


MEMORANDUM

451 South State Street, Room 406
Salt Lake City, Utah 84111
(801) 535-7757



Planning and Zoning Division
Department of Community Development

TO: Salt Lake City Planning Commission

FROM: Lex Traugher – Principal Planner
Salt Lake City Planning Division 

DATE: November 29, 2006

SUBJECT: Revision to Petition 400-02-22 by City Council Members Jill Remington-Love and Nancy Saxton to amend the Zoning Ordinance relating to the definition of “restaurant”, and the associated parking requirements for retail goods establishment, retail service establishments, and restaurants. Additionally, the proposal includes a re-evaluation and expansion of alternative parking solutions, as well as an expansion of “off-site” and “shared” parking possibilities.

The above referenced petition was considered and acted upon by the Planning Commission on February 8, 2006. At that time, after reviewing the petition and conducting a public hearing, the Planning Commission forwarded a positive recommendation regarding the proposed Zoning Ordinance changes to the City Council.

To summarize, this petition was a result of two separate legislative actions initiated by City Council Members Jill Remington-Love and Nancy Saxton. Council Member Love’s legislative action was initiated to study the parking impacts occurring in residential neighborhoods near small commercial areas due to the cumulative success of individual businesses and the lack of adequate parking within these commercial nodes. Examples of such businesses noted at that time included the Dodo Restaurant at 1321 South 2100 East, Cucina at 1026 E. Second Avenue, the Paris Restaurant/Bistro at 1500 South and 1500 East, and Liberty Heights Fresh Market at 1242 South 1100 East. Council Member Love’s legislative action specifically requested that the Administration look at the definition of “restaurants”, “retail goods and retail service establishments”, and the associated parking requirements for these uses, as well as off-site and alternative parking solutions. Council Member Saxton’s legislative action was initiated to look at parking requirements, alternative, shared, and off-site, for CB (Commercial Business) and CS (Commercial Shopping) Zoning Districts. The purpose of this action was to examine expanded opportunities for shared and more efficient use of existing parking areas in commercial centers.

The Planning Commission’s action to forward a positive recommendation to the City Council resulted in a proposed ordinance that included the following four text changes:

1. Eliminate the existing definition for “restaurant” that is based on sales volume and replace it with a definition that is based on the number of seats provided;

Rationale: This proposal would amend the definition of restaurant, which is currently based on the ratio of on-premise versus take-out food, with a definition based on the number of seats provided in the restaurant. A definition based on the number of seats is more easily quantifiable and, if necessary, enforceable. In many instances this new definition will limit the ability of large restaurants from locating in small neighborhood commercial notes. The proposed definitions are as follows:

Restaurant (Large) – means a food or beverage service establishment where seating is greater than forty (40) seats total for both indoor and outdoor dining areas.

Restaurant (Small) – means a food or beverage service establishment where seating is less than or equal to forty (40) seats total for both indoor and outdoor dining.

2. Distinguish between small and large restaurants and establish a different parking requirement for each category: large restaurants must provide 6 stalls per 1,000 square feet of gross floor area and small restaurants must provide 3 stalls per 1,000 square feet of gross floor area;

Rationale: Differentiating between restaurants that have different impacts and standardizing the parking requirement of small restaurants with those of retail goods and service establishments, facilitates the reuse of a small retail business for a small restaurant. Allowing conversions to small restaurants tends to enhance the viability of neighborhood business areas without creating major parking problems.

3. Facilitate the reuse of buildings between land use categories by providing the same parking ratio requirement (3 stalls/1,000 s.f.) for retail goods establishments, retail service establishments and small restaurants; and

Rationale: This will facilitate the interchangeability of the buildings that these three types of uses typically occupy. These three uses have similar intensities and impacts, and therefore the parking requirements should be consistent.

