



58 **7:15 PUBLIC HEARING to receive public input on ordinance adding a regulated land-use of**  
59 **adult-only product or service business.**

60 *Chris Nelson opened the public hearing at 7:20 p.m.*

61

62 Steven Moore said he feels the word "primarily" should be stricken from the definitions on page  
63 one, second paragraph, where it says a "business dealing primarily in products or services that  
64 are restricted by law...". He said he heard that one of the challenges that Logan City is facing  
65 with the Dr. John's business, is that their business is "primarily" lingerie, which is not restricted by  
66 law; therefore they can put in other types of products or services, because those "adult only"  
67 products or services are not "primary" to that business. He said his recommendation would be to  
68 remove the word "primarily" from this definition, so that it can be more all-encompassing, and we  
69 can do a better job of restricting this type of business in North Logan City. He said his second  
70 concern as he looked at the map, is that the MC zone has frontage on 2500 North. He said  
71 they've always thought of 2500 North as a little street that heads out to the airport and no one  
72 really does much on it. He said with the widening of 1000 West, and the widening of 2500 North,  
73 and the eventual growth of the airport, it will become a fairly major thoroughfare and wonder if we  
74 would want to have a Dr. John's right there at the entrance of North Logan.

75

76 *As there were no further public comments, Chris Nelson closed the public hearing at 7:27 p.m.*

77

78 Joan Findlay referred to Mayor Lloyd Berentzen's email concurring that "primarily" should be  
79 removed and commented further. Joan said she agreed and thought removing that word would  
80 help alleviate other various problems.

81 Kevin Christensen asked about the zone and area that will be in North Logan City after the  
82 boundary adjustment, which Cordell explained, and said zones and potential changes relating to  
83 the boundary adjustment will be discussed by the Planning Commission in the near future. He  
84 said initial discussions indicated that some of the areas will be changing to commercial and  
85 commented further.

86 Per a comment from Kevin, Cordell said there is already an ordinance regarding sexually-oriented  
87 businesses. He said this ordinance is really specific to tattoo parlors and electronic cigarette  
88 businesses, and explained further. He said it was the attorney's recommendation to do this  
89 through the City's land-use ordinance.

90 Chris Nelson asked that as we make this land swap, whether the businesses will be  
91 grandfathered in for whatever they are cleared for, and Cordell said that is correct. Chris  
92 commented further.

93 Cordell addressed various questions from the commission.

94 Kevin suggested delineating City code versus State code, for clarification, which Cordell agreed  
95 with.

96 The conversation continued, including Nathan Hult suggesting that we could use zones to classify  
97 the allowance of certain business, rather than doing it by street.

98 Kevin said he appreciated Steven Moore coming in tonight and bringing this issue up; and said if  
99 there is not an argument for keeping the word "primarily" in the ordinance, then he said he would  
100 support eliminating that word and just using the phrase "businesses dealing in products or  
101 services that are restricted by law".

102

103 *Nathan Hult made a motion to make a positive recommendation to the City Council, eliminating*  
104 *the word "primarily" in the definition of "adult-only product or service business"; and including the*  
105 *reference to the Utah State code title 58 on the next page, in the definition of retail tobacco*  
106 *specialty businesses. Kevin Christensen seconded the motion. A vote was called and the motion*  
107 *passed unanimously.*

108

109 **7:20 PUBLIC HEARING to receive public input on an ordinance making minor modifications to**  
110 **the accessory dwelling portion of the city code.**

111 *Chris Nelson opened the public hearing at 7:37 p.m.*

112

113 Steven Moore referred to the section that describes an applicant having to notice neighbors 300  
114 feet from the proposed accessory dwelling; and said he suggested at least doubling that number,

115 and perhaps even going to 1000 feet. He referred to The Cove, and said 300 feet was not  
116 enough. He said there was a problem on that project with not enough citizens knowing what was  
117 going on, and that anytime we can increase formal notifications, we are better off as citizens so  
118 that we can be informed of decisions. He also suggested varying the distance of the noticing  
119 area depending on the nature of the change for that property. He said it definitely should be a  
120 greater distance, and that we may want to consider expanding that distance in other ordinances.

