



PLANNING COMMISSION MINUTES

Meeting of May 9, 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, May 9, 2019. Chairman Butterfield called the meeting to order at 5:30 p.m.

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

Staff Present: Mike DeSimone, Aaron Smith, Debbie Zilles, Bill Young

Minutes from the April 25, 2019 meeting were reviewed. Commissioner Newman moved to approve the minutes as submitted. Motion seconded by Commissioner Nielson. Approved unanimously.

PUBLIC HEARING

PC 19-016 UT1-Larry (Verizon Wireless Cell Tower) [Design Review & Conditional Use Permit] Troy Benson/GunHo Logan LLC, authorized agent/owner, requests to construct a communication facility to include a 70' tall tower and single equipment cabinet within a 20'x38' lease area. The equipment will be surrounded by a 6' tall chain-link fence located at 1750 North 800 West in the Industrial Park (IP) zone; TIN 07-176-0020.

STAFF: Mr. Smith reviewed the proposal for an unmanned communications facility consisting of antennas mounted to a new 70' monopole with outdoor equipment, generator, and 20' x 38' fenced ground lease area. The ground equipment includes a diesel generator, a steel equipment cabinet and space for up to 2 additional cabinets. The tower has a 6' tall lighting rod on top and a large antenna array located on the upper area of the pole, and two microwave dishes located near the middle of the pole. The antenna array consists of three directional facing groups of 8' tall antennas. The three arrays project out from the side of the pole approximately 4-7' in a triangular shaped pattern. The proposed location is in the southwest corner of the GunHo Logan property.

PROPONENT: Troy Benson, the applicant, was present to answer any questions.

PUBLIC: Staff spoke with the Logan Cache Airport Manager, Lee Ivie, regarding the need for FAA approval for the tower.

COMMISSION: None

MOTION: Commissioner Dickinson moved to **conditionally approve** a Conditional Use Permit for PC 19-016 with the findings and conditions for approval as 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. The tower shall be no taller than 70'.
3. The fencing enclosing the equipment shall be a solid material fence and/or landscaping so that all equipment is completely screened.

4. The Planning Commission uses the discretionary authority given in LDC §17.43 allowing antennas placed in a horizontal array pattern, as proposed, for co-location rather than the slim vertical pattern which would prohibit future co-location.
5. Approval for the cell tower must be issued by the FAA and provided to the Community Development Department prior to issuance of a building permit.

FINDINGS FOR APPROVAL

1. The project is compatible with surrounding land uses and will not interfere with the use and/or enjoyment of adjacent properties as 70' is a consistent and compatible tower height within the surrounding neighborhood.
2. The project conforms to the requirements of Logan Municipal Code Title 17.
3. The project meets the goals and objectives of the Industrial Park zone within the Logan General Plan by providing reliable and quality public service options.
4. The project met the minimum public noticing requirements of the Land Development and Municipal Codes.

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

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

PC 19-015 LDC Amendment (Various Minor Changes) – continued from Apr. 25, 2019

Logan City requests to amend the Land Development Code (LDC) 17.08.040 Residential Use Table; 17.09.030 Residential Driveway Length; 17.11.030 District & Corridors Use Table; 17.12.050 Building Height; 17.30.100 Temporary Fencing; 17.30.200 Outdoor Storage & Display; 17.31.040 Parking Requirements; 17.37.060 Small Auto Dealerships; 17.62. Definitions.

STAFF: Mr. DeSimone reviewed the proposed minor amendments to the Land Development Code (LDC) to simplify the use and parking tables and to provide additional guidance on issues including residential driveway length, exceptions to maximum building height, temporary fencing, outdoor storage & display, building height transitions, and small auto dealerships.

Residential Use Table 17.08.040: Remove redundant uses and reorganize the list in alphabetical order under each broad category.

Residential Driveway Length 17.09.030: Specify a minimum driveway length of 20' to avoid any vehicles parking over the sidewalk in residential zones with a front yard setback of 25'.

Building Height Transition 17.09.060 (MFR) & 17.12.040 (Commercial, Industrial, Mixed Use): Clarify building height transition standards when a project is proposed adjacent to a parcel containing a non-residential structure larger than 5,000 square feet in size and is zoned single family residential.

