

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, September 7, 2021, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan YouTube channel at: https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ

Council Members present at the beginning of the meeting: Chair Mark A. Anderson, Vice Chair Jeannie F. Simmonds, Councilmember Ernesto López, Councilmember Amy Z. Anderson, and Councilmember Tom Jensen. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson, City Recorder Teresa Harris, and Deputy City Recorder Esli Morales.

Excused: Councilmember A. Anderson was excused from the meeting at 7:50 p.m.

Chair Mark A. Anderson welcomed those present. There were approximately 22 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Lieutenant Colonel Richard Reed for the Air Force at Utah State University addressed the Council. He commended the young men and women in the Air Force ROTC from the local community and said the 20th Anniversary of 9/11 is a great opportunity to remember and look at those that have sacrificed so much. It is an honor and privilege to teach the importance of service to this great country. *“Terrorist attacks can shake the foundations of our biggest buildings, but they cannot touch the foundation of America. These acts shattered steel, but they cannot dent the steel of American resolve. America was targeted for because we're the brightest beacon for freedom and opportunity in the world. This is a day when all Americans from every walk of life unite in our resolve for justice and peace. America has stood down enemies before, and we will do so this time.”* – President George W. Bush, September 11, 2001.

Mayor Daines invited the public to attend the flag ceremony to be held on Friday, September 10 at 9 am at the City Plaza to honor the fallen.

Chairman M. Anderson led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting held on August 17, 2021, were reviewed, and approved with no corrections.

Meeting Agenda. Chair M. Anderson announced there are two public hearings scheduled for tonight’s Council meeting.

ACTION. Motion by Councilmember Jensen seconded by Vice Chair Simmonds to approve the August 17, 2021, minutes and approve tonight’s agenda. Motion carried unanimously.

Meeting Schedule. Chair M. Anderson announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, September 21, 2021.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Chair M. Anderson explained that any person wishing to comment on any item not otherwise on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to respond outside of the City Council meeting.

Mary DeSilvia speaking on behalf of the Concerned Coalition of Cache County, a non-partisan group of parents and citizens of Cache County with the concern of Covid-19 and management in schools addressed the Council. A petition and testimonials were presented to request mandatory in-person masking in schools. Mrs. DeSilvia is a retired nurse with over 27 years of experience in tracking infectious diseases, providing treatment, and recommendations. With the ongoing pandemic and the patience care volumes in the ICU are at 200%, the CDC recommends the use of masks. She said that if the Covid-19 pandemic is left unchecked among school children, it will eventually spread and overwhelm the Primary Children Hospital which is the referral hospital for four states. Community public health must prevail, and she asked the Mayor and Council to please support mask mandates.

Mayor Daines explained that the legislature has changed the parameters of when we can declare an emergency and there is a legal process of agreement to go through between the local school district, health department and the County Council to implement a mask mandate

Katie Lee-Koven, a resident of Logan is a concerned parent and Chair of the Hillcrest neighborhood. Ms. Koven understands that there are limitations to what the Council can do, but she requests that the Council consider the plea of parents with underage children in schools, who are not able to be vaccinated. She requests that the Council speak on behalf of the public and express their pleas to the legislature, who have the power to make changes.

Gail B. Yost, resident of Logan stated that today is Rosh Hashanah, which is the New Year for Jewish families. She wished the Council and public a Happy New Year, “*L’shana tovah.*”

There were no further comments or questions for the Mayor or Council.

MAYOR/STAFF REPORTS:

Library Design Presentation – Hacker and Design West

Mayor Daines summarized the plans and welcomed the architects of the new Library, Hacker (joining the meeting by phone), and Design West, attending in person.

Penny Hummel, a consultant from Hacker explained the determining factors, goals, and project schedule for the new Library. She estimated Library construction to begin in 2022 and be completed in 14 months. The vision is to create a place that is inspiring and cost effective while enriching a connection between people and the community as well as promoting activity along Main Street.

David Keltner, a consultant from Hacker presented the Library Site program. He said explained the first floor is for children, the second floor is designed for teens and the third floor is designed for adults. The first floor will be more active and become progressively quieter until the 3rd floor matching the surroundings of the valley. The color scheme and design will reflect that from floor to floor. Also, the proposed parking will be increased from 162 parking stalls to 204 stalls.

The Council expressed their excitement and joy at the proposed new Library design.

Karen Clark, Library Director thanked Hacker and Design West for the opportunity to work with them. The Library will move to a temporary location during construction at the Logan City Service Center located at 950 W 600 N, Logan. The temporary location will not be a browsing location but rather a pickup curbside option of items placed on hold. Ms. Clark said that a crucial learning aspect of the pandemic is that the Library can still serve patrons by reaching out to the community. To prepare for the move, there is a timeline. By December of 2021, the Library will close to the public. The majority of the collection will be in storage with a portion of the collection still available to the public. Ms. Clark thanked the public for their desire to help in moving but the collection can only be packed by Library staff.

She continued by stating that by January 2022 the Library will move to the Service Center with a possible reopening of a portion of the collection by February 2022. In February, the demolition of the library will commence, and construction will commence in March of 2022. And 14 months later by Spring of 2023, the Library will reopen. An ongoing donation program will commence to involve the community in the Library.

Vice Chair Simmonds invited the public to donate to the Library and be part of their community.

Mayor Daines thanked Mike Miller, the Facilities Manager for the creative solution for the library books storage space in using the underground parking lot to save \$100,000 in budget funds.

Update on Center Block – Mayor Daines

Mayor Daines read the following press release to the Council:

\$200,000 GIFT FROM THE EMMA ECCLES JONES FOUNDATION FOR CENTER BLOCK PLAZA BRINGS CITY NEARER TO \$2M FUNDRAISING GOAL

September 7, 2021 – Logan City Mayor Holly Daines is delighted to announce a grant of \$200,000 to Logan City from the Emma Eccles Jones Foundation for the Center Block Plaza in downtown Logan. Emma Eccles Jones has longstanding ties to Cache Valley and was Northern Utah’s first kindergarten teacher in 1926 after receiving a degree from Teachers College at Columbia University. The water feature, where children, families and others can come together to enjoy summer fun and splash through the fountain, will be named for the Emma Eccles Jones Foundation in recognition of its generous support. Spencer F. Eccles, a trustee of the Foundation said, “I am confident that Aunt Em would have been thrilled to support the redevelopment of downtown Logan. This Center Block Plaza will provide a wonderful new space for the community to gather for concerts, enjoy ice skating and fire pits in the winter, and waterplay in the hot summer months.” Mayor Daines said, “We are so grateful to the Emma Eccles Jones Foundation for this wonderful gift, and for their continued investment in Logan and Cache Valley. The significant private contributions we have received will allow us to offset costs of the plaza and make our downtown development funds stretch much further. With this new gift, the City has now received \$1.5M in private contributions for the plaza project, with a goal of reaching \$2M in donations. If the city successfully secures \$1,750,000 in contributions, the George S. and Dolores Dore’ Eccles Foundation has previously pledged a “last dollar” grant of \$250,000 to achieve the \$2M goal. The water feature, which will feature lights and music, will use high-tech nozzles and jets. The splash pad will have a seasonal water budget of 1 million gallons of water from Memorial Day until mid-September. To put that into perspective, a typical home in Logan uses an average of 35,000 gallons per month during that same time period. That means the splash pad would utilize the same amount of water as eight homes during those months.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Vice-Chair Simmonds

Vice Chair Simmonds reported on a rezone request and land development code amendments of which all be coming to the Council in two weeks.

ACTION ITEMS:

PUBLIC HEARING - Land Development Code Amendment – Consideration of a proposed ordinance amending Chapter 17.37 “additional Development Standards” to include a Section on Accessory Dwelling Unites – Ordinance 21-14 – Mike DeSimone, Community Development Director

At the August 17, 2021 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendment.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapter 17.37 of the Land Development Code.

BACKGROUND

This code amendment is in response to HB 82 (10-9a-530) requiring that local governments adopt standards permitting Accessory Dwelling Units in residential areas. The minimum standards established by HB 82 are as follows:

1. An accessory dwelling unit shall only be established in conjunction with a detached, owner-occupied single-family residential dwelling. The residence shall be the owner's primary place of residence (Primary Dwelling).
2. An accessory dwelling unit shall only be established within the footprint of the primary dwelling at the time the accessory dwelling unit is created (Internal ADU) and shall not be rented for less than 30 consecutive days.
3. An accessory dwelling unit shall comply with all applicable building, health, and fire codes.
4. An accessory dwelling unit is prohibited in any other housing type (townhome, duplex, apartment, etc.).
5. An accessory dwelling unit is prohibited in non-owner-occupied single-family dwellings.

