



**Project #22-038  
Mixed Use  
Land Development Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Mixed Use
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	July 14, 2022
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.10 and 17.34 of the Land Development Code.

**REQUEST**

This is a proposal to modify the City's approach to Mixed Use Development by clarifying the intent and expected outcomes in the Mixed Use zone, modifying the base density, adding performance based density bonuses, increasing the proportionate amount of commercial building area, requiring commercial uses along the street frontages, requiring a variety of residential structure types, modifying the allowable building height, and allowing for a reduction in minimum parking requirements.

**BACKGROUND**

The current Mixed Use Development Standards were adopted in 2019 (Ord. 19-017) as a result of the Eliason/Meat Packing (Homestead) Mixed Use rezone proposal located at 6<sup>th</sup> West and 200 North. The existing Mixed Use language was modified to require a minimum amount of commercial area based on property size, included an open space option in lieu of commercial building area, required a minimum number of residential units, gave the Planning Commission additional flexibility in reviewing projects in the MU zone, and updated the parking requirements to be consistent with the TC & COM zones.

Fast forward to 2022, the Homestead Mixed Use project is midway through construction with the first phases completed and subsequent phases either in design, permitting or construction phases, two other mixed use projects (Brickyard & Renewal) have Design Review approval but have not yet started construction, and the City recently approved another rezone request for Mixed Use on 10<sup>th</sup> West. Prior to the latest rezone approval, the City put together a working group to evaluate the efficacy of the current Mixed Use Zone to determine if the current approach is consistent with the vision of mixed use as expressed in both the LDC and the General Plan. The proposed code changes are a result of that analysis and represent an on-going evolution of the City's vision for future mixed use areas.

The Mixed Use Center vision language from the Logan General Plan states:

*Mixed Use Centers (MUC) have concentrations of commercial and office uses – with residential uses integrated (MUC developments are required to have both residential and commercial components). Residential development is allowed with the range of 7 to 20 dwelling units per acre. Structures in MUC areas will typically be multi-story, with office and residential uses above*

*commercial uses. MUC's are compact – designed for people to live, work, and play within a walkable center. Existing or future mass transit is also integrated into MUC centers, providing multiple options for transportation. The MUC district is intended to be somewhat self-sufficient – it provides its own customers to support commercial businesses – reducing dependence on drive-to traffic. As a result, MUC development will be pedestrian-oriented with an emphasis on quality urban design and landscaping. The MUC category can be applied to encourage the redevelopment of outdated, one-story shopping areas.*

This was the stated intent in 2008 when the concept of a Mixed Use Center was still being formulated on how it would really take shape in Logan. The approach that is articulated in this intent statement was taken from other jurisdictions involved in crafting and implementing mixed use zoning strategies. The concepts are generally sound, but as we have found, those concepts need to be tempered by the realities of Logan's market, development climate, economy and culture. We are a small to midsize City with a population of 50,000 and a transient population of university students. Logan is also suburban in nature in that the overall City is not very dense, the town center is not overly tall nor dense, the commercial core is a linear commercial core spread along Main Street, and a majority of people rely on their car to get around.

Logan is situated in the center of a valley rooted in sprawl type of development patterns and where dense, multi-family projects are viewed as less than ideal housing. We have a regional bus system but do not have a mass transit system typical of larger cities. That doesn't mean we can't work with CVTA on routing a bus line in or near a mixed use project, but we just don't have the same level of control or service.

The concept of a Mixed Use Center being self-sufficient in terms of goods and services availability as well as attain sustainability by its resident population is also not generally realistic in this community. You can live anywhere in Logan and not be more than 5 – 10 minutes away from a grocery store. For commercial viability, it takes "rooftops" which equates to numbers of people living in a concentrated manner to or access to major transportation corridors to make this concept really viable. Our pattern of low density development, ease of transportation along with a cultural reluctance to embrace dense development means we will not be creating any truly self-sufficient "live work play" centers. However, what we can do is push for a greater mix of residential, commercial and service types of uses that create opportunities for more people, new residents as well as surrounding neighborhoods, to live and work in close proximity to each other without having to get in their car.

The goals of the proposed changes to the Mixed Use Development Standards are to encourage a higher range of residential densities through the incorporation of good, mixed use principles while requiring a greater proportion of commercial building area per acre of land that is located front and center along major roadways; encourage a higher quality of unique development with a greater variety of housing types designed with a more vertical orientation of uses; and encourage the thoughtful integration of community based open space areas throughout the project site. The goal is to transition away from projects that are mainly residential projects with some limited commercial areas and move towards a project outcome that provides a unique blend of residential and commercial uses with a superior design and a unique character.

Below is a comparison of the existing 17.10.100 code language (left side of table) with the proposed code changes (right side of table) and a brief summary of the proposed changes.

### **Modifications to Chapter 17.10.100 Mixed Use Development Standards**

Mixed Use Development Standards	
Existing	Proposed
Intent Language	
The intent of the Mixed-Use Zoning District (MU) is to encourage a concentration of different uses within an overall project. Mixed use developments shall have both a residential and a commercial component unless it is demonstrated that a site, because of its size, location, or other factors, won't support certain uses. Regardless of the composition of uses, all mixed use projects shall be scaled to ensure consistency with the surrounding neighborhoods. Mixed use projects can utilize "horizontal" mixed use where commercial, office and residential uses are designed as a single project yet constructed in separate and distinct building footprints. Mixed use projects in the more urbanized area are encouraged to employ "vertical" design strategies where commercial, office and residential uses are designed as a single project and constructed within the same footprint, with pedestrian oriented commercial and retail uses on the main level and office and/or residential uses on the upper floors.	The intent of the Mixed-Use Zoning District (MU) is to facilitate the integration of a variety of compatible uses with the goal of creating a community that offers "live, work, and play" opportunities within convenient walking distance of each other as well as with the existing neighborhood. Mixed use developments shall have both residential and commercial elements scaled to ensure compatibility with surrounding neighborhoods while promoting a pedestrian friendly environment and a more compact design.
<i>Summary: The challenge with "intent" language is that it is not regulatory language. The purpose of the proposed streamlined intent language is to better align with the General Plan vision, set the tone for the overall direction and resulting outcomes in the Mixed Use Zone, while relying on subsequent regulatory sections to better articulate the intent statement and the underlying goals of the updated Mixed Use concept.</i>	
Mixed Use Design Characteristics (new)	
	All mixed use developments shall exhibit the following characteristics: wide sidewalks, street trees, street furniture, community gathering spaces, shared parking, integrated public transit (where available and/or anticipated), innovative and distinctive building architecture, a variety of commercial uses & activities, and a thoughtful and integrated mixture of differing housing types.
<i>Summary: This language articulates the elements or features that make a mixed use project livable, walkable, and distinctive from just another multi-family or commercial project. The decision making body judge a project design against these elements in determining whether a proposed mixed use project is consistent with the Mixed Use Development Standards and should be approved.</i>	

Residential Density			
Base Density: Units/acre (max)	30	Base Density: Units/acre	20
Minimum Density: Units/acre (minimum)	5	Minimum Density: Units/acre	5
Residential Density Bonus: Units/acre*	10	Density Bonus: Units/acre	1-30
Summary: The goal behind changing the base density is to utilize additional density as a tool for incorporating elements important to shaping a mixed use project. Chapter 17.34 expands on the density bonus criteria.			
Minimum Residential Density Requirements			
A mixed use project shall include at least 5 residential dwelling units per acre. The Planning Commission may authorize a reduction in the minimum number of dwelling units if the Commission can make findings supported by substantial evidence, including a market analysis submitted by the applicant, demonstrating that the goals and intent of the mixed use zone are being achieved with the project's design.		A mixed use project shall include at least 5 residential dwelling units per acre.	
Summary: Remove the variability of the current language.			
Ground Floor Commercial Optional (Delete)			
A residential density bonus of up to 10 additional units per acre may be permitted if all buildings fronting onto a public street have street facing commercial space on the ground floor with a minimum depth of 50' and residential above (vertical mixed use).			
Summary: Eliminate this as it is replaced with a different density bonus strategy.			
Minimum Commercial Building Area Requirements			
A mixed-use project shall include a minimum amount of commercial building area based on the overall size of the project as follows:		A mixed-use project shall include a minimum amount of commercial building area based on the overall size of the project as follows:	
Overall Project Size	Minimum Commercial Building Area Required	Overall Project Size	Minimum Commercial Building Area Required
Up to 3 Acres	1,500 square feet	Up to 3 Acres	3,000 square feet
3 – 5 Acres	2,500 square feet	3 – 5 Acres	6,000 square feet
5 – 7.5 Acres	3,500 square feet	5 – 7.5 Acres	9,000 square feet
7.5 – 10 Acres	4,500 square feet	7.5 – 10 Acres	12,000 square feet
10 – 15 Acres	5,500 square feet	10 – 15 Acres	20,000 square feet
15 – 20 Acres	6,500 square feet	15 – 20 Acres	30,000 square feet

<p>20+ Acres                      7,500 square feet</p> <p>The Planning Commission may authorize a reduction in the amount of minimum commercial building area if the Commission can make findings supported by substantial evidence, including a market analysis submitted by the applicant, demonstrating that the goals and intent of the mixed-use zone are being achieved with the project design.</p> <p>The Planning Commission may authorize a reduction in the minimum amount of Commercial building area if the amount of mandatory land set asides, as prescribed in this Chapter and in accordance with Chapter 17.28, are increased to 20% open space and 10% useable outdoor space.</p>	<p>20+ Acres                      40,000 square feet plus 1,000 sf/acre for projects larger than 20 acres</p>
<p><i>Summary: Remove the variability of the discretionary language and expanded the minimum amount of commercial building area based on overall project size. The requirement for more commercial building area in a mixed use project is rooted in the vision of a Mixed Use Center in moving closer to the concept of “live work play” in close proximity to a larger share of new and existing residents. Also based on the viewpoint that the current mixed use projects are primarily multi-family projects with a small element of commercial building area not really integrated into the overall project.</i></p>	
<p><b>Commercial Uses Required on Ground Floor (New)</b></p>	
	<p>All buildings, or portions thereof, fronting onto an arterial or collector street as designated on the Logan City Transportation Master Plan, shall have at least 50% of the ground floor designed and built for commercial uses.</p>
<p><i>Summary: Requiring all buildings facing arterial or collector streets to have the ground floor designated for commercial uses will encourage a stronger interplay between commercial activity and the street while moving residential living space away from busier roadways. This is also a deliberate design approach important for a mixed use project as it should help to facilitate greater commercial availability for existing residences in surrounding neighborhoods.</i></p>	
<p><b>Freestanding Commercial Buildings (New)</b></p>	
	<p>Free standing commercial building are permitted along all street facing locations regardless of street classification.</p>
<p><i>Summary: This encourages the incorporation of more commercial space into mixed use projects in order to provide a greater balance in the variety of uses and move away from the “feeling” that the Mixed Use Zone is just another multi-family zone.</i></p>	
<p><b>Open Space in Lieu of Commercial Space (New)</b></p>	
	<p>The Planning Commission may permit the substitution of open space at a ratio of 1/1 for up to 50% of the required commercial area provided the proposed open space is</p>

	integrated into the overall design of the project and provides functional public gathering areas.
<i>Summary: Open Space is important to residents living in compact, urban environments and contributes to furthering the “live” aspect of a mixed use area. And in certain project and design settings, the provision of additional open space may be more important than the commercial space it is replacing.</i>	
<b>Residential Uses in Vertical Mixed Use Buildings (New)</b>	
	Residential uses are not permitted within the required ground floor commercial area of a vertical mixed use building. Accessory residential uses in a vertical mixed use building including, but not limited to, lobby, mail room, mechanical, storage, bike areas, lounge, fitness area, pool, sauna, etc., shall comprise no more than 20% of the building footprint on the ground floor. Enclosed parking on the ground floor of a mixed use structure is not considered commercial space.
<i>Summary: This requirement is consistent with other mixed use zones regarding the types of residential uses that are permitted on the ground floor of a vertical mixed use building.</i>	
<b>Freestanding Residential Buildings (New)</b>	
	Freestanding residential buildings are not permitted on an arterial or collector street.
<i>Summary: This reinforces the desire to make mixed use projects more livable for residents by moving residential away from busy streets while requiring commercial uses and buildings along busy streets to encourage accessibility to residents of neighboring areas.</i>	
<b>Ratio of Residential Construction to Commercial Construction (New)</b>	
	If the project is to be constructed in phases, each phase shall include an amount of commercial area proportionately scaled to the amount of residential development. For example, if phase 1 is approximately 3 acres in size, at least 3,000 square feet of commercial building area shall be constructed during the same phase. No phase shall consist solely of residential, unless at least 50% of the required commercial area has been built in previous phases.
<i>Summary: The City wants to ensure that the minimum amount of required commercial building area is not left to the end of a project with the potential for a failure to follow through. This will help to ensure residential and commercial uses and buildings are designed and executed in a compatible manner, and a use or building design does not become an afterthought in how it relates to other uses.</i>	

