



Provo City Planning Commission

Report of Action

February 8, 2017

ITEM 2* Provo City Community Development Department requests amendments to the parking ratios for the Off-Street Parking Standards for Baching Singles (Section 14.37.060), the ITOD Zone (Section 14.23.120), the General Downtown Zone (Section 14.21A.150) and the Downtown Core Zone (Section 14.21B.140) to consider increasing the minimum parking requirement within these zones. *City-Wide Impact.* 16-0022OA, Bill Peperone, 801-852-6402

The following action was taken by the Planning Commission on the above described item at its regular meeting of February 8, 2017:

RECOMMEND APPROVAL

On a vote of 3:1, the Planning Commission recommended that the Municipal Council approve the above noted application.

Motion By: Ross Flom

Second By: Brian Jones

Votes in Favor of Motion: Ross Flom, Brian Smith, Ed Jones

Votes Against the Motion: Jamin Rowan

Jamin Rowan was present as Chair.

- Includes facts of the case, analysis, conclusions and recommendations outlined in the Staff Report, with any changes noted; Planning Commission determination is generally consistent with the Staff analysis and determination.

PLANNING COMMISSION RECOMMENDED TEXT AMENDMENT

Chapter 14.21A General Downtown (DT-1) Zone

14.21A.150. Parking, Loading and Access.

(1) Each lot or parcel in the DT1 zone shall provide a minimum of fifty percent (50%) of the required off-street parking as set forth in Chapter 14.37, Provo City Code, ~~except:~~

~~(a) Buildings or portions of buildings located in the required 60-foot transitional setback shall comply with the following parking requirement:~~

~~(i) Residential units shall have a minimum of one (1) and a half spaces for one (1) bedroom units and two (2) and a quarter spaces for units with two (2) or more bedrooms. The requirement does not include any disabled parking spaces required by Section 14.37.110; and~~

~~(ii) Commercial uses shall comply the minimum parking required by Chapter 14.37.~~

~~(2) Parking for up to two levels of residential uses above the fourth story of any building in the DT1 zone may be reduced to twenty-five percent (25%) of the amount required by Chapter 14.37.~~

~~(3) Maximum Parking. In no case shall parking exceed that required by Chapter 14.37 Parking.~~

~~(4)~~ (2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within a parking structure on the property.

~~(5)~~ (3) Parking Design. Parking shall be designed to the requirements of Section 14.37.100.

(a) Surface parking shall not be provided within thirty (30) feet of a front or street side yard property line or any property adjacent to a primary street. Surface parking is not permitted within the first six (6) feet of properties fronting secondary streets and must be separated from the street by a six (6) foot wide berm that is a minimum of twenty-four (24) inches in height.

Chapter 14.21B Downtown Core (DT-2) Zone

14.21A.140. Parking, Loading and Access.

(1) Each lot or parcel in the DT2 zone shall provide a minimum of fifty percent (50%) of the required off-street parking as set forth in Chapter 14.37, Provo City Code.

~~(2) Parking for up to two (2) levels of residential uses above the fourth story of any building in the DT2 zone may be reduced to twenty-five percent (25%) of the amount required by Chapter 14.37.~~

~~(3) Maximum Parking. In no case shall parking exceed that required by Chapter 14.37 Parking.~~

~~(4)~~ (2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within a parking structure on the property.

~~(5)~~ (3) Parking Design. Parking shall be designed to the requirements of Section 14.37.100.

(a) Surface parking shall not be provided within thirty (30) feet of a front or street side yard property line or any property adjacent to a primary street. Surface parking is not permitted within the first six (6) feet of properties fronting secondary streets and must be separated from the street by a six (6) foot wide berm that is a minimum of twenty-four (24) inches in height.

Chapter 14.23 Interim Transit Oriented Development Zone.

14.23.120. Parking, Loading and Access.

(1) Minimum parking requirements shall be as follows:

(a) ~~Fifty percent (50%)~~ **Seventy five (75)** percent of the parking required for each use as provided in Chapter 14.37, Provo City Code;

~~(b) Parking for residential uses on a fifth and sixth story may be reduced to twenty-five percent (25%) of the parking otherwise required in Chapter 14.37 Provo City Code; and~~

~~(c) Parking shall not be required for the first two thousand five hundred (2,500) square feet of retail or restaurant uses located in a building that consists of at least fifty (50) residential units.~~

~~(2) Each project shall not provide more parking than that required by Chapter 14.37, Provo City Code.~~

~~(3) (2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within a parking structure on the property.~~

(3) All other requirements of Chapter 14.37, Provo City Code shall apply.