6. A municipality may not restrict the construction or use of an ADU based on the size of the internal ADU in relation to the size of the primary dwelling, the lot size, or the street frontage.
7. A municipality may prohibit the installation of a separate utility meter.
8. A municipality may prohibit the change in the appearance of the primary dwelling.
9. A municipality may require one additional on-site parking space and may require the replacement of any parking spaces lost in a garage conversion to an ADU.
10. A municipality may prohibit the creation of an ADU in a mobile home.
11. A municipality may prohibit the creation of an ADU if served by a failing septic system.
12. A municipality may prohibit the creation of an ADU on a lot smaller than 6,000 square feet in size.
13. A municipality may prohibit the rental of an ADU for a period of time less than 30 consecutive days.
14. A municipality may prohibit the rental of an ADU if the ADU is not located in a dwelling that is not occupied as the owner's primary residence.
15. A municipality may require that the owner obtain a business license (Landlord License) authorizing the creation of an ADU.
16. In a municipality with the main campus of a state or private university with a student population of 10,000 or more, the municipality may prohibit ADU's on 67% of the total land area zoned residential and limit ADU's to no more than 33% of the total residentially zoned land.

Accessory dwelling units are being viewed as a quick and easy fix for providing additional affordable housing in a very tight housing market. There is no question that the region needs an infusion of affordable housing into the housing market; however, the City's position has been that while ADU's may provide some additional affordable housing units short term, given the unique nature of Logan with Utah State University, any gain will be temporary, and the bulk of these units will eventually become student housing that could lead to further degradation of residential neighborhoods surrounding the USU campus.

Most are familiar with the slow and steady decline in homeownership in the Adams, Hillcrest, and Wilson neighborhoods as permanent residents near the university get tired of dealing with the problems that come with large numbers of students, namely over-occupancy and a lack of parking. The owner-occupancy of detached single-family residential dwellings in Adam's neighborhood is approximately 40% while in Hillcrest,

the rate of owner-occupancy is much higher averaging around 90%. Although in the older Hillcrest area immediately adjacent to USU, the rate of non-owner occupancy has steadily increased to just over 30%. The following graphic from the Hillcrest Neighborhood Plan shows the 10-year change (2004 - 2014) in ownership patterns.

The slow decline in owner occupancy is proportional to increases in campus enrollment and the resulting demand for student housing. Investors are seeing a demand in student housing and, over the last couple of years, have been picking up residential properties around the campus.

As the ownership makeup changes from occupied owners to investor ownership, neighborhood priorities change. Maintained properties, mowed lawns, and pride of ownership are giving way to higher rates of occupancy, nuisance complaints, parking complaints, weed complaints, and less overall pride in property ownership. Both the Adams and the Hillcrest neighborhood plans specify the need to maintain owner integrity in the residential areas using a variety of techniques that have included zoning, grandfathering, enhanced enforcement, and providing grants for property rehabilitation and down payment assistance.

When this topic was initially being discussed at the State during the 2021 legislative session, Logan City worked very closely with the Utah League of Cities and Towns (ULCT) and other university cities to inform the process of the unique housing pressures that a university town faces and push for local control and a local say in local land-use policies. Logan was concerned about a single standard being developed for application in a variety of different urban areas could have significant negative impacts on our neighborhoods. The provisions requiring owner-occupancy, detached single-family residential dwellings, no short-term rentals, and limiting the scope of ADU's to just 33% of the residentially zoned acreage were directly related to efforts by Logan's residents and elected officials, as well as other university cities, working with the State legislators to find a more equitable compromise.

To mandate allowance of ADU's in all single-family neighborhoods would be detrimental to those neighborhoods nearest to the University. Over-occupancy and illegal parking are complaints we regularly receive, especially in Adams, Hillcrest, and Wilson, and are the most difficult and time-consuming to enforce. These complaints are a direct result of the incremental conversion of existing single-family residential dwellings into multiple-unit dwellings, both legally and illegally. The USU request put out 50 years ago that homeowners in the adjacent neighborhoods allow students to "live in their basement or their attics" and expressed again during the Planning Commissions 7/22/21 workshop, has led to many unintended consequences that many long-time homeowners are still trying to "undo."

Logan has responded to the need for more affordable and varied housing as well as concerns over neighborhood degradation through a number of measures and actions. Logan has actively "up-zoned" other areas near downtown or employment centers to encourage more dense development patterns and more affordable housing within a reasonable distance of employment. The Campus Residential zone was created on the west side of campus to encourage dense student housing adjacent to the university where students can live and walk to campus while helping alleviate the pressure on existing housing in single-family areas. Many of the single-family residential areas have been "down-zoned" to preserve the remaining single-family properties and slow the movement away from owner-occupancy towards multi-family properties and investor ownership. Logan reclaimed the park strips that were turned into illegal parking necessary to support legal and illegally converted single-family dwellings lacking adequate space to support their occupant loads. This has forced owners of these substandard units to find alternative parking locations or reduce the overall occupancy of their units. We have provided grant programs to encourage homeownership in the core neighborhoods while offering other grants to aid in the rehabilitation of existing structures. While the provision for ADU's seems like a good idea, it is contrary to many of the efforts undertaken over the last two decades to combat the same concept. It is the City's belief that the unintended consequences associated with Accessory Dwelling Units citywide will far outweigh the perceived benefits of providing affordable housing. We believe it is more important to encourage the construction of affordable housing units in new projects rather than through property conversions in existing residential neighborhoods. For example, the new Homestead project located at 5th West and 2nd North will have 110 affordable units for seniors and another 164 affordable units available for families and individuals whose income does not exceed 60% of the valley's Adjusted Median Income (AMI). Nine (9) of these will be considered ADA units. By incorporating affordable units into a new project like the Homestead, the unintended impacts of SFR conversions, e.g., parking, neighborhood degradation, loss of residential character, enforcement concerns, etc., can be eliminated and neighborhoods are strengthened.

Planning Commission Workshop - July 22, 2021

At the PC workshop, the Commission reviewed the State requirements and the local options for regulating ADU's available to each municipality. We discussed six (6) different approaches to locating ADU's in Logan based on a variety of criteria, e.g., citywide, proximity to employment, proximity to Main Street & USU, etc. We presented staff's concerns regarding the potential for further neighborhood degradation and the unintended expansion of student housing, especially in those residential areas immediately adjacent to the USU campus. Staff expressed concerns about impacts caused by insufficient parking, over-occupancy, and a loss of residential character. The PC also discussed the potential benefits associated with ADU's including adding affordable housing options to a tight housing market, providing a choice of housing for a wide range

of families, utilizing existing infrastructure to support additional housing, and placing affordable housing near employment, transit, or educational opportunities.

The State rules included a provision that a municipality with the main campus of a state or private university with a student population of 10,000 or more may prohibit ADU's on 67% of the total land area zoned residential and limit ADU's to only 33% of the total residentially zoned land.

Logan contains approximately 4,417 acres of residentially zoned acreage. At a minimum, the City has to permit ADU's on at least 1,357 acres of residentially zoned acres (33% of a total land area zoned residential).

Staff presented six (6) different options for where ADU's should be permitted using the 1,357 acres as our baseline and combined that with the minimum requirements of ADU's including residentially zoning, owner-occupied, detached single-family residential, and a minimum lot size of 6,000 square feet.

The six (6) options for locating ADU's that were discussed include:

1. Option 1 - ADU's permitted Citywide on all residentially zoned properties (NR2 - CR) that are owner-occupied, detached, single-family residential dwellings on lot larger than 6,000 square feet. This option included approximately 5,216 individual properties over 4,417 acres (Map A); or
2. Option 2 - ADU's permitted Citywide on all residentially zoned properties except NR-6 that are owner-occupied, detached, single-family residential dwellings on lots larger than 6,000 square feet. This option included approximately 1,486 individual properties over 2,011 acres (Map 8); or
3. Option 3 - This option drew an exclusionary circle around the Utah State University campus as far as possible until we met the minimum 1,500 acres of residentially zoned parcels. This option permits ADU's on all residentially zoned properties that are owner-occupied, detached, single-family residential dwellings on lots larger than 6,000 square feet. This option included approximately 1,156 individual properties on 1,512 acres as shown on Map C; or
4. Option 4 - This option permits ADU's based on proximity to primary employment centers or transit hubs such as Main Street and USU. This option permits ADU's within% mile (approximate) of Main Street and USU that are zoned residential and contain owner-occupied, detached, single-family residential dwellings on lots larger than 6,000 square feet. This option included approximately 2,206 properties on 1,509 acres (Map D); or

5. Option 5 - This option permits ADU's based on proximity to primary employment centers or transit hubs such as Main Street and excludes USU. This option permits ADU's within 2 blocks of Main Street that are zoned residential and contain owner-occupied, detached, single-family residential dwellings on lots larger than 6,000 square feet. This option included approximately 951 properties on 1,588 acres (Map E); or
6. Option 6 - This option permits ADU's based on proximity to the USU campus. This option permits ADU's within 1/2 mile of USU that are zoned residential and contain owner-occupied, detached, single-family residential dwellings on lots larger than 6,000 square feet. This option included approximately 2,509 properties on 1,496 acres (Map F).

