



**Project #18-045  
Town Center Density/Height Bonuses  
UPDATED  
Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	TC Density & Height Bonus Program
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Town Center Zones
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	January 10, 2019
<i>Submitted By:</i>	Mike DeSimone, Director

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This memo and the attached proposed Chapter 17.34 have been updated to reflect the discussion at the December 18, 2018 hearing.

**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council to amend Land Development Code Chapter 17.34 to include a Residential Density & Height Bonus Program in the Town Center zones.

**REQUEST**

This proposal is to amend Chapter 17.34 to include a density and height bonus program for the Town Center zones (TC-1 & TC-2).

**Background**

The City Council discussed the use of density and height bonuses during their review of the Town Center zoning changes. Attached are minutes from the June 19, 2018 Logan Municipal Council meeting (see page 9) and the July 17, 2018 Logan Municipal Council meeting (see pages 7-8). The Council wanted the Planning Commission to review and consider a bonus program with a recommendation to the Council.

**Purpose**

The purpose of the density and height bonus program is to incentivize a higher level of residential development in both the TC-1 and TC-2 zones by offering additional residential units and/or additional building height in exchange for a higher level of development. We are defining a higher level of development as a project, in either zone, that either designs & builds a residential project using superior materials that respect the building designs of historic Logan, or designs & builds using structured parking to accommodate most of the necessary parking, or designs and builds according to LEED or a similar type of sustainability program, or in the TC-2 zone, designs and builds a residential structure with the entire ground floor available for commercial development.

**Application**

Residential density and building height bonuses being considered in Chapter 17.34 apply only in the TC-1 and TC-2 zones. A project could be awarded both a density and a height bonus based on whether they meet both criteria. There are specific caps on both density and height bonuses (See Table 17.37.040.A).

## Methodology

The methodology for awarding density or height bonuses has changed since the last Planning Commission with these changes reflected in the attached code language. Density bonuses can be awarded for building design, building type, ground floor commercial (TC-2 only), structured parking, or following a LEED (or similar) program. Height bonuses can be awarded for building design, ground floor commercial (TC-2 only), structured parking or following LEED (or similar) program. The building design component changed to include requiring additional design elements indicative of the historic Logan downtown and not just putting brick on the building. We also added a bonus category if the entire ground floor of a building in the TC-2 zone is constructed to commercial standards and available for future commercial uses. Interim residential uses would be permitted in this space. We also added a reference to other programs similar to LEED that an applicant could choose to pursue.

The maximum density bonuses were also reduced and which are outlined in Table 17.34.040.A.

**Table 17.34.040.A: Maximum Residential Densities (Dwelling Units Per Acre) and Maximum Building Height**

<b>Zone</b>	<b>Standard Max. Density</b>	<b>Max. Density with Bonus</b>	<b>Standard Max. Height</b>	<b>Max. Height with Bonus</b>
<b>Town Center (TC-1)</b>	<b>70</b>		<b>55'-80'</b>	
TC-1 w/brick facades	70	80	55'-80'	55'-90'
TC-1 w/street frontage row housing	70	80	55'-80'	55'-90'
TC-1 w/structured parking	70	90	55'-80'	55'-90'
TC-1 w/LEED	70	90	55'-80'	55'-90'
<b>Town Center (TC-2)</b>	<b>30</b>		<b>45'</b>	
TC-2 w/brick facades	30	40	45'	55'
TC-2 w/street frontage row housing	30	40	45'	55'
TC-2 w/ground floor commercial	30	40	45'	45'
TC-2 w/structured parking	30	50	45'	55'
TC-2 w/LEED	30	50	45'	55'

The proposed amendment to Chapter 17.34 of the Land Development Code are attached.

## GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments to the Land Development Code to include a density and height bonus provision for high quality development in the Town Center zones, are consistent with the General Plan as it attempts to further densify the downtown area where the physical and economic infrastructure is available to support increased densification.

## **STAFF RECOMMENDATION AND SUMMARY**

The proposed changes to the Land Development Code to include residential density and height bonus provisions will encourage higher quality development in the Town Center zones which is consistent with the principles of both the Logan General Plan as well as the Downtown Specific Plan. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

## **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 12/1/18, posted on the City's website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18.

## **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 bases 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 consistent with the Downtown Logan Specific Plan.
5. The proposed Code Amendments including density and height bonus provisions will encourage higher quality development in the Town Center zones.
6. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project.
7. The Geographic area of downtown as established in the Town Center zones generally extends from 3<sup>rd</sup> South to 5<sup>th</sup> North, and from 1<sup>st</sup> West to 2<sup>nd</sup> East.
8. The use of density and height bonuses in the TC-1 and TC-2 zones will not negatively impact Logan's Center Street Historic District boundaries as projects occurring within the district boundaries, regardless of zoning, are required to comply with the historic guidelines.
9. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.

