

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, August 4, 2020 at 5:30 pm in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah following social distancing guidelines. The number of in-person attendees was limited based on social distancing of 6 feet which resulted in less than 50 people allowed in the Council Chambers. All guests were asked to sign in and it was required that all those in attendance wear a mask. Overflow space was available with appropriate social distancing and video access. Logan Municipal Council Meetings are televised live as a public service on Channel 17, City of Logan Facebook page: <https://www.facebook.com/cityoflogan> and KSL live at <https://live.ksl.com/>.

Councilmember's present at the beginning of the meeting: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson Councilmember Jess W. Bradfield and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Assistant Finance Director Rueben Nelson and City Recorder Teresa Harris.

Chair A. Anderson welcomed those present. There were approximately 17 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Barbara Tidwell, Cache County Councilmember and Co-Chair of the 2020 Cache Celebration of Women's Suffrage gave the opening thought and announced the Women's Suffrage event scheduled for August 26, 2020 at 6:30 pm at the Cache County Courthouse. She also thanked the Logan Municipal Council and the Cache County Council for their support of this event.

Chair A. Anderson led the audience in the pledge of allegiance.

Meeting Minutes. Minutes of the Council meeting held on July 21, 2020 were reviewed and approved with no changes.

Meeting Agenda. Chair A. Anderson announced there are nine public hearings scheduled for tonight's Council meeting.

Councilmember Bradfield clarified that the Council is not discussing the mask mandate at tonight's meeting.

Chair A. Anderson responded that is correct.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Bradfield to approve the July 7, 2020 minutes as presented and approve tonight's agenda. Motion carried unanimously.

Meeting Schedule. Chair A. Anderson announced that regular Council meetings are held the first and third Tuesdays of the month at 5:30 pm. The next regular Council meeting is Tuesday, August 18, 2020 and will be a public meeting.

QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:

Chair A. Anderson explained that the Questions and Comments portion of the agenda is suspended at this time. She indicated that comments or questions can be emailed to: teresa.harris@loganutah.org, who will distribute to the Mayor and Councilmembers. She stated that under Other Considerations on tonight's agenda the Council will be taking the time at the end of the meeting the Council will address any comments or questions that come to them during the open comment and question period as well as address any emails that are received. This is being done in order to better connect with the appropriate person to answer those questions and so the Council can react and include all those that might be impacted or affected.

MAYOR/STAFF REPORTS:

Board Appointment (Water & Sewer) – Mayor Daines

Mayor Daines asked the Council for ratification to appoint Steven E. Harris to serve on the Water & Sewer Board.

ACTION. Motion by Vice Chair Jensen seconded by Councilmember Simmonds to approve ratification of Steven E. Harris as presented. Motion carried unanimously.

Transportation Master Plan Update – Woody Woodruff and Ann Williams (Horrocks Engineering)

Woody Woodruff with Horrocks Engineering addressed the Council regarding the Logan City Transportation Master Plan.

Transportation Master Plan Purpose

- Serves as a 25-year planning guide for transportation in our community.
- Serves as a road map for future transportation investment.
- Helps to proactively develop solutions to meet existing and future mobility and access needs within the city.
- Develops a list of projects to address future needs (Capital Projects).
- Provides a process for determining mechanisms for funding future capital projects.
- The plan will be updated every three to five years.

Transportation Master Plan Benefits

- Determines transportation goals and objectives in the community.
- Preserves right-of-way.
- Improves transportation mobility and safety in the community.
- Identifies and integrated different modes of transportation.
- Involves the community and engages the public throughout the planning process.
- Provides a mechanism for stakeholders to provide and coordinate valuable transportation experience and expertise.
- Results in a coordinated plan that helps connect with other county communities.

Ann Williams with Horrocks Engineering addressed the Council regarding the Logan City Transportation Master Plan and said a big part of the Plan is getting input from the public. She announced the public comment period which is the following:

Public Comment Period

- The public comment period will be in conjunction with the Main Street Corridor Study.
- The initial public comment period will be August 24, 2020 to September 28, 2020.
- A virtual public meeting will be held on August 25, 2020 from 6:00 to 7:00 p.m.
- Comments can be made on the website interactive map and via phone or email.
 - Website: www.logantrp.org
 - Email: transportationplan@loganutah.org
 - Call: 888-CITYTRP (248-9877)

Return to School Plans – Superintendent Frank Schofield, Logan City School District

Logan City School Superintendent Frank Schofield addressed the Council and gave a presentation titled, *School in the Time of COVID-19*.

District Goals

1. Promote the physical safety of students and staff.
2. Address the variety of non-academic needs that are often satisfied through our schools (food, social-emotional support, etc).
3. Satisfy the needs of parents and working families.
4. Implement structures that will support the academic learning of all students in an ever-changing environment.

Logan City School District Reopening Protocol

A “soft opening” will be implemented through September 11, 2020. In order to increase the district’s ability to provide physical distancing at school, students will be divided into AM/PM sessions. The focus of the soft opening period will be to create routines, procedures, and expectations that will promote the safety and success of students and

staff and allow a full return to school as soon as possible. During the soft opening, the District will collect feedback from staff, parents, and students regarding their experiences during the soft opening. After September 11, the Board of Education will review the feedback received, as well as existing levels of COVID-19 infection rates to determine a tentative plan moving forward. Details of the COVID-19 response plan are listed on the District website.

Protocols for Wearing Masks

With the exceptions identified below, students, employees, and visitors are required to wear a face covering (mask or face shield) while at school.

A face covering is not required when an individual:

- Is outdoors if physical distancing (six feet) can be achieved and hand hygiene protocols are practiced
- Is eating or drinking while maintaining physical distancing
- Has submitted a **Face Covering Exemption** request, and received an exemption from the school
- Students and visitors who choose not to wear a face covering at school will be referred to the building principal to determine whether one of the four approved exemptions are appropriate.
- If none of the approved exemptions are appropriate, the individual will not be allowed in school without wearing a face covering.
- Additional guidance on when masks may or may not be required for students can be found in the Understanding the Coronavirus & Situational Characteristics document available on the district website.
- If students are engaged in activities where the risk factors have been addressed, employees may give students permission to remove their masks during those activities.

When an Individual Tests Positive for COVID-19

The health department will contact the individual and conduct a disease investigation, which includes beginning the contact tracing process, to identify others who may have been exposed to COVID-19. The individual testing positive will be issued an isolation notice and cannot return to school until meeting the Centers for Disease Control and Prevention (CDC) criteria to be released. The individual testing positive can safely return to school after being released from isolation from the health department. The health department will contact the school administration when an individual has completed isolation.

Containing Potential Outbreaks

Principals will work with staff to create a list of “high risk” individuals in each school to help with communication in case of a potential outbreak.

