CITY OF LOGAN, UTAH
ORDINANCE NO. 14-25

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled “Land Development Code, City of Logan, Utah” Table 17.17.030: “Allowed Uses in District and Corridor Zones” is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF MAY, 2014.

AYES:

NAYS:

ABSENT:

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 6th day of MAY, 2014.

Karl B. Ward, Council Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 6th day of MAY, 2014.

H. Craig Petersen, Mayor
### EXHIBIT A

**Table 17.17.030: Allowed Uses in District and Corridor Zones**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>TC</th>
<th>COM</th>
<th>MU</th>
<th>CC</th>
<th>GW</th>
<th>CS</th>
<th>IP</th>
<th>AP</th>
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</thead>
<tbody>
<tr>
<td><strong>Commercial Uses</strong></td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Indoor Commercial Shooting Range</td>
<td>N</td>
<td>C</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>N</td>
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</tbody>
</table>
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: April 10, 2014
FROM: Amber Reeder, Planner II
SUBJECT: LDC Text Amendment – Commercial Shooting Range

Summary of Planning Commission Proceedings

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Gun Range Code Amendment</th>
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</thead>
<tbody>
<tr>
<td>Request</td>
<td>Code Amendment</td>
</tr>
<tr>
<td>Project Address</td>
<td>City-wide</td>
</tr>
<tr>
<td>Recommendation of the Planning Commission</td>
<td>Approval with modification</td>
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</table>

On March 27, 2014, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Table 17.17.030: Allowed Uses in the District and Corridor Zones by adding *Indoor Commercial Shooting Range* to the land use categories and allowing it by Conditional Use Permit in the Commercial (COM), Commercial Services (CS), and Industrial Park (IP) zones.

Planning Commissioners vote (6 - 0):
Motion to recommend approval: S. Stokes
Second: G. Smith
Nay: none

The project request lists the amendment as "Commercial Shooting Range". This could include indoor and/or outdoor ranges. The Commission expressed concerns over allowing outdoor ranges as it is more difficult to manage sound impacts and safety. Commercially-zoned areas are in high traffic corridors and would not be safe to locate adjacent to a concentration of uses. Outdoor ranges typically have larger land footprints and the Commission did not want land that could be used for commercial and industrial development in the City to be used for a large recreational use like a shooting range.

Attachments:
- Staff Report
- Ordinance 14-25
- PC Meeting Minutes
REPORT SUMMARY...

Project Name: Gun Range Code Amendment  
Proponent/Owner: Logan City  
Project Address: Citywide  
Request: Code Amendment  
Type of Action: Legislative  
Date of Hearing: March 27, 2014  
Submitted By: Amber Reeder, Planner II

REQUEST
This is a proposal to amend the Land Development Code Table 17.17.030: Allowed Uses in District and Corridor Zones. The land use category “Commercial Shooting Range” is proposed to be added to the Land Use list under the Commercial Uses category. The amendment would allow for the a Commercial Shooting Range to be allowed by Conditional Use Permit in the Commercial (COM), Commercial Services (CS), and Industrial Park (IP) zones.

CODE AMENDMENT
There are presently not any commercial gun ranges within City limits and the use is not listed in the Land Development Code (LDC). A commercial gun range is proposed in conjunction with the new Al’s Sporting Goods store and staff is looking for an amendment to the LDC to address the land use specifically. It is proposed that the use would be allowed as a conditional use in the COM, CS, and IP zones. A commercial gun range could include an indoor or outdoor facility.

As a Conditional Use, each project would be required to have a public hearing and the Planning Commission would have the ability to review the request, place conditions, and make findings specific to the project. There may be concerns with the safety of the range design, hazardous materials, fumes inside and outside the facility, noise, and compatibility with the surrounding area.

