

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, February 2, 2016 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chairman Herm Olsen conducting.

Councilmembers present at the beginning of the meeting: Chairman Herm Olsen, Vice Chairman Holly Daines, Councilmember Tom Jensen, Councilmember Jeannie F. Simmonds and Councilmember S. Eugene Needham. Administration present: Mayor H. Craig Petersen, Finance Director Richard Anderson, City Attorney Kymber Housley and City Recorder Teresa Harris.

Chairman Olsen welcomed those present. There were approximately 26 citizens in the audience at the beginning of the meeting.

### **OPENING CEREMONY:**

Councilmember Tom Jensen gave the opening thought and led the audience in the pledge of allegiance.

**Meeting Minutes.** Minutes of the Council meeting from January 19, 2016 were reviewed and approved with minor corrections.

**ACTION.** Motion by Councilmember Simmonds seconded by Vice Chairman Daines to **approve the January 19, 2016 minutes and approve the agenda.** Motion carried unanimously.

**Meeting Agenda.** Chairman Olsen announced there would be two public hearings at tonight's Council meeting.

**Meeting Schedule.** Chairman Olsen announced that regular Council meetings would be held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, February 16, 2016.

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

Logan resident Bill Bower addressed the Council regarding snow removal and commented there were several parking lots that were plowed on Saturday and he was pleased to see this happen.

Logan resident Michael Anthony addressed the Council and stated that the Cache Community Food Pantry is applying for CDBG funds to defer some of their costs and he voiced his support of the food pantry receiving those funds.

Logan resident Steve Bower commented that Street Department Manager Jed Al-Imari should be commended for taking care of snow removal on City streets. He said most of the sidewalks in the City are blocked with snow and he asked how this can be addressed in the future. He also said the City entered into an LOC with the Logan Downtown

Alliance in conducting the Tour of Utah. The event itself generated a profit of approximately \$7,000 and that money went back to the Alliance and he asked why that occurred. He recommended that in the future if the City enters into an LOC for this type of event that part of the agreement should include financial information made available to the taxpayers.

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

### **MAYOR/STAFF REPORTS:**

#### **Updates on Projects/Issues – Mayor Petersen**

Mayor Petersen updated the Council on the following:

1. Current Construction Projects – None.
2. This month's Sesquicentennial Celebration Event is a Gallery Walk of Historic Pictures in the Library.
3. The Merlin Olsen Ice Rink will close for the season on Monday, February 15, 2016.
4. Water Conservancy District – Logan City Attorney Kymber Housley will serve on the working group. More information will come to the City Council at a future date.
5. The City has selected CIGNA as their new insurance provider. This took affect February 1, 2016. There will be a 9% increase next year.
6. City sponsored Community Garden
  - a. 0.80 acres is available at Bridger Park
  - b. Needed Infrastructure
    1. Fencing
    2. Water
  - c. Possibility of 100-120 plots
  - d. Nominal charge to citizens
  - e. Volunteer coordination needed
7. The City's new website will go live mid March and department training will be held next week.
8. Landfill Road Update – The Cache County Council started the process of eminent domain on three parties that are unwilling to sell their land. They will need to respond by February 24, 2016.

9. The Wastewater Treatment Rate Study was awarded to HDR Engineering.
10. Snow removal concerns – Logan City Street Manager Jed Al-Imari addressed the Council regarding snow removal. Crews have been hauling snow out of parking lots and off streets, particularly cul-de-sacs. From Monday through Wednesday, crew's removed 195 loads from city streets and parking lots using 10-wheeler trucks. That equals nearly 3,000 cubic yards of snow, ice and debris. He knows there are residents who cannot clean their own driveways and suggested that Scout groups or church groups help those residents. Mr. Al-Imari said he has also received comments that the crews are not pushing the snow back far enough. He said they try to refrain from pushing all of the snow into driveways so sometimes more snow remains in the road. So far this winter season, the City has put out 3,200 tons of salt, total cost \$120,000 and we are not finished with the winter season yet. He said there is also a big problem with people leaving their cars parked on the road overnight which makes it very difficult for crews to plow.

