

**Project #22-028
Suite Maple Short Term Rental
1414 Maple Drive**

REPORT SUMMARY...

Project Name: Suite Maple
Proponent/Owner: John & Tanya Rice / John & Tanya Rice
Project Address: 1414 Maple Drive
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 **Conditionally Approve** a Conditional Use Permit for Project #22-028 Suite Maple Short Term Rental, for the property located at 1414 Maple Drive, TIN #07-002-0011.

Land use adjoining the subject property

<i>North:</i>	(NR-6) Neighborhood Residential	<i>East:</i>	(NR-6) Neighborhood Residential
<i>South:</i>	(NR-6) Neighborhood Residential	<i>West:</i>	(NR-6) Neighborhood Residential

Request

The applicant is requesting a Conditional Use Permit (CUP) for a new short-term rental (STR) in a portion of the basement within the single-family home. The proposed STR will have its own separate entrance, kitchenette, living area, bathroom, and one bedroom. The STR is proposed in the east side of the basement, opposite of the driveway on this atypical corner lot. The submitted site plan shows four (4) off-street parking stalls in the driveway and garage of the home. The NR-6 zoned parcel is approximately .33 acres in size and located in the Hillcrest Neighborhood.



Figure 1 shows the single-family home at 1414 Maple Drive.

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.
- 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.



Figure 2 shows the front and east side of the single-family home at 1414 Maple Drive.

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 Suite Maple is along the southern edge of the Hillcrest Neighborhood near Utah State University, Highway 89, and the mouth of Logan Canyon. All adjacent properties are zoned NR-6 with the majority of structures being brick single-story, single-family homes built circa 1950's. The proposal includes the use of a new exterior entrance on the basement east side façade with an associated connecting walkway. All other exterior walls remain unaltered.

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 other 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.

The application includes a total of four parking stalls located on the property. Two within the garage and two within the driveway. The driveway is 18 feet wide by 40 feet long and located on the corner yard frontage of the lot with all parking stalls being proposed outside of the setback areas and sized at 9'x18'. As proposed, the parking stalls comply with the standards in the LDC. Access to the STR from the parking area is achieved via a new sidewalk connection around the east side of the structure.

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.