Chapter 14.37. Off-Street Parking Standards

14.37.060

BACHING SINGLES

1 to 6 bedrooms

Minimum of two (2) spaces per bedroom plus .25 spaces per unit visitor parking, with a maximum of three (3) bedrooms per unit, if the bedrooms are over one hundred (100) square feet. If the bedrooms are less than one hundred (100) square feet, one (1) space per bedroom plus one quarter (.25) space per unit visitor parking, with a maximum of six (6) bedrooms per unit, if the bedrooms are under one hundred (100) square feet. Recreational vehicles shall not be allowed in the required parking.

Joaquin South Campus Planning Area (between University Ave. and 900 East.; 500 N to the southern boundary of BYU campus)

Minimum ~~.70~~ **.80** parking space per tenant ~~which includes parking for visitors and for the disabled as outlined in 14.37.110~~ **plus .20 parking spaces per unit for visitors and for the disabled as outlined in 14.37.110** Disabled Parking Space. Recreational vehicles shall not be allowed in the required parking area.

STAFF PRESENTATION

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Key points addressed in the Staff's presentation to the Planning Commission included the following:

- The Joaquin Village student housing complex has demonstrated that a parking ration of .7 spaces per bed is insufficient.
- The Start Up Crossing ITOD housing complex has demonstrated at allowing a 50% reduction in required parking does not provide sufficient off-street parking.
- The Downtown Zones (DT1 and DT2) also allow for a 50% reduction.
- Comparable parking ratios from other communities along with Wasatch Front are higher than what is permitted with the 50% parking reduction allowed in the ITOD and Downtown zones.

CITY DEPARTMENTAL ISSUES

- Raising the parking in downtown could have a chilling impact on development and redevelopment.

NEIGHBORHOOD MEETING DATE

- City-wide application; all Neighborhood Chairs received notification.

NEIGHBORHOOD AND PUBLIC COMMENT

- No neighborhood chair spoke on this item.
- Three representatives of PEG Development spoke about the economic impact more parking would have on downtown development.
- Ben Smith, of Zadock Construction, referred to a project he has in process right now where a parking ratio of one space per unit is proposed. He is proposing a 22-unit building of studio units.
- Josh, representing Second Story Capital, spoke against the increase in parking ratio believing it would require more parking that is needed. .

APPLICANT RESPONSE

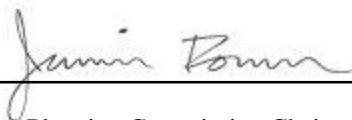
Key points addressed in the applicant's presentation to the Planning Commission included the following:

- UTA has property in the ITOD zone where 500-700 apartment units are anticipated. If a development of that size provided insufficient parking, the Franklin and South Franklin neighborhoods would be impacted.

PLANNING COMMISSION DISCUSSION

Key points discussed by the Planning Commission included the following:

- Jamin Rowan felt that the larger goals for a vibrant and walkable downtown would be hampered by continued emphasis on an automobile-based lifestyle.
- Mr. Rowan felt that the Downtown and ITOD zones are forward-thinking and felt that the city should continue in the direction those zones have established even though the city is experiencing growing pains at this time.
- Mr. Rowan suggested that the parking ratios for the downtown zones should not be adjusted since the problem projects identified in the staff report were not in the downtown zones.
- The other commissioners felt that there is a current problem with spill-over parking that needs to be addressed. However, they hoped that with the city about to hire a parking coordinator; that this issue would be discussed again once the parking coordinator had time to analyze the problem.



Planning Commission Chair



Director of Community Development

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report to the Planning Commission for further detailed information. The Staff Report is a part of the record of the decision of this item. Where findings of the Planning Commission differ from findings of Staff, those will be noted in this Report of Action.

Legislative items are noted with an asterisk (*) and require legislative action by the Municipal Council following a public hearing; the Planning Commission provides an advisory recommendation to the Municipal Council following a public hearing.