The consensus of the Planning Commission members present at the workshop was to narrow down the various options of ADU applicability to permitting ADU's citywide in all residential zones along with the following operational standards:

1. An accessory dwelling unit shall only be established within the footprint of a detached, owner-occupied single-family residential dwelling. The residence shall be the owner's primary place of residence.
2. Detached ADU's are not permitted.
3. An ADU shall not be rented for less than 30 consecutive days.
4. An ADU shall comply with all applicable building, health, and fire codes.
5. An ADU is prohibited in any other housing type (townhome, duplex, apartment, etc.).
6. An ADU is prohibited in non-owner-occupied single-family dwellings.
7. Prohibit the installation of a separate utility meter.
8. Prohibit the change in the appearance of the primary dwelling.
9. Require one additional on-site parking space and plus require the replacement of any parking spaces lost in a garage conversion to an ADU.
10. Prohibit the creation of an ADU in a mobile home.
11. Prohibit the creation of an ADU if served by a failing septic system.
12. Require a minimum lot size of 6,000 square feet.
13. Require the owner to obtain a business license (Landlord License) authorizing the creation of an ADU.

STAFF RECOMMENDATION AND SUMMARY

Staff recommended that the Planning Commission continue evaluating the direction of permitting ADU's citywide and consider recommending the initial use of ADU's be applied in a more limited geographic area, such as near downtown where employment and transit are readily available. It may be beneficial to permit ADU's initially in a more limited area, and then determine the actual demand for ADU's based on the levels of licensing and/or enforcement as well as quantify both the positive and the negative impacts. Based on this limited approach, the City could then reevaluate ADU's in 24 months to determine whether an expansion into broader areas of the City is warranted based on demand and impacts.

Regardless of which applicability option the PC recommends to the Municipal Council, staff recommends that the operational standards discussed above carry forward. The requirement that an ADU can only be internal to an existing, owner-occupied, detached, single-family residential dwelling along with licensing and permitting requirements will help to limit the actual numbers of ADU's and contain the overall negative impacts.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. Many of the underlying goals or premises behind permitting ADU's are competing values when viewed through the lens of the General Plan. Preserving and protecting residential neighborhoods, specifically single-family residential neighborhoods, is a primary goal of the General Plan as many of the core neighborhoods have experienced decades of neglect. Zoning strategies that have been implemented since the Plan was adopted has reinforced this goal. Adding ADU's, which can become de-facto "duplexes," into residential neighborhoods is contrary to maintaining the character and nature of single-family neighborhoods. Whereas providing additional affordable housing for a wide range of residents and incomes, which some ADU's will do, is also a goal of the General Plan. And permitting ADU's in traditional single-family areas may open up homeownership to a wider range of families as rental income can be used to support mortgage payments. As the Planning Commission works through this issue, they need to be aware of the competing values and goals.

PUBLIC COMMENTS

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 7/31/21, posted on the City's website and the Utah Public Meeting website on 8/2/21, and noticed in a quarter-page ad on 7/24/21.

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 based its decisions on the following findings:

1. Utah State Law authorizes the 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. Certain elements of the proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments to include Accessory Dwelling Units in residential areas is being mandated by the adoption of HB82 by the Utah State Legislature during the 2020 session.
5. The Planning Commission held a public workshop on July 22, 2021 to review Accessory Dwelling Units.
6. Public comment was offered during the 7/22/21 public workshop and again during the 8/12/21 public hearing.

On August 12, 2021, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

Land Development Code (LDC) Chapters 17.37.070 Accessory Dwelling Units (Internal).

Planning Commissioners vote (7-0):

Motion: S. Goodlander Second:

Yea: J. Guth, S. Goodlander, R. Croshaw, R. Dickinson, J. Lucero, D. Lewis, K. Heare

Abstain: none **Nay:** none

Mike DeSimone summarized the Accessory Dwelling Units (ADU's) passed by the legislature. He reminded the Council that a decision must be made by the end of the month otherwise State law will go into effect without any restrictions. The six map options were presented again. His final recommendations were to start small and if the implementation is good then continue to expand the ADU qualifications.

Councilmember López asked what the process might be to apply or even appeal if their area is outside of the map.

Mr. DeSimone replied that the code or area map would have to be amended to include their area via the Planning Commission.

Chair M. Anderson opened the meeting to a public hearing.

Burt Lamborn from the Adams Neighborhood. He requested that the ADU's not be applied to the Adams Neighborhood. It will not be effective at mitigating existing housing issues. He very much supports a big buffer area starting from USU and requested that the Council start small.

Janeen Wolf resides at 1865 N 200 W. Her area had a small ADU's, but the neighbors reported it as it is against the law. The neighbors are not necessarily impacted as there is plenty of parking space. She is very much in favor of the ADU's and requests that her area be considered.

Mary Sharp from the Lundstrom Neighborhood lives just East of the USU campus buffer zone. She is in favor of ADU's in all neighborhoods of Logan City. She believes that it will help with housing and pay for mortgages. She would like for her neighbors to have the freedom to choose.

Kent Field lives in the Lundstrom Park area and echoed Mrs. Sharps comments. He is very much in favor of ADU's and believes that a buffer zone will merely create an area for those who can create an ADU legally and those who can create it illegally.

Keegan Garrity from the Woodruff neighborhood. He echoed what Mary and Kent have said. During his time at USU, he lived in five of the six existing neighborhoods. He said ADU's can provide cheaper housing to students and aid the community.

William Hochstetler has lived in the Island area of Logan for the last 20 years. He said the point of the ADU's is not to solve the existing home affordability problem, but rather for homeowners and not their tenants. Owner occupancy is what improves neighborhoods.

Logan resident Steve Sharp addressed the Council and stated that that ADU's balances the expectations of those who bought a single-family home with the opportunity to increase affordable housing and increase owner occupancy.

Kate Lee from the Hillcrest neighborhood recognizes the density of Logan in and outside. If the boundaries are pushed outside of USU, there will be an increase in traffic in those areas.

Bonnie Hoff from the Adams area suggested that more than 1 parking space per unit or at least 2 parking spaces could be included in the ADU requirement. One space per unit is entirely inadequate throughout the city. She believes it would accommodate traffic and the neighborhood.

Scott Stewart, the Chairman of the Adams neighborhood said that the general consensus was if one of the options could be instituted that gives Adam's neighborhood the reprieve of ADU's that is already unfavorably impacted by the nonconforming use of single-family homes. They would rather wish to see enforcement and enhanced process of the ADU's before implemented into their neighborhood. He would request that the implementation of ADU's be addressed even in new construction not just preexisting homes.

Kristin Lore, President of the Maple Grove Homeowners Association just west of the boathouse (located at 699 N 600 E) addressed the Council. Their home association is surrounded by homes with rentals in the basement and are not afraid of being cited. She would prefer to see more enforcement than the addition of more ADU's.

Marilyn Griffin from the Adams neighborhood requested that the Council consider if the addition of the ADU's will enhance the neighborhood. There are unique features to every core neighborhood in town. What can be done to preserve what already exists.

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

Councilmember Simmonds explained the complexity and dynamics of being a college town with homeowner occupied neighborhoods and those that are rentals and the resulting impact.

Councilmember Jensen agreed that it would be better to start small and then change the boundary of the ADU's.

Councilmember A. Anderson mentioned some of the past goals for Affordable Housing and neighborhood stabilization. A plan was put into place to permit them to revitalize their homes with matching funds from the City, but very few citizens applied for the program. The appeal is great, but the concentration or rather density can be concerning.

Councilmember López agreed with the sentiments of Councilmember A. Anderson. He would like more time to consider the ADU ramifications.

Chairman M. Anderson asked if the code would impact new construction.

Mr. DeSimone stated that it would apply to new construction in the sense that new homes are not built with a separate unit attached to them otherwise they would be considered a duplex and charged as such.

The Council expressed dismay to hear and learn during the public comment that individuals of the community may disdain the enforcement of ordinances. The concern

expressed by Council A. Anderson is that the ramifications of the ADU's may cause an increase in illegal ADU's and enforcement.

Mr. DeSimone explained that enforcement is actively applied. The violation must first be reported, and the violator is entitled to a legal due process. A second violation officer has been hired by the Community Development Department, but the legal process must be followed, and they cannot cross a line even for enforcement purposes.

Kymer Housley, City Attorney stated that with a local University there will always be repeat offenders. The fact must be accepted that enforcement will always be ongoing and a challenge. And as Mr. DeSimone mentioned, it is merely changing the boundary line for there is already an enforcement mechanism in place. There is also opposing complaints received that the City is too aggressive with enforcement against illegal ADU's.

Councilmember A. Anderson remarked that the state law would only permit 1 parking stall requirement for the ADU. The Council would be limited by state law and would be unable to increase stall requirements.

Mr. Housley replied that the state law permits the Council to be restrictive as the state law indicates.

Mr. DeSimone clarified that not every physical property will qualify for an ADU. The ADU requires to physically add an additional parking stall which the property may not have.

Councilmember A. Anderson asked what the business license fees would be to establish an ADU.

Mr. DeSimone answered that the process would be a standard landlord licensing fee of \$75 dollars.

Mr. Housley added that there would also be an impact fee which would be \$1,300 dollars per residential unit.

Councilmember A. Anderson asked the Council to share which direction they thought most appropriate and stated her support for the map labeled, Small USU Buffer, which opens the area near the Transit Center to ADU's.

ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Simmonds to continue Ordinance 21-14 to the September 21, 2021 Council meeting as an action item, no public hearing. Motion carried unanimously.