District and Corridor Use Table 17.11.030: Remove and consolidate uses that are redundant, similar, or are not unique enough that they cannot be considered under one of the general categories (office, sales/service); alphabetized uses under each category; added new uses such as small auto dealer, minor entertainment event, fitness center, and daily boarding kennel to help clarify code administration. These additions are also represented in the Definitions chapter.

Buildable Area Extensions (Height) – 17.12.050: Clarify exceptions to maximum building heights.

Temporary Fencing 17.30.100: Add a subsection on temporary fencing to clarify the conditions on how and when temporary fencing could be installed.

Outdoor Storage & Display 17.30.200: Add standards for outdoor storage in all zones and standards for outdoor display in the Commercial, Industrial, and Town Center zones.

Parking by Use Table 17.31.040: Alphabetize, organize and consolidate uses in the parking table.

Small Auto Dealership 17.37.060: Add standards for small auto dealerships involving less than a total of 8 vehicles to provide a simpler review process.

Definitions 17.62: Updated the Definitions chapter.

PUBLIC: None

COMMISSION: Commissioner Nielson expressed concern about the width allowed of a private road, especially related to snow removal. He referenced the Champlin Development as an example. Mr. DeSimone said that project was approved to be built to the alley standard. This can be reviewed with the Engineering Department.

Chairman Butterfield questioned whether a Bar/Tavern would include every establishment that serves alcohol for consumption on premise. Mr. DeSimone said the designation is based on DBAC licensing, which uses a ratio of food-to-alcohol.

Mr. DeSimone clarified that a small dealership is allowed 8 or fewer vehicles with the opportunity for three (3) stalls outside for advertising/storage.

Mr. DeSimone clarified for Commissioner Dickinson that local jurisdictions are unable to use the Airbnb.com site for enforcement purposes.

Commissioner Newman asked if there is a time restriction on how long vehicles can be stored at an impound/tow yard. Chairman Butterfield noted that it might be better to define where the lots can be located than possibly infringe on state regulations.

Commissioner Nielson asked about temporary fencing. Mr. DeSimone said it is based on the scope of an activity and would depend on the situation as to length and location.

Commissioner Ortiz asked if there is a maximum height allowed on buildable area extensions (17.12.050). Mr. DeSimone said it would be driven by the unique need and how it relates to the project. Each case will be reviewed and the Commission has discretionary allowance.

MOTION: Commissioner Goodlander moved to **forward a recommendation for approval** to the Municipal Council for an amendment to the Land Development Code as outlined in PC 19-015 with the findings for approval as listed below. Commissioner Ortiz seconded the motion.

FINDINGS FOR APPROVAL

1. Utah State Law authorizes local Planning Commissions to recommend ordinance changes to the legislative body (Municipal Council).
2. The amendment is in conformance with Logan Municipal Code Title 17.51 requirements.
3. The amendment is consistent with the Logan City General Plan.
4. The changes are minor and clarify certain minor issues, and work towards streamlining the overall Code implementation by removing redundant and overlapping language.
5. No public comment has been received regarding the proposed amendments.

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

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

PC 19-009 Logan City 2019 Moderate Income Housing Plan – continued from Apr. 25, 2019 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 summarized the goals and strategies outlined in the Plan:

Goal 1: Continue to work towards stabilizing core neighborhoods through such methods as code enforcement, rehabilitation assistance, down payment assistance, and targeted infill projects.

Strategy 1 – Continue public investment into public infrastructure and facility improvement projects in the core neighborhoods, including streets, curb/gutters, park strips, trees, sidewalks, trails and lighting to enhance the livability of Logan’s neighborhoods.

Strategy 2 – Continue with enhanced code enforcement efforts in the core neighborhoods to identify homes and properties that continually fail to meet minimum property maintenance standards as well as life safety standards.

Strategy 3 – Continue inventorying vacant, dilapidated or blighted buildings and work with property owners to either renovate, rehabilitate or remove such buildings.

