



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: October 17, 2023
FROM: Mike DeSimone, Director
SUBJECT: Ordinance #23-32 (Land Development Code Amendments – Moderate Income Housing)

Summary of Planning Commission Proceedings

Project Name: LDC Amendments - Moderate Income Housing
Request: Code Amendment
Project Address: Citywide
Recommendation of the Planning Commission: Approval

On September 14, 2023, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

LDC Chapter 17.07: Specific Development Standards: Residential Zones

Added Moderate Income Housing Density Bonuses in the MR-9, MR-12, MR-20 & MR-30 Zones.

LDC Chapter 17.08: Neighborhood Residential Uses

Added Micro Living Units as a land use type and updated reference of residential occupancy.

LDC Chapter 17.10: Specific Development Standards: District and Corridor Zones

Added Moderate Income Housing Density Bonuses in the TC-2 and Commercial Zones.

LDC Chapter 17.11: District and Corridor Uses

Added Micro Living Units as a land use type.

LDC Chapter 17.34: Residential Density and Height Bonus

Added Moderate Income Housing Density Bonus standards.

LDC Chapter 17.35: New – “Micro Living Units”

New Section for Micro Living Unit Housing.

LDC Chapter 17.62: Definitions

Updated the definition of Family, changed occupancy thresholds for a family to a family plus one unrelated individual, and changed occupancy from three unrelated individuals to four unrelated individuals.

Planning Commissioners vote (6-1):

Motion: J. Lucero

Second: J. Guth

Yea: K. Heare, R. Croshaw, D. Lewis, S. Doutre, J. Lucero, J. Guth

Abstain: none **Nay:** E. Peterson

Attachments

Ordinance #23-32

Staff Reports

Public Comments

PC Meeting Minutes

CITY OF LOGAN, UTAH
ORDINANCE NO. 23-32

**AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF
LOGAN CITY, UTAH**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH AS
FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.07 "Specific Development Standards: Residential Zones" are amended as attached hereto as Exhibit A.

SECTION 2: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.08 "Neighborhood Residential Uses" are amended as attached hereto as Exhibit B.

SECTION 3: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.10 "Specific Development Standards: District and Corridor Zones" are amended as attached hereto as Exhibit C.

SECTION 4: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.11 "District and Corridor Uses" are amended as attached hereto as Exhibit D.

SECTION 5: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.34 "Residential Density and Height Bonus" are amended as attached hereto as Exhibit E.

SECTION 6: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.35 "Micro Living Units" are amended as attached hereto as Exhibit F.

SECTION 7: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.62 "Definitions" are amended as attached hereto as Exhibit G.

SECTION 8: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL THIS ____ DAY OF _____, 2023.

AYES:

NAYS:

ABSENT:

Ernesto Lopez, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the _____ day of _____, 2023.

Ernesto Lopez, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

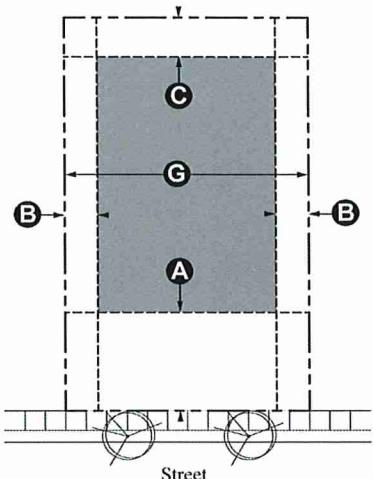
The foregoing ordinance is hereby _____ this _____ day of _____, 2023.

Holly H. Daines, Mayor

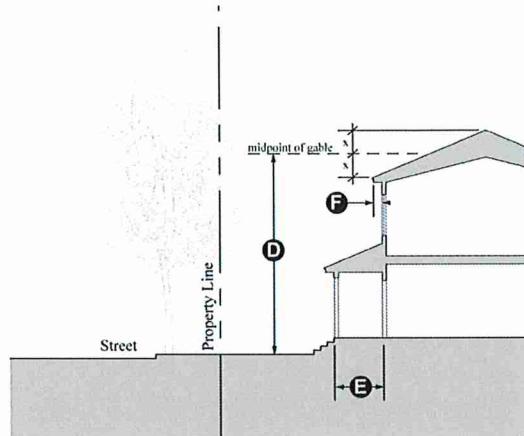
EXHIBIT A

§17.07.070 Mixed Residential Transitional (MR-9) Development Standards

The purpose of this zone is to promote a dense pattern of both detached and certain styles of attached housing on smaller lots suitable for all stages of life and levels of income. The goal is to encourage stable neighborhoods at a level of density and design that promotes a sense of community, accessibility to various services, and walkability. This zone will provide a transition between denser multi-family residential or commercial areas and established single family residential neighborhoods.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/Acre (max)	9
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MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Lot Size

Min. Lot Size for Single Family Detached House	4,000 sq ft ²
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Lot Coverage

Max. Lot Coverage	70%
% of Building Width at Front Setback	(min) 50%

Lot Width

⑥ Minimum Lot Width for Single Family Detached House	40'
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(Lot width average does not apply to flag lots and courtyard homes).

Building Setbacks

Ⓐ Front	15'
Corner	15'
Ⓑ Side	8'
Side – Common Wall	0'
Ⓒ Rear	10'
Canal (recognized top bank)	15'

(Canal setback may be waived with written permission from appropriate canal company).

Building Height (Maximum)

Ⓐ Primary Building	35'
Accessory Building	20'

Building Form

Ⓑ Covered Front Stoop/Porch (min. depth)	4'
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Transparency (Fenestration)

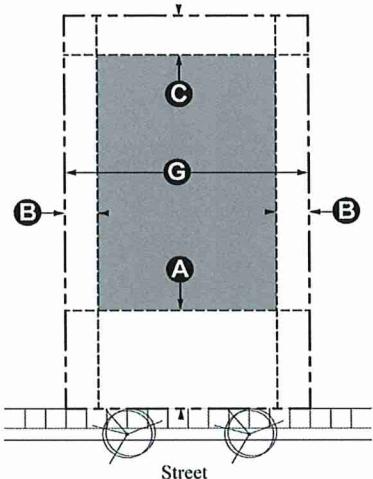
Multi-Family Front Façade Coverage	25%
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Landscaping & Outdoor Space

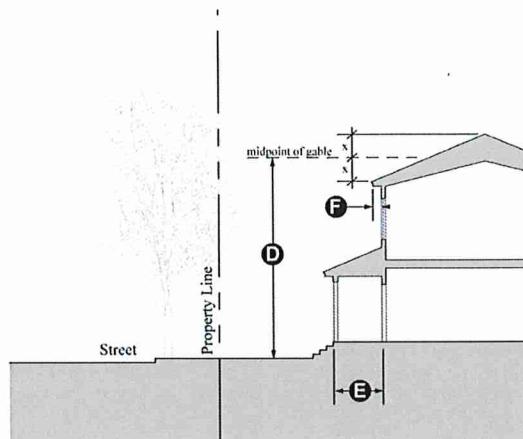
Landscaping	20%
Useable Outdoor Space	10%

§17.07.080 Mixed Residential Low (MR-12) Development Standards

The purpose of the Mixed Residential Low Zone is to provide a range of housing options for all stages of life and levels of income-including students, single adults, both young and mature families, and senior citizens. New developments will include a diversity of housing types to meet these needs. MR-12 areas are located near employment centers and service areas allowing residents to be within walking distance of many services and/or jobs, and where transportation choices are (or will be) available. This density functions as an appropriate transition between established residential areas and commercial centers or higher density complexes.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/Acre (max)	12
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MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Lot Size

Min. Lot Size for Single Family Detached House	4,000 sq ft ²
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Lot Coverage

Max. Lot Coverage	60%
% of Building Width at Front Setback	(min) 50%

Lot Width

⑥ Minimum Lot Width for Single Family Detached House	40'
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(Lot width average does not apply to flag lots and courtyard homes).

Building Setbacks (Minimum)

① Front	10'
Corner	10'
Front Opposite SFR	25'

② Side – Non-common Wall	8'
Side – Common Wall	0'
Side – Adjacent to NR Zone	25'

③ Rear	10'
Rear – Adjacent to NR Zone	25'

Parking Setbacks (Minimum)

Parking – Front	10'
<i>(setback measured from the longest portion of front wall plane of the primary structure)</i>	
Parking – Side/Rear	5'

Landscaping and Outdoor Space

Landscaping	20%
Useable Outdoor Space	10%

Building Form

Building Height Maximum

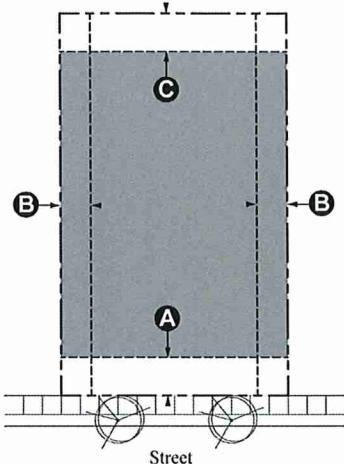
④ Building	35'
Accessory Building	20'
⑤ Front Stoop/Porch (min. depth)	4'-10"

Transparency (Fenestration)

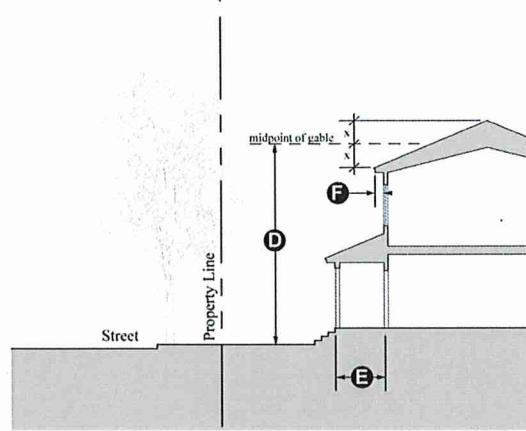
Multi-Family Front Façade Coverage	25%
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§17.07.090 Mixed Residential Medium (MR-20) Development Standards

The Mixed Residential Medium Zone provides a diversity and range of housing options for all stages of life and levels of income-including students, single adults, both young and mature families, and senior citizens. MR-20 areas are located near employment centers and service areas allowing residents to be within walking distance of many services and/or jobs, and where transportation choices are (or will be) available. Structures in this zone will include a mixture of housing types including a variety of townhouses, apartments and stacked housing developed at 20 dwelling units per acre



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/Acre (max) 20

MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Lot Coverage

Max. Lot Coverage 60%

% of Building Width at Front Setback (min) 60%

Building Setbacks (Minimum)

A Front	10'
Corner	10'
Front Opposite SFR	25'
B Side – Non-common Wall	8'
Side – Common Wall	0'
Side – Adjacent to NR Zone	25'
C Rear	10'
Rear – Adjacent to NR Zone	25'

Parking Setbacks (Minimum)

Parking - Front 10'
(setback measured from the longest portion of front wall plane of the primary structure)

Parking – Side/Rear

5'

Landscaping and Outdoor Space

Landscaping 20%

Useable Outdoor Space 10%

Building Form

Building Height Maximum

45'

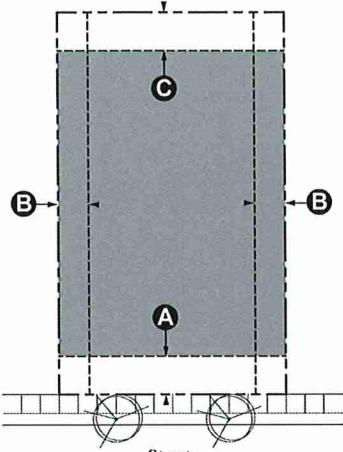
D Primary Building 4'-10'

Transparency (Fenestration)

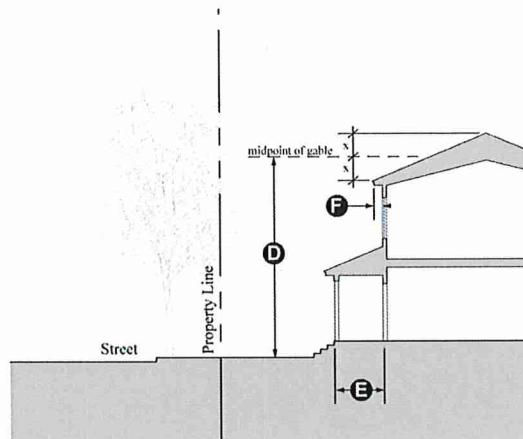
Multi-Family Front Façade Coverage 25%

§17.07.100 Mixed Residential High (MR-30) Development Standards

The Mixed Residential High Zone provides a diversity and range of housing options for all stages of life and levels of income including students, single adults, young and mature families, and senior citizens. Traditional design features such as building entrances that face the street, screened parking, street trees, usable open space, site amenities and parking terraces will be emphasized to ensure neighborhood compatibility and guarantee lasting community value. Structures in this zone should include a mixture of housing types including a variety of townhouses, apartments and stacked housing developed at 30 dwelling units per acre.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/Acre (max) 30

MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Lot Coverage

Max. Lot Coverage 60%
% of Building Width at Front Setback (min) 60%

Building Setbacks (Minimum)

A Front	10'
Corner	10'
Front Opposite SFR	25'
B Side – Non-common Wall	8'
Side – Common Wall	0'
Side – Adjacent to NR Zone	25'
C Rear	10'
Rear – Adjacent to NR Zone	25'

Parking Setbacks (Minimum)

Parking – Front 10'
(setback measured from the longest portion of front wall plane of the primary structure)

Parking – Side/Rear

5'

Landscaping and Outdoor Space

Landscaping 20%
Useable Outdoor Space 10%

Building Form

Building Heights Maximum

D Primary Building	55'
E Front Stoop/Porch (min. depth)	4'-10'
F Roof Overhang (min)	1'

Transparency (Fenestration)

Multi-Family Front Façade Coverage 25%

EXHIBIT B

17.08: Neighborhood Residential Zone Uses

§17.08.040 Neighborhood Residential Land Uses

The following regulations are intended to accommodate a variety of housing choices and neighborhood-oriented services. With the exception of the Manufactured Home (MH) district, Table 17.08.040 lists the land uses allowed in all neighborhood residential zones.