Councilmember Simmonds said she is very concerned about cars parked on collector roads and covered in snow.

Mr. Al-Imari said one of his concerns is that one of the plows will hit a parked car because it can't be seen by the snow plow driver.

Chairman Olsen expressed his thanks to the street department for taking care of the City streets.

### **Community Bridge Initiative – Dr. Kate Stephens**

Dr. Kate Stephens addressed the Council regarding the Community Bridge Initiative (CBI). She said CBI is an initiative, placed based approach to service learning that enables students to utilize knowledge obtained in the classroom to tackle real world problems identified by the community.

Cities often lack the funds and capacity to implement innovative projects. Ideas and human capacity abound in universities. College students have professional level training and a need for practical work.

CBI brings these two entities together in an exciting interdisciplinary partnership that connects faculty experience, student's passion, and community needs to produce innovative, tangible solutions.

The CBI model is based on the University of Oregon's nationally recognized Sustainable City Year Program. In April 2014, a team from Logan attended the University's week long training on how to adopt and adapt their model. CBI is now part of the Educational Partnership for innovation in Communities Network, a national University Community

partnership program currently made up of 25 universities implementing the “Oregon model”.

The eight projects that CBI is working on at this time are the following:

1. Air Quality Improvement
2. Recycling Program Evaluation
3. GIS Story Maps
4. Landscape Architecture Residential Improvement
5. Urban Deer Management
6. After School Program Evaluation and Training
7. Neighborhood Improvement
8. City Wide Tree Pruning

#### Lessons Learned

- Upper division or graduate courses are best suited for CBI.
- The faculty-partner meeting and signed Scope of Work were essential to project success.
- Improved branding and marketing would encourage faculty participation and allow students to more easily identify CBI courses.
- Community partners are not limited to Logan City. The CBI model can be applied more broadly to Cache County and the non-profit sector.

The Mayor and Council thanked Dr. Stephens for her presentation and feels this is a great partnership with the City.

#### **COUNCIL BUSINESS:**

##### **Central Logan Redevelopment – Matthew Godfrey**

Matthew Godfrey, former Ogden City Mayor addressed the Council regarding the topic of Neighborhood Renewal.

#### Role

- Develop a strategic plan (location based)
- Partner with private sector
  - City purchases and subsidizes resale
  - City improves street to sidewalk
  - Owners renovate home with second to City
- Foundation
  - Purchases and renovates in strategic areas
  - Builds new homes

#### Funding

- CDBG
- Home Funds
- General Fund
- Legislature
- Foundation

Mr. Godfrey stated that without intervention, neighborhoods that go into decline don't resuscitate themselves. He said the community and property owners are not finding ways to revitalize neighborhoods, ending up with an obsolete product. Neighborhoods then begin looking for rentals, which brings forth the issue of turnover. He continued that what brings the neighborhoods back is a focus on quality housing stock, redeveloping block faces and fixing the appearance of homes to make them into a product appealing to the demographic interested in the market. He said that although neighborhood improvement is not a short-term fix for Logan, the City needs to have a very clear strategic plan and identify neighborhoods where the City can place a higher priority, making the biggest difference sooner. He said one solution is for someone to make an investment, taking acquisition of homes that need to be renovated or torn down. For example, you buy a home for \$100,000 and sell it for \$50,000. Sometimes that's the impediment to seeing a neighborhood turn around. Somebody has to make that investment and write the property down where somebody can come in and buy it and you actually need to stipulate the improvements that need to be made.

Mayor Petersen asked Mr. Godfrey to clarify that renovating a home here and there doesn't really have much impact and there really needs to be some geographical cohesiveness. He asked how much of an area should be done at a time?

Mr. Godfrey responded he would start with a block face (single block, both sides of the street) to begin with and his preference is to take the worst neighborhood on first which really sends a message to the surrounding area.