A shooting range is regulated by organizational codes and requirements in addition to zoning. Protective construction methods are required for impact and ricochet control. The International Building Code (IBC) has general standards for construction to ensure. The IBC also requires ventilation mechanical systems that mitigate for any fumes, dust, carbon monoxide, or other particulate matter. OSHA has further standards to test and make sure that the ventilation is adequate and that measures such as the permissible exposure limit (PEC) to airborne lead are in compliance. OSHA and the Fire Department would review any hazardous materials or chemicals on-site and ensure that their storage and use is compliant with their codes. OSHA additionally limits the noise levels within a facility to a maximum of 90 decibels.

The construction and operation safeguards will help mitigate the impacts of safety, hazardous materials, fumes, and noise. Noise concerns could be further addressed through the conditional use process with conditions such as limiting the hours of operation or outside decibel levels, where appropriate. The Logan Municipal Code regulates sound nuisances. LMC §8.16.600 provides the enforceable sound level limit based on the time of day and the zoning of the adjacent property. The COM, CS, and IP zones have building and site design criteria that require the facility to have architectural elements and be compatible with the surrounding area.
As a conditional use, the Planning Commission would have to make certain findings as part of their review. The findings must determine that the use is compatible with surrounding land uses and does not interfere with the use and enjoyment of adjoining or area properties.

GENERAL PLAN
The District and Corridor areas zoned COM, CS, and IP typically have corresponding COM, CS, and IP future land use designations. These designations provide for areas of commercial uses. The CS and IP areas do not allow for residential development and in manufacturing or industrial areas there will be less impact from a shooting range use. COM Commercial areas may have more potential conflicts and there may be situations where an outdoor facility would not be found to be appropriate. An indoor shooting facility, with mitigating conditions and appropriate design review would be consistent with a COM-designated area.

STAFF RECOMMENDATION AND SUMMARY
Staff recommends that the Planning Commission recommend approval of this code amendment. As there is not a similar use category in the land use options and the discharge of firearms is otherwise prohibited by Municipal Code, it is appropriate for a commercial shooting range to be addressed as a land use category.

This type of use is regulated by other organizations that ensure the safety of a shooting range facility. Since the shooting range would be a conditional use only allowed in the COM, CS, and IP zones, the Planning Commission would have the chance to review each request and address any issues and make findings on any projects.

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

PUBLIC NOTIFICATION

AGENCY AND CITY DEPARTMENT COMMENTS
Comments were solicited from City Departments and other local agencies. No comments were received at this time.

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.
Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, March 27, 2014. Vice-Chairman Price called the meeting to order at 5:30 p.m.

Planning Commissioners Present: David Adams, Angela Fonnesbeck, Russ Price, Sara Sinclair, Garrett Smith, Steve Stokes

Planning Commissioners Absent: Amanda Davis

Staff Present: Mike Desimone, Russ Holley, Amber Reeder, Kymber Housley, Bill Young, Craig Humphreys, Debbie Zilles

City Recorder, Teresa Harris, presented the oath of office to new Commissioner, Sara Sinclair. Commissioner Sinclair introduced herself to the Commission and the public and provided a brief professional background.

Minutes as written and recorded from the February 27, 2014 meeting were reviewed. Commissioner Stokes moved that the minutes be approved as submitted. Commissioner Smith seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 14-008 Pinecrest Village (continued from February 27, 2014) Subdivision Permit. Jeff Stokes/Black Sheep Land Co., authorized agent/owner, request a 6-lot subdivision of the existing shopping center on 10.94 acres at 1400 North Main in the Commercial (COM) zone; TIN 04-085-0039, -0040, -0055.

STAFF: Ms. Reeder reviewed the Staff Report, recommending approval. There are some legally existing nonconforming buildings and parking setbacks on the property. The structures were built within the setback allowances at the time of their construction. Some of these instances are the 1400 North front setback on the Bank of Utah (Lot 5), parking setback on the north end of Lot 1, and parking setback along 1400 North on Lot 3. This subdivision does not change the character or expand the nonconformity of these setbacks.