PUBLIC HEARING - Unspent Appropriations FY 2020 – Carry Forwards:

ADMINISTRATION - \$29,363 for Elections
POLICE DEPARTMENT - \$5,100 for Police Vehicles
PUBLIC WORKS - \$288,424 for Capital Projects; \$463,492 for Service Center Roof; \$2,250 for Software Implementation costs; \$4,250 for Software Implementation Costs; \$3,000 for Software Implementation Costs
PARKS & RECREATION - \$8,746 for Design of Deer Pen Park; \$99,713 for Capital Projects; \$43,071 for Vehicle Purchase
LIBRARY - \$803,500 for Library Design
RECREATION CENTER MAINTENANCE - \$9,900 for Restroom Project
REDEVELOPMENT AGENCY - \$5,887,563 for Center Block Project; \$1,400 for Home Rehabilitation Grant; \$22,000 for the Downtown Façade Program; \$50,000 for the Downtown Façade Program; \$7,110 for the Mainstreet Pedestrian Underpass
GOLF COURSE - \$94,092 for the Golf Course Pump House Project
WATER & SEWER - \$21,767 for Software Implementation; \$220,886 for Vehicle Purchase; \$2,606,689 for various Capital Projects; \$1,239,192 for various Capital Projects
SEWER TREATMENT – \$21,719,760 for Logan Regional Wastewater Treatment Plant Project
ELECTRIC - \$2,511,057 for Meter Upgrade Project; \$3,307,599 for Sub 9 & 10 Project; \$673,701 for Third Dam
ENVIRONMENTAL - \$1,249,225 for Landfill Improvements; \$489,223 for Vehicle Purchases; \$142,847 for Containers
STORM WATER - \$250,000 for Storm Water Monitoring and Master Plan; \$1,727,129 for various Capital Projects
EMERGENCY MEDICAL SERVICES - \$39,289 for Vehicle Purchases
INFORMATION TECHNOLOGY - \$45,000 for Council Audio Visual Upgrades

Carry Forward of Capital Projects: \$75,000 for Master Plan Studies; \$3,136,754 for Curb, Gutter, and Street Improvement Projects; \$3,485,985 for Curb Gutter, and Street Improvement Projects

Capital Equipment: \$99,984 for Police Vehicles; \$16,629 for Parks & Recreation Vehicles

Grants and Restricted Revenue - \$39,130 for Police Alcohol Enforcement (restricted reserves 292102); \$225,000 for Class C Street Projects (100-292101); \$75,288 for Class C Street Projects (100-292101); \$1,561,857 for Class C Chip Seal (100-292101); \$1,200,000 for Transportation Tax Projects (100-292117)

FEDERAL GRANTS - \$726,294 CDBG Grant; \$16,081 Bullet Proof Vest Grant; \$4,738 LSTA Digitizing Grant
STATE GRANTS - \$300,000 US-91 & 700 North UDOT Grant; \$138,575 Utah Outdoor Recreation Grant; \$148,058 Rural EMS Grant
MISC GRANTS - \$5,110,963 County Road Tax Grant; \$137,881 ULCT Active & Healthy Communities Grant; \$125,000 Deed Battery Storage Grant; \$17,298 Summer Playground After School Program

Carry Forward of Reimbursement Grants:

RAPZ Reimbursement Grants - \$326,470

RAPZ Population Split Grants - \$73,630

Resolution 21-44 – Richard Anderson, Finance Director

At the August 17, 2021 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed carry forwards.

Chair M. Anderson opened the meeting to a public hearing.

Logan resident Craig Watts asked for a clarification on the budget portion.

Vice Chair Simmonds responded that the budget year ends on July 31st, before unspent funds are continued to the next year for the mentioned projects.

There were no further comments and M. Anderson closed the public hearing.

ACTION. Motion by Councilmember Jensen seconded by Councilmember López to approve Resolution 21-44 as presented. Motion carried unanimously.

Councilmember A. Anderson was excused from the meeting at this time.

WORKSHOP ITEMS:

Budget Adjustment FY 2021-2022 appropriating: \$9,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Hillcrest and Wilson Schools; \$65,000 a grant the Fire Department received from the State of Utah to be used to help pay for part time firefighter wages; \$2,780 funding the Communication Center received from the State of Utah for the EMS FY2022 grant to be used for medical related training for personnel; \$7,500 a donation received by the Police Department to be used for first aid kits; \$9,618 a grant the Fire Department received from the State of Utah to be used to purchase EMS equipment and for training of fire personnel; \$50,000 a grant the Parks and Recreation Afterschool Program was awarded this fiscal year to be used to support After School Programs in the Adams, Bridger, Ellis and Woodruff

Schools; \$40,000 funds the City will receive from Cigna to be used to promote wellness among the City employees with activities, newsletters, and other wellness programs; \$14,929,958 funds for the completion of the Library project – Resolution 21-47 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed adjustments. He made clear that the \$14,929,958 is all the funds that can be used to complete the library, this is the entire construction budgetary fund. He clarified that the funds for the library did not come from property tax, but from the general fund and library funds and an inter-loan from the electric fund.

The proposed resolution will be an action item and public hearing at the September 21, 2021, Council meeting.

Consideration of a proposed American Rescue Plan Act Resolution to expend funds in support of the following significant Capital Projects: 1) \$9,000 for Administrative Support through the League of Cities and Towns; 2). \$7,000,000 for Fire Station 70; 3) \$6,806,781 for the Bluff Water Storage Tank Project. If any project or portion thereof were subsequently deemed ineligible, all remaining funds would be shifted to the Bluff Water Storage Tank Project – Resolution 21-46 – Richard Anderson, Finance Director

Finance Director Richard Anderson addressed the Council regarding the proposed resolution and explained the following which was also provided to each of the Council in a memo.

American Rescue Plan Act of 2021 Fire Station 70 Justification

On March 11, 2021, The American Rescue Plan Act of 2021 (ARP) was signed into law by President Biden to provide \$350 billion in emergency funding for eligible State, local, territorial, and Tribal Governments. The Department of the Treasury subsequently released detailed guidance in an interim rule published in the Federal Register dated May 17, 2021.

Existing Station 70

The Logan City Fire Department is the primary and sole EMS pre-hospital provider for the City of Logan, and under contract for the same emergency medical services to several neighboring communities (North Logan, Providence, and River Heights). The Fire Department's ability to respond is critical for the health and wellbeing of the citizens of these communities. The station design and function should reflect the ability to be a hub for emergency response and recovery. During the COVID-19 pandemic, Station 70 has also been used as a primary source of vaccine distribution.

COVID-19 has been an awakening toward the current station concerns regarding employee safety, operational efficiencies, and adequate space and configuration for healthy first responders. COVID-19 presents significant challenges to maintaining emergency medical operational viability in the face of the COVID-19 pandemic.

Government Technology recently published an article written by Jim McKay entitled “COVID-19 Sparks Innovative Designs for ‘Ideal’ Fire Station”. He suggests the ideal fire station would be able to mitigate the onset of pathogens, like COVID-19, with advanced HVAC systems, decontamination, and isolation rooms, as well as address social distancing and serve the community by providing surge capacity for mass vaccinations that could be used during other disasters, including natural hazards and civil unrest. Station design should incorporate FEMA criteria for critical infrastructure and spaces to resist a threat. They also should include elements that protect the mental health of firefighters. The additional stress associated with COVID-19 for Fire/EMS personnel was extreme. Multiple times every day during the pandemic crews have been exposed to contaminants, infected patients, and the stress of properly disinfecting equipment to avoid exposure. Those risks of exposure and re-exposure were compounded when they returned to Station 70 without proper decontamination rooms, ventilation systems, and effective separation between operations and living quarters. The inability to isolate due to limited space or the isolation due to limits to air quality, both increase anxiety.

Furthermore, the U.S. Fire Administration is conducting a 5-year study on the impacts of COVID-19 on first responders. Research from the University of Maryland and Second Sight Training Systems analyzed over 500 publications related to the impacts the pandemic had on first responders. In their findings, factors shown to influence exposure rates included, “adjustments to physical space, ...and improving ventilation”, both of which require a larger station with an improved ventilation system. Neither of these enhancements can be adequately addressed in the current footprint.

Why can't the station be upgraded to meet these standards?

Station 70 has been used during the COVID-19 pandemic for vaccine administration utilizing the station bays. While this location, replete with the same challenges found in any garage including but not limited to dirt, grease, and diesel exhaust contaminants, certainly wasn't optimal, there wasn't adequate space anywhere else to accommodate such an undertaking.

One of the major concerns and flaws of the current design, besides adequate ventilation, and filtration, is the cross contamination of emergency response crews and administrative/prevention staff. The current design doesn't allow for separation between staff. Neither proper social distancing nor isolation are possible in the current station, leaving us vulnerable to rapid spread and cross contamination. A new station could provide detailed zoning spaces for isolation to limit hazardous elements and contaminants in the living spaces. These zones are considered best practices that the existing station cannot accommodate. Furthermore, current high touch surfaces are inadequate to limit or contain the spread of COVID-19.

Furthermore, Station 70 was constructed in the early 1970's prior to reinforced steel being required and used in masonry construction. Even with the seismic upgrades in the early 2000's the building is still subject to major damage in an earthquake or natural disaster (a 5.7 magnitude earthquake struck Salt Lake City on March 18, 2020, at the beginning of the COVID-19 pandemic damaging many buildings and structures).

