

Midway City Council
20 July 2021
Regular Meeting

Ordinance 2021-14 /
Off-Street Parking and
Loading Uses



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: July 20, 2021

NAME OF APPLICANT: Midway City

AGENDA ITEM: Code Text Addition of Section 16.13.39: Off-Street Parking and Loading

ITEM: 6

Midway City is proposing to amend Section 16.13.39 Off-Street Parking and Loading Uses of the Midway City Municipal Code. The potential amendment would allow for narrower commercial driveways if an existing structure would be impacted by development. The purpose of the amendment is to help preserve existing structures in the commercial zones.

BACKGROUND:

Staff is proposing a code text amendment to address the required driveway width for commercial properties in the C-2 and C-3 zones. There is a concern that some properties with historic structures in the City's commercial zones may not be able to comply with the required commercial driveway width requirements. Currently the Off-Street Parking and Loading code requires a 24' wide driveway for ingress and egress and a minimum of 12' width for one-way traffic. The proposed code text amendment would allow the City Engineer to approve an 18' driveway width for ingress and egress and a 10' driveway width for one-way traffic if certain criteria are met. The amendment is not meant to create a work around for properties that could otherwise comply with the current requirements, but to provide some flexibility for existing buildings on narrow properties in the C-2 and C-3 zones.

The following code is proposed:

Section 16.13.39

F. Access to Parking Facilities and Width of Parking Lot Driveway Lanes.

1. Access driveways for two-way traffic are a standard of twenty-four (24) feet wide. Based on a determination from the City Engineer, driveway widths may vary from twenty (20) to twenty-six (26) feet and provide for ingress to and egress from all parking and loading facilities. Widths above twenty-six feet (26), accommodating a dedicated turn lane, shall be approved by the City Engineer. Access driveways for one-way traffic shall be a minimum of twelve (12) feet wide. Each parking and loading space shall be easily accessible to the intended user. On properties with commercial uses in the C-2 and C-3 zones, the City Engineer may approve a driveway width of 18' for ingress and egress driveway access or a driveway width of 10' for one-way driveway access if the following criteria are met:

- a. The property is in the C-2 or C-3 Zone*
- b. The primary building or structure is an existing structure and is not new construction. This applies to the main structure and not to accessory structures.*
- c. The available width between the primary building or structure and the side or rear property line is a minimum of eighteen feet (18) and maximum of twenty feet (20) for ingress and egress driveways and a minimum of ten feet (10) and maximum of twelve feet (12) for one-way traffic.*
- d. There is no other on-site option for accessing the parking area of the business.*
 - i. In the circumstance that one-way traffic access is desired but only 10-12 feet of space is available between the structure and the property line and there is the option of a two-way access driveway on one side of the structure, the reduced width for the one-way driveway access reduction will be allowed on the driveway impacted by limited space.*
- e. The proposed parking facilities must comply with all other parking related requirements including stall widths, stall depths and drive aisle depths.*

The intent is to create additional flexibility for existing structures in commercial zones that have limited side and rear yard space for driveway access.

The Midway City General Plan places special emphasis on the preservation of historic buildings. The Main Street Element of the General Plan states the following regarding Historic Preservation:

“Remembering its history through the preservation of historic structures is very important to Midway residents. Many of these homes and businesses are along Main Street and contribute greatly to its character. However, pressure to redevelop or remove these structures will increase as growth occurs along the corridor. A balance of preservation, redevelopment and reuse must be found. Historic preservation ordinances should be flexible enough to allow the modifications that allow realistic use of the property while preserving the character of the structure.”

While this adjustment does not require a property owner to keep an existing/historical building, it does create additional flexibility for those who want to both preserve existing/historic buildings and transition property from residential to commercial uses. This adjustment appears to be in line with the intent of the General Plan.

PLANNING COMMISSION RECOMMENDATION:

Motion: Commissioner Whitney: I make a motion that we recommend approval to amend Section 16.13.39 Off-Street Parking and Loading Uses of the Midway City Municipal Code. The potential amendment would allow for narrower commercial driveways if a historic structure or an existing structure would be impacted by development. The purpose of the amendment is to help preserve existing structures in the commercial zones. Accept the findings in the staff report. The first part of Item B would be amended as discussed and Item D with businesses with a drive thru would be an exception.

Seconded: Commissioner Garland

Chairman Nicholas: Any discussion on the motion?

Chairman Nicholas: All in favor.

Ayes: Commissioners

Motion: Passed

POSSIBLE FINDINGS:

- The proposed amendment would create additional flexibility on driveway access widths for properties with historic homes in the C-2 and C-3 zones.
- The proposed language helps promote the preservation of historic structures while allowing for increased economic development in Midway’s commercial zones, which is a goal described in the General Plan.

ALTERNATIVE ACTIONS:

1. Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings

2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



**ORDINANCE
2021-14**

**AN ORDINANCE AMENDING SECTION 16.13.39 OF THE
MIDWAY CITY MUNICIPAL CODE REGARDING OFF-
STREET PARKING AND LOADING**

WHEREAS, the City Council of Midway City finds that certain amendments to Section 16.13.39 of the Midway City Municipal Code pertaining to off-street parking and loading are necessary and will serve the public interest; and

WHEREAS, the City Council now desires to amend Section 16.13.39 of the Midway City Municipal Code as set forth herein.

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

Section 16.13.39 (Off-Street Parking and Loading) of the Midway City Municipal Code is amended as attached in Exhibit "A":

This ordinance shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this day of , 20 .

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____

Council Member JC Simonsen

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)

DRAFT

Exhibit A

Section 16.13.39

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 - i. In the circumstance that one-way traffic access is desired but only 10-12 feet of space is available between the structure and the property line and there is the option of a two-way access driveway on one side of the structure, the reduced width for the one-way driveway access reduction will be allowed on the driveway impacted by limited space.*

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