Strategy 4 – Continue promoting the Neighborhood Reinvestment Grant program to help improve the curb appeal of older single family residential structures throughout Logan.

Strategy 5 – Continue promoting the Housing Rehabilitation Assistance Grant program to help low income homeowner’s correct life safety issues in their homes.

Strategy 6 – Continue supporting the “Welcome Home Own in Logan” down payment assistance program administered by Neighborhood Housing Solutions.

Goal 2: Work with public and private entities to increase Affordable Housing Opportunities for Logan’s Special Needs population.

Logan’s special needs community includes vulnerable populations such as senior citizens, people with disabilities, the homeless, or those otherwise potentially in need of specialized or supportive housing. Approximately 38% of Logan’s resident population over the age of 65 have a disability while approximately 8% of the resident population under 65 have a disability. When taking into consideration the fact that the median income for disabled residents is approximately 69% of Logan’s median per capita income, finding suitable and affordable housing that is considered “accessible” is very challenging.

Strategy 1 – Consider a density bonus program or other similar incentive program for private multi-family residential projects that provide affordable and accessible units for residents with special needs.

Strategy 2 – Partner with Neighborhood Housing Solutions in developing specialized residential units that are affordable and accessible for residents with special needs.

Strategy 3 – Continue promoting the Housing Rehabilitation Assistance Grant program to help low income senior homeowner’s correct life safety and livability issues, enabling them to age in place in their own homes.

Strategy 4 – Meet regularly with non-profit housing and service providers, Bear River Health Department, Bear River Mental Health, senior, disability and independent living centers in Logan to discuss and evaluate ways to support and provide additional housing opportunities for residents with special needs.

Goal 3: Continue to work with other communities in Cache Valley to achieve a more equitable regional distribution of affordable housing.

Logan City has historically borne the burden of multi-family, rental, starter home, and affordable housing development for the region which places a disproportionate financial burden on Logan's residents. Combined with an aging housing stock, absentee landlords, and increased student housing demands, Logan's rate of owner occupancy continues to decline thereby jeopardizing the stability of our neighborhoods. The region needs to achieve a better, more equitable distribution of housing types, styles and densities that are affordable and suitable for all members of our communities rather than just pushing all the affordable housing towards Logan.

Strategy 1 – Participation in regional planning efforts involving all communities of Cache Valley and the Bear River Association of Governments to address existing and future housing issues, especially a more equitable distribution of affordable housing.

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.

The Cache Valley Transit District serves over two million riders annually on their fare-free transit system. A high percentage of transit users are low to moderate income residents that could benefit from affordable housing and services located near transit. The current zoning around the transit center is a mixture of commercial and residential and needs to be evaluated to determine the best approach to creating and implementing a TOD zoning district in or near this location.

Strategy 1 – Evaluate the existing zoning districts around the CVTD transit center for sites that would be suitable for increased intensities.

Strategy 2 – Create a draft TOD zoning district with an appropriate amount of neighborhood serving commercial uses and residential densities compatible with the neighborhood while also providing affordable housing options for a wide range of residents.

Goal 5: Evaluate and consider expanding the City's Housing Rehabilitation Assistance program for rentals that house low/moderate income residents.

As there are over 9,500 rental units in the city, Logan City should consider providing a grant and/or low interest loan program to eligible rentals that currently house low or moderate-income residents to both improve neighborhoods and the housing stock available to qualified renters.

Strategy 1 – Explore the expansion of the Housing Rehabilitation Assistance Program to rental housing that house low/moderate income residents through either a grant or loan program.

Strategy 2 – Explore the possibility of assisting with the conversion of existing rental housing units into accessible units able to serve residents with disabilities or special needs.

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 as a way to provide additional housing for single, non-student, low to moderate income residents.

According to the 2016 ACS housing data, studio units comprise approximately 2.1% of the total housing stock and one bedroom units comprise approximately 9.6% of the total housing stock. This represents less than 12% of the total housing stock. Single, non-student, low to moderate income residents have very few housing options where they can live independently without roommates, or outside of complexes predominantly serving students. Most detached residential structures also are being sized and built targeting families with children while the majority of multi-family residential units are sized and built targeting USU students or young families.

