

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, July 16, 2019 at 5:30 p.m. in the Logan City Municipal Council Chamber, 290 North 100 West, Logan, Utah. Chair Jeannie F. Simmonds conducting.

Councilmember's present at the beginning of the meeting: Chair Jeannie F. Simmonds, Vice Chair Amy Z. Anderson, Councilmember Jess Bradfield, Councilmember Tom Jensen and Councilmember Herm Olsen. Administration present: Mayor Holly H. Daines, Finance Director Richard Anderson, Assistant City Attorney Craig Carlston and City Recorder Teresa Harris. Excused: City Attorney Kymber Housley.

Chair Simmonds welcomed those present. There were approximately 10 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Councilmember Herm Olsen offered a thought and led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting from June 18, 2019 were reviewed and approved with minor changes.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to approve the June 18, 2019 minutes as amended and approve tonight's agenda. Motion carried unanimously.

Meeting Agenda. Chair Simmonds announced there are two public hearings scheduled for tonight's Council meeting.

Meeting Schedule. Chair Simmonds announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, August 6, 2019.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Logan resident Justin Robertson addressed the Council. He commented on his strong opposition of Resolutions 19-45 and 19-46 which are on tonight's agenda. He feels to approve the resolution would be fiscally irresponsible and will result in there being increases rates to Logan utility customers and businesses. He said this is some of the most expensive power on the planet and the current estimated rates are not confirmed. He said that nuclear power is untested, unproven and unlicensed technology and the risk profile is very high for Cache Valley. He said the energy is not carbon free as its being built and we are neglecting the carbon footprint that goes into mining and long-term storage of this material. He asked the Mayor and Council not to approve the resolutions.

Logan resident Gail Yost addressed the Council and also expressed her opposition to Resolutions 19-45 and 19-46. She feels there are better choices such as solar and hydroelectric choices and these are also less expensive alternatives than nuclear.

Logan resident Debbie Miller addressed the Council regarding her concern about Logan High School and the recent changes that are happening at the school including a decision made by Principal Ken Auld to disband Logan High's Athletic Booster Club. She feels the Booster Club should be immediately reinstated and she and other parents feel the reason the Club was disbanded was because of questions that were being asked about accountability of the money that had been raised for Logan High Athletics. She said the pleas of parents and students have fallen on deaf ears at Logan High and the Logan School District level. She urged the Mayor and Council to reach out to Principal Auld and the Logan City School District and discuss the issues that are occurring at Logan High.

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

MAYOR/STAFF REPORTS:

Recognition – Mayor Daines

Mayor Daines recognized City Recorder Teresa Harris for 25 years of service with the City of Logan.

Fireworks Restrictions – Chief Brad Hannig

Fire Chief Brad Hannig addressed the Council and announced that fire restrictions will be in place by July 24. He displayed a map of the restrictions which listed the following:

PROPOSED 2019 Fire Works Restrictions

East Bench Closure - East of 1600 East and Gibbons Parkway, including North and South slopes of the Island area

- East side of 1600 East from the North City Boundary to Hwy 89
- South side of Hwy 89, from 1600 East to 600 East, North side of Canyon Road from 600 East to 1600 East
- South side of the Logan River from 1600 East to 1600 Center Street, the North side of Center street from the Logan River, East along Center Street than East on Cliffside Drive, then East on Quail Way to Gibbons Parkway.
- East of Gibbons Parkway from Quail Way to South City Boundary

Gravel Pit Closure

- South side of North City Boundary from 1200 East to 1400 East
- West side of 1400 East from the North City Boundary to 1000 North
- North side of 1000 North from 1400 East to 1200 East
- East side of 1200 North from 1000 North to North City Boundary

West Closure

- West side of 600 West from the North city boundary, to 200 South.

- North side of 200 South from 600 West to 1000 West
- West side of 1000 West from 200 South to the South city boundary

North Closure

- East side of 200 West from 1400 North to 1800 North
- North side of 1800 North from 200 West to 600 West

Councilmember Jensen asked if the restrictions include all fireworks.

Chief Hannig responded that based on what the State allows, in the restricted areas mentioned it includes all fireworks. Providence City has their own restrictions but is similarly to Logan's especially the East bench locations. The only allowable time period that fireworks can be ignited is July 22-July 25 and every day except for July 24, fireworks must end at 11:00 p.m. The State determines the dates and timeframes when fireworks are allowed.

Councilmember Olsen said there was a discussion about the Chinese New Year celebration being allowed to have fireworks during the month of January.

Chief Hannig responded that the dates are determined by the State and has to fall on the day of the holiday. Chinese New Year and New Year's Eve are included in these allowable dates. He said the State allows aerial fireworks, but he reminded the public that whether in a restricted area or not, a person can be held liable for any property damage caused by fireworks.

Nibley Boundary Adjustment – Mayor Daines

Mayor Daines gave an update on the Nibley Boundary Adjustment. She reached out to Nibley City Mayor Shaun Dustin regarding a joint council meeting. Mayor Dustin responded by email and stated, "I'll see what I can do but I have never seen anything useful come out of a joint council meeting."