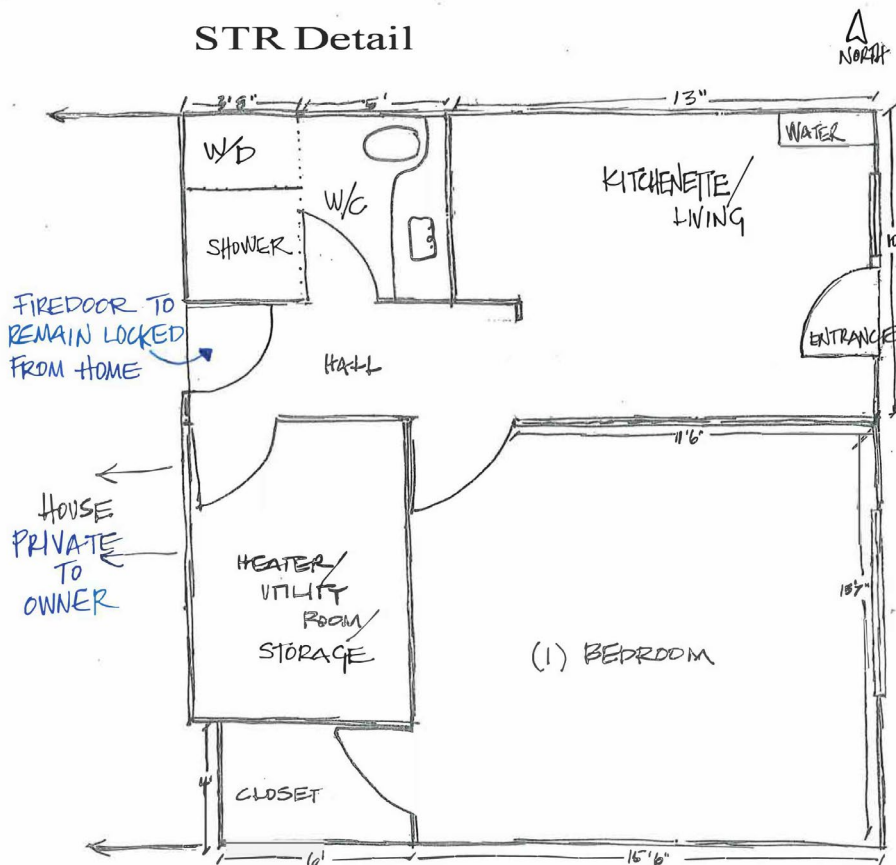


Figure 3 shows the basement floorplan for the proposed STR at 1414 Maple Drive

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 shown using one (1) bedroom in the basement area of a single-family home with its own separate entrance. Within the single-family portion of the structure, three (3) individuals or one family are permitted and up to four (4) individuals in the STR portion of the structure. The total occupancy for the home at any given time is seven (7) individuals or one family and four (4) individuals. As conditioned, with a maximum of four (4) occupants in the STR, the project meets the requirements of the LDC.

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 maintains neighborhood compatibility because of the minimal exterior alterations in less visible locations of the structure and it complies with LDC proximity standards. Parking stall counts and sizes are provided outside of setbacks in a functional and visually low-impact manner. As conditioned with full compliance to LDC standards and subsequent licensing and building inspection requirements, the proposed STR meets the requirements of Logan City codes and specifications.

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, no 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 CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. This Conditional Use Permit authorizes a one (1) bedroom short term rental occupying a portion of the single-family home in the eastern area of the basement.
3. This Conditional Use Permit authorizes two (2) people per bedroom with two (2) additional individuals for a maximum of four (4) occupants in the STR.
4. Occupancy for the single-family home portion of the structure shall comply with LDC regulations.
5. A minimum of two (2) parking stalls are required for the STR and two (2) are required for the single-family portion. Parking stalls shall be located outside the front and corner setback areas and paved as per City specifications.
6. Parking of recreational vehicles, trailers, boats, ATVs or similar vehicles associated with the STR shall be legally parked on-site and are not permitted to be parked on-street.
7. Rental contracts for the STR shall be for 30 days or less.
8. Rental contracts shall not be offered to the same individual, group, or party for more than two consecutive rental contracts in a six (6) month period. The owner shall maintain rental records available for review and inspection by Logan City.
9. Quiet times shall comply with the City noise ordinance of 10 pm to 8am.
10. A Logan City building/fire inspection is required which may result in building remodeling and building permits prior to the issuance of a business license.
11. A Logan City business license is required before a rental contract can be issued.
12. The STR shall comply with local and state Building, Health, Fire, Safety, Maintenance and Nuisance Codes prior to operating.
13. Exterior lighting shall be concealed source, down-cast and reviewed and approved prior to the issuance of a building permit and shall comply with current LDC regulations.
14. No signs are approved with this Conditional Use Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.

15. No fences are approved with this Conditional Use Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
16. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Water/Cross Connection - contact 716-9627*
 - All points of use of water down stream of this properties water meter should meet Utah's current IPC plumbing code and amendments. This would help minimize the risk of contamination of the water for homes occupants and Logan Cities water system. This also would help minimize liabilities to the homeowner.
 - b. *Business Licensing - contact 716-9230*
 - Business license required.

RECOMMENDED FINDINGS FOR APPROVAL

1. The proposed project conforms to the requirements of the Land Development Code and is listed as a conditional use in the Use Table.
2. This STR meets the City's STR density and location parameters as specified in Chapter 17.37.130.
3. As conditioned the use is compatible with the surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
4. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
5. The Planning Commission has substantiated the findings for a Conditional Use Permit in Chapter 17.42.050.

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 type="checkbox"/> Planning Commission		<input type="checkbox"/> and Use Appeal Board		<input type="checkbox"/> Administrative Review
Date Received 7/27/22	Planner	Zone/Neighborhood NR-6 Hillcrest	Scheduled Meeting Date June 9	Application Number PC 22-028
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 Snite Maple				
PROJECT ADDRESS 1414 Maple Dr.			COUNTY PLAT TAX ID # 07-002-0011	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Tanya & John Rice			PHONE # 540-808-8062	
MAILING ADDRESS 1414 Maple Dr.			CITY Logan	STATE UT
EMAIL ADDRESS john.rice@vsu.edu			ZIP 540-808-8061	
PROPERTY OWNER OF RECORD John & Tanya Rice			PHONE # 540-808-8061	
MAILING ADDRESS 1414 Maple Rice			CITY Logan	STATE UT
EMAIL ADDRESS john.rice@vsu.edu			ZIP 540-808-8061	
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed)			Total Lot Size (acres) .33	
CUP for owner-occupied short term rental. Site plan & floor plan attached HOME - 2,800 SF 600 SF-STR			Size of Proposed New Building (square feet) _____	
			Number of Proposed New Units/Lots _____	
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 JK Rice	
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 JK Rice	

