AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.38.050: "Parking" is hereby amended as attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY 4 OF April, 2017.

AYES: Daines, Jenson, Needham, Olson
NAYS: Simmonds
ABSENT: none

Holly Daines, Chair

TERESA HARRIS
City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 4th day of April, 2017.

Holly Daines, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 4th day of April, 2017.

H. Craig Petersen, Mayor
Section 17.38.060.C:

C. Off-Site Parking.

Required parking may be located off-site, if approved as a part of an Alternative Parking Plan and in compliance with all of the following standards:

1. Ineligible Activities. Off-site parking shall not be used to satisfy the off-street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.

2. Location. Off-site parking shall be located within a 600-foot radius from the use served. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway or other traffic control or safety device is provided.

3. Agreement for Off-Site Parking. Off-site parking requires a written agreement that shall run with the land and which shall be recorded. A signed, notarized copy of the agreement between the owners of record shall be submitted to the Director for review and approval. Recordation of the agreement shall take place prior to the issuance of a building permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if the required off-street parking spaces are provided in conformance with the provisions of this chapter and as approved by the Director.
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: March 21, 2017
FROM: Mike DeSimone, Director
SUBJECT: Ordinance 17-04 (LDC Amendment – Alternative Parking Plan)

Summary of Planning Commission Proceedings
Project Name: Alternative Parking Plan
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval

On March 9, 2017 the Planning Commission recommended that the Municipal Council approve the amendment to the Land Development Code (LDC) Section 17.38.050.C eliminating the category of ineligible activities from being able to utilize off-site parking in order to meet minimum parking requirements.

The current language prohibits such uses as residential, restaurants, convenience stores or other convenience related uses from utilizing off-site parking to help meet their minimum parking requirement. The removal of this language would allow for additional flexibility in meeting parking needs of various uses, especially where compatible uses or businesses with off-setting hours of operation can share parking lots to meet their needs. This code change does not eliminate the requirement that any project proposing to utilize off-site parking would need to submit an alternative parking plan for review/approval.

Planning Commissioners vote (5 - 0):
Motion for Recommendation: T. Nielson
Second: S. Sinclair
Nay:

Attachments:
Staff Report (PC)
Ordinance 17-04
PC Meeting Minutes
REPORT SUMMARY...

Project Name: Alternative Parking Plan – Off Site Parking Restrictions
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: March 9, 2017
Submitted By: Mike DeSimone, Director

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendments to the Land Development Code (LDC): Section 17.38 (Parking).

REQUEST
This proposed modification to Section 17.38.050.C (Off Site Parking) of the Land Development Code eliminates the restriction against using off-site parking for residential uses through the Alternative Parking Plan. The use of off-site parking is a potential solution for alleviating current and future parking issues in multi-family residential developments. The use of off-site parking would be reviewed and permitted through the alternative parking plan process.

The proposed language is as follows:

C. Off-Site Parking.
   Required parking may be located off-site, if approved as a part of an Alternative Parking Plan and in compliance with all of the following standards:
   1. Ineligible Activities. Off-site parking shall not be used to satisfy the off street parking standards for residential uses (except for guest parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.
   2. Location. Off-site parking shall be located within a 600-foot radius from the use served. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway or other traffic control or safety device is provided.
   3. Agreement for Off-Site Parking. Off-site parking requires a written agreement that shall run with the land and which shall be recorded. A signed, notarized copy of the agreement between the owners of record shall be submitted to the Director for review and approval. Recordation of the agreement shall take place prior to the issuance of a building permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if the required off-street parking spaces are provided in conformance with the provisions of this chapter and as approved by the Director.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments help clarify the overall code and simplify its
administration and implementation. The proposed amendments are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

PUBLIC COMMENTS
As of the time the staff report was prepared, no public comments had been received.

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on February 23, 2017, posted on the City’s website and the Utah Public Meeting website on February 27, 2017, and noticed in a quarter page ad on February 19, 2017.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are minor in nature and clarify the applicability of off-site parking for residential project.
4. The provisions of these amendments are consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.
LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinance was adopted and approved by the Logan Municipal Council, Logan, Utah on April 4, 2017.

ORD. 17-04 An ordinance amending the Land Development Code Section 17.38.050.C, eliminating the category of ineligible activities from being able to utilize off-site parking in order to meet minimum parking requirements.

This ordinance is effective immediately upon publication. Full text of the ordinance can be reviewed at the office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris, City Recorder

Publication Date: April 9, 2017