CITY OF LOGAN, UTAH
ORDINANCE NO. 20-12

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” Chapters 17.10.120 Commercial Services Development Standards, 17.11.030 Allowed Uses in District and Corridor Zones, and 17.62 Definitions, are hereby amended as attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, __________
THIS DAY OF ________________, 2020.

AYES:
NAYS:
ABSENT:

______________________________
Amy Z. Anderson, 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 ________________, 2020.

______________________________
Amy Z. Anderson, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby __________________ this ___ day of ______________, 2020.

______________________________
Holly H. Daines, Mayor
17.10.120: Commercial Services (CS) Development Standards

The Commercial Service (CS) designation fills a need between industrial and commercial land uses. Commercial Service areas provide alternative locations for light manufacturing, warehousing, wholesaling, or other uses that support construction and manufacturing trades that are typically service oriented. The Commercial Service district will have the same quality design standards as commercial and industrial projects with an emphasis on higher quality site and building design, and will have an increased requirement for landscaping. Commercial Service areas are not intended for residential uses nor are they intended for heavy industrial types of uses. Live/work residential use is a permitted use in the CS zone.

<table>
<thead>
<tr>
<th>Residential Density (Live/Work)</th>
<th>Land Set Asides</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units/acre (max) 20</td>
<td>Open Space 10%</td>
</tr>
<tr>
<td>Building Setbacks (Minimum)</td>
<td>Useable Outdoor Space 10%</td>
</tr>
<tr>
<td>Front 10'</td>
<td></td>
</tr>
<tr>
<td>Side 5'</td>
<td></td>
</tr>
<tr>
<td>Rear 10'</td>
<td></td>
</tr>
<tr>
<td>Side Common Wall 0'</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Building Heights (Maximum)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary Building Height 38'</td>
</tr>
<tr>
<td>Ground Floor Height 12'</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Transparency (Fenestration)</th>
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</thead>
<tbody>
<tr>
<td>Ground Floor (frontage) 30%</td>
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<td>Ground Floor (exposed sides) 30%</td>
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<td>Upper Floors (frontage) 20%</td>
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<table>
<thead>
<tr>
<th>Parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location Side/Rear</td>
</tr>
<tr>
<td>Front Parking Setback 15'</td>
</tr>
<tr>
<td>Side/Rear Parking Setback 5'</td>
</tr>
</tbody>
</table>

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

**Residential Design Standards**

Residential projects shall comply with the residential design standards in Chapter 17.09.
Table 17.11.030: Allowed Uses in District and Corridor Zones

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Districts &amp; Corridors</th>
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<tr>
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</tr>
<tr>
<td>Residential Uses</td>
<td></td>
</tr>
<tr>
<td>Assisted Living Center</td>
<td>N</td>
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<td>Dormitories, Fraternities, Sororities</td>
<td>N</td>
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<td>Live/Work</td>
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<td>Nursing Home, Convalescent Home</td>
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<td>One caretaker or security guard may be permitted</td>
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<td>to live on-site as an accessory use with a</td>
<td></td>
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<tr>
<td>Conditional Use Permit.</td>
<td></td>
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<td>Residential Group Homes (communal living</td>
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</tr>
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<td>exceeding occupancy limits).</td>
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<td>Residential Group Homes for individuals with</td>
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<td>disabilities.</td>
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<tr>
<td>Hospitals</td>
<td>N</td>
</tr>
<tr>
<td>Libraries, Museums, Community Centers</td>
<td>P</td>
</tr>
<tr>
<td>Parks and Open Space</td>
<td>P</td>
</tr>
<tr>
<td>Public Safety Services (Police, Fire)</td>
<td>C</td>
</tr>
</tbody>
</table>
### Chapter 17.62: Definitions

**“Daycare”** means those uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day, unless approved by Conditional Use Permit.

**“Live-Work”** means an integrated dwelling unit and working space, occupied and utilized by a single household in a structure, either single or multi-dwelling that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.

**“Residential Treatment Program”** means a nonprofit or for-profit group home for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: April 27, 2020
FROM: Aaron Smith, Planner II
SUBJECT: Ordinance #20-12 Westfield Warehouse Code Amendment

Summary of Planning Commission Proceedings

Project Name: Westfield Warehouse Code Amendment
Request: Code amendment
Project Address: City Wide (CS Zone)
Recommendation of the Planning Commission: Deny

On April 23, 2020, the Planning Commission recommended that the Municipal Council deny an amendment to Chapters 17.10.120 Commercial Services (CS) Development Standards, 17.11.030 Allowed Uses in District and Corridor Zones, and 17.62 Definitions, with changes summarized below:

- Permit Live/Work use in the CS zone.
- Establish a density for the CS zone.
- Permit Residential Treatment use in the CS zone in conjunction with a Live/Work use.
- Permit residential Daycare/Preschool use in the CS zone in conjunction with a Live/Work use.
- Simplify the definition of Live/Work.

The proposed code amendment was based on a Memorandum received from the proponent, Tony Johnson. The Memorandum is attached.