<b>Mixture of Residential Structure Types Required (New)</b>													
	<p>Mixed use projects shall contain a mixture or variety of residential structure types as follows:</p> <table> <tr> <th>Overall Project Size</th><th>Number of Required Residential Structure Types</th></tr> <tr> <td>Up to 3 Acres</td><td>1 Residential Structure Type</td></tr> <tr> <td>3 – 10 Acres</td><td>2 Residential Structure Types</td></tr> <tr> <td>10+ Acres</td><td>3 Residential Structure Types</td></tr> </table> <p>Where more than one residential structure type is required, a single residential structure type shall not comprise less than 10% of the total residential units nor more than 60% of the total residential units.</p>	Overall Project Size	Number of Required Residential Structure Types	Up to 3 Acres	1 Residential Structure Type	3 – 10 Acres	2 Residential Structure Types	10+ Acres	3 Residential Structure Types				
Overall Project Size	Number of Required Residential Structure Types												
Up to 3 Acres	1 Residential Structure Type												
3 – 10 Acres	2 Residential Structure Types												
10+ Acres	3 Residential Structure Types												
<p><i>Summary: Require a variety of housing types to encourage a diversity of residents living in a mixed use community.</i></p>													
<b>Performance Based Residential Density Bonus Options (New)</b>													
	<p>A performance based residential density bonus of up to an additional 30 units per acre may be granted by the Planning Commission for the following project enhancements subject to the requirements contained in Chapter 17.34:</p> <table> <tr> <th>Project Enhancement</th><th>Density Bonus</th></tr> <tr> <td>Structured Parking</td><td>20</td></tr> <tr> <td>Enhanced Open Space &amp; Public Gathering Areas</td><td>20</td></tr> <tr> <td>Vertical Mixed Use</td><td>15</td></tr> <tr> <td>Enhanced Commercial Areas</td><td>15</td></tr> <tr> <td>Affordable Housing Units</td><td>5</td></tr> </table> <p>Note: The potential 30 du/ac density bonus is cumulative for a project site meaning a proponent could utilize a variety of enhancements to achieve the total potential density bonus available in the Mixed Use zone.</p>	Project Enhancement	Density Bonus	Structured Parking	20	Enhanced Open Space & Public Gathering Areas	20	Vertical Mixed Use	15	Enhanced Commercial Areas	15	Affordable Housing Units	5
Project Enhancement	Density Bonus												
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Vertical Mixed Use	15												
Enhanced Commercial Areas	15												
Affordable Housing Units	5												
<p><i>Summary: These are elements that are important to a viable and comprehensive mixed use project. The density bonuses are cumulative, meaning that the total bonus a project would be eligible for is 30 additional dwelling units/acre based on how well they meet the different options. The burden is on the applicant to demonstrate how they qualify for the bonuses. Chapter 17.34 provides additional clarity on how these density bonuses are applied and is discussed below.</i></p>													
<b>Lot Coverage (Maximum) (No Change)</b>													
	Lot Coverage 60%												

Building Frontage (Minimum) (No Change)			
		% at Front Setback	60%
Building Setbacks			
Front (min-max)	0'-10'	Commercial Front	0'-10'
Side (min)	8'	Residential Front	0'-20'
Side Common Wall	0'	Side (min)	8'
Rear (min)	10'	Side Common Wall	0'
		Rear (min)	10'
Summary: Provides additional front setback options for buildings based on their use type (commercial versus residential).			
Building Heights (Maximum)			
Primary Building Height	58'	Primary Building Height	70'
		The maximum building height along a street frontage is 58'. The maximum building height may be increased up to 70' by applying a height transition ratio of 2' horizontal/1' vertical.	
Summary: This encourages taller and more compact development patterns which is an important element of a mixed use project.			
Height/Setback Transition (New)			
		Projects adjacent to an NR zone shall comply with the height and setback transition standards in Section 17.12.040.	
Summary: The transition language already exists elsewhere in the LDC; however, placement here makes it consistent with other zones and makes it more apparent that a project will need to be designed in a manner compatible with an adjoining NR zone.			
Ground Floor Height (Minimum) (No Change)			
		Ground Floor Height	12'
Transparency (Fenestration) (No Change)			
		Ground Floor (frontage)	50%
		Ground Floor (exposed sides)	20%
		Upper Floors (frontage)	20%
Residential Design Standards			
Multi-family residential projects shall comply with residential design standards in Section 17.09.		Free-standing multi-family residential buildings shall comply with the residential design standards in Section 17.09.	



<i>Summary: Clarification language.</i>			
<b>Parking</b>			
Location	Side/Rear	Location	Side/Rear
Front Parking Setback	10'	Front Parking Setback	10'
Side/Rear Parking Setback	5'	Side/Rear Parking Setback	5'
Commercial Parking Requirements: Minimum number of stalls based on use type.		Commercial Parking Requirements: Minimum number of stalls based on use type.	
Residential Parking Requirements: Studio/One Bedroom Units – 1.5 parking stalls/unit Two Bedroom or larger Units – 2 parking stalls/unit		Residential Parking Requirements: Studio/One Bedroom Units – 1.5 parking stalls/unit Two Bedroom or larger Units – 2 parking stalls/unit	
		Proposed Additional Language	
		Parking Reductions: Parking requirements may be reduced by up to 25% for vertical mixed use projects with the approval of an alternative parking plan demonstrating how the overall project design is able to accommodate its intended uses and how the proposal will not shift the private parking burden onto the public or adjoining property owners. The alternative parking plan shall identify the range of compatible uses intended for the project, the anticipated parking demands of all residential and commercial uses, the specific parking management strategies to be implemented, and adequately demonstrate how pedestrian and alternative methods of transportation will be integrated into overall project design. The approval of a parking reduction is discretionary by the Planning Commission.	
<i>Summary: Parking is a challenging issue, and if we are ever going to move mixed use projects in the right direction, e.g., compact, pedestrian oriented, etc., then we need to move away from land consumptive suburban parking standards and implement smarter approaches to parking, transportation, movement of people, etc. The alternative parking plan option is spelled out in Chapter 17.31.</i>			
<b>Land Set Asides</b>			
		Open Space	10%
		Useable Open Space (No Changes)	10%

## Residential Density Bonuses

The intent of the density bonus approach is to encourage and incentivize innovative site and building design emphasizing compact, vertical uses arranged around creative open areas interwoven with pedestrian connections that link new and existing neighborhoods. The overall base zone is proposing to change from 30 units/acre to 20 units/acre with the ability to earn up to an additional 30 bonus units/acre based on the use of specific elements. The current standard is a base zone of 30 units/acre with a bonus of 10 units/acre for vertical mixed use.

The proposed approach for a residential density bonus in the Mixed Use Zone is contained in Chapter 17.34. A project may request a residential density bonus by designing a project with one, or more, of the specific bonus criteria. Density bonuses are cumulative meaning a project could qualify for both a density bonus based on vertical orientation of uses and for expanded open space, provided the total bonus being granted does not exceed a total of 30 additional units/acre. Density bonuses can also be granted proportional to the type and scope of the activity being undertaken. Bonuses are based on the following:

1. *Structured Parking.* A residential density bonus of up to 20 additional units per acre may be granted if the project design includes a parking structure for at least 50% of the required parking stalls. Structured parking excludes individual garages, carports, or other similar structures.
2. *Enhanced Open Space & Public Gathering Areas.* A residential density bonus of up to 20 additional units per acre may be granted if the total amount of open space is increased by at least 100% and includes public gathering areas integrated throughout the overall project design.
3. *Vertical Mixed Use.* A residential density bonus of up to 15 additional units per acre may be granted if all buildings fronting onto a public street regardless of street classification have street facing commercial space on at least 50% of the ground floor and residential units above. No residential uses, including parking, are permitted within this commercial area.
4. *Enhanced Commercial Areas.* A residential density bonus of up to 15 units/acre may be granted if the minimum amount of commercial space is increased by 50%.
5. *Affordable Housing Units.* On project sites larger than three acres, a residential density bonus of up to 5 additional units per acre may be granted if at least 5% of the total residential units are designated as affordable units (tied to AMI income thresholds).

## STAFF RECOMMENDATION AND SUMMARY

The General Plan and LDC both describe a Mixed-Use Center as a dense, compact, walkable environment containing a mixture of uses, including a commercial base that serves the project's resident population. The challenge is trying to prescribe a set of standards applicable in a wide range of situational circumstances without being overly restrictive on the market and forcing away good projects. The perception is that the current mixed use standards don't go far enough in prescribing a broader mix of residential and commercial uses and seem to be weighted heavily towards residential uses. An inherent difficulty in any set of rules, especially where a mixture of land uses are being prescribed, is recognizing that one size does not fit all. A mixed-use project on Main Street may have a commercial & residential mix of 80/20, whereas a project on Third South may have a commercial & residential mix of 20/80, the nature of which is driven by their location. Location, market demands, etc., all come into play in designing a project. However, the proposed changes to the Mixed Use Development Standards reflect an evolution of thinking and are reasonable and appropriate.

Also included as attachments to this report, are the previous staff reports, City Council minutes and Planning Commission minutes from PC 19-020 (Ordinance #19-017) when the Mixed Use

Development Standards were revised in 2019. These documents provide background and history on the process the City undertook then.

## **GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments continue to implement the vision of the General Plan by further clarifying development standards for mixed-use projects. These proposed amendments are consistent with the General Plan.

## **PUBLIC COMMENTS**

As of the writing of this report, there has not been any public comment. Public comments received prior to the preparation of this report will be included as an attachment. Any other comments will be forwarded to the Planning Commission.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 7/3/22, posted on the City's website and the Utah Public Meeting website on 7/1/22, and noticed in a quarter page ad on 6/30/22.

## **AGENCY AND CITY DEPARTMENT COMMENTS**

As of the time the staff report was prepared, no comments have been received.

## **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments to the Mixed Use Development Standards will further refine the City's approach to mixed use projects and ensure integration into existing neighborhoods.
5. No public comment has been received regarding the proposed amendments.

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

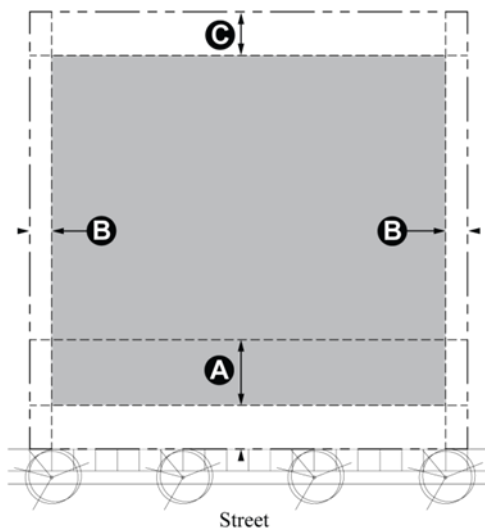
For Staff Only <input checked="" type="checkbox"/> <b>Planning Commission</b>		<input type="checkbox"/> <b>Land Use Appeal Board</b>		<input type="checkbox"/> <b>Administrative Review</b>
Date Received <b>6/6/22</b>	Received By	Scheduled Meeting Date <b>JULY 14</b>	Zone	Application Number <b>PC 22-038</b>
Type of Application (Check all that apply):				
<input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input checked="" type="checkbox"/> XX Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other				
PROJECT NAME LAND DEVELOPMENT CODE AMENDMENT 17.10 & 17.34 – Mixed Use				
PROJECT ADDRESS			COUNTY PLAT TAX ID #	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER MIKE DESIMONE			PHONE # 435.716.9022	
MAILING ADDRESS LOGAN CITY HALL 290 NORTH 100 WEST LOGAN UTAH 84321		CITY	STATE	ZIP
EMAIL ADDRESS MIKE.DESIMONE@LOGANUTAH.ORG				
PROPERTY OWNER OF RECORD			PHONE #	
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
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)	
Amend the Logan City Land Development Code to Chapter 17.10.100 Mixed Use Development Standards and Chapter 17.34 Residential Density and Height Bonuses. The changes modify specific density, design & development standards for projects in the mixed use zone as well as establish a density bonus program for mixed use projects.			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		
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		

