

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 3, 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/>.

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

Chair A. Anderson welcomed those present. There were approximately 15 in attendance at the beginning of the meeting.

OPENING CEREMONY:

The Logan City Fire Department Honor Guard led the audience in the Presentation of Colors and Pledge of Allegiance.

Logan Fire Department Recognition – Chief Brad Hannig

Logan Fire Chief Brad Hannig addressed the Council by stating that on November 4th, 1880, the Logan City Fire Department was established. The department has been steeped in a tradition of service for 140 years. As of November 1, 2020 and throughout the rest of the week, the Fire Department will post on social media sites historical images of the past.

A brief history is given of the Fire Department, Chief Fredrick G. Smith was a volunteer in 1888 and nearly filled every single position within the Fire Department. Finally, after 26 years he was appointed Chief and served six more years including being the last Chief to use horse drawn carriage which was from 1912 to 1918. In 1945, the Logan Cache Fire Department made 115 runs, 72 in Logan City and 43 in the County. In addition to Fire Runs, the Firemen answered 252 calls with the ambulance when in comparison to call volume in 2019 with just over 5,000 incidents with nearly a thousand being fire related.

In 1945, evaluation of property at risk in Logan was set at \$485,373.80. Another historic date is that of December 19, 1983, when Old Main caught fire causing damage to the third floor and part of the roof. Today, we are a career Fire Department with 67 full time members and 12 part-time employees that serve Logan, North Logan, Providence, River Heights, and other areas of the unincorporated County. The department is proud to

provide emergency, medical, and provide all other hazard needs to the citizens and visitors of the community.

Craig Alders, Chaplain of Sunshine Hospice provided the opening ceremony, a prayer. Mr. Alders announced that November is *National Hospice and Palliative Care Month*. He stated that Mayor Daines signed a Proclamation encouraging citizens to increase their understanding and awareness of care at the end of life and to observe the month of November with appropriate activities and programs.

The word Hospice comes from the Latin meaning both “guest” and “host.” A concept adapted by the Roman Catholic Church for those dying and embarking on pilgrimages during the Crusades. Today, Modern Hospice began in 1948 and began in the USA in 1963, centering on palliative care instead of curative care. Hospice is families finding peace in the last stages of life.

Meeting Minutes. Minutes of the Council meeting held on October 20, 2020 were reviewed and approved with no changes.

Meeting Agenda. Chair A. Anderson announced there is one public hearing scheduled for tonight’s Council meeting.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve the October 20, 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, November 17, 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:

Proclamation: Small Business Saturday – Mayor Daines

Because Mayor Daines was not able to attend tonight's Council meeting, she asked that the Small Business Saturday Proclamation be continued to the November 17, 2020 Council meeting.

Crosswalk Enforcement Operation Results – Chief Gary Jensen

Logan Police Chief Gary Jensen addressed the Council. On October 22, 2020 from 3-7 pm there was a Crosswalk Enforcement operation at 400 E 400 N. Prior to the operation, they advertised the fact on Social Media for the public to be aware of the operation. They also set up orange cones on each side of the crosswalk to signal vehicles to stop prior to the crosswalk. As a result, 86 traffic stops were made, 66 hard citations issued, and 33 warning citations issued. It is a prolific event but is an ongoing educational pursuit to educate the public. Including reminding the public that according to Utah Code, an operator of a vehicle must yield to a pedestrian.

The Role of Planning – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council and gave a presentation on what the Community Development Department does. The entire department's whole purpose is to aid in deciding what a place is, a community via Public Health Safety & Welfare. Including the Legal Authority for Land Use Regulations for Planning and Zoning via the 1st, 5th, 10th, 14th Amendment, and Due Process (for local entities).

Mr. DeSimone stated that new development occurs when driven by the private sector and reflects market demand. He said that it is all about location, location, location, and the City's response is with purpose and to create a plan. The Logan General Plan shows how to grow in a certain manner via all groups including future growth plan or specific plans to relative areas. Another tool is via Land Development Code (Zoning), a code that establishes minimum land usage. This is decided in part by market demand and the City responds by seeing if it is allowed in that zone or not. Highlighting the importance of private property rights, public interest should be expressed during and via legislative process. In the end, the final goal is finding a healthy balance between private property rights. For those interested in learning more about Community Development information is available on the City website. Any legislative process is always posted on the City website, the State Notice Website, and other media websites with informative information regarding areas of impact.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds

Councilmember Simmonds reported that at the recent Planning Commission meeting they approved the apartment complex at the Wonder Bread location. The other two items previously discussed at the Planning Commission meeting are on tonight's agenda as workshop items.

Other Committee Updates – Council

Chair A. Anderson stated that she and Councilmember Simmonds attended the final meeting of the Cache County Emergency Medical Services (CEEMS) Board. The local agreement will end as of December 31, 2020. They also attended an Audit Committee meeting where the Auditor praised city employees in the Finance Department. The final audit report will be sent in the next thirty days and will be posted on the City website.

December Council Meeting Schedule – Chair Anderson

Chair A. Anderson discussed upcoming Council meetings currently scheduled on December 1, December 15, January 5, and January 19. The Council unanimously discussed and agreed to cancel the December 15, 2020 Council meeting. As such at the December 1 Council meeting the 2021 Chair and Vice Chair will be selected.