Planning Commissioners vote (7-0):
Motion: Goodlander
Second: Lucero

Vote to recommend denial to City Council:
Yea: Croshaw, Lucero, Dickinson, Nielson, Goodlander, Ortiz, Newman
Nay: none
Abstain: none

Attachments:
Proprietor Memorandum
Staff Report
Ordinance #20-08
APPLICATION FOR PROJECT REVIEW

☐ Planning Commission ☐ Land Use Appeal Board ☐ Administrative Review

Date Received: 3-23-20

Received By: Scheduled Meeting Date: Zone: Application Number: Apr. 23 PC 20-024

Type of Application (Check all that apply):
- Design Review
- Conditional Use
- Subdivision
- Zone Change
- Code Amendment
- Appeal
- Other:

PROJECT NAME: Westfield Warehouses

PROJECT ADDRESS: 130 South 1200 West

COUNTY PLAT TAX ID #:

05-107-0023-0028

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete):

Tony Johnson

MAIN PHONE #:

435-764-2200

MAILING ADDRESS:

255 South Main St, Ste. 100 Logan UT 84321

EMAIL ADDRESS: tonyjohnson@amlutah.com

PROPERTY OWNER OF RECORD (Must be listed):

HRT Holdings, LLC

MAIN PHONE #:

435-764-5486

MAILING ADDRESS:

255 South Main St, Ste. 100 Logan UT 84321

EMAIL ADDRESS: lexi.johnson@amlutah.com

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED
(Include as much detail as possible - attach a separate sheet if needed)

Code Amendment: see attached memo.

Total Lot Size (acres): 4.37

Size of Proposed New Building (square feet): N/A

Number of Proposed New Units/Lots: N/A

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

Signature of Property Owner

- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -

mc w: may 5
mc h: may 19
Memo

To: Staff
From: TRJ
Date: March 15, 2020
Re: Westfield Warehouses Project – Code Amendment Request
130 South 1200 West, Logan Utah

We respectfully request the following modifications to the schedule of uses for the “Commercial Services” zone:

1. **Residential “Live/work”**. Provide for a “Live/Work” permitted use under either or both of the “Residential Uses” schedule and the “Commercial Uses” schedule. A Live/Work scenario seems to be effectively identical to a Bed and Breakfast permitted use under the Commercial Uses schedule.

2. **Residential Treatment**. Provide that a Residential Treatment Program can be a permitted use under a Live/Work scenario.

3. **Daycare/Preschool**. Provide that a Daycare/Preschool can be a permitted use under a Live/Work scenario.

End
Project #20-024 Westfield Warehouse Code Amendment

REPORT SUMMARY...
Project Name: Westfield Warehouse Code Amendment
Proponent/Owner: Tony Johnson
Project Address: City Wide
Request: Amend Commercial Service Zone
Current Zoning: NA
Date of Hearing: April 23, 2020
Type of Action: Legislative
Submitted By: Aaron Smith, Planner II

RECOMMENDATION
Staff recommends that the Planning Commission recommend denial to the Municipal Council for the Westfield Warehouse Code Amendment.

REQUEST
The proponent is requesting to amend the Commercial Service (CS) zone to permit Live/Work residential use, and permit Residential Treatment and Daycare/Preschool uses as part of a Live/Work use. The request amends CS Development Standards (17.10.120), Allowable Uses in District and Corridor Zones (Table 17.11.030), and the Definitions (17.62) sections of the Land Development Code (LDC).

The Proponent provided a Memorandum to Staff that outlined the desired code amendment. Staff then prepared draft changes to the LDC that met the intent of the Memorandum and provided it to the proponent for review.

LDC AMENDMENT SUMMARY

17.10.120: Commercial Services (CS) Development Standards
Amendments to this section of the LDC include clarifying the CS zone description to include live/work as a permitted use, establishing a density for the use, and noting that residential development shall conform with residential design standards (17.09). The applicant has requested a density of 20 units/acre for the zone.

Table 17.11.030: Allowed Uses in District and Corridor Zones
Amendments to this section of the LDC include the addition of a Live/Work use to the table, changing the residential occupancy to allow Live/Work in the CS zone, and permitting Residential Treatment and Day Care/Preschool as part of a live/work use. In addition to allowing Live/Work in the CS zone, all existing zones that permit residential occupancy have been amended to permit Live/Work.

Chapter 17.62: Definitions: Live-Work
The Live/Work definition has been simplified with the removal of “at the ground floor” from the definition.

GENERAL PLAN
The CS land use designation in the General Plan provides context for the intent of the land use. It reads:

Commercial Service (CS) designations fill a need that is between Industrial and Commercial land uses. CS areas provide alternative locations for light
manufacturing, or wholesale/warehouse uses and uses that support construction and manufacturing trades that are typically service oriented. Compared to COM or IP areas, CS uses will typically be smaller, will have higher quality site and building design, and will have a greater emphasis on landscaping. CS areas are not intended for residential development.

LAND DEVELOPMENT CODE
The LDC mirrors the language of the General Plan in describing the CS zone. The zone is intended as a transitional zone between commercial and industrial development. The zone has minimal setbacks, 38’ max building height, parking to the side or rear, and 20% open space. Of importance for this amendment is the permitted uses in the zone. As the CS zone was not intended for residential use, the permitted uses are much less restrictive and include commercial storage units, vehicle storage, automobile repair, heavy truck sales, kennels, light manufacturing and industrial services.

Due to State Code, Residential Treatment uses are permitted in any zone that permits dwelling units. While the proposed code amendment clarifies that the use would be permitted as part of a live/work use in the CS zone, allowing dwellings in the zone would cause the use to be permitted by default.

The residential Daycare/Preschool use has not been permitted in the CS zone as the zone does not allow for residences and is intended for more industrial uses. A Commercial Daycare/Preschool use requires a Conditional Use Permit to help mitigate potential conflict, such as a commercial daycare being located adjacent to an incompatible use, such as machine shop. The proposed amendment would allow residential Daycare/Preschool for up to 16 clients as a permitted use in a live/work scenario.