**CITY COUNCIL: WORKSHOP 8/2/22  
HEARING 8/16/22**

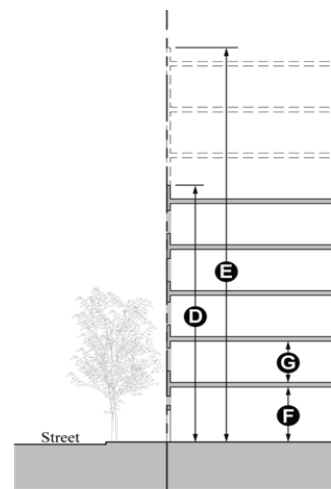
## 17.10: Specific Development Standards: District and Corridor Zones

**17.10.100: Mixed Use (MU) Development Standards**

~~The intent of the Mixed Use Zoning District (MU) is to encourage a concentration of different uses within an overall project. Mixed use developments shall have both a residential and a commercial component unless it is demonstrated that a site, because of its size, location, or other factors, won't support certain uses. Regardless of the composition of uses, all mixed use projects shall be scaled to ensure consistency with the surrounding neighborhoods. Mixed use projects can utilize "horizontal" mixed use where commercial, office and residential uses are designed as a single project, yet constructed in separate and distinct building footprints. Mixed use projects in the more urbanized area are encouraged to employ "vertical" design strategies where commercial, office and residential uses are designed as a single project and constructed within the same footprint, with pedestrian oriented commercial and retail uses on the main level and office and/or residential uses on the upper floors. The intent of the Mixed-Use Zoning District (MU) is to facilitate the integration of a variety of compatible uses with the goal of creating a community that offers "live, work, and play" opportunities within convenient walking distance of each other as well as with the existing neighborhood. Mixed use developments shall have both residential and commercial elements scaled to ensure compatibility with surrounding neighborhoods while promoting a pedestrian friendly environment and a more compact design.~~



Site Plan Diagram



Site Plan Diagram

**Mixed Use Design Characteristics**

~~All mixed use developments shall exhibit the following characteristics: wide sidewalks, street trees, street furniture, community gathering spaces, shared parking, integrated public transit (where available and/or anticipated), innovative and distinctive building architecture, a variety of commercial uses & activities, and a thoughtful and integrated mixture of differing housing types.~~

**Residential Density**

<del>Base Density:</del> Units/acre <del>(max)</del>	<del>230</del>
<del>Minimum Density:</del> Units/acre <del>(minimum)</del>	<del>5</del>
<del>Residential Density Bonus:</del> Units/acre*	<del>1-3040</del>

**Minimum Residential Development Density Requirements**

~~A mixed use project shall include at least 5 residential dwelling units per acre. The Planning Commission may authorize a reduction in the minimum number of dwelling units if the Commission can make findings supported by substantial evidence, including a market analysis submitted by the applicant, demonstrating that the goals and intent of the mixed use zone are being achieved with the project's design.~~

**Ground Floor Commercial Optional\***

~~A residential density bonus of up to 10 additional units per acre may be permitted if all buildings fronting onto a public street have street facing commercial space on the ground floor with a minimum depth of 50' and residential above (vertical mixed use).~~

## 17.10: Specific Development Standards: District and Corridor Zones

**Minimum Commercial Building Area Requirements**

A mixed-use project shall include a minimum amount of commercial building area ~~based on the overall size of the project~~ as follows:

Overall Project Size	Minimum Commercial Building Area Required
Up to 3 Acres	<del>1,500</del> 3,000 square feet
3 – 5 Acres	<del>2,500</del> 6,000 square feet
5 – 7.5 Acres	<del>3,500</del> 9,000 square feet
7.5 – 10 Acres	<del>4,500</del> 12,000 square feet
10 – 15 Acres	<del>5,500</del> 20,000 square feet
15 – 20 Acres	<del>6,500</del> 30,000 square feet
	<del>7,500</del> 40,000 square feet <u>plus</u>
20+ Acres	<u>1,000 sf/acre for project larger than 20 acres</u>

~~The Planning Commission may authorize a reduction in the amount of minimum commercial building area if the Commission can make findings supported by substantial evidence, including a market analysis submitted by the applicant, demonstrating that the goals and intent of the mixed-use zone are being achieved with the project design.~~

~~The Planning Commission may authorize a reduction in the minimum amount of Commercial building area if the amount of mandatory land set asides, as prescribed in this Chapter and in accordance with Chapter 17.28, are increased to 20% open space and 10% useable outdoor space.~~

**Commercial Uses Required on Ground Floor**

All buildings, or portions thereof, fronting onto an arterial or collector street as designated on the Logan City Transportation Master Plan, shall have at least 50% of the ground floor designed and built for commercial uses.

**Freestanding Commercial Buildings**

Free standing commercial building are permitted along all street facing locations regardless of street classification.

**Open Space in Lieu of Commercial Space**

The Planning Commission may permit the substitution of open space at a ratio of 1/1 for up to 50% of the required commercial area provided the proposed open space is integrated into the overall design of the project and provides functional public gathering areas.

**Residential Uses in Vertical Mixed Use Buildings**

No residential uses, including accessory residential uses, are permitted within the ground floor commercial area of a vertical mixed use building. Enclosed parking on the ground floor of a mixed use structure is not considered commercial space.

**Freestanding Residential Buildings**

Freestanding residential buildings are not permitted on an arterial or collector street.

**Ratio of Residential Construction to Commercial Construction**

If the project is to be constructed in phases, each phase shall include an amount of commercial area proportionately scaled to the amount of residential development. For example, if phase 1 is approximately 3 acres in size, at least 3,000 square feet of commercial building area shall be constructed during the same phase. No phase shall consist solely of residential, unless at least 50% of the required commercial area has been built in previous phases.

**Mixture of Residential Structure Types Required**

Mixed use projects shall contain a variety of residential structure types as follows:

Overall Project Size	Number of Required Residential Structure Types
Up to 3 Acres	1 Residential Structure Type
3 – 10 Acres	2 Residential Structure Types
10+ Acres	3 Residential Structure Types

Where more than one residential structure type is required, a single residential structure type shall not comprise less than 10% of the total residential units nor more than 60% of the total residential units.

**Performance Based Residential Density Bonus Options**

A performance based residential density bonus of up to an additional 30 units per acre may be granted by the Planning Commission for the following project enhancements subject to the requirements contained in Chapter 17.34:

Project Enhancement	Density Bonus
Structured Parking	20
Enhanced Open Space & Public Gathering Areas	20
Vertical Mixed Use	15
Enhanced Commercial Areas	15
Affordable Housing Units	5
<u>Note: The potential 30 du/ac density bonus is cumulative for a project site meaning a proponent could utilize a variety of enhancements to achieve the total potential density bonus available in the Mixed Use zone.</u>	

**Lot Coverage (Maximum)**

Lot Coverage 60%

**Building Frontage (Minimum)**

% at Front Setback 60%

**Building Setbacks**



## 17.10: Specific Development Standards: District and Corridor Zones

<b>A</b>	<del>Front (min-max)</del>	0' - <u>10'</u>	Location	Side/Rear
<b>A</b>	<u>Commercial Front</u>	0' - 10'	Front Parking Setback	10'
<b>A</b>	<u>Residential Front (min-max)</u>	0' - <u>20'</u>	Side/Rear Parking Setback	5'
<b>B</b>	Side (min)	8'	<b>Commercial Parking Requirements:</b> Minimum number of stalls based on use type.	
	Side Common Wall	0'	<b>Residential Parking Requirements:</b>	
<b>C</b>	Rear (min)	10'	Studio/One Bedroom Units – 1.5 parking stalls/unit	
<b>Building Heights (Maximum)</b>			Two Bedroom or larger Units – 2 parking stalls/unit	
<b>E</b>	Primary Building Height	58' - <u>70'</u>	<b>Parking Reductions:</b> Parking requirements may be reduced by up to 25% for vertical mixed use projects with the approval of an alternative parking plan demonstrating how the overall project design is able to accommodate its intended uses and how the proposal will not shift the private parking burden onto the public or adjoining property owners. The alternative parking plan shall identify the range of compatible uses intended for the project, the anticipated parking demands of all residential and commercial uses, the specific parking management strategies to be implemented, and adequately demonstrate how pedestrian and alternative methods of transportation will be integrated into overall project design. The approval of a parking reduction is discretionary by the Planning Commission.	
<u>The maximum building height along a street frontage is 58'. The maximum building height may be increased up to 70' by applying a height transition ration of 2' horizontal/1' vertical.</u>				
<b>Height/Setback Transition</b>				
<u>Projects adjacent to an NR zone shall comply with the height and setback transition standards in Section 17.12.040.</u>				
<b>Ground Floor Height (Minimum)</b>				
<b>F</b>	Ground floor height	12'		
<b>Transparency (Fenestration)</b>				
	Ground Floor (frontage)	50%		
	Ground Floor (exposed sides)	20%		
	Upper Floors (frontage)	20%		
<b>Residential Design Standards</b>			<b>Land Set Asides</b>	
<u>Free-standing Multi-family residential buildings/projects shall comply with the residential design standards in Section 17.09</u>			Open Space	10%
<b>Parking</b>			Useable Outdoor Space	10%

## Chapter 17.34: Residential Density and Height Bonuses

### §17.34.010. Purpose and Intent

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center zones and the Mixed Use zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter for the Town Center Zone is to encourage and incentivize higher quality building design utilizing traditional building materials and historic elements that complement the character of the existing neighborhoods. The intent of this Chapter for the Mixed Use zones is to encourage and incentivize innovative site and building design that emphasizes compact, vertical arranged mixture of compatible uses arranged around creative open areas interwoven with pedestrian connections linking new neighborhoods with existing neighborhoods.

### §17.34.020. Applicability

Residential density and height bonuses apply in the Town Center (TC-1) and Mixed Use (MU) zones only.

### §17.34.030. General Requirements, Limitations and Eligibility for Residential Density and Height Bonuses in the Town Center Zone

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. The use of traditional building materials refers to the design and construction of a new building utilizing traditional building materials commonly found on



Historic Cache County Courthouse exhibits traditional building materials and design elements common to downtown Logan



## 17.34: Residential Density and Height Bonuses

commercial buildings in downtown Logan, including brick, stone, wood, tile, or metal. Certain building materials that are not common to downtown Logan include stucco, large glass panels, composites, plastics, vinyl's, etc., and would not be appropriate building materials to be used when seeking a density or height bonus for the use of traditional materials.

- G. The integration of historic design characteristics into the design of a new building refers to the utilization of a number of important historic design elements and characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, reveals, and projections that are commonly found on buildings in downtown Logan. New building designs not incorporating these design elements and characteristics would not be eligible for either a density or a height bonus.



This building façade with its extensive use of stucco and lack of historic design elements are not in character with the traditional building design found in downtown Logan

#### §17.34.040. Specific Standards for Density & Height Bonuses in the Town Center Zone

A project may request a residential density or building height bonus by utilizing one of the bonus paths outlined below. Table 17.37.040.A lists the maximum density bonuses and building height bonuses based on the selected path. A project may qualify for both a density bonus and a height bonus. Density bonuses are cumulative meaning a project could qualify for both a density bonus based on superior design and a density bonus for structured parking. The Height bonuses are not cumulative.

##### A. Residential Density Bonus.

1. Building Design. The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to fifteen (15) additional units per acre shall be given where a project demonstrates a superior building design through the use and integration of traditional building materials and design elements.
2. Structured Parking. A residential density bonus of up to thirty (30) additional units per acre shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.

##### B. Building Height Bonus.

1. Building Design. The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A height bonus of up to twelve (12) feet shall be given where a project demonstrates a superior building design through the use and integration of traditional building materials and design elements.

## 17.34: Residential Density and Height Bonuses

2. Structured Parking. A height bonus of up to twenty-four (24) feet shall be given where the project design includes structured parking for at least 75% of the minimum parking.

**Table 17.34.040.A: Maximum Residential Densities (Dwelling Units Per Acre) and Maximum Building Height**

Zone	Standard Maximum Density	Density Bonus	Maximum Density w/Bonus	Standard Maximum Height	Height Bonus	Maximum Height w/Bonus
<b>Town Center (TC-1)</b>	<b>70 du/acre</b>		<b>du/acre</b>	<b>55' - 80'</b>		
Superior Design	70	15	85	55' - 80'	12'	55' - 92'
Structured Parking	70	30	100	55' - 80'	24'	55' - 104'
Superior Design & Structure Parking	70	45	115	55' - 80'	24'	55' - 104'

Note: The density bonus is cumulative while the height bonus is not. A project may be eligible for up to a maximum of 115 dwelling units per acre if the City finds that the project is of a superior design and provides structured parking for at least 75% of the units. The same project would only be eligible for a maximum height bonus of 24'.