COVID-19 Education Plan Extension – Councilmember Mark Anderson

Councilmember M. Anderson explained that the *Less than Ten Campaign* was successful but will now shift towards a community educational program via business leaders. Invitations have been extended to community business leaders within certain parameters which will showcase short videos that will be used for marketing and State level purposes including on social media, and various websites. These videos will showcase State guidelines such as washing hands, wearing a mask, and staying home if feeling ill. He said this is a way for the community and businesses to help each other and to keep our local businesses open.

It was also mentioned that with COVID increasing in the community, the new State Health Guidelines have changed. Family gatherings should be part of ongoing education and safe adjustments should be made as needed. An example was given of a family gathering for the General Conference and at that gathering twenty individuals were infected with COVID from a single family member.

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. Chair A. Anderson explained that masks can be removed when speaking at the microphone.

PUBLIC HEARING - Budget Adjustment 2020-2021 appropriating: \$1,920 a grant the Library received from the State of Utah to be used to purchase Wi-Fi hotspots and data for the Library; \$6,086 a reimbursement the Police Department received for enforcement of events requested by businesses; \$6,020 funds received from the K-9 Seminar held by the Police Department; \$1,800 a grant the Police Department was awarded from the State of Utah to purchase equipment; \$6,642 a grant the Police Department was awarded from the State of Utah to purchase and install a vehicle gate for the police parking lot – Resolution 20-46

At the October 20, 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 public comments and Chair A. Anderson closed the public hearing.

ACTION. Motion by Councilmember M. Anderson seconded by Councilmember Simmonds to approve Resolution 20-46 as presented. Motion carried unanimously.

PUBLIC HEARING - WOODMORE POINTE REZONE – Consideration of a proposed rezone of 2.99 acres located at approximately 1800 South 1100 West from NR-6 to MR-9 on the southwest side of Logan (Woodruff Neighborhood) – Ordinance 20-29

At the October 20, 2020 Council meeting, Planner Tanya Rice addressed the Council regarding the proposed rezone.

RECOMMENDATION

The Planning Commission rezone recommendation will be sent to the Municipal Council for 2.99 acres of property located at approximately 1800 South 1100 West; TIN #03-005-0063. Contingent on the outcome of the rezone, Staff recommends that the Planning Commission conditionally approve a Subdivision and Design Review Permit for Project #20-050.

Land use adjoining the subject property

North: MR-9 Multi-Family Residential

South: MR-9 Multi-Family Residential

East: NR-6 Single Family Residential

West: MR-9 Multi-Family Residential

PROJECT INTRODUCTION

The proponent is requesting to rezone approximately 2.99 acres of property from NR-6 to MR-9 on the southwest side of Logan. It is directly south of the Woodmore Pointe townhome project approved for 150 townhomes on approximately 16.69 acres in October of 2018. This 2.99 parcel is currently vacant with riparian areas associated with Spring Creek and Spring Creek Reservoir covering the southern portion of the property. The northern portion (about half) with flat terrain is suitable for development.

In addition to the rezone, the proponent is requesting the approval to develop the northern portion of the property as a contiguous extension of the Woodmore Pointe townhome project. The request is to subdivide and add 10 townhomes aligned along the extension of the south end of 1280 West. The proponent intends to leave the remainder of the parcel natural with its riparian areas and open space. This 2.99-acre site also presents a unique opportunity for a Logan City trails network extension along Spring Creek and around the Reservoir, to existing adjacent neighborhood trails and from the current Trapper Park Trail.

REZONE AND LAND USE

The 2.99-acre parcel is surrounded by a mixture of Mixed Residential Transitional (MR-9), Mixed Residential Low (MR-12), and Neighborhood Residential (NR-6). The surrounding areas just beyond the subject property includes Commercial (COM) and Industrial Park (IP) zones. The applicant is requesting a rezone from NR-6 to MR-9. The MR-9 zone permits higher density to provide additional townhomes to their existing project currently under construction.

The Future Land Use Plan (FLUP) designates the 2.99-acre parcel as MR (see below). The General Plan describes the FLUP designation of MR to provide a range of housing options for all stages of life and levels of income.

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 townhome structure types and densities are limited to 9 units per acre. The allowable density for the 2.99-acre parcel is up to 27 units. The applicant is requesting 10 units for this parcel.

SUBDIVISION PERMIT

The Land Development Code (LDC) 17.40 requires subdivision permits to be in accordance with zoning district standards to ensure orderly development patterns, block connectivity and to preserve traditional neighborhood character. In the MR-9 zone, building lots are required to be a minimum area of 4,000 SF for single-family detached homes. When subdividing townhomes, the LDC does not require a minimum lot size, only compliance to maximum density. With a subdivision request and the addition of new interior property lines, building setbacks will be reviewed on an individual building lot basis. The applicant is requesting 10 building lots with a remainder of the property

containing open space for community amenities and landscaping. The net density of the project is proposed at 3.33 homes per acre of land.

DESIGN REVIEW PERMIT

The LDC 17.43 requires Design Review Permit approvals for new multi-family developments to ensure high-quality design and layout. This proposal includes 10 townhomes configured in a 4-unit and a 6-unit townhome building. The MR-9 zone permits townhome structure types as per LDC 17.08.030.