Table 17.08.040: Allowed Uses in Neighborhood Residential Zones

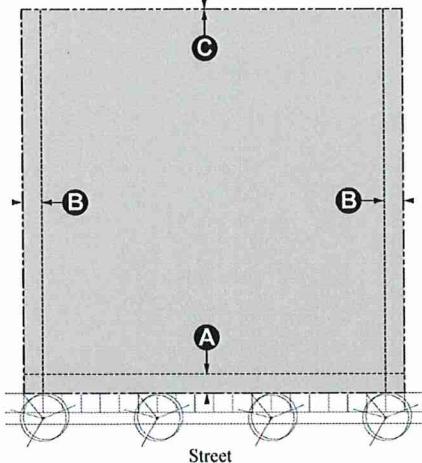
LAND USE	Neighborhood Zones									
	NR-2	NR-4	NR-6	MR-9	MR-12	MR-20	MR-30	CR-40	NC	RC
Residential Uses										
Assisted Living Center	N ¹	N ¹	N ¹	N ¹	P	P	P	N ¹	N ¹	N ¹
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	C	N	N
Nursing Home, Convalescent Home	N ¹	N ¹	N ¹	N ¹	P	P	P	N ¹	N ¹	N ¹
Residential Group Homes for individuals with disabilities	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹
Residential Group Homes (communal living exceeding occupancy limits)	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²
Residential Treatment Programs where care, training, or treatment is provided on site	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential occupancy of a dwelling unit <i>as per Chapter 17.62 by a family, or no more than three (3) individuals</i>	P	P	P	P	P	P	P	P	P	P
Residential occupancy of a dwelling unit by no more than six (6) individuals and not to exceed two (2) persons per bedroom	N	N	N	N	N	N	N	P	N	N
Accessory Dwelling Units (Internal) (See Ch.17.37 for Areas of Exclusion)	P	P	P	P	P	P	P	P	P	P
Short Term Rentals	C	C	C	C	C	C	C	C	C	C
<u>Micro Living Units</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>N</u>	<u>N</u>
Public/Institutional Uses										
Cemetery, Mausoleum	C	C	C	C	C	C	C	C	N	C
Clubs, Lodges, similar uses	N	N	N	N	C	C	C	C	N	N
Day Care/ Preschool (1-8 Clients)	P	P	P	P	P	P	P	P	N	C
Day Care/ Preschool (9-16 clients)	C	C	C	C	C	C	C	C	N	N
Day Care/ Preschool (Commercial) (17 or more clients)	N	N	N	N	N	N	N	C	N	N
Libraries, Museums, Community Centers	N	N	C	C	C	C	C	C	N	N
Parks, Neighborhood	P	P	P	P	P	P	P	P	N	P
Parks, Community/Regional	C	C	C	C	C	C	C	C	N	C
Public Safety Services (Police, Fire)	C	C	C	C	C	P	P	P	N	P
Religious Institutions	P	P	P	P	P	P	P	P	N	N
Schools, Public (K-12)	State law supersedes local zoning regulations.									

EXHIBIT C

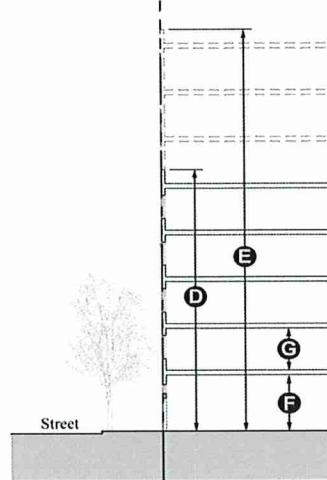
17.10: Specific Development Standards: District and Corridor Zones

17.10.060: Town Center 1 (TC-1) Development Standards

The Town Center 1 Zoning District (TC-1) is established to encourage a mix of retail, office, commercial, entertainment, residential, and civic uses within a compact, walkable urban form focused along Main Street or Fourth North, and consistent with The Downtown Logan Specific Plan. The TC-1 zone is distinguished from the TC-2 zone in terms of scale, use and intensity of new development along Main Street and Fourth North, and is considered the inner core of downtown Logan.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/acre (max) 70

Density Bonuses as per Chapter 17.34**Lot Coverage (Maximum)**

Lot coverage 100%

Building Frontage (Minimum)

Main Street - % at Front Setback 75%

Fourth North - % at Front Setback 75%

Other Streets - % at Front Setback 50%

Ground Floor Commercial Required

At least 75% of all buildings fronting either Main Street or Fourth North shall contain street-facing commercial space on the ground floor with a minimum depth of 50'. Stand-alone and ground floor residential development is prohibited on all buildings fronting either Main Street or Fourth North.

Commercial Building Setbacks

A Front (min-max) 0'-5'

B Side (min) 0'

C Rear (min) 5'

Residential Building Setbacks

A Front (min) 0'-10'

B Side (min) 8'

Side Common Wall 0'

C Rear (min) 10'

Note: The maximum setback applies unless the Review Authority finds that a reduction within the specified range results in a better design due to design

flexibility, building placement, or compatibility with adjoining structures.

Building Heights (Maximum)

E Maximum Building Height along any street frontage is 55' with a step up to 80' using a height transition standard equal to 1' vertical for 2' horizontal

Building Height Bonus as per Chapter 17.34 permits an additional 24' of building height.

Building Heights (Minimum)

E Minimum Building Height along any street frontage is 27.5'.

Building Stories (Minimum)

In addition to meeting the minimum building height prescribed above, all buildings shall be constructed with at least two stories.

Ground Floor Height (Minimum)

F Commercial/Mixed Use Ground Floor Height 12'

Height/Setback Transitions

Projects adjacent to a NR Zone shall comply with the height & setback transition standards in Section 17.12.040.

Commercial Transparency (Fenestration)

Ground Floor Frontage (min) 60%

Ground Floor Non-frontage (min) 40%

Upper Floors Frontage (min) 30%

Upper Floors Non-frontage (min) 20%

Residential All Floors (min) 20%

17.10: Specific Development Standards: District and Corridor Zones

Building Design

Four sided architecture is Mandatory. The front, back and side building elevations, regardless of the building's internal functional elements, shall have a consistent architectural design with architectural elements, colors, materials, and fenestration applied uniformly on all building facades. This requirement may be waived for portions of a building abutting an existing building, alleyway, or some other unique feature.

All building frontages shall have a pedestrian entry directly facing and accessible to the street.

Unless integrated into the structural and architectural design of a building, architectural features such as covered walkways, porticos, colonnades, patio covers, or other similar features are only considered accessory to the main building and are not included in the required lot coverage or lot frontage calculations.

Site Design

No drive-thru lanes or drive up windows are permitted. No outside storage is permitted.

Parking

Location	Side/Rear
Front Parking Setback	10'
Side/Rear Parking Setback	5'

Residential Parking Requirements:

Studio/One Bedroom Units – 1.5 parking stalls/unit

Two Bedroom or larger Units – 2 parking stalls/unit

Visitor Parking – 1 parking stall/10 units

Commercial Parking Requirements: Minimum number of stalls based on use type

Commercial Parking Requirement Reductions:

The Commission may authorize up to a 50% reduction in the minimum parking requirements if:

1. The range of proposed uses are from the Sales & Service Use Category in Table 17.11.030;
2. The project/site fronts either Main Street or Fourth North; and
3. The applicant has submitted an Alternative Parking Plan as per Chapter 17.31.

The Commission may authorize up to a 100% reduction in the minimum parking requirements if:

1. The range of proposed uses are from the Sales & Service Use Category in Table 17.11.030;
2. The project/site fronts either Main Street or Fourth North;
3. The applicant has submitted an Alternative Parking Plan as per Chapter 17.31;
4. At least 50% of the project site is covered with building (Minimum 50% Lot Coverage); and
5. The project designates at least 25% of the site as Useable Outdoor Space that is integrated into the overall project design that provides functional public gathering areas, e.g., plazas, parks, public squares, courtyards, or any other area that provides outdoor seating, is visually prominent and is easily accessible to both business users and the general public.

Any subsequent change in use outside the "Sales & Service" Use Category will trigger compliance with minimum parking requirements in Chapter 17.31.

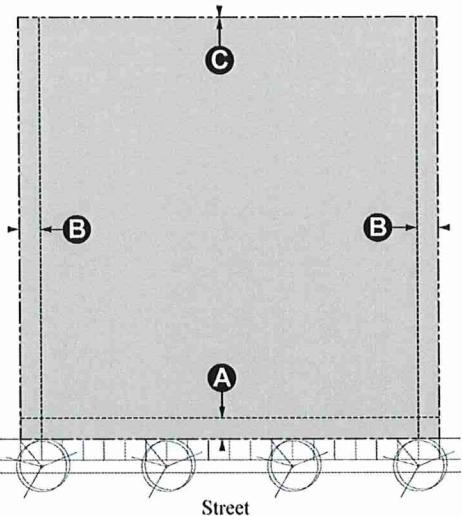
Landscaping and Outdoor Space

Landscaping/Useable Outdoor Space Not required

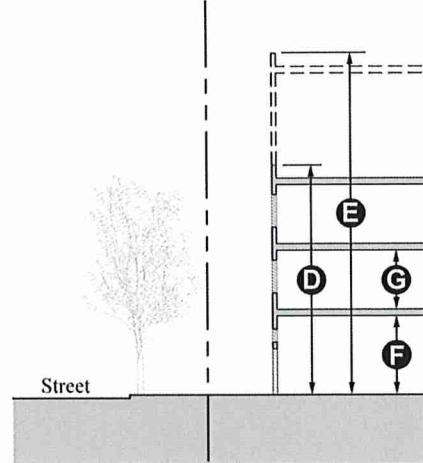
17.10: Specific Development Standards: District and Corridor Zones

17.10.070: Town Center 2 (TC-2) Development Standards

The Town Center 2 Zoning District (TC-2) is established to encourage dense residential development in the downtown area within a compact, walkable urban form. A mixture of uses is encouraged but not required. Ground floor commercial is not required. The TC-2 Zone is distinguished from the TC-1 Zone in terms of the scale, use and intensity of new development in the blocks immediately West or East of Main Street and is considered the outer core of downtown Logan.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/acre (max)	30
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MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Lot Coverage (Maximum)

Lot Coverage	80%
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Building Frontage (Minimum)

% at Front Setback	50%
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Commercial Building Setbacks

A Front (min-max)	0'-10'
B Side (min)	0'-8'
Side Common Wall	0'
C Rear (min)	5'

Residential Building Setbacks

A Front (min)	0'-10'
B Side (min)	8'
Side Common Wall	0'
C Rear (min)	10'

Note: The maximum setback applies unless the Review Authority finds that a reduction within the specified range results in a better design due to design flexibility, building placement, or compatibility with adjoining structures.

Building Heights (Maximum)

E Maximum Building Height	45'
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Height/Setback Transitions

Projects adjacent to a NR Zone shall comply with the height & setback transition standards in Section 17.12.040.

Commercial Transparency (Fenestration)

Ground Floor Frontage (min)	60%
Ground Floor (exposed sides)	30%
Upper Floors (frontage)	20%
Residential All Floors (min)	20%

Residential Design Standards

Residential projects shall comply with the residential design standards in Chapter 17.09.

Parking

Location	Side/Rear
Front Parking Setback	10'
Side/Rear Parking Setback	5'

Residential Parking Requirements:

Studio/One Bedroom Units – 1.5 parking stalls/unit

Two Bedroom or larger Units – 2 parking stalls/unit

Visitor Parking – 1 parking stall/10 units

Commercial Parking Requirements: Minimum number of stalls based on use type.

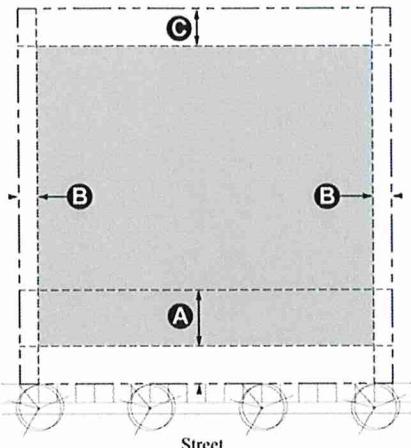
Landscaping and Outdoor Space

Landscaping	10%
Useable Outdoor Space	10%

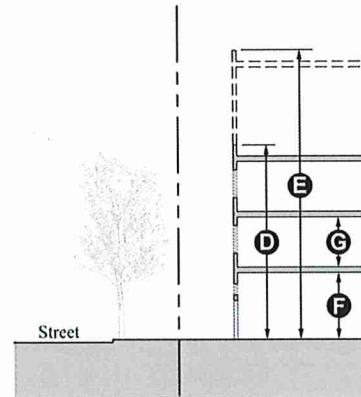
17.10: Specific Development Standards: District and Corridor Zones

17.10.080: Commercial (COM) Development Standards

The Commercial Zoning District (COM) is intended for retail, service, and hospitality businesses that serve city-wide or regional populations. Commercial uses are located on high capacity roads and are served by mass transit. Residential development is encouraged in the Commercial zone when it is designed as an integral part of a larger project involving a mixture of both commercial and residential uses in a vertical use type of project. Free standing residential development is not permitted in the Commercial Zone.



Site Plan Diagram



Site Plan Diagram

Residential Density

Units/acre (max) 30

MIH/Affordable Housing Density Bonus

MIH/Affordable Housing Density Bonus as per Chapter 17.34

Residential Development & Residential Uses

Residential units in the Commercial Zone are only permitted in vertical mixed-use projects and are prohibited on the ground floor. Accessory residential uses including, but not limited to, lobby, mail room, mechanical, storage, bike areas, lounge, fitness area, pool, sauna, etc., shall not comprise more than 20% of the building footprint on the ground floor.

Commercial Uses Ground Floor**Area – Mixed Use Project**

In a mixed-use project that includes residential uses, no less than 80% of the building footprint on the ground floor shall be devoted to commercial uses within a finished commercial space. Enclosed parking on the ground floor of the structure is not permitted to be included in the 80% commercial threshold.