In another email Mayor Dustin responded that, "I need to poll the rest of the council but this far there's not a lot of enthusiasm for a meeting. We've been through this process before and the general sense is that a joint meeting is premature."

She asked for direction from the Council whether they would like to keep the boundary adjustment discussion on a future agenda or remove from the agenda until there can be a discussion with Nibley.

Councilmember Bradfield said he is irritated that Nibley City doesn't want to meet in a joint meeting. He feels a request from Mayor Daines for a joint meeting was done in good faith without any expectations of what we would require from Nibley. He would like to hear the concerns and options from Nibley.

Mayor Daines asked the boundary adjustment is scheduled to be on the August 20 council agenda. She asked if the Council would like to revise the proposed resolution with Councilmember Anderson's suggestion that Logan would keep 2200 South which

would keep one additional node in Logan City. The setbacks in Logan City are 100 ft. and Nibley's are only 30 ft. which is a large disparity. She proposed the idea to Mayor Dustin that if Nibley would be willing to limit the nodes that have the 30 ft. setback to already existing UDOT corridor agreement lights then she told him that Logan's Council could possibly find that acceptable.

Mayor Daines said that Mayor Dustin was willing to attend a Council meeting and have a discussion but, we also need to have the vote of Nibley's City Council. She would still like to have a joint meeting with Nibley City so the public can attend and listen to the discussion.

Councilmember Olsen suggested Mayor Daines, Mayor Dustin and the two Council Chairs of each City meet and discuss the boundary adjustment.

Chair Simmonds said she talked with Mayor Dustin after a recent meeting they both attended, and he indicated that he doesn't want to meet unless there is an agenda and what would be discussed. He also indicated that the Nibley City Council has not voted on the nodes.

Councilmember Jensen suggested that a position statement be drafted and given to Mayor Dustin and the Nibley City Council.

Mayor Daines said she will draft a letter and suggest that herself and Chair Simmonds meet with Mayor Dustin and their Council Chair. The boundary adjustment will also remain on the August 20, 2019 Council agenda as an action item, no public hearing.

Board Appointments (Historic Preservation) – Mayor Daines

Mayor Daines asked for ratification to reappoint all members of the Historic Preservation Committee which consist of Thomas Graham, Christian Wilson, Viola Goodwin, David Lewis, Gary Olsen, Keith Mott and Amy Hochberg. The Historic Preservation Committee is a four-year term.

All Councilmember's agreed to reappoint the names presented by Mayor Daines to serve on the Historic Preservation Committee meeting.

COUNCIL BUSINESS:

Planning Commission Update – Chair Simmonds

Chair Simmonds reported on the Planning Commission meeting that was held on July 11, 2019. A discussion regarding mixed-use was presented and the Planning Commission will again discuss mixed-use at their July meeting.

Board/Committee Reports from Council – Chair Simmonds

Chair Simmonds stated that all of the Councilmember's serve on various boards and committees and she and Vice Chair Anderson feel that it's appropriate for the Council to

report, on a regular basis what is going on with the board and committees that the Council represents.

On the first Council meeting of the month she proposed that Councilmember's Bradfield and Olsen give a report. On the second Council meeting of the month Councilmember's Simmonds, Anderson and Jensen will report.

Vice Chair Anderson reported on the Library Advisory Board. They are making an effort to provide training for the Board so each month there is a specific topic to encourage the board member's what their responsibilities are while serving on the board. Their biggest question is always what is happening with a new Library building and where it will be located. They also discussed Library card fees for those living outside of Logan City.

Vice Chair Anderson also reported on a recent Economic Development Committee meeting where they discussed façade grants for local businesses. She serves on the Cache County Emergency Medical Services (CCEMS) Board which met today and discussed the renegotiation of agreements between Cache County and Logan City. She also serves on the Renewable Energy Conservation Advisory Board (RECAB).

Councilmember Jensen reported that he serves on the Cache Valley Center for the Arts and they created a prioritization list of things that needed to be repaired at the Ellen Eccles Theatre along with funding amounts that were needed. There was also a fundraising effort to help with these repairs and they were building and repairing things while the money was coming in. Ticket sales are up at the theatre and things are going well.

Councilmember Jensen serves on the Water/Wastewater and Stormwater Committee and indicated that if these systems don't work the City will shut down and it's very important to keep this infrastructure in place. He also serves on the Golf Advisory Board and feels that we have a great golf course and things are going well.

Chair Simmonds said she attends Planning Commission meeting and reports at each Council meeting. She also serves on the Economic Development and Audit Committees. She also serves on the Public Art Committee.

No further items were presented.

ACTION ITEMS:

Consideration of a proposed resolution to prescribe the amount of a General Fidelity Bond and Theft and Crime Insurance for a Municipal Officer – Resolution 19-42

Assistant City Attorney Craig Carlston addressed the Council regarding the proposed resolution. He stated that Utah Code 10-3-831 requires each municipality to prescribe the amount of a general fidelity bond or theft or crime insurance to be acquired for a municipal officer. A municipality may acquire a fidelity bond or theft or crime insurance on all municipal officers and the municipal treasurer as a group rather than individually.