STREET GRID CONNECTIVITY, BUILDING ORIENTATION & SITE LAYOUT

The LDC 17.30.170 requires that subdivisions with greater than 20 lots have at least three (3) street connections or stubs for future connections. This proposal is a subsequent phase of the overall Woodmore Pointe development and ties into the previously established and approved street connectivity. The development includes three (3) street connections as required, two made with the extension of 1900 South/1850 South street to 1100 West street east/west through the property. The third street connection is made with the extension of 1280 West street north/south from 1800 South through 1900 South. The proposal meets street connectivity requirements in the LDC.

The LDC 17.09.030 states that buildings shall be placed near the street and oriented with front facades and primary pedestrian entrances facing the adjacent street or common courtyards unless unique site conditions prohibit it. This requirement enhances the traditional neighborhood character by placing quality architecture features, such as porches and stoops, along the street. This pattern produces better walkability and pedestrian accessibility. Similar to units approved in previous phases of Woodmore Pointe, the proposed additional 10 units are shown with both the front porch and garage on the front façade facing the adjacent street. Parking is proposed within the garage and/or driveway. As conditioned with better building orientation to the street and minimum street connectivity, the project meets the requirements in the LDC.

Building Design

The LDC 17.09.030 states that the front facing garage(s) (measured from door edge to edge), shall not exceed 50% of the total building façade width. MR-9 zones are required to have minimum street-facing façade design variations from adjacent and opposite buildings to enhance neighborhood character and create visual interest (restrict “cookie-cutter” buildings). The LDC identifies eight (8) different categories and requires that at least four (4) out of the eight (8) be noticeably different. The eight (8) categories listed are building color, materials, roofline, height (number of floors), fenestration, architectural style, articulation, and porch design. The LDC 17.9.40 limits building length in the MR-9 zone to 150’ when adjacent to NR zones and 200’ when not adjacent to NR zones. LDC 17.09.040 states that buildings longer than 100’ shall have at least one significant wall break measuring at least 8’ deep and 20’ feet wide and running the full height of the building to break up the overall mass of structures.

The 10 proposed townhomes (two new buildings) are oriented with front facades and primary pedestrian entrances facing the adjacent private street. Of the 10 units, 4 townhomes have 16' wide garage doors on a 25' wide townhome (this equals 64% of the façade width). The remaining 6 townhomes meet the 50% front-facing garage requirement. The façade designs show the exact same unit type adjacent to one another in both of the new buildings, but overall building design compositions vary. One of the new buildings is a 4-unit and the other is a 6-unit. The buildings are adjacent to the NR zoning to the west and are less than 150' building length. The proposal shows the 150' building with wall breaks at least 8' deep by 20' wide. As conditioned building design façade variation minimums and garage width maximums, the project complies with the LDC.

SETBACKS

The Land Development Code (LDC) requirements for setbacks in the MR-9 zone are as follows (as measured from property lines):

Front: 15'

Side: 8'

Common Wall 0'

Rear: 10'

Canal Bank: 15''

The following setbacks are proposed for the building(s) (as measured from the exterior property lines of the project site):

Front: 20'-25'

Side: 8'

Common Wall 0'

Rear: 30'

Canal Bank: NA (piped)

As conditioned, the project meets minimum setback requirements of the LDC.

LOT COVERAGE

The LDC 17.07.070 limits lot coverage at a maximum of 70% (building(s) footprint) in the MR-9 zone. The proposed project site is 2.99 (130,244 SF) in size with total proposed building footprints at approximately 14,120 SF. The proposed lot coverage equals 11%, complying with the requirements in the LDC.

PEDESTRIAN CIRCULATION

The LDC 17.30.160 requires pedestrian circulation throughout the project. Pedestrian circulation should take a visually predominant role with safe, convenient, and well-connected sidewalk networks. The site layout generally shows good pedestrian sidewalk connectivity between streets, buildings, and amenity areas. The townhomes, with proposed front facing garages, show driveways doubling as sidewalks which could present conflicts when parked vehicles obstruct the path and reduce the visual predominance of pedestrian sidewalks leading to front porches. As conditioned with

sidewalk connections along the new home fronting on 1280 West, the proposed project meets the requirements in the LDC.

PARKING STALL REQUIREMENTS

The LDC 17.31.040 requires two (2) parking stalls per dwelling unit. The driveways, if more than 20' in length from the street or alley edge, can be considered for additional parking. The proposal includes six (6) units with 2-car garages, and four (4) single-garage units with adequate driveway space for additional parking. This totals two (2) parking stalls and per unit totaling 20 stalls for the 10 units. As conditioned with a minimum of 20 parking stalls and driveway setback length, the project meets the parking requirements in the LDC.

OPEN SPACE

The LDC 17.07.070 requires 20% open space and an additional 10% usable outdoor space of the project site. The LDC 17.28 generally describes open space as native vegetation or landscaped areas, while usable outdoor space is typically decks, patios and other similar amenities. The 2.99-acre (130,244 SF) site would require 26,048 SF of landscaping and 13,024 SF of usable outdoor space for a total of 39,072 SF of open area. The proposal only shows conceptual landscaping and open space areas. As conditioned with minimum open space requirements, the project complies with the LDC.