Councilmember Simmonds asked what if there is just general decline in a neighborhood.

Mr. Godfrey responded he would take on a bigger area and he does see problem areas in Logan. He would first define a neighborhood and talk with residents and take on a bigger area which instills confidence in the neighborhood when they see change occurring. Overtime, Ogden City was effective in partnering with developers and builders once they saw that it worked they would come in and sometimes purchase property and do the construction and sell the home on their own. Ogden City itemized what needed to be done in renovating a home, they would list it on the market and the criteria for those who were interested was who had the best capability and financial means of actually renovating the home. It was then the homeowner's responsibility to make this happen and Ogden City allowed up to a two year time period to renovate which, he felt was too long. Ogden City would take a portion and put a second lien on the property and they would forgive over time. The goal was for the homeowner to stay five years. Ogden City provided the leadership for the renovation project along with contractors and builders. Mr. Godfrey said a total of 200 homes were involved with either renovation or built new in Ogden City. In the East Ogden Central neighborhood 7-10 million dollars was spent over a 14 year time period and there was income offset.

Councilmember Jensen asked about the outcomes of doing the renovation.

Mr. Godfrey responded some of the outcomes were very quantifiable such as a reduction in crime. He said there is also a cost of doing nothing which reduces property values and the neighborhood deteriorates.

Councilmember Daines said she realizes that Logan is not without problems but she does not feel we are at the point that Ogden City was when they initiated this program. She asked what if we simply enforce our property maintenance standards and incentivize people to clean up their properties.

Mr. Godfrey responded that ordinance enforcement is a key factor in this process and he is very supportive of the Good Landlord Program.

Councilmember Jensen suggested organizing a work group that would incorporate some of the things Mr. Godfrey mentioned tonight.

Vice Chairman Daines said this is something we have been talking about for several years. We have a limited amount of funds and the question is how we use the funds we have.

Mayor Petersen and the Council thanked Mr. Godfrey for attending tonight's meeting.

### **ACTION ITEMS:**

**PUBLIC HEARING - Budget Adjustments FY 2015-2016 appropriating: \$57,575 funds received for the Alcohol Enforcement Program; \$25,000 for a grant Parks & Recreation was awarded from the State of Utah for the expansion of the Boulevard Trail - Resolution 16-02**

At the January 19, 2016 Council meeting, Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chairman Olsen opened the meeting to a public hearing.

There were no comments and Chairman Olsen closed the public hearing.

**ACTION.** Motion by Vice Chairman Daines seconded by Councilmember Simmonds to **approve Resolution 16-02** as presented. Motion carried unanimously.

**Consideration of a proposed ordinance amending Chapter 2.19 of the Logan Municipal Code regarding Police and Fire Residency Requirements – Ordinance 16-04**

At the January 19, 2016 Council meeting, Chief Gary Jensen addressed the Council regarding the proposed ordinance amending the language by eliminating that an employee of the department of public safety of the municipality live within twelve highway miles of their place of employment.

The proposed change is to clarify that Public Safety is Police and Fire. Also, the Municipal Council requires that sworn full-time officers of the Logan City Police Department and firefighters and fire officers of the Logan City Fire Department to resident within the boundaries of Cache County, such that their response time in an emergency may be within the requirements of the department.

Councilmember Jensen suggested that instead of being just “Cache County” that the language be included with a time period which can be measured.

Councilmember Simmonds said she supports the “Cache County” wording because it better defines the borders.

Police Chief Gary Jensen commented that the policy as written was directed to using a city vehicle rather than the actual residency of the individual. He needs his employees and their police vehicle to be within a reasonable time frame to respond to an urgent event. He feels the 30 minute response time is not offensive and he is more concerned about the police/fire responding from Cache County.

City Attorney Housley said a time is far too nebulous than a distance and he would rather it say in “Cache County” and no more than a certain number of miles, because at least that is definitive. We know what the miles indicate but the time period is harder to measure.