There is a proposed lot line extending between Sportsman’s Warehouse and the building to the west, forming Lots 1 and 2. There is no side setback between the buildings. There is an existing lot line between the Pizza Pie Café and Wok on Wheels portion of the building. The zero lot line would be shifting to a different location. The construction of the Sportsman’s building and Wok on Wheels portion to the west meets the building code requirements for a zero lot line. Staff recommends that the lot line location between Lots 1 and 2 are acceptable as the zero lot line was an existing condition on the property. The construction meets building code requirements and does not expand nonconformity on the property.

PROPOSENT: None
ii. Provide hydrants so that all portions of buildings as measured by an approved route around the exterior of the buildings are within 600' for Group R-3 (Ref: IFC 507.5.1 Exception 1).

iii. Minimum fire flow and duration for single-family dwellings up to 3,600 SF shall be 1,000 gpm for 1 hour. Buildings in excess of 3,600 SF are determined on a case-by-case basis. (Ref: IFC B105)

iv. Available fire flow from hydrant #FH 1794 is 1,225 gpm and is adequate.

c. Environmental

i. Provide an all-weather turn around on the 3 dead-end roads for the collection trucks.

**FINDINGS FOR APPROVAL**

1. The subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum lot sizes and maximum allowed densities for the Neighborhood Residential (NR-6) zone.

2. The project conforms to the requirements of Title 17.47 concerning hearings, procedures, application requirements and plat preparations.

3. The project meets the goals and objectives of the NR zoning designations within the Logan General Plan by providing residential opportunities in areas with existing services and infrastructure in the vicinity.

4. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

[Moved: Commissioner Fonnesbeck  Seconded: Commissioner Adams  Passed: 6-0]


Vice-Chairman Price was excused and Chairman Pro-Tem Fonnesbeck presided over the remainder of the meeting.

**PC 14-011 LDC Amendment – §17.17 Gun Range Conditional Use Code Amendment** Logan City is requesting to amend the Land Development Code Section 17.17 (District & Corridor Uses) to identify gun ranges as a conditional use in the Commercial (COM), Commercial Services (CS), and Industrial Park (IP) zones.

**STAFF:** There are presently no commercial gun ranges within Logan City limits and the use is not listed in the Land Development Code (LDC). A commercial gun range is proposed in conjunction with the new Al’s Sporting Goods. It is proposed that the use would be allowed as a conditional use in the COM, CS and IP zones.

A shooting range is regulated by organizational codes and requirements in addition to zoning. Protective construction methods are required for impact and ricochet control. The International Building Code (IBC) has general standards for construction. The IBC also requires ventilation mechanical systems that mitigate for any fumes, dust, carbon monoxide, or other particulate matter. OSHA has further standards to test and make sure that the ventilation is adequate and limits the noise levels within a facility to a maximum of 90 decibels.

Staff recommends approval of this code amendment. As there is not a similar use category in the land use options and the discharge of firearms is otherwise prohibited by Municipal Code, it is appropriate for a commercial shooting range to be addressed as a land use category. Since the shooting range would be a conditional use only allowed in the COM, CS, and IP zones, the Planning Commission would have the chance to review each request, address issues and make findings on any projects.

**PUBLIC:** None
COMMISSION: Commissioner Adams asked about the decibel level. Ms. Reeder explained that OSHA limits the noise level within a facility to a maximum of 90 decibels. Logan City limits the exterior noise level to 60 decibels - measured from the receiving property.

Commissioner Stokes asked what level the pitch of 60 decibels would be. Ms. Reeder said she is unsure of that exact measurement; however, the proposed range meets all the regulated noise standards.

Commissioner Adams said he is supportive of this amendment with regards to indoor ranges and not outdoor use.

MOTION: Commissioner Stokes moved to recommend approval to the Municipal Council for an amendment to the Land Development Code Section 17.17 as outlined in PC 14-011 for indoor ranges only. Commissioner Smith seconded the motion.

FINDINGS FOR APPROVAL
1. Utah state law authorizes a local planning commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The amendment is in conformance with the requirements of Logan Municipal Code Title 17.51.

