

# ORDINANCE NO. 2013-08

## CACHE COUNTY, UTAH

### AMENDMENTS TO TITLE 17

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#### AN ORDINANCE AMENDING AND SUPERSEDING CHAPTERS 7 AND 22 OF TITLE 17 OF THE CACHE COUNTY ORDINANCE REGARDING OFF STREET PARKING STANDARDS

WHEREAS, the State of Utah has authorized Cache County to adopt Land Use Ordinances and Maps, and;

WHEREAS, the purpose of this ordinance is to provide fair, consistent, and equitable land use regulations for all land owners, and;

WHEREAS, the purpose of this ordinance is to provide clarity and ease of use of the County's Zoning Ordinance for all citizens, and;

WHEREAS, on March 7, 2013 at 6:00 P.M., the Planning Commission held a public hearing for the amendments to Title 17, which meeting was preceded by all required legal notice and at which time all interested parties were given the opportunity to provide written or oral comment concerning the proposed rezone; and

WHEREAS, on March 7, 2013, the Planning Commission recommended the approval of said amendments and forwarded such recommendation to the County Council for final action; and

WHEREAS, the County Council caused notice of the hearing and the amendments to Title 17 of the Cache County Ordinance to be advertised at least ten (10) days before the date of the public hearing in *The Herald Journal*, a newspaper of general circulation in Cache County, and;

WHEREAS, on April 9, 2013, at 5:30 P.M., the County Council held a public hearing to consider any comments regarding the proposed amendments to Title 17 of the Cache County Ordinance. The County Council accepted all comments, and;

WHEREAS, the Cache County Council has determined that it is both necessary and appropriate for the County to amend and implement these ordinances.

NOW, THEREFORE, BE IT ORDAINED by the County Legislative Body of Cache County that Chapters 7 and 22 of Title 17 of the Cache County Ordinance are hereby amended and superseded as follows:

#### 1. STATUTORY AUTHORITY

The statutory authority for enacting this ordinance is Utah Code Annotated Sections 17-27a Part 1 and Part 3 (1953, as amended to date).

*Disclaimer: This is provided for informational purposes only. The formatting of this ordinance may vary from the official hard copy. In the case of any discrepancy between this ordinance and the official hard copy, the official hard copy will prevail.*

## 2. PURPOSE OF PROVISIONS

The purpose of this ordinance is to amend and supersede Chapter 22 of Title 17 of the Cache County Ordinance regarding off-street parking standards, and to insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zones, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare.

## 3. FINDINGS

- A. The amendments to Title 17 of the Cache County Ordinance are in conformity with Utah Code Annotated, §17-27a Part 5 (1953, as amended), which requires compliance with standards set forth in an applicable ordinance.
- B. The amendments to Title 17 of the Cache County Ordinance are necessary to establish Zoning Districts and the correlated Development Standards and Use Charts that provide more options for flexibility of land owners throughout the County.
- C. The amendments to Title 17 of the Cache County Ordinance will insure compatibility with surrounding land uses, conformity with the Cache County Comprehensive Plan, consistency with the characteristics and purposes stated for the zone, and protection, preservation and promotion of the public interest, health, safety, convenience, comfort, prosperity and general welfare of the citizens of Cache County.
- D. It is in the interest of the public and the citizens of Cache County that the proposed amendments to Title 17 of the Cache County Ordinance be approved.

## 4. EXHIBITS

- A. Title 17, Chapter 7 of the Cache County Ordinance is amended as follows:  
See Exhibit A
- B. Title 17, Chapter 22 of the Cache County Ordinance is amended as follows:  
See Exhibit B

## 5. PRIOR ORDINANCES, RESOLUTIONS, POLICIES AND ACTIONS SUPERSEDED.

This ordinance amends and supersedes Chapters 7 and 22 of Title 17 of the Cache County Ordinance, and all prior ordinances, resolutions, policies, and actions of the Cache County Council to the extent that the provisions of such prior ordinances, resolutions, policies, or actions are in conflict with this ordinance. In all other respects, such prior ordinances, resolutions, policies, and actions shall remain in full force and effect.

## 6. EFFECTIVE DATE.

This ordinance takes effect on May 8<sup>th</sup>, 2013. Following its passage but prior to the effective date, a copy of the ordinance shall be deposited with the County Clerk and a short summary of the ordinance shall be published in a newspaper of general circulation within the County as required by law.

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APPROVED AND ADOPTED this 23<sup>rd</sup> day of April, 2013.