**ACTION.** Motion by Councilmember Jensen seconded by Councilmember Needham to **table Ordinance 16-04 until the February 16, 2016 Council meeting** as presented. Motion carried unanimously.

The proposed ordinance will be an action item at the February 16, 2016 Council meeting.

### **PUBLIC HEARING – Community Development Block Grant (CDBG) 2016 Performance Measures and 2016 Annual Action Plan and Funding Priorities**

At the January 19, 2016 Council meeting CDBG Coordinator Aaron Smith addressed the Council regarding the 2016 Performance Measures and 2016 Annual Plan and Funding Priorities. At tonight’s meeting he reminded the Council there are no decisions being made tonight and formal adoption of the Plan will be held in May 2016. The Council is the steering committee for the CDBG Plan and a meeting will be held on March 17, 2016. Project information is the following:

#### Currently Funded Projects:

##### PY2013/2014 – Neighborhood Infrastructure

Total funding - \$375,000

Remaining funds - \$95,000

##### Project List

500 North (100 West to 525 West) – Partially completed.

Railroad crossing at 650 West 400 South

Golf Course Road Railroad Crossing

Expected completion – Spring/Summer 2016

##### PY2014-400 North Lighting

Total funding - \$200,000

Remaining funds - \$200,000 (lights have been ordered, awaiting invoice)

##### Project Description

Install decorative coach lighting along the 400 North corridor from  
Main Street to 700 East.  
Expected completion – Spring/Summer 2016

PY2014 – Low Water Demonstration Garden  
Total funding - \$15,000  
Remaining funds - \$9,500  
Project Updates  
Garden has been installed. Awaiting installation of interpretive sign.  
Expected completion – Spring/Summer 2016

PY2015 – 300 South (100 West to 300 West) Sidewalk  
Total funding - \$280,000  
Remaining funds - \$280,000  
Expected completion – Summer 2016

PY2015 – 1800 South (1380 West to 1330 West) Sidewalk  
Total funding - \$120,000  
Remaining funds - \$120,000  
Expected completion – Summer 2016

PY2015 – Down Payment Assistance Program  
Neighborhoods Nonprofit Housing Corporation  
Total funding - \$50,000  
Remaining funds - \$14,000  
Expected completion – Summer 2016

PY2015 – Boulevard Sidewalk  
Total funding - \$40,000  
Remaining funds - \$40,000  
Expected completion – Summer 2016

PY2015 – Rendezvous Park Railroad Crossing  
Total funding - \$30,000  
Remaining funds - \$30,000  
Expected completion – Summer 2016

#### Consolidated Action Plan 2014-2018

Develops funding priorities for the program based on public input.

Set funding marks for all priorities.

Priority 1 – Contribute to at least one significant neighborhood infrastructure or facility improvement in each eligible neighborhood over the course of five years, such as:

Sidewalks, curb and gutter

Park improvements, community gardens, or other gathering areas

Improved lighting

Traffic calming measures



Elimination and prevention of slum and blight, through means such as the purchase and rehabilitation and/or clearance of blighted properties that pose a public health and safety concern.

Approximately 65-70% over five years.

Priority 2 – Social services, nonprofit, or neighborhood initiatives that address community needs for low/moderate income residents, including but not limited to:

- Domestic abuse programs
- Volunteerism programs
- Integration of the immigrant community
- Senior Home care programs
- Job training initiatives
- Transitional housing units
- Public transit services
- Affordable programming for kids
- Basic financial management classes

Approximately 10-15% over five years.

Priority 3 – Administration and Planning, including but not limited to:

- Basic grant administration (1FTE) – Salary, benefits, operational expenses, training, supplies, etc.
- Logan Downtown Specific Plan
- South Corridor Development Plan
- Bike & Pedestrian Plan
- Fourth North Corridor Development Plan
- Neighborhood Plans

Approximately 20% over five years.