Administrative decisions of the Planning Commission (items not marked with an asterisk) **may be appealed** by submitting an application/notice of appeal, with the required application and noticing fees, to the Community Development Department, 330 West 100 South, Provo, Utah, **within fourteen (14) calendar days of the Planning Commission's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS



**Planning Commission
Staff Report
Ordinance Amendment
Hearing Date: February 8, 2017**

ITEM 2* Provo City Community Development Department requests amendments to the parking ratios for the Off-Street Parking Standards for Baching Singles (Section 14.37.060), the ITOD Zone (Section 14.23.120), the General Downtown Zone (Section 14.21A.150) and the Downtown Core Zone (Section 14.21B.140) to consider increasing the minimum parking requirement within these zones. **City-Wide Impact.** 16-0022OA, Bill Peperone, 801-852-6402

Applicant: Provo City Community Development Department
Staff Coordinator: Bill Peperone

Property Owner: N/A
Parcel ID#: N/A
Current General Plan Designation: South Campus Planning Area, Downtown Planning Area and Transit-Oriented Development
Proposed General Plan Designation: N/A
Current Zone: Campus Mixed-Use, DT1, DT2 and ITOD

*Council Action Required: Yes

Related Application(s): None

Current Legal Use: The applicable zones are being used for residential and commercial development.

Relevant History: Recent projects that have been developed under reduced parking standards appear to have caused increased burden to surrounding or adjacent streets.

Neighborhood Issues: Community Development has been receiving neighborhood complaints regarding insufficient parking.

Summary of Key Issues: Increasing the parking ratios could have a significant impact on the financial feasibility of some projects

Staff Recommendation: Staff recommends approval of the proposed increase in parking ratios for the Campus Mixed Use, the DT1, the DT2 and the ITOD zones.

ALTERNATIVE ACTIONS

1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is February 22, 2017, at 5:30 p.m.*
2. **Recommend Denial** of the proposed ordinance amendment. *This would be a change from the Staff recommendation; the Planning Commission should state new findings.*

OVERVIEW

Since completion of Joaquin Village, a student housing project located 500 N 600 E, the City has been receiving complaints of increasing parking demand on the surrounding streets. Field surveys have shown that on-street parking violations are common on the streets surrounding and near Joaquin Village (i.e. parking too close to intersections, parking too close to fire hydrants, parking in front of driveways, etc).

Joaquin Village is a PRO zone that was approved with a parking ration of .62 spaces per bed and that is what was provided on-site (936 beds and 578 parking spaces). Staff surveyed Joaquin Village the first semester it was open and found that a parking ration of .8 spaces per bed would have absorbed the waiting list for a parking space. Staff surveyed Joaquin Village again on Oct. 19, 2016 in preparation of this staff report. Currently there are 173 tenants on the waiting list for an on-site parking space. This would again equate to a .802 parking space per bed ratio.

Soon after the approval of Joaquin Village the parking ratio for student housing projects within the Joaquin South Planning Area was reduced to .7 spaces per bed. Prior to this the ratio was as follows:

1 to 6 bedrooms

Minimum of two (2) spaces per bedroom plus .25 spaces per unit visitor parking, with a maximum of three (3) bedrooms per unit, if the bedrooms are over one hundred (100) square feet. If the bedrooms are less than one hundred (100) square feet, one (1) space per bedroom plus one quarter (.25) space per unit visitor parking, with a maximum of six (6) bedrooms per unit, if the bedrooms are under one hundred (100) square feet. Recreational vehicles shall not be allowed in the required parking.

The thinking was that projects located within the Joaquin South Planning Area would be close enough to campus that a larger percentage of students living there would not own cars. The above quoted parking standard still applies to student housing for batching singles that are located outside of the Joaquin South Planning Area.

A similar situation has occurred in the area of Start-Up Crossing, an apartment building located at 200 W 600 S in the ITOD zone. In the ITOD zone and Downtown zones, projects can have their parking ratio reduced by 50% of the code requirement. In the case of Start-Up Crossing, 150 parking spaces were required but this was reduced by 50% so only 75 spaces were provided. Again, it has been assumed that projects built in

close proximity to mass transit terminals or stations would require less parking as occupants opted for fewer cars based on the availability of mass transit. However it seems that in Utah County our mass transit infrastructure is not sufficiently complete to encourage reduced car ownership.

200 Cityview that is currently being built by PEG Development includes 60% of the required parking. To provide 100% of the required parking an additional 116 spaces would be needed.

The Liberty Center that is also under construction will provide 66% of the required parking. To meet 100% of the required parking an additional 93 spaces would be needed.

