained on the same lot with such building at least one off-street loading space, plus one additional space for each additional twenty thousand square feet or major fraction thereof. Each loading space shall be not less than ten feet in width, twenty-five feet in length, and fourteen feet in height. Such space may occupy any required yard or court only if it is enclosed by a brick or stone wall not less than six feet in height.

19.80.060 - Gasoline pump requirements.

- A. Gasoline pumps shall be set back not less than twenty-four feet from any street property line, and not less than thirty feet from any residential zone boundary line. If the pump island is set at an angle on the property, it shall be so located that automobiles stopped for service will not extend over the property line. **Each pump shall provide stacking area for at least two vehicles without infringing on vehicular access ways.**
- B. Canopies constructed to provide a weather shield over gasoline pump islands shall be set back not less than ~~six~~ **ten** feet from any street **property** line and not less than ten feet from any residential zone boundary.

Article III. - Variations and Exceptions

19.80.070 - Valet parking program.

- A. A valet parking program is defined as a parking plan which has personnel retained to assist parking at a drop-off area and exclusively controls the parking of vehicles into valet spaces until they are returned to a pick-up area. **Valet parking lots shall be located on the same side of the street as the use they are serving.** The plan shall identify the following
  1. The location of parking spaces, pick-up areas, drop-off areas, and egress/ingress;
  2. The involvement of personnel; and
  3. General operating procedures.
- B. Eight percent of the required parking spaces shall be reserved as self-parking spaces and shall be indicated as such on the plan. Self-parking spaces shall meet the requirements of Section 19.80.030.

19.80.080 - Shared parking.

- A. Notwithstanding any other parking requirements provided in this chapter, when different land uses occupy the same or adjacent lot(s) in the R-M, C-1, C-2, C-3, C-V, M-1, M-2, ~~MD-1~~, **MD**, MD-3, or the ~~O-R-D~~ zones, the total number of off-street parking spaces required for each use (see Section 19.80.040 of this chapter) may be combined and shared upon approval as provided herein. A proposal for sharing of off-street parking shall be presented to the ~~planning and development services division~~ **Planning** director for site plan review and approval. Conditional use applications which require Planning Commission approval, and for which shared parking is being proposed as part of the application, must have Planning Commission approval for the shared parking.
- B. In determining the total requirements for shared parking facilities, the ~~division director~~ **Planning Director or designee** or Planning Commission shall use Table 19.80.080(a), set out below, according to the following guidelines:

1. For each applicable general land use category, calculate the number of spaces required for a use as if it were the only use (refer to the schedule of minimum off-street parking requirements).
  2. Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in the table (six time periods per use).
  3. For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
  4. Select the time period with the highest total parking requirement and use that as the total number of parking spaces required for the site on a shared parking basis.
- C. For uses not listed in Table 19.80.080(a), the division director shall determine the required parking for the six time periods.

**Table 19.80.080(a)**

General Land Use Category	Weekdays			Weekends		
	12:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—12:00 a.m.	12:00 a.m.—7:00 a.m.	7:00 a.m.—6:00 p.m.	6:00 p.m.—12:00 a.m.
Office & Industrial	5%	100%	5%	0%	5%	0%
Retail	5%	100%	80%	5%	100%	60%
Restaurant	50%	70%	100%	70%	50%	100%
Hotel	100%	65%	100%	100%	65%	100%
Residential	100%	50%	80%	100%	75%	75%
Theater/entertainment	5%	20%	100%	5%	50%	100%
Place of worship	0%	30%	50%	0%	100%	75%

19.80.090 - Planning Commission exceptions.

Upon a finding by the Planning Commission that a proposed ~~use site plan is in harmony with the general plan of the community in which it is located and that effective tools have been employed in the creation of~~ **is** a transit oriented development, community re-development project, or walkable community project, the Planning Commission may reduce the number of required parking stalls for any **such** proposed development. In approving any such reduction, the Planning Commission may use such tools as: recommendations from the planning and development services staff a site-specific traffic/**parking** study conducted by a qualified engineering firm **and commissioned by the city pursuant to section 19.9, American Planning Association guidelines, Envision Utah guidelines, and/or Urban Land Institute guidelines.** ~~or~~

guidelines from the American Planning Association, the Institute of Traffic Engineers, the Wasatch Front Regional Council, or any other entity with demonstrated expertise in parking analysis.