Estimated funding allocations for PY2014-2018	\$470,000
Priority 1 – Infrastructure and Facilities	\$305,500 - \$329,000
Priority 2 – Nonprofit services support	\$47,000 - \$70,500
Priority 3 – Administration and planning	\$94,000

#### Goals and Priorities for PY2016

- Public Infrastructure and Facilities
  - What areas of the City may be emphasized?
  - What types of projects would the City like to accomplish?
- Nonprofit service support
  - Are there specific services that are lacking that CDBG can help to provide?
  - Are there particular groups of people who are in need of service?
- Planning
  - Are there planning projects that should be given consideration?

#### Timeline

- City Council Public Hearing – February 2, 2016
  - Discuss goals and priorities
  - Finalize steering committee (Council Member or designee)
- Application Period – February 5 through March 4
- Steering Committee Meeting – March 17

(Additional meeting may be necessary – March 21)  
Annual Action Plan (AAP)  
Contains funding recommendations for PY2016  
AAP public review – April 4 through May 3  
AAP City Council workshop – April 19  
Annual Action Plan City Council Public Hearing – May 3

Chairman Olsen opened the meeting to a public hearing.

Claudia Brilliant with the Family Information Resource Center addressed the Council. The Center is celebrating their 20<sup>th</sup> anniversary and they partner with the Logan City School District. They will be moving into their permanent location, a former home which is currently being remodeled. Additional space is needed and their project proposal is to add an additional 500 square feet at a cost of \$60,000 which the school district is not able to fund. She asked the Council for their support of this project.

Encarni Gallardo with the Children's Services Center addressed the Council. The Center provides services and helps grandparents that are raising their grandchildren due to the parents being unable due to incarceration or drug abuse. She said they currently do not hold a business license through the County because they are providing services through Bear River Mental Health. She asked if the City can provide any help in obtaining their business license.

CDBG Coordinator Aaron Smith offered to talk with Ms. Gallardo regarding how she can obtain a business license.

Dave Schuster with Neighborhood Nonprofit addressed the Council. His organization is applying for \$50,000 for the Welcome Home Own in Logan Program which helps first time home, low income home buyers with their costs of getting into a home. Since 2003 when the program started they have helped 195 families and of those 84% are still in their home today. He also stated that he would like to be involved in any discussions or meetings being held in regards to renovation projects.

Nelda Ault with the Cache Refugee and Immigration Program addressed the Council. She thanked the Council and the steering committee for their support of nonprofit organizations.

Gordon Yonker with the Family Place addressed the Council. He thanked the Mayor and Council for the new Family Place location. They have several program needs they would like the Council to consider as they apply for CDBG funding in the future.

Logan resident Bill Bower addressed the Council. He said when working with nonprofits sometimes tax payer money is used for their own salaries and the City should look closely at this when a request for funding has been made.

Councilmember Simmonds stated that CDBG Coordinator Aaron Smith watches this very carefully and it is specifically stated within the guidelines that funding cannot be used for salaries.

There were no further comments and Chairman Olsen closed the public hearing.

**WORKSHOP ITEMS:**

**Budget Adjustments FY 2015-2016 appropriating: \$26,000 Police Department rolling stock reserves for the purchase of a replacement vehicle - Resolution 16-05 – Richard Anderson, Finance Director**

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustment.

The proposed resolution will be an action item and public hearing at the February 16, 2016 Council meeting.

**Consideration of a proposed ordinance amending Sections of the Logan Municipal Code regarding signup for utilities service, amending Section 13.16.050 – Ordinance 16-06 – Richard Anderson**

Finance Director Richard Anderson addressed the Council regarding the proposed ordinance which is the following:

Application and agreement to pay for electricity, water, sewer and refuse service must be made at the same time and must be signed by the owner (or his agent) of the property or the tenant. The utilities customer shall be liable under this agreement for services furnished. and the tenant. Owners of real property shall remain liable under their agreement for all service furnished under the combined utility service billing not paid by the tenant. (Prior Code § 8-5-5)

The proposed ordinance will be an action item at the February 16, 2016 Council meeting.

