



PLANNING COMMISSION MINUTES

Meeting of April 11, 2019

Logan City Council Chambers (290 North 100 West Logan, UT 84321)
www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, April 11, 2019. Vice-Chairman Nielson called the meeting to order at 5:30 p.m.

Commissioners Present: David Butterfield, David Butterfield, Roylan Croshaw, Regina Dickinson, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Bill Young, Paul Taylor, Craig Humphreys, Jeannie Simmonds (Council liaison)

Minutes from the March 14, 2019 meeting were reviewed. Commissioner Croshaw moved that the minutes be approved as submitted. Motion seconded by Commissioner Dickinson. Approved unanimously.

5:35 p.m. Chairman Butterfield arrived

PUBLIC HEARING

PC 19-006 Schaefer Bed & Breakfast – ***continued from March 14, 2019*** - [Conditional Use Permit] Mike Schaefer, authorized owner/agent, requests a permit to operate a bed & breakfast located at 206 North 200 East, in the Mixed Residential (MR-20) zone; TIN 06-063-0010. (Adams Neighborhood)

STAFF: Mr. Smith reviewed the request for a Bed & Breakfast in the MR-20 zone. A Bed & Breakfast use is defined in the Land Development Code (LDC) 17.62 as overnight accommodations of ten or fewer rooms that may also serve one or more meals, limited to registered guests.

The proposed location is a single-family home built in 1898. The home is adjacent to a series of four (4) townhomes. The single-family home and the adjacent townhomes share the outdoor space and have a common driveway. The home has 4 bedrooms, 2 bathrooms, and is approximately 2,100 SF. The concerns with a bed and breakfast use in a residential area are typically parking and neighborhood compatibility.

The area around the proposed use is mixed. Immediately around the site is a mix of housing types including apartments, townhomes, condominiums, and single-family residences, that vary in density. The site is across the street from the Logan Temple, which draws people to the area and provides the impetus for providing short-term accommodations. Noise and nuisance ordinances are enforced on this use, the same as any residence in the area. Overall, the use, as conditioned, is compatible with the neighborhood.

PROPONENT: Mike Schaefer, owner of the property, explained that this will be a short-term rental for guests who come into town for various events. He is working on an alternative parking plan with the owner of the medical complex nearby for the use of three additional parking spaces (within the required 600' radius from the project).

PUBLIC: Jeannie Simmonds questioned whether, based on the definition of a Bed & Breakfast, an owner is required to live on-site.

A comment was received from Nancy Jensen, on behalf of the Temple Avenue Condominiums Homeowners Association, expressing concern about the limited parking in the area.

COMMISSION: Commissioner Goodlander asked about access to the back, for instance, if someone stopped to check in, they would block the access. Mr. Smith explained that there is another, more improved access, off Temple Ave.

Mr. Smith confirmed for Commissioner Dickinson that the finding of approval indicating that there is adequate parking is based off of the condition requiring an alternative parking plan.

Chairman Butterfield is unsure whether the project should be approved without seeing the alternative parking plan. Mr. Smith said the applicant is working on one, which will be reviewed and approved by staff before a license is issued (as stipulated in condition 3).

Commissioner Ortiz pointed out that the Code requires parking to be at 70%, however, this proposal, with three out of the five required to be off site, results in 60%. Mr. Holley said an alternative parking plan prescribes percentages when there is a reduction in the number of parking stalls, however, the only criteria regarding off-site parking is that it has to be located within 600' of the project and cannot be located across a major roadway.

Commissioner Newman asked if an owner must reside at the home. Mr. Housley, the City Attorney, said that is how it has been enforced, however the definition may not clearly denote that.

Mr. Schaefer said his understanding is that a Bed & Breakfast is different from an Air B&B, or other short-term rental. Mr. DeSimone said that is correct, an Air B&B would be classified like a hotel/motel, with no owner on site, which is not allowed in and could not be authorized under a Conditional Use Permit. A Bed & Breakfast is allowed if the owner/manager lives on site. Commissioner Dickinson asked how short-term rentals are enforced because there are some operating within the City. Mr. DeSimone said the State is supposed to come up with a set of standards; however, local jurisdictions are unable to use advertising to identify and then enforce on them. The City is working on how to regulate this new trend.

