

1 **Minutes of the North Logan City**
2 **Planning Commission**
3 **Held on December 19, 2013**
4 **At the North Logan City Library, North Logan, Utah**
5

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7 The meeting was called to order by Chris Nelson at 7:00 p.m.
8

9 Commission members present were: Kevin Christensen, Brad Crookston, Brett Robinson, Joan
10 Findlay and Chris Nelson. (Nathan Hult and Geri Christensen were excused).
11

12 Others present were: Alan Luce, Damon Cann, Lydia Embry, Cordell Batt and Marie Wilhelm.
13

14 The Pledge of Allegiance was led by Joan Findlay.

15 An invocation was given by Brad Crookston.
16

17 **Adoption of Agenda**

18 *Kevin Christensen made a motion to adopt the agenda as presented. Brad Crookston seconded*
19 *the motion. A vote was called and the motion passed unanimously.*
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21 **Approval and Follow-up of Minutes for November 7th and November 21st 2013 Planning**
22 **Commission Meeting**

23 November 7, 2013 Planning Commission Meeting Minutes

24 November 21, 2013 Planning Commission Meeting Minutes

25 *Brett Robinson made a motion to approve both sets of minutes as amended. Kevin Christensen*
26 *seconded the motion. A vote was called and the motion passed unanimously.*
27

28 **Follow-up**

29 Cordell Batt reviewed the action items list with the commission. Cordell said he would add an
30 item regarding extending the roads in the "northeast corner", and that it will be on the next list.
31 He also said he would put numbers along the side of the page of the list, for easier reference.
32

33 **New Business**

34 Continued discussion on the General Plan's Land Use Element's Update/Revisions. Begin
35 review of PC's review comments of land use element. (Planning Commission)

36 The Planning Commission continued to discuss and review the latest draft of the Land Use
37 Element of the General Plan. Cordell made note of the recommended changes.
38

39 Discussion on reference to alleyways in the City Center Ordinance and possible revisions.

40 Cordell Batt explained that the question came up about whether alleyways should be public or
41 private. He said when it was reviewed, City code states them as "public use". Cordell said he
42 gave the Planning Commission some definitions for "public use". He said he has determined that
43 public use means that the public is not stopped from traveling on them or denied access to them;
44 but that public use means just that, that the public can use them. He said it should be public use;
45 but the question of who handles the maintenance of alleyways is really the issue. He commented
46 further. Cordell invited Alan Luce to give his comments on this.

47 Chris Nelson said the question for him is what is in the best interest of the City, and commented
48 further.

49 Alan Luce presented his comments on this. He explained that this issue arose with the Green
50 Canyon Square Development, as they suggested in their development plan that all of their roads
51 within the development be public, and therefore maintained by the City. He said this initiated staff
52 to review this more closely. Alan said when staff looked at this; the City has approximately fifteen
53 subdivisions in the City with higher density [than Green Canyon Square Development] and the
54 City does not maintain any of the roads that are not up to the standards in the City's Design
55 Standards Technical Manual. He explained further and said they could not find any other
56 communities in the valley or through the state where a city had taken on alleyways or a smaller
57 lane within a subdivision. He further explained that it would be very difficult for the City to
58 maintain these kinds of roads with the equipment that we have; and that the City does not receive

59 Class C road funds to maintain these kinds of roads. He explained further. He also mentioned
60 Naomi Drive in North Logan City, which is not built to our standards; and that it takes our most
61 experienced plow operator to even attempt to drive on that road in the winter and commented
62 further. He further explained the comment that one of the Green Canyon Square Development
63 representatives made about his taxes helping to pay for road plowing; and Alan explained that
64 there is not a tax that citizens pay for the plowing of the roads.

65 Chris said therefore, if there is a development like this, that has a small avenue or lane and is not
66 built to the City's standards; then it is not in the City's best interest for the City to take that on, and
67 should in fact be private. Alan agreed and said he is not advocating that we *do not* have those
68 within the City; but that they are maintained by a private entity, HOA, or the residents themselves.

69 Brad Crookston said it was important to note that the developer is free to put a wide road in their
70 development that the City will maintain [if built to the City's road standards]; and if they do a
71 smaller road, then the subdivision is required to maintain it. He commented further.

72 Kevin Christensen said the Towne Center Villas has private roads and are maintained by the
73 HOA; and asked if they are required to have public access. Cordell said they are. Kevin asked if
74 that then allowed anyone to park on those roads.