STAFF REVIEW AND SUMMARY
The CS zone permits a myriad of uses that are not compatible with residential development, including light manufacturing, machine shops, auto repair, and contractor and industrial service uses. While residential and CS zones do occasionally appear next to each other, such as 200 S and 1000 W, these areas are generally buffered by roads and setbacks. Permitting residential development within the CS zone would place incompatible uses directly adjacent to each other with little to no buffer between them. This conflict would be detrimental to the character of neighborhoods, and the health, safety and welfare of residents.

The location of the CS zone and the permitting of residential development is also in conflict. The CS zone is primarily located along the periphery of the city and adjacent to industrial development. The general strategy for residential development is to place residential development near the center of town, and not to push it closer to industrial development along the edge. Allowing residential development in the CS zone will place residential development in the wrong area and erode the buffer between residential and industrial development.

Density of the zone is also an issue, as density generally decreases as the move away from the central areas of Logan or designated nodes. An amendment that would permit up to 20 units/acre in areas that are on the periphery of town will place density away from the core of Logan and nodes, which is contrary to the zoning policy of the city.

While Staff would like to see more live/work development, the CS zone is not the correct area for it. Mixed use areas of town, such as the TC and MU zones, are ideal locations for live/work, as they are centrally located and designed to accommodate compatible residential and commercial uses. If a live/work uses along the CS and residential interface are desired by the city, then staff recommends the creation of a new zone or overlay that restricts non-compatible
uses in the area and permits a density and structure type that is complementary to adjacent residential development.

The central question of the proposed amendment is whether residential development should be allowed in the CS zone. Staff concludes that the CS zone is not appropriate for residential uses. The allowance of residential development in the CS zone, even as live/work dwelling units, will erode the buffer between residential and industrial uses and create conflicts among neighboring uses. The intent of the CS zone is as a non-residential buffer between commercial and industrial uses, and staff recommends that it remain as intended.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments have been received.

PUBLIC COMMENTS
Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received.

PUBLIC NOTIFICATION
Legal notices were posted on the City’s website and the Utah Public Meeting website on 4/15/2020, and noticed in a quarter page ad on 3/31/2020, and a Public Notice mailed to property owners within 300’ were sent on 3/30/2020.

RECOMMENDED FINDINGS FOR DENIAL OF THE CODE AMENDMENT
The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The code amendment conflicts with the Logan General Plan that states that the CS land use is not intended for residential development.
2. The code amendment would result in incompatible industrial and residential uses within the CS zone.
Planning Commission Meeting

April 23, 2020
PC #20-022
Westfield Warehouses
CS Zone Amendment
Code Amendment
CS Zone Amendment Request

Residential "Live/Work"
- Provide for a "Live/Work" permitted use under either or both of the Residential Uses schedule and Commercial Uses schedule. A Live/Work scenario seems to be effectively identical to a Bed and Breakfast permitted use under the Commercial Uses schedule.

Residential Treatment
- Provide that a Residential Treatment Program can be a permitted use under a Live/Work scenario.

Daycare/Preschool
- Provide that a Daycare/Preschool can be a permitted use under a Live/Work scenario.
"Live-Work" means an integrated dwelling unit and working space, occupied and utilized by a single household in a structure, either single or multi-dwelling that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.

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<td>Units/acre (max)</td>
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<th><strong>Building Setbacks (Minimum)</strong></th>
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<tbody>
<tr>
<td>A Front</td>
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<tr>
<td>B Side</td>
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<td>Side Common Wall</td>
</tr>
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<td>Front Parking Setback</td>
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<td>Side/Rear Parking Setback</td>
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**Land Set Asides**
- Open Space: 10%
- Useable Outdoor Space: 10%

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

**Commercial Parking Requirements:** Minimum number of stalls based on use type.
Table 17.11.030: Allowed Uses in District and Corridor Zones

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<td>Live/Work</td>
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<td>P</td>
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<td>P</td>
<td>N</td>
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1 Indicates use may be allowed where State or Federal law preempts local zoning.

2 Indicates use permitted as part of a Live/Work use.

3 Permitted as a Live/Work use only.
Chapter 17.62: Definitions

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<thead>
<tr>
<th>Land Use</th>
<th>TC-1</th>
<th>TC-2</th>
<th>COM</th>
<th>MU</th>
<th>CC</th>
<th>GW</th>
<th>CS</th>
<th>IP</th>
<th>AP</th>
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<tbody>
<tr>
<td>Restaurant, Fast Food</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>P</td>
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<td>Restaurant, General</td>
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<td>P</td>
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<td>C</td>
<td>P</td>
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<tr>
<td>Sales and service, footprint greater than 100,000 sq. ft. (Big Box)</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
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<td>Storage, Commercial (Self Storage)</td>
<td>N</td>
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<td>N</td>
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<td>N</td>
<td>C</td>
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</tr>
<tr>
<td>Studio, photographer, artist, music, dance, and drama</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Theaters</td>
<td>P</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>N</td>
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### Industrial Uses

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<th>MU</th>
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<td>N</td>
<td>C</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Contractor supply store with outdoor storage</td>
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<td>N</td>
<td>N</td>
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<td>Contractors outdoor storage</td>
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<td>N</td>
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<td>Crematorium</td>
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<tr>
<td>Impound and Tow Lot</td>
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<td>N</td>
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<td>N</td>
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<td>Industrial Services</td>
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<tr>
<td>Industrial Machinery and equipment sales and service</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
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<td>N</td>
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<td>N</td>
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<tr>
<td>Manufacturing, processing, fabrication, packaging, or assembly of goods</td>
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<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
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<tr>
<td>Manufacturing, light</td>
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<td>N</td>
<td>N</td>
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<td>N</td>
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<td>Petroleum products storage</td>
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<td>Welding or machine shop</td>
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<td>N</td>
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<td>Wholesale Sales and Service</td>
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<td>N</td>
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<tr>
<td>Wrecking or Salvage Facilities, Open</td>
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Minutes of the meeting for the Logan City Planning Commission convened in session via electronic format on Thursday, April 23, 2020. Chairman Nielson called the meeting to order at 5:30 p.m.