LANDSCAPING

The LDC 17.32 requires minimum landscaping for overall visual aesthetics, ecological reasons, visual screening, shading purposes, and enhancement of the outdoor experience. The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers, and ornamental grasses per acre of land in the MR-9 zone. For 2.99 acre, 60 trees and 150 shrubs, flowers and ornamental plants would be required as per the LDC. The proposed project shows only conceptual landscaping with approximate numbers. As conditioned with a detailed landscaping plan meeting minimum plant numbers, the project complies with the LDC.

LIGHTING

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

STAFF SUMMARY

The 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.

As conditioned, Staff finds the proposed 10-unit building design and orientation, site layout and street connectivity acceptable and compliant along 1280 West.

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 9/26/20, posted on the City's website and the Utah Public Meeting website on 9/30/20 and mailed out to adjacent property owners within 300' on 9/18/20.

RECOMMENDED CONDITIONS OF APPROVAL

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

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. 10 building lots and remainder open space is approved with this subdivision. The areas labeled as remainder and/or open space shall be listed as non-buildable and only contain landscaping or accessory subdivision amenities.
3. The final plat for the subdivision shall be recorded within one year unless an extension of time is granted as per LDC. The subdivision may be phased as per LDC regulations.
4. Building setbacks shall be reviewed and approved on an individual building basis and comply with the MR-9 requirements of 15' front yard, 8' side yard, 0' common wall side and 10' rear yard.
5. Townhome buildings within the MR-9 shall have a maximum occupancy of one family or no more than three (3) unrelated people within each dwelling unit.
6. Buildings adjacent to NR zones shall be limited to 150' in length and all buildings shall not exceed 200' in length.
7. Buildings placed adjacent to streets shall be oriented with primary entrances and front facades oriented towards the street.
8. Forward-facing garage door widths along street frontages shall not exceed 50% of the overall building width except for up to three buildings, not adjacent to one another, may have garage door width ratios of 64%.

9. For every 100' of two-story building length along a public street, there shall be one (1) significant wall break that is at least 8' in depth and 20' in width and continue the entire height of the building.
10. No two adjacent buildings shall have the same street facing façade design and must vary at least four (4) out of the eight (8) design categories listed in the LDC 17.09.040.
11. All buildings placed adjacent to streets shall have a convenient and delineated sidewalk connecting the building to the street. Pedestrian circulation shall be provided throughout open space and amenity areas of the project.
12. Alleyways/private streets do not require sidewalks; however, sidewalks should be considered along 1280 West for adequate pedestrian circulation.
13. A minimum of 2 parking stalls per unit shall be provided. If intended for parking, driveways shall be a minimum of 20' in length.
14. A performance landscaping plan, prepared in accordance with §17.32 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) Street trees along all adjacent streets provided every thirty (30) feet on center unless otherwise noted by the City Forrester.
 - b) Open Space and Useable Outdoor areas shall total a minimum of 39,072 SF.
 - c) A total number 60 trees and 150 shrubs, perennials and grasses shall be provided. 25% of the trees shall be evergreen.
15. All dumpsters shall be placed outside of front setbacks and visually screened or buffered from public streets by using fencing, walls, and landscaping. Dumpsters should be placed adjacent to alleyways where possible in accordance with Environmental Department requirements.
16. Storm-water retention/detention surface ponds or basins shall be positioned outside of the front setback and screen with dense vegetation from street views.
17. All streets adjacent to or within the development shall be improved to current city standards and specifications.
18. Rooftop mechanical and/or building wall mechanical equipment shall be placed out of view from the street or screen from view from the street.
19. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
20. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.

21. No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.

22. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. Environmental—contact 716-9760
 - Residents will be provided carts.
 - The south-east dead-end street will need to have the residents bring their cans out to a main road as there is no turn around for the trucks.
 - b. Water—contact 716-9622
 - c. Engineering – contact 716-9160
 - All previous Public Works permit requirements for Woodmore Pointe subdivision/development shall apply to this modification to Woodmore Pointe
 - d. Fire – contact 716-9515

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW PERMIT

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

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the conditioned building design, site layout, materials, landscaping, building orientation, heights, and setbacks.

2. The Design Review Permit conforms to the requirements of Title 17 of the Logan Municipal Code.

3. The proposed project provides adequate open space and usable outdoor space in conformance with Title 17.

4. The proposed project provides off-street parking in compliance with the LDC.

5. The project meets the goals and objectives of the MR-9 designation within the Logan General Plan by providing high quality projects designed in a way for easy circulation of both pedestrians and vehicles.

6. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.

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

8. The surrounding streets provide access, utilities and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

On October 8, 2020, the Planning Commission recommended that the Municipal Council approve the Woodmore Pointe rezone from NR-6 to MR-9 (4-2).

Councilmember Simmonds interjected that she was concerned if sudden changes were made to the original plan once there was approval.

Community Development Director Mike DeSimone responded that if any changes were made by Visionary Homes, it would go back to the Planning Commission.

In addition, the subject of connectivity was mentioned. There is a plan to connect various trails in and surrounding the property including creating a bridge to bring the trails full circle.

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

Logan resident Gail Yost addressed the Council and inquired if any of the apartments will be part or include affordable housing?

Ms. Rice responded that the housing would be standard market value housing.