**§17.34.050. General Requirements, Limitations and Eligibility for Residential Density Bonuses in the Mixed Use Zone**

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.

**§17.34.060. Specific Standards for Density Bonuses in the Mixed Use Zone**

A project may request a residential density bonus by utilizing one or more of the project enhancements listed below. Density bonuses are cumulative meaning a project could qualify for both a density bonus based on vertical orientation of uses and for expanded open space, provided the total bonus being granted does not exceed a total of 30 additional units/acre. Density bonuses can also be granted proportional to the type and scope of activity being undertaken.

A. Residential Density Bonus.

## 17.34: Residential Density and Height Bonuses

1. Structured Parking. A residential density bonus of up to 20 additional units per acre may be given if the project design includes a parking structure for at least 50% of the required parking stalls. Structured parking excludes individual garages, carports, or other similar structures.
2. Enhanced Open Space & Public Gathering Areas. A residential density bonus of up to 20 additional units per acre may be granted if the total amount of open space is increased by at least 100% and includes public gathering areas integrated throughout the overall project design.
3. Vertical Mixed Use. A residential density bonus of up to 15 additional units per acre may be granted if all buildings fronting onto a public street regardless of street classification have street facing commercial space on at least 50% of the ground floor and residential units above. No residential uses, including parking, are permitted within this commercial area.
4. Enhanced Commercial Areas. A residential density bonus of up to 15 units/acre may be granted if the minimum amount of commercial space is increased by 50%.
5. Affordable Housing Units. On project sites larger than three acres, a residential density bonus of up to 5 additional units per acre may be granted if at least 5% of the total residential units are designed as affordable units (tied to AMI income thresholds).

**§17.34.050070. Failure to Comply**

Failure to comply with any bonus requirements, covenants and/or conditions of approval shall result in a restriction of the use of bonuses granted, until compliance is achieved.



**Project #19-020**  
**Mixed Use Commercial/Residential Ratio**  
**Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Mixed Use Commercial/Residential Ratio
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	July 11, 2019
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of a Land Development Code amendment defining a minimum ratio of commercial land area to residential land area in the Mixed-Use Zoning District.

**REQUEST**

This is a proposal to add a prescribed minimum amount of land or building area specifically devoted to commercial uses as a percentage or ratio of residential uses in the Mixed-Use (MU) zoning district.

**BACKGROUND**

Staff workshopped this issue with the Municipal Council several weeks ago based on concerns expressed by the Ellis neighborhood over the Eliason Meat Packing plant site being developed just with residential uses even though it is currently zoned MU. While both the LDC and the General Plan call out for a mixture of uses, there are no specific ratios or percentages of use type in the MU zone. It was suggested at that time that a mixture of uses including at least 10% commercial would be a good starting point for discussion. The Council's direction to staff was to prepare a LDC amendment and engage the Planning Commission process for an evaluation and recommendation.

The stated intent of the MU zone is to encourage a mixture of different uses within an overall project. The Intent language from LDC 17.10.100 states:

The intent of the Mixed-Use Zoning District (MU) is to encourage a concentration of different uses within an overall project. Mixed Use developments shall have both a residential and a commercial component and shall be scaled to ensure consistency with the surrounding neighborhoods. Both Commercial and residential development are required elements of a mixed-use project. Mixed use projects can utilize "horizontal" mixed use where commercial, office and residential uses are designed as a single project, yet constructed in separate and distinct building footprints. Mixed use projects in the more urbanized area are encouraged to employ "vertical" design strategies where commercial, office and residential uses are designed as a single project and constructed within the same footprint, with pedestrian oriented commercial and retail uses on the main level and office and/or residential uses on the upper floors.

The Logan General Plan contemplates a mixture of uses in Mixed-Use Centers and states:

Mixed Use Centers (MUC) have concentrations of commercial and office uses – with residential uses integrated (MUC developments are required to have both residential and commercial components). Residential development is allowed with the range of 7 to 20 dwelling units per acre. Structures in MUC areas will typically be multi-story, with office and residential uses above commercial uses. MUC's are compact – designed for people to live, work, and play within a walkable center. Existing or future mass transit is also integrated into MUC centers, providing multiple options for transportation. The MUC district is intended to be somewhat self-sufficient – it provides its own customers to support commercial businesses – reducing dependence on drive-to traffic. As a result, MUC development will be pedestrian-oriented with an emphasis on quality urban design and landscaping. The MUC category can be applied to encourage the redevelopment of out dated, one-story shopping areas.

Both the Plan and the LDC contemplate a mixture of uses within Mixed-Use projects. Both would prefer a vertical arrangement of the different uses, and in fact, the LDC provides for a 10 unit/acre density bonus for mixed use projects designed with ground floor commercial. Both also prefer that MU projects be compact, be designed for people to live, work, and play within a walkable center, and be self-sustaining in that the new residents within the MU Center are supporting the commercial uses.

Neither document prescribes a minimum ratio of use type while instead relying on the assumption that commercial uses are always more valuable than residential uses and would therefore be the predominate use in a mixed-use project. What we are currently experiencing in the Logan market is a high demand for multi-family housing, and because there is a lack of large, vacant, available tracts of land zoned for multi-family, there is significant pressure on vacant and available sites zoned MU or Commercial for meeting that demand.

The task before the Planning Commission and eventually the Municipal Council is to determine whether a prescribed minimum percentage of uses is appropriate, and if so, what those ratios or percentages should be. In helping to answer this question, we considered several different approaches to a prescribed ratio or mixture of uses.

#### Option No. 1:

Each mixed-use project shall have a minimum of 10% of the total building square footage dedicated to commercial uses.

This approach prescribes a minimum ratio of commercial square footage to total residential square footage. A real-world example (refer to map on next page) using the existing Riverwoods residential complex helps illustrate the expectations of this approach.

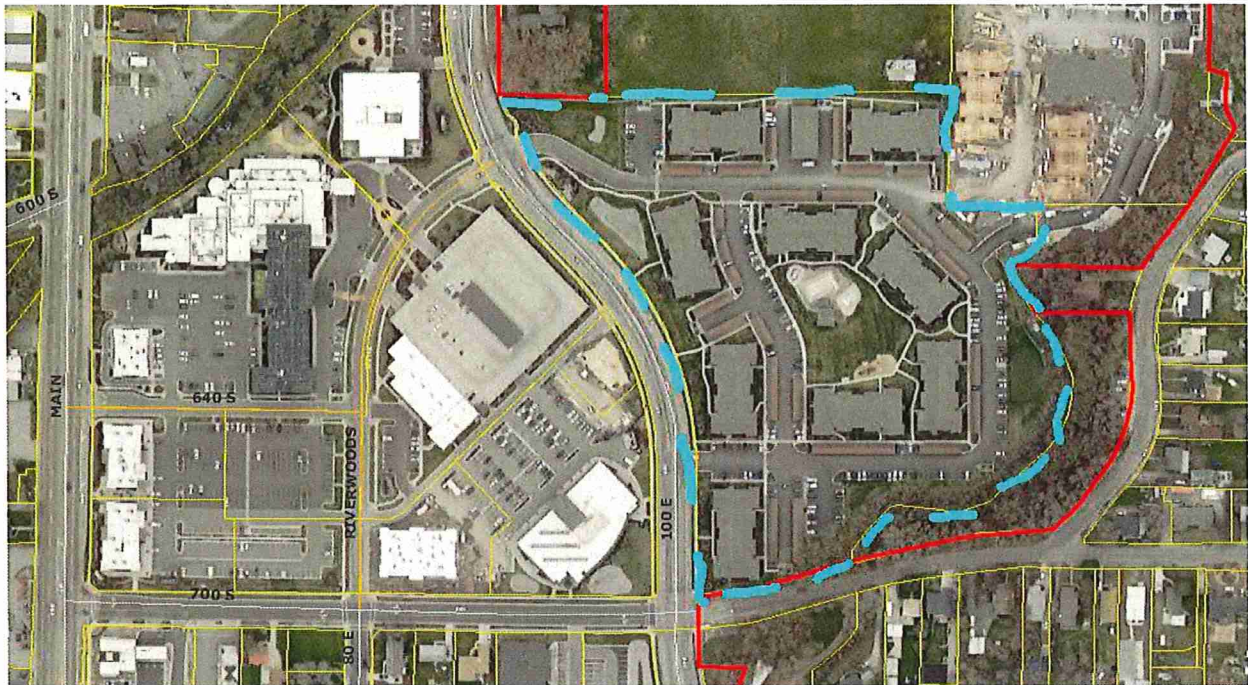
Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels which equates to approximately 33,000 square feet of residential area per building.

Under this option, the amount of commercial area required for this project site would be:

9 buildings x 33,000 residential sf = 297,000 total residential sf x 10% (commercial ratio) = 29,700 sf (minimum) of commercial area.



The result is a commercial building(s) with a footprint a little larger than the existing Conserve Building directly across the street located on approximately 2.25 acres (building pad & parking), leaving approximately 9.65 acre for residential buildings/parking.



#### Option No. 2:

Each mixed-use project shall have a minimum of 10% of the total residential building footprint dedicated to commercial uses.

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint rather than total residential square footage. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels.

Under this option, the amount of commercial area required for this project site would be:

9 buildings x 11,000 residential footprint sf = 99,000 sf x 10% (commercial ratio) = 9,900 sf (minimum) of commercial area.

The result is a commercial building(s) with a footprint about 1.5 times the size of one of the Riverwoods pad sites (Firehouse Pizza) along Main Street and associated parking on approximately 1.0 acres leaving 10.9 acres for residential buildings/parking.

Option No. 3:

Each mixed-use project shall have a minimum of 5% of the total building footprint dedicated to commercial uses.

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint rather than total residential square footage. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels.

Under this option, the amount of commercial area required for this project site would be:

9 buildings x 11,000 residential footprint sf = 99,000 sf x 5% (commercial ratio) = 4,950 sf (minimum) of commercial area.

The result is a commercial building(s) with a footprint approximately the size of one of the Riverwoods pad sites (Jimmy Johns/Johnny "O's") along Main Street and associated parking on approximately .75 acres leaving just over 11 acres for residential buildings/parking.

Option No. 4:

Each mixed-use project shall have at least 10% of the total land area devoted to commercial uses.

This approach prescribes a minimum amount of land devoted to commercial uses regardless of amount of residential square footage. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels.

Under this option, the amount of commercial area required for this project site would be:

11.9 total acres = 1.19 acres of commercial (10%) and 10.71 acres of residential (90%).

The result is a commercial site with a variable as to building size without any relationship to the amount of residential on the overall site.

Option No. 5:

A mixed-use project on a site greater than 10 acres shall have at least 5,000 square feet of commercial building space whereas a mixed-use project on less than 10 acres shall have at least 3,000 square feet of commercial building space.

This approach prescribes a minimum amount of commercial square footage to project sizing and uses the commercial sizing or intensity based on the Neighborhood Center (NC) zone. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels.

Under this option, the amount of commercial area required for this project site would be:

11.9 acres = 5,000 sf of commercial.

For a project larger than 10 acres in size, the result is a commercial building(s) with a building footprint approximating the Jimmy Johns/Johnny O's pad site on Main Street with associated parking areas on approximately .75 acres. For a project smaller than 10 acres in size, the result is a commercial building(s) with a building footprint approximating the Starbucks site on 0.4 acres.

This approach builds on the Neighborhood Center scale for commercial sizing and the concept that the commercial uses being provided in a mixed-use project are neighborhood centric in that they are primarily serving the new resident population.

#### Option No. 6:

Each mixed-use project shall have a minimum of 20% of the total building footprint dedicated to commercial uses.

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint at 20% as opposed to 10% under option no. 2. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Existing Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential dwelling units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 square feet on 3 levels.

Under this option, the amount of commercial area required for this project site would be:

9 buildings x 11,000 residential footprint sf = 99,000 sf x 20% (commercial ratio) = 19,800 sf (minimum) of commercial area.

The result is a commercial building(s) with a footprint approximately the size of the existing Conservice Building directly across the street located on approximately 2.25 acres (building pad & parking), leaving approximately 9.65 acre for residential buildings/parking.

#### Option No. 7 (Open Space Option)

In lieu of a minimum amount of commercial, a mixed-use project may increase the amount of open space by at least 10% (20% open space/10% useable outdoor space).



11.9 total acres = 2.38 acres of open space (20%), 1.19 acres of useable outdoor space (10%), and 8.33 acres of residential (70%)

This is another option to consider when a project zoned for mixed use decides against any commercial in the project site. This option provides the flexibility of the mixed-use zone but is similar to the MR-30 zoning in terms of density and development standards.