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

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

Commissioner Lucero moved to approve the minutes from the March 12, 2020 meeting as submitted. Motion seconded by Commissioner Ortiz. Approved unanimously.

Commissioner Ortiz moved to approve the minutes from the April 9, 2020 meeting as submitted. Motion seconded by Commissioner Dickinson. Approved unanimously.

PUBLIC HEARING

PC 20-019 Homestead – continued from the April 9, 2020 meeting - [Design Review Permit]

Brent Skinner/200 North Land Holdings LLC, authorized agent/owner request a mixed-use development on 23.90 acres comprised of 476 housing units and 7,900 SF of commercial space located at 607 West 200 North in the Mixed-Use zone; TIN 05-062-0033;-0032;-0031;-0029;-0008;-0007.

STAFF: Mr. Holley reviewed the request. This property was recently rezoned from Commercial to Mixed Use and a property exchange between the City of Logan and the previous property owner resulted in the acquisition of some of the old railroad rights-of-way. At that time, the 400 North and 800 West street extensions were established as currently configured with 400 North stubbing into the mobile home park to the north and not yet connecting at a future 600 West intersection.

The proposal is for a mixed-use project with 479 residential units and 7,900 SF of commercial space in four phases on a total site of 23.90 acres. The housing units are a mix of senior housing, tax-credit housing and market-rate housing. The 6.89-acre Phase 1, located near the southeast corner of the property, is proposed with 164 residential dwelling units in seven (7) three-story buildings (six 24-plexs and one 20-plex). Phase 1 is proposed with surface parking lots encircling the perimeter of the buildings with green space and amenities located in the interior spaces.

The 2.66-acre Phase 2, located north of 400 North, is proposed with 47 residential dwelling units in seven (7) townhome buildings ranging from 3-11 units with alleyway access to rear-loading two-car garages. Phase 2 is laid out in rows of townhome buildings with alternating green space between.

The 2.62-acre Phase 3, located near the southwest corner of the property, is proposed with 60 residential dwelling units located in one large three-story “L” shaped building placed near 200 North (one 60-plex). Phase 3 is proposed as senior housing with surface parking lots wrapping the north and western side of the building with open space and delineated wetlands located to the north of the parking lot.
The 11.76-acre Phase 4 is centrally located and proposed with 208 residential dwelling units and 7,900 SF of commercial space in nine buildings (eight 24-plexs and one 16-plex). Phase 4 is proposed with surface parking lots weaving through the residential buildings with the project's largest open space area and storm water detention basins shown near the eastern property border. Residential unit breakdowns for the entire Phase 4 project total 144 studio/one-bedroom units and 332 two/three-bedroom units. The 7,900 SF of commercial building space is shown on the ground-floor of the middle building near 400 North.

The proposed project does not propose any new street connections or blocks. Before this applicant, 400 North and 800 West rights-of-way acquisitions were completed last year, creating a larger area similar to a super-block size. Because of limited crossings over railroad tracks and the existing commercial buildings along the west side, practical east/west street connectivity is limited. North/south street connectivity seems practical with fewer constraints or pre-existing limitations. The project site is an irregular shape, but general overall dimensions are approximately 750' wide (east/west) by 1000' long (north/south). With these dimensions, pre-existing conditions and context a "modified grid" would be warranted. The Code does not define a modified grid and would need to be defined by the Planning Commission.

Because the proposal does not include additional blocks, the project struggles to provide contiguous walkway systems from phase to phase and to adjacent neighborhood areas. With the railroad tracks eastward, neighborhood connectivity is limited to 200 North and 400 North (when completed), making connections to those points should a priority for neighborhood connectivity. With parking lots encircling the sporadically placed buildings and acting as the transportation network rather than traditional streets, intersections where cars and pedestrians interact are random and less predictable and safe. Some of the sidewalk crossings occur in the middle of parking lots surrounded by perpendicularly parked cars creating visibility and safety hazards. Sidewalks are shown in areas without proper curb-cuts, ramps and widths between parked cars to accommodate all pedestrian user types. The graphic below shows the less-safe and less-convenient pedestrian connectivity through parking lots as compared to mini-block streets with 4-way cross walks located at every intersection.

The proposed project layout with the parking lots encircling the buildings provides some nice areas of semi-private and sheltered green space on the interior housing clusters. With the lack of gridded streets, the overall amount of project paving is likely reduced and thus minimizing the visual impacts of storm water retention basins. The Planning Commission will need to determine if these tradeoffs of enclosed green space and less overall project asphalt are better for the project and the neighborhood as opposed to more street/pedestrian connectivity and structured building orientation. The proposal lacks any pedestrian crosswalks or connections to Phase 2. As proposed Phase 2 appears disconnected and lacks many of the characteristics of the other three phases. Crosswalks over 400 North may need bulb-outs, refuge medians and other similar elements to achieve the overall mixed-use project walkability required in the Code.