The proposed resolution prescribes the minimum amount of one-million dollars for a group general fidelity bond of theft or crime insurance policy for municipal officers as defined in Utah Code 10-3-831. The City currently carries a five-million-dollar crime insurance along with a \$10,000 bond. The resolution will take effect immediately upon approval of the City Council.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Olsen to approve Resolution 19-42 as presented. Motion carried unanimously.

Consideration of a proposed resolution updating the Commercial Lighting Retrofit Incentive Program – Resolution 19-44

Renewable Energy Conversation Advisory Board (RECAB) Coordinator Emily Malik addressed the Council regarding the proposed resolution. The City of Logan recognizes that the least expensive kWh is a conserved kWh and has previously established a Commercial Lighting Retrofit Incentive Program in October 2014 and revised the program in 2017. The City recognized that the energy market is ever changing, as should be our incentive program to reflect those changes.

Ms. Malik proposed the following:

Exhibit A:

Commercial Lighting Incentives

Replacement Lamps

A-19 or A-21 Lamp, Medium Base up to 12 W	\$2.00
PAR Reflector Lamp	\$3.00
BR Reflector Lamp	\$3.00
MR 16 Reflector Lamp	\$4.00
PLC Pin-based Lamp	\$4.00
PLL Pin-based Lamp	\$6.00
Decorative Lamp	\$2.50
HID Replacement Lamp < 40 W	\$10.00
HID Replacement Lamp ≥ 40 W and < 80 W	\$25.00
HID Replacement Lamp ≥ 80 W and < 150 W	\$35.00
HID Replacement Lamp ≥ 150 W	\$50.00
TLED Lamp	\$3.00
TLED Lamp with available Continuous Dimming	\$5.00

Retrofit Kit

Troffer Kit	\$18/fixture
Linear Ambient Kit	\$9.50/fixture
Recessed Downlight Kit	\$10/fixture

Replacement Fixtures

Wall pack Fixture > 20 W and < 75 W	\$20/fixture
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Wall Pack Fixture >75 W	\$50/fixture
Basic Controls (Interior)	\$.40/W Controlled
Advanced Controls (Interior)	\$.80/W Controlled
Exterior Controls	\$.40/W Controlled

Residential Incentives

Smart Thermostat	\$20
Evaporative Cooler (2,000-3,499 CFM)	\$100 Per Unit
Evaporative Cooler (53,500 CFM and up)	\$175 Per Unit
Central Air Conditioning (Min SEER 15)	\$110 Per Unit
Central Air Conditioning (Min SEER 17)	\$185 Per Unit
Central Air Conditioning (Min SEER 20)	\$300 Per Unit

Commercial Rules

1. Incentives apply to retrofit applications only
2. Application period begins July 1 (or August 1 this year). Applications will be taken on a first come, first served basis
3. To be eligible for the incentives listed, the new lighting system must use less energy than the existing lighting system replaced as determined by Logan City Light and Power
4. Customer must complete all projects by June 30, or they will forfeit their application and any resulting incentive
5. Customer may only apply for one rebate per fiscal year (July 1-June 30).
6. Incentives are capped 30% of total project cost (labor + materials) with a lifetime maximum of \$30,000 and are not available to reduce the simple payback below one year
7. Complete fixture removals are not eligible for an incentive
8. Customer must submit a signed application to City of Logan and get funding approval before funding is guaranteed
9. Logan City Light & Power may require a pre-inspection before a customer moves forward with a project. They will let you know when they have approved your application if an inspection is required. Pre-inspection does not guarantee an incentive
10. Customer must provide itemized invoices for labor and materials, and a W-9, and may be subject to post-inspection (if a pre-inspection was completed) before incentive will be paid to customer
11. It is the responsibility of the Customer to calculate future energy savings at their facility
12. Actual incentives will be determined solely by Logan City representatives based on inspections and final invoices from contractors not from the initial application

Residential Rules

Equipment must be new and a permanent installation (no mobile air conditioning units)

Customers have 6 months to file an application

Applications can be filled out online or mailed
Customer must provide receipt or invoice for installation
Limit of 4 per customer per calendar year
Must have central air conditioning to receive a thermostat rebate
Rebates come as a bill credit and posted within 6-8 weeks
Does not apply to new construction

ACTION. Motion by Councilmember Olsen seconded by Councilmember Jensen to approve Resolution 19-44 as presented. Motion carried unanimously.

Consideration of a proposed resolution authorizing and approving the Carbon Free Power Project (CFPP) Sales Contract with Utah Associated Municipal Power Systems (UAMPS); the initial budget and plan of finance for the project; and related matters – Resolution 19-45

Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. He stated that executing the Power Sales Contract is not a decision to construct and deploy the CFPP, rather this allows UAMPS to continue to pursue the project. He said the proposed CFPP nuclear facility would be built at the Idaho Laboratory. CFPP's proponents say the small modular reactor design is much safer than existing nuclear reactors, which barring high-profile disasters in extraordinary circumstances, already have strong safety records. The design also promises to use less water in its cooling systems than existing reactors, which can impact river ecosystems by slightly raising water temperature downstream. The CFPP is considering buying irrigation groundwater rights for its cooling needs.

