

CITY OF LOGAN, UTAH
ORDINANCE NO. 13-53

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, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.17.030: "Allowed Uses in District and Corridor Zones," is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2013.

AYES:
NAYS:
ABSENT:

Holly Daines, 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 _____, 2013.

Holly Daines, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2013.

Randy Watts, Mayor

EXHIBIT A

Table §17.17.030 Allowed Uses in District and Corridor Zones

...

Category	Description (Excerpt)	Districts & Corridors							
		TC	COM	MU	UC	GW	CS	IP	AP
Commercial Uses									
Sales and Service Refer to §17.08.060	Studio, health& fitness	P	P	P	P	N	P	N <u>P</u>	N



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: July 11, 2013
FROM: Amber Reeder, Community Development
SUBJECT: The Quad Code Amendment

Summary of Planning Commission Proceedings

<i>Project Name:</i>	Quad Elite Training Code Amendment
<i>Project Address:</i>	City wide
<i>Request:</i>	Amendment to LDC LDC Table §17.17.030 Allowed Uses in District and Corridor Zones
<i>Recommendation of Planning Commission:</i>	Approval

On July 11, 2013, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a request to amend the Land Development Code to allow for the use "Studio, health & fitness" to be a permitted use in the Industrial Park (IP) zone.

Planning Commissioners, vote (5,0):

Recommend approval: Amanda Davis, Angela Fonnesbeck, Konrad Lee, Russ Price.
Recommend denial: None.

Attachments:

Staff Report

Ordinance 13-053

PC Meeting Minutes (July 11, 2013)- to be provided previous to the public hearing



**Project #13-028
 Quad Elite Training- Code Amendment
 Amendment to LDC Table §17.17.030
 Allowed Uses in District and Corridor Zones**

REPORT SUMMARY...

Project Name: Quad Elite Training- Code Amendment
Proponent / Owner: Brandon Carlisle on behalf of Cross Fit QET (Quad Elite Training)
Project Address: Industrial Park Zone Citywide
Code Section: LDC§17.17.030 Industrial Park- Allowed Uses
Request: Land Development Code Amendment
Type of Action: Legislative
Hearing Date June 27, 2013
Submitted By: Amber Reeder, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission **recommend approval** to the Municipal Council for the proposed amendment to the Land Development Code (LDC) Table §17.17.030 Allowed Uses in District and Corridor Zones, modifying the Sales and Service use of "Studio, health & fitness" from Not Permitted to Permitted in the Industrial Park zone.

REQUEST

Brandon Carlisle is a personal health trainer and would like to operate his business, Cross Fit QET (Quad Elite Training), in the Industrial Park (IP) zone of the City. Currently, the Land Development Code does not allow for a health and fitness studio in the Industrial Park zone. They are requesting the following change to Code:

Table§17.17.030 Allowed Uses in District and Corridor Zones

Category	Description (Excerpt)	Districts & Corridors							
		TC	COM	MU	UC	GW	CS	IP	AP
Commercial Uses									
Sales and Service Refer to §17.08.060	Studio, health& fitness	P	P	P	P	N	P	<u>NP</u>	N

LDC HISTORY

The Industrial Park zone was added to the Land Development Code in 2011 and is described as areas to support employment and production uses with related offices, services, and storage. The intent is to protect these areas for industrial development opportunities and separate them from uses that are not compatible with potential negative impacts of industrial use.

The first zoning code established in Logan City was in 1950 and there was not a comparable use to a health studio listed at that time. In 1968, the use category "Health Club" was added with allowances in commercial zones. An equivalent zoning was the M-1, Manufacturing zone, and a health club was not permitted in that zoning designation. A "Health Club" was a listed use and not permitted in the M-1 zone from 1968-1975.