**PROPOINENT:** Bracken Atkinson, from Wasatch Development, explained that they purchased this property, which was zoned Mixed-Use, 14 months ago and have been actively working with the City to come up with a workable project. He has had several meetings with representatives from the adjacent neighborhood to discuss and address their thoughts and concerns. The project has changed quite a bit from the original concept to address many of the concerns. The four phases of development represent four distinct usages of the project. Phase 1 and Phase 2 will begin as soon as the project is approved. There is a huge need for fixed-rate income housing, now more than ever before. Phase 3 is anticipated to begin about a year after Phase 1-2, with an anticipated beginning date in Fall 2021. Phase 4 will be more market driven and may have more variables, especially given the current economic environment. The commercial portion was originally
presented to be a separate parcel on 200 North, however, after concerns from the City and the
neighborhood, it was determined that the developer would take on a larger liability on by placing it
in the first floor of the buildings and will be a requisite for building permits in Phase 4. It will not be
a standalone product, it will impact Phase 4. Phase 3 will include affordable active adult senior
housing, which is in high demand in the community. He is requesting a 3', rather than 5', setback
on the east side of the project because there will be no encroachment on the railroad property. If a
pedestrian crosswalk over the railroad tracks at 300 North can be approved, they would be more
than happy to incorporate that aspect into the design, however, because it is outside of the
developer's control, it should not be added as a requirement. (Mr. Holley noted that it is not
included as a condition of approval) . UDOT is granting an access at 200 North, they have also
indicated that, if required, they will allow a breakdown gate for the senior housing portion. He
pointed out that due to the difficulty of the location, this cannot match the historical grid pattern
found in other areas of the City.

Commissioner Goodlander asked about plans regarding fencing, especially along the Castalite
property. Mr. Atkinson said they have had some discussions about this issue, and they are not
opposed to putting up some type of barrier between the properties. The length of fencing that will
need to be put in will be astronomical, so he is asking that they be able to determine the type of
fence or barrier so that it can be cost effective. He has been quite responsive to the concerns of
neighboring businesses.

Commissioner Goodlander asked when the section of 400 North on their property will begin. Mr.
Atkinson said they are planning on doing their side of the road during Phase 2. If the north half is
done, it will be wider road than most City streets. A safety access to 400 North is planned to go in
immediately.

Commissioner Newman asked if there were other projects with large parking lots rather than
designated roads. Mr. Atkinson said the Falls at Riverwoods has two entrances with parking that
wraps around the building (similar to what Phase 1 of this project will be). The Four Seasons
project in North Logan is a similar type of design. He feels comfortable that the layout will work
safely.

Commissioner Ortiz asked about connectivity with sidewalks within both phases. Mr. Atkinson said
there is, and he does not feel like the phases/projects will be commingled. Each phase is
independent of one another. Due to the size and type of phases, they will each have their own
independent management teams. Each will have their own amenities, because of this, connectivity
is not as much of an issue.

PUBLIC: Tracy Brown said currently at 400 North there are bushes that block the view. If a road is
put in, traffic is already difficult getting on/off 600 West; he would encourage putting in a signal at
400 North. He noted that there does not seem to be a lot of open space/recreation areas for
families who will live there. There is no sidewalk along 600 West.

Sue Sorenson said Mr. Atkinson has been great to work with and she appreciates his willingness
to address all the concerns. Most of the worries are about safety and getting in/out of the
development, especially crossing the railroad tracks. A possible pedestrian crossing at 300 North
would be a great idea. Phase 2 does not seem to have enough outdoor space. She would like to
see a walking path around the complex. She is excited to have more single-family housing, which
is needed on the west side. Additional traffic in the area is a real concern. If commercial services
are not put in soon, those residents will have to travel for their needs.
Paul Rogers is concerned about moving forward with the early phases without the context in place, specifically regarding the 400 North connection. For years there has been talk about a traffic study along 600 West and 400 North. He would like to see a way to work more closely with the railroad to have, not only an east-west crossing, but a north-south corridor along the track. A major development like this must address some of these contextual components before beginning.

Patrick Mays, has a nearby business and is concerned with trucks unloading on 400 North and adding more traffic in the area. He does not think there is enough access for a complex this size. A lot has changed over the years and he would like to see a traffic study completed.

Sue Anne Thompson emphasized Mr. Brown’s comments about getting on/off 600 West, especially for residents who live on 600 West. She supported Mr. Rogers’ comments about beginning the project without having access adequately addressed.

Anne Hedrich is excited about the commercial component of the project and would like to see it come in earlier in the development. She would also like to see more walking/biking pathways.

Sue Sorenson asked why Phase 2 is not held to the Mixed-Use zoning standards and allowed to develop without a commercial component. Mr. Holley said the project is proposed as one project (with 4 phases) and the amount of commercial within the entire project meets the Code requirement.

**COMMISSION:** Several emails were received and distributed to the Commission for review prior to the meeting and have been included in the project file.

Mr. Holley clarified for Commissioner Lucero that this property was zoned to Mixed-Use in 2019.

Mr. Holley explained that 800 West will be completed with Phase 2 and 400 North will be an access point. Phase 1 will be accessed via 200 North.

Mr. Holley confirmed for Commissioner Goodlander that 200 North is the only entrance into the project until 400 North is built, it will be 2 travel lanes wide with sidewalk on both sides of the street. Crossings over the railroad tracks are limited and only 200 North and 400 North are available.

Commissioner Goodlander asked if there was enough design difference in the proposed buildings in Phase 1 to meet the Code requirements. Mr. Holley pointed out the buildings in Phase 1 which are considered street-facing facades and indicated that they meet the variation standard. The multi-family units are required to meet three of the eight characteristics listed and single-family homes are required to meet four of the eight characteristics. Commissioner Goodlander asked about the buildings in Phase 1 proposed to face 600 West and questioned the parking in the front, and whether that was acceptable. Mr. Holley explained that the railroad property does not technically qualify as a “street frontage”, therefore it would be considered interior parking, which meets the design requirement.