Commissioner Goodlander asked how this project can be approved if an owner/manager does not live on site. Mr. DeSimone said it cannot be permitted unless someone lives there. Chairman Butterfield and Commissioner Dickinson disagreed since it is not adequately or clearly defined in the Code. Mr. Housley advised that having someone on site can be a condition of approval if it mitigates potential negative impacts. This issue does need to be reviewed and better addressed, especially since these types of uses are becoming more common.

Commissioner Goodlander said if an owner is not required to live on site, the parking requirement could be reduced to four.

MOTION: Commissioner Newman moved to **conditionally approve** a Conditional Use Permit as outlined in PC 19-006 with the requirement that an owner/manager live on site. Commissioner Nielson seconded the motion.

Commissioner Dickinson disagreed, especially since there are other short-term rentals operating that have met no requirements. The applicant is trying to license this use the correct way and the Code does not define or clarify it appropriately. Commissioner Goodlander agreed and suggested reviewing the Code to adequately meet the intent.

Commissioner Ortiz pointed out that the HOA is supportive of this project. Commissioner Newman clarified that they are supportive if the parking is handled and having a manager on site would help take care of that issue.

Moved: D. Newman **Seconded:** T. Nielson **Motion Failed:** 3-4

Yea: Croshaw, Newman, Nielson **Nay:** Dickinson, Butterfield, Ortiz, Goodlander **Abstain:**

MOTION: Commissioner Goodlander moved to **conditionally approve** a Conditional Use Permit as outlined in PC 19-006 with the conditions and findings for approval listed below. Commissioner Ortiz seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded and available in the Community Development Department.
2. A minimum of five (5) parking stalls shall be provided for the use.
3. An Alternative Parking Plan shall be provided and approved that meets the minimum five (5) parking stall requirement. Off-site parking shall be located within 600' of the use, and requires a written agreement. Off-site parking may be located across 200 East and 200 North.
4. 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.
5. 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.
6. 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. Fire
 - i. R1 occupancies require a fire sprinkler and fire alarm system to be installed.
 - b. Environmental
 - ii. Use existing residential carts. Additional carts are available as needed
 - c. Water/Cross Connection
 - i. The yard hydrant in front of the house needs to have a cold weather rated hose bib vacuum breaker permanently installed.
 - ii. The combined landscape irrigation system needs to have an RP (ASSE1013) installed and tested. A passing test report of the assembly must be provided to the city.
 - d. Business License
 - i. Business license required for bed and breakfast use.

FINDINGS FOR APPROVAL

1. The proposed use conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.
2. The use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
3. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
4. The proposed use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.
5. As conditioned, the proposed use provides adequate off-street parking in conformance with Title 17 of the Logan Municipal Code.

Moved: S. Goodlander **Seconded:** E. Ortiz **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

PC 19-010 Logan Culver's [Design Review Permit] Jered Plouzek (Think Architecture)/Nixon & Nixon Inc. authorized agent/owner request to build a 4,278 SF restaurant with outdoor seating on 1.13 acres located at 208 East 1400 North in the Commercial (COM) zone; TIN 05-014-0008. (Adams Neighborhood).

Chairman Butterfield disclosed that he is an officer with Goldenwest Credit Union, which owns property adjacent to this project site, however, he does not believe it creates any personal conflict of interest.

STAFF: Mr. Holley reviewed the request for a new 4,278 SF Culver's fast food restaurant. The proposal includes landscaping improvements, a new 60-stall parking lot, drive-thru window and outdoor patio/dining area. The project site is a 1.13-acre property located at the southeast corner of the intersection of 200 East and 1400 North. The relatively flat site is currently vacant with grass ground-cover.