4. Allow greater flexibility and opportunity for shared and off-site parking by:
 - A. Allowing parking to be shared on more than one lot;
 - B. Providing for off-site parking as a conditional use in the CN zone and as a permitted use in the CB, CS, and CSHBD zones;
 - C. Providing for off-site parking as a conditional use on non-conforming, non-residential properties in residential zones or to support uses in the RMU, CN, CB and RB zones. This provision may only apply if the property is occupied by an existing non-residential use and may exceed the standard 500-foot distance limitation. The proposal also allows the Planning Commission to make exceptions when actual data on parking demand is presented; and
 - D. Designating the additional land uses of community centers, schools, colleges and universities in the shared parking schedule.

Rationale: The purpose of these amendments is to create and expand the means by which parking requirements can be satisfied. These provisions will allow some flexibility for those attempting to find reasonable parking solutions; using existing parking areas and eliminating an overabundance of parking spaces where it is not necessary.

On September 5, 2006, the City Council held a briefing regarding the matter. Councilmember Jergensen raised a question regarding a settlement agreement the City had entered into in July of 2006 with the LDS Church and the Capitol Hill Community Council (Exhibit 1). Part of this settlement agreement was the understanding that the City would amend the Zoning Ordinance to address projects requiring off-site, shared, and/or alternative parking in areas of the City where a UI (Urban Institutional) zoning district abuts a D-1 (Central Business District) Zone. The purpose of this language was to steer off-site, shared, and/or alternative parking to more intense zoning districts such as the D-1 for the Church's History Library as well as other large "Institutional" uses, such as the Church's Conference Center, rather than those areas on the perimeter of the downtown that either abut or are zoned for low density single-family use.

Because the language in this settlement agreement is closely related to the language in the original petition noted above, the City Council has requested that this new language be incorporated into the proposed ordinance as put forth by Planning Staff.

The proposed new ordinance language has been inserted into the revised ordinance (attached – Exhibit 2) and reads as follows:

2. Projects requiring off-site, shared, and/or alternative parking in areas of the City where a UI zoning district abuts a D-1 district, the following apply;
 - a. For a project located within a UI district, the area available for off-site, shared, and/or alternative parking shall not exceed 500 feet within the UI district unless the D-1 district is located within 1,200 feet, in which case the area available for off-site, shared, and/or alternative parking may extend up to 1,200 feet from the project in the direction of the D-1 district;
 - b. For a project located within a D-1 district, the area available for off-site, shared, and/or alternative parking shall not exceed 1,200 feet; however, if the UI district is located within 1,200 feet, the area available for off-site, shared, and/or alternative parking shall not extend into the UI district more than 500 feet;
 - c. The maximum distance between the proposed use and the off-site, shared, and/or alternative parking shall be measured radially from the closest property line of the proposed use to the closest property line of the off-site, shared, and/or alternative parking;
 - d. Parking stalls shall not be counted more than once in off-site, shared, and/or alternative parking plans for different facilities, except where different plans comply with off-site, shared, and/or alternative parking regulations due to hours of operation, days of usage, or other reasons.

These proposed changes are consistent with the previously proposed changes as forwarded by the Planning Commission to the City Council, therefore, the findings outlined in the original staff report remain. The Planning Commission is being asked to review this matter in a public hearing forum. This matter is essentially an administrative "house keeping" type issue.

RECOMMENDATION

Based on the comments and analysis noted in the Staff Report dated February 8, 2006, as well as the discussion and motion that took place at the Planning Commission hearing on this same date, and the discussion taking place at the November 29, 2006, Planning Commission hearing, Planning Staff recommends that the Planning Commission forward a positive recommendation to the City Council to amend the original proposed ordinance put forth to the City Council and considered in their briefing held on September 5, 2006, by adding the following language:

2. Projects requiring off-site, shared, and/or alternative parking in areas of the City where a UI zoning district abuts a D-1 district, the following apply;
 - a. For a project located within a UI district, the area available for off-site, shared, and/or alternative parking shall not exceed 500 feet within the UI district unless the D-1 district is located within 1,200 feet, in which case the area available for off-site, shared, and/or alternative parking may extend up to 1,200 feet from the project in the direction of the D-1 district;
 - b. For a project located within a D-1 district, the area available for off-site, shared, and/or alternative parking shall not exceed 1,200 feet; however, if the UI district is located within 1,200 feet, the area available for off-site, shared, and/or alternative parking shall not extend into the UI district more than 500 feet;
 - c. The maximum distance between the proposed use and the off-site, shared, and/or alternative parking shall be measured radially from the closest property line of the proposed use to the closest property line of the off-site, shared, and/or alternative parking;
 - d. Parking stalls shall not be counted more than once in off-site, shared, and/or alternative parking plans for different facilities, except where different plans comply with off-site, shared, and/or alternative parking regulations due to hours of operation, days of usage, or other reasons.