High-risk individuals include:

- anyone with certain underlying medical conditions
- children who are medically complex
- older adults

In case of a positive case of COVID-19 at the school, the health department will contact all high-risk individuals in the school to provide further guidance and instruction.

Contact will also be made with individuals who have made contact with the infected individual:

- for more than 15 minutes
- closer than six feet of distance

The health department will provide high-risk individuals with education and instructions on ways to take extra precautions, including to quarantine if needed.

Protocol for Temporarily Reclosing Schools

If a single class has **3 or more** positive cases of COVID-19 within a two-week period, the District will work with the local health department to consider recommending that class move to remote learning for two weeks.

If a school, as a whole, has **15 or more** positive cases within a two-week period, the District will work with the local health department to consider recommending that school move to remote learning for two weeks.

If the 7-day running total of COVID-19 cases doubles for the entire Bear River Health Department district within approximately two weeks following the opening of school, the District will initiate discussions with the health department regarding potential district and county-wide action, including a transition to online learning.

Superintendent Schofield said a complete reopening guide can be found on the Logan City School District website.

Councilmember Simmonds said she spoke with Tami Pyfer who works for the State Board of Education and she complimented the Logan City School District on their reopening plan and their level of specificity of the return to school.

Councilmember Bradfield asked how do we protect children who are vulnerable. He said his children will be wearing masks, but he is concerned about children teasing each other and if a child is not wearing a mask that it might indicate to another child that they have some type of disorder or mental situation.

Superintendent Schofield responded that teachers in the lower grades are very good at creating an understanding of community and a sense of, we can do this together” and because we are different just means that we can help each other in different ways. They

are holding a meeting this week to make sure teachers are aware of these types of situations and how best to handle them.

Superintendent Schofield announced that the new Hillcrest Elementary will be ready to open on time for the school year. Ellis East Campus has moved into their location.

The Council thanked Superintendent Schofield for this information and thanked the teachers for all they do for the students.

Carbon Free Power Project Update – Mark Montgomery, Light & Power Director

Logan Light & Power Director Mark Montgomery gave an update on the Carbon Free Power Project. He stated the players are Logan City and other UAMPS members, NuScale (Developers of the SMR Technology, Flour Corporation Worldwide Construction Company (backing NuScale) and the Department of Energy (DOE).

Summary Facts

- The project size is 600 MW (720 MW with uprate)
- Logan commitment 5 Mw (6.99 MW with Jump)
- DOE to own 1st module 50 Mw (60 MW with uprate)
- Spent so far is \$8.8 million, this includes DOE and NuScale
- Logan City so far has spent \$256,000

Project Changes

The DOE changed the support approach from owning the first module to appropriations.

- Removed DOE from taking on the First of Kind (FOK) risk and instead capping their monetary risk
- 1.5B commitment came but project increased by 1.89B
- Year to year federal appropriation creates additional risk

Project Cost History

- 11/2017 – Budget and plan of finance = \$3.64B
- 11/2019 – Amended budget and plan of finance = \$4.238B
- 7/2020 – Amended budget and plan of finance = \$6.124B

Project Subscription

- Have been working on the subscription for 2 years
- Hired employee for marketing over one year ago (result is 1 MW)
- Currently subscribed at 213 of 720 MW (21% w/o jump)
- Subscription History
 - May 2018 77.5 MW
 - June 2018 97.3 MW
 - August 2018 98 MW
 - Jump module strategically increased subscription over 150 MW requirement

Missed Commitments

- November 2019 “approve the minimum budget for December 2019 thru March 200 to maintain the critical path for COLA Development”
- April “DOE cost share should be done in May”
- November 2019 UAMPS committed to be at 50% by July 2020

First of a Kind Risk (FOK)

- No SMR plant has been built
- DOE has shifted the FOK risk back to UAMPS using a monetary cap
- Project assumed to be air cooled no nuclear plant had been air cooled before

Why We are Here

- Anytime an increase to the budget gets approved by the Project Management Committee, entities are given an opportunity to withdraw or lower their project share amount, we have 60 days to do this and it was done last week. The 60-day window ends September 15, 2020.

Offramps and Future Costs

Off Ramp	Description	Start	Finish	UAMPS Cost Millions	LCLP Costs
	December 2019 Budget & Finance	Dec-19	Sep-20		158,000
1	Licensing Period - 1 phase (COLA Submittal)	Oct-20	Apr-23	19.9	654,000
2	Licensing Period - 2nd phase (COLA issued)	May-23	Nov-25	658	21,582,400
3	Construction Period (Commercial Operation Date)	Dec-25	Jun-30		

LL&P Share Licensing #1 period before DOE & <u>NuScale</u> with Cost Share \$654,000	\$4,787,101
DOE and <u>NuScale</u> estimated costs	\$1,375,150,348
Participants estimated costs	\$4,759,535,481
Total Project cost estimate	\$6,124,293,710

Mr. Montgomery said he would like to see the conditions of the Budget and Plan of Finance completed before a resolution is approved. He would also like to see more subscription and construction and engineering completed past a class IV level (-10% to +30%). He would also like to see the participant JUMP MW’s resolved.

He said regardless of these things, if the City wants to stay in the project, the money will have to be spent regardless.

He said the City has the following options before September 15, 2020

- Pass a resolution to officially increase, decrease or withdraw from the project. If we reduce, it may or may not reduce the project cost.
- Pass a resolution to withdraw from the JUMP program MW's.
- Do nothing and stay the course.

Mr. Montgomery feels this will be a good project and it will be built eventually even if UAMPS or Logan withdraws the project will still move forward. He also reminded the Council that any money coming back to Logan City if we withdraw, only happens if UAMPS as a group withdraws. If we take the off ramp at this time, we will have to pay \$157,000 to pay for our portion of what has been completed on the project up to this point.

Councilmember Simmonds said she is still concerned about the capitalized costs.

Mr. Montgomery responded that the plant is budgeted to run for 40-60 years and there is a predicted amount of power that it will produce during this time period. You would take the power and divide it by all of the capitalized costs and that gives you the levelized cost of energy.

Mayor Daines said the intent is to come back to the Council on August 18 with a proposed resolution in regard to the Carbon Free Power Project and the Council at that time will need to make a decision on the future of the project.