Mr. Holley explained that 200 East currently has two travel lanes, however, it is planned to expand and the City is requiring a 10' road widening to allow for three lanes of travel. The building is proposed to have the primary entrance on 1400 North. The challenge is balancing form and function.

PROPONENT: Spencer Young, the owner of the Culver's franchise, is excited for the opportunity to bring this restaurant to Logan. Franchises are locally owned and become very involved in the community. The 10' widening of 200 East created a difficult challenge for the site layout. The building architecture is mandated by the National franchise. The primary facade will be along 1400 North. They will work with the Credit Union regarding access. He asked for consideration for a reduction of landscaping easements along 200 East because the lot size had to be reduced for the 10' right-of-way.

Jered Plouzek, the project architect, said with the primary entrance facing 1400 North, the landscaping setback along the west side (200 East) could be reduced, which will greatly help with the shared access.

Commissioner Newman asked about diagonal parking on the 200 East side. Mr. Plouzek said the franchise is concerned with pedestrians crossing a traffic lane (drive-thru). Mr. Young said it is important to create a good flow of traffic, especially during peak times, and diagonal parking would create a one-way flow which would make it very congested. There needs to be room for vehicles

PUBLIC: None

COMMISSION: Mr. Holley clarified for Commissioner Ortiz that parking is based on the dining area; requiring 1 stall per 75'. Outdoor space is 10% of the total lot size (49,000 SF) which combined with open space would equal 9,844 SF.

Commissioner Newman questioned the requirement for shared access. Mr. Holley explained that there is an easement that runs across all three properties. The applicant will work with the adjacent property owners on a possible shared access. Mr. Young, the City Engineer, said the south access used to be chained for emergency vehicle use, however, it is currently being used as a general access. He encouraged the applicant to work with the other property owners because one shared access would be the best solution for this location.

Commissioner Goodlander said the proposed patio seating and entrance on the north side might interfere with the drive-thru stacking plan.

Mr. Holley said the three parking stalls on the northeast corner would be in conflict because parking is not allowed in the front, parking is required to be to the side/rear of the building.

Commissioner Nielson pointed out the landscaping can be worked out because there is ample parking; there is quite a bit of room to work within. Chairman Butterfield agreed.

Mr. Holley said the side setbacks can be reduced with enhanced landscaping.

MOTION: Commissioner Nielson moved to add a condition to allow a reduction of the setback on the west side (along 200 East) from 8' to 5' with enhanced vertical landscaping. Commissioner Croshaw seconded the motion.

Moved: T. Nielson **Seconded:** R. Croshaw **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

MOTION: Commissioner Nielson moved to amend Engineering condition b(i) to "*All building locations on 200 East shall be set back to allow for one additional 10' lane entering the 1400 North intersection in the future. Additional right-of-way may be necessary for park strip, sidewalk and corner clip at the intersection for a signal pole relocation*". Commissioner Newman seconded the motion.

Moved: T. Nielson **Seconded:** S. Goodlander **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

MOTION: Commissioner Nielson moved to **conditionally approve** a Design Review Permit as outlined in PC 19-010 with the amended conditions and findings for approval as discussed and listed below. Commissioner Goodlander seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The Planning Commission determines the north facade as the front of the building.
3. Parking stalls shall be located to the side or rear of the building.
4. A relative direct pedestrian connection shall be made between the primary entrance and the street.
5. The parking setback along 200 East (side of the building) shall be 8', unless enhanced vertical landscaping is placed in that area for a reduced setback to 5'.
6. 30% transparency is required on the front façade.
7. All public pedestrian entrances shall have weather protection provided above.
8. A minimum of 24 parking stalls, 8 stacking positions in the drive-thru aisle, and a bike rack shall all be provided.
9. Any sidewalks that cross the drive-thru aisle shall have curb cuts and markings indicating a crossing.
10. A performance landscaping plan, prepared in accordance with LDC §17.39, 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. Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forrester.
 - b. Open and usable outdoor areas shall total a minimum of 9,844 SF.
 - c. A total number 22 trees and 56 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
11. All dumpsters shall be visually screened or buffered from public streets by using fencing, walls and landscaping.
12. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.