Attachments

Exhibit 1 – Settlement Agreement

Exhibit 2 – Revised Ordinance

**Exhibit 1 –
Settlement Agreement**

JUL 17 2006

CITY RECORDER

SETTLEMENT AGREEMENT

Peter Von Sivers and Bonnie Mangold (hereinafter "Petitioners"), Salt Lake City Corporation (hereinafter "the City"), and Intervenor Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints (hereinafter "COPB") hereby enter into this Settlement Agreement as of this 7th day of ~~June~~^{July}, 2006.

Recitals

The parties jointly represent and acknowledge:

- A. On May 13, 2005 COPB applied to the City for approval of an offsite, shared, and/or alternative parking plan for its proposed Church History Library, to be built at 132 North Main Street, Salt Lake City, Utah.
- B. Following a public hearing on July 18, 2005, the City's Board of Adjustment issued an order (hereinafter the "Order") granting COPB's application, holding: (1) COPB had "demonstrated that the anticipated parking demand will be satisfied with other stalls within the overall [Church] campus"; (2) the "reduced parking requirement will not have an increased impact on neighboring properties"; (3) COPB's plan "includes strategies to mitigate potential impact on neighboring properties"; (4) The "proposal is consistent with City planning objectives and is in the best interests of the City."
- C. On September 14, 2005, petitioners filed a petition for judicial review of the Board of Adjustment's Order in the Third Judicial District Court for Salt Lake County in case number 050916161 (hereinafter the "Litigation"). In the Litigation petitioners argued that the Board of Adjustment's Order granting COPB's application was illegal.
- D. On November 29, 2005, COPB was allowed to intervene in the Litigation as a party respondent.
- E. The parties now wish to resolve all disputes between them relating in any way to the claims pending in the Litigation or relating to the Order. The parties also wish to cooperate fully with each other in effectuating the purposes of this Settlement Agreement.

Agreement

In consideration of the mutual covenants appearing in this Settlement Agreement, the parties hereby agree:

1. **Dismissal of Claims**

- a. Upon the execution of this Settlement Agreement, the parties will submit to the Court a stipulated motion for dismissal of all claims asserted in the Litigation with prejudice, with each party to bear his, her, or its attorneys' fees and costs of court incurred in the Litigation.
- b. Thereafter, the parties will cooperate with each other in taking all necessary steps to obtain the dismissal with prejudice of all claims in the Litigation.

2. **Release of the City and COPB**

- a. In consideration of the mutual covenants appearing in this Settlement Agreement, petitioners, and each of them, hereby release and fully discharge the City and COPB together with all of their officers, council members, employees, agents, servants, and attorneys, of and from any and all claims, damages, liabilities or causes of action, however denominated, whether known or unknown, in any way relating to the claims in the Litigation or relating to the Order.

3. **Amendment of Ordinance**

- a. The City hereby agrees to present to the Salt Lake City Council for its consideration proposed amendments to Salt Lake City Ordinance §§21A.44.020(1) and 21A.44.030, the effect of which amendments would be:
 - (i) To clarify the application of the foregoing ordinances to projects requiring offsite, shared, and/or alternative parking in areas of the city where a UI zoning district abuts a D1 zoning district, such that:
 - (a) for a project located within a UI district, the area available for offsite, shared, and/or alternative parking shall not exceed 500 feet within the UI district unless the D1 district is located within 1200 feet, in which

case the area available for offsite, shared, and/or alternative parking may extend up to 1200 feet from the project in the direction of the D1 district; and

(b) for a project located within a D1 district, the area available for offsite, shared, and/or alternative parking shall not exceed 1200 feet; however, if the UI district is located within 1200 feet, the area available for offsite, shared, and/or alternative parking shall not extend into the UI district more than 500 feet.