#### 19.80.100 - Community parking credits.

Upon a finding by the Planning Commission for conditional uses or the planning and development services division director for permitted uses, that parking is available either on public property or on property leased by a public entity for community parking, which parking is conveniently located to a particular land use, credits may be given toward the parking requirement for said land use. In cases where multiple businesses or land uses qualify to use the same parking spaces for community parking credits, the credits shall be pro-rated for each land use. In calculating the pro-rated community parking credits, the Planning Commission or division director shall consider such factors as: the amount of frontage a property has on the street, the total number of parking stalls required for a given land use, and the potential for future development in the immediate vicinity creating further demand for parking spaces. The Planning Commission or division director may also use Table 19.80.080(a) for land uses in different general categories to consider shared community parking.

#### 19.80.110 - Provisional parking.

"Provisional parking" is defined as an area or areas within a parking lot where parking spaces which are shown on the approved parking plan are landscaped rather than paved. The following conditions apply to provisional parking areas:

1. Provisional parking spaces must be shown on the site plan as complying with the parking stall size requirements of this chapter as well as the maneuverability and aisle requirements of Planning Commission policy.
2. Provisional parking spaces may be landscaped in such a way that they can be used for parking on a seasonal, **special event**, or temporary basis.
3. After one year's time from the issuance of the land use permit, a property owner may request a review of the provisional parking. Upon a finding by the Planning Commission for conditional uses or the division director of planning and development services for permitted uses that the additional parking is needed, approval shall be granted for the provisional parking to be paved.
4. The Planning Commission may set conditions of approval as part of any conditional use permit that utilizes provisional parking as allowed under Section 19.84.050 to provide for monitoring and future review of the parking plan.

## Flag Lot Revisions – Discussion Draft – 23 January 2018

1. Flag lot defined: is a division of a property with frontage on a street that creates one or more additional lots to the interior of the parcel. The remainder lot that abuts the street shall be known as the “base” lot.

2. Flag lots require subdivision approval in accordance with Title 18 of the Millcreek City Code. **No more than two flag lots shall be allowed on the private access.**

3. Access to a flag lot or lots shall be provided in the following manner;

a. Ownership of the land area connecting the flag lot(s) to the street by the person(s) or entities that own the balance of the land area included in the flag lot(s), or

~~b. Retention of ownership of the land area connecting the flag lot(s) to the street by the owner of the base lot(s) fronting on the street, but only if conveyance of that land area would render the base lot(s) substandard with regards to lot width or lot area requirements applicable to the zone in which the properties are situated. If so retained, Access to the flag lot(s) shall~~ **may** be provided through conveyance and recordation of a perpetual access easement for each lot, together with cross maintenance and liability agreements addressing the rights and responsibilities of the owners of the base lot(s) and the flag lot(s).

**c. Width – the width of the driveway shall be 16’ for one flag lot, plus an additional 5’ landscaped area for snow storage and water drainage. For two flag lots the width of the drive shall increase to 20’ plus a landscaped area for snow storage and water drainage of 5’.**

**d. Length – no driveway shall be more the 150’ in length**

**e. Surfacing – all driveways shall be hard surfaced with asphalt or concrete and graded to drain toward the street.**

**f. Drainage – shall be stored on-site as much as possible. Where curbs are used next to the required 5’ landscaped area, they shall be cut to allow drainage to enter the landscaped area.**

**g. Mailboxes shall be located in the five foot landscaped area along the driveway near the street.**

**h. Trash and recycling cans shall be located in front of the five foot landscaped area for trash removal on trash days.**

**i. Gates are allowed for the flag lot but shall not be located any closer to the street than their parallel property. Such gates shall include a rapid entry system approved by the Fire Marshal.**