Mask Mandate Update – Mayor Daines

Mayor Daines addressed the Council and said part of her decision to implement the mask mandate was exactly what Superintendent Schofield presented and that is to support the School District and to make going back to school work in addition to the University students coming back to campus this Fall. Mayor Daines explained the logistics of how she was able to obtain the mask mandate. She first declared a State of Emergency for the City of Logan as the Governor has done for the State of Utah which then allowed her to issue an Executive Order implementing the mask mandate. Legally, the State of Emergency is in place for 30 days unless the Council chooses to extend beyond the 30 days and there is a system of checks and balances. At the August 18 Council meeting there will be an agenda item to request that Council consider extending the mask mandate beyond the 30 days. Mayor Daines recommended the extension go to the end of the 2020 year which, is what USU is also doing. The Council will also need to decide whether or not they want to hold a public hearing on August 18 in regard to the extension of the mandate.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Bradfield

No report was presented.

Other Committee Updates – Council

No reported was presented.

No further Council Business items were presented.

ACTION ITEMS: Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Masks are strongly encouraged.

PUBLIC HEARING - Budget Adjustment FY 2020-2021 appropriating: \$150,000 additional funding the City of Logan is receiving from Cache County for the Kunzler property conservation easement purchase. To appropriate the following awarded RAPZ grants for 2021: \$150,000 Kunzler property conservation easement grant match request; \$20,000 Willow Park Sports Complex Field No. 2 improvements; \$100,000 Logan River Blue (water) Trail and Ground Trail extension; \$60,000 Logan Middle Canal Trail 800 East to 1400 North; \$45,000 Logan 1800 South Spring Creek Trail Construction Phase I, \$39,500 Logan River Flood Wall at 1000 West Underpass; \$106,300 RAPZ Tax Municipal Population Allocation; \$424,981 funds for the North Logan Sewer Trunk Line at located at 1400 North 600 West; \$322,168 funds for the 1400 North 600 West Emergency Sewer Lining Project; \$2,400,000 funds Public Works was awarded from the Cache County Council of Governments for the following two projects: 1000 North Corridor and Intersection Improvement project; \$900,000 for the 400 North right-of-way acquisition project - Resolution 20-30

At the July 21, 2020 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

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

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

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Simmonds to approve Resolution 20-30 as presented. Motion carried unanimously.

PUBLIC HEARING - Brown Warehouse LLC Mixed-Use Project Rezone – Consideration of a proposed ordinance. Brown Warehouse LLC/Lance Zollinger, authorized agent/owner requests a rezone of 9.12 acres from Resource Conservation (RC) to Mixed-Use (MU) located at 1400 South Legrand Street (Woodruff Neighborhood) – Ordinance 20-18

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 9.12 acres of property located at approx. 1400 South Legrand Street (TIN# 02-084-0018; -0019) from Resource Conservation (RC) to Mixed Use (MU).

Land use adjoining the subject property

<i>North:</i>	REC: Golf Course	<i>East:</i>	COM: Commercial Uses
<i>South:</i>	REC: Park	<i>West:</i>	REC: Golf Course

PROJECT

The original request submitted in March included a Design Review Permit request for 192 apartment units and 4,500 SF of commercial but has since been requested in writing, to separate these actions and continue the Design Review to a later date. The proponent is requesting action on the rezone request of two parcels that total approximately 9.12 acres at approximately 1400 South Legrand Street from RC to MU. The irregular shaped parcels are bound by HWY 89/91 and Spring Creek to the northwest with Legrand Street positioned along the southeast border. Logan City owns a vacant parcel to the west used as a native park and Autocare LLC (Vehicle Towing and Repair) owns a partially developed parcel to the east. Currently, the subject land is vacant from structures and has historically been used as agricultural fields/crops.

GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Recreation (REC). Project #20-003 FLUP Amendments, submitted in December 2019, proposes this property to be designated COM in the FLUP. Currently, that project is still pending City Council vote. The General Plan, a nonregulatory visioning plan, describes REC areas as being intended for recreational facilities such as campgrounds, golf courses, RV Parks, Trails, and parks.

Mixed Use Center (MUC) FLUP designations are described in the General Plan as having concentrations of commercial and office uses with residential uses integrated. MUC developments are required to have both residential and commercial components. MUCs are required to be designed in a compact dense form for people to live, work, and play within a walkable center.

LAND DEVELOPMENT CODE

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The REC zone allows a limited range of recreational uses, with residential and commercial uses prohibited. Building heights are limited to 35' and lot coverage rates capped at 50%.

The Mixed Use (MU) zoning district permits a maximum density of 30 units per acre (density bonus's available) and building heights up to 58'. Setbacks are 0'-10' (min-max) in the front yard and lot coverage is capped at 60%. Street frontage, a building width to property width ratio requirement, is set at a minimum of 60%. 20% of project sites are required to be improved with open space and usable outdoor space. Studio/one-bedroom residential units require 1.5 parking stalls; two bedroom or larger units require 2 parking stalls. Commercial parking is based on land use and square footage. MU standards set minimum commercial building areas based on overall project acreage.

NEIGHBORHOOD COMPATIBILITY

This area, along HWY 89/91, is considered a gateway entrance to Logan City. Numerous visitors and residents enter Cache Valley and Logan City via HWY 89/91. The area surrounding this land has a diverse mix of land uses and structures. Several rivers and streams converge in this area creating unique riparian environments and the potential for seasonal flooding. According to Logan City floodplain data, these properties are entirely located in the FEMA 100-year floodplain. To the south a single-family residential neighborhood (Country Manor) was developed in the 1980's and a multi-family townhome community (Blackhawk) was established in the 1990's. The Logan City Soccer Park Complex was developed in the early 2000's and is directly adjacent to the south. Across HWY 89/91 to the north, the Logan City Golf Course covers nearly 170 acres of riparian lands. To the east, multiple commercial buildings sit on the large irregular block including the adjacent vehicle towing and repair business.

Commercial and Multi-Family land uses could be considered compatible for this area, but density and site layout would be critical to fit into the existing suburban character of the neighborhood. Aside from Downtown Logan where HWY 89/91 speed limits are lowered and traffic is calmed, residential development directly adjacent to the HWY is extremely challenging. Safety and noise pose challenges to residential development in these high-volume, high-speed HWY corridors. Along HWY 89/91, south of town, new residential homes have not been built in decades. To the contrary, older single-family homes-built generations ago along the HWY, see residents move away and often remain vacant. The South Gateway Corridor, which applies to areas south of this location, explicitly prohibit new single-family homes adjacent to the HWY.

SUMMARY

The dense, urban form the MU zone requires is simply out of character for this HWY suburban site. With the sprawled-out HWY development adjacent and high-speed vehicular traffic, the maximum setbacks of 10 feet and building frontage of 60% would compromise compatibility. The meandering natural spring creek would conflict with the

dense and rigid MU development patterns and making natural riparian preservation of these sensitive lands difficult. Living conditions 10 feet from the HWY with cars traveling at high speeds would not be ideal and challenging for safety.