## **Chapter 17.34: Residential Density and Height Bonuses**

### **§17.34.010. Purpose and Intent**

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter is to encourage and incentivize higher quality building design utilizing traditional building materials such as brick or stone that complements the character of the existing neighborhoods.

### **§17.34.020. Applicability**

Residential density and height bonuses apply in the Town Center zones.

### **§17.34.030. General Requirements, Limitations and Eligibility**

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. Applicants choosing to utilize the LEED (Leadership in Energy and Environmental Design) Silver Certification program (or an alternative program) bonus option are required to employ an architect trained and/or certified in the LEED program standards (or alternative program) for the design and project implementation.

### **§17.34.040. Specific Standards for Density & Height Bonuses**

A project may request a residential density or building height bonus by utilizing one of the bonus paths outlined below. Table 17.37.040.A lists the maximum density bonuses and building height bonuses based on the selected path. A project may qualify for both a density bonus and a height bonus; however, density bonuses are not cumulative.

#### **A. Residential Density Bonus.**

1. Building Design. The use of brick as a primary building element along with the integration of historic building and design characteristics is important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to ten (10) additional units per acre shall be given where brick or stone covers at least 75% of the net façade on all sides of the

## DRAFT 17.34: Residential Density and Height Bonuses

building, **and** historic design elements and characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, projections, and reveals are integrated into the overall building design.

2. Row Housing. Multi-family projects shall be given a residential density bonus of up to ten (10) additional units per acre if all of the street facing development is comprised of row housing (town homes or twin homes) that are at least three (3) stories in height, utilizes brick or stone on at least 50% of the net façade on all sides of the building **and** historic design elements and characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, projections, and reveals are integrated into the overall design of the townhomes.
  3. Ground Floor Commercial Space. A residential density bonus of up to ten (10) additional units per acre shall be given in the TC-2 zone if the entire ground floor of the proposed structure(s) is constructed to commercial building code standards able to accommodate future commercial uses such as restaurants, office space, retail, etc.
  4. Structured Parking. A residential density bonus of up to fifteen (15) additional units per acre shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.
  5. LEED Silver. A residential density bonus of up to fifteen (15) additional units per acre shall be given if a project implements the LEED Silver Certification program standards in its site design and project construction. The LEED Silver Certification issued by the U.S. Green Building Council (USGBC) is not required to obtain the density bonus. The city may permit an applicant to use an alternative type of program such as Living Building Challenge or BREEAM (Building Research Establishment Environmental Assessment Method) to gain this bonus; however, the applicant and their architect shall demonstrate that the program principles, methodologies, goals and results are similar to LEED.
- B. Building Height Bonus.
1. Building Design. A height bonus of up to ten (10) feet shall be given where brick or stone covers at least 75% of the net façade on all sides of the building, **and** historic elements and design characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, projections, and reveals are integrated into the overall design.
  2. Ground Floor Commercial Space. A height bonus of up to ten (10) feet shall be given in the TC-2 zone if the entire ground floor of the proposed structure is constructed to commercial building code standards able to accommodate future commercial uses.
  3. Structured Parking. A height bonus of up to ten (10) feet shall be given where the project design includes structured parking for at least 75% of the minimum parking.
  4. LEED Silver. A height bonus of up to ten (10) feet shall be given if a project is designed and constructed according to LEED Silver Certification standards or similar type of sustainability program.

**Table 17.34.040.A: Maximum Residential Densities (Dwelling Units Per Acre)  
and Maximum Building Height**

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TC-1 w/structured parking	70	90	55'-80'	55'-90'
TC-1 w/LEED	70	90	55'-80'	55'-90'
<b>Town Center (TC-2)</b>	<b>30</b>		<b>45'</b>	
TC-2 w/brick facades	30	40	45'	55'
TC-2 w/street frontage row housing	30	40	45'	55'
TC-2 w/ground floor commercial	30	40	45'	45'
TC-2 w/structured parking	30	50	45'	55'
TC-2 w/LEED	30	50	45'	55'

**§17.34.050. Failure to Comply**

Failure to comply with any bonus requirements, covenants and/or conditions of approval shall result in a restriction of the use of bonuses granted, until compliance is achieved.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Vice Chair Simmonds**

Vice Chair Simmonds reported that she attended the last Planning Commission meeting and there are two items that will come before the Council.

### **July Council Meeting Schedule – Chairman Jensen**

Chairman Jensen announced that the July 3, 2018 Council meeting has been cancelled due to activities centered around the July 4 holiday.

