

**Project #22-027
Woodford Family Short Term Rental
1910 Southpointe Ct.**

REPORT SUMMARY...

| | |
|-------------------------|--|
| Project Name: | Woodford Family Short Term Rental |
| Proponent/Owner: | Nathaniel Woodford / Nathaniel and Hannah Woodford |
| Project Address: | 1910 Southpointe Ct. |
| Request: | Conditional Use Permit |
| Current Zoning: | Traditional Neighborhood Residential (NR-6) |
| Date of Hearing: | June 9, 2022 |
| Type of Action: | Quasi-Judicial |
| Submitted By: | Russ Holley, Senior Planner |

RECOMMENDATION

Staff recommends that the Planning Commission **Deny** a Conditional Use Permit for Project #22-027 Woodford Family Short Term Rental, for the property located at 1910 Southpointe Ct., TIN #05-109-1291.

Land use adjoining the subject property

| | | | |
|---------------|-------------------------|--------------|-------------------------|
| North: | (NR-6) Residential Uses | East: | (NR-6) Residential Uses |
| South: | (REC) Public Open Space | West: | (NR-6) Residential Uses |

Request

The applicant is requesting a Conditional Use Permit (CUP) for a new short-term rental (STR) in the entire single-family home located at 1910 Southpointe Court. The home was built in 2020 and the basement was finished in 2021. The home has six (6) bedrooms, three (3) on the main floor and three (3) in the basement. The submitted site plan shows the home, garage, and driveway with parking slots indicated. The NR-6 zoned parcel is approximately 0.17 acres in size and located in the Hillcrest Neighborhood near the base of the mountains along the east edge of Logan. Southpointe Court is a private drive approximately 28 feet in width (substandard to current street width specifications) and approved with the 2007 Deer Crest PUD subdivision.



Figure 1 shows the single-family home at 1910 Southpointe

Short Term Rentals

The purpose of the Section 17.37.130 is to regulate short term rentals to ensure compatibility within residential neighborhoods and that they won't unreasonably reduce long-term housing opportunities. The general requirements are:

- Occupied less than 30 continuous days.
- Business license required.
- CUP required.
- Meet minimum neighborhood density by being located at least 500' from another STR.
- The number of STR's citywide is limited to 3 STR's per every 1,000 of total population.

The specific operational standards for STR's are as follows:

- Maximum occupancy is two (occupants) per bedroom plus two additional occupants.
- Parking shall be located on-site at one space per bedroom with a minimum of two parking spaces per STR required.
- Parking shall be located outside of the front 25' setback and a paved 9'x18' surface.
- Current residential appearance or character cannot change because of the STR.
- No more than one STR per residential structure (multi-family structures).
- STR's are subject to City's nuisance ordinances. Repeated failure to comply will result in loss of CUP and Business License.
- STR's shall comply with all current applicable building, fire, health, safety, maintenance codes.
- Signage is limited to two square feet and only located on the building wall. Remodel