Lot Coverage (Maximum)

Lot Coverage 60%

Building Frontage (Minimum)

% at Front Setback 50%

Building Setbacks (Minimum)

Ⓐ Front (Bld. Height 0' – 40') 10'

Ⓐ Front (Bld. Height 41' – 55') 40'

Ⓑ Side	8'
Side Common Wall	0'
Ⓒ Rear	10'

Building Heights (Maximum)

Ⓔ Building Height* 40'

*The Maximum building height along a street frontage may be increased up to 55' with an increased front yard setback of 40' or by stepping the building up in height from 40' using a height transition ratio of 2' horizontal/1' vertical.

Ground Floor Height (Minimum)

Ⓕ Ground floor height 12'

Height/Setback Transitions

Projects adjacent to a NR Zone shall comply with the height & setback transition standards in Section 17.12.040.

Transparency (Fenestration)

Ground Floor (frontage)	30%
Ground Floor (exposed sides)	30%
Upper Floors (frontage)	20%

Residential Design Standards

Residential projects shall comply with the residential design standards in Chapter 17.09.

Parking

Location	Side/Rear
Front Parking Setback*	10'
Side/Rear Parking Setback	5'

*The Planning Commission may authorize the placement of up to 50% of the required parking stalls in the front of a building with a Conditional Use Permit (CUP) if findings can be made demonstrating the proposed site layout is compatible with adjoining

17.10: Specific Development Standards: District and Corridor Zones

properties, is consistent with surrounding land use and development patterns, provides enhanced pedestrian functionality and walkability in relationship to the adjoining street, will not compromise future projects or design, and includes substantial landscaping adjacent to the parking areas.

Commercial Parking Requirements: Minimum number of stalls based on use type.

Residential Parking Requirements:

Studio/One Bedroom Units – 1.5 parking stalls/unit

Two Bedroom or larger Units – 2 parking stalls/unit

Landscaping and Outdoor Space

Landscaping	10%
Useable Outdoor Space	10%

EXHIBIT D

Table 17.11.030: Allowed Uses in District and Corridor Zones

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Residential Uses									
Assisted Living Center	N	C	C	C	C	N	N	N	N
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	N	N
Nursing Home, Convalescent Home	N	C	C	C	C	N	N	N	N
One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	N	N	N	N	N	N	C	C	N
Residential Group Homes (communal living exceeding occupancy limits).	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential Group Homes for individuals with disabilities.	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals.	P	P	P	P	P	N	N	N	N
Residential Treatment Programs where care, training, or treatment IS provided on site.	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Short Term Rental	P	P	P	P	P	P	N	N	N
Micro Living Units	P	P	P	P	N	N	N	N	N

EXHIBIT E

Chapter 17.34: Residential Density and Height Bonuses

§17.34.010. Purpose and Intent

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center and the Mixed Use zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter for the Town Center Zone is to encourage and incentivize higher quality building design utilizing traditional building materials and historic elements that complement the character of the existing neighborhoods. The intent of this Chapter for the Mixed Use zone is to encourage and incentivize innovative site and building design that emphasizes compact, vertical arranged mixture of compatible uses arranged around creative open areas interwoven with pedestrian connections linking new neighborhoods with existing neighborhoods. The intent of this Chapter for other applicable zones is to use density bonuses to encourage the construction of Moderate Income Housing as a component of a residential or mixed use project.

§17.34.020. Applicability

Residential density and/or height bonuses apply in the Town Center (TC-1) and Mixed Use (MU) zones only. Residential density bonuses for Moderate Income Housing apply in the Town Center 2 (TC-2), Commercial (COM), Mixed Use (MU), Mixed Residential Transitional (MR-9), Mixed Residential Low (MR-12), Mixed Residential Medium (MR-20), and Mixed Residential High (MR-30).

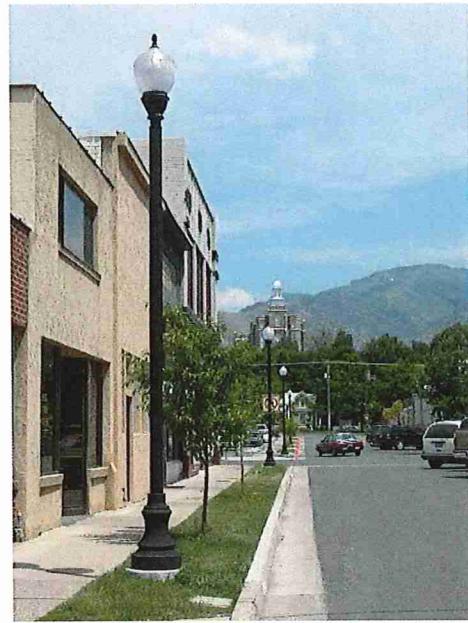
§17.34.030. General Requirements, Limitations and Eligibility for Residential Density and Height Bonuses in the Town Center Zone

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.

17.34: Residential Density and Height Bonuses

F. The use of traditional building materials refers to the design and construction of a new building utilizing traditional building materials commonly found on commercial buildings in downtown Logan, including brick, stone, wood, tile, or metal. Certain building materials that are not common to downtown Logan include stucco, large glass panels, composites, plastics, vinyl's, etc., and would not be appropriate building materials to be used when seeking a density or height bonus for the use of traditional materials.

G. The integration of historic design characteristics into the design of a new building refers to the utilization of a number of important historic design elements and characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, reveals, and projections that are commonly found on buildings in downtown Logan. New building designs not incorporating these design elements and characteristics would not be eligible for either a density or a height bonus.



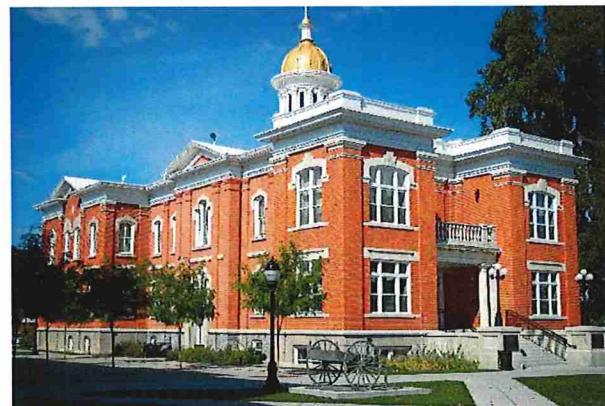
This building façade with its extensive use of stucco and lack of historic design elements are not in character with the traditional building design found in downtown Logan

§17.34.040. Specific Standards for Density & Height Bonuses in the Town Center Zone

A project may request a residential density or building height bonus by utilizing one of the bonus paths outlined below. Table 17.37.040.A lists the maximum density bonuses and building height bonuses based on the selected path. A project may qualify for both a density bonus and a height bonus. Density bonuses are cumulative meaning a project could qualify for both a density bonus based on superior design and a density bonus for structured parking. The Height bonuses are not cumulative.

A. Residential Density Bonus.

1. Building Design. The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to fifteen (15) additional units per acre shall be given where a project demonstrates a superior building design through the use and integration of traditional



Historic Cache County Courthouse exhibits traditional building materials and design elements common to downtown Logan

17.34: Residential Density and Height Bonuses

building materials and design elements.

2. Structured Parking. A residential density bonus of up to thirty (30) additional units per acre shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.

B. Building Height Bonus.

1. Building Design. The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A height bonus of up to twelve (12) feet shall be given where a project demonstrates a superior building design through the use and integration of traditional building materials and design elements.
2. Structured Parking. A height bonus of up to twenty-four (24) feet shall be given where the project design includes structured parking for at least 75% of the minimum parking.

Table 17.34.040.A: Maximum Residential Densities (Dwelling Units Per Acre) and Maximum Building Height

Zone	Standard Maximum Density	Density Bonus	Maximum Density w/Bonus	Standard Maximum Height	Height Bonus	Maximum Height w/Bonus
Town Center (TC-1)	70 du/acre		du/acre	55' - 80'		
Superior Design	70	15	85	55' - 80'	12'	55' - 92'
Structured Parking	70	30	100	55' - 80'	24'	55' - 104'
Superior Design & Structure Parking	70	45	115	55' - 80'	24'	55' - 104'

Note: The density bonus is cumulative while the height bonus is not. A project may be eligible for up to a maximum of 115 dwelling units per acre if the City finds that the project is of a superior design and provides structured parking for at least 75% of the units. The same project would only be eligible for a maximum height bonus of 24'.

§17.34.050. General Requirements, Limitations and Eligibility for Residential Density Bonuses in the Mixed Use Zone

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by

17.34: Residential Density and Height Bonuses

the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.

- F. Density bonuses are cumulative in that a proponent could propose to incorporate multiple bonus elements into the project design in order to qualify for a density bonus provided the total density bonus does not exceed 30 additional units per acre.
- G. Partial density bonuses can be granted based on the type and amount of the proposed bonus elements being undertaken. For example, a project that includes a parking terrace sized to accommodate 25% of the required parking stalls, could qualify for an additional 10 residential units per acre.

§17.34.060. Specific Standards for Density Bonuses in the Mixed Use Zone

A project may request a residential density bonus by utilizing one or more of the project enhancements listed below.

- A. Residential Density Bonus.
 - 1. Structured Parking. A residential density bonus of up to 20 additional units per acre may be given if the project design includes a parking structure for at least 50% of the required parking stalls. Structured parking excludes individual garages, carports, or other similar structures.
 - 2. Useable Outdoor Space. A residential density bonus of up to 20 additional units per acre may be granted if the required amount of useable outdoor space is increased by at least 150% and is provided as public gathering areas and/or useable outdoor space. Public Gathering Areas are generally defined as shared public spaces where people can comfortably congregate and socialize and include plazas, parks, public squares, sidewalks in front of small businesses, courtyards with seating, or any other area that provides outdoor seating (chairs or benches), are visually prominent, and are easily accessible.
 - 3. Vertical Mixed Use. A residential density bonus of up to 15 additional units per acre may be granted if all buildings fronting onto a public street regardless of street classification have street facing commercial space on at least 50% of the ground floor and residential uses above. This density bonus provision is not applicable to buildings fronting onto either an Arterial or Collector street and already required to include ground floor commercial pursuant to Section 17.10.100.
 - 4. Complete Streets. A residential density bonus of up to 15 additional units per acre may be granted if the project incorporates a “Complete Streets” design approach into the overall project (See Figure 17.34.060.A). The goal of Complete Streets is to ensure that the safety, accessibility, and convenience of all transportation users, pedestrians, bicyclists, bus/transit riders, and motorists, is accommodated. The characteristics of a Complete Street include wider sidewalks, narrow travel lanes, bike lanes, crosswalks, refuge medians, bus pullouts, bulb-outs, strategic on-street parking, lower speeds, functional street furniture, additional landscaping, and any other element that increases safety and enhances the environment for those who walk and bike.
 - 5. Additional Commercial Areas. A residential density bonus of up to 15 units/acre may be granted if the minimum amount of required commercial space is increased by 100%.
 - 6. **Moderate Income Housing/Affordable Housing Units.** On project sites larger than three acres, a residential density bonus of up to 5 additional units per acre may be granted if at least 5% of the total residential units are designated as affordable units (serving residents who are at or below the 80% AMI income threshold).

§17.34.070. General Requirements, Limitations and Eligibility for Moderate Income**Housing/Affordable Housing Residential Density Bonuses**

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the applicable height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems, features, or affordable units developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. Moderate Income Housing/Affordable Housing Units. On project sites larger than three acres, the total residential density may be increased by up to 25% if at least 5% of the total residential units are designated and deed restricted as affordable units (serving residents who are at or below the 50% AMI income threshold).

§17.34.070080. Failure to Comply

Failure to comply with any bonus requirements, covenants and/or conditions of approval shall result in a restriction of the use of bonuses granted, until compliance is achieved.

Figure 17.34.060.A: Illustration of a Complete Street vs Traditional Street layout

EXHIBIT F

Chapter 17.35: Micro Living Units

§17.35.010. Purpose and Intent

The purpose of these regulations is to allow the development of reduced size dwelling units, defined as Micro Living Units (Micro Units), to provide additional affordable housing opportunities near employment or commercial centers, and within close proximity to transit service or functional bike/pedestrian facilities.

§17.35.020. Applicability

New micro units are permitted in the Mixed Residential Medium (MR-20), Mixed Residential High (MR-30), Town Center 1 (TC-1), Town Center 2 (TC-2), Commercial (COM), and Mixed Use (MU) zoning districts subject to the location requirements listing in this Chapter.

§17.35.030. Location Requirements

Micro units shall be located within a 1/4 mile of Main Street or a business/institution employing more than 100 individuals, and shall be located within 1/4 mile of a CVTD transit stop or an identified bike/pedestrian route.

§17.35.040. Market Rate versus Low Income Rates

At least 25% of the micro units shall be available for people at or below 30% of the Area Median Income (AMI) and no more than 25% of the micro units shall be market rate. A deed restriction will be required as part of the project approval.

§17.35.050. Conversion of Existing Buildings to Micro Living Units

- A. Existing, underutilized hotels, motels, travel lodges, multi-family residential buildings, or general commercial buildings may be converted to micro units in the Town Center (TC-2), Commercial (COM), and Mixed Use (MU) zoning districts.
- B. Micro unit housing developments created through a conversion project are subject to the underlying zoning district requirements, except for the maximum density provisions listed elsewhere in this Chapter.
- C. Minimum vertical mixed use or commercial square footage requirements in the underlying zone are not applicable to micro unit housing projects created through a conversion project.
- D. The conversion of existing single family residential structures to micro unit housing is prohibited.

§17.35.060. Minimum Development Standards

- A. Occupancy. Each micro unit shall be designed to accommodate a maximum of two (2) persons.
- B. The minimum area of a micro unit shall be no less than 150 square feet, excluding closet and bathroom, while the maximum area is limited 400 square feet.
- C. The minimum width of a micro unit shall be 12 feet.
- D. All micro units are required to have a full bathroom, cooking facilities, and separate closet space.
- E. Transient occupancy of a micro unit is prohibited.