According to Cartwright Engineers regarding existing station 70, "The building does not currently meet the requirements to qualify for the Immediate Occupancy seismic performance level, which would allow it to be occupied and utilized directly following a design earthquake event." This is a major concern and further precludes the option of upgrading the current building.

Due to the masonry block design and structure, it also doesn't allow for increasing space, nor is it reasonably possible to effectively redesign the structure to prevent cross contamination of crews and staff during daily operations.

Outdated ventilation configurations, poor energy efficiency, seismic concerns, and a fixed footprint are all barriers to remodeling the current building.

Again, the COVID-19 pandemic has exposed more building design flaws that have equally devastating consequences to our staff and emergency response crews.

Another complication and possibly the greatest challenge to a remodel is trying to maintain adequate and appropriate emergency response capabilities while renovating a building.

Based on the above factors, we have determined that it would not be operationally feasible nor economically viable to renovate station 70.

A New Station 70

A new building will provide larger workspaces for social distancing, decontamination and isolation areas, technologically improved ventilation systems, proper construction material surfaces, areas for vaccination clinics, and improved access and egress for employee health and safety, all of which are not possible under the current configuration. Furthermore, all of these improvements are necessary to adequately address operational functionality during the COVID-19 pandemic. Finally, building a new fire station in a new location will address these concerns without disrupting critical emergency response services.

Conclusion

Per the interim rule, Logan City has identified the **need of a new main fire station 70** to maintain **pandemic operational viability**. Without the new station, we are not certain that we can maintain operational viability should the COVID-19 pandemic surge. The new station will address all current COVID-19 concerns. We believe that this investment in infrastructure will address a specific pandemic public health need (e.g., **operational viability of emergency medical services** in Logan City and the surrounding areas, as well as **adequate space to perform vaccinations**).

Based on this analysis and interim rule guidance (and relying on the **broad latitude** granted in the interim rule) and also considering the State of Utah guidance regarding ARP projects, we believe that the replacement of Fire Station 70 does qualify as an ARP eligible project and should be proposed by the Mayor and subsequently approved by the Logan City Municipal Council.

Specific Proposal to Council

1. Build a new station 70 in close proximity to existing station 70.
2. Use Logan City capital funds to acquire the land, selling existing station 70 land and building to assist with the land acquisition.
3. Use ARP funds to construct the new Station 70 to meet pandemic operational needs, estimated to be \$5.5 to \$7.5 M.

American Rescue Plan Act of 2021 Water Storage Tank Justification

Based on this guidance (both Treasury and State of Utah), Logan City has analyzed whether the necessary design and construction of the Bluff Water Storage Tank and associated water piping would be a qualifying project under ARP.

Analysis of Project

The City of Logan completed an update to its Water Master Plan in 2016. Within that plan is an analysis of the City's culinary water storage needs and situation. Using guidelines from the Utah Division of Drinking Water and Utah Administrative Code R309, a deficiency in water storage has been documented. The top priority storage project within the Master Plan is the Bluff Water Storage Tank and the associated transmission piping. This project is a major part of reducing the current water storage deficiency and increasing the reliability and availability of the City of Logan's culinary water system.

Conclusion

Per the interim rule, Logan City has identified the **need of constructing the Bluff Water Storage tank and associated supply piping to maintain a supply of clean drinking water**. This project will provide storage for a pressure zone that currently has no directly connected storage, provide redundancy to another pressure zone, significantly improve conveyance restrictions, and stabilize pressures within an area that experiences low water pressures during peak demands. We believe that this investment in infrastructure will address a specific pandemic public health need (e.g., **improving the availability of clean drinking water**).

Based on this analysis and interim rule guidance (and relying on the **broad latitude** granted in the interim rule) and also considering the State of Utah guidance regarding ARP projects, we believe that the design and construction of the Bluff Water Storage Tank does qualify as an ARP eligible project and should be proposed by the Mayor and subsequently approved by the Logan City Municipal Council.

Specific Proposal to Council

4. *Design and construct the Bluff Water Storage Tank estimated to cost more than \$20,000,000*
5. *Use ARP funds to partially offset construction costs estimated to be \$6.5 M or all available funds after the construction of a new Fire Station 70.*

Contingent Project Eligibility

While we strongly believe based on treasury guidance and our analysis that the Fire Station 70 project does meet ARP eligibility, the Finance Department intends to also accumulate qualifying expenses from water, sewer, and stormwater projects during the qualifying time period as well. Thus, in the unlikely event that subsequent audits reach a different conclusion regarding Fire Station 70, the City could submit the accumulated water, sewer, and stormwater project invoices as secondarily eligible qualifying expenses in place of the Fire Station project expenses.

Mr. Anderson summarized the appropriation of the funds from the American Rescue Plan Act for two specific projects, the new #70 Fire Station, and the Bluff Water Storage Tank. All remaining funds left over from the completion of the #70 Fire Station will be used to complete the Bluff Water Storage Tank. The Council has received studies from the Finance Department Staff, the Fire Department, and the Water Department staff to show that the two projects comply with the requirements of the grant. It is being requested that Council publicly agree that these funds can and should be used for these two projects. The projects are in a specific order as this is merely an estimate of what the Fire Station may cost. It is anticipated in the future to adjust the amounts between the two projects, but the intent is once the construction of the Fire Station is completed. The purchase of land will come from other funds including the potential sale of the existing Fire Station. After the completion of the Fire Station the intent is that all remaining funds be used to complete the Bluff Water Storage Tank. After a study, staff has determined that these two projects are necessary and important not only to fight Covid-19 and future effects, but also to place the City in a position to be capable of further responding.

Vice Chair Simmonds asked just how much the two projects cost will.

Mr. Anderson replied that there is \$22 million dollars in funds set aside for the completion of the project. The grant funds will supplement the cost and potentially aid in completing several projects associated with the Bluff Water Storage Tank.

Vice Chair Simmonds remarked that the Bluff Water Storage Tank is mandated by the State.

Mr. Anderson answered that is indeed the case. The grant could potentially ensure that the City would not need a bond from the water fund. There is \$22 million dollars for this project, but in a few years, there will be a large Main Street Water Project. Another reason is that there is a desire that the ARP grant funds be used for a capital project that will still be in existence years from now. He asked the Council to make sure that the project the funds are used for is still paying dividends thirty years from now.

The proposed resolution will be an action item and public hearing at the September 21, 2021, Council meeting.

Thornley Dental Rezone – Consideration of a proposed ordinance rezoning 1.2 acres of property located at 195 South 100 East from Traditional Neighborhood Residential 6 (NR-6) to Town Center 2 (TC-2) (Wilson Neighborhood) - Ordinance 21-15 – Russ Holley, Planner

Planner Russ Holley addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of approximately 1.2 acres of property located at 195 South 100 East (TIN# 02-047-0022) from Traditional Neighborhood Residential 6 (NR-6) to Town Center 2 (TC-2)

Land use adjoining the subject property

| | | | |
|---------------|------------------------|--------------|------------------------|
| <i>North:</i> | MR-20/TC-1: Vacant | <i>East:</i> | NR-6: Residential Uses |
| <i>South:</i> | NR-6: Residential Uses | <i>West:</i> | TC-2: Commercial Uses |

PROJECT

The proponent is requesting to rezone one (1) parcel that is approximately 1.2 acres located at the northwest corner of the intersection of 100 East 200 South. The rectangular-shaped lot currently contains a red-brick church that was built in 1945. An asphalt parking lot is located west of the church building and landscaping currently exists east and south of the building. In this part of the Wilson Neighborhood, 100 East generally acts as the border between older residential homes to the east and downtown commercial to the west. This block currently contains several commercial buildings fronting on Main Street and Garff Wayside Gardens on the northern portion of the block. The L59 multi-family housing project was recently approved on the vacant area directly north of this site.

GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Town Center (TC). The General Plan, a nonregulatory visioning plan, describes TC as the designation for Logan’s downtown. As the central hub for both Logan and the entire valley, downtown will have a mix of retail, residential, civic, cultural and entertainment uses. TC areas will contain quality civic spaces and gathering areas.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission based its decision on the following findings supported in the administrative record for this project:

- 1. The Logan City FLUP identifies the area as TC to accommodate future downtown growth.
- 2. The Downtown Specific Plan does not contradict this proposal.
- 3. The property will be demolished based on the owner’s conditions and thus should be considered a vacant parcel when considering future land use.
- 4. This land and location are well suited for downtown commercial uses rather than single-family uses.

On August 12, 2021, The Planning Commission recommended that the Municipal Council **approve** the Thornley Dental Rezone.