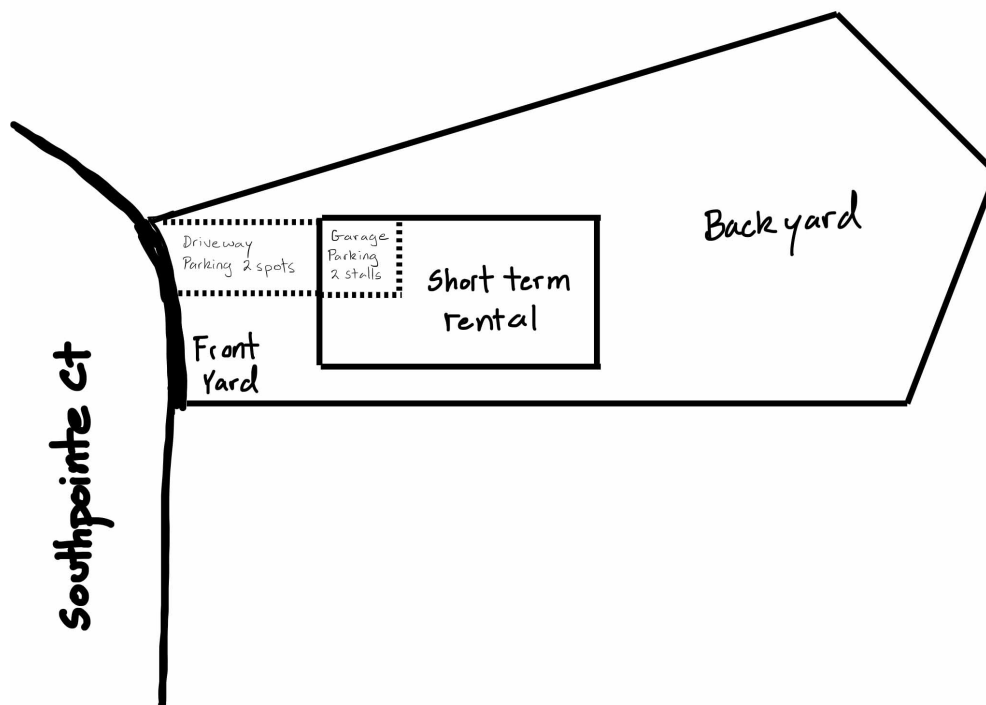


Figure 2 shows the submitted site plan

Conditional Use Permit

The CUP process provides a system for discretionary consideration for applications that are not typically associated with the zoning district or considered conditional. CUP approvals should preserve and enhance neighborhood character and provide conditions to mitigate any potential impacts. Land Development Code (LDC) §17.37.130 requires a CUP for STRs in all residential zones. Section 17.42.050 in the LDC governs the approval criteria for Conditional Uses.

§17.42.050 Planning Commission Action

The Commission may approve or conditionally approve a conditional use permit only upon substantiating the following findings:

- A. The maximum established density has not been exceeded, unless a density bonus has been approved in conformance with General Plan policy and City ordinance.*
- B. The proposed use conforms to the requirements of Title 17 of the Logan Municipal Code and is listed as a conditional use in the Use Table.*
- C. The use is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.*
- D. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.*
- E. The proposed use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.*
- F. Access to adjoining streets is designed to be constructed in conformance with City standards and specifications. Where adjoining streets are regulated by the Utah Department of Transportation, access to street(s) shall conform to the requirements of the Cache Access Management Plan.*
- G. The proposed use provides adequate off-street parking in conformance with this Title.*
- H. The project provides open space and landscaping in conformance with this Title.*

When approving a CUP, the Planning Commission must substantiate the above lists of criteria for the specific application. CUP approvals include substantiating the “preservation and enhancement of neighborhood character” and “compatibility and interference with use and enjoyment of neighboring properties”. These discretionary issues need to be reviewed to ensure a proposed STR is compatible within the neighborhood.

Neighborhood Compatibility

The proposed location of Woodford Family STR is near the northeast boundary of the Hillcrest Neighborhood near Aspen Drive. All adjacent properties are zoned NR-6 with a REC zoned public open space to the southwest. The majority of structures in this neighborhood are new single-family homes. The proposal does not alter the exterior of the current home. The required six stall off-street paved parking lot would be out of character of the surrounding homes on the block.

Parking

The LDC requires all parking for the STR to be located off-street and on the same property as the STR. The location of all parking areas shall comply with the parking and setback requirements of the LDC, and the parking areas used for the STR cannot be used by the single-family residence. No parking stall can be located within the front setback (typically 25'). Parking stall dimensions shall comply with LDC size standards. Parking stalls are required to be paved with either concrete, asphalt, or similar approved hardened surfaces. Parking spaces shall be provided at one (1) space per bedroom with a minimum of two (2) parking stalls for the STR. Each parking stall shall be at least 9'x18' as per LDC §17.31.090 E. Minimum driveway width accessing parking stalls is set at 12 feet as per LDC 17.29.060.