Mr. Montgomery said there are still changes for the City to discontinue its involvement in CFPP before the plant is projected to start commercial operation in 2020. One of these off-ramps is quickly approaching, when the project hits its first budget adjustment. Another step in the process designated to mitigate risk to the project's subscribers is a planned economic competitiveness test by UAMPS. If the study fails to find that the plant could sell electricity for \$65 per megawatt-hour, UAMPS would likely scrap the agreement altogether. According to UAMPS preliminary estimate, if Logan subscribed at 5 megawatts and all 720 megawatts of the plant's capacity were spoken for, from April 2015 to November 2027, Logan would pay more than \$29.3 million of the plant's \$4.2 billion price tag and would be a bond over a 40- year time period.

Chair Simmonds explained that with Council approval the Mayor will sign the agreement and she will decide the megawatt amount.

ACTION. Motion by Councilmember Olsen seconded by Vice Chair Anderson to approve Resolution 19-45 as presented. Motion carried unanimously.

Consideration of a proposed resolution authorizing and approving an increase in the participant's entitlement share under the Carbon Free Power Project Power

Sales Contract for the lay-off Power Sales Agreement associated with Joint Use Module Plant Operations (JUMP) at the Carbon Free Power Project; and related matters – Resolution 19-46

Light & Power Director Mark Montgomery addressed the Council regarding the proposed resolution. The agreement is to allow the Idaho National Laboratory to take one of the facility's 12 small modular reactor slots and possibly lease another. The Idaho National Laboratory hopes to build one of the reactors for research and development purposes as part of the Joint Use Modular Plant program (JUMP). The JUMP reactors would be the first module built and installed, according to the Idaho National Laboratory and the Department of Energy would have incentive to improve the process used to build reactors for the Carbon Free Power Project and other projects like it under consideration elsewhere in the nation, hopefully helping keep construction time and costs down.

Mr. Montgomery said the pros of Carbon Free Power is that it diversifies our portfolio. He also feels that as political and public pressure against coal and nature gas increases, that cities will move toward Carbon Free Power. He said the cons are this is the first of its kind Plant. The Council was able to tour the Plant in Idaho and were able to see the kind of technology they are using. The nuclear reactor part of it is the same reactor we have seen for the last several years. He said Logan will receive matching funds that will help to mitigate the risk. The Department of Energy has agreed to pay \$30 Million Dollars of matching funds and we are negotiating with them now to working to get to \$210 Million Dollars.

Mr. Montgomery said while the Carbon Free Power Project is considered a next-generation reactor design, it still generates power with the conventional nuclear fuel cycle, meaning it uses refined uranium to produce electricity and nuclear waste, some of which can remain dangerous to humans for tens of thousands of years. He added that once that fuel has spent time in the reactor and out take it out, that belongs to the federal government at that point.

Mayor Daines said the Council controls the finances, they appropriate money but, she executes contracts. She would prefer not to be in this project and the reason is the risk. She feels the risks of a first of its kind nuclear reactor should be taken on by venture capitalists, not Logan's ratepayers. She added that it could turn out to be a fabulous project and if so, people will replicate it and then we can use that power. She spoke to councilmember's one on one, and she got the sense they would like to subscribe to 10 megawatts of the plant's capacity. She said as a compromise, she would sign the contract but only at the 5-megawatt level.

Councilmember Olsen said in a pure, clean world, he wouldn't be enthusiastic about nuclear power and he's even less enthusiastic on coal-based power, and even natural gas power. He feels they are worse alternatives than the nuclear model. He has looked at the small modular reactor proposal and he feels it's appropriate for Logan to invest.

ACTION. Motion by Councilmember Olsen seconded by Councilmember Bradfield to approve Resolution 19-46 as presented. Motion carried unanimously.

Councilmember Bradfield was excused from the meeting at 7:00 p.m.

WORKSHOP ITEMS:

WOODMOORE POINTE REZONE – Consideration of a proposed rezone. VHD, LLC/Gregory Anderson, authorized agent/owner, requests to rezone 2.99 acres at approximately 1100 West 1800 South from Neighborhood Residential (NR-6) to Mixed Residential (MR-9); TIN 03-005-0063 – Ordinance 19-13 – Russ Holley, Planner

Planner Russ Holley addressed the Council regarding the proposed rezone. The proponent is requesting to rezone approximately 2.99 acres of property from NR-6 to MR-9 with the intention of developing the property as a contiguous extension of the recently approved Woodmoore Pointe townhome project. The Woodmoore Point townhome project was approved in October of 2018 and contains 150 townhomes on approximately 17 acres. This 2.99 parcel is directly south of the Woodmoore Pointe townhome project and has limited access opportunities, sensitive lands and challenging topography. The riparian areas associated with Spring Creek and Spring Creek Reservoir cover the lower part of the 2.99-acre site, making full site development unlikely. Approximately half of the 2.99-acre site is reasonably developable and suitable for approximately 10-14 additional townhomes aligned along the extension of the currently dead-ending 1280 West street. This 2.99-acre site also presents a unique opportunity for a Logan City trails network extension along Spring Creek and around the Reservoir from the current Trapper Park Trail.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as Mixed Residential (MR). The FLUP does not distinguish between the different MR zoning districts in the General Plan. MR is described as areas that provide a range of housing options for all stages of life and levels of income. MR areas should be located near employment centers and service areas, allowing for transportation options and walkability.

