

***ITEM 4** Development Services request an Ordinance Text Amendment to Section 14.14D.110 (Mixed Use Zones Parking, Loading, and Access) to remove the parking reduction from the Mixed-Use Zones. Citywide Application. Aaron Ardmore (801) 852-6404 aardmore@provo.org PLOTA20240173

<p>Applicant: Development Services</p> <p>Staff Coordinator: Aaron Ardmore</p> <p><u>ALTERNATIVE ACTIONS</u></p> <ol style="list-style-type: none"> Continue to a future date to obtain additional information or to further consider information presented. <i>The next available meeting date is July 10th, 2024, at 6:00 P.M.</i> <u>Recommend Denial</u> of the requested Ordinance Text Amendment. <i>This action would not be consistent with the recommendations of the Staff Report. The Planning Commission should <u>state new findings</u>.</i> 	<p>Relevant History: Chapter 14.14D (Mixed Use Zones) was enacted in 2022 to provide zones that can meet the future land use plans within the General Plan. The zone has been applied once since its adoption, and other developers are now looking to use the zone in southwest Provo. Staff found that the use of the zone has been and is anticipated to be used in areas that can't justify an automatic parking reduction, so this amendment was brought forward.</p> <p>Neighborhood Issues: Staff have not received any feedback on this amendment request, but the public hearings for the one use of the zone showed concerns about sufficient parking in the concept plan.</p> <p>Summary of Key Issues: The mixed use zones are anticipated to be used in more residential areas without the walkability needed for an automatic 25% parking reduction. Staff found that the initial use of the zone showed a lack of sufficient parking in concept plans. Developers will still have the ability to request parking reductions through Section 14.37.050 and 14.37.080, Provo City Code.</p> <p>Staff Recommendation: Staff recommend that the Planning Commission recommend approval of the proposed text amendment to the City Council.</p>
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OVERVIEW

Development Services is proposing a text amendment to the Mixed-Use Zones Parking Loading and Access section (14.14D.110) to remove the automatic twenty-five percent (25%) parking reduction that is currently given. This change is being proposed to correct an issue that has been found in the use of the zone. While staff had hoped that the zone would be used for a more walkable community with a variety of uses, the application of it seems to be closer to a residential zone with a commercial tenant. This approach to the zone, along with the areas of the city that it is being used in, cannot justify an automatic parking reduction. Suburban areas that are not walkable and have limited mass transit services would not justify a significant reduction in parking by-right. Additionally, suburban locations would have the most potential for spillover parking to impact residential neighborhoods.

While staff encourage the most efficient use of land without large surface parking lots, the tools in Section 14.37.050 and 14.37.080 that allow for parking reductions and joint parking use between uses can satisfy this goal on a case-by-case basis, without unintentionally creating parking problems with an automatic reduction.

STAFF ANALYSIS

To analyze this amendment staff will use the criteria in Section 14.02.020, as follows:

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: (staff responses in bold)

(a) Public purpose for the amendment in question.

Staff response: The public purpose for this amendment is to ensure that development in the MU zones provides sufficient parking for all users.

(b) Confirmation that the public purpose is best served by the amendment in question.

Staff response: Staff believe that the proposed amendment is the best solution for the stated purpose above.

(c) Compatibility of the proposed amendment with General Plan policies, goals, and objectives.

Staff response: This amendment will help to meet the goals of the General Plan. Specifically, Chapter 3, goal 4, to “utilize and update standards to further establish Provo as an attractive, healthy, and high-functioning city” and Chapter 6, goal 3, to “find the right balance of parking to promote the local economy”.

(d) Consistency of the proposed amendment with the General Plan's "timing and sequencing" provisions on changes of use, insofar as they are articulated.

Staff response: There are no timing and sequencing issues related to this request.

(e) Potential of the proposed amendment to hinder or obstruct attainment of the General Plan's articulated policies.

Staff response: Staff believe that this proposal would not hinder or obstruct General Plan policies.

(f) Adverse impacts on adjacent landowners.

Staff response: There should be no adverse impacts on adjacent landowners with this amendment, and it should bring potentially positive results to neighbors of mixed-use developments.

(g) Verification of correctness in the original zoning or General Plan for the area in question.

Staff response: Does not apply.

(h) In cases where a conflict arises between the General Plan Map and General Plan Policies, precedence shall be given to the Plan Policies.

Staff response: Does not apply.

CONCLUSIONS

Development Services have created somewhat new regulations with the Mixed Use Zones, and after seeing a few examples of what type of development the zone could bring, would hope to make this adjustment to the parking regulations to ensure that mixed-use developments provide sufficient parking for all the users of the site. The ability to still be creative with parking is provided in Chapter 14.37, which gives staff the confidence to propose this amendment.

ATTACHMENTS

1. Proposed Amendment

ATTACHMENT 1 – PROPOSED AMMENDMENT

Section 14.14D.110, Provo City Code, Parking, Loading, and Access

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14.14D.110 Parking, Loading, and Access.

- (1) Each lot or parcel in the Mixed-Use zones ~~need only provide seventy five percent (75%) of~~ **the must provide** required off-street parking as set forth in Chapter [14.37](#), Provo City Code.
- (2) Shared use of parking may be allowed if the Planning Commissions deems it suitable. A parking study is required if seeking this option.
- (3) Parking must be located behind the main building. In no case may parking be located between the building and a public street.
- (4) A parking agreement may be entered into with a property owner who owns a parking garage within one (1) block of the development to supplement the required parking. This agreement must be notarized and recorded at Utah County.
- (5) Structured parking is not permitted above the minimum habitable floor area along primary streets.
- (6) At grade parking shall be wrapped by habitable space except at entrance and exit points.

(Enacted 2022-28)