The required parking ratio prior to the 50% reduction is calculated as follows:

Multiple-Family and Apartment

- | | |
|------------------|---|
| 1 bedroom | Minimum of one and one-half (1.5) spaces per unit for family occupancy and one and three-quarters (1.75) spaces per unit plus one-quarter (.25) space per unit visitor parking for all other occupancies, or one (1) space per vehicle or recreational vehicle owned or operated by a resident, whichever is greater. |
| 2 and 3 bedrooms | Minimum of two (2) spaces per unit, plus one-quarter (.25) space per unit visitor parking for family occupancy and three (3) spaces per unit plus one-quarter (.25) space per unit visitor parking for all other occupancies, or one (1) space per vehicle or recreational vehicle owned or operated by a resident, whichever is greater. |

FINDINGS OF FACT

1. A parking ratio of .7 spaces per bed appears to be inadequate for off-street parking, even for projects within walking distance to BYU.
2. On-street parking in the areas surrounding BYU campus is further impacted by students and staff that commute to campus.
3. Allowing a reduction in parking of up to 50% appears to provide less parking than is needed for the Start-Up Crossing apartment complex.
4. Only in rare cases does the City regulate on-street parking.

STAFF ANALYSIS

1. Provo City Code Section 14.02.020(2) sets forth the following guidelines for consideration of ordinance text amendments:

Before recommending an amendment to this Title, the Planning Commission shall determine whether such amendment is in the interest of the public, and is consistent with the goals and policies of the Provo City General Plan. The following guidelines shall be used to determine consistency with the General Plan:

- (a) *Public purpose for the amendment in question.* The public purpose of this amendment is to reduce parking impact of development projects on local streets and residents.
- (b) *Confirmation that the public purpose is best served by the amendment in question.* Based on site surveys and complaints received by citizens the high demand for on-street parking spaces has become problematic in at least two specific instances.
- (c) *Compatibility of the proposed amendment with General Plan policies, goals, and objectives.* Quality of life in our neighborhoods is implicit throughout the General Plan and the Vision 2030 Plan. When on-street parking becomes of such high demand that it causes frequent parking violations the quality of life and livability of our neighborhoods is diminished.
- (d) *Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.* These proposed amendments provide no conflict with timing and sequencing provisions of the General Plan.
- (e) *Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.* Requiring 100% of off-street parking could reduce the financial viability of downtown developments or redevelopment.

- (f) *Adverse impacts on adjacent land owners.* The intent of these code amendments is to reduce the impact that is currently being experienced by land owners adjacent to apartment complexes with insufficient on-site parking to meet the demand of their residents
- (g) *Verification of correctness in the original zoning or General Plan for the area in question.* The zoning and General Plan designation is adequate and appropriate.
- (h) *In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.*

ANALYSIS

Attached to this staff report are the proposed amendments for parking ratios in the various zones. In the DT1 and DT2 zones, it is recommended that no reduction in parking standards should be permitted. Therefore, 1.5 parking spaces would be required for studio and one bedroom units while 2.25 parking spaces per unit would be required for two and three bedroom units. These ratios include visitor parking but not handicapped parking. The required number of handicapped spaces is mandated in Section 14.37.100.

In the ITOD zone, it is proposed that a reduction in the parking ratio of 25% would be the maximum permitted, where currently a reduction of 50% is permissible. This would equate to a ratio of 1.125 parking spaces per unit for studio and one bedroom apartments and a ratio of 1.69 parking spaces per two and three bedroom unit. These ratios would include visitor parking but not handicapped parking. Attached to this staff report is a comparison of six TOD projects. The proposed parking ratios for the ITOD would fall in the middle of the parking ratios in the comparison. Also attached to this staff report is the ratio of handicapped accessible parking required by Provo City Code.

In the South Campus Planning Area the current parking standard is .7 spaces per bed and this ratio includes visitor parking and handicapped parking. Staff proposes a parking ratio of .80 spaces **per bed** plus .20 parking spaces **per unit** for visitor and handicapped parking. This calculation is based on two surveys of the Joaquin Village apartment complex where a ratio of .80 would have provided for tenant with cars who had been assigned on-site parking spaces plus the additional residents with cars who were on the waiting list for an on-site parking space. However, this calculation of .80

spaces per bed did not take into account the need for visitor parking. In the case of Joaquin Village, with 238 apartment units, an additional 48 guest parking spaces would be required.