ZONING

The MR-9 zone is described in the Land Development Code (LDC) as providing transitional areas between higher intensity commercial and lower intensity residential. A variety of housing types and designs are encouraged to promote neighborhood stability and a sense of community. This zone allows numerous structure types, including townhomes, twin-homes and courtyard homes. Densities are limited to 9 units per acre of land and building heights are capped at 35'. Open space and outdoor space are required at 30% of the overall project site.

SUMMARY

The FLUP indicates this area as MR and could be considered transitional, with commercial and industrial employment centers located east of the site. The single-family developments located to the south and west provide a variety of housing options and overall composition of housing supply for the neighborhood. With the recently approved

150 townhome projects adjacent, this 2.99-acre area becomes isolated and difficult to independently develop. If this area is combined with the adjacent townhome project, trail network development becomes easier to coordinate and develop with only one project design and one owner.

Based on draft Woodruff Neighborhood Plan information, the neighborhood has only approximately 6% of the total area zoned MR. The clear majority of the neighborhood land area is currently zoned NR, REC and RC with over 65%. COM and IP zoned areas make up the second largest portion of land area. Vehicular traffic concerns have been voiced as one of the biggest issues with this neighborhood in recent Logan City public hearings. These areas, like virtually every other area in the valley, are developed in an automobile-oriented manner. This manner of development continues to exponentially impact existing infrastructure and street networks, typically resulting in costly new road-widening and signalized intersection projects. As the area continues to grow in this manner, it would be expected that additional automobile facilities will be constructed.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 5/13/18, posted on the City's website and the Utah Public Meeting website on 6/20/19, and noticed in a quarter page ad on 6/1/19, and a Public Notice mailed to property owners within 300' were sent on 6/6/19.

RECOMMENDED FINDINGS FOR APPROVAL

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

1. The location of the subject property is compatible in land-use with the surrounding Commercial areas to the east and MR-12 areas to the north and would be considered a logical extension of the approved adjacently located Woodmoore Pointe townhome project.
2. The subject property can fulfill the purpose of the General Plan and Land Development Code by providing a range of housing types for all stages of life in areas that are near employment centers.
3. The subject property is in an area that can be serviced by surrounding City utilities and infrastructure.
4. The proposed MR-9 zone is limited in density, height and required to provide sufficient open space and landscaping to ensure neighborhood compatibility.

On June 27, 2019, the Planning Commission recommended that the Municipal Council approve the Woodmoore Pointe Rezone.

Chair Simmonds stated that she attended a meeting last night and it was brought to her attention that some residents in College Ward are upset because this land is being developed and the drains that were put in by the WPA are either being blocked, crushed or completely removed in the process of development and is causing flooding in homes West of this development. She asked are we being careful with developers and are we making sure that they do not destroy the drainage system.

Mr. Holley commented that the City’s Engineering Department is very vigilant, and they check and review the piping, realignments and field drains.

Chair Simmonds stated we need to be very careful because this area is very wet, and we don’t want problems to occur.

Mr. Holley said the sale price of these homes will be approximately \$200,000. He said there will be a variety of units and there will be various price points.

The proposed ordinance will be an action item and public hearing at the August 6, 2019 Council meeting.

MEADOW CREEK REZONE – Consideration of a proposed rezone. VHD, LLC/Gregory Anderson, authorized agent/owner, requests to rezone 9.51 acres at approximately 2200 South 1400 West from Neighborhood Residential (NR-6) to Mixed Residential (MR-9); TIN 03-005-0060; -0029 – Ordinance 19-14 – Russ Holley

Planner Russ Holley addressed the Council regarding the proposed rezone. Staff recommended that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 9.51 acres of property located at approximately 2200 South 1600 West (TIN# 03-005-0060, 03-005-0029.) from Neighborhood Residential Traditional (NR-6) to Mixed Residential Transitional MR-9).