§17.35.070. Micro Unit Density Equivalents

Two micro units are equivalent to one dwelling unit in the underlying zoning district. If the underlying zoning has a maximum density of 20 units per acre, the maximum number of

micro units is 40 per acre. Micro unit housing projects are not eligible for any of the density bonus programs listed elsewhere in this Title.

§17.35.080. Common Indoor Facilities

- A. Micro unit housing projects shall have at least two hundred square feet of common indoor open space per ten units. Maintenance areas, laundry facilities, storage (including enclosed bicycle storage), and common hallways shall not be included as usable indoor common space.
- B. Common indoor open spaces shall be designed to accommodate appropriate furnishings such as lounge chairs, couches, tables with chairs, writing desks, televisions, and recreational amenities, and shall be furnished for use by residents.
- C. Laundry facilities shall be provided on-site and in a separate room at a rate of one washer/dryer per 10 units.
- D. All micro units shall have access to a separate usable storage space within the project boundaries.

§17.35.090. Vehicle and Bike Parking & Storage

The minimum parking requirement for a micro unit housing development is .75 stalls per unit. One covered and locking bicycle storage space shall be provided for each unit.

§17.35.100. Management

Twenty four hour on site management shall be provided for micro unit housing projects with twenty (20) or more units and shall include a dwelling unit designated for the manager.

EXHIBIT G

Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

"Micro Living Units" means multi-family residential dwelling units reduced in size that provides affordable housing opportunities for all income ranges, and is typically located near employment or commercial centers within close proximity to transit or function bike/pedestrian facilities. As applied in the Land Development Code, "Micro Living Units" applies to these types of units constructed in a multi-family development and excludes ADU's, tiny homes, or other similar freestanding, reduced size living units.

"Occupancy Limits, Residential" means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter *and* not more than one (1) additional person; or
- B. No more than four (4) individuals.

Added new definition of Family (per 8/10/23 PC):

"Family" means persons related by blood, adoption, marriage, legal guardianship, or similar legal relationship, or two unrelated persons and their children, living and cooking together as a single housekeeping unit.

Existing Utah Municipal Code

Effective 5/5/2021

10-9a-505.5. Limit on single family designation.

- (1) As used in this section, "single-family limit" means the number of individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.
- (2) A municipality may not adopt a single-family limit that is less than:
 - (a) three, if the municipality has within its boundary:
 - (i) a state university; or
 - (ii) a private university with a student population of at least 20,000; or
 - (b) four, for each other municipality.



**Project #23-048
Moderate Income Housing Provisions
Land Development Code Amendment**

REPORT SUMMARY...

Project Name: Moderate Income Housing Provisions
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: **September 14, 2023 (Updated from 8/10/23)**
Submitted By: Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.07, 17.10, 17.34, 17.35 & 17.62 of the Land Development Code.

The requested LDC changes from 8/10/23 are discussed below.

REQUEST

This is a proposal to amend the Land Development Code to provide more opportunities and incentives for Moderate Income Housing by adding density bonuses for affordable housing in certain zones, allowing efficiency living units, and increasing the maximum occupancy rates for residential dwelling units.

SUMMARY OF PROPOSAL

Logan City adopted a new Moderate Income Housing (MIH) Plan on November 15, 2022 in response to House Bill (HB) 462 which was passed by the State Legislature during the 2022 State legislative session. HB 462 amended UCA 10-9a-403 requiring all local governments provide for moderate income housing in their communities by implementing a certain number of housing strategies from a specific list generated by the State. Each year, the City is required to work towards meeting specific strategies for increasing the supply of moderate income housing and then report that progress annually to the State. Failing to adopt a MIH Plan, make any progress in addressing the lack of affordable housing, or reporting to the State will result in a loss of significant transportation funding to the community.

One of the goals of the City's 2022 MIH Plan is to evaluate or consider changes to the City's Land Development Code that could be implemented to encourage more Moderate Income Housing and which is identified as Goal 5 in the Plan. Goal 5 includes four specific objectives that reflect a number of State identified strategies from which we were required to choose from and implement. This specific LDC amendment target Objectives 2 – 4 while Objective 1 (Residential Parking) will be addressed in 2024 through a separate evaluation & process.

Goal 5: Evaluate the City's Land Development Code to determine if there are short term regulatory changes that the City could make to encourage more Moderate Income Housing
Objective 1: Evaluate parking requirements for residential uses, including MIH uses
Objective 2: Evaluate a MIH density bonus provision in all Mixed Use, Commercial and Town Center Zones

Objective 3: Evaluate the City's current occupancy limitations to determine whether a permit system for increasing the occupancy limit for residential units could be increased from three to four, and under what circumstances

Objective 4: Evaluate single room occupancy development standards

State Strategies being addressed:

- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities; (Related)
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;
- (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;

Density Bonuses for Moderate Income Housing (Objective 2)

Amend LDC Chapters 17.34, 17.07, & 17.10 to include a density bonus for Moderate Income Housing in the MR-9, MR-12, MR-20, MR-30, TC-1, TC-2, and Commercial (COM) zones. Chapter 17.34 provides the standards for when a density bonuses is available while 17.08 & 17.10 are language changes in the individual zoning designation spec sheets referencing a potential density bonus for MIH. The density bonus is only available for projects with a minimum size of three (3) acres and is limited to the multi-family zones or mixed use zones.

§17.34.070. General Requirements, Limitations and Eligibility for Moderate Income Housing/Affordable Housing Residential Density Bonuses

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the applicable height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems, features, or affordable units developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. Moderate Income Housing/Affordable Housing Units. On project sites larger than three acres, the total residential density may be increased by up to 25% if at least 5% of the

total residential units are designated and deed restricted as affordable units (serving residents who are at or below the 80% AMI income threshold).

Micro Living Unit Housing (Objective 4)

Amend LDC 17.35 to include provisions for Micro Living Unit Housing in the MR-20, MR-30, TC-1, TC-2, Commercial and Mixed Use Zones. Micro Living Units are smaller living units by design in order to provide affordable residential space for lower income residents. There is not a standard size; rather, the specific size of an MLU is determined by the jurisdiction where they are proposed for use, but should generally be approximately 50% of a "typical" apartment size. We are proposing a range of 150 square feet – 400 square feet in order to accommodate the conversion of an older hotel/motel with typically smaller rooms to an MLU or new construction that may go larger with studio & 1 bedroom units. We have also restricted these to be located near a high traffic volume corridor (Main Street) with access to transit, or near large employers and access to transit. The goal is that this type of housing will be targeted toward a wider range of residents across a broad economic spectrum with close proximity to employment and transit opportunities and is limited to the higher density zones.

Summary of Changes from 8/10/23:

Changed title from Efficiency Living Units to Micro Living Units. Changed the language in 17.35.040 & 17.62 regarding composition of income ranges represented in these types of projects. Removed TC-1 from 17.35.050 (Conversion of Existing Buildings to MLU's).

The proposed LDC 17.35 language is attached.

Increase the Maximum Residential Occupancy Standard (Objective 3)

The proposal is to increase the maximum residential occupancy for a residential dwelling unit from three (3) to four (4) individuals, and allow for a "family" to have one (1) additional person in the household (renter, boy/girlfriend, etc.). The current occupancy limitations for residential occupancy is either three (3) individuals or one (1) family may occupy a residential unit. This is based on Utah Municipal Code 10-9a-505.5 which allows a municipality, with a state university within its boundary, to limit individual occupancy to three (3) rather than four (4) for other municipalities throughout the State. The number of occupants constituting a family is not limited provided those family members meet the definition of Family.

Summary of Changes from 8/10/23:

Updated the definition of "Family" in LDC 17.62 as shown below:

Proposed

"Family" means persons related by blood, adoption, marriage, legal guardianship, or similar legal relationship, or two unrelated persons and their children, living and cooking together as a single housekeeping unit.

Existing

"Family" means persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage.

Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.

We originally planned to link an increase in occupancy to some type of permit system that required additional bedrooms, parking, etc., but realized an approach tying housing with bedroom counts, dwelling size, parking stalls, etc., could violate fair housing requirements, so we dropped it. Parking concerns will be managed through current methods of enforcement and permitting. The proposed language is as follows:

“Occupancy Limits, Residential” means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter and not more than one (1) additional person; or
- B. No more than four (4) individuals.

All of these three elements could contribute more affordable housing in a relatively quick manner. While not without issues or controversy, increasing the occupancy allowance is the quickest and easiest way to “legally” get more people into housing, while the other two approaches would be implemented over time with new projects.

STAFF RECOMMENDATION AND SUMMARY

As described above, the purpose of these proposed amendments are to encourage the availability of additional Moderate Income Housing options consistent with the City’s adopted MIH plan.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes relative to Moderate Income Housing would encourage the provision of additional, affordable housing for Logan residents. Well thought out and well executed projects will have minimal impacts to existing neighborhoods and will continue to implement the vision of, and are consistent with, the General Plan.

PUBLIC COMMENTS

We sent this information out to the chairperson for each of the Neighborhood and sent it out to the neighborhood email distribution maintained by the City that residents can sign up for. Comments that have been received are included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 7/1/23, posted on the City’s website and the Utah Public Meeting website on 7/3/23, and noticed in a quarter page ad on 6/29/23.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.

4. The proposed Code Amendments are consistent with the Logan City Moderate Income Housing Plan and further efforts to provide additional moderate income housing opportunities for Logan residents.
5. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



**Project #23-048
Moderate Income Housing Provisions
Land Development Code Amendment**

REPORT SUMMARY...

Project Name: Moderate Income Housing Provisions
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: **August 10, 2023**
Submitted By: Mike DeSimone, Director

RECOMMENDATION

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SUMMARY OF PROPOSAL

Logan City adopted a new Moderate Income Housing (MIH) Plan on November 15, 2022 in response to House Bill (HB) 462 which was passed by the State Legislature during the 2022 State legislative session. HB 462 amended UCA 10-9a-403 requiring all local governments provide for moderate income housing in their communities by implementing a certain number of housing strategies from a specific list generated by the State. Each year, the City is required to work towards meeting specific strategies for increasing the supply of moderate income housing and then report that progress annually to the State. Failing to adopt a MIH Plan, make any progress in addressing the lack of affordable housing, or reporting to the State will result in a loss of significant transportation funding to the community.

One of the goals of the City's 2022 MIH Plan is to evaluate or consider changes to the City's Land Development Code that could be implemented to encourage more Moderate Income Housing and which is identified as Goal 5 in the Plan. Goal 5 includes four specific objectives that reflect a number of State identified strategies from which we were required to choose from and implement. This specific LDC amendment target Objectives 2 – 4 while Objective 1 (Residential Parking) will be addressed in 2024 through a separate evaluation & process.

Goal 5: Evaluate the City's Land Development Code to determine if there are short term regulatory changes that the City could make to encourage more Moderate Income Housing
Objective 1: Evaluate parking requirements for residential uses, including MIH uses
Objective 2: Evaluate a MIH density bonus provision in all Mixed Use, Commercial and Town Center Zones
Objective 3: Evaluate the City's current occupancy limitations to determine whether a permit system for increasing the occupancy limit for residential units could be increased from three to four, and

under what circumstances

Objective 4: Evaluate single room occupancy development standards

State Strategies being addressed:

- (H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities; (Related)
- (I) amend land use regulations to allow for single room occupancy developments;
- (J) implement zoning incentives for moderate income units in new developments;
- (W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;
- (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing;

Density Bonuses for Moderate Income Housing (Objective 2)

Amend LDC Chapters 17.34, 17.07, & 17.10 to include a density bonus for Moderate Income Housing in the MR-9, MR-12, MR-20, MR-30, TC-1, TC-2, and Commercial (COM) zones. Chapter 17.34 provides the standards for when a density bonuses is available while 17.08 & 17.10 are language changes in the individual zoning designation spec sheets referencing a potential density bonus for MIH. The density bonus is only available for projects with a minimum size of three (3) acres and is limited to the multi-family zones or mixed use zones.

§17.34.070. General Requirements, Limitations and Eligibility for Moderate Income Housing/Affordable Housing Residential Density Bonuses

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the applicable height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems, features, or affordable units developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. Moderate Income Housing/Affordable Housing Units. On project sites larger than three acres, the total residential density may be increased by up to 25% if at least 5% of the total residential units are designated and deed restricted as affordable units (serving residents who are at or below the 80% AMI income threshold).

Efficiency Living Unit Housing (Objective 4)

Amend LDC 17.35 to include provisions for Efficiency Living Unit Housing in the MR-20, MR-30, TC-1, TC-2, Commercial and Mixed Use Zones. Efficiency Living Units are smaller living units by design in order to provide affordable residential space for lower income residents. There is not a standard size; rather, the specific size of an ELU is determined by the jurisdiction where they are proposed for use, but should generally be approximately 50% of a "typical" apartment size. We are proposing a range of 150 square feet – 400 square feet in order to accommodate the conversion of an older hotel/motel with typically smaller rooms to an ELU or new construction that may go larger with studio & 1 bedroom units. We have also restricted these to be located near a high traffic volume corridor (Main Street) with access to transit and employment, or near large employers and access to transit. The goal is that this type of housing will be targeted toward a wider range of residents across a broad economic spectrum with close proximity to employment and transit opportunities and is limited to the higher density zones.

The proposed LDC 17.35 language is as follows:

Chapter 17.35: Efficiency Living Unit Housing

§17.35.010. Purpose and Intent

The purpose of these regulations is to allow the development of reduced size dwelling units, defined as Efficiency Living Unit (ELU) Housing, to provide additional affordable housing opportunities near employment or commercial centers, and within close proximity to transit service or functional bike/pedestrian facilities.

§17.35.020. Applicability

New efficiency living units are permitted in the Mixed Residential Medium (MR-20), Mixed Residential High (MR-30), Town Center 1 (TC-1), Town Center 2 (TC-2), Commercial (COM), and Mixed Use (MU) zoning districts subject to the location requirements listing in this Chapter.

§17.35.030. Location Requirements

Efficiency living unit housing shall be located within a 1/4 mile of Main Street or a business/institution employing more than 100 individuals, and shall be located within 1/4 mile of a CVTD transit stop or along an identified bike/pedestrian route.