13. Exterior lighting shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
14. 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.
15. 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.
16. Surface storm-water retention and detention facilities shall be in areas away from public streets and buffered from view.
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. Environmental
 - i. Parking in front of an enclosure is not recommended because of the potential for it to be blocked by parked vehicles; use either the southwest or the southeast corner, facing north. A minimum 60' straight on access is required. The minimum inside measurement for a double enclosure is 24' wide x 10' deep. Because of morning winds in this area, gates must be designed to fully open and then be held in the open position during the collection process. Place bollards to protect enclosure walls.
 - b. Engineering
 - i. All building locations on 200 East shall be set back to allow for one additional 10' lane entering the 1400 North intersection in the future. Additional right-of-way may be necessary for park strip, sidewalk and corner clip at the intersection for a signal pole relocation.
 - ii. Access to 200 East to be shared with the adjacent property's access at south property line. If agreement cannot be reached between property owners, the City Public Works Department will work with the developer to determine alternate connection location or restrictions to the access point.
 - iii. Address drainage ditch along the south property line and ensure adequate pipe size for all storm water and irrigation water which currently flows in this ditch. This is in addition to any storm water collection and discharge from developed site which may be discharged into this ditch.
 - iv. Shared access to 1400 North shall be designed and restricted to a right-in and right-out only access.
 - v. Provide onsite detention/retention of storm water in accordance with Logan City Standards. This includes the retention of the 90% storm event onsite utilizing Low Impact Design methods.
 - vi. Comply with all City requirements for water shares, storm water and water maintenance agreements.
 - vii. Record a PUE of 10' behind all frontage property and a 10' PUE for the existing City water line on property if not already recorded. A PUE shall also be recorded on all interior property lines (5' or 10' depending if PUE exists on adjacent parcels).
 - viii. Pavement section on 1400 North and 200 East shall be for an arterial type road per City Standards.
 - c. Water
 - i. This unit needs to have its own RP (ASSE1013) installed and tested on the water main as it enters this unit before any branch offs or connections.
 - ii. Landscape irrigation must have a high-hazard backflow assembly installed and tested.
 - iii. Fire suppression systems must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - iv. All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction

d. Fire

- i. Fire sprinkler and fire alarm system required if the occupant load is greater than 100 in an A2 occupancy. Fire hydrants are required (one within 100' of FDC).
- ii. (IFC 503.1.1) Fire Apparatus Access shall extend to within 150' of all portions of the facility as measured by an approved route around the exterior of the building.
- iii. Plan appears to have hard surface access around the building.
- iv. Provide AutoCAD two track drawing indicating the following apparatus specifications on all fire access road and lanes: Inside turn 17' curb-to-curb 32', and wall-to-wall 36'.
- v. (IFC 507.1) An approved water supply 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.
- vi. Required Flow: (Need to provide exact accumulative square footage and type of construction).
- vii. According to Table B105.1(2) the required fire flow for Type VB construction of 4,278 SF is 1,750 gpm at 20 psi. (If fire sprinklers are installed this may be reduced, not less than 1,000 gpm @ 20 psi)
- viii. Fire Hydrant #FH01311 (approx. 230 East 1400 North) flows 3,254 gpm at 20 psi
- ix. The 8" Mainline (approx. 208 East 1400 North) flows 3,361 gpm at 20 psi
- x. (IFC 507.5.1) Fire Hydrants shall be located within 400' of the building as measured by an approved route around the exterior of the building.
- xi. (IFC table C102.1) Required number and spacing of hydrants.
- xii. The required fire flow of 1,750 gpm (VB Construction) shall be required via one accessible hydrants.
- xiii. A fire hydrant is required within 100' of the fire sprinkler fire department connection (FDC).