[Moved: Commissioner Stokes Seconded: Commissioner Smith Passed: 5-0]

Yea: D. Adams, A. Fonnesbeck, G. Smith, S. Sinclair, S. Stokes Nay: Abstain:

PC 14-012 Rendezvous Gun Range @ Al's Sporting Goods Conditional Use Permit. Jason Larsen/Bridgerland Holdings Ltd., authorized agent/owner, request an indoor gun range at Al's Sporting Goods located at 1075 North Main in the Commercial (COM) zone; TIN 07-042-0120.

STAFF: Ms. Reeder reviewed the Staff Report, recommending approval. The proponent is requesting an indoor commercial shooting range to be located within Al's Sporting Goods (part of the Bridgerland Square project which was approved in April 2013). The proposed range is just over 4,800 SF and will have 10 lanes. It will be located on the main level in between the main Al's floor area and the Natural Grocers area. The range can be accessed from an exterior door or a door within the store. There is a lobby area and a separate vestibule in the lobby to access the range.

PROPOINENT: Kris Larsen expressed confidence that this will be an extremely quiet gun range. Two retired Logan police officers have been hired to run the range. The construction, acoustical applications and ventilation system are all state of the art. He said they have actually "over-equipment" the facility to accommodate any future guidelines.

Jason Larsen reiterated confidence that there should be no concerns regarding sound issues. He outlined some of the safety, acoustical control and air intake designs they have installed. The range meets all rigorous safety guidelines and will be a great addition to Cache Valley.

Commissioner Adams asked if the hours of the range will be consistent with the hours of the store. Jason Larsen said that is the plan; he does not foresee changing the hours unless there is a change in the future market economy. The store and range hours will be 9 a.m. to 9 p.m.

PUBLIC: Larry Hogge owns property near the project. He expressed concern his concern about possible noise which might affect his tenant and/or property value. He would like to see what recourse there will be "when all is said and done" if there is a problem.

Ms. Reeder explained that the proposed range meets all regulations and requirements regarding noise exposure and mitigation.
Mr. Housley, the City Attorney, advised that there is an enforcement process in place if any ordinance is violated. If there are complaints made, the noise level can be measured.

**COMMISSION:** Commissioner Smith applauded Al's Sporting Goods for going to great lengths to meet and exceed all the requirements and possible future requirements.

**MOTION:** Commissioner Smith moved to conditionally approve PC 14-012 for a Conditional Use Permit with the conditions of approval as listed below. Commissioner Stokes seconded the motion.

**CONDITIONS OF APPROVAL**
1. All standard conditions of approval are recorded and available in the Community Development Department.
2. The hours of operation will be limited to store hours and shall open no earlier than 7:00 am or operate past 10:00 pm.
3. Any signage associated with this business shall conform to LDC §17.40 and receive applicable permits.

**FINDINGS FOR APPROVAL**
1. The use conforms to the requirements of Logan Municipal Code Title 17 and is listed as a conditional use in the Use Table for the Commercial (COM) zone.
2. The use is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.
3. The streets providing access and other infrastructure to the subject property have adequate capacities or a suitable level of service for the conditional use.
4. The use is compatible with neighborhood uses and character while preserving and enhancing the character of the neighborhood.
5. The use provides adequate off-street parking in conformance with this Title.
6. The project provides open space and landscaping in conformance with this Title.
7. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the use.
8. As conditioned, the limitation on hours of operation makes the use more compatible with adjacent residential properties.
9. There is regulation of possible impacts such as fumes, hazardous materials, and sound by entities including OSHA and the Logan City Fire and Building Departments.