(ii) The maximum distance between the proposed use and the offsite, shared, and/or alternative parking shall be measured radially from closest property line of the proposed use to the closest property line of the offsite, shared, and/or alternative parking.

(iii) Parking stalls shall not be counted more than once in offsite, shared, and/or alternative parking plans for different facilities, except where different plans comply with offsite, shared, and/or alternative parking regulations due to hours of operation, days of usage, or other reasons.

4. Mitigation of Parking Problems in the Capitol Hill Neighborhood

The City and COPB hereby agree to use reasonable efforts to accomplish all of the mitigation measures set forth in Exhibit 1, which is annexed hereto.

5. Emphasis on General Plan

The City Administration will continue to ensure that relevant adopted Master Plans are considered by decision-making bodies in the City.

6. Notifications under this Settlement Agreement will be given to the following:

To petitioners:

Peter von Sivers
223 West 400 North
Salt Lake City, Utah 84103

To the City:

Lynn H. Pace
Salt Lake City Corporation
Law Department
451 South State Street, #505A
Salt Lake City, Utah 84111

To COPB:

The Church of Jesus Christ of Latter-day Saints
Office of the Presiding Bishopric
50 East North Temple, 18th Floor
Salt Lake City, Utah 84150, and

Alan L. Sullivan
SNELL & WILMER
15 West South Temple, Suite 1200
Salt Lake City, Utah 84101

7. Denial and Compromise of Claim

- a. The parties to this Settlement Agreement each represent and acknowledge that this Settlement Agreement effects the compromise and settlement of claims and demands which are denied, disputed and contested, and nothing contained herein shall be construed as an admission of their validity or invalidity against the interests of the parties hereto, or any of them, except that this disclaimer does not affect the validity or truthfulness of the Recitals made in this Settlement Agreement.

8. Miscellaneous

- a. The parties each represent and acknowledge that, in executing this Settlement Agreement, they do not rely and have not relied upon any representation or statement made by each other (except as expressly set forth in the Recitals, above) or by any agents, representatives, or attorneys of the other with regard to the subject matter, basis, or fact of this Settlement Agreement, or otherwise.
- b. All understandings and agreements heretofore had or made between the parties are merged in this Settlement Agreement which alone fully and completely expresses their agreement relating to the subject matter hereof. This Settlement Agreement shall not be amended or modified, except in a writing signed by all parties hereto. No course of dealing by or between parties hereto shall be deemed to effect any such amendment or modification.
- c. The parties each acknowledge that they are entering into this Settlement Agreement having fully reviewed the terms hereof and the legal effect of their signing this Settlement Agreement
- d. The parties each acknowledge and understand that this is a legally binding contract and further acknowledge that prior to signing below they have each fully read and understand all of the terms of this Settlement Agreement.
- e. The parties each also acknowledge that they are signing this Settlement Agreement freely and voluntarily, and that they have not been threatened or coerced into making this agreement or releasing any rights hereunder.
- f. This Settlement Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns. No party to this Settlement Agreement may assign his or its rights or obligations hereunder without the prior written consent of the other parties hereto.
- g. No forbearance by any party to enforce any provisions hereof or any rights existing hereunder shall constitute a waiver of such provisions or rights, or be deemed to effect an amendment or modification of this Settlement Agreement.

- h. This Settlement Agreement shall be governed and construed in accordance with the laws of the State of Utah without application of any principles of choice of law.
- i. All headings herein contained are only for convenience and ease of reference and are not to be considered in the construction or interpretation of any provision of this Settlement Agreement.
- j. This Settlement Agreement may be executed in counterparts.

IN WITNESS WHEREOF the parties each have executed this Settlement Agreement as of the date written above.

