

**Minutes of the North Logan City
Planning Commission
Held on September 6, 2018
At the North Logan City Library, North Logan, Utah**

**(The time stamps throughout the minutes below, located next to an item, indicate the time an item begins in the recording of the meeting.)*

***00:00:17**

The meeting was called to order by Casey Moriyama at 6:35 p.m.

Nelson Boren arrived at this time.

Commission members present were: Craig Humphreys, Robert Burt, Casey Moriyama and Nelson Boren. (Buzzy Mullahkhel and Larry Hepworth were excused).

Others present were: Tom Tolbert, Jeanine B. Anderson, Gae Murray, Sheila Miller, Nancy Buelway, Matt Nielsen, Roger Jeffs, Brad Crookston, Cordell Batt, Alan Luce and Marie Wilhelm.

The Pledge of Allegiance was led by Craig Humphreys.
An invocation was given by Robert Burt.

Adoption of Agenda

00:03:21 Motion

Robert Burt made a motion to adopt the agenda as presented. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously.

Follow-up

00:03:27

Nelson Boren mentioned the video the Planning Commission was asked to watch, which he commented on further, regarding the work of public servants, and said he found it very helpful

Nelson Boren said the Planning Commission asked Cordell to check on the "professional zone" and whether there was any need for it still, in the Code; which Cordell addressed, and said there was not a need for it, and they would therefore be going through the process of eliminating it.

Cordell Batt discussed the upcoming League of Cities and Towns convention.

New Business

6:40 p.m. PUBLIC HEARING. The Public Hearing is to receive public input on matrix changes in TITLE 12C, Chapter 12C-1001 - Permitted and Conditional Uses in Zones. The proposed zoning matrix changes are to Assisted Living and Nursing Care facilities and Dog and Cat Day Care.

00:06:17 Explanation and discussion.

Cordell Batt explained the situation and the impetus for these proposed changes.

00:16:30

Nelson Boren read aloud the guidelines for speaking at a public hearing and opened the public hearing at 6:51 p.m.

00:18:51

Tim Tolbert said residential areas should be used primarily for residents. He said home-based businesses and those kinds of ancillary businesses seem reasonable; but that once you cross a threshold and the primary use of the land is no longer residential, and is commercial-with revenue being generated and a significant amounts of traffic and parking, etc. then the City should be looking at potentially rezoning that area. He said making changes to the matrix to allow more specific items in the residential zones does not make as much sense to him as saying, "these types of activities are considered commercial activities" and there are thresholds for those

activities, such as running an assisted-living facility out of your house. He commented further. He said this seems to be an awful lot of traffic and commerce happening for a residential lot. He also said the "20 bed minimum" sounds very arbitrary and sounds like we're just trying to "grandfather in" Caring Hearts and commented further. He said the dog and cat day care sounds like something that *should* be allowed in a residential zone and commented further that there should not be a limit on that if they can do it without violating the nuisance ordinance, and restricting that to commercial-only does not make sense. He said "nursing care facility" is fine, very generic, and makes sense, and explained further.

00:22:21

Sheila Miller said she appreciated the Planning Commission's response to their [the citizens] input at the last meeting. She said a comment made at that meeting that was very important to her, was that zoning is a sort of contract between a City and the landowners in the City. She said she thinks it's imperative that people who own land in the City feel confident that the rug is not going to be pulled out from under them. She said she really appreciates the Planning Commission's willingness to listen to what they [the residents] had to say and responded appropriately.

00:23:19

Jeanine Anderson said that we all see parking lots, goods and services exchanged, and that doesn't need to be in the neighborhoods. She said she hopes that any time something like this comes up again, the citizens can get to a meeting and reject it, even if it has been "downsized to twenty beds". She said we need to talk about what this "good neighbor business is".

00:24:10

Gae Murray said when we look at assisted living and skilled nursing, which she said is a term in the medical world and means an increase in care; and said as far as having assisted living in any residential area, she thinks just because the people living there are called "residents", does not mean that they belong in that kind of a neighborhood, that it is really more of a business. She said they keep getting the example of The Gables, but that is not in the middle of a neighborhood. She said her concern is that because it is allowed in a neighborhood, she would hope that the people who are deciding on this would really look at what affect this has, because it really is a business. She also said she wonders why it's called dog and cat daycare; and asked don't people look for places to keep their animals for several days when they go away? She said she doesn't think she'd want one of those in her neighborhood either.

00:26:18

As there were no further public comments, Nelson closed the public hearing at 7:01 p.m.

00:26:27

Further explanation and discussion.

Cordell and the commission discussed this further.

00:38:45 Additional comments made by citizens

Sheila Miller commented that The Cables is not in a residential neighborhood, which the Planning Commission discussed further.

Tim Tolbert commented that he is statutorily protected to enjoy the property he owns, and commented further.

Nelson Boren reminded the attendees that this is conditional use and commented further.

Gae Murray said she wondered how a twenty-bed facility fits in the regulation of how many people you can have in a single-family dwelling; because, she said, you could not put that many people in your house.