§17.35.040. Market Rate versus Low Income Rates

At least 25% of the ELU units shall be available for people at or below 30% of the Area Median Income (AMI); 25% of the ELU units shall be available for people at or below 50% of the AMI; 25% of the ELU units shall be available for people at or below 80% of the AMI; and 25% of the ELU units may be market rate. A deed restriction will be required as part of the project approval.

§17.35.050. Conversion of Existing Buildings to Efficiency Living Units

- A. Existing, underutilized hotels, motels, travel lodges, multi-family residential buildings, or general commercial buildings may be converted to efficiency living unit housing in the Town Center (TC-1), Town Center (TC-2), Commercial (COM), and Mixed Use (MU) zoning districts.
- B. Efficiency living unit housing developments created through a conversion project are subject to the underlying zoning district requirements, except for the maximum density provisions listed elsewhere in this Chapter.

- C. Minimum vertical mixed use or commercial square footage requirements in the underlying zone are not applicable to efficiency living unit housing projects created through a conversion project.
- D. The conversion of existing single family residential structures to efficiency living unit housing is prohibited.

§17.35.060. Minimum Development Standards

- A. Occupancy. Each efficiency living unit shall be designed to accommodate a maximum of two (2) persons.
- B. The minimum area of an efficiency living unit shall be no less than 150 square feet, excluding closet and bathroom, while the maximum area is limited 400 square feet.
- C. The minimum width of an efficiency living unit shall be 12 feet.
- D. All efficiency living units are required to have a full bathroom, cooking facilities, and separate closet space.
- E. Transient occupancy of an efficiency living unit is prohibited.

§17.35.070. Efficiency Living Unit Density Equivalents

Two efficiency living units are equivalent to one dwelling unit in the underlying zoning district. If the underlying zoning has a maximum density of 20 units per acre, the maximum number of efficiency living units is 40 per acre. Efficiency living unit housing projects are not eligible for any of the density bonus programs listed elsewhere in this Title.

§17.35.080. Common Indoor Facilities

- A. Efficiency living unit housing projects shall have at least two hundred square feet of common indoor open space per ten units. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space.
- B. Common indoor open spaces shall be designed to accommodate appropriate furnishings such as lounge chairs, couches, tables with chairs, writing desks, televisions, and recreational amenities, and shall be furnished for use by residents.
- C. Laundry facilities shall be provided on-site and in a separate room at a rate of one washer/dryer per 10 units.
- D. All efficiency living units shall have access to a separate usable storage space within the project boundaries.

§17.35.090. Vehicle and Bike Parking & Storage

The minimum parking requirement for an efficiency living unit housing development is .75 stalls per unit. One locking bicycle storage space shall be provided for each unit.

§17.35.100. Management

Twenty four hour on site management shall be provided at an efficiency living unit housing development with twenty (20) or more units and shall include a dwelling unit designated for the manager.

Increase the Maximum Residential Occupancy Standard (Objective 3)

The proposal is to increase the maximum residential occupancy for a residential dwelling unit from three (3) to four (4) individuals, and allow for a "family" to have one (1) additional person in

the household (renter, boy/girlfriend, etc.). The current occupancy limitations for residential occupancy is either three (3) individuals or one (1) family may occupy a residential unit. This is based on Utah Municipal Code 10-9a-505.5 which allows a municipality, with a state university within its boundary, to limit individual occupancy to three (3) rather than four (4) for other municipalities throughout the State. The number of occupants constituting a family is not limited provided those family members meet the definition of Family as defined in LDC 17.62:

"Family" means persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage. Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.

We originally planned to link an increase in occupancy to some type of permit system that required additional bedrooms, parking, etc., but realized an approach tying housing with bedroom counts, dwelling size, parking stalls, etc., could violate fair housing requirements, so we dropped it. Parking concerns will be managed through current methods of enforcement and permitting. The proposed language is as follows:

"Occupancy Limits, Residential" means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter and not more than one (1) additional person; or
- B. No more than four (4) individuals.

All of these three elements could contribute more affordable housing in a relatively quick manner. While not without issues or controversy, increasing the occupancy allowance is the quickest and easiest way to "legally" get more people into housing, while the other two approaches would be implemented over time with new projects.

STAFF RECOMMENDATION AND SUMMARY

As described above, the purpose of these proposed amendments are to encourage the availability of additional Moderate Income Housing options consistent with the City's adopted MIH plan.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes relative to Moderate Income Housing would encourage the provision of additional, affordable housing for Logan residents. Well thought out and well executed projects will have minimal impacts to existing neighborhoods and will continue to implement the vision of, and are consistent with, the General Plan.

PUBLIC COMMENTS

We sent this information out to the chairperson for each of the Neighborhood and sent it out to the neighborhood email distribution maintained by the City that residents can sign up for. Comments that have been received are included as an attachment. Any other comments will be forwarded to the Planning Commission.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 7/1/23, posted on the City's website and the Utah Public Meeting website on 7/3/23, and noticed in a quarter page ad on 6/29/23.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with the Logan City Moderate Income Housing Plan and further efforts to provide additional moderate income housing opportunities for Logan residents.
5. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



Pending Land Development Code Changes

1 message

BURT and CHRISTINE LAMBORN <lambornfam@comcast.net>

Sat, Jul 8, 2023 at 10:42 AM

To: "planning.commission@loganutah.org" <planning.commission@loganutah.org>, "ernesto.lopez@loganutah.org"

<ernesto.lopez@loganutah.org>, "amy.anderson.logan@gmail.com" <amy.anderson.logan@gmail.com>,

"thomascarljensen@gmail.com" <thomascarljensen@gmail.com>, "jfsimmonds@comcast.net" <jfsimmonds@comcast.net>,

"mark.anderson@loganutah.org" <mark.anderson@loganutah.org>, Holly Daines <holly.daines@loganutah.org>

Dear Planning Commission and Logan City Council,

We would like to comment on the proposed land development code changes below:

"1. Modify the City's current occupancy standard for residential dwelling units by increasing the maximum occupancy from three (3) to four (4) individuals, and modifying a "family" to include one (1) additional person. The proposed language is below:

"Occupancy Limits, Residential" means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter and not more than one (1) additional person; or*
- B. No more than four (4) individuals."*

We have no objection to the family plus one additional person. That change will indeed help families and singles by allowing families some rental income and providing additional housing options for singles.

However, changing the occupancy limit from 3 individuals to 4 individuals will significantly damage our neighborhood because of our proximity to USU. Currently, when a house goes on the market in our neighborhood, the 3 individual limit provides some protection from investors looking to rent the house. As you well know, we often complain when a dwelling is over-occupied, which sometimes results in an investor realizing that it's not profitable and the dwelling sells and becomes owner-occupied. The goal, of course, is to maintain the character and stability of the single-family neighborhood. Changing the limit from 3 to 4 individuals will drastically increase the chances that every dwelling that goes up for sale will turn into another rental with 4 (or more) persons. Increasing the limit will also increase parking issues (such as parking on the lawn in the front setback) that adversely impact the character of our neighborhood.

We encourage you to consider other items on the state's compliance list that would have a less harmful impact to our neighborhood.

Burt and Christine Lamborn

940 N 500 E

435-757-4085



Planning Commission <planning.commission@loganutah.org>

Housing discussion on July 27, 2023

1 message

Bronwyn O'Hara <bronwyn.ohara@gmail.com>
To: "planning.commission@loganutah.org" <planning.commission@loganutah.org>

Mon, Jul 10, 2023 at 8:30 AM

Dear Planning Commission members,
There has been a lot of discussion regarding the lack of affordable housing, not just in Logan but nationwide.

As we all know, the cost of housing (rentals and home buying) has increased dramatically in the recent past. There are those among us who cannot afford to buy a home or pay the rent for an apartment.

I would like the Planning Commission to include, in their discussion of affordable housing, a count of evictions for specific time periods. This is an aspect of affordable housing that should not be overlooked.

I think taking a count from 2015-2019 and then from 2020 to the present (2023) would give our city a better understanding of the needs in our community. I recognize that, during Covid, there was a moratorium on evictions. If there is a statistic on how many evictions were prevented, that number might be helpful too.

While the Planning Commission might be more interested in how many individuals and families are 'turned away' from renting, building, or buying a place in which to live, it might also be helpful for our city to look at how many were 'involuntarily removed' from their residence because of inability to pay.

Another question: we have Federal, State, and local laws that encourage new construction and renovation. I'm curious if any of these laws mandate these new/refurbished rental units to provide "affordable rents" or "income-based" rents, i.e. 30% of a person's income. It seems that many of these new builds/refurbished rentals are going at the market rate rather than helping our city provide affordable housing.

Thank you for considering my questions.
Bronwyn O'Hara
Logan resident



Amanda Pearce <amanda.pearce@loganutah.org>

Fwd: Land Development Code

1 message

Mike Desimone <mike.desimone@loganutah.org>
To: Amanda Pearce <amanda.pearce@loganutah.org>

Wed, Jul 12, 2023 at 5:40 PM

Comment on the MIH amendments.

----- Forwarded message -----

From: JENS D TRAUNTVEIN <JTRAUNTVEIN@msn.com>
Date: Wed, Jul 12, 2023 at 3:09 PM
Subject: Land Development Code
To: mike.desimone@loganutah.org <mike.desimone@loganutah.org>

I am a concerned citizen of Logan. With the growth we are seeing in Logan City, I wonder what considerations are being looked at as the occupancy in a residence moves to 4 or additional non related person in a home, where does the extra person park. There are already parking issues where multiple people live in densely populated areas, as adequate parking isn't provided and most individuals have their own car necessitating more parking. Thus, it is infringing on the existing neighborhoods to accommodate the extra parking.

Also Logan's downtown has limited parking especially when events are happening downtown and thus requiring attendees to park on residential streets.

How is the city going to address the parking issue as they allow more density and businesses that require parking. The Rec Center is a prime example of inadequate parking when events are being held there. Who enforces the parking issue so neighbors aren't affected by the increase in cars.

I also have concerns as I know of several rentals that have more people in them than allowed. Neighbors contacted the city and got no help to resolve the issue and enforce their code. More or less saying it wasn't really their problem. Who has oversight for this so that our neighborhoods can still be nice places to live.

Please take these things into consideration and then follow through with what is being required by code to make these adjustments.

Carolyn Trauntvein

Sent from [Mail](#) for Windows

--
Michael A. DeSimone, AICP
Community Development Director
Logan City
<290 North 100 West>
<Logan, Utah 84321>
(435) 716-9022

mike.desimone@loganutah.org

Mike DiSimone.

Thank you for inviting input regarding possible steps to be taken towards enhancing affordable housing in Logan. Please know that I am totally supportive of this concept.

I would like to address one component of your list of possible actions which could be taken toward this very commendable goal, that being the increasing to four from the current three "unrelated" tenants in a rental property, especially for rentals in certain locations such as in close proximity to the University. Increasing the occupancy limit should reduce the number of places required to be used as rentals, and may also bring down rents charged per person to provide the amounts needed by landlords to cover expenses.

Providing that certain criteria are met and enforced, there does not seem to me to be a downside to this change. Criteria should include adequate private space for each tenant, sufficient living "facilities" (bathrooms, kitchen, common area), adequate off-street parking, "community standard" property maintenance, and, of course, "good behavior" on the part of tenants.

A larger number than four could even be practical in some cases, maybe in the form of a "variance," which could allow individual rents to be reduced even further. All criteria would need to be met and community standards maintained. However, in my opinion, increasing to four is certainly a "step in the right direction."

I wish you success with this commendable project, from which Logan's citizens will certainly benefit. Thanks!

Dr John Nelson

1768 E 1500 N

Logan 84341

435 770-9611



Planning Commission <planning.commission@loganutah.org>

Fwd: email to Logan City Planning Commission

1 message

Spencer & Amy Shumway <shumweg@gmail.com>
To: planning.commission@loganutah.org

Mon, Aug 7, 2023 at 11:03 AM

Logan City Planning Commission,

We own a home at 1180 North 600 East. We appreciate the work you do and time and effort you put into making Logan a desirable place to live. Amy has served on the Farmington City planning commission and now is serving on the Farmington City council for 4 years. She recognizes the effort and time it takes to consider all points of view. The community is a better place because of the efforts that you're making.

We received an invitation to attend your planning commission meeting in July 27th to discuss the newly adopted Moderate Income Housing (MIH) Plan. Unfortunately, this agenda item was postponed until August 10th. We will be unable to attend on August 10th. Therefore, we wanted to send this letter to share our comments regarding this item. As, I'm sure you are aware, Farmington City has had to address the MIH Plan also and have made many considerations regarding the House Bill (HB) 462. Farmington has also considered individual exceptions for home owners that make sense to assist people in their search for MIH.

In the letter sent with the invitation, Logan is addressing four objectives under Goal 5: Evaluate the City's Land Development Code to determine if there are short term regulatory changes that the City could make to encourage more MIH.

Objective 1: Evaluate parking requirements for residential uses, including MIH uses - We have attended several of the Adam's neighborhood meetings lately which have discussed parking. There is concern regarding parking in front of houses being taken over by students parking in front of the houses and the actual residents unable to use parking at their home. There were some suggestions made which seem to resolve these issues. Such as no parking restrictions only during core hours. This way, family and friends can still visit the home without having to obtain special permission online to visit at their homes. Having to require our friends and family when they come over for dinner to have to go online and get a parking pass is frustrating. When considering the occupancy of the home, the number of parking spaces within the driveway should also be considered.

Objective 2: Evaluate a MIH density bonus provision in all Mixed Use, Commercial and Town Center Zones - We have no comments on this at this point as our property is not located in these areas.

Objective 3: Evaluate the City's current occupancy limitations to determine whether a permit system for increasing the occupancy limit for residential units could be increased from three to four, and under what circumstances. - In Farmington, there are several places that are considered on a case by case situation with regards to occupancy. If a dwelling has the capability to house and provide parking for occupants in the home, then these units are considered for exceptions. For instance, our home in Logan will always be occupied by one to three of our own children. There are five bedrooms and almost 3,000 sq ft and has the ability to park over five cars in the driveway and garage. However, currently, we are only able to have three people. Having our own children live there ensures the property is well maintained.