**Discussion: Capital Improvement Projects – Richard Anderson**

Finance Director Richard Anderson addressed the Council regarding the Capital Improvement Projects and referred the Council to the printed Capital Projects Summary and attachments. He stated this list has gone out to departments for their review.

Fund 100 – General Fund	
Police	-
Fire	-
Public Works Class C	-
Public Works Streets	\$600,000
Public Works Facilities	\$65,000
Parks & Recreation	\$64,000
<b>SUBTOTAL</b>	<b>\$729,000</b>
Fund 200 – Library	\$7,500
Fund 211 – Recreation Center Maintenance	\$20,000
Fund 217 – Communication Center	\$182,500

Fund 235 – Redevelopment Agency	\$675,351
Fund 300 – Capital Projects	-
Fund 500 – Golf Course	-
Fund 510 – Water & Sewer	\$1,500,000
Fund 520 – Sewer Treatment	\$3,000,000
Fund 530 – Electric	\$9,387,000
Fund 570 – Environmental Health	\$9,320,000
Fund 580 – Storm Water Management	\$810,000
Fund 600 – Information Technology	\$39,807
<b>TOTAL</b>	<b>\$25,671,158</b>

Mr. Anderson stated the priority is generally the projects that are proposed in the current year such as this year would be 2017.

Councilmember Simmonds said at one time the Council asked the department heads if they would relate these projects to their specific plans.

Mr. Anderson responded where applicable this has been done.

Vice Chairman Daines asked regarding projects on 1000 North, are we starting to look at funding so we know how much property to purchase and complete the project.

Public Works Director Mark Nielsen responded there are estimates for property acquisition and design costs.

Councilmember Simmonds asked about the possibility of finding funds for neighborhood redevelopment and where would that funding come from. There has also been discussions about burying power lines on 200 East and she asked is there funding for that project as well.

Mr. Anderson responded that requesting funding for neighborhood renovation, the Council would have to cut something that exists in the budget or come up with additional funding. There are no excess funds and we do have reserves but they are used for specific purposes. If the Council wants to come up with a new program they will need to find ongoing funding for that program. Regarding the power lines, this project is now listed in the operating budget.

Mayor Petersen said we do have a pool of low income RDA funding that could possibly be used for neighborhood renovation.

Mr. Housley added that Mr. Godfrey also talked about using low income RDA funding for infrastructure so we would not have restrictions on the homes.

Vice Chairman Daines suggested the discussion regarding Capital Projects be continued to the February 16, 2016 Council meeting.

**Consideration of a proposed resolution that Crumb Brothers (Rolo Enterprises DBA Crumb Brothers) located at 291 South 300 West, seeks local governing consent for a variance with regard to proximity of this establishment to specifically, Kilowatt Park; and includes public or private school, church, public library, public playground, or park – Resolution 16-03 – James Geier, Community Development**

Community Development Neighborhood Improvement James Geier addressed the Council regarding the proposed variance. Crumb Brothers located at 291 South 300 West is requesting to become a Limited-Service Restaurant Liquor license for purposes of alcohol sales and is located beyond 200 feet but less than 600 feet of several community locations. The policy established by Utah Code Section 32B-1-202 that places proximity restrictions on retail licenses for purposes of alcohol sales in relation to the Logan High School Campus, Logan South Campus High School and Kilowatt park, which are all community locations, should not apply because the negative impacts the State statute has are not present in this case.

At the Logan City School Board meeting held on January 12, 2016, the board voted 4 to 1 in favor of a property variance for a liquor license for Crumb Brothers.

Councilmember Simmonds asked would a public hearing be held on the proposed variance.

Mr. Housley responded the State of Utah will hold a public hearing and at this point they are just seeking local consent from the impacted legislative bodies. The Council does not have to give consent, they can still move forward but if the Council does not give consent there must be certain findings. If the Council does give consent then a public hearing is noticed and held. The Council can also hold their own public hearing.