### **What are the benefits of the MU zone?**

The MU zone provides for more flexibility than other zones as it permits a wider range or collection of uses and/or intensities than the other zones, with the exception of the TC zones. The MU zone is responsive to changing market conditions enabling a property owner the flexibility to build into their project those elements that are in demand. The current MU zone is a good balance to the current commercial zone. The commercial zone is also a type of mixed-use zone in that it permits a combination of uses. It was modified last year to ensure that commercial was emphasized as a primary use and residential, if included, was secondary. There is no free-standing residential permitted in the commercial zone, meaning that any residential units have to be constructed above commercial uses. There are no minimums/maximum ratios specified in the commercial zone.

While both the General Plan and the LDC state there should be a mixture of uses, the current approach to regulating a mixture of uses has been to allow the market to dictate how much of each use type would go into a mixed-use project. The assumption behind this has been that commercial is more valuable than residential and will normally be the primary land use. We thought we would be scrambling to get residential in the MU zone. Obviously with the current housing market, this has changed. And, one of the most important considerations driving the mixture of uses is location, as location and visibility is critical to the success of most commercial activities. The same mix of uses that one would find along Main Street is probably not going to work on a site on 2<sup>nd</sup> North. The challenge is prescribing a minimum ratio of uses that will work regardless of location.

There are examples of some different mixed-use projects in Logan that have proven to work, all of which were built without any prescribed use ratios. Morty's and Blue Square (Blue Square, now owned by USU, was zoned CR) are two projects that have arranged uses vertically, e.g., commercial on the bottom and housing on the top. These have proven successful due to their proximity to the university. They also have commercial uses that, while catering to the adjacent student population (both project residents and students at large), do serve a broader residential population than just the residential component. The nature of their design is what was contemplated in the General Plan. Another obvious example is the Riverwoods complex which includes a wider range of uses, serving a wider range of people, and is arranged horizontally. Both design approaches to mixed use provide similar benefits, e.g., people living close to where they work/shop, reduction in traffic, etc., just at a different scale and with a different look. And, the recently approved L59 project also included a small commercial element on the main level facing Main Street.

### **How do the different options compare?**

While each of the options generally differ slightly in scale and methodology, the net effect could be significant depending upon the project's size, design and lay-out. The other option that is not listed is the "do nothing option" and not change the code. The open space option was included as an alternative, but this really only ends up with a project looking like something in the MR30 zone.

We also try to find examples of how other jurisdictions regulate mixed-use projects. Bountiful City has divided the concept of a mixed-use zone into several different mixed-use zone, each with a particular emphasis or focus, e.g., entertainment, commercial, professional office, public facilities, or residential that makes up the majority of the use type. Freemont, California requires that 50% of the floor area on the portion of the ground floor within 50 feet of the street frontage shall be commercial. Many don't prescribe a minimum amount of commercial, while many others approach it the other way, namely prescribing a minimum residential component as the belief is that commercial will generally dominate the use types.

### **STAFF RECOMMENDATION AND SUMMARY**

The General Plan and LDC both describe a Mixed-Use Center as a dense, compact, walkable environment containing a mixture of uses, including a commercial base that serves the project's resident population. While there is not currently a prescriptive ratio of uses, the challenge is to ensure a minimum standard is adopted that serves this purpose statement without being overly restrictive on the market and driving away good projects. A mixed-use project on Main Street may have a commercial/residential mix of 80/20, whereas a project on Third South may have a commercial/residential mix of 20/80, the nature of which is driven by their location. Market conditions also play into this. Clearly the housing market will soften, demand will shift, and at some point, the City will need to explore other options for multi-family housing as we currently lack large, vacant multi-family zoned property.

While each of the options discussed above generally differ slightly in scale and methodology, the net effect could be significant depending upon the project's size, design and lay-out. Establishing minimum commercial ratios by using the Neighborhood Center zone sizing (3,000/5,000 sf) is a conservative approach to mandating a range of uses that are based on the scale of the underlying project while working to ensure that a neighborhood scaled commercial component would be integrated into the overall design of a project.

It is important to remember that this is only a minimum, so depending upon market demands, physical location, and project goals, a mixed-use project could include more commercial area.

### **GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments continue to implement the vision of the General Plan by further clarifying development standards for mixed-use projects. These proposed amendments are consistent with the General Plan.

### **PUBLIC COMMENTS**

As of the time the staff report was prepared, no public comments had been received.

### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 5/28/19 and posted on the City's website and the Utah Public Meeting website on 6/6/19. The Planning Commission originally heard this item on June 13, 2019 and continued that hearing until July 11, 2019.

### **AGENCY AND CITY DEPARTMENT COMMENTS**

As of the time the staff report was prepared, no comments have been received.

### **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).

2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments will clarify the minimum amount of commercial area for each mixed-use project.
5. No public comment has been received regarding the proposed amendments.

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.



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## PLANNING COMMISSION MINUTES

### Meeting of July 11, 2019

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#### COMMUNITY DEVELOPMENT

Logan City Council Chambers (290 North 100 West Logan, UT 84321) [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, July 11, 2019. Chairman Nielson called the meeting to order at 5:30 p.m.

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

**Commissioners Absent:** Sandi Goodlander

**Staff Present:** Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Jeannie Simmonds (Council liaison), Amy Anderson (City Councilmember)

Mayor Holly Daines thanked former Commissioner David Butterfield and presented him with a small token of appreciation from the City.

Minutes from the June 27, 2019 meeting were reviewed. Commissioner Dickinson moved to approve the minutes as submitted. Motion seconded by Commissioner Croshaw. Approved unanimously.

#### **PUBLIC HEARING**

##### **PC 19-020 Land Development Code Amendment 17.10.100 – Mixed Use Standards**

Logan City requests to amend the Land Development Code (LDC) §17.10.100 Mixed Use Development Standards to clarify the ratio of required commercial uses to residential uses in the Mixed-Use zone.

**STAFF:** Mr. DeSimone explained that the proposed amendment will add a prescribed minimum amount of land or building area specifically devoted to commercial uses as a percentage or ratio of residential uses in the Mixed-Use (MU) zoning district. This issue was discussed with the Municipal Council several weeks ago based on concerns expressed by the Ellis neighborhood over the Eliason Meat Packing plant site being developed just with residential uses even though it is currently zoned Mixed-Use. While both the Land Development Code and the General Plan call out for a mixture of uses, there are no specific ratios or percentages of use types in the MU zone. It was suggested that a mixture of uses, including at least 10% commercial, would be a good starting point for discussion. Council's direction was to prepare an amendment and for evaluation and recommendation. The intent of the MU zone is to encourage a mixture of different uses within an overall project. The Intent language from LDC 17.10.100 states:

*The intent of the Mixed-Use Zoning District (MU) is to encourage a concentration of different uses within an overall project. Mixed Use developments shall have both a residential and a commercial component and shall be scaled to ensure consistency with the surrounding neighborhoods. Both Commercial and residential development are required elements of a mixed-use project. Mixed use projects can utilize "horizontal" mixed use where commercial, office and residential uses are designed as a single project, yet constructed in separate and distinct building footprints. Mixed use projects in more urbanized areas are encouraged to employ "vertical" design strategies where commercial, office and residential uses are designed as a single project and constructed within the same footprint, with pedestrian oriented commercial and retail uses on the main level and office and/or residential uses on the upper floors.*

The Logan General Plan contemplates a mixture of uses in Mixed-Use Centers and states:

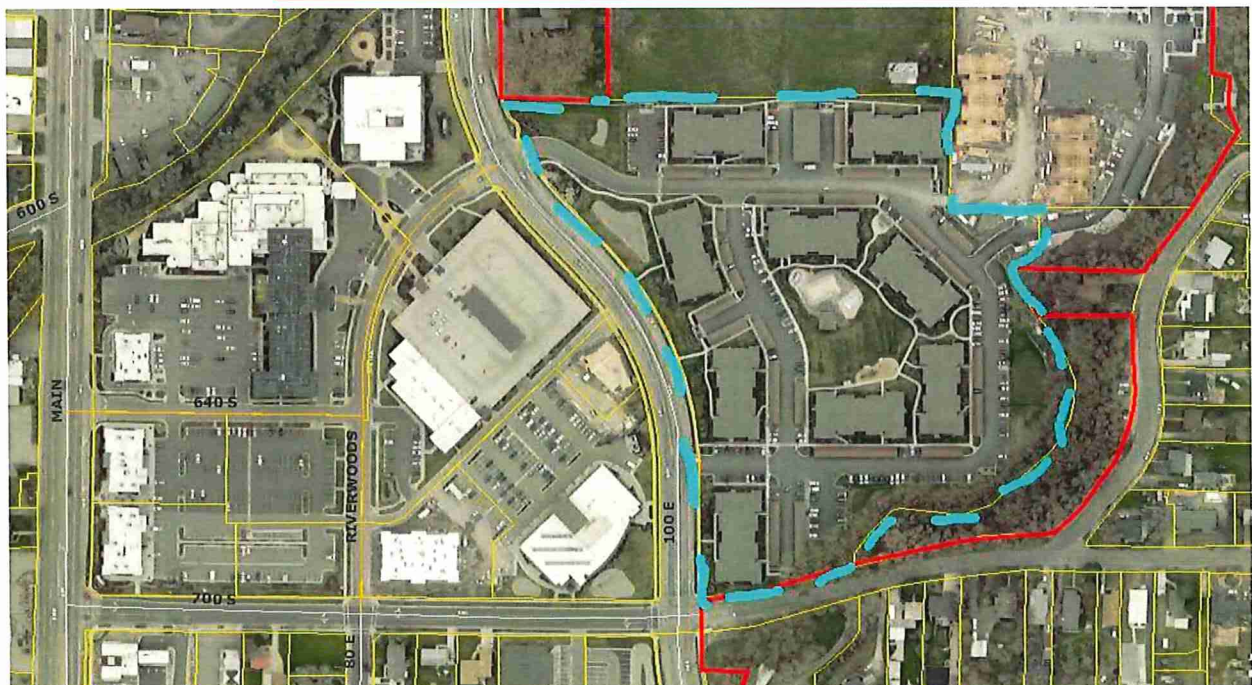
*Mixed Use Centers (MUC) have concentrations of commercial and office uses – with residential uses integrated (MUC developments are required to have both residential and commercial components). Residential development is allowed with the range of 7 to 20 dwelling units per acre. Structures in MUC areas will typically be multi-story, with office and residential uses above commercial uses. MUC's are compact – designed for people to live, work, and play within a walkable center. Existing or future mass transit is also integrated into MUC centers, providing multiple options for transportation. The MUC district is intended to be somewhat self-sufficient – it provides its own customers to support commercial businesses – reducing dependence on drive-to traffic. As a result, MUC development will be pedestrian-oriented with an emphasis on quality urban design and landscaping. The MUC category can be applied to encourage the redevelopment of out dated, one-story shopping areas.*

Both the General Plan and the LDC contemplate a mixture of uses within Mixed-Use projects. Both prefer a vertical arrangement of the different uses, and in fact, the LDC provides for a 10 unit/acre density bonus for mixed-use projects designed with ground floor commercial. The preference is for MU projects to be compact, be designed for people to live, work, and play within a walkable center, and be self-sustaining in that the residents are supporting the commercial uses.

Neither document prescribes a minimum ratio of use types; instead relying on the assumption that commercial uses are always more valuable than residential uses and would therefore be the predominate use in a mixed-use project. What we are currently experiencing in the Logan market is a high demand for multi-family housing, and because there is a lack of large, vacant, available tracts of land zoned for multi-family, there is significant pressure on vacant and available sites zoned MU or Commercial to help meet that demand.

The task to determine whether a prescribed minimum percentage of uses are appropriate, and if so, what those ratios or percentages should be. In helping to answer this question, several different approaches to a prescribed ratio or mixture of uses were discussed.

### **REFERENCE MAP FOR OPTION SCENARIOUS**





**Option No. 1: Each mixed-use project shall have a minimum of 10% of the total building square footage dedicated to commercial use.**

This approach prescribes a minimum ratio of commercial to total residential square footage. A real-world example (refer to reference map on previous page) using the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Riverwoods residential complex (residential areas inside blue lines on map). The site is approximately 11.9 acres in size and contains nine (9) three-story 24 plex buildings with a total of 216 residential units. The overall density is approximately 18 units/acre. Each building has an approximate footprint of 11,000 SF on three levels, which equates to approximately 33,000 SF of residential area per building.