PETITIONERS

Peter von Sivers
Peter von Sivers

July 7, 2006
Date

Bonnie Mangold
Bonnie Mangold

July 7, 2006
Date

SALT LAKE CITY CORPORATION

Mayor Ross C. Anderson
Mayor Ross C. Anderson

July 13, 2006
Date

ATTEST:

Christina Meek
Salt Lake City Recorder

RECORDED

JUL 17 2006
Date



CITY RECORDER
APPROVED AS TO FORM
Salt Lake City Attorney's Office
Date 7-12-06
By [Signature]

CORPORATION OF THE PRESIDING BISHOP OF
THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS

By: Paul D. Hill
Title: Authorized Agent

30 Jun 2006
Date

Exhibit 1

Mitigation Measures

RESPONSIBLE PARTY	ACTION ITEM
City	1. Increased levels of parking enforcement during Conference Center events
LDS Church	2. In June and December, provide to the City's Director of Community Development a schedule of all Conference Center events for the next 12 months of which the Church is aware, together with an estimate of the number of participants expected for each event
LDS Church	3. Provide Conference Center tickets, inserts or folders that clearly identify available parking locations and Trax stops
City	4. Post police personnel at critical neighborhood intersections to provide parking information to those looking for parking spaces for Conference Center events
City	5. Provide clear signage on major entry thoroughfares directing event participants to available parking locations for Conference Center events
LDS Church	6. Provide approximately 50 orange cones to the City for placement in 'no parking' areas on critical neighborhood streets for Conference Center events
City	7. Paint curbs with red paint indicating 'no parking' areas (mark curbs that have not been marked)
City	8. Provide signage delineating 'no parking' areas
City	9. Police officers to direct traffic at major intersections without traffic signals, including 200 North and Main Street and 200 North and West Temple, for more efficient flow of traffic and pedestrians for Conference Center events
City	10. Investigate higher level of fines for illegal parking in neighborhood/residential areas
LDS Church	11. Church leadership will continue to reinforce/emphasize the importance of parking in designated areas for Conference Center events

**Exhibit 2 –
Revised Ordinance**

SALT LAKE CITY ORDINANCE

No. _____ of 2006

(Amending definition of “Restaurant” (large or small); amending parking requirements for small restaurants, retail goods establishments, and retail service establishments, so as to make said requirements the same for all three uses; and amending alternative parking solutions and expanding off-site and shared parking options)

AN ORDINANCE AMENDING SECTION 21A.62.040, *SALT LAKE CITY CODE*, PERTAINING TO ZONING CODE DEFINITIONS, AND SECTIONS 21A.44.010, 21A.44.020, 21A.44.030, AND 21A.44.060, *SALT LAKE CITY CODE*, PERTAINING TO OFF STREET PARKING AND LOADING REQUIREMENTS, AND AMENDING TABLES IN SECTION 21A.44.060E, PERTAINING TO SCHEDULE OF SHARED PARKING, SECTION 21A.44.060F, PERTAINING TO SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS, SECTION 21A.24.190, PERTAINING TO PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS, AND SECTION 21A.26.080, PERTAINING TO PERMITTED AND CONDITIONAL USES FOR COMMERCIAL DISTRICTS, PURSUANT TO PETITION NO. 400-02-22.

WHEREAS, the Salt Lake City Code contains certain definitions, including a definition for “restaurant” in Section 21A.62.040; and

WHEREAS, the City Council now desires to amend said definition; and

WHEREAS, the proposed amendment is consistent with the purposes, goals, objectives, and policies of Salt Lake City’s general plan; and

WHEREAS, the Salt Lake City Code contains certain provisions pertaining to off-street parking and loading; and

WHEREAS, the Salt Lake City Code contains certain provisions pertaining to permitted and conditional uses for residential districts; and

WHEREAS, the Salt Lake City Code contains certain provisions pertaining to permitted and conditional uses for commercial districts; and

WHEREAS, the City Council finds that the proposed amendments are in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. AMENDMENT TO DEFINITIONS. That Section 21A.62.040 of the *Salt Lake City Code*, pertaining to zoning code definitions be, and hereby is, amended, in part, to read as follows:

"Restaurant (Large)" means ~~a building within which there is served a variety of hot food for consumption on the premises and where more than sixty percent (60%) of the gross volume is derived from the sale of foods served for consumption on the premises~~ food or beverage service establishment where seating is greater than forty (40) seats total for both indoor and outdoor dining areas.