Mr. Holley summarized the rezone request along with location and potential rezone impact. He clarified that the area does appear on the FLUP as TC, but currently borders NR-6.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

Hoggan Rezone – Consideration of a proposed ordinance rezoning 6.62 acres located at 1800 South 1600 West from Traditional Neighborhood Residential (NR-6) to Mixed Residential Low (MR-12). Bradley Hoggan/Bradley R. & Cathy P. Hoggan, authorized agent/owners, are requesting the rezone in order to develop a 71-unit townhome community on the site (Woodruff Neighborhood) – Ordinance 21-16 – Russ Holley

Planner Russ Holley addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **denial** of the rezone for Project #21-036 Hoggan Property. Pending the outcome of the rezone, staff recommends approval of the Design Review and Subdivision Permit for this project located on 6.62 acres at approximately 1800 South 1600 West; TIN #03-005-0048. Pending the outcome of the rezone, staff recommends approval of the Design Review

Land use adjoining the subject property

| | | | |
|---------------|------------------------------|--------------|----------------------------|
| <i>North:</i> | Cache County / Single Family | <i>East:</i> | MR-9 Single Family Homes |
| <i>South:</i> | NR-6 Single Family Home | <i>West:</i> | Cache County / Vacant Land |

Request

The proponent is requesting to develop 71 townhomes on a 6.62-acre property at the southeast corner of the intersection of 1800 South and 1600 West. The property is currently vacant and relatively flat with three open-water ponds near the west border. Historically, the property has been used for agricultural purposes. Both 1800 South and 1600 West streets are under-developed without curb, gutter, park-strip, and sidewalk along the property frontage.

General Plan

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as Detached Residential (DR) and explains that designation as being areas for detached single-family homes developed at a density range of 4-6 units per acre of land. The recently adopted Woodruff Neighborhood Plan also indicates this project area as single-family.

Land Development Code (LDC) - Zoning

The current zoning designation is NR-6, which is described as being a detached single-family home zoning district with a maximum density of six (6) homes per acre. Minimum building lot sizes are 6,000 SF with minimum 50-foot widths. The proposed rezone to the MR-12 zone is described in the Land Development Code (LDC) as providing a range of housing option types for all stages of life and levels of income. Attached multi-family homes are allowed in this zoning district at a maximum of 12 units per acre and does not have a minimum lot size. This zone often functions as a transition zone between commercial and other higher-intensity zones to lower density areas. MR zones are often placed near job centers to offer walkable options. The LDC 17.08.040 permits a maximum occupancy of one family or no more than three (3) unrelated people within each dwelling unit inside the MR-12 zone.

Design Review Permit and Subdivision

The LDC 17.43 requires Design Review Permit approvals for new multi-family developments to ensure compliant design and layout. This proposal includes 71 townhomes aligned to new streets. The townhomes are shown with front-facing double-wide garage doors and grouped in buildings ranging from 3 units to 6 units. The MR-12 zone permits townhome structure types as per LDC 17.08.030. The applicant proposes to subdivide each townhome onto its own lot with a remainder parcel for common and open space. The LDC 17.40 requires subdivision permits to be in accordance with zoning district standards to ensure orderly development patterns, block connectivity and to preserve traditional neighborhood character. When subdividing townhomes, the LDC does not require a minimum lot size, only compliance to maximum density and overall open space. The density of the project is proposed at 10.72 townhomes per acre of land.

Street Grid Connectivity, Building Orientation & Site Layout

The LDC 17.30.190 requires projects serving twenty (20) or more dwelling units have at least three (3) street connections or stubs for future connections. The LDC street

connectivity requirement ensures equitable traffic distribution, efficient utility/infrastructure networks, better walkability, and the continuation of traditional neighborhood development patterns. This proposal includes the creation of a new north-south street connecting to 1800 South and the continuation of 1900 South Street (east/west) for a total of three (3) street connections., with the east/west extension of 1900 South Street to 1600 West through the property. As proposed, the project meets street connectivity requirements in the LDC.

Building Design

The LDC has pending legislation that was mandated from the Utah State Legislature prohibiting local jurisdictions from imposing design requirements on single-family homes and townhomes on individual lots. Previously, Logan City regulated building materials, fenestration, garage width and placement and façade variations from adjoining homes. Driveway width may still be regulated. The LDC requires driveways to be 12-22 feet in width and spaced at least 2 feet away from side property lines and 4 foot minimum spacing from adjacent driveway edges.

Setbacks

The Land Development Code (LDC) requirements for setbacks in the MR-12 zone are as follows (as measured from property lines):

| | |
|--------|-----|
| Front: | 10' |
| Corner | 10' |
| Side: | 8' |
| Rear: | 10' |

Setbacks vary from building to building across the site, but all fall within the range or minimums listed in the LDC. As conditioned the project meets minimum setback requirements of the LDC.

Lot Coverage

The LDC 17.10.080 limits lot coverage at a maximum of 40% (building(s) footprint) in the MR-12 zone. The total project site is 6.62 acres (288,367 SF) in size with total proposed building footprints at approximately 1.67 acres (72,745 SF), creating a lot coverage of approximately 25% which complies with the requirements in the LDC.

Pedestrian Circulation

The LDC 17.30.160 requires pedestrian circulation throughout neighborhood streets and within a project amenity or open space area for walkability and access. Pedestrian circulation should take a visually predominate role with safe, convenient, and well-connected sidewalk networks. The conceptual site plan shows sidewalk along the gridded streets and intersections giving pedestrian multiple options for walkability. The site plan also shows some mid-block sidewalk connections for more pedestrian options. As submitted, the project meets pedestrian circulation requirements in the LDC.

Parking Stall Requirements

The LDC 17.31.040 requires two (2) parking stalls per every dwelling unit. The proposal includes a total of 142 parking stalls located within the two-car garages and four (4) additional surface parking stalls. (This will be confusing to PC so take out) As conditioned with a minimum of 142 parking stalls, the project meets the parking requirements in the LDC.

Open Space

The LDC 17.07.090 requires 20% open space and an additional 10% useable outdoor space of the project site. The LDC 17.28 generally describes open space as native vegetation or landscaped areas, while useable outdoor space is typically decks, patios and other similar amenities. The 6.62-acre (288,367 SF) site would require 57,673 SF of landscaping/open space and 28,836 SF of usable outdoor space for a total of 86,509 SF of open area. The proposal only shows conceptual landscaping and open space areas. As conditioned with minimum open space requirements, the project complies with the LDC.

Landscaping

The LDC 17.32 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes, and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers, and ornamental grasses per acre of land in the MR-12 zone. For 6.62 acre, 132 trees and 331 shrubs, flowers and ornamental plants would be required as per the LDC. The proposed project shows only conceptual landscaping with approximate numbers. As conditioned with a detailed landscaping plan meeting minimum plant numbers, the project complies with the LDC.

Lighting

The LDC 17.30.090 requires adequate lighting that adds aesthetic quality and improves safety while mitigating unnecessary glare, sky glow and light trespass. The LDC limits freestanding pole height to 32 feet and luminaire fixtures on buildings and canopies to be concealed source, down-cast and shielded from neighboring properties. Light measurements are required to range between 0.5 – 4.0-foot candles, so areas are sufficiently safe, but not excessively bright. As submitted, no exterior lighting has been shown. As conditioned, the project meets the requirements of the LDC.

Staff Summary

The property was annexed into Logan City in 1999 and zoned Agricultural (very low density single-family). In 2012, the site was rezoned to NR-6 (single-family, 6 homes per acre). The FLUP has always indicated this area as single-family detached and the recently completed Woodruff Neighborhood Plan also shows this area as remaining in single-family land use. The two adjacent projects that are zoned MR-9, but are actually detached single-family homes, were approved as Planning Unit Developments with smaller lots in

exchange for larger open space areas. When these two projects expired and the Planned Unit Development ordinance was eliminated, MR-9 was the only zone that would allow completion of the original approval in a similar manner. Deed restrictions were recorded that only allowed single family detached with a gross acreage density of more than 6 units per acre. As you move east towards the 1000 West commercial and industrial corridor, the MR areas exist as transition zones. This property is farther west and would not be considered as a transition zone. Staff finds that the rezone request is not consistent with the Future Land Use Plan, Woodruff Neighborhood Plan and would not fit in with the existing neighborhood pattern of higher density along 1000 West and lower densities further away from that commercial corridor. Staff recommends denial of this rezone request.

RECOMMENDED CONDITIONS OF APPROVAL

This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. The project is approved for 71 townhome buildings lots and remainder non-buildable common area.
3. Three street connections shall be made for this project.
4. Sidewalks shall be established along all streets and/or alleyways so that every unit has pedestrian accessibility.
5. Building setbacks shall be reviewed and approved on an individual building basis and comply with the MR-12 requirements of 10' front yard, 8' side yard, 0' common wall side and 10' rear yard.
6. Townhome buildings within the MR-12 shall have a maximum occupancy of one family or no more than three (3) unrelated people within each dwelling unit.
7. Buildings placed adjacent to streets shall be oriented with primary entrances and front facades oriented towards the street.
8. A minimum of 2 parking stalls per unit shall be provided. Driveways shall be a minimum of 20' in length.
9. A performance landscaping plan, prepared in accordance with §17.32 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forrester.
 - b) Open Space and Useable Outdoor areas shall total a minimum of 57,673 SF
 - c) A total number 132 trees and 331 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
10. All dumpsters shall be placed outside of front setbacks and visually screened or buffered from public streets by using fencing, walls, and landscaping.
11. Storm-water retention/detention surface ponds or basins shall be positioned outside of the front setback and screened with dense vegetation from street views.