In 1976, the use category was changed to "Studio, health, exercise, massage, reducing or similar service." The closest zoning to Industrial Park was still M-1. The "studio" use was not permitted in the M-1 zone. The use category, zone, and prohibition of the use stayed the same

through 2000. In 2000, the code revision at the time changed the M-1 zone to an "IND", Industrial zone. A health and exercise studio was allowed by Conditional Use Permit from 2000 until the 2011 Land Development update.

ANALYSIS

The applicant provided examples of some other fitness studios. The examples provided were established by conditional use permit in the industrial zone, are in a commercial zone, or outside Logan City. They do indicate a change in trends for health facilities. A number of exercise facilities and programs are looking for industrial buildings to accommodate their programming. Health facilities do provide a support service to the surrounding business employees. They also draw clients from a broader area to the facilities. Industrial areas tend to be adjacent to collector and arterial roadways that are designed to accommodate traffic.

The industrial areas have limited retail and service uses as there has been a desire to maintain land for industrial development. However, the use of a health and fitness studio may be a compatible use to the zone as it does provide a service to surrounding employment. It is not a retail use that would compete for space in the area where industrial economic development is desired.

When there has previously been an allowance for this type of use in the industrial zones it has been by conditional use permit. Conditional use permits allow for discretionary consideration of a use that may have impacts that affect the use and enjoyment of adjoining properties. Permits that were issued had few conditions and generally reiterated site development standards. As this use is generally a less intensive use than adjacent uses, staff believes that there would not be a threat to public health, safety, or neighborhood character by allowing it as a permitted use.

GENERAL PLAN

The Logan General Plan indicates that Industrial areas should support employment and production uses with related services. A fitness facility is a support service to the community and may be appropriate to areas of employment, such as the industrial area.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from City departments and other agencies and no comments were received.

PUBLIC NOTIFICATION

Legal notice was published in the Herald Journal on June 13, 2013, and a quarter page ad on June 9, 2013. Notice was posted on the Utah Public Meeting website on June 18, 2013.

PUBLIC COMMENTS

As of the time this staff report, no comments had been received.

RECOMMENDED FINDINGS FOR APPROVAL OF CODE AMENDMENT REQUEST

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. The use of a "health and fitness studio" in the Industrial Park zone is compatible with the IP zoning district.
2. The use of a "health and fitness studio" as a permitted use on properties within the Industrial Park zone would not be incompatible with adjoining land uses or the purpose of adjoining districts.
3. The use of a "health and fitness studio" in Industrial Park-designated areas is consistent with the General Plan.

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.



APPLICATION FOR PROJECT REVIEW

Planning Commission Board of Adjustment Board of Appeals Other

Date Received 05/24/2013	Received By Kreider	Receipt Number 121018	Zone I.P.	Application Number PC 13-028
Type of Application (Check all that apply):				
<input type="checkbox"/> Design Review	<input type="checkbox"/> Conditional Use	<input type="checkbox"/> Subdivision	<input type="checkbox"/> Zone Change	<input type="checkbox"/> Boundary Line Adjustment
<input checked="" type="checkbox"/> Code Amendment	<input type="checkbox"/> Appeal	<input type="checkbox"/> Variance	<input type="checkbox"/> 4950' Design Review	<input type="checkbox"/> Other _____
PROJECT NAME CrossFit QET (Quad Elite Training)				
PROJECT ADDRESS 708 W. 1800 N. 10A			COUNTY PLAT TAX ID # 07 - 176 - 0008	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) Brandon Carlisle			MAIN PHONE # 435-764-3584	
MAILING ADDRESS 415 E. 1200 N.	CITY Logan	STATE Ut.	ZIP 84341	
EMAIL ADDRESS db20@hotmail.com				
PROPERTY OWNER OF RECORD (Must be listed) Bryan Smith			MAIN PHONE # 435-770-3500	
MAILING ADDRESS 708 W 1800 N 3A	CITY LOGAN	STATE UT	ZIP 84321	
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) amendment to LDC 17.17 03 please see attached			Total Lot Size (acres) 6.933	
			Size of Proposed New Building (square feet) N/A	
			Number of Proposed New Units/Lots N/A	
			- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent 	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner 	

mc workshop: July 16
mc hearing: Aug. 6

May 22, 2013

Logan City Planning Department
290 N 100 W
Logan, UT 84321

Dear Planning Department:

We would like to thank you for your diligent efforts to make Logan a great city. We understand that this is no easy task and think you have done an excellent job. Currently, we are attempting to open a business that we believe is very beneficial to the citizens of Logan and, therefore, to the City of Logan. We would like to be approved for a business license to operate The Quad Elite Training and CrossFit QET (The Quad) at 708 W 1800 N in Logan. Unfortunately, our application for a business license was denied because the location is currently zoned for an industrial park, which, according to Land Development Code (LDC) 17.17.030, does not allow for health and fitness centers. We would like to request a text amendment to the code to permit our health and fitness center in the industrial park at the location stated above.

After reading through the Land Development Code and General Plan for the City of Logan, we believe that a text amendment to the code to allow The Quad to operate in an industrial park zone would comply with the Council's vision for the future of Logan. We also believe that our proposal would preserve and improve "the public health, safety, and general welfare of the citizens and businesses of Logan," as stated on the LDC.

Cache Valley, as stated in the General Plan, is a desirable place to live because of its wide variety of choices for citizens. CrossFit and youth training is a growing area of interest for people in our valley and in our nation. Exercise directly contributes to the health and well-being of the citizens of Logan, and CrossFit is one way to get an efficient and enjoyable workout. CrossFit involves a daily workout in which classes of 10 to 20 people all perform the workout with trainers present to ensure proper technique and effective workouts, all for a low monthly fee. There are currently 5 CrossFits located in our community, only one of which is located in Logan. The others are in surrounding areas such as Hyde Park, Smithfield, Providence and the Utah State Campus (which is open to students only). Our location is also very close to several public schools and many homes of citizens we wish to serve. The proximity of our facility to these places makes it convenient for parents to drop their children off for sports training or for adults to walk, jog, or drive from their nearby homes.

Another reason we chose our location is because of the amount of square footage the building offers. CrossFit does not use many exercise machines. It is comprised mostly of free weight workouts in an open area. Buildings in industrial parks typically offer the space necessary for CrossFit workouts along with high ceilings, which are necessary for certain workouts such as a rope climb or wall balls. Most CrossFits and private training facilities are located in Industrial areas for this very reason (see attached pictures illustrating this point). Therefore, the building we have chosen for The Quad is ideal for the type of training we will provide.

Not only is the location we have chosen ideal for us, but we also believe it to be ideal for our neighbors. As mentioned above, our facility will give thousands of Logan's citizen's much closer access to a workout center than they previously had. Having a CrossFit within a few blocks of one's home, work, or school usually provides more motivation to attend exercise classes and stay healthy. While we believe that the residents near our location will benefit from our facility the most, we also believe that our direct business neighbors will benefit. First, the increased traffic to the area will provide our neighbor businesses with more visibility which usually translates to more business. Also, we have had several of our neighbors express interest in becoming members of our facility. Again, this provides them with the opportunity to exercise right next door to their businesses.

On the other hand, we would not cause any inconveniences to our neighbors. Nearly all of our classes are offered before or after regular business hours, so there would be no disruption to our neighbor's customers or employees. There are plenty of spaces available for parking in our parking lot as well as on the street. Our ideal class size is 10 to 15 people, so we would not fill the parking spaces available to us. The proposed location for the training center is located on a dead-end road, meaning through traffic would not be a problem. Overall, we think we would fit in well with our neighbors and, based on our discussions with many of them, we feel they would welcome us into the area.