"Restaurant (Small)" means a food or beverage service establishment where seating is less than or equal to forty (40) seats total for both indoor and outdoor dining.

SECTION 2. AMENDMENT TO OFF-STREET PARKING AND LOADING REQUIREMENTS. That Section 21A.44.010G of the *Salt Lake City Code*, pertaining to off-street parking and loading be, and hereby is, amended, to read as follows:

G. Damage Or Destruction: For any conforming or nonconforming use which is ~~in existence on the effective date hereof, April 12, 1995, which thereafter is~~ damaged or destroyed by fire, collapse, explosion or other cause, and which is reconstructed, reestablished or repaired, off-street parking or loading facilities in compliance with the requirements of this Chapter need not be provided, except that parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation. It shall not be necessary to restore or maintain parking or loading facilities in excess of those required by this Title for equivalent new uses or construction.

SECTION 3. AMENDMENT TO GENERAL OFF-STREET PARKING REQUIREMENTS. That Section 21A.44.020L of the *Salt Lake City Code*, pertaining to off-street parking dimensions be, and hereby is, amended, to read as follows:

L. Off Site Parking Facilities: Off site parking facilities may, in districts where they are specifically allowed as permitted or conditional uses, be used to satisfy the requirements of this title for off street parking, subject to the following requirements:

1. The maximum distance between the proposed use and the closest point of the off site parking facility shall not exceed five

hundred feet (500'). However, in the D-1 district, such distance shall not exceed one thousand two hundred feet (1,200').

2. Projects requiring off-site, shared, and/or alternative parking in areas of the City where a UI zoning district abuts a D-1 district, the following apply;

a. For a project located within a UI district, the area available for off-site, shared, and/or alternative parking shall not exceed 500 feet within the UI district unless the D-1 district is located within 1,200 feet, in which case the area available for off-site, shared, and/or alternative parking may extend up to 1,200 feet from the project in the direction of the D-1 district;

b. For a project located within a D-1 district, the area available for off-site, shared, and/or alternative parking shall not exceed 1,200 feet; however, if the UI district is located within 1,200 feet, the area available for off-site, shared, and/or alternative parking shall not extend into the UI district more than 500 feet;

c. The maximum distance between the proposed use and the off-site, shared, and/or alternative parking shall be measured radially from the closest property line of the proposed use to the closest property line of the off-site, shared, and/or alternative parking;

d. Parking stalls shall not be counted more than once in off-site, shared, and/or alternative parking plans for different facilities, except where different plans comply with off-site, shared, and/or alternative parking regulations due to hours of operation, days of usage, or other reasons.

32. Off-site parking to support uses in the RMU, CN, CB, and RB zones or a legal non-conforming use in a residential zone need not comply with the maximum five hundred foot (500') distance limitation, provided the applicant can demonstrate that a viable plan to transport patrons or employees has been developed. Such plans include, but are not limited to, valet parking or a shuttle system. Off-site parking within residential zones to support uses in the aforementioned zones or a legal non-conforming use in a residential zone may only be applied to properties occupied by an existing non-residential use and are subject to the conditional use process. Parcels with residential uses may not be used for the purposes of off-site parking. The Zoning Administrator has the authority to make discretionary decisions concerning the provisions of Table 21A.44.060E – Schedule of Shared Parking, when actual data is presented which supports a change in the parking requirement. The Zoning Administrator may require a traffic and/or parking impact study in such matters.