APPLICATION MUST BE ACCURATE AND COMPLETE
NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -



MAPLE DR

SITE PLAN

OFFSITE PARKING - 4 spaces (3 REQ.)
w/ 20' setback

ENTRANCE

Suite
Maple

1414

CAR 1

CAR 2

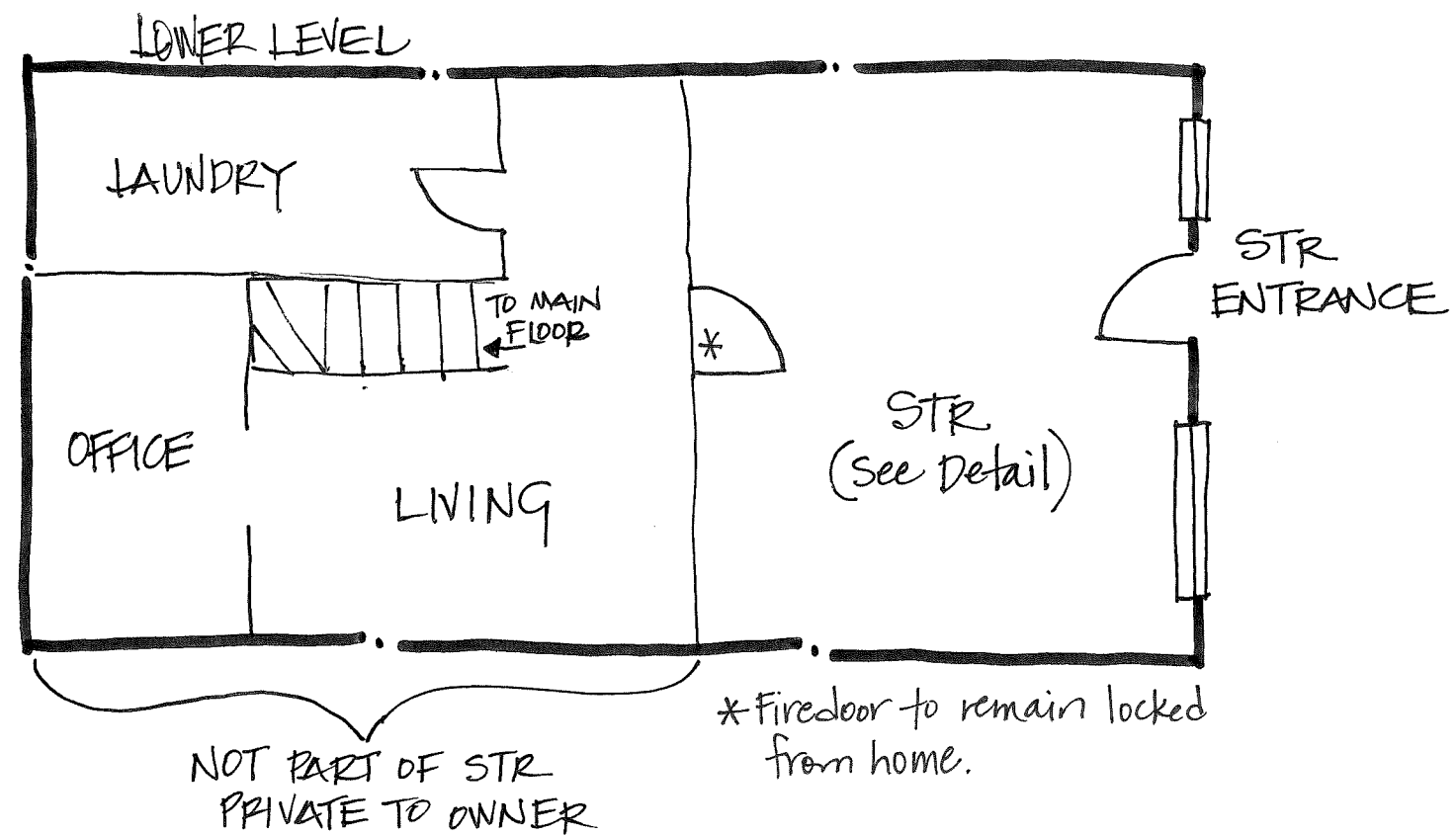
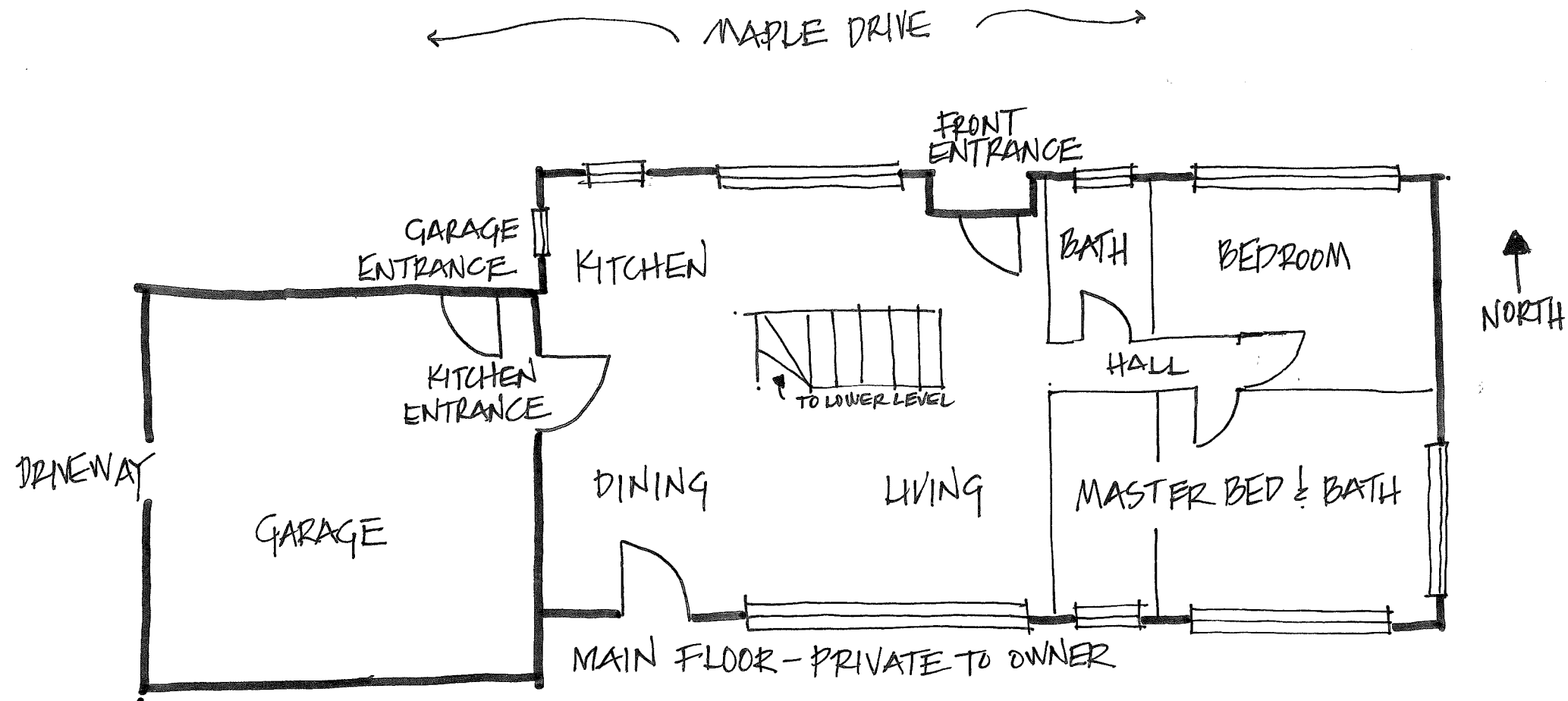
CAR 3