**j. The street number of the flag lot or lots shall be clearly marked at the point where the access abuts the right of way.**

4. Lot size, yard requirements, and height - In order to subdivide an existing lot or parcel so as to create two or more three separate lots or parcels, the base lot adjacent to the street and a flag lot(s) to their rear), sufficient land area must be available to maintain. For the base lot(s), compliance with the required area and width requirements of the zone in which the properties are situated and a minimum 40' rear yard, is required. Such lot size calculations shall not include the pole or stem.

a. For flag lots less than one half acre:

1. The minimum lot size shall be 1.5 times the minimum lot size required in the zone that the lot is located or 12,000 square feet, which ever is greater. Such lot size calculations shall not include the pole or stem.

b. For Flag lots greater than one half acre, compliance with the minimum lot size requirements in the R-1-15 zone is required.

c. Side yards shall be a minimum of 10'.

d. Front yards facing the adjacent public street shall use the front yard setback as determined by the zone that the lot is located in.

e. Front yards facing the stem or pole shall have a minimum of 20' not including the pole or stem

f. Rear yards located behind a house that faces the adjacent public street, shall have a minimum of 40'

g. Rear yards located behind the house that faces the pole or stem shall have a minimum of 30'.

h. Height is limited to 30' to the peak of the roof.

5. Fencing – fencing may be erected on the property lines with a height of 6 feet, except that fencing located along the driveway in what would normally be called the front yard area of the base lot, shall be a maximum of 42" in height. Clear view standards shall be met for the driveway as it intersects with the street.

6. Parking – double car garages are required plus sufficient room to store two cars in front of the garages and a maneuvering area to assure that the vehicles need not back out on to the street. Any RV parking shall be accommodated off street and out of the required front yard.

7. Detached garages – for the base lot, shall be so located that a 26' maneuvering area is created to access the garage. Such garages shall adhere to the 10' setback requirement in all directions.

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
<b>Millcreek / Salt Lake County</b>	1 ½ times greater than the base lot, unless larger than half acres. Then flag lot must meet the required area and width requirements of the zone.	A uniform yard or “setback” requirement of 20 feet shall be maintained from all property lines. Setback goes to 25 feet when located in the R-1-15 and R-1-21 zones.	Retention of ownership or through conveyance and recordation of a perpetual access easement.	20 to 25 feet depending on zone. Unless a lesser width is authorized for access purposes by the City’s traffic engineer and fire official.	Retention of ownership of the land area connecting the flag lot to the street by the owner of the base lot fronting on the street, but only id conveyance of that land area would render the base lot substandard.	<p>Current flag lot policy was established by County in late 1990’s and superseded the “deep lots” policy that was established in 1965.</p> <p>Does not specify if flag lots are allowed in R-2 zones.</p> <p>Basically, with a favorable review from the fire official and traffic engineer, every possible scenario under the moon is allowed.</p>
<b>Cottonwood Heights</b>	125% of the minimum lot area in the underlying zone. Access lanes are not counted toward the minimum lot area.	20 feet on all sides.	Private lane can be no longer than 150 feet	<p>Lanes less than 100 feet in length must be 12 feet, with a 4 foot landscaped buffer.</p> <p>Lanes between 100-150 feet in length must be 20 feet, with a 4 foot landscaped buffer.</p> <p>Fire Marshal may require a turnaround.</p>	Fee title ownership or easement.	<p>Only one flag lot can be created from an existing lot.</p> <p>Can be created only for single-family dwellings.</p> <p>Two abutting flag lots may share a private lane.</p>

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
<b>Holladay</b>	<p>Depends on zone.</p> <p>The portion of lots that are less than half the minimum lot width (typically the driveway) is not counted toward the minimum lot area.</p>	<p>If abutting a rear yard – standard rear setback</p> <p>If abutting a side yard, a side yard must be at least 10 percent of the lot width, and combined setbacks must be 25 percent.</p>	<p>Private driveways may serve no more than 2 dwelling units.</p> <p>Private lane may serve 3 to 5 dwelling units.</p>			Holladay refers to flag lots as 'lots on a private driveway'
<b>Midvale</b>	<p>The minimum lot area of the flag lot is set by the requirements in the underlying zone. Only the "banner portion" of the lot can count toward the minimum lot area.</p> <p>Minimum width and depth must be 65 feet.</p>	10 feet on all sides.	Only two buildings can be served by a driveway.	20 feet pavement width, plus space for a fence.	Easements not allowed. Flag lots must be in fee-simple ownership.	Only permitted for single-family dwellings.