Under this option, the amount of commercial area required for this project site would be:  
 $9 \text{ buildings} \times 33,000 \text{ residential SF} = 297,000 \text{ total residential SF} \times 10\% \text{ (commercial ratio)} = 29,700 \text{ SF (minimum) of commercial area.}$

The result is a commercial building with a footprint a little larger than the existing Conservice Building directly across the street located on approximately 2.25 acres (building pad & parking), leaving approximately 9.65 acre for residential buildings/parking.

**Option No. 2: Each mixed-use project shall have a minimum of 10% of the total residential building footprint dedicated to commercial use.**

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint rather than total residential square footage. Using the example (refer to map above) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Under this option, the amount of commercial area required for this project site would be:  
 $9 \text{ buildings} \times 11,000 \text{ residential footprint SF} = 99,000 \text{ SF} \times 10\% \text{ (commercial ratio)} = 9,900 \text{ SF (minimum) of commercial area.}$

The result is a commercial building with a footprint about 1.5 times the size of one of the Riverwoods pad sites (Firehouse Pizza) along Main Street and associated parking on approximately 1.0 acres leaving 10.9 acres for residential buildings/parking.

**Option No. 3: Each mixed-use project shall have a minimum of 5% of the total building footprint dedicated to commercial use.**

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint rather than total residential square footage. Using the example (refer to map) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Under this option, the amount of commercial area required for this project site would be:  
 $9 \text{ buildings} \times 11,000 \text{ residential footprint SF} = 99,000 \text{ SF} \times 5\% \text{ (commercial ratio)} = 4,950 \text{ SF (minimum) of commercial area.}$

The result is a commercial building with a footprint approximately the size of one of the Riverwoods pad sites (Jimmy Johns/Johnny O's) along Main Street and associated parking on approximately .75 acres, leaving just over 11 acres for residential buildings/parking.

**Option No. 4: Each mixed-use project shall have at least 10% of the total land area devoted to commercial use.**

This approach prescribes a minimum amount of land devoted to commercial uses regardless of amount of residential square footage. Using the example (refer to map) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Under this option, the amount of commercial area required for this project site would be:  
11.9 total acres = 1.19 acres of commercial (10%) and 10.71 acres of residential (90%).

The result is a commercial site with a variable as to building size without any relationship to the amount of residential on the overall site.

**Option No. 5: A mixed-use project on a site greater than 10 acres shall have at least 5,000 square feet of commercial building space whereas a mixed-use project on less than 10 acres shall have at least 3,000 square feet of commercial building space.**

This approach prescribes a minimum amount of commercial square footage to project sizing and uses the commercial sizing or intensity based on the Neighborhood Center (NC) zone. Using the example (refer to map) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Under this option, the amount of commercial area required for this project site would be:  
11.9 acres = 5,000 SF of commercial.

For a project larger than 10 acres in size, the result is a commercial building with a building footprint approximating the Jimmy Johns/Johnny O's pad site on Main Street with associated parking areas on approximately .75 acres. For a project smaller than 10 acres in size, the result is a commercial building(s) with a building footprint approximating the Starbucks site on 0.4 acres.

This approach builds on the Neighborhood Center scale for commercial sizing and the concept that the commercial uses being provided in a mixed-use project are neighborhood centric in that they are primarily serving the new resident population.

**Option No. 6: Each mixed-use project shall have a minimum of 20% of the total building footprint dedicated to commercial use.**

This approach prescribes a minimum ratio of commercial square footage to total residential building footprint at 20% as opposed to 10% under option no. 2. Using the example (refer to map) of the existing Riverwoods residential complex helps illustrate the expectations of this approach.

Under this option, the amount of commercial area required for this project site would be:  
9 buildings x 11,000 residential footprint SF = 99,000 SF x 20% (commercial ratio) = 19,800 SF (minimum) of commercial area.

The result is a commercial building with a footprint approximately the size of the existing Conservice Building directly across the street located on approximately 2.25 acres (building pad & parking), leaving approximately 9.65 acre for residential buildings/parking.

**Option No. 7 (Open Space Option): In lieu of a minimum amount of commercial, a mixed-use project may increase the amount of open space by at least 10% (20% open space/10% useable outdoor space).**

11.9 total acres = 2.38 acres of open space (20%), 1.19 acres of useable outdoor space (10%), and 8.33 acres of residential (70%)

This is another option to consider when a project zoned for mixed-use decides against any commercial in the project. This option provides the flexibility of the mixed-use zone, but is similar to the MR-30 zoning in terms of density and development standards.



The MU zone provides more flexibility than other zones as it permits a wider range or collection of uses and/or intensities than other zones, except for the TC zones. The MU zone is responsive to changing market conditions enabling a property owner the flexibility to build into their project those elements that are in demand. The current MU zone is a good balance to the current commercial zone. The commercial zone is also a type of mixed-use zone in that it permits a combination of uses. It was modified last year to ensure that commercial was emphasized as a primary use and residential, if included, was secondary. There is no freestanding residential permitted in the commercial zone, meaning that any residential units must be constructed above commercial uses. There are no minimums/maximum ratios specified in the commercial zone.

While both the General Plan and the LDC state that there should be a mixture of uses, the current approach to regulating has been to allow the market to dictate how much of each use would go into a mixed-use project. The assumption behind this has been that commercial is more valuable than residential and will normally be the primary use. Obviously with the current housing market, this has changed and one of the most important considerations driving the mixture of uses is location, as location and visibility are critical to the success of most commercial activities. The same mix of uses that one would find along Main Street is probably not going to work on a site on 200 North. The challenge is prescribing a minimum ratio of uses that will work regardless of the location.

There are examples of different mixed-use projects in Logan that have proven to work, all of which were built without any prescribed use ratios. Morty's and Blue Square are two projects that have arranged uses vertically, e.g., commercial on the bottom and housing on top. These have proven successful due to their proximity to the university. They also have commercial uses that, while catering to the adjacent student population (both project residents and students at large), do serve a broader residential population. The nature of their design was contemplated in the General Plan. Another obvious example is the Riverwoods complex, which includes a wider range of uses, serving a wider range of people, and arranged horizontally. Both design approaches to mixed-use provide similar benefits, e.g., people living close to where they work/shop, reduction in traffic, etc.

The General Plan and LDC both describe a Mixed-Use Center as a dense, compact, walkable environment containing a mixture of uses, including a commercial base that serves the project's resident population. While there is not currently a prescriptive ratio of uses, the challenge is to ensure a minimum standard is adopted that serves this purpose without being overly restrictive on and driving away good projects. A mixed-use project on Main Street may have a commercial to residential mix of 80/20, whereas a project on 300 South may have a commercial to residential mix of 20/80, the nature of which is driven by location. Market conditions also play into this. Clearly the housing market will soften, demand will shift, and at some point, the City will need to explore other options for multi-family housing as we currently lack large, vacant multi-family zoned property.

Each of the options differ slightly in scale, however, the net effect could be significant depending on the project's size, design and layout. Establishing minimum commercial ratios by using the NC zone sizing (3,000/5,000 SF) is a conservative approach to mandating a range of uses that are based on the scale of the underlying project while working to ensure that a neighborhood-scaled commercial component would be integrated into the overall design of a project.

**PUBLIC:** Sue Sorenson, from the Ellis Neighborhood Council, said the main thoughts were represented at the last meeting. She agrees that this can be difficult to define so that it can be used throughout the entire city. Her preference would be Option 6, or a hybrid of Option 6 and 7. Ideally, she likes the idea of it being handled project specific. A project that blends in with the surrounding neighborhood is important; the goal of reducing traffic and utilizing open space are positive elements. She asked about requiring traffic impact studies. Mr. Housley advised that a traffic study would be required if determined by the City Engineer.



Bracken Atkinson, from Wasatch Development, has reviewed the research and determined that two of the proposed options would not infringe on development. Specific guidelines will help developers design successful projects. His preference would be Option 5, with a few caveats. Anything over 10 acres, requiring 5,000 SF seems reasonable; 3,000 SF for less than 10 acres seems reasonable to an extent because it may be too much for smaller parcels. Percentages are difficult to work with, especially if changes are made over the course of a project. Option 7 can be a good leeway for the Commission to address site specific issues. Open space is valuable to surrounding neighborhoods.

Amy Anderson encouraged the Commission to consider future development and what seems to make sense on a broad level because there are areas that are not currently zoned Mixed-Use that could be rezoned in the future.

Jeannie Simmonds considered possibly graduating the commercial square footage up/down based on the size (more than 10 acres require more than 5,000 SF of commercial). If a market analysis indicates less commercial space, she suggested requiring more open space. She agreed with the notion that it should become so onerous that it is impossible for a developer to create a project that would work, however, it should also contain specific guidelines.

**COMMISSION:** Commissioner Dickinson asked how small portions of a larger area within a Mixed-Use zone would be handled and whether each specific project would have to meet the requirements. Mr. DeSimone advised that each project within the zone would have to comply with all applicable standards. Riverwoods is a good mixture of uses, however, had it been developed separately, each specific project would have to meet the required standards; in the broad sense this makes sense, however, when it is more narrowly defined it can be difficult to make it work.

Mr. Housley pointed out that the current language, as drafted, allows a developer to bring in information related to the specific site project, to allow for some flexibility.

Commissioner Dickinson asked about possible options for projects that may not be able to meet the 20% commercial requirement. Mr. Housley explained that, similar to an alternative parking plan or landscaping plan, a developer can show that they meet the intent of the regulations and the Commission can decide if the information is compelling. Mr. DeSimone said this is addressed under LDC §17.10.100 Minimum Commercial Uses (options) 1. *"The planning Commission may authorize a reduction in the amount of minimum commercial building area if the Commission can make findings supported by substantial evidence that the goals and intent of the mixed-use zone are being achieved with the project design"*.

Commissioner Newman said the Island Market is a good neighborhood commercial business and whether this type of business could meet the obligation for a certain geographical area. Mr. DeSimone said there are these type of businesses, such as Herm's Inn and Fredricos, however, the challenge is that use cannot be dictated. Under Option 5, a minimum amount of commercial is required based on the size of the project, which is similar to the Neighborhood Commercial standard. Commissioner Newman said, if properly developed, traffic could be designed so as not to impact the surrounding neighborhood. Mr. DeSimone pointed out that commercial is market-driven and there is a need for rooftops to support the business. Consideration for the best utilization for the size of the area needs to be considered. Commissioner Newman said the geographic location dictates the commercial possibility; if something is put in the wrong location it may not be successful. Traffic patterns do not change as much as the market changes. Retail can be difficult with so many stores going out of business, restaurants and services seem to be the most successful and the challenge is how to integrate those into residential areas.

Mr. Housley said Option 7 could be incorporated into one of the other options to incorporate open space, which may be able to change as the market evolves. Commissioner Newman said the challenge with that idea is determining how the open space will be maintained. Commissioner Ortiz said one important objective is providing projects that are pedestrian-friendly and asked what is considered "walking distance". Mr. DeSimone said the general standard is about ¼-mile (3 blocks). Commissioner Ortiz asked about areas designated for economic development. Mr. DeSimone said there are specific redevelopment areas identified. Commissioner Ortiz asked about including these elements in the language of the ordinance. Mr. Housley pointed out that walking distance is a considering factor in whether to zone an area mixed-use to begin with, rather than a factor that would be analyzed afterward. Economic development areas are not zoning designations, they are identified geographic areas where tax incentives are available and not something that should be included in this ordinance.

Commissioner Lucero said geography, context and the surrounding area are all important factors. She questioned the idea of creating different types of mixed-use zones based on size and location and whether this thought had been explored. Mr. DeSimone said this notion was discussed, however, there are currently other zones that are similar in nature to mixed-use (i.e. Town Center, Commercial, Neighborhood and Community Commercial) that adding more zones did not seem like a reasonable option. Mr. Housley pointed out that Option 5 does differentiate by size (above or below 10 acres).

Commissioner Croshaw said his preference is for either Option 5 or Option 7, which provides some leeway and leans more toward a project-specific approach. Option 5 allows for the commercial component and size to be quantified. The goal is to create a project that will be complimentary to the surrounding area.

Commissioner Dickinson said she was initially leaning toward Option 4 (at 10% of the total area devoted to commercial uses) which she felt was better than the 20% in Option 6. After listening to the discussion and the idea that developers can provide alternative proposals, she is more in favor of starting at 20% - Option 6.

Commissioner Newman preferred a hybrid of Option 5 and Option 7 which could capture the volume of acreage and allow for open space.

Commissioner Ortiz is undecided. He prefers a case-by-case basis with guidelines.