The application includes a site plan that shows only two (2) parking stalls located outside of the front setback (in the garage). The driveway is 18 feet wide by 25 feet long and located on the east side of the home. The side yard setback is 8 feet from the edge of the home to the property line. As proposed, six (6) parking stalls are required and can not physically be accommodated on-site because of the size of the property, location of the home, and the side yard setback of 8 feet. To physically create a six-stall parking lot, as per city code standards, would require the home to be demolished or so extensively remodeled that it becomes unfeasible to accomplish. The 8-foot side yard setback limits the possibility of a 12' wide driveway accessing the side and rear yard space for additional parking.

Proximity Restrictions

The LDC requires the proximity of a STR to be located at least 500 feet from another STR as measured along the street frontage between front property corners. The proposed STR is not located within 500 feet of another permitted STR. The citywide allowance of 3 STR's per every 1,000 of total population has not been surpassed. As proposed, this application complies with the minimum proximity regulations in the LDC.

Occupancy Limits

Occupancy limits in residential zones in Logan City is three (3) unrelated individuals or one family per dwelling unit. In STRs, the LDC permits a maximum of two (2) occupants per bedroom plus two (2) additional occupants. An STR may not be rented to the same individual, group or party for more than two consecutive rental contracts in a 6-month period or have multiple rental contracts by separate individuals, groups or parties for the same night or nights.

The proposed STR is for the six (6) bedroom home. The total occupancy for the STR at any given time is fourteen (14) individuals.

Operational Standards

In addition to site specific requirements reviewed above, the LDC §17.37.130 and Logan Municipal Code provides general standards to ensure smooth and safe operations of STRs. Some of these include business licensing, building requirements and inspection, mitigation of potential nuisances (regarding noise, garbage, and pets) and neighborhood noticing. Following approval of the CUP, applicants proceed as specified in the City's business licensing process to ensure these requirements are met.

SUMMARY

The proposed STR is unachievable for this property and home configuration. There is not enough physical space to extend a 12' wide driveway around the side of the home to access four additional parking stalls. State law states the following on Conditional use Permits *"A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards"*. Staff recommends denial because the conditions needed to create the required parking is unreasonable. Staff advises that the application request be amended or abandoned for this property as currently configured because of the physical constraints.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

| | |
|--------------------------|----------------------|
| • Water/Cross Connection | • Business Licensing |
|--------------------------|----------------------|

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, two comment had been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 05/28/22 and the Utah Public Meeting website on 05/30/22. Public notices were mailed to all property owners within 300 feet of the project site on 05/23/22.

RECOMMENDED FINDINGS FOR DENIAL

1. As proposed in a six-bedroom home, and considering the property size and configuration, the required amount of parking makes these conditions unfeasible or unreasonable to accomplish.
2. The six-stall parking lot required to be paved and located outside of the 25-foot front yard setback (as per LDC residential parking regulations) would require the home to be demolished/extensively remodeled to physically create and would not be considered compatible with the surrounding neighborhood character.
3. The existing Southpoint Court is a substandard street in size and configuration compared to current Logan City Street standards and would pose negative impacts on surrounding properties because of the proposed 6-bedroom short term rental.