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
Murray	125% of the minimum lot area in the underlying zone. Access strips are not counted toward the minimum lot area.	Setbacks are as established in the base zone.	No more than 2 lots may be contiguous to each other and abut on the same street.  Two adjoining flag lots may share a common access strip if the strip is 38' wide	Access strips must be at least 28 feet wide, with 4 feet of landscaping on each side.	Fee title ownership or easement.	Can be created only for single-family dwellings.
Provo	The main body of the lot must meet the area, depth, and width requirements of the base zone.	Front, rear and side yard setbacks are set by the requirements of the underlying zone.	Staff portion may not be more than 200 feet long.	20 feet. Driveways must be at least 12 feet wide. The remaining area must be landscaped.		Provo has a number of precedent requirements. If another configuration is possible, including the acquisition of adjacent property to meet lot minimums, a flag lot will not be permitted.  Flag lots are only allowed in agricultural and single-family residential zones.

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
<b>Salt Lake City</b>	The minimum lot area of a flag lot shall not be less than 1.5 times the minimum lot area required by the underlying zone. The lot area calculation excludes the lot access strip.	Side yard setback is 10 feet.  Other setbacks are set by the requirements in the underlying zone.		Access strips shall be 24' wide. Minimum 4' landscaping on either side of the driveway. Minimum 16' hard surface driveway.	Fee simple ownership required.	Permitted only for single-family districts.  The main body of a flag lot shall have a minimum lot depth of 100 feet.
<b>Sandy</b>	Minimum lot area shall be as required by the underlying zone. The minimum lot area does not include the staff portion of the lot.	Setbacks are set by the requirements in the underlying zone.	The maximum length of the staff portion shall be 150 feet, unless approved by the planning commission with a recommendation by the Fire Marshal.  No more than two lots can be served by a staff.	20 feet.	Fee simple ownership is required. All lots must have frontage on a public right-of-way.	The approved building envelope shall be illustrated on the final plat.

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
<b>South Salt Lake</b>	The minimum lot area of a flag lot is set by the requirements in the underlying zone. The “staff portion” (driveway) of the lot may not be used to compute minimum lot area.	Front setback is 20 feet from the flag portion of the lot.  Side and rear yard setbacks are set by the requirements in the underlying zone.	Two lots may share a staff portion only when the staff width is 30 feet or more.	20 feet.	Fee simple ownership is required. All lots must have frontage on a public right-of-way.	Permitted for single-family uses.
<b>Taylorsville</b>	The minimum lot area of a flag lot is set by the requirements in the underlying zone, but in no cases can be less than 8,000 square feet.  The staff portion (driveway) shall not be used to calculate the minimum.	Setbacks are set by the requirements in the underlying zone.	No more than two lots can be served by a staff portion.	The minimum width of a staff shall be 20’.	Fee simple ownership required.	An approved building envelope shall be shown on a plat for a flag lot.

City	Area	Setbacks	Access Requirements	Access Width	Access Ownership	Notes
West Valley City	<p>The minimum lot area of a flag lot is set by the requirements in the underlying zone, but in no cases can be less than 12,000 square feet.</p> <p>The stem portion (driveway) may not be used to compute lot size.</p>	Setbacks are set by the requirements in the underlying zone.	<p>Must have direct access to a public street.</p> <p>Stem portions may serve more than one lot, subject to planning commission approval.</p>	<p>20 feet.</p> <p>Stem portions serving more than one lot shall be at least 24' wide</p>	Easements not allowed. Flag lots must be in fee-simple ownership.	Permitted in any residential zone.