Commissioner Ortiz asked about the timeline of the overall project. Mr. Holley explained that the Code allows for up to two years between phases (if a letter of extension is submitted and approved by the Community Development Director). Phase 2 would have to begin no later than two years after Phase 1 and so on. The total project could take several years to be fully completed. Market demands may push the project to move quicker.
Commissioner Ortiz asked about commercial services that are close by, especially with senior housing being proposed. Mr. Holley pointed out the convenience store/gas station across 200 North, Café Sabor is a few blocks to the south on 600 West and a local church and elementary school within walking distance. Overall the west side of town has fewer neighborhood-serving commercial services.

Commissioner Croshaw said he thought there was previous discussion that 400 North would develop as a 4-lane road on the west side of town. Mr. Holley said 400 North will be a neighborhood street. There was a study done about 10 years ago considering a realignment of the road. UDOT would like to see Hwy 30 and US 89 intersect as 4-way intersection on Main Street, however, that study ended and has been determined that this will not be a highway. It is a larger right-of-way than an average neighborhood street.

Commissioner Dickinson is concerned that Phase 1, which is proposed with 164 units, will have only one access and asked whether there should be more than one. Mr. Holley explained that the Fire Department will require a temporary, secondary access to handle emergency vehicles.

Commissioner Newman pointed out that the General Plan calls for a gridded pattern development and asked if there was any way to redesign it to be more like a grid, or if it qualified as a modified grid design. Mr. Holley said it is difficult based on shape, configuration and context. One of the biggest concerns is having vehicles backing out into drive aisles with so many vehicles driving through the parking lot. Having streets through the development would impact parking and open areas. Streets help with pedestrian travel, but it's a very difficult call. Most of the areas around the buildings and both sides of the parking lots have sidewalks.

Commissioner Croshaw said this is a nice project that works well with the property.

Commissioner Dickinson expressed admiration that Mr. Atkinson took into consideration the concerns of the neighbors, however, she does not agree with a modified grid due to the lack of connectivity. She is concerned that there are no perimeter sidewalks and only one access onto a busy street. There seems to be no way for children to safely get to school, with that many units, it would be remiss to not figure out better connectivity.

Commissioner Ortiz believes this is a very nice project, however, he struggles with walkability, which is an important component of the Mixed-Use idea.

Commissioner Goodlander said it is difficult to approve a design that may not be completed for several years. The phases are so different that she thinks they should be reviewed and considered separately. She is concerned with having only one access into the development and questioned whether Phase 2 (if considered independent) will meet the density requirements. She questioned sidewalks in Phase 2, specifically along 800 West. There are concerns with each phase. There should be a condition requiring a fence on both the east and west sides. A fence along the railroad tracks could help with safety. She would also like to see speed bumps throughout the parking area to help slow traffic.

Commissioner Lucero noted that many public comments are a reflection of a mixed-use project in between less compatible adjoining uses and the railroad on the east side. She is pleased with the mixed type of housing. She would like to consider each phase closer as this is such a large project. Her concerns include pedestrian connectivity, primarily safety across 600 West. She thinks a modified grid pattern in this location will work. She would like to condition the fencing material along the Castalite property line. Given the gravity and scale of this project she does not feel like the appropriate time and/or consideration has been given to form an approval at this time. She would like to continue the discussion in more detail.
Chairman Nielson would like to have Commissioners given printed packets rather than digitally. He is concerned with safety, specifically children going to school. This is a nice project and he commended Mr. Atkinson’s response to the concerns of the neighbors. He would like to allow more time for review and discussion.

Commissioner Newman asked if there are funds that could be used to help with a pedestrian overwalk crossing at 300 North. Mr. DeSimone said staff can explore if there is any funding available, however, it is an active railroad and they do not want people near the tracks. Mr. Holley said these must be ADA-compliant and can be extremely expensive.

Bill Young, the City Engineer, said the City has been working with UDOT about the 200 North access. Years ago, when funds for improving the railroad crossing were received, this intersection was being considered, it is a UDOT right-of-way, so the City does not have control over that. Discussions have taken place about improving the crossings with the signal at this location on the north side of 200 North and the existing pedestrian crossing on the south side of 200 North, as well as across 200 North (north to south). Regarding potential railroad crossing at 300 North, in his experience working with the railroad, they do not have a distinction between the type of crossings (pedestrian vs. vehicle). Union Pacific Railroad has a firm policy that in order to add a new crossing, an entity must give up two existing ones and the City is running out of existing crossings that can be forfeited. Regarding 400 North, he said the City has acquired some funding from the COG for right-of-way purchasing for the rest of the road and impacts through the trailer court property. There is no design scheduled, but the City is working on the right-of-way acquisition to make the connection.

Commissioner Goodlander recommended continuing the discussion with printed material to review. She suggested emailing staff with specific concerns to address. The Commission agreed.

Mr. Holley asked what the Commission would like to see and if there are specific items or changes being requested. Mr. Atkinson offered to print full-size site plans for the Commission members. He advised that the lack of sidewalks/connectivity seems to be a misnomer as sidewalks are located everywhere. They may be able to be viewed better on a larger printout. All phases are under the density requirement. The property was purchased as Mixed-Use and they have been trying to work on a project that would fit the location; if there is a concern with the idea of mixed-use it should have been addressed when the property was rezoned. Safety is a priority. He suggested the possibility of the railroad spur property, that the City currently owns, participating in putting in a sidewalk that could tie into 400 North as a possible solution. If there are other specific concerns or areas that the Commission would like to focus on, he encouraged them to submit them to staff so they can be addressed appropriately. Mr. Holley reminded the Commission that there can be no ex-parte communication and concerns need to be sent to the staff.