121  
122 *As there were no further public comments, Chris Nelson closed the public hearing at 7:39 p.m.*

123  
124 Chris Nelson mentioned a question made by another resident who submitted their comments in  
125 writing, including where the 300 feet begins from a property. Chris also brought up the issue of  
126 what kind of noticing area there would be for someone who owns a third of an acre, versus  
127 someone who owns on a larger piece of property, or is surrounded by open lots.

128 Cordell explained the current noticing procedures and how it has changed from previous  
129 procedures.

130 The commission discussed various situations that have occurred.

131 Cordell Batt explained how the area is determined, and that it begins from the boundary line of  
132 the lot in question. He also reminded the commission that the further you go out, the less the  
133 project even affects another resident.

134 The commission continued to discuss the area in which to notice.

135 Cordell said what staff typically considers is how [the change] is going to affect *that* street, and  
136 commented further.

137 Cordell addressed various questions of the council and the conversation continued. Chris said he  
138 felt that noticing the adjacent neighbors is more significant than the public noticing that is done in  
139 the paper and state website.

140 Per a question from Kevin Christensen, Joan Findlay said she feels that 300 feet is sufficient, and  
141 that beyond that, people wonder why they are being noticed; and also that additional noticing is a  
142 burden to the applicant.

143 The conversation continued, including parking situations in some accessory dwellings.

144 Kevin Christensen suggested noticing the homes that are touching the property [applying for the  
145 accessory dwelling] including behind and in front [across the street], and 600 feet up and down  
146 the road on both sides, and commented further.

147 The commission discussed this further.

148 Chris referred to Kevin's suggestion and discussed the issue of what you would do for an  
149 applicant living on a corner lot, which was further discussed by the commission. He said he feels  
150 that 300 feet is sufficient.

151 Cordell said it would be easier to do a radius of area for noticing, particularly for the applicant in  
152 having to come up with the names for noticing. He also said it is easier for a title company to  
153 retrieve names for a radius of area.

154 The commission continued their discussion at length.

155

156 *Nathan Hult made a motion to make a positive recommendation to the City Council to pass this*  
157 *ordinance, with the change to provide in addition to the 300 foot radius for noticing, that noticing*  
158 *is also done to any residents that are 600 feet down the road that the dwelling faces, in both*  
159 *directions. Kevin Christensen seconded the motion.*

160

161 Joan Findlay asked if getting a "certified" list, as it states in the ordinance, is expensive.

162 Cordell recommended removing the word "certified", as that definition is unclear, and explained  
163 further how an applicant would obtain the list of neighboring residents to notice.

164

165 *Nathan Hult made an amendment to remove the word "certified" from the ordinance. Kevin*  
166 *Christensen agreed to the amendment. A vote was called and the motion passed unanimously.*

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169

170 **Set Next Agenda and/or Discussion**

171 Cordell Batt said he put information and registration forms for two conferences coming up which  
172 he explained further. He discussed the League of Cities and Towns, as well as an upcoming  
173 APA conference.

174 Kevin Christensen said he would not be able to go to attend either conference.

175

176

177 *Kevin Christensen made a motion to adjourn the meeting. Joan Findlay seconded the motion. A*  
178 *vote was called and the motion passed unanimously.*

179

180 The meeting adjourned at: 8:20 p.m.

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182 Approved by Planning Commission:

September 19, 2013

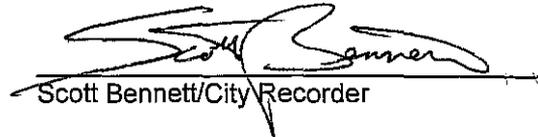
183

184 Transcribed by Marie Wilhelm

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186 Recorded by:

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Scott Bennett/City Recorder

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