A COM development pattern would allow larger setbacks and flexibly to work around the stream alignments and sensitive lands. A project with higher amounts of commercial and lower amounts of residential would provide better commercial services to area residents and travelers along the HWY. If designed in a sensitive way, the stream could be enhanced and become a real outdoor amenity for commercial patrons and business owners with employees. The properties may be large enough to support commercial along the HWY frontage and separate residential near Legrand and areas along the east border. Residential development in the area should be similar in nature and density to the surrounding residential projects for neighborhood compatibility. Staff finds that this area is inappropriate for the MU zoning district.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, three comments had been received expressing concerns for this rezone.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 6/16/20, and noticed in a quarter page ad on 6/18/2020, and a Public Notice mailed to property owners within 300' were sent on 6/16/2020.

RECOMMENDED FINDINGS FOR DENIAL

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

1. The MU zone has maximum setbacks and building frontages that do not match the character of the area and speed limits of HWY 89/91 in this area.
2. The dense urban form associated with the MU zone would conflict with the native meandering spring creek and make developing around this sensitive feature difficult.
3. The FLUP does not identify MU for this area.

On June 25, 2020, the Planning Commission recommended that the Municipal Council deny a rezone from RC to MY for 9.12 acres located at approximately 1400 South Legrand Street (7-0).

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

Kristie Cooley, representative of the Country Manor Homeowner's Association addressed the Council. She is the acting President of the Association and stated that due to the pandemic and the nature of the situation, they decided to send one person but, she stated that she is representing 48 residents from her neighborhood. She expressed her

thanks to the Council for the process of meeting with the Planning Commission and to address the Council during their workshop when this rezone was first discussed. The neighborhood is very apprehensive about this project moving forward and having more pavement close to their neighborhood. She and others love their neighborhood and they do not want blight in their area. She asked the Council to deny the proposed rezone.

Logan resident Steve Hoedt addressed the Council regarding the proposed rezone. He distributed a map of the area and discussed his concerns regarding the potential flood hazard where he lives (Blackhawk Condominiums) if development were to occur.

Proponent Lance Zollinger addressed the Council and stated this is a great piece of property and they would like the opportunity to do something with the property. They thought Mixed-Use was a good transition from housing into a commercial zone. They have been farming the land for the past 10 years and they harvest what is grown on this land. He knows in the development process they will have to deal with storm water retention, and it all has to be maintained and cannot be discharged. They will take care of all of these elements as they go through the process of development.

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

Vice Chair Jensen asked about the water concerns that Mr. Hoedt mentioned.

Mr. Holley responded that he is not a professional hydrologist or engineer. Obviously, there are some flood plain issues with Spring Creek and the confluence of all the rivers in that area. As projects come to the City there is a certain level of engineering and a flood plain analysis delineation that must be completed.

Mr. Holley said the proponent did not officially propose a project, but a Mixed-Use project is a mixture between commercial and residential and is weighted heavily on residential (95%+) of the project. It would be 30 units per acre as a base, there are density bonuses allowed and is a dense, compact zone and requires a small setback. The uses range from restaurant to office. The proposed rezone property is 9 acres with the potential to have 270 units at 30 units per acre.

Chair Anderson read an email from Country Manor homeowner Tami Pyfer who spoke against the rezone.

Vice Chair Jensen said the water issues will still remain regardless of what the area is zoned unless purchased by the City or someone else who leaves the area as wetlands.

Mr. Holley said Staff originally thought that some type of lower intensity Commercial could work in this area or Gateway Overlay that would allow for larger setbacks and flexibility to work with the hydrology. The first thing that needs to be determined is what parts of the property can be developed and what property cannot.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Bradfield to deny Ordinance 20-18 as presented. Motion carried unanimously to deny.

PUBLIC HEARING - Global Property Town Home Rezone- Consideration of a proposed ordinance. Global Property 2000 LLC/Lance Zollinger, authorized agent/owner requests to rezone 2.72 acres from Neighborhood Residential (NR-6) to Mixed residential (MR-9) located at 295 West 500 North (Ellis Neighborhood) – Ordinance 20-19

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed rezone.

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for a Rezone of approximately 2.72 acres of property located at 295 West 500 North (TIN# 05-076-0004; -0026.) from Traditional Neighborhood Residential (NR-6) to Mixed Residential Transitional (MR-9).

Land use adjoining the subject property

<i>North:</i>	NR-6: Residential Uses	<i>East:</i>	NR-6: Residential Uses
<i>South:</i>	NR-6: Residential Uses	<i>West:</i>	NR-6: Residential Uses

PROJECT

The proponent is requesting to rezone two parcels that total approximately 2.72 acres at 295 West 500 North from NR-6 to MR-9. The irregular shaped parcels extend into the middle of the block between 500 North and 600 North. The vacant and relatively flat area have a mix of single-family homes and multi-family structures in the adjacent areas. The land has only one street frontage along 500 North and narrows in that area to approximately 115 feet wide. The original request included a Design Review Permit for 15 townhome units but has since been requested in writing, to separate these actions and continue the Design Review Permit to a later date.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property as Detached Residential (DR). The FLUP does not distinguish between the different DR zoning districts in the General Plan. DR is described as a district that will be developed with detached single-family homes. While flexibility and variety of housing is described as important in this district, the General Plan states that all new residential developments must create a traditional neighborhood character with entrances of homes oriented towards public streets. Densities may range from 4-6 dwelling units per acre. MR areas are identified as area appropriate for multi-family housing types developed at densities up to 30 units per acre.

ZONING

The current zone, NR-6, allows single family detached homes with a minimum lot size of 6,000 SF and a maximum of 6 homes per acre of land. The proposed 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 for up to 9 units per acre of land and permits residential uses with a maximum occupancy of one family or no more than three (3) unrelated people within each dwelling unit.

This project is located within the Bridger Neighborhood. Housing in this neighborhood is varied, with large amounts of townhomes and multi-family developments. The housing portfolio in the area around this project reflects the diverse housing in the area. According to the American Community Survey (ACS) 2017 estimates, only 22.5% of the housing in the proximity of the project site (between 500 N and 1400 N and between Main Street and 600 W) are single family detached homes. This is nearly half the rate for single family homes in Logan City (40%). Also, the area features an above average concentration of attached housing apartments.

SUMMARY

Logan City's housing goal for the Bridger Neighborhood has been to increase the number of owner-occupied single family homes in the area to help provide a more balanced housing portfolio. Much of the remaining undeveloped land, including this parcel, has been rezoned to NR-6 and designated as DR on the FLUP to help achieve this goal. Balance to the housing in the area will help to increase long term home ownership, lessen student turn-over in local schools, and provide more housing options for residents. With the project site being adjacent to some existing single family homes and the FLUP designation of the area as DR along with the need for more single family detached housing in the area, staff recommends that the rezone request from NR-6 to MR-9 be denied to preserve one of the last remaining locations for single family detached homes in the neighborhood.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, two comments had been received expressing concerns for this rezone.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 4/11/2020, and noticed in a quarter page ad on 6/18/2020, and a Public Notice mailed to property owners within 300' were sent on 6/16/2020.