Land use adjoining the subject property

<i>North:</i>	NR-6: Single Family Uses	<i>East:</i>	MR-9: Single Family Uses
<i>South:</i>	Outside of City Boundary	<i>West:</i>	Outside of City Boundary

REQUEST

The proponent is requesting to rezone approximately 9.51 acres (2 parcels) north of 2200 South and west of 1600 West from NR-6 to MR-9. The main area is 8.0 acres and located directly adjacent to the west side of the recently subdivided Meadow Creek single-family project. The other area is 1.51 acres and consists of sensitive land surrounding the Spring Creek Reservoir. This 1.51-acre area is not anticipated to be developed into residential land uses. The main 8.0-acre area is adjacent to 1600 West on the west and could tie into the proposed street network for the Meadow Creek Subdivision on the east. The Meadow Creek Subdivision was approved on February 14, 2019 for 143 single-family lots laid out in a cluster pattern with a deed restriction that limited lots and structures to only single-family homes.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this area as Detached Residential (DR). DR areas are described as being designated for single family residential homes built at 4-6 units per acres. New development must create traditional neighborhood character with homes oriented towards streets with front porches. Subdivision streets should create block patterns similar to that of historic Logan neighborhoods. Mixed Residential (MR) areas are described in the General Plan as areas being designed to provide a range of housing options for all stages of life. Structures in MR will range from small single-family homes to townhomes and apartments.

LAND DEVELOPMENT CODE

The Land Development Code (LDC) describes the NR-6 zone as being Logan's most established residential areas. Detached single-family homes are permitted at no more than six (6) dwelling units per acre and with 6,000 SF minimum lot sizes. The MR-9 zone is described as allowing a mix of housing structures, including attached multi-family structures. The MR-9 zone allows a maximum density of nine (9) units per acre of land and a minimum lot size of 4,000 SF.

ZONING HISTORY

In 2005, this property was zoned Agriculture. In 2007, the zoning was changed to SFT. In 2012 the property was zoned NR-W and in 2014 to the present it has been zoned NR-6.

SUMMARY

Being the last remaining 8 acres of the original Spring Creek Village PUD area, staff assumes that like the previous proposal, the MR-9 zone is desired solely for matching smaller single-family lot sizes rather than attached multi-family structures. The previously approved Spring Creek Village PUD and Meadow Creek Subdivision both have smaller single-family lots sizes ranging from 4,000 – 6,068 SF, with the majority of lots near the 4,000 SF minimum. Being consistent with the previous application, rezone applications should anticipate the entire range of development possibilities. Unless a deed restriction or some other assurance is provided by the applicant that limits the project to single-family lots and homes, staff is concerned the MR-9 zoned property could be used for future multi-family structures in an area that has long been planned for single family homes.

PUBLIC COMMENTS

No comments have been received.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 6/20/19, and noticed in a quarter page ad on 6/1/19, and a Public Notice mailed to property owners within 300' were sent on 6/6/19.

RECOMMENDED FINDINGS FOR DENIAL

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

1. The MR-9 zone allows for multi-family structures, something not planned for this area.

2. The subject property was never identified in the General Plan and Land Development Code as an area for future multi-family development or MR zoning.
3. The existing single-family residential homes in the vicinity are anticipating additional single-family uses not multi-family uses.

On June 27, 2019, the Planning Commission recommended that the Municipal Council **approve** the Meadow Creek Rezone. Staff originally recommended denial because the MR-9 zone allows townhome and other attached multi-family structures, but after the applicant publicly stated that they would be willing to place a deed restriction on the property allowing only single-family home structures staff's recommendation changed to approval. The FLUP indicates DR (detached residential) uses and with some recently approved multi-family attached projects in the immediate vicinity, staff considered residential structure type ratios and neighborhood character. **Planning Commissioners vote (5-0) to approve.**

Mr. Holley stated that the deed restriction is not in place at this time and will run with the land.

The proposed ordinance will be an action item and public hearing at the August 6, 2019 Council meeting.

Budget Adjustment FY 2019-2020 appropriating: \$75,000 a grant the Parks & Recreation Department received from the Utah League of Cities and Towns to be used to promote and encourage healthy activities; \$121,992 a grant the Parks & Recreation Department received from the State of Utah to be used to create two new walking routes for students and parents; Funds for the following RAPZ Grants for FY 2020: \$45,000 2019 Freedom Fire Event at USU's Maverick Stadium; \$45,924 restroom at the Willard R. Dahle Memorial Park; \$150,000 construction at 1700 South Park; \$200,000 Angel's Landing Playground Phase I; \$24,076 Trapper Park Pavilion; \$100,979 Tax Municipal Population Allocation. This money will be used for the 2019 Freedom Fire event, Rendezvous Park perimeter fence gate, playground shade structures, and Bridger Bike Park construction – Resolution 19-43 – Richard Anderson, Finance Director

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

The proposed resolution will be an action item and public hearing at the August 6, 2019 Council meeting.

Consideration of a proposed resolution amending the Logan General Plan to comply with Utah State Statute 10-9A-401 approving the Logan City 2019 Moderate Income Housing Plan as an element of the Logan General Plan – Resolution 19-29 – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed resolution. He stated that on May 9, 2019, the Planning Commission recommended the Municipal Council approve the Moderate-Income Housing Plan as an

amendment to the Logan city General Plan by adopting the 2019 Moderate Income Housing Plan. The State Legislature mandates that every five years, all cities are required to adopt a Moderate Income Housing Plan that meets the needs of people of various income levels living, working, or desiring to live or work in the community; allows people with various incomes to benefit from and fully participate in all aspects of neighborhood and community life; and includes an analysis of how the municipality will provide a realistic opportunity for development of moderate income housing within the next five years. This plan builds on City plans previously adopted in 1998, 2004 and 2010 and is considered an element in the City's General Plan.