This is why our son, who is currently on the Adams Neighborhood board, who is currently living there hopes to own the home on his own someday and have the ability to afford a home like this. Under the current situation obtaining MIH is very difficult for him. Paying his portion of the mortgage and then only being able to rent to two additional people does not provide the means and ability to have MIH. However, if he's able to live there with one person in each bedroom or even increasing the occupancy from three to four individuals helps him obtain MIH and someday be able to own the home. If the home is able to provide parking for each vehicle within the driveway and is able to house no more than one person per bedroom, it seems to be a perfect example of where exceptions make sense. We believe if these considerations were made that the Logan City would implement a permit system for increasing the occupancy limit.

Objective 4: Evaluate single room occupancy development standards - We are also concerned with over occupancy and one standard that seems to make sense is that when not all parties are related in a home that there should be a limit on one party per bedroom.

Thank you for taking the time to consider our input regarding MIH. Housing has become so expensive in just the last few years and we hope that for our posterity's sake that considerations will be made to help them obtain the same dream of owning homes a reality.

Regards,

Spencer and Amy Shumway



Planning Commission <planning.commission@loganutah.org>

Fwd: Yes to improvements in the housing plan

Amy Z Anderson <amy.anderson.logan@gmail.com>
To: "planning.commission@loganutah.org" <planning.commission@loganutah.org>

Tue, Aug 8, 2023 at 11:27 AM

----- Forwarded message -----

From: Amy Z Anderson <amy.anderson.logan@gmail.com>
Date: Tue, Aug 8, 2023 at 11:24 AM
Subject: Re: Yes to improvements in the housing plan
To: Josh Smith <smithtjosh@gmail.com>, <planning.commission@logan.utah.org>
Cc: Russ Holley <russ.holley@loganutah.org>, Holly H. Daines <holly.daines@loganutah.org>, Teresa Harris <teresa.harris@loganutah.org>

Josh -

I am sending your comments on to the Planning Commission email as they will be hearing this Thursday. They will make their changes or approvals first. It will then come to the City Council for a workshop and then for a public hearing before it is approved. I'd encourage you to follow our agenda and packet to see the final recommendations from Planning and when we will be discussing it.

Thank you for your thoughtful email.



Virus-free.www.avg.com

On Tue, Aug 8, 2023 at 11:13 AM Josh Smith <smithtjosh@gmail.com> wrote:
Hello members of the Logan City Council and zoning staff,

My name is Josh Smith. My wife, Bekah, and I moved into the Adams neighborhood in 2019 when we bought our first home. We will unlikely be able to attend Council meetings because of our work schedules.

I wanted to express my strong support for the updates and improvements in the moderate income housing provisions.

Ending the prohibition on four people living together

In particular, removing the prohibition on more than three people living together would greatly improve the city's rules. As you're likely aware, many other places allow four people to live together--[North Logan](#) is one neighborly example!

There is [little rhyme or reason](#) to occupancy requirements. They fail to target real problems. We should deal with problems that are created directly. For example, noise ordinances are the right response to noisy neighbors.

The best way to remove the prohibition is by completely removing it and instead having a limit of (at least) four unrelated persons. A permitting program is unnecessary if we actually attack the real problems of city life with real solutions like noise ordinances.

Reforming parking mandates

Another area that I was excited to see under consideration was parking mandate reform. Logan should embrace what many other cities have done--reforming parking mandates.

Current parking mandates are usually [more akin to astrology than science](#). The [Parking Reform Network](#) has a wide set of research and policy suggestions that the city should consider and adopt.

Many of the solutions are ready for implementation immediately. For example, the city could end parking requirements for housing within a few blocks of transit options.

Changes to parking policy are likely to be politically unpopular but popular in practice. The UCLA researcher and parking policy expert, [Donald Shoup](#), has many times made this point.

I urge Logan's staff to see past the exaggerated outrage online concerning the reforms. For example, don't ask the people who never use the CVTD what they think of it. Or at least don't *only* ask those who have never tried using the new-and-improved CVTD app nor the other transit option plans like the crowd-sourced [Transit app!](#) Logan's transit system works well, and those who have never given it a chance have not earned the right to an opinion.

Instead, point out that [8 out of 10 new buildings still built parking in cities](#) that reformed their parking rules, and 1 out of 2 new buildings built just as much as they would have without the rules. There will be much less immediate changes to parking practices than the online (over)reactions suggest.

Parking reform's primary benefits are to enable more variety of developments. Most of the development will continue business as usual, but a few unexpected and new developments will bloom where they would have been impossible otherwise.

Improving single room occupancy standards

Another promising option under consideration is the single room occupancy (SRO) standard changes.

SROs are a wonderful option for many people--even though most of us would not consider them for our own needs. You can think about them like the vegan option at a restaurant, not for you, but perfect for someone else at a certain time in their life.

Nolan Gray, a housing researcher, encourages their use and the adoption of friendly codes and permitting practices for them in his new book, [Arbitrary Lines](#) ([The Atlantic](#) has a good excerpt).

Current housing policy is like monocropping--and we're paying the price

Logan will be a better place if we adjust our zoning codes to allow more types of developments and living arrangements.

Across the country, current housing policies [overwhelmingly encourage](#) building a single type of housing. This is like the dangerous practice of monocropping in agriculture. We are making ourselves fragile and, in some cases, impoverishing ourselves. Building a strong town will mean letting a thousand flowers bloom.

Fundamentally, almost all of these reforms are simply a move from our normal to what is common elsewhere in the US. Or they are a return to how cities and towns naturally grew in the past, as [Jenny Scheutz](#) has pointed out many times. Where we are joining in something new, reforming parking rules, we have a chance to lead on changes that will make Logan more affordable and have large environmental benefits.

I am happy to answer questions or provide assistance where needed. Logan is a wonderful place to live. These reforms will make it even better.

Best,
Josh



Planning Commission <planning.commission@loganutah.org>

Code Amendments

1 message

Rayann Hansen <hansenshimai@gmail.com>
To: planning.commission@loganutah.org

Tue, Aug 8, 2023 at 3:02 PM

Dear Planning Commission,

I am still pretty "green" with the in's and out's of all the Logan City Codes, but here's my input on the changes that are being considered related to Moderate Income Housing. In my experience, changing from 3 to 4 occupants will not make a big difference as long as parking is considered. Parking is a huge problem in the Adams Neighborhood - especially in the winter. Another big issue for me is maintaining the appearance of the property and noise issues. That being said, this is not just a problem for landlords as there are residents who have the same issues. I also know that enforcement is not what you deal with and I appreciate the work you do in balancing growth with keeping the Adams Neighborhood a great place to live!

Best,
Rayann Hansen
Adams Neighborhood Chair



Planning Commission <planning.commission@loganutah.org>

Pending Land Development Code Changes

BURT and CHRISTINE LAMBORN <lambornfam@comcast.net>

Mon, Sep 4, 2023 at 6:02 PM

To: "planning.commission@loganutah.org" <planning.commission@loganutah.org>, "ernesto.lopez@loganutah.org"

<ernesto.lopez@loganutah.org>, "amy.anderson.logan@gmail.com" <amy.anderson.logan@gmail.com>,

"thomascarljensen@gmail.com" <thomascarljensen@gmail.com>, "jfsimmonds@comcast.net" <jfsimmonds@comcast.net>,

"mark.anderson@loganutah.org" <mark.anderson@loganutah.org>, Holly Daines <holly.daines@loganutah.org>

Dear Planning Commission and Logan City Council,

Mayor Daines' newsletter announced that the discussion regarding changing the number of occupants from 3 to 4 will occur Sept 14, so I thought I would resend the email below, along with a few additional points to consider. While I feel that any comments we make don't do any good, at least this way you can't claim that you didn't get any input. You probably won't get much input, because many folks have basically given up the fight. Comments like "What's the point? The city will do whatever they want, regardless of what we say or do." are now getting more and more common. And of course, some fighters have given up entirely and simply moved away.

The key question is, to whom do you want housing to be more affordable? Changing from 3 to 4 will NOT make a house more affordable for families. It will have the opposite effect. As it is, it's hard for families to compete with investors when a single-family home is on the market. This change would make housing more affordable for investors, because they could then increase the number of paying renters in a home. The increase in supply may slightly reduce the going rent rates, making housing slightly more affordable for individuals.

So that's really the question: do you want housing to be more affordable for single individuals and landlords, or for families? There's occasional talk about "maintaining the character of single-family neighborhoods" - this change would be a severe blow to that goal. Although I'm not convinced that's really a goal that the majority of you have. After all the years of fighting the transition of single-family home to de facto student housing, we've seen very little meaningful change to try to preserve single-family neighborhoods like the Adams neighborhood.

In the past, while enforcement of the 3 individual occupancy has been difficult, there have been several cases where after repeated proven violations, landlords have given up trying to rent to 4 or 5 individuals and a home has sold to a family or individual that actually lives in the home. We have suggested repeatedly that changing the clause to TWO individuals would help keep single-family homes from becoming de-facto student housing. This, of course, isn't allowed by state law but you can clearly see that going from 3 to 4 will indeed have a negative impact on single-family neighborhoods.

[Quoted text hidden]



Amanda Pearce <amanda.pearce@loganutah.org>

Fwd: House Bill 462

1 message

Mike Desimone <mike.desimone@loganutah.org>

Thu, Sep 7, 2023 at 8:05 AM

To: Aaron Smith <aaron.smith@loganutah.org>, Russ Holley <russ.holley@loganutah.org>, Tanya Rice <tanya.rice@loganutah.org>, Amanda Pearce <amanda.pearce@loganutah.org>

fyi

----- Forwarded message -----

From: Burt Lamborn <Burt.Lamborn@sdl.usu.edu>

Date: Wed, Sep 6, 2023 at 4:44 PM

Subject: House Bill 462

To: dnjohnson@le.utah.gov <dnjohnson@le.utah.gov>, cwilson@le.utah.gov <cwilson@le.utah.gov>

Cc: Christine Lamborn <lambornfam@comcast.net>, holly.daines@loganutah.org <holly.daines@loganutah.org>, mike.desimone@loganutah.org <mike.desimone@loganutah.org>

Dear Mr. Johnson and Mr. Wilson,

I would like to inform you of some unintended consequences related to House Bill 462, passed by the state legislature during the 2022 legislative session. The bill requires all local governments provide for moderate income housing in their communities by implementing a certain number of housing strategies from a specific list generated by the State. Each year, the City is required to work towards meeting specific strategies for increasing the supply of moderate income housing and then report that progress annually to the State.

While I recognize that affordable housing is a wonderful goal and I applaud the legislature for addressing it, the implementation of this bill is having serious negative consequences for neighborhoods that are close to universities. Below is an example. Please see what you can do to modify the bill in the next session to achieve the goals related to affordable housing while minimizing the negative impact that the current bill will have, particularly for municipalities that have universities.

Logan City is currently considering the following two land development code changes:

"1. Modify the City's current occupancy standard for residential dwelling units by increasing the maximum occupancy from three (3) to four (4) individuals, and modifying a "family" to include one (1) additional person. The proposed language is below:

"Occupancy Limits, Residential" means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter and not more than one (1) additional person; or*
- B. No more than four (4) individuals."*

We have no objection to the family plus one additional person. That change will indeed help families and singles by allowing families some rental income and providing additional housing options for singles.

However, changing the occupancy limit from 3 individuals to 4 individuals will significantly damage our neighborhood (zoned single family) because of our proximity to USU. Currently, when a house goes on the market in our neighborhood, the 3 individual limit provides some protection from investors looking to rent the house. We often complain when a dwelling is over-occupied, which sometimes results in an investor realizing that it's not profitable and the dwelling sells and becomes owner-occupied. The goal, of course, is to maintain the character and stability of the single-family neighborhood per the zoning. Changing the limit from 3 to 4 individuals will drastically increase the chances that every dwelling that goes up for sale will turn into another rental with 4 (or more) persons. Increasing the limit will also increase parking issues (such as parking on the lawn in the front setback) that adversely impact the character of our neighborhood.

So the key question is, to whom do you want housing to be more affordable? Changing from 3 to 4 will NOT make a house more affordable for families. It will have the opposite effect. As it is, it's hard for families to compete with investors when a single-family home is on the market. This change would make housing more affordable for investors, because they could then increase the number of paying renters in a home. The increase in supply may slightly reduce the going rent rates, making housing slightly more affordable for individuals. So that's really the question: do you want housing to be more affordable for single individuals and landlords, or for families? I would argue that in a city like Logan, changing from 3 to 4 will benefit ONLY individuals (primarily students) while being severely detrimental to single-family neighborhoods, and make it harder for and LESS affordable for families.

In the past, while enforcement of the 3 individual occupancy has been difficult, there have been several cases where after repeated proven violations, landlords have given up trying to rent to 4 or 5 individuals and a home has sold to a family or individual that actually lives in the home. We have suggested repeatedly that changing the clause to TWO individuals would help keep single-family homes from becoming de-facto student housing. This, of course, isn't allowed by state law but you can clearly see that going from 3 to 4 will indeed have a negative impact on single-family neighborhoods.

Thanks you for your consideration,

Burt Lamborn

[940 N 500 E](#)

[Logan, UT 84321](#)

Burt.lamborn@sdl.usu.edu

Burt525@gmail.com

435-757-4085

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Michael A. DeSimone, AICP
Community Development Director
Logan City
[290 North 100 West](#)
[Logan, Utah 84321](#)
(435) 716-9022

mike.desimone@loganutah.org



Amanda Pearce <amanda.pearce@loganutah.org>

Fwd: Sept 14th meeting and Moderate Housing

1 message

Michael DeSimone <mike.desimone@loganutah.org>
To: Amanda Pearce <amanda.pearce@loganutah.org>

Wed, Sep 13, 2023 at 8:33 AM

For pc

Sent from my iPhone

Begin forwarded message:

From: Frank Stewart <fstewart@btech.edu>
Date: September 12, 2023 at 9:24:26 PM MDT
To: russ.holley@loganutah.org, Mike Desimone <mike.desimone@loganutah.org>, Holly Daines <holly.daines@loganutah.org>
Subject: Sept 14th meeting and Moderate Housing

Mike and Russ- Can you please forward this email to each of the commission members for the meeting Thursday evening?