Councilmember Needham said he has concerns such as why Crumb Brothers is requesting this variance and he would like more information and what they expect to achieve by serving alcohol at this location.

The proposed resolution will be an action item and public hearing at the February 16, 2016 Council meeting.

**Consideration of a proposed ordinance amending Sections 10.52.040 of the Logan Municipal Code regarding Vehicle Impounding – Ordinance 16-07 – Chief Gary Jensen, Police**

Logan Police Gary Jensen addressed the Council regarding the proposed ordinance. The proposed amendment is the following:

- B. Vehicle Impoundment After Notice: A vehicle not subject to impoundment under subsection A of this section may be impounded with notice in compliance with this section. Notice of such proposed impoundment must be securely attached to and conspicuously displayed on the vehicle for a period of ~~seventy two (72) hours prior to such impoundment~~ **forty-eight hours (48) prior to such impoundment.** Where the vehicle's owner is ascertainable, **if possible, verbal** notice must be **attempted via telephone or at the registered owners address.**~~(mailed to the owner at the~~

address on the vehicle's registration). A vehicle may only be towed with notice for the following reasons:

1. When such vehicle is parked and/or used in violation of any law, ordinance, or regulation;
2. When such vehicle is an abandoned or junked vehicle (State Code 41-6a-1408 defines abandoned as left unattended for 48 hours on a highway or road); or

The proposed ordinance will be an action item at the February 16, 2016 Council meeting.

**Consideration of a proposed code amendment AE Urbia Architects/John & David R. Brandley, authorized agent/owner(s), request a 5-story student housing development accommodating 372 students. Application also includes a text amendment to modify the Campus Residential density calculation from the traditional unit per acre to a person/bed per acre in order to provide flexibility for designing multifamily residential developments in the Campus Residential zoning district. The project is located on 1.54 acres at 743 North 800 East in the Campus Residential (CR) zone – Ordinance 16-05 – Russ Holley, Planner**

Logan City Planner Russ Holley addressed the Council regarding the proposed code amendment. The applicant is proposing to amend the Land Development Code 17.12.110 and 17.15.120 so that the maximum densities are based on number of occupants/beds per acre rather than current ordinance language, which limits the number of dwelling units/apartments per acre. The existing maximum density in the Campus Residential (CR) zone is 40 dwelling units/apartments per acre with a maximum occupancy of up to 6 individuals per unit (no more than 2 per bedroom). The proposal is to amend the code to allow 240 occupants per acre configured in any number of dwelling units/apartments. For example, one could have 240 one-bedroom apartments, 120 two-bedroom apartments and so on per acre of land in the CR zone.

Staff conducted research of six college towns throughout the State and Nation to determine if other cities based densities off total number of beds versus total number of apartments. All six cities base their densities off apartments/dwelling units per acre. Throughout zoning history in Logan City, with the exception of group homes/sororities/fraternities which are individually conditional permitted, maximum densities have always been based off of dwelling units per acre. The City allows up to three unrelated individuals per dwelling unit except for the Campus Residential Zone, which allows up to a maximum of six (6) unrelated per dwelling units. The allowance of up to 6 individuals does increase overall numbers and gives the option for more apartment unit size diversity and provide a wider range of housing options. Not all student housing projects maximize occupancy levels and some in recent years, based on market demand from young married or similar situations have been built with low bedroom counts.

The CR zone was created to intentionally locate students near Utah State University for reasons including, reduced transportation impacts and relief to rental pressures on traditional single family neighborhoods. The Logan City General Plan indicates a density

range of 30-50 units per acre and general regulations to accomplish goals based on future growth demands. The CR zone specifically regulates growth and development through the City's adopted zoning ordinance. Density of up to 240 units per acre would conflict with the adopted General Plan. Going from 40 units per acre to 240 units per acre would result in 6 times more kitchens and most likely additional bathrooms and overall square footages causing utility and infrastructure adjustments. Staff would consider the probability of sub-letting to increase in 240 one-bedroom apartments' versus 40 six-bedroom apartments.