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

| | | | | | |
|--|---------|---|---|--|--|
| For Staff Only | | | | | |
| <input checked="" type="checkbox"/> Planning Commission | | <input type="checkbox"/> and Use Appeal Board | | <input type="checkbox"/> Administrative Review | |
| Date Received | Planner | Zone/Neighborhood | Scheduled Meeting Date | Application Number | |
| 4/25/22 | | NR-4/HILCREST | JUNE 9 | PC-22-027 | |
| Type of Application (Check all that apply): | | | | | |
| <input type="checkbox"/> Design Review <input checked="" type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other | | | | | |
| PROJECT NAME | | | | | |
| Short-term Rental - Woodford Family | | | | | |
| PROJECT ADDRESS | | | | COUNTY PLAT TAX ID # | |
| 1910 Southpointe Ct | | | | 05-109-0072 | |
| AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER | | | | PHONE # | |
| Nathaniel Woodford | | | | 713-597-1291 | |
| MAILING ADDRESS | | CITY | STATE | ZIP | |
| 1910 Southpointe Ct | | Logan | UT | 84341 | |
| EMAIL ADDRESS | | | | | |
| nathanwoodford@gmail.com | | | | | |
| PROPERTY OWNER OF RECORD | | | | PHONE # | |
| Nathaniel and Hannah Woodford | | | | 713-597-1291 | |
| MAILING ADDRESS | | CITY | STATE | ZIP | |
| 1910 Southpointe Ct | | Logan | UT | 84341 | |
| EMAIL ADDRESS | | | | | |
| nathanwoodford@gmail.com | | | | | |
| DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed) Rent house as a short term rental | | | | Total Lot Size (acres) | |
| | | | | 0.17 | |
| | | | | 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 permit on behalf of the property owner. | | | Signature of Property Owner's Authorized Project Representative | | |
| | | | <i>Nathaniel Woodford</i> | | |
| 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 | | |
| | | | <i>Nathaniel Woodford</i> <i>Hannah Woodford</i> | | |

APPLICATION MUST BE ACCURATE AND COMPLETE

NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -

DESIGN NOTES

- DESIGN NOTES
1. Floor: 40 lbs. Live load, 15 lbs. Dead load
 2. Roof: 30 lbs. Live load, 20 lbs. Dead load
 3. Soil bearing capacity-2000 PSF
 4. Live loads, dead loads, wind loads, snow loads, lateral loads, seismic zoning and any specialty loading conditions will need to be confirmed before construction and adjustments to plans made accordingly. See your local building officials for verification of your specific load data, zoning restrictions and site conditions.

CONCRETE AND FOUNDATIONS

- ## CONCRETE AND FOUNDATIONS
1. All slabs on grade shall be 4 inch 3000 PSI (28-day compressive strength concrete), unless noted otherwise.
 2. All slabs on grade shall bear on four inch compacted granular fill with 6 by 6 10-10 welded wire mesh.
 3. Interior slabs shall have 6 mil. polyethylene vapor barrier underneath.
 4. Provide proper expansion joints and control joints as per local codes and conditions.
 5. Provide additional loadings to points in required by manufacturer, and loading transfers.
 6. Provide details where walls will connect to foundations, verify with contractor or engineer.
 7. Provide foundation access and vents as required by local codes and conditions.
 8. Foundation wall and footing sizes reinforcing must conform with your local building requirements.
 9. Foundation walls are not to be backfilled until masonry is completely framed and roof is in place.
 10. Verify details of footings with your local engineer.
 11. Provide termite protection as required by HUD minimum program standards.

BASEMENT

- #### BASEMENT
1. Basement stairs are calculated as 10 inch treads with 1 inch nosing (11 inch total) and 7.75 inch risers.
 2. Water heater and air conditioner may be located in basement when using basement option.
 3. Provide pump pumps as required.
 4. Some soil conditions may require a 12 inch concrete retaining wall, verify with contractor or engineer.
 5. Provide exterior windows and door as grade allows.
 6. Provide venting as local codes and conditions dictate.