Bryce Gooden with Visionary Homes addressed the Council and explained the reasoning for maintaining the current plan and there are zero intentions of creating any changes. They will also be connecting trails as proposed including a bridge and including an additional mile to the current trail system. The homes will be for sale properties and not rentals.

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 adopt Ordinance 20-29 as presented. Motion carried unanimously.

WORKSHOP ITEMS:

Budget Adjustment 2020-2021 appropriating: \$600,000 committed radio funds for the purchase of radios for the P25 system; \$125,000 a grant received by the Electric Fund for a mini battery project; \$3,000,000 contingency transfers for the transfer of funds to capital projects; \$9,870 a grant the police department received from the Department of Justice for the purchase of bullet proof vests; \$79,822 additional funding received from HUD for FY 2021 CDBG programs; \$526,523 funds for a one-time employee stipend in lieu of raises for FY 2021 – Resolution 20-47 – Richard Anderson, Finance Director

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

Bryan Low, Logan City 911 System Administrator explained the current radio system in further detail. He said the P25 radios are used by all public responders which at present are 12 years old, and radios will not be compatible with the States new digital format system. Also noting the radio life expectancy which is at its limit of 10 to 15 years. He said all equipment will be installed by 2023, and the local and State radio warranty will all become active at the same time.

The proposed resolution will be an action item and public hearing at the November 17, 2020 Council meeting.

(Continued from September 15, 2020) A-OK RV Park Rezone – Consideration of a proposed rezone. Danny MacFarlane/Stan Checketts Properties LLC, authorized agent/owner, requests an RV park with 86 sites, 10 cabins and a 35,000 SF office/administrative building, and to rezone the 7.87-acre property located at 800 West 2000 South from Commercial (COM) to Recreation (REC) (Woodruff Neighborhood) – Ordinance 20-25 – Russ Holley, Planner

On September 15, 2020 Planner Russ Holley addressed the Council regarding the proposed rezone and it was continued to tonight’s Council meeting. He reviewed the proposed rezone.

RECOMMENDATION

He said the recommendation is for a rezone of 7.87 acres of property located at approximately 2000 South 800 West (TIN# 003-006-0006). Contingent on the outcome of the rezone, Staff recommends that the Planning Commission conditionally approve a Conditional Use and Design Review Permit.

Land use adjoining the subject property

<i>North:</i>	COM: Commercial Uses	<i>East:</i>	Millville City-Industrial/Commercial Use
<i>South:</i>	MR-20: Vacant	<i>West:</i>	COM: Vacant

PROJECT INTRODUCTION

The proponent is requesting to rezone 7.87 acres at approximately 2000 South 800 West. The flat property is vacant but contains a miniature golf course and dirt bike track associated with the former amusement park located directly north of the project site. Most recently, the property to the north is being used for ATV sales and service. The surrounding area is at the urban/rural interface with newer developments replacing agricultural fields and farmlands. To the northwest, Highway 89/91 handles high volumes of traffic at high speeds of velocity. The new traffic signal at the intersection of HWY 89/91 and 1000 West is located approximately 1100 feet away from the proposed RV Park.

REZONE AND LAND USE

The property and surrounding areas to the north are zoned Commercial (COM). The surrounding areas to the south of the project site are zone Mixed Residential Medium

(MR-20). The applicant is requesting a rezone to Recreation (REC). The REC zone conditionally permits RV Parks short term occupancy (less than 30 days). The Land Development Code (LDC) defines RV Parks as a property established for the occupancy of recreational vehicles for temporary living quarters for recreation or vacation purposes. The REC zoning district is described in the LDC as intended for publicly and privately-owned parks and recreation facilities such as golf courses and RV parks.

The Future Land Use Plan (FLUP) designates the area as COM. The General Plan describes the FLUP designation of COM as intended for retail, service and hospitality businesses that serve city-wide and regional populations.

DESIGN REVIEW PERMIT

The REC zoning district regulates site layout and design to ensure aesthetics meet high standards and creates a character associated with recreational open spaces and facilities. The zone requires larger setbacks around the perimeter to ensure a lower density/intensity recreation look and feel. Maximum building heights are capped at 35 feet to allow for better views of surrounding areas. Building design standards follow commercial design standards. The proposal includes a 3,500 SF office and 12 cabin sites. The remaining areas are intended for mobile RV vehicles coming and going. The office location is proposed back from the road behind a 9-stall parking lot and dumpster pad. A pavilion is proposed adjacent to the parking lot near the park entrance. Parking lots in the REC zone are required to be placed to the side and rear of the primary structure. Buildings in the REC zone, as per commercial standards, are required 30% transparency on the front elevation and minimum wall-breaks/architectural features every forty feet. As conditioned with the parking lot location moved to the side or rear of the building and the addition of 30% transparency on the front façade, the project meets the requirements of the LDC.

SETBACKS

The LDC requirements for building setbacks in the REC zone are as follows (as measured from property lines):

- Front: 20'
- Side: 20'
- Rear: 10'
- Parking (front): 20'

PARKING

The LDC 17.31 requires one parking stall for every one RV pad site, tent site, and cabin site. Check-in and employee parking are not detailed in the LDC. Office space is required to provide one (1) parking stall per every 300 SF of office space. The proposal includes approximately 1000 SF of office space and would require 4 parking stalls. The proposal provides a parking stall for every RV/Tent/Cabin site and 9 additional stalls for check-in and employee parking. As conditioned with RV and office parking stalls, the project meets the parking requirements in the LDC.