Although the CR zone has been slightly adjusted, or refined, over the past few years based on being brand news, experience in student housing development and ample community feedback, staff concludes that the existing code manages growth appropriately based on the direction given in the General Plan and recommended denial of this code amendment to the Planning Commission.

On January 14, 2016, the Planning Commission voted unanimously on a recommendation for denial to the Municipal Council for a code amendment in the Campus Residential zone to allow densities based on number of occupants (240 per acre) rather than number of dwelling units (40 units per acre).

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

1. The Land Development Code's Campus Residential maximum density of 40 units/acre was established through public process with resident input and neighborhood feedback.
2. The current densities in the CR zone are within the range set forth in the General Plan with planning and engineering efforts and future growth impacts based on these figures.
3. A density of up to 240 units per acre in the Campus Residential zone is not consistent with the direction of the General Plan.

Mr. Holley added that density levels are decided by the Council. He also suggested that the Council keep base densities a dwelling unit but also if the Council sees a need to increase density that it be done on a case by case basis.

Councilmember Jensen disclosed that his current employer does multi-family student housing projects in other locations but nothing in Logan at this time. There is no affiliation with the proposed project or the proponent Mr. Brandley.

Logan City Planning Commission Member/Chair Amanda Davis addressed the Council. She stated the proponent, Mr. Brandley has valid points but current zoning does not allow for certain things. The Planning Commission was also very concerned about infrastructure going from 40 units per acre to 240 units per acres.

Councilmember Jensen said he feels the City would be better served having this type of development adjacent to campus where it would be a problem in other locations. He feels the "unit" does not really address what's happening.

Vice Chairman Daines said that is the point for enforcing the occupancy. How do we monitor that the density level won't exceed the limit if we change the parameters.

Councilmember Simmonds said the proposed change would affect the entire Campus Residential zone. Currently, with the 40 units per acre, we have a way of measuring that amount for occupancy and load on our system. She isn't sure we can accommodate an undetermined number of units that would end up in the same structure.

Councilmember Needham said when he spoke to Mr. Brandley he got the impression that it wasn't decided how many bedroom units there would be. He would like to see that number fixed. He feels that six people living in a unit is too many. He thinks this is a good idea but would like to know more of how this will work out.

Vice Chairman Daines commented that we are amending the code and not how each project is going to divide up the bedrooms.

Chairman Olsen said this does something we wanted to do when Campus Residential was created by focusing higher density of students on campus and take pressure off the Adam and South Hillcrest Neighborhood.

Councilmember Jensen stated that higher flexibility would serve a greater purpose than a "one size fits all". He feels we are disincentivizing the person that is trying do a project. We are trying to get students out from living in the basements of the Adam, Wilson, Bridger and Hillcrest Neighborhoods and get them next to the campus to reduce traffic, pollution and other things. This type of project could go further toward taking the absentee landlord situation and putting it next the campus where it really belongs. By giving the flexibility to a creative developer who can provide these things and not change the density.

Community Development Director Mike DeSimone added there are other constraints that the proponent has to work within. The proposed method could help further incentivize the movement of students into these zones, but there are also concerns. Applying this methodology to existing properties/projects is problematic due to issues with parking, setbacks, open space, etc. He feels we need an appropriate review mechanism on this type of project to ensure we can adequately account for the total occupancy and limit impacts to the neighborhoods. He also feels the Council should consider using some type of overlay zone in the CR zone in conjunction with a CUP permitting process to ensure we have the ability to adequately condition this type of project as well as have the ability to say no where not appropriate.

The proposed ordinance will be an action item and public hearing at the February 16, 2016 Council meeting.

#### **OTHER CONSIDERATIONS:**

There were no further considerations from the Mayor or Council.



**ADJOURNED.** There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 8:40 p.m.

Teresa Harris, City Recorder