FRAMING

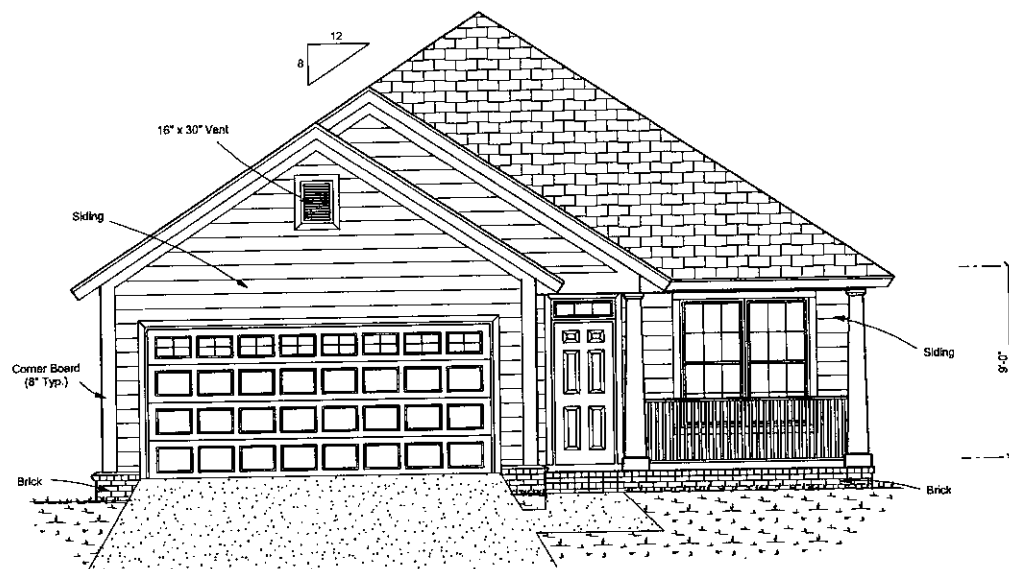
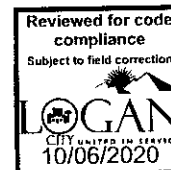
1. Contractor to confirm the size, spacing and species of all framing and structural members to meet your local code requirements.
2. Any structural or framing members not indicated on the plan are to be sized by the contractor.
3. Double floor joists under all partition walls, unless otherwise noted.
4. All angled walls are 45 degree angles unless noted otherwise.
5. Provide collar ties, cross-briding and bracing as required.
6. Provide additional bearing points as required by loading transfers.
7. Framing lay-out and size may vary with local codes and conditions.
8. Roof framing plan is for general layout only, do no use for rafter count.

MISC. NOTES

- MISC. NOTES
1. Prefabricated fireplaces and flues are to be U.L. approved and installed per manufacturers specifications.
 2. All materials, supplies and equipment to be installed per manufacturers specifications and local codes.
 3. Provide type "x" fireproof sheetrock on garage walls and ceilings.
 4. Confirm window openings for your local code requirements and minimum light and venting.
 5. The mechanical and electrical layouts are suggested only. Consult your mechanical and electrical contractors for exact specifications, locations and sizes.
 6. Minor alterations to this plan can be made by the builder. Please contact our drafting department for information, notes quotes if minor changes are required.

This plan was designed and drafted by W.L. Martin Home Designs to meet average conditions and codes in the state of Oklahoma at the time it was designed. Because codes and regulations can change and may vary from jurisdiction to jurisdiction, W.L. Martin Home Designs cannot warrant compliance with any special code or regulation. Consult your local building official to determine the suitability of these plans for your specific site and application.

This plan can be adapted to your local building codes and requirements, but also, it is the responsibility of the purchaser and/or builder of this plan to see that the structure is built in strict compliance with all governing municipal codes [city, county, state, and federal]. The purchaser and/or builder of this plan releases W.L. Martin Home Designs, its owner and employees from any claims or lawsuits that may arise during the construction of this structure or any time thereafter.



FRONT ELEVATION

[illegible]