OPEN SPACE AND LANDSCAPING

LDC 17.15.050 does not specify a minimum open space standard for the REC zoning district. The lot coverage maximum of 50% acts as the default open space requirement in the REC zone. The proposal shows approximately 3.4 acres of RV/Cabin/Tent/Office space with the remaining 4.4 (57%) acres as open space/green space. The code requires 20 trees and 50 shrubs/plants per every acre of project site. With 7.8 total acres, the code would require 156 trees and 390 shrubs/plants. As conditioned with tree and shrub requirements, the project meets the LDC standard.

CONDITIONAL USE PERMIT

The LDC 17.42 describes the purpose of conditional use permits as providing for discretionary consideration of applications in order to preserve neighborhood character and protect public health, safety, and welfare. Impacts associated with this use are typically parking, traffic, and noise. RV parks are required to obtain a Conditional Use Permit within the REC zone to mitigate any unique impacts associated with the proposal. With surrounding areas to the north being more industrial/commercial in nature, this application could rather focus on mitigating the surrounding impacts onto the subject property. RV Park impacts revolve around traffic as patrons come and go with larger vehicles. Generally, noise levels are low during nighttime hours. Land to the south is zoned MR and will have similar impacts to that of an RV Park with traffic and daytime noises being the most prevalent impact.

SUMMARY

The rezone request is the core of the issue. An RV Park (short term) has similarities to commercial hospitalities uses (motel, hotel, bed, and breakfast) and is beneficial to the local economy and tourism. With popular State and National Parks located in the region, Logan often becomes a stopping point for travelers. The appropriate location for an RV Park in Logan City is also a topic of debate. The LDC allows RV Parks in the REC, IP and CS zoning districts, suggesting to staff that these uses should be placed in areas that are not considered prime commercial locations. The difficulty with these locations and the proposed uses are compatibility based. Unlike industrial areas, RV Parks are most appealing in natural settings with attractive green spaces for travelers and vacationers. A question a decision maker should always ask when considering a rezone is, does this request preclude better and more appropriate zone/uses for this area?

One issue staff has seen with RV Parks within the city is their tendency to house long term residents. This type of use aligns with MR zoning more than COM zoning and does not benefit the economy or tourism industries. Long term is not permitted in the REC zone, but the duration of time associated with these land uses are very difficult to enforce. Staff would also not consider this an ideal location for an RV Park because of the surrounding buildings and lack of natural setting. RV Parks tend to be located in attractive naturalist areas such as near rivers, canyons, and lakes. This site is big enough to create a natural buffer around the perimeter so that users inside the park feel like they are isolated from the surrounding areas. This will require considerable space and plant material. Staff recommends approval of the rezone on the condition that it remains short term and thus benefiting tourism and the local economy.

AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

● Fire	● Water/Cross Connection
● Engineering	● Environmental

PUBLIC COMMENTS

At the time of the report no comments have been made.

PUBLIC NOTIFICATION

Legal notices were posted on the City’s website and the Utah Public Meeting website on 8/19/20, and noticed in a quarter page ad on 7/28/20, and a Public Notice mailed to property owners within 300’ were sent on 7/27/20.

RECOMMENDED FINDINGS FOR THE REZONE

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

1. The rezone request from COM to REC is appropriate in this location as the REC Uses, including a short-term RV Park, is commercial in nature benefiting the local economy and tourism industry.
2. The proposed RV Park will better buffer the MR zoning to the south.
3. The property is over 1100 feet from HWY 89/91 and is outside of the South Corridor overlay zone. Because of the location. the property is not considered prime commercial land.

RECOMMENDED CONDITIONS OF APPROVAL PENDING THE OUTCOME OF THE REZONE

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

1. All standard conditions of approval will be recorded with the Conditional Use and Design Review Permit and are available in the Community Development Department.
2. 98 total RV/Tent/Cabin sites are approved with this permit.
3. All RV/Tent/Cabin sites are permitted for short term use only. No guests may stay for a period longer than 30 Days.
4. The office building shall have a minimum 30% transparency on the front façade (east), and the associated parking lot shall be located to the side or rear of the building in relation to 800 West.
5. A parking stall shall be provided for every RV/Tent/Cabin site and a minimum of four (4) parking stalls shall be provided for the office building.
6. All trash/dumpster locations shall be placed in the side or rear yard areas away from 800 West.
7. The project shall not have more than a 50% lot coverage and less than 50% open space.
8. A landscaping plan shall be submitted and approved prior to any building permits being issued. The landscaping plan shall contain a minimum of 156 trees and 390

shrubs/perennials/ornamental grasses. Plant materials shall be densely placed around the perimeter of the site to buffer surrounding areas and create a setting similar to naturalistic areas in the region. Extensive evergreen trees should be used for year-round solid screening. Street trees shall be planted within the park strip along 800 West at 30-foot intervals.

9. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:

a. Fire —contact 716-9515

- Fire hydrants shall be installed. Looped water mains are preferred. Dead end roads longer than 150 ft shall have an approved turnaround. A plan that includes the fire apparatus radius on all fire access roads is required.

b. Engineering —contact 716-9153

- Submit proposed Property Line Adjustment to City for approval.
- Need to correct County Parcel lines to match City along north property line
- Provide stormwater detention/retention per Logan design standards. This includes the onsite retention of the 90% design storm utilizing Low Impact Design Methods
- Provide City with a written agreement for this development of connect and use the existing private sewer and water lines currently installed for the development to the north of the proposed development
- Provide private utility agreement and storm water agreement
- Provide the City with water shares or in-lieu fee for increased demand for indoor and outdoor water uses for City system.
- Coordinate with the City to run a model to ensure that fire flows can be maintained in all locations required by Fire Marshall.
- Provide the City with a fixture count (or other approved analysis) showing water flow demand assuming the trailer park is completely full to ensure that this flow is within the allowable operating range of a 2” master meter. This analysis includes outdoor flows in the analysis.
- The City is not assuming any responsibility to ensure that the 2” potable water line is adequately sized to distribute potable water at the State required flow rate and pressure.
- Locate 2” water meter in a location near a road for easy access by City staff to read the meter and maintain the meter.
- Construct improvements to 800 West per new City road design standards. This includes the pavement section for any road widening that may be necessary along frontage.
- Dedicate right of way as needed to ensure a 66’ right of way for 800 West.
- All internal roads in development shall be signed as fire lanes/no parking (exception is the main access road from 800 West).

c. Water/Cross Connection—contact 716-9627

- The water main serving this whole project must have a RP (ASSE1013) installed and tested before any branch offs or possible connections. (Except fire hydrants)
- The building's water main needs to have its own RP (ASSE1013) installed and tested on the water main as it enters the building before any branch offs or connections. Properly sized drain required. This is for containment protection only (Cities protection only). Points of use protection will also be needed (occupants protection). Installation criteria of B/F assemblies must be as per 2018 IPC and Utah amendments.
- All landscape irrigation system's fed from Logan City water must have a high hazard backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
- Fire suppression systems connected to Logan City water (with no added chemicals) must have a minimum DC (ASSE1015) installed and tested. Fire risers and B/F assemblies must be installed as per Logan City standards.
- All points of use of water must comply with the 2018 IPC and State of Utah Amendments, during and after construction.

d. Environmental Dept. – contact 716-9760

- Dumpsters will need to be screened from the 800 West road.
- Minimum 60 ft. straight on access to dumpsters is required. Usually best to use an access driveway as the approach if possible as this helps eliminate parking in front of the dumpsters.
- If an enclosure is provided, minimum inside measurement is 12 ft. wide and 10 ft. deep for a single bin enclosure. Provide bollards to protect walls.
- Gates are not required, however if desired, they must be designed to stay open during the collection process. Barrel hinges suggested for the gates. We need the full 12 ft. clearance so gates must be designed to open completely.

RECOMMENDED FINDINGS FOR APPROVAL FOR THE DESIGN REVIEW AND CONDITIONAL USE PERMIT

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

1. The site, as conditioned, conforms to the requirements of Title 17 of the Logan LDC for REC developments.
2. The conditioned land use will not negatively impact the surrounding properties because of the design and landscaping requirements.
3. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
4. Infrastructure and utilities are adequate in size to handle anticipated traffic and use.

Mr. Holley said the original applicants Stan Checketts and Danny MacFarlane handed the management of the RV Park over to McKay Winkle. Mr. Winkle did not realize that our current code does not allow for a long-term RV stay and only short-term stays are allowed. Mr. Winkle has subsequently submitted a code amendment for long term RV Parks that will go before the Planning Commission in approximately one month from now. The current maximum stay at an RV Park is 30 days.

On September 10, 2020, the Planning Commission recommended approval of the rezone (5-1).

The proposed ordinance will be an action item and public hearing at the November 17, 2020 Council meeting.

RV Park Occupancy Code Amendment – Consideration of a proposed amendment to Chapters 17.14 of the Land Development Code titled Public Zones Uses; and 17.62 Definitions – Ordinance 20-30 – Russ Holley

Planner Russ Holley addressed the Council regarding the proposed code amendment.

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for the RV Park Occupancy Code Amendment.

REQUEST

The proponent is requesting to amend the Land Use Table for the Public (PUB) and Recreation (REC) zones in the Land Development Code (LDC) to conditionally allow long term Recreational Vehicle (RV) Parks in the REC zone. The applicant proposes to define long term RV Parks as those that allow an occupancy duration of more the 30 days. The current Land Use Table only allows short term RV Parks in the REC zone and defines short term as less than 30 days in duration. This request is associated with the rezone application from COM to REC for approximately 7.87 acres (PC #20-040) located near 2000 South and 800 West.

Land Use	Zones	
	PUB	REC
Outdoor Recreation and Entertainment	C	C
Golf course	C	C
RV Parks short term occupancy (less than 30 calendar days)	N	C
<u>RV Parks long term occupancy (more than 30 calendar days)</u>	<u>N</u>	<u>C</u>
Tent campground	N	C

Figure 1 shows the proposed code language addition in red ink

GENERAL PLAN

The adopted Logan City General Plan (2008) Chapter 3.13 outlines REC land use within the city. It mentions RV Parks and specifically states that they should prohibit long-term residential land uses.