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 project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The project provides required off-street parking.
4. The project meets the goals and objectives of the COM 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.
5. The project complies with maximum height, density and building design, open space standards and is in conformance with Title 17.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 1400 North and 200 East provide access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: T. Nielson **Seconded:** S. Goodlander **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

Jack Nixon, the property owner, thanked the Commission for the favorable decision. He thinks this will be a good project for this location.

PC 19-011 L.W.'s Car Wash [Design Review Permit] Brent Miller/Larsen Miller authorized agent/owner, request a 13,000 SF multi-tenant commercial building and a 5,000 SF car wash to be located at 975 West 200 North in the Commercial (COM) zone; TIN 05-094-0006;-0007. (Ellis Neighborhood).

STAFF: Mr. Smith reviewed the request to construct one (1) new 13,000 SF commercial building and one (1) 5,000 SF car wash on an approximately 2.6-acre site. The site has been divided into two parcels through a boundary line adjustment. The western parcel is approximately 1.3 acres and is proposed to contain the commercial building. The eastern parcel is approximately 1.3 acres and proposed to contain the car wash. The site fronts three streets, 1000 West, 200 North, and 950 West. 1000 West and 200 North are both UDOT highways. Access to the site is proposed on 1000 North and 950 West. In addition to the two proposed buildings, site development includes surface parking, covered vacuum stations, RV dump station, and landscaping.

The proposed commercial building fronts 1000 West and includes a drive-through lane that wraps around the west side of the building. Total tenants in the space remains under consideration. The southernmost tenant space would include a drive-through window. The proposed 5,000 SF car wash includes six (6) bays. The northern car wash bay is designed to accommodate recreational vehicles and large trucks. The covered vacuum station is located to the south of the car wash. The RV dump station is located north of the car wash.

Development is proposed to occur in two phases. A final phasing plan has not been submitted, however, it is anticipated that the first phase will consist primarily of the car wash, vacuum stations, RV dump station, and access along 1000 North and 950 West. Phase II will consist of the commercial building and associated surface parking and landscaping. Both phases of the development are being considered as part of the design review.

The proposed commercial building and car wash are congruent with the surrounding land use and architecture, and, as conditioned, meet the requirements for development in the Commercial zone. The proposed project will provide enhanced access to commercial services in the community.

PROPONENT: Brent Miller thinks this is a good location for a car wash. He is not sure who the other tenants will be but they would like to see something along the lines of an industrial supply or hardware store. They would like to be able to access the car wash from both 950 and 1000 West. Commissioner Goodlander asked if there was a second entrance at the north end of 950 West. Mr. Miller confirmed that there are two entrances from 950 West.

PUBLIC: None

COMMISSION: Commissioner Goodlander asked if the parking spaces next to the vacuum stations would be considered in phase 1. Mr. Smith said all parking along 200 North will be constructed during phase 2.

MOTION: Commissioner Goodlander moved to **conditionally approve** a Design Review Permit as outlined in PC 19-011 with the conditions and findings for approval listed below. Commissioner Nielson seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval are recorded and available in the Community Development Department.
2. Provide a phasing plan for the site development that details proportional development across phases, including open space and landscaping.
3. Provide a pedestrian pathway that connects the commercial building to 1000 West.