Mr. DeSimone continued and said that Moderate Income Housing is housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross income for households of the same size in the county in which the city is located.

He explained that a Moderate Housing Plan shall include a recommendation to implement three or more of the following strategies:

- Rezone for higher densities
- Rehab/expand infrastructure to encourage construction of Moderate-Income Housing
- Rehab existing uninhabitable housing stock into Moderate Income Housing
- Waive construction related permit fees for Moderate Income Housing developments
- Accessory Dwelling Units in residential zones
- High density mixed-use zones in/near commercial centers, transit areas
- Eliminate/reduce minimum parking requirements for Moderate Income Housing developments
- Single room occupancy developments
- Zoning and/or tax incentives for Moderate Income Housing in new development
- Preserve existing Moderate-Income Housing long term
- Reduce impact fees for Moderate Income Housing developments
- Participate in a community land trust program
- Mortgage assistance program for Municipal employees
- Partner with an entity Utah Housing Corp., Housing Authority, MPO, Workforce Services, BRAG, etc.
- Utilize RDA/CDA affordable housing set asides
- Another program or strategy that addresses Moderate Income Housing

A Moderate-Income Housing Plan:

- Analyzes housing needs and demographic trends
- Forces a community to identify regulatory barriers to affordable housing
- Fulfills a State statutory requirement to promote fair housing
- Recommends strategies and policies to encourage affordable housing in the community
- Prevents exclusionary zoning

A Moderate-Income Housing Plan Does Not:

- Establish a quota for affordable housing for each community
- Commit the City Council to fund or participate in affordable housing projects

Housing Conclusions:

- Insufficient housing available for extremely low-income residents
- Forced to “rent” or “buy” up
- Force to “share” housing
- Very high rates of cost burdened households (78% - 92%)

Conclusions regarding Impacts of Zoning on Moderate Income Housing:

- Logan currently has a wide range of zoning
- Current zoning allows for a wide range of potential densities suitable for Moderate Income Housing
- Current zoning includes multiple “Mixed-Use” zones with higher density Potential
- Multiple opportunities for housing for most income ranges throughout the City
- Current zoning does not permit Accessory Dwelling Units

Other Realities Affecting Moderate Income Housing:

- Logan is landlocked on 3 sides
- Lack of Greenfield areas – “Easy” and cheap development
- Infill development very expensive vs Greenfield
- Lack of available acreage for Lower Density Multi-Family Zoning
- Lack the “appetite” for zoning NR-6 to MR-9/MR-12/MR-20
- Belief that Logan has too much “Affordable Housing”
- Student Housing vs Non-Student Housing
- Student Housing concerning affects Multi-Family (non-student) projects
- Competition with other communities
- Changing Demographics – Changing Housing Needs
- Is Market Response to Actual Needs?

Summary:

- Logan has a majority of Region’s Affordable Housing
- 1% average growth rate (population)
- Population is younger and poorer than over Cache Valley cities
- Median Age – 23.9
- Household Size – 2.9
- 58% of population is in the 18-34 & under 5 age groups
- 10% of population is disabled
- 38% of population over 65 are disabled
- 2016 Median Household Income \$36,256 vs Countywide of \$57,235 and State is \$65,873
- Median Household Income declined \$8,083 since 2000
- 64% of households, or 10,320 households are at, or below, 80% HUD’s AMI
- Added 2,468 residential units (2010-2018)
- 1.4% average growth rate of residential unit’s vs 1.0% average population growth
- 17,533 Residential units in 2016

- 42% of the 17,533 residential units are detached Single Family Residence
- Owner Occupancy declined from 44% (2000) to 42.5% (2010) to 40.5% (2016)
- 2016 Renter occupied – 59.5%
- 2016 Median owner-occupied home value - \$164,000
- Logan has a majority of region’s affordable housing
- 1% average growth rate (population)

DRAFT – Goals and Strategies

Goal 1 – Continue to work towards stabilizing core neighborhoods through such methods as code enforcement, rehabilitation assistance, down payment assistance, infrastructure improvements, and targeted infill projects.

Goal 2 – Work with public and private entities to increase Affordable Housing Opportunities for Logan’s special needs population.

Goal 3 – Continue to work with other communities in Cache Valley to achieve a more equitable regional distribution of affordable housing.

Goal 4 – Evaluate and consider a Transit Oriented District near the CVTD transit center focused on encouraging a mixture of uses including dense housing and neighborhood serving commercial as a way to locate affordable housing near transit services.

Goal 5 – Evaluate and consider expanding the City’s Housing Rehabilitation Assistance Program for rentals that house low/moderate income residents.

Goal 6 – Work with developers proving multi-family housing to include a higher percentage of studio and one-bedroom units within their housing unit mix as a way to provide additional housing for single, non-student, low to moderate income residents.