75 Cordell said they could restrict that in some way, but the public has to be allowed to drive on those
76 roads.

77 Chris said it is similar to what USU would do and explained further.

78 Kevin asked where we get the authority as a City to tell a developer that they have to build and
79 maintain a road, and that they have to leave it open to the public; and commented further.

80 Alan said if a developer wants to build a road that the City can maintain and get funds for, then
81 the City will maintain it and take on that responsibility. But if they don't want that privilege, and
82 want to build a smaller road in order get higher density and sell more lots; then they have lost the
83 privilege for the City to maintain it. He commented further.

84 Cordell discussed the City ordinances and said North Logan City has chosen to not allow gated
85 communities within the City.

86 Kevin commented further and said it just doesn't seem right.

87 The commission continued their discussion.

88 Cordell said they need to decide whether they want to put the verbiage that Alan Luce put
89 together in the City Center ordinance only; or in the ordinance for North Logan City and have it
90 apply to everything throughout the entire City. He said we also need to put it in place to avoid
91 what occurred with the subdivision as discussed.

92 The commission discussed this further, including being able to ensure that the roads are
93 developed to the City's standards. They further discussed revisions to the ordinance and the best
94 way to word various sections.

95 Cordell Batt said he will take the information and put it into an ordinance form and bring it back to
96 the Planning Commission for review, as well as the City Council; and then a public hearing will be
97 held.

98 Kevin Christensen asked if there is a way to leave it open to allow a gated community if it ever
99 comes up. Cordell said he would look into that.

100 Alan mentioned that there are some existing private lanes and driveways in the City that are not
101 public roadways and are considered to be just private driveways with several flag lots off of them.
102 Cordell said he would review if it is a policy or in the actual ordinance whether the City does not
103 allow gated communities.

104
105 Discussion of draft copy of suggested ordinance language regarding water shares (secondary
106 water) as it relates to the subdivision process.

107 Cordell discussed how this came about, which was primarily due to a subdivision that was
108 recently brought in that no longer had water shares attached to the property, as they had been
109 previously sold. He said with the drought that occurred this year and the restrictions that had to
110 be done, the City Council is very concerned that staff look at something the City could or should
111 do to help this kind of situation in the future. He said he spoke to the City Attorney who will get
112 back to Cordell about what other cities have done. Cordell said that Smithfield has created
113 something that addresses both culinary *and* secondary water; and said when North Logan City

114 first considered this, they only mentioned secondary water.

115 Alan Luce gave the Planning Commission an update on the new well being drilled in Green
116 Canyon and the higher quantity of water we will have.

117 Chris Nelson said he is very much in favor of water rights for a subdivision staying within either
118 the City or the subdivision and commented further.

119 Cordell said that has been the policy and explained further. He said in the eleven years that he
120 has been with the City, this recent subdivision that did not have the water shares, was the first
121 one below the canals that did not have water shares. He said it therefore does not happen a lot;
122 but when it does happen, the question is whether there is something we do, like having the
123 developer go out and look for shares. He commented further.

124 Alan said there is also the issue of being reasonable, particularly based on location; and
125 commented further. He suggested potentially using something like a distance, which was
126 discussed further with the commission. Alan also discussed the issue of impact fees.

127 The commission continued their conversation with Alan.

128 Chris said he liked the direction Alan recommended and said we should formulate Alan's
129 recommendations into the ordinance. Chris said he feels it should be "pay as you go" and that if
130 someone has access to secondary water and does not put it in, there should be a surcharge; and
131 that if someone does not have access to secondary water, and someone is going to draw upon
132 the system, they should pay as they go. He commented further. He said we need to protect
133 water as much as possible. He asked about the shares the City buys and how they access those
134 shares. Alan said that will have to be addressed with the state, as it is very strict.

135 The conversation continued.

136 Alan mentioned that Providence City, Smithfield City and Hyrum City have public irrigation
137 systems; but that North Logan City does not have a public secondary water system. He said we
138 are a major shareholder in several lines, but don't have our own system. He said if this were our
139 system, we could require it; but that since it is not, we are trying to primarily encourage it.

140 The commission continued their discussion.

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

143 -Continue discussion of current agenda items

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145

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147 *Kevin Christensen made a motion to adjourn the meeting. Brett Robinson seconded the motion.*
148 *A vote was called and the motion passed unanimously.*

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151 The meeting adjourned at: 9:33 p.m.

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154 Approved by Planning Commission:

January 23, 2014

155

156 Transcribed by Marie Wilhelm

157

158 Recorded by

159

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Scott Bennett/City Recorder