4. A minimum of 52 parking stalls, 8 stacking positions within the drive-thru lane and a bike rack shall all be provided for the commercial building.
5. A minimum of one (1) stacking space for self-serve bays and six (6) stacking spaces for auto wash bays shall be provided for the car wash.
6. All parking along 200 North should be constructed during phase two and placed in the side yard of the commercial building.
7. A landscaping buffer will be constructed between the parking and the sidewalk along 200 North. The buffer shall conform with Type "B" Separations, LDC 17.32.070.B.
8. A performance landscaping plan, prepared in accordance with LDC §17.32, 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. Street trees required along public streets every 30'. Coordinate species and location with the City Forester.
 - b. 10% open space and 10% usable outdoor space.
 - c. Open and usable outdoor areas shall total a minimum of 22,760 SF.
 - d. A total number 52 trees and 130 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
 - e. The drive-through shall be buffered and screened from 1000 West with shrubs and vegetation.
9. 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.
10. The south elevation of the car wash shall have horizontal articulation that meets the requirements of §17.12.020.4.a.
11. The south elevation of the car wash shall have minimum transparency of 30%.
12. The south elevation of the commercial building shall have a minimum transparency of 30%.
13. Any dumpsters near the street shall be visually screened or buffered with landscaping and/or fencing.
14. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
15. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the LDC.
16. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the LDC.
17. Surface storm water retention and detention facilities shall be in areas away from public streets and buffered from view.
18. 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
 - i. The car wash's water main must have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. (This is for containment protection only.) The water main must then tee and serve the bathrooms. The other side of tee must have an RP(ASSE1013) to serve the car wash only (point of use only).
 - ii. Any landscape irrigation connected to Logan City water must have a high-hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning on the water to them and annually thereafter.
 - iii. Fire suppression systems connected to Logan City water must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
 - iv. All points of use of water must comply with the 2015 IPC and State of Utah Amendments, during and after construction.

- v. The water supply for RV Dump must have its own RP (ASSE1013) installed and tested. Any water outlets down stream of this backflow assembly must be labeled "NONPOTABLE". (Point of use Protection).
- vi. Commercial Units-- Each unit's water main must be separate and have their own RP (ASSE1013) installed and tested as it enters each unit.
- vii. The project shall comply with all Utah Division of Drinking Water rules and regulations, including but not limited to, those pertaining to backflow and cross connection prevention.
- b. Fire
 - i. Fire sprinkler, fire alarm system may be required depending on future use and occupancy of tenant units.
 - ii. Provide AutoCAD two track drawing indicating the following apparatus specifications on all fire access roads and lanes: Inside turn 17', curb-to-curb 32', and wall-to-wall 36'.
 - iii. The required fire flow of 3,000 gpm (VB Construction) shall be required via three (3) accessible hydrants.
 - iv. Fire hydrant is required within 400' of all areas of the building exterior. If fire sprinklers are installed a fire hydrant is required within 100' of the fire sprinkler fire department connection (FDC).
- c. Environmental
 - i. The minimum inside measurement for a double enclosure without gates is 22' wide x 10' deep. If gates are desired, it is 24' wide. For collection efficiency, preference would be no gates.
 - ii. Place bollards on the front corners and in the back of the enclosure to help protect the walls.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of design, materials, landscaping, and setbacks.
2. The project conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The conditioned project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The conditioned project provides adequate off-street parking.
5. 1000 West and 950 West provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.
6. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high capacity roadways and is designed in a way for easy circulation of both pedestrian and vehicles.
7. The project met the minimum public noticing requirements of the LDC and the Municipal Code.

Moved: S. Goodlander **Seconded:** T. Nielson **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

PC 19-009 Logan City 2019 Moderate Income Housing Plan Amend the Logan General Plan to comply with Utah State Statute 10-9A-401 adopting the Logan City 2019 Moderate Income Housing Plan as an element of the Logan General Plan

STAFF: Mr. DeSimone reviewed some of the background materials to provide a better understanding of the local demographic and housing data. In the most recent legislative session, the State Legislature passed SB 34 which has changed some of the requirements for Moderate Income Housing.

Key points outlined:

- Moderate-Income Housing is housing occupied, or reserved for occupancy, by households with a gross income equal to, or less than, 80% of the median gross income for households of the same size in the county which the city is located.
- Every city in Utah must prepare a Moderate-Income Housing Plan that considers the legislature's determination that municipalities shall facilitate a reasonable opportunity for a variety of housing, including moderate income housing. To meet the needs of people of various income levels living, working, or desiring to work in the community and allow people with various incomes to benefit from, and fully participate in all aspects of community life.
- The plan needs to include an analysis of how the municipality will provide a realistic opportunity for the development of moderate-income housing within the next five years.
- A plan shall include a recommendation to implement three or more of the following strategies:
 - o Rezone for densities necessary to assure the production of moderate income housing
 - o Facilitate the rehabilitation or expansion of infrastructure that will encourage the construction of moderate income housing;
 - o Facilitate the rehabilitation of existing uninhabitable housing stock into moderate income housing;
 - o Consider general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed;
 - o Reduce regulations related to, accessory dwelling units in residential zones;
 - o Allow for higher density, or moderate income residential development in commercial and mixed-use zones; commercial or employment centers;
 - o Encourage higher density or moderate income residential development near major transit investment corridors;
 - o Eliminate or reduce parking requirements for residential development where a resident is less likely to rely on a personal vehicle, such as residential near major transit corridors or senior living;
 - o Allow for single room occupancy developments;
 - o Implement zoning incentives for low to moderate income units in new developments;
 - o Utilize strategies that preserve subsidized low to moderate units on a long-term basis;
 - o Preserve existing moderate-income housing;
 - o Reduce impact fees, as defined in Section 11-36a-102, related to low and moderate-income housing;
 - o Participate in a community land trust program for low or moderate-income housing;
 - o Implement a mortgage assistance program for employees of the municipality or of an employer that provides contracted services to the municipality;
 - o Apply for, or partner with, an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing;
 - o Apply for, or partner with, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity;
 - o Apply for, or partner with, an entity that applies for affordable housing programs administered by the Department of Workforce Services
 - o Apply for, or partner with, an entity that applies for programs administered by the association of government established by an interlocal agreement;
 - o Apply for, or partner with, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing;
 - o Apply for, or partner with, an entity that applies for programs administered by a metropolitan planning organization or other transportation agency that provides technical planning assistance;
 - o Utilize a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency; and;
 - o Any other program or strategy implemented by the municipality to address the housing needs of residents of the municipality who earn less than 80% of the area median income.

- **Reporting Requirements:**

- Review plan annually;
- Prepare report on findings from annual review;
- Post the report on the City's website, and
- Report to the State

- **Annual Reporting:**

- Revised 5-year estimates of moderate-income housing needs
- Progress to providing moderate-income housing
- Identification and utilization of RDA funds
- Progress on implementation of Plan recommendations
- A Moderate-Income Housing Plan analyzes housing needs and demographic trends, forces a community to identify regulatory barriers to affordable housing, fulfills a State requirement to promote fair housing, recommends strategies and policies to encourage affordable housing and prevents exclusionary zoning.
- A Plan does not establish a quota for affordable housing for each community and it does not commit the City Council to fund, or participate in, affordable housing projects.
- Median household income for Logan City is \$36,256; median household income for Cache County is \$57,235.

- **Area Median Income (AMI) vs Actual Median Household Income**

- o 2016 AMI for Logan: \$60,200
- o 2016 Median Household Income: \$36,256
- o 2000 Median Household Income: \$44,339
- o Net change in household income (2000/2016): -\$8,083
- o 2016 per capita income \$17,638: (lowest in Cache County)

- **Conclusions regarding impacts of zoning on moderate income housing:**

- o Logan currently has a diverse range of zoning
- o Allow for a wide range of potential densities suitable for moderate income housing
- o Provide multiple mixed-uses zones with higher density potential (MU, COM, CC, TC, NC)
- o Multiple opportunities for housing for all income ranges throughout most of the City
- o Current zoning does not permit accessory dwelling units (ADU)

- **Other realities affecting moderate income housing:**

- o Lack of greenfield areas for development
- o Lack of available acreage for lower density multi-family zoning (MR-9/MR-12)
- o Lack of appetite for rezoning NR to multi-family
- o The belief that Logan has too much affordable housing
- o Student housing vs. non-student housing
- o Not all affordable housing is student housing, but student housing concerns affect multi-family projects
- o Competition with other communities
- o Changing demographics
- o Is the market responsive to actual needs?