RECOMMENDED FINDINGS FOR DENIAL

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 DR
2. This area is one of the few remaining vacant DR areas in the Ellis Neighborhood.
3. Logan City has made numerous concerted efforts to try and get less multi-family and more single-family in this neighborhood. Downzones from MR to NR in 2007 for these areas are evidence of that.
4. As proposed the MR-9 zone does not act as a transition zone as described in the LDC.
5. The DR designation is intended for single-family detached developments.

At the June 25, 2020, the Planning Commission recommended that the Municipal Council deny a rezone from NR-6 to MR-9 for 9.72 acres located at 295 West 500 North (7-0).

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

Ellis Neighborhood Chair Sue Sorenson addressed the Council. She and others also attended the Planning Commission meeting and made comments regarding the proposed rezone. The neighborhood requested that the Council leave the area zoned as Neighborhood Residential. They feel that they have their fair share of apartments on the West side and they want to encourage family homes in their neighborhood.

Ellis Neighborhood resident Susan Scott addressed the Council. Her property is abutting the proposed rezone area and she is opposed to townhomes which will bring in a huge population and currently there is only one way in, one way out and the main road is narrow. There are also a lot of sewer problems in the area so adding more people is not a good idea. There are other townhomes in the area that are very rundown, and she feels that since Mr. Zollinger is not taking care of these townhomes that he will not take care of future townhomes. She asked the Council to deny the rezone.

Ellis Neighborhood resident Joy Reyes addressed the Council. She spoke with several in the area of the proposed rezone area and the general consensus of those she spoke with is they do not mind having the area developed but they want it left as single-family dwellings. There is not an easy access into the property and the area is landlocked. The neighborhood would like permanent homeowners rather than transient. She asked the Council to deny the rezone.

Proponent Lance Zollinger addressed the Council and stated they are trying to mow and do upkeep on the property. They would like to do something on the property and they had a single family project designed for the area, brought it to the City and were told to hold because the width of the roads needed to be changed and they were not able to move forward with the single family housing project. Instead they would like to do a townhome project and it would include a park as well. The townhomes would be sold not rented and he feels that townhomes are considered the new “starter homes” for people.

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

Councilmember Simmonds said the conversation from the Planning Commission who denied the rezone centered around the fact that if there were acquisition of more property on either side and because the property has a very narrow entrance and widens out, that it could enable single family homes to more easily be developed.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember Simmonds to deny Ordinance 20-19 as presented. Motion carried unanimously to deny.

PUBLIC HEARING - Citywide Zoning Map Amendment – Consideration of a proposed ordinance. Logan City Community Development is proposing a zoning map amendment that includes approximately 64 acres in various areas around the City that better reflect the recent changes to the Future Land Use Plan (FLUP) – Ordinance 20-20

Planner Russ Holley clarified that Area #7 is not 64 acres any longer and there are several areas that have been removed. The proposed ordinance only includes Area #1 and #2 which are the areas where Utah State purchased additional property. Area #3, which is the new location of the Canyon View Park. Area #4 and #5 have been taken out of the ordinance and the storage units in Area #6 have also been removed from the ordinance which just leaves area #7 and a small sliver in Area #6. The confusion was between the FLUP and the current zoning map, so he created and provided a map which combined the entire area.

In Area #7 the existing zone is Commercial, and the proposed zone is Commercial Services. Staff feels that Commercial Services is a step in the right direction towards the FLUP and allows more Commercial types of land use property in the interim.

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone Mike DeSimone addressed the Council regarding the proposed amendments.

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for an Official Zoning Map Amendment for multiple properties located around Logan City.

REQUEST

The proponent is requesting an Official Zoning Map Amendment for approximately 64 acres in seven different areas around Logan City in response to the recent Future Land Use Map (FLUP) amendments. These seven areas include two areas near Utah State University where recent public property acquisition has occurred, one area along Canyon Road where recent park development happened, two areas along south Highway 89/91 with future growth potential and two areas on the west side of the city near Highway 30 that better

reflect current land use and development patterns. The proposed zoning district changes include Campus Residential to Public, Neighborhood Residential Six to Recreation, Resource Conservation to Commercial, Commercial to Industrial and Commercial Service.

There are seven different areas:

Area 1 and 2 are properties purchased by USU. The existing zone is Campus Residential (CR) and the proposal reflects public ownership with a Public (PUB) zoning designation.

Area 3 shows the new Canyon Road park area. It was previously developed for residential homes, the proposal to Recreation (REC) reflects the current land use.

Area 4 shows a perimeter growth area for Logan City. Historically used as agriculture, this property will likely experience development pressure. The existing zone is Resource Conservation (RC) and the proposed zoning is Commercial (COM). This is an area along Legrand Street and US 89/91.

Councilmember Bradfield requested that Area 4 be left as the existing zone of Resource Conservation (RC).

Area 5 shows a perimeter growth area for Logan City. Historically used as single-family and agriculture, this property will likely experience development pressure. The existing zone is Resource Conservation (RC) and the proposed zoning is Commercial (COM). The location is 2200 South/Hwy 89/91. The Planning Commission recommended to keep the zoning Resource Conservation.

Area 6 shows a remnant railroad ROW now owned by Logan City Public (PUB) and a storage unit property proposed to better match existing land use Industrial Park (IP). The Planning Commission stated they want to keep Commercial because it is across the street from Residential units even though its Industrial in nature. They agreed to the location of 800 West from COM to PUB but denied the location at 525 North 600 West.

Area 7 shows areas with a rezone proposal to better match the existing land use of Commercial Services (CS) rather than Commercial. It also shows a small area purchased by the State of Utah that should be changed from Commercial (COM) to Public (PUB). This is in the area of 1300 West 200 North.

GENERAL PLAN

Chapter three in the General Plan describes all the different land use categories and defines certain development patterns, appropriate locations, and intensities for each land use designation. The Future Land Use Plan is an important tool to guide future growth and development in the City. The FLUP and the General Plan are visioning documents that set a general direction and guidance for the City. The FLUP and General Plan are not specific regulatory ordinance or code like the Municipal and Land Development Code. The Official

Zoning Map for Logan City, which is considered a regulatory document, is housed within the Land Development Code.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

PUBLIC COMMENTS

As of the time of this report, one comment has been received expressing a desire to rezone the south Highway 89/91 property near the intersection of Legrand Street to Mixed Use rather than the proposed Commercial.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 4/14/20, posted on the City's website and the Utah Public Meeting website on 4/15/20, and mailed to property owners within 300 feet on 3/30/20.