12. All streets adjacent to or within the development shall be improved to current city standards and specifications.
13. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
14. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
15. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.
16. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. *Environmental—contact 716-9760*
 - Residential cart/cans will be provided.
 - Place all carts at or above the minimum separation distance and clear of all overhead obstacles.
 - b. *Water—contact 716-9622*
 - All landscape irrigation system's fed from Logan City water must have a high hazard rated backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning water into them and annually thereafter.
All points of use of water must comply with the 2018 IPC and State of Utah Amendments and the Utah Admin Code 309-305 during and after construction.
 - Project shall comply with all current plumbing codes, Utah State Amendments and the Utah Division of Drinking Water rules and regulations including, but not limited to, those pertaining to backflow protection and cross connection prevention.
 - c. *Engineering – contact 716-9160*
 - Provide storm water detention/retention per Logan City Standards for this development. This includes the onsite retention of the 90% storm utilizing Low Impact Design methods
 - Provide water rights for this development to the City in accordance with Land Development Code 17.29.210. The City will accept an in-lieu fee for this requirement as approved by the City Engineer.
 - Coordinate with Community Development and Fire Marshall to ensure that the number of accesses to the site comply with City standards. Modify current site plan as required.
 - No civil plans for utilities were provided with this submittal, Public Works will review and approve these plans as part of the Building Permit review process.
 - Construct curb/gutter, park strip, sidewalk and a radius corner per City plans and design standards on 1600 West and 1800 South. This will require that the existing ponds be filled in, relocated, etc by the developer with all necessary

approvals from the Army Corps of Engineers. This construction shall be with in the current road right of way dedicated portions for right of way.

- Developer shall provide a geotechnical report that shows the historical high ground water level, historical high-water table, and a California Bearing Ration for the final subgrade depth for the proposed pavement section in 1600 West and 1800 South. These roads shall be constructed to meet the Gridded road section per the City's current road design standards.
- Dedicate any right of way necessary to ensure a 66' right of way on 1600 West and 1800 South
- Maintain existing irrigation ditch and piping along south side of 1800 South, this may also include head gates as necessary for flow diversion. Coordinate requirements with the Spring Creek Cache Irrigation Company for irrigation needs and requirements.
- Provide storm drain piping and ground water piping as required for connections to historical drainage route associated with the existing ponds
- Existing road section for 1600 West is a former gravel road with a chip seal for the current pavement surface. Developer shall construct a full road pavement section for 1600 West to the center line of the right of way.
- Dedicated a 10' minimum public utility easement on all property lines and road frontages. The 10' easement can be reduced to 5' on interior property lines if the adjacent property has a public utility easement already recorded.
- This development is not being considered for a subdivision; therefore, dedication plat for road dedications and public utility easements, must be submitted to the City for review and approval prior to being recorded at the County Recorder's office
- CC&R's addressing maintenance of the Storm Water ponds, swales, and other infrastructure outside of a dedicated street.

d. Fire – contact 716-9515

- Install fire apparatus turnarounds on all dead-end roads and driveways longer than 150 feet from a fire apparatus access point, (which is within 150 of all points on buildings as measured by an approved route around the exterior). Provide site plan. IFC 503
- Install all fire apparatus access roads to accommodate the following fire apparatus specifications: Inside turn 17 ft., curb to curb 32 ft., wall to wall 36 ft. Provide CAD drawing indicating two tracks. IFC 503
- All roads shall be maintained with 20 ft. clear with for emergency apparatus access. Roads without sufficient width to allow parking shall be signed "No Parking". IFC 503
- Install fire hydrants such that all points of buildings, as measured by an approved route around the exterior is within 600 feet of a fire hydrant. Provide site plan. IFC 507

RECOMMENDED FINDINGS FOR DENIAL FOR THE REZONE

The Planning Commission based its decisions on the following findings supported in the administrative record for this project:

1. The proposed rezone to MR-12 does not comply with the adopted Logan City General Plan and Future Land Use Plan.
2. The proposed rezone does not comply with the recently adopted Woodruff Neighborhood Plan.
3. The proposed rezone does not follow the neighborhood pattern of reduced density and only permitting detached single-family homes in areas that are far away from the 1000 West corridor.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW AND SUBDIVISION PERMIT

The Planning Commission based its decisions on the following findings supported in the administrative record for this project:

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the conditioned building design, site layout, materials, landscaping, building orientation, heights, and setbacks.
2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The proposed project provides off-street parking in compliance with the LDC.
5. The project meets the goals and objectives of the MR-12 designation within the Logan General Plan by providing high quality projects designed in way for easy circulation of both pedestrian and vehicles.
6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
7. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
8. The surrounding streets provide access, utilities and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.
 - Provide a completed fire flow water supply analysis. 507

On August 26, 2021, the Planning Commission recommended that the Municipal Council **deny** the Hoggan Property Rezone.

Mr. Holley summarized the property rezone as well the Planning Commission's recommendation as a denial.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

Code Amendment – Consideration of a proposed ordinance amending Chapter 17.42 “Conditional Use Permits” to reflect changes in Utah State Code regarding the approval of Conditional Use Permits – Ordinance 21-17 – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapter 17.42 of the Land Development Code.

REQUEST

This is a proposal for a minor amendment to the Land Development Code (LDC) updating the Conditional Use Permitting criteria. This code amendment is in response to HB 409 (10-9a-507) passed during the 2021 Utah State Legislative session clarifying that local governments shall be using "objective" standards in deciding CUP's. The proposed changes to Chapter 17.42 are attached.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code are minor in nature and help to clarify certain substantive and procedural issues associated with Conditional Use Permits. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission based 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 are in response to changes made to Utah Code 10-9a-507 adopted in HB407 by the Utah State Legislature during the 2021 session.

On August 26, 2021, the Planning Commission recommended that the Municipal Council **approve** the Land Development Code Amendments.

Community Development Director Mike DeSimone summarized the changes required to reflect the update State changes in the City's code.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

Code Amendment – Consideration of a proposed ordinance amending Chapter 17.10 “Specific Development Standards: District and Corridor Zones” to establish the ratio of commercial and residential uses in a Mixed-Use project in the Commercial Zoning District – Ordinance 21-18 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed language change in the rezone code.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapter 17.10 of the Land Development Code.

REQUEST

This is a proposal for an amendment to the Land Development Code (LDC) modifying the Development Standards in the Commercial Zone clarifying standards for residential development and the ground floor commercial requirements in a mixed-use project. The proposed changes to Chapter 17.10.080 are as follows:

Residential Development & Residential Uses:

Existing: No ground floor or free-standing Residential uses are allowed. Residential uses are only permitted in vertical mixed-use types of projects.

Proposed: Residential units in the Commercial Zone are only permitted in vertical mixed-use projects and are prohibited on the ground floor. Accessory residential uses including, but not limited to, lobby, mail room, mechanical, storage, bike areas, lounge, fitness area, pool, sauna, etc., shall not comprise more than 20% of the building footprint on the ground floor.

Commercial Uses Ground Floor Area - Mixed Use Project

Proposed: In a mixed-use project that includes residential uses, no less than 80% of the building footprint on the ground floor shall be devoted to commercial uses within a finished commercial space. Enclosed parking on the ground floor of the structure is not permitted to be included in the 80% commercial threshold.

The purpose of this amendment is to clarify what types of residential uses are appropriate on the ground floor in support of the residential uses above while preserving the integrity of the vertical mixed-use concept. Every mixed-use/residential project requires some ground floor presence, which at a minimum would be lobby area, hallways, stairs, elevators, mechanical, mail room, garbage/recycling, etc. The larger question is whether accessory amenities such as fitness space, recreational areas, lounges, pools, or other similar types of amenities should be required to be located above the ground floor. These types of amenities are important to the livability of a residential complex; however, in the commercial zone, the primary focus is on the commercial development and the residential units should be considered ancillary or secondary. Therefore, the amenities should not be displacing the commercial floor area.

The approach being proposed is to recognize that a mixed-use project is going to have certain residential accessory use demands, and rather than define which use is more or less appropriate, mandate that at least 80% of the ground floor is devoted to commercial space while 20% is limited to residential accessories or amenities.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code help to clarify the distinction between residential and commercial uses in mixed-use projects located in the Commercial Zone. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission based 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.

On August 26, 2021, the Planning Commission recommended that the Municipal Council **approve** the Land Development Code Amendments.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

Code Amendment – Consideration of a proposed ordinance amending Chapter 17.07 “Specific Development Standards: Residential Zones”; Chapter 17.08 “Neighborhood Residential Uses”; Chapter 17.09 “General Development Standards: Residential Zones” and Chapter 17.63 “Definitions” to reflect changes in Utah State Code regarding the elimination of Single Family Residential Design Standards – Ordinance 21-19 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed language code change to reflect the State code change. He clarified that it is only applicable to single-family housing and duplexes.

RECOMMENDATION

Staff recommended that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.07, 17.08, 17.09 and 17.62 of the Land Development Code.