**MOTION:** Commissioner Newman moved to continue the discussion and public hearing to the May 14, 2020 meeting. Commissioner Croshaw seconded the motion.

**Moved:** D. Newman  **Seconded:** R. Croshaw  **Approved:** 7-0

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

MOTION: Commissioner Goodlander moved to continue PC 20-022 to the May 28, 2020 meeting. Commissioner Lucero seconded the motion.

Moved: S. Goodlander  Seconded: J. Lucero  Approved: 7-0
Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Nielson, Ortiz  Nay:  Abstain:


MOTION: Commissioner Croshaw moved to continue PC 20-023 to the May 28, 2020 meeting. Commissioner Dickinson seconded the motion.

Moved: R. Croshaw  Seconded: R. Dickinson  Approved: 7-0
Yea: Croshaw, Dickinson, Goodlander, Lucero, Newman, Nielson, Ortiz  Nay:  Abstain:

PC 20-024 Westfield Warehouses Code Amendment [Code Amendment] Tony Johnson/HRT Holdings, LLC, authorized agent/owner, request to modify the Commercial Services (CS) zone to include allowing for a “live/work” environment, allow a residential treatment program and provide that a daycare/preschool can be permitted under a Live/Work scenario.

STAFF: Mr. Smith reviewed the request to amend the Commercial Service (CS) zone to permit Live/Work residential use and permit Residential Treatment and Daycare/Preschool uses as part of a Live/Work use. The request amends CS Development Standards (17.10.120), Allowable Uses in District and Corridor Zones (Table 17.11.030), and the Definitions (17.62) sections of the Land Development Code (LDC).

17.10.120: Commercial Services (CS) Development Standards
Amendments to this section of the LDC include clarifying the CS zone description to include live/work as a permitted use, establishing a density for the use, and noting that residential development shall conform with residential design standards (17.09). The applicant has requested a density of 20 units/acre for the zone.

Table 17.11.030: Allowed Uses in District and Corridor Zones
Amendments to this section of the LDC include the addition of a Live/Work use to the table, changing the residential occupancy to allow Live/Work in the CS zone, and permitting Residential Treatment and Day Care/Preschool as part of a live/work use. In addition to allowing Live/Work in the CS zone, all existing zones that permit residential occupancy have been amended to permit Live/Work.

Chapter 17.62: Definitions: Live-Work
The Live/Work definition has been simplified with the removal of “at the ground floor” from the definition.

The CS land use designation in the General Plan provides context for the intent of the land use. It reads:

Commercial Service (CS) designations fill a need that is between Industrial and Commercial land uses. CS areas provide alternative locations for light manufacturing, or
wholesale/warehouse uses and uses that support construction and manufacturing trades that are typically service oriented. Compared to COM or IP areas, CS uses will typically be smaller, will have higher quality site and building design, and will have a greater emphasis on landscaping. CS areas are not intended for residential development.

The LDC mirrors the language of the General Plan in describing the CS zone. The zone is intended as a transitional zone between commercial and industrial development. The zone has minimal setbacks, 38' max building height, parking to the side or rear, and 20% open space. Of importance for this amendment is the permitted uses in the zone. As the CS zone was not intended for residential use, the permitted uses are much less restrictive and include commercial storage units, vehicle storage, automobile repair, heavy truck sales, kennels, light manufacturing and industrial services.

Residential Treatment uses are permitted in any zone that permits dwelling units. While the proposed code amendment clarifies that the use would be permitted as part of a live/work use in the CS zone, allowing dwellings in the zone would cause the use to be permitted by default.

The residential daycare/preschool use has not been permitted in the CS zone as the zone does not allow for residences and is intended for more industrial uses. A commercial daycare/preschool use requires a Conditional Use Permit to help mitigate potential conflict, such as a daycare being located adjacent to an incompatible use, such as machine shop. The proposed amendment would allow residential daycare/preschool for up to 16 clients as a permitted use in a live/work scenario.

The CS zone permits a myriad of uses that are not compatible with residential development, including light manufacturing, machine shops, auto repair, and contractor and industrial service uses. While residential and CS zones do occasionally appear next to each other, such as 200 South and 1000 West, these areas are generally buffered by roads and setbacks. Permitting residential development within the CS zone would place incompatible uses directly adjacent to each other with little to no buffer between them. This conflict would be detrimental to the character of neighborhoods, and the health, safety and welfare of residents.

The location of the CS zone and the permitting of residential development is also in conflict. The CS zone is primarily located along the periphery of the City and adjacent to industrial development. The general strategy for residential development is to place it near the center of town, and not to push it closer to industrial development along the edge. Allowing residential development in the CS zone will place residential development in the wrong area and erode the buffer between residential and industrial development.

Density of the zone is also an issue, as density generally decreases as the move away from the central areas of Logan or designated nodes. An amendment that would permit up to 20 units/acre in areas that are on the periphery of town will place density away from the core of Logan and nodes, which is contrary to the zoning policy of the city.