RECOMMENDED FINDINGS FOR APPROVAL

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

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Official Zoning Map Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed amendment responds to recent city boundary adjustments on the south end of the city.
4. The proposed amendments will facilitate future growth in a manner consistent with the General Plan.

On June 25, 2020, the Planning Commission recommended that the Municipal Council deny a rezone from NR-6 to MR-9 for 2.72 acres located at 295 West 500 North (multiple votes see Planning Commission Minutes dated June 25, 2020).

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

Logan resident Kristie Cooley asked if Area #4 was removed from the proposed ordinance.

Mr. Holley responded yes; Area #4 has been removed from the ordinance.

Ms. Cooley commented that she has done a lot of sandbagging in her neighborhood and Country Manor is going to flood and is not a matter of if but when. Whatever we can do upstream from Country Manor is going to impact the neighborhood because they are in a wetland area and they have problems with groundwater. The neighborhood looks forward to a partnership with the City to help them maintain dry ground.

Logan resident Steve Hoedt addressed the Council and asked for clarification that anything near the Logan River has been removed.

Chair Anderson confirmed that all of the changes near the Logan River have been removed from the ordinance.

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

Councilmember Bradfield asked if the Council wants to explore the area of 400 North near the University as part of this ordinance.

Councilmember Simmonds responded that the Council could do that separately and it would be a bigger discussion based on the 400 North Corridor Plan.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve Ordinance 20-20 as amended. Motion carried unanimously.

PUBLIC HEARING - Land Development Code Amendment - Consideration of a proposed ordinance amending Chapters 17.39 “Permit Authority” to include Section on Accommodating ADA; 17.40 “Subdivisions” to clarify preliminary plat reviews; and 17.43 “Design Review Permits” to clarify wording – Ordinance 20-21

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed Code Amendment.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council of these minor amendments to the Land Development Code.

REQUEST

This is a proposal for several minor amendments to the Land Development Code (LDC) including adding ADA reasonable accommodation language, cleaning up the Subdivision Chapter, and cleaning up the procedural language for Track 1 vs Track 2 design review applications.

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

American with Disabilities Act (ADA) Accommodations -17.39.060: Added language defining the application and review process for establishing a reasonable accommodation due to a specific physical and/or mental disability of an individual. This is consistent with both the ADA and the Federal Fair Housing Act and ensures an individual has an equal opportunity to enjoy housing opportunities of their choice without compromising the integrity of the underlying zoning regulations. An example of a "reasonable accommodation" is allowing the placement of a wheelchair ramp within a setback area

with the condition that when the individual needing said ramp is no longer at that household, the ramp is removed.

Subdivisions -17.40: Minor clean-up work of wording and document structure. The Final Plat Map Waiver for two lot subdivisions was in the wrong subsection and we clarified some other language throughout this Chapter.

Design Review Procedures -17.43: Minor clean-up work of wording and clarifying the references to the correct review process for either a Track 1 or Track 2 permit.

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.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments are minor in nature and are consistent with the General Plan.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/13/20, posted on the City's website and the Utah Public Meeting website on 6/16/20, and noticed in a quarter page ad on 6/4/20.

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 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 will provide a process to ensure a reasonable accommodation request is met in compliance with the American with Disabilities Act, clarifies the subdivision process, and clarifies the procedural requirements for a Track 1 and Track 2 permit.
5. No public comment has been received regarding the proposed amendments.

On July 9, 2020, the Planning Commission recommended the Municipal Council approve the following Land Development Code Amendments: Land Development Code (LDC) Chapters 17.39.060 Americans with Disabilities Act (ADA) and Federal Fair Housing Accommodations (FFHA); 17.40 Subdivisions; and 17.43 Design Review Process (6-0).

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

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Bradfield to approve Ordinance 20-21 as presented. Motion carried unanimously.

PUBLIC HEARING - Land Development Code Amendment - Consideration of a proposed ordinance amending Chapters 17.29 “Standards, Specifications, and Improvements” and 17.30 “Supplemental Development Standards” of the Land Development Code to adopt the City of Logan Public Works Design Standards for Sanitary Sewer Systems, Culinary Water Systems, Storm Drain Systems, and Street Systems, amend 17.29.170 to clarify location, design, placements and landscaping of stormwater management systems – Ordinance 20-22

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed Code Amendment.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council to (1) amend Land Development Code Chapter 17.29 to adopt the City of Logan Public Works Design Standards for sanitary sewer systems, culinary water systems, storm drain systems, and street systems; and (2) amend Chapters 17.29 & 17.30 containing minor text amendments.

REQUEST

This is a proposal to adopt by reference the City of Logan Public Works Design Standards for sewer, water, stormwater and roads as well as two other minor amendments, one clarifying the placement of stormwater systems and the other clarifying the residential infill subdivision standards.

Public Works Design Standards

The LDC references the Public Works Design Standards in Chapters 17.29 & 17.30, therefore, the City needs to formally adopt these standards. The Logan City Public Works Design Manual establishes minimum City engineering and design standards for the installation of typical infrastructure associated with new development, sewer, water, stormwaters systems, and roadways. These specific design standards are based on the 2007 American Public Works Association (APWA) standard specifications and the City’s amendments to those standard specifications. The primary benefit of the Public Works Design Standards is to ensure the uniformity in the installation and construction of public

and private utilities. This will also eliminate any guesswork or debate on which specific road standard applies to a project. The proposed document for adoption includes only the road standards and the other standards will follow.

The road standards include cross sections and design standards for the local residential streets (< 2,000 vehicles per day), gridded residential collector streets (< 6,000 vehicles per day), collector streets (< 12,000 vehicles per day), minor arterial streets (12,000-25,000 vehicles per day) and major arterial streets (12,000 - 38,500 vehicles per day). The design standards specify minimum right of way and pavement widths, number of lanes, design speeds, lane and parking widths, and sidewalk park strip widths. The attached document details this information for each of the distinct road type.

17.29.170 Stormwater, Stormwater Detention, Stormwater Retention

The proposed amendments to this Section require that stormwater facilities be integrated into the overall landscaping of a site, and that the stormwater facilities are to be located either in the side or rear yards of a project rather than the front yard. The purpose of these changes is to help ensure the stormwater detention/retention ponds are not an afterthought but rather integrated into the overall site design. If a project is unable to integrate a stormwater detention or retention facility into the overall landscaping, they can explore other on-site subsurface options.