Strategy 1 – Evaluate the use of incentives for new multi-family projects to encourage the provision of more studio or one bedroom units. Incentives could be in the form of density bonuses, relaxed parking requirements, or a combination of other types incentives.

PUBLIC: None

COMMISSION: Commissioner Ortiz asked about the Analysis of Impediments. Mr. DeSimone explained that was used as a supporting document in this plan and has been included in the appendix for information.

Commissioner Goodlander noted that JustServe.org might be a useful tool. Mr. DeSimone explained that the City does not use this or promote it to market a specific need, however, it is a good program for individuals to use.

Chairman Butterfield mentioned the Community Reinvestment Act (CRA), a federal law enacted in 1977 with the intent of encouraging depository institutions to help meet the credit needs of low- and moderate-income neighborhoods. Mr. DeSimone said the City utilizes RDA and/or CDBG funds, however, he will forward this information to Dave Schuster with Neighborhood Housing Solutions.

Commissioner Ortiz asked about measuring the progress of the plan. Mr. DeSimone said an annual evaluation is done.

Commissioner Nielson wondered if the neighborhood standards were high enough. Mr. DeSimone said this is always a difficult issue. The City will be hiring a second Code Enforcement Officer this summer with the goal to become more proactive and less complaint-driven. An intern has been working the past year to identify areas of concern and administer courtesy notices. There seems to be a general societal trend toward dilapidation. Some factors could include an older housing stock, poor quality of construction and increasing rental properties. There is also an aging population who may not have the means and/or ability for upkeep and maintenance.

Commissioner Ortiz asked about specific populations that have been identified. Mr. DeSimone said physical and mental disability is a category that is included in the Census data, however, there are obviously other sections of the population that is affected by affordable housing. Commissioner Ortiz said if specific groups are identified in the plan, they should also be included within the strategies.

Commissioner Goodlander asked if the strategies are being considered for implementation or are already being incorporated. Mr. DeSimone said it is a mix of both.

Commissioner Ortiz noted that is important to work with other entities and demographic groups. He suggested the USU Student Association, the Family Place, BRAG and CAPSA. Commissioner Dickinson pointed out other segments of the population that often face discrimination such as the LBGQT and Latino communities and single mothers. Mr. DeSimone pointed out that this Plan is income-based and is not an anti-discriminatory plan. Commissioner Dickinson said people in these demographics may qualify for help or benefits and encouraged greater information dissemination. She also suggested changing “special needs” and “vulnerable” to something less offensive such as “underserved”. Mr. DeSimone pointed out that “vulnerable” is used in the ACS data sets which does not categorize ethnicity as an identified disability.

Commissioner Nielson asked if Code Enforcement would be able to shut down a rental. Mr. DeSimone said it is a difficult challenge; a tenant needs to make the effort to call for assistance and Code Enforcement generally deals with true life/safety issues. Chairman Butterfield said ideally the market takes care of this issue, however, because of the downturn in the economy and the markets being out of balance, the demand for affordable rentals is continuing to grow. This provides little incentives for some landlords to maintain and/or improve rentals.

Chairman Butterfield said there may be local banking institutions who might be willing to work with the LMI population. Commissioner Goodlander said that might be a good thing to consider. She commended staff on the work put into the plan.

Chairman Butterfield said there is an obligation both legally and morally to address affordable housing and this should be a positive effort for the entire community.

MOTION: Commissioner Newman moved to **forward a recommendation for approval** to the Municipal Council for the adoption of the 2019 Moderate Income Housing Plan with the changes as discussed and as outlined in PC 19-009. Commissioner Nielson seconded the motion.

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

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

WORKSHOP ITEMS for May 23, 2019

- ✓ PC 19-017 Champlin/Storm Rider Properties Rezone
- ✓ PC 19-018 EKS Storage (Design Review)
- ✓ PC 19-019 North Eastern Services (Conditional Use Permit)

MEETING ADJOURNED @ 7:15 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting of May 9, 2019.

Michael A. DeSimone
Community Development Director

David Butterfield
Planning Commission Chairman

Debbie Zilles
Administrative Assistant