One of the quality growth principles listed in Logan General Plan is a healthy life. Next to this principle, it says, "Ensure a safe environment for healthy living which encourages activity and enjoyment." We are certain that our business fits this principle perfectly. The Quad would provide the citizens of Logan a high-quality exercise facility with top-notch trainers. Our location is ideal for many of Logan's citizens that did not previously have such a facility close by. It also allows us the space and ceiling height that is necessary for the type of training we offer. We would ask that you please grant us an amendment to the code so that we can operate in the location we have carefully chosen for our facility.

Thank you for your time and consideration.

Sincerely,

Brandon Carlisle

Kristen Carlisle

Appendix—Pictures of other health and fitness facilities in industrial parks



Irish Dance Studio- located in Logan Utah 1800 N. 765 W. - Industrial Park Zone



CrossFit Iota- located in Smithfield, Utah



Liv Fit- Located in Logan on 10th West



Primal Mountain- Located in Logan at 990 S. Main Street



CrossFit location located in Ogden Utah



AMENDMENTS & ZONE CHANGE

**PUBLIC
HEARING
PLANNING COMMISSION**

**THURSDAY
June 27, 2013**

5:30 PM

**MUNICIPAL COUNCIL CHAMBERS
LOGAN CITY OFFICES
290 North 100 West**

The Logan City Planning Commission will hold a public hearing to receive input on the following:

~~**PC 13-024 LDC Amendment – 17.60 Civil Fees**~~ Code Amendment Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

~~**PC 13-025 1200 E. Rezone**~~ Zone Change Logan City/Laree Johnson-Dick Sackett, authorized agent/owner request to rezone two (2) parcels along 1200 East 1250 North from Mixed Residential High (MRH) to a mixture of eight (8) acres of Mixed Residential High (MRH) and twelve (12) acres of Neighborhood Residential Eastside (NRE). This rezone request is a result of the 2012 city-wide zoning project. TIN 05-011-0004;0005.

PC 13-028 Quad Training Code Amendment Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone; TIN 07-176-0008.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, July 16, 2013**, and a public hearing on **Tuesday, August 6, 2013**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org

- published in H.J. 6/19/13

PC 13-024 & 025 pushed back to Aug. 6 @ 20

LEGAL NOTICE
Municipal Council
July 16 & August 6, 2013

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. All comments must be submitted to Community Development to be included in the public record before 5:00 p.m. on July 11, 2013. Contact 716-9021 or www.loganutah.org for further info.

Public Hearing:

PC 13-024 LDC Amendment – 17.60 Civil Fees Code Amendment Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

PC 13-025 1200 E. Rezone Zone Change Logan City/Laree Johnson-Dick Sackett, authorized agent/owner request to rezone two (2) parcels along 1200 East 1250 North from Mixed Residential High (MRH) to a mixture of eight (8) acres of Mixed Residential High (MRH) and twelve (12) acres of Neighborhood Residential Eastside (NRE). This rezone request is a result of the 2012 city-wide zoning project. TIN 05-011-0004;0005.

PC 13-028 Quad Training Code Amendment Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone; TIN 07-176-0008.

The Municipal Council is tentatively scheduled to hold a **workshop** on these items on **Tuesday, July 16, 2013**, and a **public hearing** on **Tuesday, August 6, 2013**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org

Publication Date: Tuesday, July 2, 2013

→ pushed back to Aug. 6 @ 20



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Public Body Name:

Municipal Council

Notice Subject:

Other

Notice Type:

Notice, Meeting, Hearing

Street Address:

290 North 100 West

Street Address continued:

City:

Logan

Zip:

84321

Start Date:

07/16/13 5:30 PM

End Date:

07/16/13 7:31 PM

Description / Agenda:

Workshop on the following project:

PC 13-028 Quad Training Code Amendment Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone; TIN 07-176-0008.

ADA:

Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request.

Electronic Participation:

A council member may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A council member participating electronically will be connected to the meeting by telephone.

Other:**Emergency Notice:**

No

Send copy of notice to:**Audio File Location:****Attachments:**

There are no attachments associated with this notice.

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