Commissioner Lucero said this is a complicated issue. She is considering the intent of the mixed-use zone, what it could produce, and the connection to the General Plan. She would support a meaningful graduated/proportional version of Option 5.

Mr. DeSimone suggested possibly including a graduated scale into Option 5 (such as 0-3 acres requires 1,500 SF of commercial; 3-5 acres requires 3,000 SF; 5-10 acres requires 5,000 SF; 10-20 acres requires 7,500 SF). The commercial element in Option 6 is based on a percentage of the building footprint rather than the size of the area.

Mr. DeSimone said staff can put together an option, based on the discussion, to review at the next meeting; the Commission agreed.

Commissioner Dickinson is worried about what the open space might look like. Mr. DeSimone said it would be required to be integrated into the design of the project and can be utilized. Mr. Housley noted that could be added into an alternative plan, providing the Commission the discretion to review it.

Mr. Holley pointed out that if the goal is to eventually develop an area (by having open space serve as a holder) then it might be wise to use a different term than open space. Mr. DeSimone agreed that open space is considered as an amenity to a project and there is no requirement for forcing open space to be converted. Mr. Holley said it is difficult to take away an amenity from a community. Mr. Housley said converting any open space would still have to meet the requirements of the Code.

Commissioner Dickinson asked how much open space is required in the MR-30 zone. Mr. Holley said 20% open space and 10% outdoor space is required; the current Mixed-Use zone requires a total of 20%. Mixed-Use is similar to MR-30 from a density standpoint, the difference is that it allows for a commercial component.

**MOTION:** Commissioner Newman moved to **continue** discussion to the August 8, 2019 meeting to review a refined proposal. Commissioner Lucero seconded the motion.

**Moved:** D. Newman    **Seconded:** J. Lucero    **Approved:** 6-0  
**Yea:** Croshaw, Dickinson, Lucero, Newman, Nielson, Ortiz    **Nay:**    **Abstain:**

### Short-Term Rental Discussion

The use of Short-Term Rentals (STR) in Logan has grown in popularity over the past few years. A short-term rental is a transient rental accommodation for a period of less than 30 days and typically in a residential dwelling. The Land Development Code does not specifically address STRs as a unique category of use, so they are prohibited in residential zones. There appears to be approximately 30 STRs operating within Logan City limits at any given time. The Utah State Legislature has been involved in local jurisdiction's efforts to regulate STRs by prohibiting a local government from using an online host service to identify and/or enforce against STRs. Staff has received few complaints.

STRs are generally found in residential neighborhoods and can be categorized into one of two types: A guest rents a spare room for less than 30 days in a dwelling occupied by the property owner (host) as their primary residence; or a guest rents an entire dwelling owned by an off-premise property owner. A variation of the second type could be an owner that constructs a small accessory dwelling unit on their property and rents that as a short-term rental. STRs can also be found in commercial zones; generally, an apartment that is rented out for less than 30 days.

#### Pros:

- A short-term rental may contribute supplementary financial assistance to a homeowner enabling them to stay in their homes longer
- Make efficient use of space in a home that might be otherwise empty or unused.
- Enable travelers less expensive alternatives to traditional lodging such as a hotel room.
- Provide a unique experience that may not be available in more traditional forms of lodging (e.g. hosting international guests or guests experiencing a unique residential neighborhood).
- Owners or hosts can maximize the economic potential of their property by renting out unused bedroom space.
- Provide additional lodging during peak demand events.
- Help keep properties from being blighted.
- Guests may end up staying longer and spending more money in the communities in which they stay.

#### Cons:

- Short-term rentals can have an adverse impact on neighborhood character, as the residential nature of the neighborhood changes from long-term neighbors with a vested interest in their neighborhood to short-term or transient guests who do not share the same long-term interest.



**UPDATED**  
**Project #19-020**  
**Mixed Use Commercial/Residential Ratio**  
**Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Mixed Use Commercial/Residential Ratio
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	August 8, 2019
<i>Submitted By:</i>	Mike DeSimone, Director

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**Update**

In response to the last Planning Commission hearing, the following changes were made to Land Development Code 17.10.100:

- Added clarifying language to the Intent section of Mixed Use.
- Added minimum commercial building area requirements for mixed use projects that are scaled to overall project size.
- Included an enhanced open space option in lieu of minimum commercial building area that is also linked to Chapter 17.28 (Open Space) requirements.
- Added a minimum residential requirement for mixed use projects at 5 units/acre.
- Included language giving the PC flexibility in reviewing & applying a minimum residential and/or commercial requirement in the mixed use zone.
- While this wasn't discussed at the previous PC hearing, I am proposing that we update the mixed use parking requirements to be consistent with the parking requirements in the Town Center and Commercial zones. The minimum parking requirements are scaled to unit sizes (studio/1 bedroom – 1.5 parking stalls & 2 bedroom or larger – 2 parking stalls).

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of a Land Development Code amendment modifying the Mixed Use Zoning District to include minimum commercial and residential elements.

**RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendment is consistent with the Logan City General Plan.
4. The proposed Code Amendment establishes a minimum amount of commercial building area for each mixed-use project based on the overall project size.

5. The proposed Code Amendment establishes a minimum number of residential units per acre that shall be included with each project.
6. The proposed language in the Code Amendment provides sufficient guidance and flexibility for both project proponents and the Planning Commission in designing and evaluating projects within the Mixed Use Zoning District to ensure that the intent of the MU Zone is being met and implemented.
7. Public comments regarding this proposed Code Amendment have been received and were considered by the Planning Commission in their deliberations on this matter.

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.



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## PLANNING COMMISSION MINUTES

### Meeting of August 8, 2019

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COMMUNITY DEVELOPMENT

Logan City Council Chambers (290 North 100 West Logan, UT 84321) [www.loganutah.org](http://www.loganutah.org)

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, August 8, 2019. Chairman Nielson called the meeting to order at 5:30 p.m.

**Commissioners Present:** Roylan Croshaw, Sandi Goodlander, Dave Newman, Tony Nielson, Eduardo Ortiz

**Commissioners Absent:** Regina Dickinson, Jessica Lucero

**Staff Present:** Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Paul Taylor, Bill Young, Jeannie Simmonds (Council liaison)

Minutes from the July 11, 2019 meeting were reviewed. Commissioner Ortiz moved to approve the minutes as submitted. Motion seconded by Commissioner Croshaw. Approved unanimously.

#### **PUBLIC HEARING**

**PC 19-025 Vrugg Holdings-Westfield Warehouse Complex** [Design Review Permit]  
Hal Fronk/Vrugg Holdings, authorized agent/owner, request to build out the remaining subdivision as a light industrial/commercial flex space on 10.15 acres located at 130 South 1100 West in the Commercial Services (CS) zone; TIN 05-107-0019.

**STAFF:** Mr. Holley reviewed the request for 12 new buildings and a total of 73 units on 18 building lots in the Westfield Subdivision located at approximately 130 South 1100 West. The proposed buildings contain between 3 and 10 units per building with unit sizes ranging from 1,965 SF to 3,514 SF. Seven (7) of the buildings front directly onto the adjacent street. Five (5) of the buildings are set back towards the rear with parking lots along the street frontage.

The proposed 26' tall buildings are two-story with warehouse/shop space provided on the main floor and office space provided on the second floor. The building design has a roll-up garage style door on the rear facade and a flexible front facade that could be a roll-up garage style door or it could be designed as a glass commercial storefront entrance.

**PROPONENT:** Steve Mansfield, the project architect, said they can move the parking behind the buildings and design it so the project will meet all required setbacks.

**PUBLIC:** None

**COMMISSION:** Mr. Holley confirmed for Commissioner Goodlander that the 10 units that front 130 South will be required to have parking located to the side or the rear.

**MOTION:** Commissioner Newman moved to **conditionally approve** a Design Review Permit as outlined in PC 19-025 with the conditions and findings for approval as listed below. Commissioner Croshaw seconded the motion.

#### **CONDITIONS OF APPROVAL**

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.



5. 1400 North and 600 East provide access and are adequate in size and design to sufficiently handle automobile traffic related to the land use.
6. The project meets the goals and objectives of the COM designation within the Logan General Plan by providing services near high-capacity roadways and is designed in a way for easy circulation of both pedestrian and vehicles.
7. The project met the minimum public noticing requirements of the LDC and the Municipal Code.

**Moved:** D. Newman **Seconded:** R. Croshaw **Approved:** 5-0

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

**PC 19-020 LDC Amendment 17.10.100 – Mixed Use Standards** (*continued from July 11*)

Logan City requests to amend the Land Development Code §17.10.100 Mixed Use Development Standards to clarify the ratio of required commercial uses to residential uses in the Mixed-Use zone.

**STAFF:** Mr. DeSimone reviewed the following changes that were made since the last meeting.

- Added clarifying language to the intent section.
- Added minimum commercial building area requirements for mixed use projects that are scaled to overall project size.
- Included an enhanced open space option in lieu of minimum commercial building area that is linked to Chapter 17.28 (Open Space) requirements.
- Added a minimum residential requirement for mixed use projects at 5 units/acre.
- Included language for Commission flexibility in reviewing & applying a minimum residential and/or commercial requirement in the mixed-use zone.
- Updated the mixed-use parking requirements to be consistent with the parking requirements in the Town Center and Commercial zones. The minimum parking requirements are scaled to unit sizes (studio/1 bedroom – 1.5 parking stalls & 2 bedroom or larger – 2 parking stalls).

**PUBLIC:** Paul Rogers is concerned with the discretionary part and when a market analysis becomes the exception to the rule. He would like to see a more definitive guideline. Mr. DeSimone said the struggle is trying to legislate and regulate what the market is going to do on its own. Large scale vertical mixed use will likely not happen in Logan because there is not the population to support it. Retail is changing and brick and mortar retail is declining. Primary commercial areas are centered around Main street; areas too far outside the main center of the City are generally not as successful. The discretionary aspect allows for good projects that may not be viable under the standard, but may work with more flexibility. Mr. Rogers is concerned with letting the market drive everything rather than focus on creating more walkable projects. Mr. DeSimone said it is a challenge to find the right balance, however, this will create a good starting point. Some options are based on acreage and some on square footage of the building footprint to come up with a reasonable scale. He confirmed for Mr. Rogers that there is no designation for the number of businesses within a project, there could be several or one large one, or other types of mixed use. Mr. Rogers asked how parking standards are determined. Mr. DeSimone said it is dependent on a project and location to determine an average that would work.

**COMMISSION:** Commissioner Newman asked how a market analysis is defined. Mr. Housley said it is difficult to define what an appropriate market analysis should be, the Commission can review the analysis and determine if it is adequate and/or compelling. The research should be completed by a credible/professional firm.

Mr. DeSimone said the commercial element should have a relationship with the project, both visually and functionally.

Commissioner Ortiz commended the staff for working on proactive changes to the code that allows for both context and flexibility. Commissioner Newman agreed, this can be a difficult issue to define and manage and this is a good starting point. Mr. Housley said as time goes on, if there are things that do not seem to work, it can be fine-tuned.

**MOTION:** Commissioner Newman moved to **forward a recommendation for approval** to the Municipal Council for an amendment to the Land Development Code as outlined in PC 19-020 based on the findings for approval as listed below. Commissioner Ortiz seconded the motion.

#### **FINDINGS FOR APPROVAL**

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The amendment is in conformance with Logan Municipal Code Title 17.51.
3. The amendment is consistent with the Logan City General Plan.
4. The amendment establishes a minimum amount of commercial building area for each mixed-use project based on the overall project size.
5. The amendment establishes a minimum number of residential units per acre that shall be included with each project.
6. The language in the amendment provides sufficient guidance and flexibility for both project proponents and the Planning Commission in designing and evaluating projects within the Mixed-Use zone to ensure that the intent of the MU Zone is being met and implemented.
7. Public comments regarding this amendment have been received and were considered by the Planning Commission in their deliberations on this matter.