In regards to the moderate housing proposals and residential neighborhoods, please vote NO on the move from three to four persons, in a single family dwelling. This in no way helps for families to occupy current residences, but rather only allows absentee ownership to add one more student, not one More family person, just one more student to their rentals. With 61% absentee ownership and renters, this has already pushed families out of Logan City. Isn't this enough for our city? It will not be a vibrant city of the future if we don't keep young families inn side Logan City. It takes a balance that. You are swaying to far the wrong way! This does not bring in more single families to Logan City where we so are in need of growth in this area for our local schools and for a healthy vibrant neighborhood.

None of the homes being targeted as rentals have the parking or storage capacity for more people, as evidenced by garages now serving as storage units not as parking off of the street. Our daughter and her husband are raising their three boys in the Adams Park area, and they have been heart broken as their close friend families have moved to the county out of frustration of students and renters living next door to them; not taking care of their yards; and then parking in front of their own houses. They own a great home with a large yard and swimming pool that they can in no way replace if they moved elsewhere. But they have their boys come home crying because they have so few friends that live close to them.

The ADAMS School is the lowest student population (306) in the Logan City School District because of student encroachment and renters. This may have been more popular over the past few years when prices were so favorable and interest rates. But even that has slowed. Hillcrest has also- seen the same decrease of students in their neighborhood- the only reason that the school is above 500 students is because its now a magnet school for Dual Language Immersion- so students come to that school from outside of the school boundaries as well as within. But they have the exact same issues as the ADAMS area. Wilson Elementary is starting top have the same issues except for some o0fo the Woodruff s students being bused there from time too time for overloaded classes down west.

Please do not allow more occupancy of students and think that is your solution to Moderate Housing.

Moderate Housing is a responsibility for bringing families into Logan City; not too provide more student housing because USU has not built enough. Same as parking. Why should USU provide parking for their students or sports events when the LDS church has parking lots that they graciously allow students and patrons to use, (not by choice but to be good neighbors) bailing them out of their responsibility!. However, students have not respected these for been willing to see posted signs about skate boarding or overnight parking etc. The LDS church had to move to towing for overnight- otherwise apartment complexes such as Millenial Towers, (Another clear mistake that the Logan City Council has admitted to for not requiring enough parking) would just leave their cars there somewhat permanently and not pay for parking.

Please vote NO from 3 to 4- Renters already circumvent this 3 person rule enough without allowing a fourth- meaning cars without parking and on the streets anywhere they can find. This is not a touch up that will change moderate housing for families! Our Superintendent and school board members will try to be to the meeting to express our concerns about our schools because of such rules eliminating family growth in Logan City.

Thank you for your attention and consideration- Frank & Nancy Stewart, 1146 North 680 East, Logan Bridgerland Technical College Professional / 5th grade teacher- Edith Bowen, and Logan City School Board member.

PS. FYI Nancy and I have a 5 bedroom. House that we raised our 4 kids in. Should we now bring in a few students since we have extra bedrooms? We can't provide parking but we can give them a bedroom! Our neighbors would not be happy about it- and would soon move out! Just like my daughter's family friends are forced to do- the ones who by the way are your "moderate income housing" people!!

Also- Please do not be swayed in thinking that USU is growing it's Logan population- Every four year institution in the state has seen declining enrollment due to online learning etc. USU can show more students overall because of a Moab or Blanding campuses- that does not mean students here in Logan.

They have built whole new complexes for campus students- we don't need them in our homes!

Especially since they do not take care of yards, care about their neighbors, or about Logan City overall.

We give them way to much credence for controlling our neighborhoods when they are temporary only and have no ownership of our community. They are not the answer to your need for more MODERATE Housing so permanent families can live in our great city. We appreciate a vibrant downtown and center street- and as a school board we have been more than happy to support the city council and Mayor for RDA's. But we feel slighted that we don't feel a return on our investment in our children for families.

Please vote NO and leave this as is for 3 persons unrelated or a single family by blood and relation.



PLANNING COMMISSION MINUTES

Meeting of September 14, 2023

Logan City Council Chambers (290 N 100 W Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, September 14, 2023, Commissioner Heare called the meeting to order at 5:30 p.m.

Commissioners Present: Ken Heare, Jordy Guth, Roylan Croshaw, Jessica Lucero, David Lewis, Sara Doutre, Eldon Peterson

Commissioners Excused:

Staff Present: Mike DeSimone, Russ Holley, Tanya Rice, Amanda Pearce, Mohammed Abdullahi, Daren Farar, Jeannie Simmonds (City Council)

Agenda Approval: The agenda was approved as written.

CONSENT AGENDA:

Approval of the Minutes from the meeting of August 24, 2023.

PC 23-055 Flats Luxury Suites -Continued from the August 24th meeting. [Conditional Use Permit] Andrea McCulloch/Rooftop Investments LLC, authorized agent/owner is requesting a Conditional Use Permit to operate a 4-bedroom short-term rental in a home located at 148 West 300 South in the Traditional Neighborhood Residential (NR-6) zone TIN; 02-051-0010 (Woodruff Neighborhood).

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. This Conditional Use Permit authorizes a three (3) bedroom short term rental occupying the entire single-family home.
3. This Conditional Use Permit authorizes one party of up to two (2) people per bedroom with two (2) additional individuals for a maximum of eight (8) occupants in the STR.
4. A short-term rental may not be the subject of multiple rental contracts by separate individuals, groups or parties for the same night or nights.
5. A minimum of three (3) parking stalls are required for the STR. All parking areas shall be located off-street, outside the front and side setback and paved with an approved hard surface. Parking shall be reviewed and approved prior to the issuance of a business license.
6. The new driveway shall comply with Logan City standards.
7. Parking of recreational vehicles, trailers, boats, ATVs or similar vehicles associated with the STR shall be legally parked on-site and are not permitted to be parked on-street.
8. Rental contracts for the STR shall be for 30 days or less.
9. Rental contracts shall not be offered to the same individual, group, or party for more than two consecutive rental contracts in a six (6) month period. The owner shall maintain rental records available for review and inspection by Logan City.
10. Quiet times shall comply with the City noise ordinance of 10 pm to 8am.
11. A Logan City building/fire inspection is required which may result in building remodeling and building permits prior to the issuance of a business license.

12. A Logan City business license is required before a rental contract can be issued.
13. The STR shall comply with local and state Building, Health, Fire, Safety, Maintenance and Nuisance Codes prior to operating.
14. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
15. No signs are approved with this Conditional Use Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
16. No fences are approved with this Conditional Use Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
17. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. **Water/Cross Connection - contact 716-9627**
 1. Existing House (STR): All points of use of water down stream of this properties water meter should meet Utah's current IPC plumbing code and amendments. This would help minimize the risk of contamination of the water for homes occupants and Logan Cities water system. This also would help minimize liabilities to the homeowner.
 - b. **Business Licensing - contact 716-9230**
 1. Business license required.
 - c. **Building Safety - contact 716-9032**
 1. Egress windows, smoke/CO detectors per the 2021 IRC

FINDINGS FOR APPROVAL

1. The proposed project conforms to the requirements of the Land Development Code and is listed as a conditional use in the Use Table.
2. This STR meets the City's STR density and location parameters as specified in Chapter 17.37.130.
3. As conditioned the use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
4. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
5. The Planning Commission has substantiated the findings for a Conditional Use Permit in Chapter 17.42.050.

MOTION: Commissioner Peterson made a motion to Approve all items listed on the Consent Agenda. Commissioner Lucero seconded the motion.

Moved: E. Peterson

Seconded: J. Lucero

Approved: 7-0

Yea: Heare, Guth, Lucero, Croshaw, Lewis, Doutre, Peterson

Nay:

Abstain:

PC 23-056 100 North Historic Project Area -Requesting continuance to the October 12th meeting. [Zone Change] Reed Bullen Jr, authorized agent, and property owners are requesting a Zone Change from Town Center-2 (TC-2) to Traditional Neighborhood Residential (NR-6) of the properties located at 107, 109, 131, 139 East 100 North and 156, 172, 178 East 100 North; TIN 06-066-0008; -0007; -0005; -0004 and 06-067-0020; -0021; -0022, in the Adams Neighborhood.

MOTION: Commissioner Croshaw made a motion to Continue PC 23-056 to the October 12, 2023 meeting. Commissioner Guth seconded the motion.

PUBLIC HEARING:

PC 23-057 Quick Quack Carwash 1000 N Logan [Design Review Permit] Hailey Peterson/Blue Spring Business Park, authorized agent/owner is requesting a Design Review Permit for a new carwash located at 955 West 1000 North in the Industrial Park (IP) zone; TIN 05-123-0004 (Bridger Neighborhood).

STAFF: Russ Holley reviewed the request for a Design Review Permit for a new Quick Quack Car Wash located at 955 West 1000 North just south of the new Costco in the IP zone. The proposed project meets the requirements in the Land Development Code for setbacks, lot coverage, and building design.

PROPOSER: Russell Nielsen with Lonestar Builders said they are excited to have a second Quick Quack location in Logan.

PUBLIC: No public comments were made.

MOTION: Commissioner Peterson made a motion to **Conditionally Approve** a Design Review Permit for **PC 23-057 Quick Quack Carwash 1000 N Logan** with the conditions of approval and findings for approval as listed below. Commissioner Lucero seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department
2. The missing sidewalk section along the west boundary connecting 1000 North to Costco must be completed. If sidewalk is placed adjacent to the curb the minimum width must be six (6) feet.
3. A minimum of six (6) car drive-thru stacking lane and employee parking stalls shall be provided on-site.
4. A performance landscaping plan, prepared in accordance with §17.32 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Open Space and Useable Outdoor areas shall total a minimum of 8,537 SF.
 - b) A total of 19 trees and 49 shrubs, perennials and ornamental grasses shall be provided.
 - c) Street trees shall be provided every 30 linear feet along 1000 North Street and outside of sight distance triangles near intersections and driveways.
5. No open pit storm-water detention basins shall be placed in the yard between the building and the adjoining streets. If designed as landscaping with maximum 4-to-1 cross slopes, undulating shapes, and ground cover containing 75% grasses and a combination of trees and shrubbery so that it does not appear to be a storm water collection area, then it may be located in the front yard area.
6. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping if placed near street edge.
7. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
8. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
9. Standard streetscape improvements will be required along Main Street with driveway access being limited to the joint access agreements located to the north of this site.
10. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.

11. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
12. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:

a. Environmental—contact 716-9760

1. Dumpster enclosure needs to be moved so trucks have a 60 ft straight on clear access and ability to exit parking lot without backing more than 150 ft. Drawing does not show enclosure sizes and will need to meet the minimum requirements.
2. Minimum 60 ft. straight on clear access required. Approach must be level, no down or uphill slopes and no parking spaces or curb blocking the 60 ft. access.
3. Minimum inside measurement for a double enclosure is 24 ft. wide by 10 ft. deep. Minimum inside measurement for a single enclosure is 12 ft. wide by 10 ft. deep.
4. Place bollards in the back of the enclosure to protect walls.
5. Gates are not required, however if desired, they must be designed to stay open during the collection process.
6. Barrel hinges are suggested for the gates. We need the full 12 ft. clearance so gates must be designed to open completely.

b. Water—contact 716-9622

1. As the buildings water main enters the building before any branch offs or possible connections it needs to tee and have a RP (ASSE1013) installed and tested to serve all the "high hazard" car wash connections. The other side of the tee needs to have a DC (ASSE1015) to serve only the "inside potable" bathroom system. This way the two systems are separated, and the high hazard can't contaminate the "low hazard" potable system. Properly sized drain required to serve the RP backflow assemblies dump port. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter. This design would help eliminate needing more backflow assemblies, that ultimately cause water pressure issues in carwashes.
2. Refer to current IPC Utah State Amendment # 608.1.1,608.1.2,608.1.2.1,608.1.2.2 for installation criteria.
3. All landscape irrigation system's fed from Logan City water must have a high hazard rated backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
4. Fire suppression systems that are connected to Logan City water (with no added unapproved chemicals) must have a minimum DC (ASSE1015) installed and tested. Fire risers and all B/F assemblies must be installed and tested as per Logan City standards.
5. Project shall comply with all current Utah State plumbing codes, amendments and Utah Admin. code R 309-105-12-(1) rules and regulations including, but not limited to, those pertaining to backflow prevention and cross connection protection, during and after construction, for the safety of the water and its consumption.

c. Engineering – contact 716-9160

GENERAL

1. Additional water shares or in-lieu fee for indoor and outdoor increased water demands shall be provided to the City in accordance with City Code 17.29.210 and Utah Administrative Rule R309-510-7.
2. All adjacent and internal rights of way and easements shall be shown on the plans. Improvements shall not infringe upon the rights of an existing easement / right of way / property owned by others without their written permission.
3. Provide a Development Agreement and Financial Surety of at least 110% of the cost to construct all infrastructure & storm water improvements. Financial assurances shall not expire for a minimum of 2 years from date of City acceptance.

4. Provide a Geotechnical Report that includes but is not limited to: 1) California Bearing Ratio (CBR) of the subgrade under the City's pavement section, 2) Historical high ground water elevation, and 3) Percolation rate of soils at bottom of all storm water retention ponds. The report shall include a City roadway cross section design based on the CBR and the 30 year projected ESALs identified in the Logan City Transportation Master Plan and the following truck percentages: 2% for residential and grid streets, 4% for collector streets, 8% for arterial streets.
5. A "Preconstruction meeting" shall be held with the City's Engineering Division prior to starting construction activities and a "Work in the Right of Way" permit shall be obtained for all work in the City's right-of-way and PUE prior to scheduling the Preconstruction meeting.
6. The City may elect to have a 3rd party review technical studies such as a traffic study, floodplain study, noise study, vibration study, etc. provided in support of the development. Reasonable costs associated with the third-party review shall be borne by the applicant.
7. City right-of-way shall not be used for storage of construction materials or parking of construction equipment or related vehicles during construction.