- **Summary**

- o Majority of region's affordable housing
- o 1% average growth rate (population)
- o Population is younger and poorer than other Cache Valley communities
- o Median age is 23.9 years
- o Household size is 2.9
- o 58% of population is 18-34 and under Age 5
- o 10% of population is disabled
- o 38% of population over 65 is disabled
- o 2016 median household income is \$36,257 vs. Countywide of \$57,235
- o Median household income has declined \$8,032 since 2000
- o 64% of households, or 10,320 households are at, or below 80% of HUD's AMI

- o Added 2,468 residential units (2010-2018)
- o 1.4% average growth rate (residential units)
- o 17,533 residential units in 2016 and 42% are detached single-family homes
- o Owner occupancy declined 44% (2000) to 42.5% (2010) to 40.5% (2016)
- o 2016 renter occupied – 59.5%
- o 2016 median owner-occupied home value - \$164,000
- **Goals & Strategies**
 - o **Goal 1**: Continue to work towards stabilizing core neighborhoods through such methods as code enforcement, rehabilitation assistance, down payment assistance, and targeted infill projects.
 - o **Goal 2**: Work with public and private entities to increase affordable housing opportunities for Logan's special needs population.
 - o **Goal 3**: Continue to work with other communities in Cache Valley to achieve a more equitable regional distribution of affordable housing.
 - o **Goal 4**: Evaluate and consider a Transit Oriented District (TOD) near the CVTD transit center focused on encouraging a mixture of uses, including dense housing and neighborhood serving commercial as a way to locate affordable housing near transit services.
 - o **Goal 5**: Evaluate and consider expanding the City's Housing Rehabilitation Assistance program for rentals that house low/moderate income residents.
 - o **Goal 6**: Work with developers providing multi-family housing to include a higher percentage of studio and one-bedroom units within their housing unit mix to provide additional housing for single, non-student, low/moderate income residents.

PUBLIC: Dr. Brenda Sun said this is an admirable project and she expressed appreciation for Chairman Butterfield's comments about a broader approach being needed to raise the income of the average citizen, which will help promote self-reliance and independence.

COMMISSION: Commissioner Ortiz pointed out that Utah's population growth is much different than the nationwide trend and asked if there are any plans or programs from other places to help determine what has been effective. Utah's median age is 30 and Logan's is 23 which needs to be considered when implementing goals. Mr. DeSimone said Utah has always had a higher than average birth rate, however, 30 years ago the price of housing and demand was much different and it may be difficult to correlate that information with past trends and current market rates.

Commissioner Ortiz said the lower income is based on the lower average age, which is an important factor to consider. Mr. DeSimone said the challenge is to capture and keep the younger population in Logan because it is difficult to compete with other communities. The goal should be to capitalize on the amenities Logan has.

Commissioner Nielson asked about the Neighborhood Reinvestment Grant program. Mr. DeSimone said several projects have been funded. The challenge is that the property owner has a financial investment as well; however, marketing will be promoted again this spring.

Chairman Butterfield said the broader discussion is the Valley needs better, higher-paying jobs. Years ago, there was a push to recruit high-tech companies to the area. Mr. DeSimone said the Economic Development Department is constantly working on bringing business to Logan. Mayor Daines said it is a real challenge.

MOTION: Commissioner Newman moved to **continue discussion** of PC 19-009 to the April 25, 2019 meeting. Commissioner Nielson seconded the motion.

Moved: D. Newman **Seconded:** T. Nielson **Approved:** 7-0

Yea: Butterfield, Croshaw, Dickinson, Goodlander, Nielson, Newman, Ortiz **Nay:** **Abstain:**

WORKSHOP ITEMS for April 25, 2019

- ✓ PC 19-012 L59 (Design Review & Zone Change)
- ✓ PC 19-013 8th & Main Car Lot (Conditional Use)
- ✓ PC 19-014 Municipal Pool Truck Rental (Conditional Use)
- ✓ PC 19-105 LDC Amendment – Various Minor Changes

MEETING ADJOURNED: 7:55 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of April 11, 2019.

Michael A. DeSimone
Community Development Director

David Butterfield
Planning Commission Chairman

Debbie Zilles
Administrative Assistant