03/12/2021

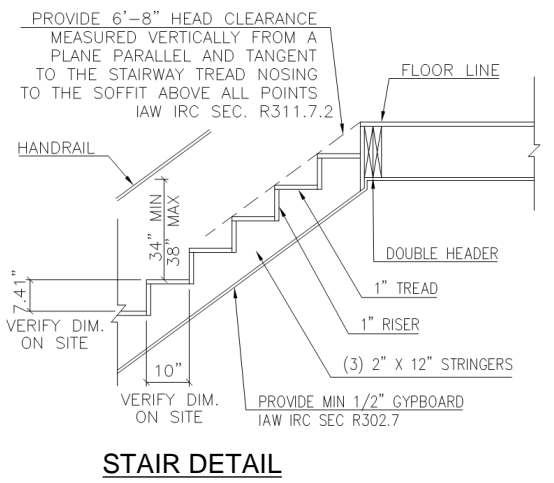
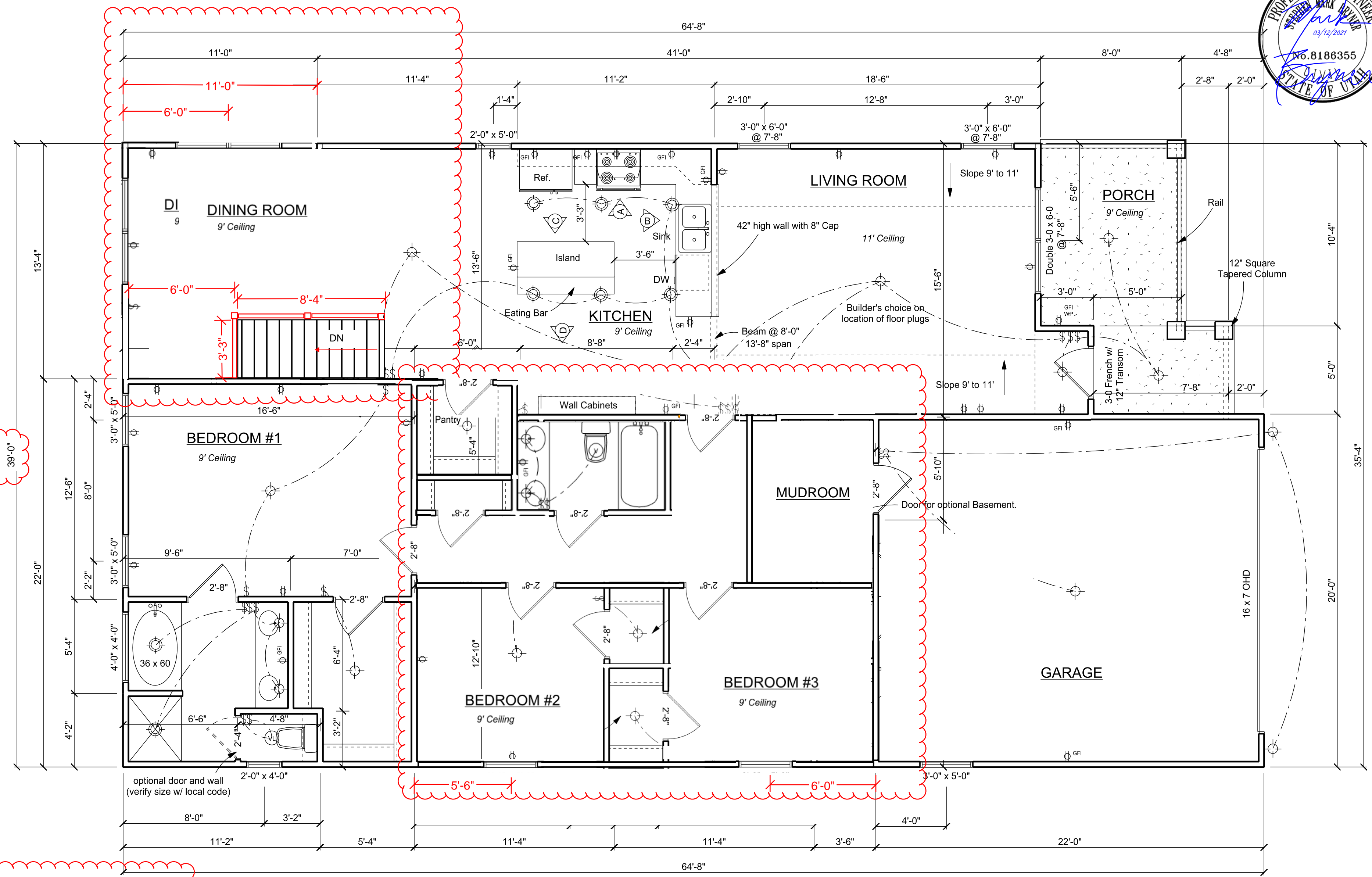
PROFESSIONAL ENGINEER
STEPHEN MARK ARNER
No. 8186355
STATE OF UTAH
03/12/2021