	In Favor	Against	Abstained	Absent
Potter				
Buttars				
White				
Petersen				
Robison				
Yeates				
Zilles				
Total				

CACHE COUNTY COUNCIL:

ATTEST:

\_\_\_\_\_

\_\_\_\_\_

Val Potter, Chair  
Cache County Council

Jill Zollinger  
Cache County Clerk

Publication Date:

\_\_\_\_\_, 2013

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**PARKING ANALYSIS:** An analysis that demonstrates a safe and efficient flow of vehicles and pedestrians and that minimizes the impact to public streets and environmental resources. This analysis must include:

1. A to scale site plan, and;
2. All calculations used to demonstrate that the performance standards for access, design, parking supply, and landscape and lighting have been met and/or exceeded.

**17.22 | OFF STREET PARKING STANDARDS**

**17.22.010 Purpose.....1**  
**17.22.020 Development Standards.....1**

**17.22.010: Purpose**

The purpose of these standards is to provide for the safe and efficient flow of vehicles and pedestrians while minimizing the impacts on public streets and environmental resources.

**17.22.020: Development Standards**

**A. Table for Computation of Off-Street Parking Spaces:**

The following are minimum standards to be used when computing the number of required parking spaces for a specific use:

Use Index	Use Description	Parking Space Requirement
1000	Residential	2 spaces/dwelling unit or PA*
2000	Manufacturing Industries	1 space/1000 sf or PA*
3000	Trade, Wholesale and Retail	1 space/250 sf or PA*
4000	Services, Professional and Personal	1 space/400 sf or PA*
5000	Cultural, Entertainment, Recreation	PA*
6000	Institutional, Public, and Utility	PA*
7000	Resource Production and Extraction	PA*

\*PA - Parking Analysis (see §17.07.040 General Definitions)

1. If a fractional number is obtained when calculating the number of required parking stalls, one parking stall or loading space shall be required for that fraction.
2. If more than one use is located on a site, the number of off-street parking and loading spaces to be provided shall be equal to the sum of the requirements of each use.
3. The number of off-street parking stalls required by the above table may be reduced or increased as a condition of development review by the land use authority if a parking analysis demonstrates that the proposed use(s) would have an impact less than or in excess of the requirements of this Chapter.
4. All off-street parking stalls must be located outside of any public or private road rights-of-way and outside of any identified setbacks as defined in §17.07.
5. Where necessary, an off-street area adequate for the loading and unloading of service trucks shall be provided and maintained. This area must be identified on a parking analysis and all loading areas and/or docks shall be located entirely on the site so that no vehicle shall be parked or require maneuvering room within a public or private road right-of-way, or within any identified setback as defined in §17.07.

**B. Parking Analysis:**

1. Applicants shall submit a Parking Analysis, as defined by §17.07 Definitions of this code, or provide parking sufficient to meet the base requirement in Table 17.20.020 where applicable, for any and all development in order to demonstrate that sufficient accommodation has been made for the volume of traffic expected to be generated by the size and type of the proposed use. For uses that require more than 5 parking stalls, a Parking Analysis shall be completed by a licensed professional. Calculations used to

determine minimum levels of access, design, parking supply, and landscape and lighting must follow all requirements of:

- a. The Cache County Ordinance, and;
  - b. The Cache County Manual of Roadway Design and Construction Standards, and;
  - c. The current ADA Accessibility Guidelines.
2. The standards of the most current edition of the Institute of Transportation Engineers (ITE) Parking Generation report shall serve as a reference point for any standards or calculations not addressed by the ordinance, standards, and guidelines noted in this Chapter.
  3. Any change of occupancy requires the land use authority approval of a revised parking analysis.

**C. Exemptions:**

The following shall be exempt from the parking analysis requirement:

1. Residential uses as follows:
  - 1100 – Single Family Dwelling,
  - 1110 – Foster Home,
  - 1120 – Accessory Apartment,
  - 1200 – Home Based Business, and
  - 1400 – Seasonal Cabin
2. 6200 – Utilities

**D. Performance Standards:**

The land use authority may authorize alternative designs or construction techniques based upon a parking analysis that demonstrates that the parking plan will equal or exceed the performance standards. These performance standards are:

1. Street and Site Access:

The development must accommodate the number and size of vehicles expected to be generated without an undue impact on mobility or safety on public streets.
2. Parking Site Design:

The site shall be designed to facilitate the safe and free flow of pedestrians and vehicles while minimizing physical impacts on the land. Provision must be made for employee and customer access to the development through the design and installation of adequate parking facilities.
3. Parking Provision:

The development must provide vehicle parking for employees and customers sufficient to avoid congestion of public streets or parking facilities.
4. Landscaping and Lighting:

The development must be designed and constructed in such a way as to minimize the negative impacts of vehicle activity on neighboring property and public streets.