UTILITIES

8. All utilities outside of the public right-of-way shall be private lines and shall be owned, maintained, repaired/replaced by the property owner or association. All infrastructure shall be installed, maintained, and repaired/replaced in accordance with Logan City Standards.
9. A private Water Utility agreement shall be provided for all private water and sewer lines (including fire lines) not located within a Public Right of Way. The agreement shall be recorded with the County Recorder.
10. All buildings shall have separate water service and sewer service connections to water distribution and sewer collection systems.
11. Fire hydrant locations shall meet the Fire Code requirements as determined by the City's Fire Marshall.
12. All existing water and sewer service lines extending to the site that are not proposed to be used with the new development shall be capped at the City main line.

STORMWATER / IRRIGATION

13. Storm water detention/retention shall be designed and constructed according to Logan City standards. This includes the retention of stormwater from any adjacent street that currently discharges to the property. Retention of the 90% storm event is required and shall be provided using Low Impact design methods.
14. If development encounters any ground water and intends to install a footing/structural drainage system, this will need to be piped to the nearest canal for discharge. This will not be allowed to discharge into the curb and gutter. Canal permission will be required to discharge this flow into the canal.
15. Provide a stormwater maintenance agreement for City Review, approval and recordation at County Recorder's Office.
16. Property is less than 1 acre, so compliance with the State Storm Water Permit is not required. A sediment and erosion control plan will be required for all construction activities.
17. Maintain the capacity, size, and location of all existing irrigation system infrastructure along and within the project; or where irrigation infrastructure is required to be relocated or changed, improve the infrastructure to the irrigation company standards. The City will require all affected Irrigation companies to provide a signature approval on all final construction plans and final plats.
18. This development is located in an area of high-water table (0 to 24 inches) and classified as having moderate liquefaction potential; given the high groundwater elevations in the area, additional stormwater pond area (volume) may be required to comply with the City's storm water management standards.

19. Stormwater basins shall be designed to be 1 foot above the groundwater elevation. Basins that are found to be constantly wet due to groundwater shall be made shallow and widened to meet the City's standard.

STREETS

20. Provide sidewalk improvements along the access road to 1000 North adjacent to the development.

d. Light and Power – contact 716-9722

1. Access - IFC 503.1.1 Fire Apparatus Access shall extend to within 150 feet of all portions of the facility as measured by an approved route around the exterior of the building.
2. Fire Water Flow - (IFC 507.1) An approved water supplies capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3) Fire flow requirements for buildings or portions of building and facilities shall be determine by an approved method.
3. Fire flow is calculated on the fire area, fire area is defined as the aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or under horizontal projection of a roof or floor above.
4. According to IFC Table B105.1(2) a Type IIB construction of 3,992 sq. ft. requires 1,500 gpm @ 20 psi.
5. Need a fire flow report from the water engineer to determine available fire flow.
6. Fire Hydrant Locations and Distribution (IFC 507.5.1) Fire Hydrants shall be located within 400 feet of the building as measured by an approved route around the exterior of the building.
7. According to Table C102.1 a fire flow requirement of 1,500 gpm requires 1 accessible hydrant. Existing fire hydrant FH02701 is adequate.

FINDINGS FOR APPROVAL

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The proposed project provides adequate off-street parking.
5. The project meets the goals and objectives of the IP designation within the Logan General Plan by providing services near high-capacity roadways and is designed in way for easy circulation of both pedestrian and vehicles.
6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. 1000 North and 1000 West provides access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: Peterson

Seconded: Lucero

Approved: 7-0

Yea: Heare, Guth, Lucero, Croshaw, Lewis, Peterson, Doutre Nay: Abstain:

PC 23-048 LDC Amendment, Chapters 17.7, 17.10, 17.34, 17.35, 17.62 (Moderate Income Housing/Affordable Housing Provisions) -Continued from the August 10, 2023 meeting. [Code

Amendment] Mike DeSimone/Logan City is requesting amendments to the Land Development Code to allow Moderate Income Housing density bonuses in the MR-9, MR-12, MR-20, MR-30, TC-2, and COM zones, add efficiency living units in table 17.08.040 and table 17.11.030, create chapter 17.35 for efficiency living housing, and amend definitions to modify occupancy thresholds for residential dwelling units.

STAFF/PROPOSER: Mike DeSimone said that the purpose of the proposed Land Development Code amendment is to implement regulatory changes that would encourage more Moderate Income Housing by adding density bonuses for affordable housing in certain zones, allowing efficiency living units with enhanced densities and reduced parking, and by increasing the maximum occupancy rates for residential dwelling units.

The Logan City Moderate Income Housing Plan was adopted on November 15, 2022, in response to House Bill 462 which was passed by the State Legislature during the 2022 State Legislative session requiring all local governments to provide for moderate income housing in their communities.

M. DeSimone reviewed Logan's average growth rate, the predicted number of new residents and demand for housing by 2040, Logan's Median Household Income, and the percentage of Logan households that are at or below 80% of the Area Median Income (AMI). The conclusion is that Logan's population is relatively young and a large percentage of renters and homeowners are cost burdened for housing related expenses.

M DeSimone reviewed the Metro County Home Ownership Affordability Monitor (HOAM) Index published by the Federal Reserve Bank of Atlanta (an Index of less than 100 is unaffordable) as of June 2023, Cache County has a HOAM index of 65.6.

M. DeSimone reviewed the existing housing stock in Logan, the median value of owner-occupied housing, median listing price, and median monthly rent costs. The current housing market shows that housing supply is down while the demand is high. Current single family dwelling property sales listings and rental listings from Zillow were discussed. These listings show the trends in pricing, values, and rents, and demonstrate the lack of affordability of housing, whether owned or rented, in Logan.

Goal 5 in the City's Moderate Income Housing Plan is to evaluate the City's Land Development Code to determine if there are short term regulatory changes that the City could make to encourage more Moderate Income Housing. Goal 5 includes four specific objectives that reflect a number of State identified strategies from which we were required to choose and implement. This specific Land Development Code amendment targets Objectives 2 through 4.

The first proposed change includes a proposed MIH density bonus in the MR-9, MR-12, MR-20, MR-30, TC-1, TC-2, and COM zones, is patterned after the existing MIH density bonus in the MU zone, and satisfies objective 2.

The second proposed change includes a proposal for Micro Living Unit Housing in the MR-20, MR-30, TC-1, TC-2, COM, and MU zones and satisfies objective 4. Micro Living Units are smaller living units ranging in size from 150 square feet to 400 square feet that will provide an affordable residential space for no more than two lower-income occupants and will be located near a high-traffic volume corridor (Main Street) or large employers with access to transit. The proposed code language

includes a requirement to restrict occupancy based on income levels and includes a density bonus of 2 ELUs/1 DU and has a reduced parking requirement of .75 stalls per unit.

Updates from the August 10, 2023 meeting include changing the title from Efficiency Living Units to Micro Living Units, changing the required income ranges in these types of projects, and removing TC-1 zone from the list of zones allowing conversion of existing buildings to Micro Living Units.

The third proposed change includes a proposal to increase the maximum residential occupancy for a residential dwelling unit from three to four individuals and allow for a "family" to have one additional person in the household. This satisfies objective 3 of the MIH Plan.

Updates from the August 10, 2023 meeting included updating the definition of "Family" in the Land Development Code to state: *"Family means persons related by blood, adoption, marriage, legal guardianship, or similar legal relationship, or two unrelated persons and their children, living and cooking together as a single housekeeping unit".*

M. DeSimone reviewed the benefits of raising residential occupancy. It helps to create and/or stabilize potential homeownership opportunities. It immediately opens up a large number of residential units for quick, affordable and legal housing and increases the housing supply without necessarily altering the demand. And, because there are approximately 19,000 residential units in Logan, this amendment potentially opens up legal housing for approximately 19,000 individuals.

M. DeSimone discussed the "simple math" behind occupancy levels. Raising the maximum occupancy levels would open up legal housing for another 19,000 people. M. DeSimone also presented a hypothetical case study involving 5,000 people. To house 5,000 individuals at 3 persons per residential unit, requires 1,666 residential units, whereas to house 5,000 individuals at 4 persons per residential unit, requires 1,250 residential units, freeing up approximately 416 units for either additional individuals or for families. M. DeSimone also stated that raising the occupancy threshold automatically raises the supply of housing, but does not automatically raise the demand side.

Commissioner Doutre asked if there is any data on the current occupancy and if the City differentiates between one unrelated person staying with a family and not paying rent versus an unrelated person who is paying rent. M. DeSimone said there is no way to know the occupancy of a residence in Logan City and there is no difference if the unrelated person is paying rent or not, it would still be considered a family plus one either way.

Commissioner Heare said the issue and the main complaint is related to the number of students renting homes near campus, and not necessarily owner occupied housing. Commissioner Heare also asked why there has to be an occupancy limitation on owner-occupied homes. M. DeSimone said the complaints received are based on nuisances and are addressed through code enforcement. This code amendment is trying to supply more housing to the market and does not address nuisance complaints or issues. Federal Law also does not allow a municipality to have different occupancy limits for owner-occupied or rental residences.

Commissioner Lucero spoke about the definition of a functional family and how it should be open to a diversity of family types and would not penalize people who may have a different type of family structure according to the legal definition. And asked why there has to be a family definition. M. DeSimone stated that the definition of family is rooted in Utah Municipal Code and directly relates to occupancy.

Commissioner Doutre spoke about having a household definition instead of family that would include a tenancy relationship compared to a household of related or nonrelated individuals living together

as a unit. M. DeSimone said that you cannot have a definition forming the basis for occupancy that could potentially limit the size of a family. Occupancy is structured a one family, regardless of family size, or occupancy by unrelated individuals.

Commissioner Heare said that the biggest problem with occupancy is associated with rental properties. Occupancy is enforceable on rental properties and should kick in once a tenancy relationship is formed.

Commissioner Peterson said that if the occupancy cannot be raised to four then the issue of occupancy in rentals is a moot issue related to Moderate Income Housing.

PUBLIC: Burt Lamborn said that increasing the occupancy to four will have a horrible effect on single family neighborhoods. It will allow investors to make more money and cause the price of homes to rise. Asked which of the other options for Moderate Income Housing have been considered by the City.

Frank Schofield, Logan City School District said that increasing the occupancy will increase the street parking which causes safety issues for students. It will increase the lucrativeness of a landlord and decrease the number of single family homes which decreases the sense of community and affects teachers' relationships with families, families' confidence in their child's teachers, and children's confidence and comfort with the school they are attending.

Andrew Semadeni a teacher at Logan Highschool said families are being chased away from the City. If occupancy is increased it will only increase the rent.

Kristi Fatuesi asked what Logan City considers affordable and if there can be some sort of rental cap put in place. Asked about only requiring 5% of a development to be moderate income

Joe Needham said he is for occupancy increasing to four, but not in the residential zones to preserve the neighborhoods.

Matthew Fatuesi spoke about the assumption that 4 unrelated people in a home is a rental. Asked for covered bike racks to be a requirement for Micro Living Units. Asked why occupancy couldn't be determined by the fire code.

COMMISSION: Commissioner Guth said that the occupancy of a rental should be determined by what the home can accommodate.

Commissioner Doutre asked what the requirements are to obtain a landlord license. M. DeSimone explained that a license is required, but the State prohibits the City from conducting any life safety inspections on rental properties, nor can the City dictate to whom someone would rent to. An owner can rent out any property to whom they choose.

Commissioner Lucero spoke about the affordability of today's homes and how it is becoming more of the norm to rent, it is just not attainable to own. Asked M. DeSimone to review how the Moderate Income Housing goals were chosen when the plan was proposed.

M. DeSimone explained that the City's approach to the current Moderate Income Housing Plan was to identify short term and long term goals, objectives and strategies. There are certain strategies we are pursuing that are long term, e.g., General Plan update, whereas we also needed to consider easier, short term strategies that are considered low hanging fruit, e.g., permit & impact fees, ADU's, and regulatory changes. M. DeSimone also stated that we have chosen certain state strategies to

be evaluated and not necessarily adopted. If the elected and appointed officials determine that there are considerations or problems associated with a specific strategy, then that does not have to be adopted. There just has to be adequate data and findings supporting decisions. So, if there is data that shows higher occupancies will ruin a neighborhood, then the Council needs to consider that data. But, the most basic economics suggests that if you increase the supply, and the demand remains constant, then prices should drop accordingly.

The Commission discussed the following updates to be made to the proposed LDC language being sent to the Council:

Update the MIH Density Bonus to state that the density can be increased by 25 percent if at least 5 percent of total units are deed restricted for MIH/Affordable (80% AMI) extremely low or low income (30 or 50% AMI) residents.

Add required covered bike parking for Micro Living Units.

Add a review period to re-evaluate occupancy in two years.

Commissioner Peterson said he is not in favor of increasing the occupancy to four due to the lack of assurance on what the increase will do to the neighborhoods.

Commissioner Guth said she is in favor of the increased occupancy.

Commissioner Croshaw said he is in favor of the increased occupancy.

Commissioner Doutre is in favor of increasing occupancy with a stipulation that data will be collected showing any impacts to the neighborhoods.

Commissioner Lewis said he is torn on the occupancy increase.

Commissioner Lucero said she is in support of the occupancy increase with a re-evaluation period scheduled for 18 to 24 months. There are many positive examples of increased occupancy that have not been discussed. Might as well try it to see if it makes a difference.

Commissioner Heare said that increasing occupancy is necessary to accomplish the goal. But feels that the definition and enforcement needs to be looked into further.

MOTION: Commissioner Lucero made a motion to Forward a Recommendation of Approval to the Municipal Council for a Code Amendment on **PC 23-048 LDC Amendment Moderate Income Housing/Affordable Housing** With the findings for approval listed below. Commissioner Guth seconded the motion.

FINDINGS FOR APPROVAL

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with the Logan City Moderate Income Housing Plan and further efforts to provide additional moderate income housing opportunities for Logan residents.

5. The Planning Commission received both written and verbal public comments regarding the proposed amendments.

Moved: Lucero	Seconded: Guth	Approved: 6-1
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Yea: Heare, Guth, Lucero, Croshaw, Lewis, Doutre	Nay: Peterson	Abstain:
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Meeting adjourned at 7:30 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting on Sept 14, 2023.

Michael A. DeSimone
Community Development Director

Ken Heare
Planning Commission Chairman

Amanda Pearce
Administrative Assistant