**Moved:** D. Newman   **Seconded:** E. Ortiz   **Approved:** 5-0

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

#### **IV. WORKSHOP ITEMS for August 22, 2019**

- ✓ PC 19-028 Logan Depot [Conditional Use]
- ✓ PC 19-029 Roderick Business Park Bldg 2 [Design Review]
- ✓ PC 19-030 Logan Riverwalk Commercial Bldg [Design Review]

**MEETING ADJOURNED** at 7:15 p.m.





## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 20, 2019  
FROM: Mike DeSimone, Director  
SUBJECT: Ordinance #19-017 (LDC Amendment - Mixed Use Development Standards)

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### Summary of Planning Commission Proceedings

*Project Name:* LDC Minor Code Amendments  
*Request:* Code Amendment  
*Project Address:* Citywide  
*Recommendation of the Planning Commission:* **Approval**

On August 8, 2019, the Planning Commission recommended the Municipal Council **approve** an amendment to the Land Development Code Chapter 17.10.100 Mixed Use (MU) Development Standards with changes summarized below:

- Added clarifying language to the Intent section of Mixed Use
- Added minimum commercial building area requirements for mixed use projects scaled to overall project size
- Included an enhanced open space option in lieu of minimum commercial building area that is linked to Chapter 17.28 (Open Space) requirements
- Added a minimum residential requirement for mixed use projects at 5 units/acre
- Added PC flexibility in reviewing & applying minimum residential and/or commercial requirements in the mixed use zone
- Updated minimum parking requirements scaled to unit size (studio/1 bedroom – 1.5 parking stalls & 2 bedroom or larger – 2 parking stalls) to be consistent with TC & Commercial zones

### Planning Commissioners vote (5-0):

Motion: D. Newman

Second: E. Ortiz

**Yea:** T. Nielson, S. Goodlander, D. Newman, R. Croshaw, E. Ortiz

**Abstain:** none    **Nay:** none

### Attachments:

Staff Reports (PC)

Ordinance #19-017

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 3, 2019 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Jeannie F. Simmonds conducting.

Councilmember's present at the beginning of the meeting: Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Tom Jensen, Councilmember Jess W. Bradfield and Councilmember Herm Olsen. Administration present: Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris. Excused: Mayor Holly H. Daines.

Chair Simmonds welcomed those present. There were approximately 32 in attendance at the beginning of the meeting.

### **OPENING CEREMONY:**

Logan resident and Council Candidate Keegan Garrity gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from August 20, 2019 were reviewed and approved with no changes.

**ACTION. Motion by Councilmember Olsen seconded by Vice Chair Anderson to approve the August 20, 2019 minutes as presented and approve tonight's agenda. Motion carried unanimously.**

**Meeting Agenda.** Chair Simmonds announced there are four public hearings scheduled for tonight's Council meeting.

**Meeting Schedule.** Chair Simmonds announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, September 17, 2019.

### **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:**

Logan resident Marilyn Griffin addressed the Council and expressed her concern about traffic speeds along 200 East specifically in the area of the new round-a-bout on 500 North. She asked if a permanent speed sign could be installed and if the police can check the pedestrian flags and make sure they are there for pedestrians to use. She also suggested a flashing crosswalk sign on 700 North.

Chair Simmonds asked for suggestions from Police Chief Gary Jensen on what can be done to better encourage people to stop for pedestrians in a crosswalk.

Police Chief Jensen responded the police department does a lot of social media education and they have also done crosswalk "stings" which people don't appreciate but it does get their attention and reminds them to stop for pedestrians. He commented that he cannot

Councilmember Bradfield said in the next two weeks he would like to better understand the main driver of the proponent for this rezone and hear more from the proponent of the word “flexibility” used in the purpose of the development.

Chair Simmonds clarified the Council is only considering the rezone and has no control after a rezone is approved.

Councilmember Bradfield said what he hopes to discover is the thought process of the proponent.

Mr. Housley suggested that Ordinance 19-16 be an action item and public hearing on September 17, 2019.

**ACTION. Motion by Councilmember Jensen seconded by Councilmember Olsen to continue Ordinance 19-16 as an action item and public hearing as presented. Motion carried 3-2 (Anderson and Simmonds voted nay).**

**PUBLIC HEARING - CODE AMENDMENT – Consideration of a proposed amendment to the Land Development Code Chapter 17.10.100 Mixed Use (MU) Development Standards – Ordinance 19-17**

At the August 20, 2019 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment. He stated that on August 8, 2019, the Planning Commission recommended the Municipal Council approve an amendment to the Land Development Code Chapter 17.10.100 Mixed Use (MU) Development Standards with the following proposed changes:

- Added clarifying language to the Intent Section of Mixed-Use
- Added minimum commercial building areas requirements for Mixed Use projects scaled to overall project size
- Included an enhanced open space option in lieu of minimum commercial building area that is linked to Chapter 17.28 (Open Space) requirements
- Added a minimum residential requirement for Mixed-Use projects at 5 units/acre
- Added Planning Commission flexibility in reviewing and applying minimum resident and/or commercial requirements in the Mixed-Use zone
- Updated minimum parking requirements scaled to unit size (studio/1 bedroom – 1.5 parking stalls & 2 bedroom or larger – 2 parking stalls) to be consistent with Town Center and Commercial Zones

Mr. DeSimone said the intent of the Mixed-Use Zoning District (MU) is to encourage a concentration of different uses within and overall project. Mixed-Use developments have both a residential and a commercial component and be scaled to ensure consistency with the surrounding neighborhoods. Both commercial and residential development are required elements of a Mixed-Use project.

The benefits of Mixed-Use Zone are the following:

- Reduce traffic and air pollution
- Lower infrastructure costs
- Diverse tax base
- Health Benefits – Walkability/Livability
- Development Flexibility

Horizontal Mixed-Use is a mixture of uses spread out over a project site such as Riverwoods (residential, commercial, office and hotel).

Vertical Mixed-Use is a mixture of uses arranged vertically within a building such as Morty's or Blue Square (restaurant and residential).

Hybrid is a mixture of uses both arranged within a building and spread out over a project site such as Park Avenue (residential, commercial live/work type of units, commercial pad sites).

#### Option 1

- Minimum 10% of total building square footage dedicated to commercial.
- 9 buildings x 33,000 residential sf = 297,000 total residential sf x 10% (commercial ratio) = 29,700 sf (minimum) of commercial area

#### Option 2

- Minimum of 10% of the total residential building footprint dedicated to commercial uses
- 9 buildings x 11,000 residential footprint sf = 99,000 sf X 10% (commercial ratio) = 9,900 sf (minimum) of commercial area

#### Option 3

- Minimum of 5% of the total building footprint dedicated to commercial uses
- 9 buildings x 11,000 residential footprint sf = 99,000 sf x 5% (commercial ratio) = 4,950 sf (minimum) of commercial area

#### Option 4

- At least 10% of the land areas devoted to commercial uses
- 11.9 total acres = 1.19 acres of commercial (10%) and 10.71 acres of residential (90%)

#### Option 5

- A Mixed-Use project on a site greater than 10 acres shall have at least 5,000 square feet of commercial building space whereas a Mixed-Use project on less than 10 acres shall have at least 3,000 square feet of commercial building space
- 11.9 acres = 5,000 sf of commercial

#### Option 6

- Minimum 20% of the total building footprint dedicated to commercial uses
- 9 buildings x 11,000 residential footprint sf = 99,000 sf x 20% (commercial ratio) = 19,800 sf (minimum) of commercial area

#### Option 7 (Open Space Option)

- In lieu of a minimum amount of commercial, a mixed-use project may increase the amount of open space by at least 10% (20% open space/10% useable outdoor space)
- 11.9 total acres = 2.38 acres of open space (20%), 1.19 acres of useable outdoor space (10%), and 8.33 acres of residential (70%)

Mr. DeSimone stated that the Planning Commission concluded the following:

- Location and market are key to successful Mixed-Use projects
- Prescribe minimums for Mixed-Use to help shape the mixture of uses on a site
- Don't over prescribe non-workable minimums as nothing would get built
- Include design and decision-making flexibility
- Mixed-Use is not appropriate everywhere

Mr. DeSimone said we will need good market data that says in this area within these site constraints, location and access, commercial or housing will work. The amendment is not written in a way that says someone can't do Commercial. It's written in a way that says, here is the minimum projected standard but, there is the ability to deviate from that standard. The Council should also ask the question and maybe we should not use Mixed-Use in certain locations.

Chair Simmonds asked is it inappropriate for the City to require certain portions to be open space?

Mr. Housley responded that would be a separate alternative in regards to open space. The Planning Commission can reduce open space but cannot eliminate open space so the proponent would have to present some level of Commercial or housing. Open space is an alternative to providing Commercial. As part of a market analysis a proponent could argue why they could only provide a certain amount of open space and they could offer that in exchange they are willing to do something different. The proponent could offer something involuntary, but we cannot mandate.

Vice Chair Anderson suggested the language be amended under **Minimum Residential Development** to read: *A Mixed Use project shall include at least 5 residential dwelling units per acre. The Planning Commission may authorize a reduction in the minimum number of dwelling units if the Commission can make findings supported by substantial evidence., including a market analysis submitted by the applicant, demonstrating that the goals and intent of the Mixed Use zone are being achieved with the project's design.*

Mr. DeSimone stated he will modify the language under **Minimum Residential Development**.

Chair Simmonds opened the meeting to a public hearing.

Logan resident Gail Yost addressed the Council and asked if the setbacks in the Mixed-Use Zone would be different.

Mr. DeSimone responded the setbacks will remain the same.

Chair Simmonds responded that Mixed-Use is already part of our code and the Council is considering an amendment to the language to be more prescriptive about Commercial and the amount of Commercial that would be required.

Ms. Yost asked does a Mixed-Use Zone override other codes that are in place such as the 25' setback requirement. She also asked if it will be used retroactively for any projects that are currently underway.

Mr. DeSimone responded no to both questions.

Logan resident Paul Rogers addressed the Council and commented that he is excited about Mixed-Use occurring in Logan but is concerned how it will work. He is confused on how the City will redefine change or designate any area Mixed-Use if it doesn't meet the standards going forward. He has great respect for the Planning Commission and Mr. DeSimone but feels they listened to input regarding Commercial use but not as much to Residential and the quality of life that it will affect. He asked where the language is regarding how we live in our community, walkability and air quality concerns. He believes the City will need to put "more shoulder" behind these ideas. He feels this will not be Mixed Use and developers will push as far as they can, and the City will end up with projects that are not walkable, likeable, less clean air and will not have a higher quality of life. He feels the City needs to include design standards with all projects that include all the things he mentioned.

There were no further comments and Chair Simmonds closed the public hearing.

Mr. DeSimone said the City participates in projects when they are in a Redevelopment Area so we can tailor or shape a project in a specific direction based on the amount of financial assistance that is offered. There are design standards for Commercial and Residential projects that include walkable, livable components and they are subjective to those who review the projects and they do the best they can. The Planning Commission struggled with the issue of mandating minimum square footages of Commercial and Residential within an area. Every site is unique, and the Mixed Use zone is flexible, so he feels the Planning Commission should have the flexibility and be allowed them to make these decisions.

Chair Simmonds commented there have been discussions about live, work, play when developing an area. She feels that sometimes not all three are achievable.

Mr. DeSimone said we have the open space option so in that situation when Commercial won't work, open space can be provided. The challenge behind the notion of live, work,

play is you will be hard pressed to find any location that offers all three of those elements unless you are building a new city from the very beginning.

Mr. Housley commented that a proponent can present an element of live, work, play to the Planning Commission or alternatives, but we do not mandate this being done and the Planning Commission can be discretionary and can say, no.

Councilmember Jensen said he sees what is happening in other communities and there are market forces that drive things to happen. He likes the flexibility that the Code amendment offers.

Councilmember Bradfield asked if there can be two zones one that is Mixed Use Commercial and the other Mixed Use Residential.

Chair Simmonds said the definition of Mixed Use is to have both Residential and Commercial in the same space.

Vice Chair Anderson said her concern is the Council would need to decide now what zones would be designated Commercial or Residential and the code amendment gives the Council flexibility to make those decisions overtime.

**ACTION. Motion by Vice Chair Anderson seconded by Councilmember Bradfield to adopt Ordinance 19-17 as amended. Motion carried 3-2 (Olsen and Bradfield voted nay).**

**PUBLIC HEARING - Budget Adjustment FY 2019-2020 appropriating: \$22,890 to reconcile CDBG actual funding to the estimated budget for Fiscal Year 2020; \$38,190 a grant the Environmental Department received from the State of Utah. The Solid Waste Management Grant funds will be used to educate and train the public on household hazardous waste and disposal of tires; \$156,880 a grant the Parks & Recreation Afterschool Program was awarded for this fiscal year. The funds will be used to support After School Programs in the Logan City School District; \$85,000 State Task Force Grant the Police Department received. The funds will be used to reduce, prevent, and investigate drug use – Resolution 19-49**

At the August 20, 2019 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the September 3, 2019 Council meeting.

Chair Simmonds opened the meeting to a public hearing.

There were no comments and Chair Simmonds closed the public hearing.

**ACTION. Motion by Councilmember Bradfield seconded by Councilmember Olsen to approve Resolution 19-49 as presented. Motion carried unanimously.**

**PUBLIC HEARING - Unspent Appropriations FY 2019 – Carry Forwards:**