| REVISIONS | BY |
|-------------|----|
| DINING ROOM | MB |
| BDRM LAYOUT | MB |
| BASEMENT | MB |
| STAIRS | MB |

#24337
Lakeview

W.L. Martin Home Designs
for Contact Information
www.wlmarthomes.com

| | |
|-------|--------------|
| Date | |
| Scale | 1/4" = 1'-0" |
| Drawn | |
| Job | |
| Sheet | 3 |
| Of | 7 Sheets |



- Notes:
1. Builders choice on plumbing wall locations.
 2. A/C may be relocated as required.
 3. Provide safety glass where required.

Floor Plan

1491 Sq Ft H/C
468 Sq Ft Garage
121 Sq Ft Front Porch
80 Sq Ft Rear Porch

REVIEWED FOR
CODE COMPLIANCE
APPROVED FOR
CONSTRUCTION

LOGAN
CITY UNITED IN SERVICE
SUBJECT TO FIELD CORRECTIONS
03/17/2021



1) Smoke and carbon monoxide detectors to comply with 2015 IRC sections R314 & R315

2) Furnace Room to be provided with outdoor combustion air

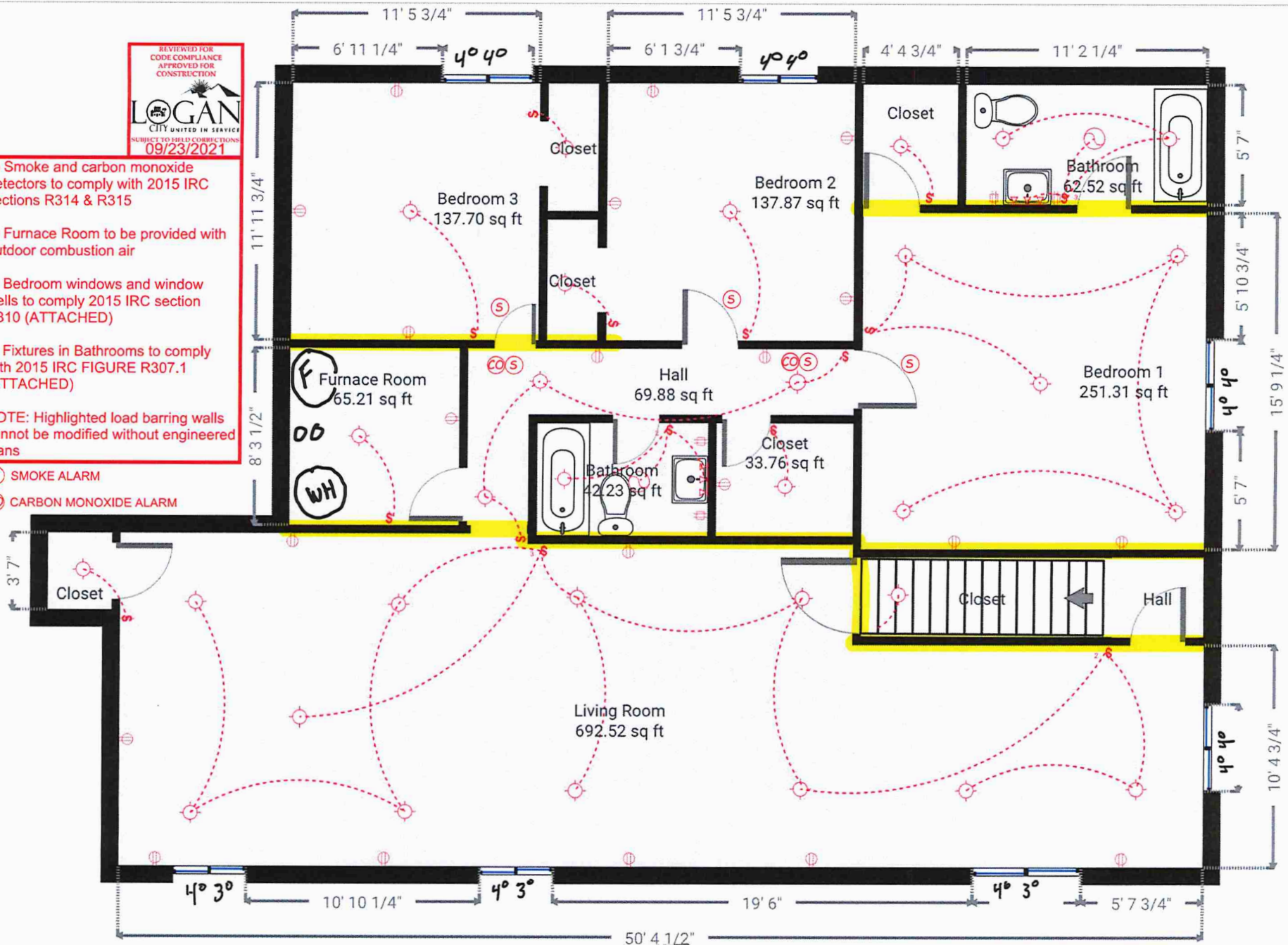
3) Bedroom windows and window wells to comply 2015 IRC section R310 (ATTACHED)