Recreation (REC) lands are primarily recreation and park facilities. They are typically publicly owned but may also include privately owned recreation facilities such as campgrounds, golf courses, and RV parks (long-term residential use is prohibited). This district includes both active and passive recreation (ball fields as well as areas for walking and sitting). The REC designation is a companion district to the Gateway District in that future public open space in gateways may be designated Recreation.

LAND DEVELOPMENT CODE

The LDC 17.13.030 describes the purpose of the REC zone and what these areas are intended for to effectively benefit the citizens of Logan City.

The purpose of the Recreation zone is to preserve and enhance public and private open, natural, and improved park and recreational areas, and to implement recreation and resource sustainability provisions of the General Plan. The Recreation zone is intended to be applied to publicly owned parks and recreation facilities as well as publicly owned open space. The classification may also be used conditionally for privately owned recreation facilities, such as a golf course, recreation vehicle park, or campground.

STAFF REVIEW AND SUMMARY

The Logan City General Plan clearly states that long term residential land use is inappropriate for RV Parks in the REC zone. This open-ended code amendment proposal will create opportunities to accommodate long-term residential uses. The City of Logan has approved two long term RV Parks in the past, one in the late 1980's and the other in the mid 1990's. These two RV Parks are located at 447 West 1700 South and 2020 South HWY 89/91. The Logan City Neighborhood Improvement Division has received written complaints for weeds and refuse related issues for these RV Parks. While property management would ultimately be responsible, Staff would argue that appearance complaints, such as weeds and litter, are typically associated with long-term residential users rather than short term vacation users. For these reasons, along with better compliance to the General Plan, the LDC was amended three years ago to eliminate long-term occupancy within RV Parks.

Staff recognizes that some vacationers may stay longer than 30 days and is open to the suggestion of a slightly longer duration, but an open-ended long-term duration will attract long-term residential uses. Affordable housing is a real issue in the city, but RV Parks are not the best solution to that problem. Life-safety building concerns with flimsy structures, less than ideal living situations and surrounding neighborhood character (commercial/industrial) are reasons not to have long-term residents inside RV Parks. Long-term RV Parks will not contribute to the tourism industry and the local economy the way a short-term vacation-oriented RV Park will. As defined in the Logan City adopted plans, RV Parks are not intended to be long-term residential land uses.

PUBLIC, AGENCY, AND CITY DEPARTMENT COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received. No comments have been received from City Departments.

PUBLIC NOTIFICATION

Legal notices were posted on 9-26-20 and on the City's website and the Utah Public Meeting website on 9-30-20 and noticed in a quarter page ad on 9-17-20.

RECOMMENDED FINDINGS FOR DENIAL OF THE CODE AMENDMENT

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

1. The code amendment conflicts with the Logan General Plan that states that the REC land use is not intended for long term residential uses.
2. The code amendment would result in incompatible land uses and may likely result in additional complaints related to appearance associated with RV Parks.
3. Long-term residential uses in RV Parks will not contribute to the tourism and economic development in the City like short-term RV Parks do.

Planner Russ Holley stated that the primary concern regarding long term occupancy is trash accumulation. There have been some suggestions to redefine short term occupancy to include those termed as "Snowbirds." However, at present they are processing the application as proposed.

Councilmember Simmonds interjected that the future ramifications of this particular request could create unintended consequences. And Planner Russ Holley agreed with the uttered statement of Councilmember Simmonds and affirmed the fact that any changes to the Zone REC would apply to all properties within the Zone Code amendment that is proposed and would affect citywide.

Chair A. Anderson requested further details from Planner Holley on behalf of the recently joined Councilmember Lopez. Planner Holley went into detail and explained that P is for Permitted, (outright permitted use), C for Conditional, (unique conditions to be considered), and N for No, (not permitted).

Councilmember Simmonds reiterated the proposal of the Planning Commission as denial for the Code Amendment and approval of the Rezoning with Planner Russ Holley confirming the statement.

The proposed ordinance will be an action item and public hearing at the November 17, 2020 Council meeting.

OTHER CONSIDERATIONS:

Chair A. Anderson addressed the concern given the rise in COVID cases if it is still prudent to maintain in-person Council meetings or switch over to Zoom meetings. She maintains that the City is meeting State standards and codes to enable them to continue to meet in a live meeting.

The Council stated they also have a preference to maintain an in-person meeting. The council has maintained criteria, however, if conditions should change the Council will reevaluate as needed.

Vice Chair Jensen mentioned enforcement of noise ordinances in regard to truck brakes.

Chief Jensen stated that they are enforced but require that the incident be sufficiently proven that is in fact the case. Vehicle exhaust is much easier to prove.

Councilmember López communicated the message of a student from USU concerned about parking in residential areas around USU. He suggested the student contact fellow residents in the area and parking enforcement.

Chief Jensen said here are a lot of concerns when it comes to parking, residential rights, snowplow removal, and over occupancy issues. He said that homeowners are trying to maintain vitality. All roads are plowed unless they are private roads and private roads have their own restrictions. Landlords are required to have legal parking for a certain number of their occupants, and we understand and do try to make various changes to narrow the exceptions but, we recognize and have exhausted all means beyond Utah State creating more parking spaces for students.

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

ADJOURNED. There being no further business to come before the Council, the Logan Municipal Council meeting adjourned at 7:44 pm.

Esli Morales, Deputy City Recorder