While Staff would like to see more live/work development, the CS zone is not the correct area for it. Mixed use areas of town, such as the TC and MU zones, are ideal locations for live/work, as they are centrally located and designed to accommodate compatible residential and commercial uses. If a live/work uses along the CS and residential interface are desired by the City, then staff recommends the creation of a new zone or overlay that restricts non-compatible uses in the area and permits a density and structure type that is complementary to adjacent residential development.
The central question of the proposed amendment is whether residential development should be allowed in the CS zone. Staff concludes that the CS zone is not appropriate for residential uses. The allowance of residential development in the CS zone, even as live/work dwelling units, will erode the buffer between residential and industrial uses and create conflicts among neighboring uses. The intent of the CS zone is as a non-residential buffer between commercial and industrial uses, and staff recommends that it remain as intended.

**PROPOINENT:** Tony Johnson had met with staff trying to come up with a possible solution. They are building warehouse spaces that would be conducive to a live/work environment. The units will be 1,300 SF, with a 700 SF mezzanine which would make this scenario work well. The Borden Lofts project at 300 North 400 West has similar live/work units that have been in high demand. The buildings are designed to have more of a residential look. He wondered whether a different zone and/or an overlay zone would be a better course of action.

**PUBLIC:** None

**COMMISSION:** Commissioner Newman asked about mitigating noise from some of the adjacent incompatible uses. Mr. Smith said it would be enforced by the current noise ordinance.

Mr. Smith answered for Commissioner Ortiz that he is unaware of other cities with this similar type of option. A limited mixed-use, with lower type of intensities, may make sense, however, this zone has such a broad range of industrial uses that it makes compatibility difficult.

Chairman Nielson asked about a previous warehouse project with similar concerns. Mr. Smith explained that this project is different because the residential component is being proposed within the zone itself. In the previous situation there were transitions, such as enhanced setbacks and streets which helped to create a buffer. This live/work scenario would erode those types of buffers and would have potential housing located next to possible industrial-type uses. Live/work situations are permitted in the Commercial (COM) zone; however, staff did not feel it to be appropriate within the Commercial Services (CS) zone due to the type of allowances within that zone.

Commissioner Newman said this is a great idea, however, the Commercial Services (CS) zone is not the correct area for it. Commissioner Dickinson agreed.

Commissioner Croshaw asked if a conditional use on certain areas would work. Mr. DeSimone said one option would be to apply for a different zone, which would be more conducive for this idea; the concern is not just this project, but also the adjoining properties.

Commissioner Ortiz agreed that this is an interesting concept, especially during a time like this with COVID restrictions; having the ability to work from home is a good idea, however, Commercial Services is too broad, another zone seems like a more valid way to approach the idea. Commissioner Lucero agreed, a different way to achieve the goal would be a better option.

Commissioner Goodlander pointed out that this warehouse project was recently approved with the condition that there would be no residential within it. It is not a bad concept, if the zone were different. The Commission would be remiss to take a broad stroke and rezone the entire Commercial Services (CS) zone to allow for this type of scenario.

Chairman Nielson would like to see this type of scenario work, however, he agreed that it would not be a good idea to allow it within any Commercial Services (CS) zone anywhere in the City.
Commissioner Newman noted that both the Commercial (COM) zone and the Mixed-Use (MU) zone allow for a residential component, however, this request is more for a standalone type of project which would contain both the live and work uses within the same space; however, there are a lot of unknowns that need to be better clarified. This could be a significant opportunity if done correctly.

**MOTION:** Commissioner Goodlander moved to forward a recommendation for denial to the City Council for a Code Amendment as requested and outlined in PC 20-024 with the findings for denial as listed below. Commissioner Lucero seconded the motion.

**FINDINGS FOR DENIAL**
1. The Code amendment conflicts with the Logan General Plan that states that the Commercial Services (CS) land use is not intended for residential development.
2. The amendment would result in incompatible industrial and residential uses within the CS zone.

**Moved:** S. Goodlander  **Seconded:** J. Lucero  **Approved:** 7-0

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

**PC 20-017 Citywide Zoning Map Amendment** Logan City Community Development is proposing a zoning map amendment that includes approximately 64 acres comprised of 42 individual parcels located in seven areas around the City that better reflect the recent changes to the Future Land Use Plan (FLUP).

**STAFF:** Mr. Holley outlined the request for an Official Zoning Map Amendment for approximately 64 acres in seven different areas around Logan City in response to the recent Future Land Use Map (FLUP) amendments. These seven areas include two areas near Utah State University where recent public property acquisition has occurred, one area along Canyon Road where recent park development happened, two areas along south Highway 89/91 with future growth potential and two areas on the west side of the city near Highway 30 that better reflect current land use and development patterns. The proposed zoning district changes include Campus Residential (CR) to Public (PUB), Neighborhood Residential (NR-6) to Recreation (REC), Resource Conservation (RC) to Commercial (COM), Commercial (COM) to Industrial Park (IP) and Commercial Service (CS).

**PUBLIC:** None

**COMMISSION:** Commissioner Goodlander said there are a few that are simple cleanup changes, however, some properties are privately-owned. Her thought is not to rezone big groups of areas at the same time. She would like to see them considered one at a time, or if there is a specific request for a rezone, rather than a broad approach. She would like more time reviewing them.

Mr. DeSimone said this is not critical from a timing perspective. If it is easier for the Commission to view the maps on a larger format, this can be continued to a later date to allow for more time to review the information. Printed information will be sent out, which may make it easier to review than in a digital format.

**MOTION:** Commissioner Newman moved to continue PC 20-017 to the May 28, 2020 meeting. Commissioner Dickinson seconded the motion.

**Moved:** D. Newman  **Seconded:** R. Dickinson  **Approved:** 7-0

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

Meeting adjourned 8:25 p.m.