The proposed resolution will be an action item and public hearing at the August 6, 2019 Council meeting.

There were no further workshop items presented.

OTHER CONSIDERATIONS:

Vice Chair Anderson commented there has been some confusion about the signs posted in the City parks regarding what is allowed in regard to dogs. She feels the City has clarified those questions and concerns through social media posts.

There were no further items discussed by the City Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY

Chair Simmonds welcomed those present. There were approximately 8 in attendance at the beginning of the Logan Redevelopment Agency meeting.

ACTION ITEMS:

PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance to Logan Riverwalk Land Holdings, LLC for its Redevelopment Project in the South Main River Community Reinvestment Project Area – Resolution 19-40 RDA

At the June 18, 2019 Council meeting, Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He explained that Logan Riverwalk Land Holdings, LLC, consisting of an approximately 30,000 square-foot office building located at 405 South 100 East in the South Main River Community Reinvestment Project Area, would contribute significantly to the achievement of the City's economic goals, including the creation of new jobs; the fiscal growth of the City through property taxes; an additional economic return for the City in terms of the Project serving as a catalyst, encouraging additional development in the South Main Community Reinvestment Project Area; and the improvement of the appearance of a key City commercial area. This project would also provide an aesthetic anchor to the Northeast corner of The Riverwalk at the Riverwoods project recently approved by the Logan City Planning Commission.

The proposed incentive package states that Logan Riverwalk Land Holdings, LLC will receive 100% of the available property tax increment generated by its Project annually during the life of the CRPA, not to exceed \$300,000. Available tax increment is defined as the total tax increment generated by the Project during the life of the CRPA and received by the Agency minus 10% that is required to be allocated for affordable housing and 5% which is used for administrative costs.

Mr. Jensen explained that MarketStar is headquartered in Ogden, Utah and Deloy Hansen, CEO of the Wasatch Group has recently acquired MarketStar. They currently have 650 employees and they are looking to expand into Logan. They also have an office in Salt Lake with 135 employees and employees in 27 various U.S. States, Latin America, Ireland, Spain and Australia. They do business to business sales and outsource for tech companies. They approach things from a relationship standpoint as opposed to just pure transactional sales. Initially, MarketStar would bring 120 new jobs to the Logan area and then up to 300 jobs within five years. Their pay scale ranges between \$30,000 up to \$92,000. There is currently planned parking for the building location and would not impact the parking ratio of other planned developments in the same area.

Chair Simmonds opened the meeting to a public hearing.

Developer Bracken Atkinson addressed the Council and stated this will be a great addition to this project area and he thanked the Council for their support.

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

ACTION. Motion by Vice Chair Anderson seconded by Councilmember Jensen to approve Resolution 19-40 RDA as presented. Motion carried (Simmonds, Anderson and Jensen voted aye; Olsen abstained; Bradfield excused earlier in the meeting). PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance to DC1, LLC for its Redevelopment Project in the Downtown Redevelopment Project Area – Resolution 19-41 RDA

At the June 18, 2019 Council meeting, Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He stated that the redevelopment project of DC1, LLC, located at approximately 150 South 100 East in the Downtown Redevelopment Project Area, consists of one 120-unit apartment building with ground floor commercial fronting Main Street and 10 town homes in two buildings fronting 100 East, which contributes significantly to the achievement of the City's economic goals, including: the development of a variety of housing units in downtown Logan; the fiscal growth of the City through property and sales taxes; an additional economic return for the City in terms of the Project serving as a catalyst, encouraging additional development downtown; the creation of new jobs and the improvement of the appearance of a key City commercial area. The proposed incentive package is that DC1, LLC will receive 100% of the available property tax increment generated by its Project annually during the life of the Downtown Redevelopment Project Area, not to exceed \$100,000 "Cap". Available tax increment is defined as the total tax increment generated by the Project during the life of the Downtown Redevelopment Project Area and received by the Agency minus 20% that is required to be allocated for affordable housing and 5% which is used for administrative costs. It is proposed that DC1, LLC will receive \$300,000 from the RDA upon completion of its Project. Monies from the Fund can be used for market-rate housing projects in a redevelopment project area where a blight funding exists. All construction plans are to be approved by the City of Logan Community Development Department.

Chair Simmonds added that Mayor Daines has indicated that the sale of the property which is approximately .04 acres, will be used for park space elsewhere in the City.

Chair Simmonds opened the meeting to a public hearing.

Project representative Beth Larchar addressed the Council and stated that projects such as this get expensive very quickly and move slowly but she looks forward to getting started soon and thanked the Council for their support. She added that the townhomes will be built first and she anticipates that the subdivision process will start soon afterward.

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

ACTION. Motion by Councilmember Olsen seconded by Councilmember Jensen to approve Resolution 19-41 RDA as presented. Motion carried (Bradfield excused earlier in the meeting).

ADJOURNED. There being no further business to come before the Council, the meeting of the Logan Municipal Council adjourned at 8:12 p.m.

Teresa Harris, City Recorder