4. Off site parking facilities shall be under the same ownership or leasehold interest as the lot occupied by the building or use to which the parking facilities are accessory. Private possession of off street parking facilities may be either by deed or by long term lease. The deed or lease shall require the owner and/or heirs,

successors or assigns to maintain the required number of parking facilities for the duration of five (5) years' minimum contractual relationship. The city shall be notified when the contract is terminated. If for any reason the lease is terminated during the five (5) year minimum contractual period, the lessee, shall either replace the parking being lost through the terminated lease, or obtain approval for alternative parking requirements, section 21A.44.030 of this chapter. Pursuant to obtaining a building permit or conditional use permit, documentation of the off site parking facility shall be recorded against both the principal use property and the property to be used for off site parking.

SECTION 4. AMENDMENT TO ALTERNATIVE PARKING

REQUIREMENTS. That Section 21A.44.030A of the *Salt Lake City Code*, pertaining to alternative parking requirements be, and hereby is, amended, to read as follows:

A. Types Of Alternative Parking Requirements: In

considering a request for alternative parking requirements pursuant to this section the following actions may be taken:

1. Uses For Which An Alternative Parking Requirement May

Be Allowed: The zoning administrator may authorize an alternative parking requirement for any use meeting the criteria set forth in Section 21A.44.030(B)(4) of this Chapter. ~~intensified~~

~~parking reuse, unique nonresidential uses, single room occupancy residential uses, or unique residential populations.~~

2. Modification Of Parking Geometries: The zoning administrator may authorize parking geometry configurations other than those normally required by city code or policy if such parking geometries have been approved, and the reasons therefor explained in writing, by the city transportation engineer.

3. Alternatives To On Site Parking: The zoning administrator may consider the following alternatives to on site parking:

- a. Leased parking;
- b. Shared parking;
- c. Off site parking;
- d. An employer sponsored employee vanpool;
- e. An employer sponsored public transportation program. (Note: See also subsections 21A.44.020L and 21A.44.060E of this chapter. These alternatives to on site parking are not subject to the alternative parking requirements outlined in this section.)

SECTION 5. AMENDMENT TO NUMBER OF OFF-STREET PARKING SPACES REQUIRED. That Section 21A.44.060E of the *Salt Lake City Code*, pertaining to alternative parking requirements be, and hereby is, amended, to read as follows:

E. Shared Parking: Where multiple uses on one lot share the same off-street parking facilities, reduced total demand for parking spaces may result due to differences in parking demand for each use during the course of the day. The following schedule of shared parking is provided indicating how shared parking for certain uses can be used to reduce the total parking required for shared parking facilities:

SECTION 6. AMENDMENT TO TABLE OF SCHEDULE OF SHARED PARKING. That the table, entitled Schedule of Shared Parking, which is located at Section 21A.44.060E of the *Salt Lake City Code*, shall be, and hereby is, amended, as set forth in the attached Exhibit “A”.

SECTION 7. AMENDMENT TO TABLE OF SCHEDULE OF MINIMUM OFF STREET PARKING REQUIREMENTS. That the table, entitled Schedule of Minimum Off Street Parking Requirements, which is located at Section 21A.44.060F of the *Salt Lake City Code*, shall be, and hereby is, amended, to read as set forth in the attached Exhibit “B”.

SECTION 8. AMENDMENT TO TABLE OF PERMITTED AND CONDITIONAL USES FOR RESIDENTIAL DISTRICTS. That the table, entitled Table of Permitted and Conditional Uses for Residential Districts, which is located at Section 21A.24.190 of the *Salt Lake City Code*, shall be, and hereby is, amended, to read as set forth in the attached Exhibit “C”.

SECTION 9. AMENDMENT TO TABLE OF PERMITTED AND
CONDITIONAL USES FOR COMMERCIAL DISTRICTS. That the table,
entitled Table of Permitted and Conditional Uses for Commercial Districts, which
is located at Section 21A.26.080 of the *Salt Lake City Code*, shall be, and hereby
is, amended, to read as set forth in the attached Exhibit "D".

SECTION 10. EFFECTIVE DATE. This Ordinance shall become effective on the date
of its first publication.

Passed by the City Council of Salt Lake City, Utah this _____ day of _____,
2005.

CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

MAYOR

CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. _____ of 2005.

Published: _____.

I:\Ordinance 06\Amending 21A.62.040 Restaurant Definition - 10-26-06 draft.doc