00:42:02 Planning Commission discussion continued.

Robert Burt commented that currently without this being passed, any size assisted-living in North Logan is allowed; and that this ordinance, because of the concerns, is an attempt to lower it, and commented further. He further discussed that he would agree to the number of twenty, which they discussed, but would also be very willing to entertain a lower number. He asked about

passing this on with a specific number, or with just a comment that it needs to be discussed. Brad Crookston said the City Council would appreciate the Planning Commission giving them a number that they feel comfortable with, and commented further.

The discussion continued.

Brad Crookston said the City Council would appreciate a number that the Planning Commission feels comfortable with.

The discussion continued.

00:49:30 Motion

Casey Moriyama made a motion to make a positive recommendation to the City Council on this as proposed, but including capping the number at sixteen instead of twenty in the matrix numbers. Robert Burt seconded the motion. A vote was called and the motion passed unanimously.

Consideration of the Development Plan and Preliminary Plat for the North Logan Village Residential Multi-family Subdivision project located at approximately 2000 North and 400 East in the City Center zone (CCA and DT).

00:50:56 Explanation and discussion.

Cordell Batt explained the current situation and briefly discussed the approval at the previous conceptual plan phase. He further explained the various items that have been completed at this point.

Developer Matt Nielsen explained a few details and answered minor questions from the Planning Commission. The discussion continued. Casey Moriyama mentioned for the record that his firm worked on this project.

Cordell and Matt answered questions from the commission.

01:08:41 Motion

Craig Humphreys made a motion to make a positive recommendation to the City Council on this development plan and preliminary plat. Robert Burt seconded the motion.

Casey Moriyama had a question about approving this with certain elements, which was discussed briefly.

A vote was called and the motion passed with Craig Humphreys, Robert Burt and Nelson Boren voting in favor, and Casey Moriyama abstaining from voting.

Review of proposed ordinances for Design Criteria in the City Center Hospital (HOSP) Zone and Park Strip Maintenance responsibility.

01:11:08 Explanation and discussion regarding Design Criteria in the Hospital Zone.

Cordell Batt explained the situation and reviewed the changes briefly.

Nelson Boren discussed the issue of the kind of brick with this and using what is required in the Code for the City Center, which the commission discussed further. Casey Moriyama also discussed including verbiage regarding awnings that says "can be made out of metal and/or glass", instead of "metal or glass".

The discussion continued.

01:16:41 Motion

Robert Burt made a motion to make a positive recommendation to the City Council on this ordinance with the changes as proposed, including the comment regarding awnings that will state "all awnings are to be metal and/or glass, no fabrics", instead of "metal or glass". Casey Moriyama seconded the motion. A vote was called and the motion passed unanimously.

01:18:16 Explanation and discussion regarding Park Strip Maintenance responsibility.

Cordell Batt explained the situation and the impetus behind this. He reviewed the ordinance with the commission. He said the sidewalk is the responsibility of the homeowner, in terms of snow removal, etc.; and that this now makes the homeowner also responsible for the park strip in front of their home. Per a question from the commission, Cordell confirmed that homeowners are not

allowed to pave these park strips over with cement or other impervious materials. He said pavers, gravel and rock are allowed.

The discussion continued and Cordell addressed their various questions.

01:26:18 Motion

Craig Humphreys made a motion to make a positive recommendation to the City Council on this ordinance and resolution with the changes to park strip as discussed. Casey Moriyama seconded the motion.

Robert Burt asked about properties that have been previously maintained by the City, and referred to a situation in Smithfield regarding the City putting a lot of responsibilities onto homeowners which upset the citizens and commented further. Alan Luce addressed this. The commission discussed this further.

A vote was called and the motion passed unanimously.

Discussion of Auto Recycling/Salvage Yards and putting these on the Permitted and Conditional Uses Zoning Matrix.

01:32:22 Explanation and discussion.

Cordell Batt introduced the item and briefly explained the situation. Alan Luce explained the circumstances further and the reasons for including this on the zoning matrix.

Alan, Cordell and the commission discussed this further. Robert Burt discussed allowing for less prescription in certain situations, such as someone working on an old vehicle, and potentially allowing it up to a certain number; or continuing the way it is written and dealing with such an issue if it arises. Alan recommended the latter.

01:55:24 Motion

Casey Moriyama made a motion to make a positive recommendation to the City Council on these changes, as proposed. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously.

Discussion of proposed Water Rights Ordinance.

01:56:55 Discussion

Cordell Batt explained the situation and the reasons behind needing this. Alan Luce detailed it further.

Alan discussed this with the Planning Commission, at length.

02:16:08 Motion

Robert Burt made a motion to adjourn the meeting. Craig Humphreys seconded the motion. A vote was called and the motion passed unanimously.

The meeting adjourned at: 8:51 p.m.

Approved by Planning Commission:

November 8, 2018

Transcribed by Marie Wilhelm

Recorded by



Scott Bennett/City Recorder