17.30.180 Residential Infill and Flag Lot Development Standards

The proposed amendment eliminates the infill standards for subdivisions greater than 9 lots in order to minimize the confusion on which standards apply to a larger subdivision. The infill standards were adopted to regulate small projects or individual lots going into the center of a block behind rows of existing homes. A subdivision larger than 9 lots should be evaluated as a subdivision according to Chapter 17.40 Subdivisions.

STAFF RECOMMENDATION AND SUMMARY

These specific amendments add clarity to the Land Development Code and the expectations of the City during the design review process.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments continue to implement the vision of the General Plan by further clarifying development standards for mixed-use projects. These proposed amendments are consistent with the General Plan.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/13/20, posted on the City's website and the Utah Public Meeting website on 6/16/20, and noticed in a quarter page ad on 6/4/20.

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 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 will clarify the minimum design standards acceptable for typical infrastructure associated with new development in Logan City.
5. No public comment has been received regarding the proposed amendments.

On July 9, 2020, the Planning Commission recommended the Municipal Council approve the following Land Development Code Amendments: Land Development Code (LDC) Chapters 17.29 Standards, Specifications, and Improvements; and 17.30 Supplemental Development Standards (6-0).

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

Logan resident Gail Yost addressed the Council. She asked does the proposed amendment affect the older part of the sewer system in the City.

Mr. DeSimone responded that the amendments are standards for construction and development, and it will not affect what Mrs. Yost is concerned about. Development will have to meet the minimum standards.

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

ACTION. Motion by Vice Chair Jensen seconded by Councilmember M. Anderson to approve Ordinance 20-22 as presented. Motion carried unanimously.

PUBLIC HEARING - Land Development Code Amendment - Consideration of a proposed ordinance amending Chapters 17.09 “General Development Standards; Residential Zones” to clarify Carport Standards; 17.12 “General Development Standards; Districts and Corridor Zones” to clarify the use of Architectural/Decorative Concrete; and 17.20 “Historic District Overlay Zone” to clarify Sign Reviews and Appeal Period – Ordinance 20-23

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed Code Amendment.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.09, 17.12 and 17.20 of the Land Development Code.

REQUEST

This is a proposal for several minor amendments to the residential, commercial, and historic preservation chapters. These are generally minor amendments. The proposed changes are summarized below:

Garages, Parking, and Accessory Structures -17.09.030: Generally cleanup work to clarify that a building permit is required for accessory structures larger than 200 square feet along with other minor text changes.

Building Design Standards-17.12.020 & 030: Cleaned up some of the text and added a reference to architectural concrete and decorative concrete as acceptable building materials and finishes. The Planning Commission had some discussions about the use of concrete as a building material and as a finish material, and whether it was or should be acceptable. This discussion originated during the Mill Creek residential project at 1st West and 1st South and the consideration of a large amount of exposed concrete due to the nature of the project's design. Below are a couple of references to both architectural concrete and decorative concrete (compliments of Google). I have added language into the Code that treats concrete, whether architectural or decorative, as a suitable and acceptable exterior finish.

Architectural concrete refers to concrete that while providing an aesthetic finish to a building also serves a structural function. Decorative concrete typically refers to concrete flatwork or building elements such as panels, that while enhanced with texture or color, are not structural building members. (Portland Cement Association/cement.org)

Architectural concrete is concrete that will be permanently exposed to view and therefore requires special care in selection of the concrete materials, forming, placing, and finishing to obtain the desired architectural appearance. (American Concrete Institute).

Historic District Overlay - 17.20: Corrected the exterior sign review process (signs are reviewed at staff level) and corrected the appeal period from 10-day to the 30-day appeal period as required in the State Code.

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.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments are minor in nature and are consistent with the General Plan.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/27/20, posted on the City's website and the Utah Public Meeting website on 6/25/20, and noticed in a quarter page ad on 6/20/20.

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 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 clarify residential and commercial design standards.
5. No public comment has been received regarding the proposed amendments.

On July 9, 2020, the Planning Commission recommended the Municipal Council approve the following Land Development Code Amendments: Land Development Code (LDC) Chapters 17.09 General Development Standards; Residential Zones; 17.12 General Development Standards: District and Corridor Zones; and 17.20 Historic District Overlay Zone (6-0).

Chair A. Anderson asked if the reference to shared driveways was eliminated and if so, does that mean that shared driveways will no longer be allowed.

Mr. DeSimone responded shared driveways are still allowed they are just listed under a different section of the code.

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

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

ACTION. Motion by Vice Chair Jensen seconded by Councilmember Bradfield to approve Ordinance 20-23 as presented. Motion carried unanimously.

PUBLIC HEARING - Land Development Code Amendment - Consideration of a proposed ordinance amending Chapters 17.38 “Wireless Telecommunication Facilities” and 17.62 “Definitions” to Update the Placement and Design Standards for Wireless Telecommunication Facilities – Ordinance 20-24

At the July 21, 2020 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the proposed Code Amendment.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council of the proposed amendments to Chapters 17.38 and 17.62 of the Land Development Code.

REQUEST

This is a proposal for several amendments to the Wireless Telecommunications Facilities Chapter stemming from the last cell tower decision made by the Planning Commission. This is a proposal to firm up the placement, design, and co-location standards along with some minor cleanup work on the graphics and text.

Placement and Design Requirements -17.38.050:

The Planning Commission shall consider the following factors when deciding to grant permit approvals for a wireless telecommunication facility:

- A. Compatibility : compatibility of the facility with the height, mass and design of buildings, structures, and uses in the immediate vicinity;
- B. Screening: whether the proposal uses existing or proposed vegetation, topography, or structures in a manner that effectively screens the facility;
- C. Disguise: whether the facility is disguised in a manner that mitigates potential negative impacts on surrounding properties;
- D. Parcel Size: whether the facility is located on a parcel of sufficient size to adequately support the facility and meet minimum setbacks;
- E. Location on Parcel: whether the facility is situated on the parcel in a manner that can best protect the interests of surrounding property owners, but still accommodate other appropriate uses on the parcel;
- F. Location in General: whether location or co-location of the facility on other structures in the same vicinity is practical without significantly affecting the functionality of the facility;
- G. Future Co-location: the willingness of the applicant to allow co-location on its facility by other personal wireless services providers on such terms as are common in the industry; and
- H. Stealth Design: how well the applicant has incorporated stealth design, as defined in Chapter 17.62, into the overall design and location of the proposed facility.

Existing Towers and Poles -17.38.060: Clarified co-locating standards as they relate to the distance the face of the antenna can extend out from the pole (3'); the height of a proposed antenna above the existing tower; and a 25% height bonus for co-locating onto an existing tower or pole.

Monopoles and Towers - 17.38.090: Clarified the heights of just a poles or towers, and clarifies the additional height an antenna or similar elements may extend above the tower; clarifies the distance the face of the antenna can extend out from the pole (3'); and establishes that a pole or tower shall be located at least 150' away from the nearest existing residential structure.