CAR 4

1430

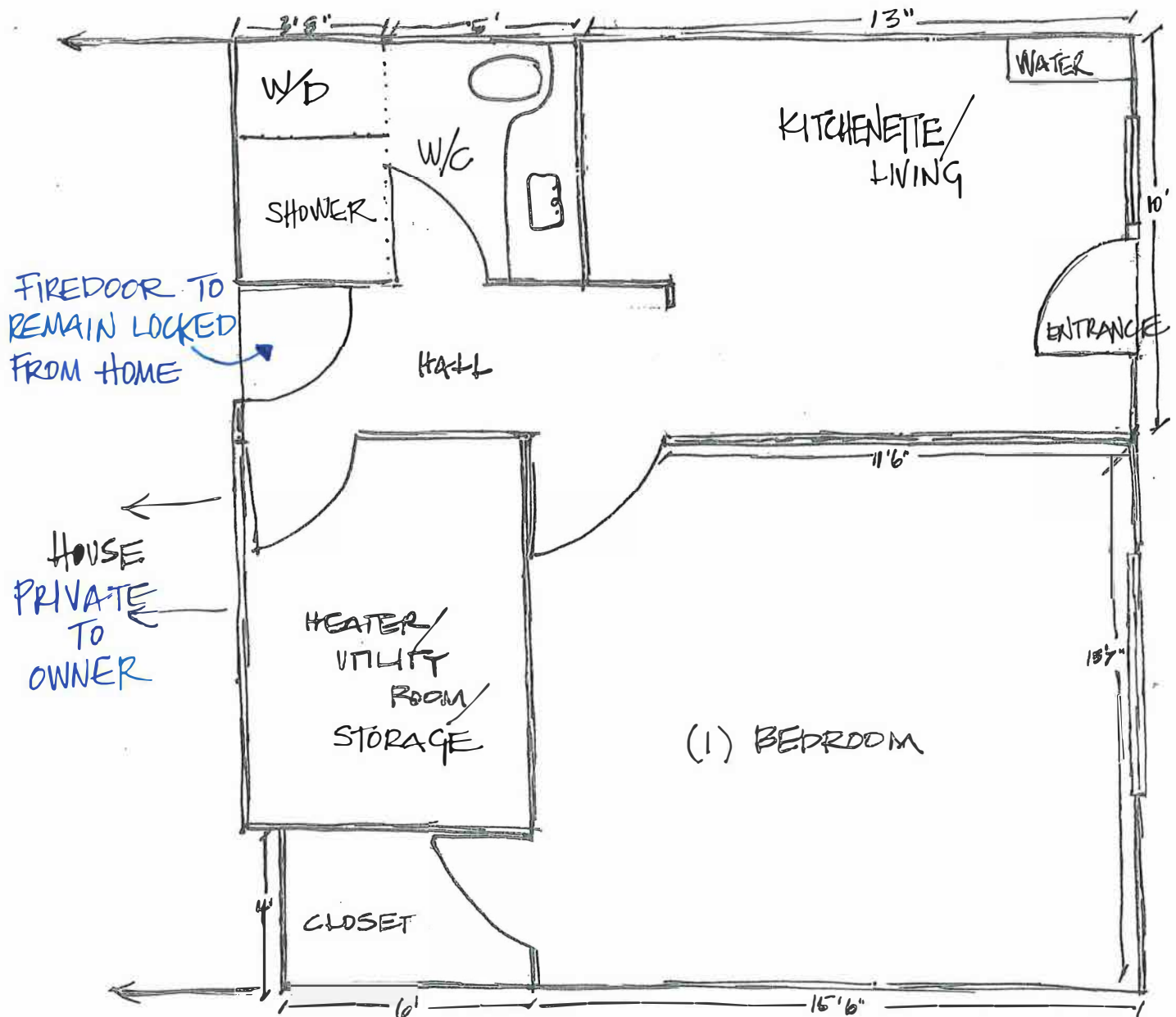
1400 E

726



Suite Maple - RICE property
1414 Maple Dr.
Short Term Rental Floorplan
600 SF

STR Detail





Planning Commission <planning.commission@loganutah.org>

RE: Notice I received re project near my home...

1 message

Eleanor Watson <soilsci36@gmail.com>
To: planning.commission@loganutah.org

Mon, May 30, 2022 at 1:44 PM

To Whom It May Concern in the Department of Community Development Planning Division:

It is my opinion that mailing notices and having a meeting re the project near my home (PC 22-028) is a complete waste of public money and peoples' time. Said project is well underway; there is no doubt in my mind it will be allowed, but apparently the law requires that \$\$ be spent on meetings, mailings, etc. Somehow I think better use could be made of public money. I recognize the law requires this notice, but what a waste! Yes, I know, just venting steam here and this missile no doubt will be disregarded, but I just had to speak my piece!

Sincerely,
Eleanor Watson
726 North 1400 East
Logan, UT 84321