STAFF RECOMMENDATION

Staff recommends that the required parking ratios for the General Downtown Zone, the Downtown Core Zone, the Interim Transit Oriented Development Zone and the Joaquin South Campus Planning Area should be increased according to the amendments attached to this staff report.

Chapter 14.21A General Downtown (DT-1) Zone

14.21A.150. Parking, Loading and Access.

(1) Each lot or parcel in the DT1 zone shall provide a minimum of ~~fifty percent (50%)~~ of the required off-street parking as set forth in Chapter 14.37, Provo City Code, except:

~~(a) Buildings or portions of buildings located in the required 60-foot transitional setback shall comply with the following parking requirement:~~

~~(i) Residential units shall have a minimum of one (1) and a half spaces for one (1) bedroom units and two (2) and a quarter spaces for units with two (2) or more bedrooms. The requirement does not include any disabled parking spaces required by Section 14.37.110; and~~

~~(ii) Commercial uses shall comply the minimum parking required by Chapter 14.37.~~

~~(2) Parking for up to two levels of residential uses about the fourth story of any building in the DT1 zone may be reduced to twenty-five percent (25%) of the amount required by Chapter 14.37.~~

~~(3) Maximum Parking. In no case shall parking exceed that required by Chapter 14.37 Parking.~~

(4) (2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within a parking structure on the property.

(5) (3) Parking Design. Parking shall be designed to the requirements of Section 14.37.100.

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Chapter 14.21B Downtown Core (DT-2) Zone

14.21A.140. Parking, Loading and Access.

(1) Each lot or parcel in the DT2 zone shall provide a minimum of fifty percent ~~(50%) of the required~~ off-street parking as set forth in Chapter 14.37, Provo City Code.

~~(2) Parking for up to two (2) levels of residential uses above the fourth story of any building in the DT2 zone may be reduced to twenty-five percent (25%) of the amount required by Chapter 14.37.~~

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Chapter 14.23 Interim Transit Oriented Development Zone.

14.23.120. Parking, Loading and Access.

(1) Minimum parking requirements shall be as follows:

(a) ~~Fifty percent (50%)~~ **Seventy five (75)** percent of the parking required for each use as provided in Chapter 14.37, Provo City Code;

~~(b) Parking for residential uses on a fifth and sixth story may be reduced to twenty-five percent (25%) of the parking otherwise required in Chapter 14.37 Provo City Code; and~~

~~(c) Parking shall not be required for the first two thousand five hundred (2,500) square feet of retail or restaurant uses located in a building that consists of at least fifty (50) residential units.~~

~~(2) Each project shall not provide more parking than that required by Chapter 14.37, Provo City Code.~~

(2) Bicycle Parking. A minimum of one bicycle stall shall be required for every 2,000 square feet of gross floor area. Bicycle stalls must be provided in an enclosed area in the primary structure or within a parking structure on the property.

(3) All other requirements of Chapter 14.37, Provo City Code shall apply.

Chapter 14.37. Off-Street Parking Standards

14.37.060

BACHING SINGLES

1 to 6 bedrooms

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Joaquin South Campus Planning Area (between University Ave. and 900 East.; 500 N to the southern boundary of BYU campus)

Minimum ~~.70~~ **.80** parking space per tenant ~~which includes parking for visitors and for the disabled as outlined in 14.37.110~~ **plus .20 parking spaces per unit for visitors and for the disabled as outlined in 14.37.110** Disabled Parking Space. Recreational vehicles shall not be allowed in the required parking area.

TOD Parking Ratios

Project Name	Location	Parking ratio 2 beds or less	Parking ratio more than 2 beds
Fireclay	Murray	1.125/unit	1.4/unit
Birkhill on Main	Murray	1.125/unit	1.125/unit
East Village	Sandy	2.0/unit	2.5/unit
Orem Intermodal	Orem	2.25/unit	2.25/unit
Clearfield Station		1.0/unit	1.5/unit
Bangerter Station	West Jordan	1.0/unit	1.5/unit

Handicapped Parking Required as per 14.37.110, Provo City Code

<u>Total Number of Parking Spaces In Lots and Garages</u>	<u>Required Number of Accessible Spaces</u>
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-999	2% of total spaces
Over 1000	20 spaces plus 1 space for every 100 spaces or fraction thereof, over 1000