Definitions -17.62: Replaced the definition "Stealth Telecommunication Facilities" with "Wireless Telecommunications Facility Stealth Design".

STAFF RECOMMENDATION AND SUMMARY

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

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments clarify the wireless telecommunications facilities standards, are minor in nature, and are consistent with the General Plan.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 6/27/20, posted on the City's website and the Utah Public Meeting website on 6/25/20, and noticed in a quarter page ad on 6/2020.

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 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 clarify the location, placement, and design standards for wireless telecommunication facilities.
5. No public comment has been received regarding the proposed amendments.

On July 9, 2020, the Planning Commission recommended the Municipal Council approve the following Land Development Code Amendments. Land Development Code (LDC) Chapters 17.38 Wireless Telecommunications Facilities and 17.62 Definitions (6-0).

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

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

ACTION. Motion by Councilmember Simmonds seconded by Councilmember Bradfield to approve Ordinance 20-24 as presented. Motion carried unanimously.

WORKSHOP ITEM:

Budget Adjustments FY 2020-2021 appropriating: \$4,500 donated funds for the Cruise-In; \$9,100 a grant Community Development was awarded by the State of Utah for a historic preservation project of the Cache DUP (Daughters of Utah Pioneers) Museum Building - Resolution 20-32 – Rueben Nelson, Assistant Finance Director

Assistant Finance Director Rueben Nelson addressed the Council regarding the proposed budget adjustments.

The proposed resolution will be an action item and public hearing at the August 18, 2020 Council meeting.

OTHER CONSIDERATIONS:

Chair A. Anderson stated the Council received a variety of emails primarily related to the mask mandate and she thanked all those who have emailed their comments. The mask mandate will be addressed at the August 18, 2020 Council meeting and she encouraged those who have further comments to email those directly to City Recorder Teresa Harris at teresa.harris@loganutah.org who will forward to the Mayor and Council or the emails can be sent directly to the City Council.

Chair A. Anderson said an email was also received from Logan resident Brady Eames in regard to access to Wi-Fi at the Library since the Library has been closed. The Library Staff is looking at how Wi-Fi can be provided and the funding for the Wi-Fi.

There were no further items to be considered by the Council.

ADJOURN TO MEETING OF THE LOGAN REDEVELOPMENT AGENCY.

Councilmember's present at the beginning of the Logan Redevelopment Agency meeting: Chair Amy Z. Anderson, Vice Chair Tom Jensen, Councilmember Mark A. Anderson Councilmember Jess W. Bradfield, and Councilmember Jeannie F. Simmonds. Administration present: Mayor Holly H. Daines, City Attorney Kymber Housley, Finance Director Richard Anderson, Economic Development Director Kirk Jensen and City Recorder Teresa Harris.

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

Vice Chair Tom Jensen recused himself at this time due to a potential conflict of interest in regard to Resolution 20-31 RDA. He as was excused from the meeting at 8:10 pm.

Chair A. Anderson explained that those wishing to speak during the public hearing portion of the meeting must sign in and queue up with social distancing maintained. Masks are strongly encouraged.

ACTION ITEM:

PUBLIC HEARING - Consideration of a proposed resolution approving Agency Assistance to Blue Spring Business Park, LLC for infrastructure improvements associated with its industrial business park project in the 600 West Economic Development Project Area (EDA) – Resolution 20-31 RDA

At the July 21, 2020 Council meeting, Logan Economic Development Kirk Jensen addressed the Council regarding the proposed resolution. The Blue Spring Business Park, LLC's industrial business park development is located on approximately 37 acres bounded on the east, south and west by 600 West, 1000 North and 1000 West streets, respectively, in the 600 West Economic Development Project Area (EDA). The development is over 500,000 square feet of industrial business and warehouse space, providing capacity for the expansion of existing, local businesses and new businesses alike; the expansion and enhancement of road and utilities infrastructure. The 600 West Economic Project Area Plan and Project area budget anticipated investment in road infrastructure, specifically 800 West. The Economic Development Committee has reviewed the proposed investment and recommends its approval of an incentive package consisting of up to \$500,000 for costs incurred for its construction of a northern extension of 800 West and associated infrastructure along the frontage of its project, further conditioned upon its completion of the first phase of its development project, to include the construction of two industrial business buildings, totaling approximately 150,000 square feet and of an architectural quality consistent with representations made by Blue Spring Business Park, LLC. All construction plans are to be approved by the City of Logan Planning Commission. Additionally, the Redevelopment Agency encourages Blue

Spring Business Park, LLC to utilize local contractors and vendors whenever possible. Mr. Jensen added that in the fund there is currently \$1.8 million dollars.

Councilmember M. Anderson asked about precedence and what we have done previously in regard to the Redevelopment Agency providing assistance with projects.

Mr. Jensen responded in regard to the 600 West Economic Project Area, it was created 20 years ago. It had a 15-year life cycle and that life cycle terminated in tax year 2016. The project area still has a fund balance which is active, and we are looking to use those funds at this time. In the past we have funded two expansions at Schreiber Foods and a project at Lundahl Building Systems. Now that this project area has hit its maturity, they no longer receive tax increment or new property tax that would be generated by this particular project. Instead we would be looking at existing revenues that are in the fund balance. There is currently \$1.8 million in the fund at this time.

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

Proponent Jason Larsen addressed the Council. Mr. Larsen stated that he and his father, Kris Larsen have built industrial buildings in Hyde Park and North Logan. Their experience has proven that there is a high demand in Cache Valley for industrial space. They feel the infrastructure assistance is appropriate given the frontage and the offsite infrastructure they will be required to install. They operate Al's Sporting Goods as well and they spend a lot of time on 1000 North. This is an important corridor for the City, and they want to develop it right. He thanked the Agency for their consideration in regard to this resolution.

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

Councilmember Bradfield disclosed that his employer (Thermo Fisher) rents several buildings from this developer. He has nothing to do with the rental.

Councilmember Simmonds asked is there is a timeline for the completion of the project.

Mr. Larsen responded they anticipate developing the 37 acres in three phases and there will be eight buildings in the three phases. The expectation is that in aggregate, they will spend about \$35 million to develop the eight buildings and the infrastructure to support the buildings. They would like to start on the first phase very soon and hope to complete the buildings within five years.

ACTION. Motion by Councilmember Bradfield seconded by Councilmember M. Anderson to approve Resolution 20-31 RDA as presented. Motion carried. Jensen recused himself.

ADJOURNED. There being no further business to come before the Council, the Logan Redevelopment Agency meeting adjourned at 8:25 pm.

Teresa Harris, City Recorder