4) Fixtures in Bathrooms to comply with 2015 IRC FIGURE R307.1 (ATTACHED)

NOTE: Highlighted load bearing walls cannot be modified without engineered plans

(S) SMOKE ALARM

(CO) CARBON MONOXIDE ALARM



BASEMENT REMODEL

[Signature]





SOUTHPOINTE CT

1870

1879

1889

1901

1880

1890

1900

1910

1631

1615

6/2/2022



1910

08/10/2021



Planning Commission <planning.commission@loganutah.org>

Project number 22-027

1 message

Hilary Renshaw <hilary.emma@me.com>
To: planning.commission@loganutah.org

Thu, May 26, 2022 at 6:00 PM

Hello,

I am writing in regards to project number PC 22-027. Tyler and I, who are homeowners on Southpointe Court, recommend that this project not be approved. We are concerned this could impact our home value as well as impact safety in the neighborhood.

Best,
Hilary Renshaw

Sent from my iPhone



Planning Commission <planning.commission@loganutah.org>

PC 22-027 Woodford Family- short term rental1 message

Laurie Fifield <laurie.fifield@gmail.com>

Sun, May 29, 2022 at 1:12 PM

To: planning.commission@loganutah.org

Cc: Nikki Rice <dominiquerice@hotmail.com>, Jason And Brooke Lambert <Jlambert@gmail.com>, Jane Monson <janemonson1@gmail.com>, Chris Stolinski <chris.stolinski@gmail.com>

TO Logan City Planning Commision

In regards to PC 22-027 Woodford Family Short Term rental at the property address [1910 Southpointe Ct.](#) NR-4 Zone TIN 05-109-0072

Please be aware that this residence is part of the Communities at Deer Crest HOA. This HOA is not currently organized, but we have a meeting scheduled on June 14 to begin visiting with the neighbors regarding organization.

It might be good to have this information on the table before going forward with this permit. A future HOA board may wish to have a say in the matter.

Also be aware that Southpointe Ct and surrounding roads are extremely narrow, hence the need for HOA services. Parking is a big issue. If vehicles are parked on both sides of the road, a garbage truck can not pass between.

Thanks,

Laurie Fifield
[1948 Pebble Creek Ct.](#)
[Logan, UT. 84341](#)