[Moved: Commissioner Smith Seconded: Commissioner Stokes **Passed: 5-0**]
Yea: D. Adams, A. Fonnesbeck, G. Smith, S. Sinclair, S. Stokes Nay: Abstain:

**WORKSHOP ITEM(S) for April 10, 2014 meeting**
- PC 14-014 700 North 3-Plex
- PC 14-015 Hofmeister Addition
- PC 14-016 Bindrup Warehouse
- PC 14-017 Rocky Garden Subdivision

Meeting adjourned at 7:27 p.m.
APPLICATION FOR PROJECT REVIEW

X Planning Commission  □ Board of Adjustment  □ Board of Appeals  □ Other

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<td>PC 14-011</td>
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Type of Application (Check all that apply):
- Design Review  - Conditional Use  - Subdivision  - Zone Change
- Code Amendment  - Appeal  - Variance  - 4950' Design Review  - Other

PROJECT NAME

TEXT AMENDMENT – LOGAN LAND DEVELOPMENT CODE

PROJECT ADDRESS

CITYWIDE – TEXT AMENDMENT.

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)

LOGAN CITY COMMUNITY DEVELOPMENT DEPARTMENT

MAILING ADDRESS

CITYWIDE

MAILING ADDRESS

EMAIL ADDRESS

WWW.LOGANUTAH.ORG; MIKE.DESIMONE@LOGANUTAH.ORG

PROPERTY OWNER OF RECORD (Must be listed)

CITYWIDE

MAILING ADDRESS

EMAIL ADDRESS

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED
(Include as much detail as possible - attach a separate sheet if needed)

AMEND LOGAN LAND DEVELOPMENT CODE SECTIONS 17.17 (DISTRICT AND CORRIDOR USES) TO IDENTIFY GUN RANGES AS A CONDITIONAL USE IN THE COMMERCIAL, COMMERCIAL SERVICES AND INDUSTRIAL ZONES.

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 permits on behalf of the property owner.

Signature of Property Owner's Authorized Agent

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

municipal council workshop: Apr. 15
municipal council hearing: May 6
LEGAL NOTICE
Logan Municipal Council
April 15 & May 6, 2014

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. Contact 716-9021 or www.loganutah.org for further info.

PC 14-011 LDC Amendment – §17.17 Gun Range Conditional Use Code Amendment. Logan City is requesting to amend the Land Development Code Section 17.17 (District & Corridor Uses) to identify gun ranges as a conditional use in the Commercial (COM), Commercial Services (CS), and Industrial Park (IP) zones.

The Logan Municipal Council is tentatively scheduled to hold a workshop on Tuesday, April 15, 2014, and a public hearing on Tuesday, May 6, 2014. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm.

Publication date: Tues. April 1, 2014
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 14-011 Land Development Code Amendment §17.17** Code Amendment. Logan City requests to amend the Land Development Code (LDC) Section 17.17 (District & Corridor Uses) to identify gun ranges as a conditional use in the Commercial (COM), Commercial Services (CS) and Industrial Park (IP) zones.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, April 15, 2014**, and a public hearing on **Tuesday, May 6, 2014**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org

Publication date in Herald Journal 3/9/14
STATE OF UTAH  
COUNTY OF CACHE, ss  

On this 12th day of May, A.D. 2014 personally appeared  
before me Monica Christensen who being first being duly sworn, deposes and says that  
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal 
a daily newspaper published in Logan City, Cache County Utah, and that the  
Legal Notice, a copy of which is hereto attached was published in said  
newspaper for 1 issue(s) and that said notice also published on utahlegals.com  
on the same days(s) as publication in said newspaper  

Commencing on the following days:  
05/11/2014  

________________________  , Assistant to the Finance Director  

Subscribed and sworn to before me on this 12th day of May, A.D. 2014  

________________________  , Notary Public  

Commissioned in the State of Utah  

My Commission expires August 1, 2015

LEGAL NOTICE  
LOGAN MUNICIPAL COUNCIL  

SUMMARY OF AN ORDINANCE - The following ordinance was adopted and approved by the Logan Municipal Council, Logan, Utah on May 6, 2014.  

ORD. 14-25 Amendment to the Land Development Code (LDC) Section 17.17 (District & Corridor Uses) to identify gun ranges as a Conditional Use in the Commercial (COM), Commercial Services (CS) and Industrial Park (IP) Zones.  

This ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.  

Teresa Harris, City Recorder  
Publication Date: May 11, 2014