REQUEST

This is a proposal for an amendment to the Land Development Code (LDC) eliminating many of the residential design standards contained in 17.07 & 17.09 as applied in the Neighborhood Residential zones. This code amendment is in response to HB 98 (10-9a-530) passed during the 2021 Utah State Legislative session removing a local governments ability to regulate design on single family residential dwellings, duplexes, and townhomes. The proposed changes to 17.08 and 17.62 are clean up or minor amendments to add Community Services to the Residential Use Chart and eliminate unnecessary definitions.

New Utah State Code:

10-9a-530 Regulation of building design elements prohibited - Exceptions

1. As used in this section, "building design element" means:
 - a. exterior color;
 - b. type or style of exterior cladding material.
 - c. style, dimensions, or materials of a roof structure, roof pitch, or porch;
 - d. exterior nonstructural architectural ornamentation;
 - e. location, design, placement, or architectural styling of a window or door;
 - f. location, design, placement, or architectural styling of a garage door, not including a rear-loading garage door;
 - g. number or type of rooms;
 - h. interior layout of a room;
 - i. minimum square footage over 1,000 square feet, not including a garage;
 - j. rear yard landscaping requirements;
 - k. minimum building dimensions; or
 - l. a requirement to install front yard fencing.

2. Except as provided in Subsection (3), a municipality may not impose a requirement for a building design element on a one to two family dwelling or townhome.

3. Subsection (2) does not apply to:
 - a. a dwelling located within an area designated as a historic district in:
 1. the National Register of Historic Plans;
 2. the state register as defined in Section 9-8-402; or
 3. local historic district or area, or a site designated as a local landmark, created by ordinance before January 1, 2021;
 - b. an ordinance enacted as a condition for participation in the National Flood Insurance Program administered by the Federal Emergency Management Agency;
 - c. an ordinance enacted to implement the requirements of the Utah Wild/and Urban Interface Code adopted under Section 15A-2-103;
 - d. building design elements agreed to under a development agreement;
 - e. a dwelling located within an area that;
 1. is zoned primarily for residential use; and
 2. was substantially developed before calendar year 1950;
 - f. an ordinance enacted to implement water efficient landscaping in a rear yard;
 - g. an ordinance enacted to regulate type of cladding, in response to findings or evidence from the construction industry or, -
 1. defects in the material of existing cladding; or
 2. consistent defects in the installation of existing cladding; or
 - h. a land use regulation, including a planned unit development or overlay, that a property owner requests;
 1. the municipality to apply to the owner's property; and
 2. in exchange for an increase in density or other benefits not otherwise available as a permitted use in the zoning area or district.

Proposed changes to Land Development Code

17.07: Specific Development Standards Residential Zones - Removed the referenced to a minimum covered front porch in the spec sheets (17.07.40 - 17.07.080, 17.07.130).

17.08: Neighborhood Residential Uses - Added Community Services to the Use Table in 17.08.040 and removed "unrelated" in the Use Table as it relates to occupancy due to changes made under HB82. The term "unrelated" was removed from the definition of single-family limit. This will help eliminate confusion when we are considering the occupancy of a dwelling unit. Occupancy is allowed for either a family or three (3) individuals.

New Utah State Code:

10-9a-505.5. Limit on single family designation.

- (1) As used in this section, "single-family limit" means the number of [unrelated] individuals allowed to occupy each residential unit that is recognized by a land use authority in a zone permitting occupancy by a single family.
- (2) A municipality may not adopt a single-family limit that is less than:
 - (a) three, if the municipality has within its boundary:
 - (i) a state university; or
 - (ii) a private university with a student population of at least 20, 000; or
 - (b) four, for each other municipality.

17.09: General Development Standards: Residential Zones - Eliminated all of the single-family residential design requirements in Sections 17.09.02 & 17.09.03 applicable to single family dwellings and townhome projects. Also added language in 17.090.020.C.6 to clarify the road type applicable to each setback & landscaping alternative. Alternative A is applicable to local streets, alternative B is applicable to collector streets and alternative C is application to arterial streets. The formatting will be corrected once the final edits are made.

17.62: Definitions - Added a definition of "Occupancy" to clarify occupancy especially as it relates to long term guests (more than 30 days), included a definition of Accessory Dwelling Units (Internal) to follow up on the ADU LDC amendment, and removed certain definitions of specific types of sales or services businesses like barber, camera shop, etc. that are covered under the general sales and service category.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code are generally minor in nature or cleanup amendments in response to changes made in State Law. The changes eliminating residential design standards are unfortunate as this will result in a reduced neighborhood aesthetic and only encourage a "cookie cutter" design approach. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission based 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 are minor in nature.

On August 26, 2021, the Planning Commission recommended that the Municipal Council **approve** the Land Development Code Amendments.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

Code Amendment – Consideration of a proposed ordinance amending Chapter 17.31 “Parking” and Chapter 17.32 “Landscaping” to update parking requirements for use types, correct discrepancies between the two Chapters, and clarify applicability of landscape buffers for parking lots – Ordinance 21-20 – Mike DeSimone

Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommended that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.31 and 17.32 of the Land Development Code.

REQUEST

This is a proposal for a number of minor amendments to the Parking and Landscaping Chapters in the Land Development Code (LDC).

The proposed "general" amendments or changes to individual LDC Chapters are summarized below:

Parking -17.31: Updated parking requirements by use in Table 17.31.040 by modifying some of the minimum parking standards by use and added a reference to Mixed Use Projects and Community Services; clarified Recreational Vehicle parking in Section 17.31.080.D to restrict RV parking in the front yards of residential neighborhoods and limit it to the side or rear of a home; and removed redundant language in Sections 17.31.140 & 17.31.150.

Landscaping - 17.32: Clarified the applicability of landscape type in Section 17.32.070 based on the minimum parking lot setback in the front yard.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code are minor in nature, help to clarify certain substantive and procedural issues. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission based 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 are minor in nature and help to clarify minimum parking and landscaping requirements.
5. No public comment has been received regarding the proposed amendments.

The proposed ordinance will be an action item and public hearing at the September 21, 2021, Council meeting.

OTHER CONSIDERATIONS:

There were no further considerations addressed by the Council.

ADJOURNED. There being no further business, the Logan Municipal Council adjourned to a meeting of the Logan Redevelopment Agency.

The Logan Redevelopment Agency convened on Tuesday, September 7, 2021, at 8:20 pm, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 8432. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan YouTube channel at:
https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ

Council Members present at the beginning of the meeting: Chair Mark A. Anderson, Vice Chair Jeannie F. Simmonds, Councilmember Ernesto López, , and Councilmember Tom Jensen. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson, Economic Development Director Kirk Jensen, City Recorder Teresa Harris, and Deputy City Recorder Esli Morales. Excused: Councilmember Amy Z. Anderson.

Chair Mark A. Anderson welcomed those present. There were approximately 6 in attendance at the beginning of the meeting.

ACTION ITEM:

PUBLIC HEARING - Consideration of a proposed resolution approving Agency assistance to Cytiva for its expansion project in the Logan River Redevelopment

Project Area (RPA) – Resolution 21-45 RDA – Kirk Jensen, Economic Development Director

At the August 17, 2021, Council meeting, Economic Development Director Kirk Jensen addressed the Logan Redevelopment Agency regarding the proposed resolution.

Mr. Jensen stated that the City of Logan has adopted policies for assistance in projects and improvements in Redevelopment and Economic Development Project Areas. The expansion of Cytiva in the Logan River Redevelopment Project Area (RPA) contributes significantly to the achievement of the City's economic goals, including: the expansion of an existing business, the creation of 396 new jobs over the next five years, and contributions to the City's tax base through its capital investment of \$240 million. The Economic Development Committee has reviewed the proposed investment and recommends its approval that the Redevelopment Agency of the City of Logan ("Agency") does hereby approve the following incentive package: Cytiva receive \$150,000 from the Logan River RPA fund reserve after completion of its new facilities and after having demonstrated that it has made the planned capital investment. All construction plans are to be approved by the City of Logan Planning Commission. Additionally, the Agency encourages Cytiva to utilize local contractors and vendors whenever possible.

Chair M. Anderson opened the meeting to a public hearing.

Scott Stewart from Logan commented that the growth of Cytiva has been such that they are changing all the time. His question is if Cytiva will follow through with their proposed plan and if Cytiva will actually be able to hire as many employees as possible as they have indicated considering the employee shortage in the valley.

Mr. Jensen replied that a significant component is the 400 new jobs to the valley, as capital investment. Regarding Cytiva following through with their plans, their organization has always been great to work with in the past. If they deviate from the plan, the funds are all conditional based on performance. With the current job market, they will face the same challenge as all employers in the valley.

Dr. Gail Yost inquired what the average wage is for employees and if it is a livable wage.

Mr. Jensen replied that typically in a public setting the City will not share public wages unless the company allows it. Although recently Cytiva has raised its minimum wage for production to \$20 dollars an hour. Cytiva will offer both full time and part-time employees full benefits including tuition reimbursement. It is not intended as a promotion of Cytiva nor as absolute information.

There were no comments and Chair M. Anderson closed the public hearing.

ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Jensen to approve Resolution 21-45 RDA as presented. Motion carried unanimously.

ADJOURNED. There being no further business, the Logan Redevelopment Agency adjourned at 8:32 pm.

Esli Morales, Deputy City Recorder