No further Council items were presented.

## **ACTION ITEMS:**

***(Continued from the June 5, 2018 Council Meeting) - Town Center Rezone – Consideration of a proposed rezone. Logan City requests to rezone multiple parcels on approximately 173 acres from Town Center (TC), Neighborhood Residential (NR-6) and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), Public (PUB) and Recreation (REC) – Ordinance 18-07***

At the May 1, 2018, May 15, 2018, and June 5, 2018 Council meetings, Community Development Director Mike DeSimone and Planner Russ Holley addressed the Council.

Mr. DeSimone said what will be presented tonight are two separate items, but are somewhat related. Part of the Town Center Rezone includes aspects of the Land Development Code Updates. The Council will act on the Town Center Rezone Map on its own merit and the Council will also act on the Land Development Code Updates which includes the Town Center information as a separate item.

Mr. DeSimone reviewed the following information regarding the Town Center Rezone.

### **REQUEST**

The Logan City Community Development Department is requesting to create two new zoning districts (TC-1 & TC-2) and rezone approximately 173 acres of property located in various areas, in and around Downtown Logan from TC, NR-6, PUB & REC to TC-1, TC-2, PUB & REC. The fundamental reason for this proposal is the creation of two new zoning districts (TC-1 & TC-2), that create a two-tier downtown. TC-1 is designed to be higher intensity urban development areas positioned along the Main Street and 400 North corridors. TC-2 is designed to be a lower intensity zone for areas positioned around the edges of downtown. Both TC-1 and TC-2 would be considered commercial zoning districts, with the main difference being that TC-2 requires lower building heights, larger setbacks and would allow stand-alone multi-family residential projects.

The majority of properties under consideration currently contain some form of development, with most being commercial uses and structures. Many of the properties are considered historic, with buildings dating back to the early 1900's. This proposal also

includes several civic, public and recreational properties located in various areas throughout downtown. In one area along 100 East, the proposal includes an up-zone of NR-6 properties to TC-2.

### **GENERAL PLAN**

The Future Land Use Plan (FLUP) adopted in 2008 identifies the entire downtown area as TC with the exception of Garff Wayside Gardens and Pioneer Park shown as REC. In 2008, the General Plan did not contemplate a tiered or step-down Town Center pattern. With numerous debates in recent years focused on development compatibility, a step-down transition to lower intensity neighborhoods should increase compatibility while remaining consistent with the General Plan. And the creation of the TC-2 zone should spark additional multi-family residential development around downtown, which is something the General Plan identifies as important for downtown vibrancy and a way to reduce the demand and pace of outward sprawling suburban development.

### **ZONING**

The TC-1 zone is proposed as being the inner core of Logan City with a mix of retail, office, commercial, entertainment and residential land uses. Projects must contain commercial space and are prohibited from stand-alone residential. The TC-1 zone is proposed with building heights at 80', front yard setbacks at 0' and 70 residential units per acre. The TC-2 zone is proposed in areas off Main Street and 400 North, with a mixture of commercial and residential uses encouraged. Projects in the proposed TC-2 zone could be commercial or stand-alone multi-family residential. The TC-2 zone is proposed with building heights at 45', front yard setbacks at 25' and 50 residential units per acre. Residential bonuses are proposed in the TC-2 zone. The PUB and REC zones are described as areas for public use, such as parks, civic and governmental projects.

### **SUMMARY**

As proposed, the TC-1 and TC-2 concept should preserve prime commercial properties for commercial uses and tax base along Main Street and 400 North within downtown. The TC-2 zone should spark additional housing, being in high demand, in areas around downtown that will create vibrancy, better walk-ability and contribute to downtown business development. With such high demand for housing, Cache Valley is seeing unprecedented amounts of agricultural land, green space, bench land and low-land wildlife habitat being consumed for suburban residential development. This type of development pattern increases reliance on the automobile, worsens traffic congestion and degrades air quality and natural environments. This pattern does not supply a wide-ranging housing stock that meets the wide range of household types and various stages of life for the citizens of Logan. This proposal is attempting to fulfil the saying, "Keep the country, county and the city, city".

### **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments.

## **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, numerous phone calls and comments have been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 1/14/18, posted on the City's website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18 , and a Public Notice mailed to property owners within 300' was sent on 1/9/18.

## **RECOMMENDED FINDINGS FOR APPROVAL**

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

1. The location of the subject properties is compatible in land-use with the surrounding commercial, residential and civic uses.
2. The subject properties can fulfill the purpose of the General Plan, Downtown Specific Plan and Land Development Code by providing a compact vibrant and urban downtown.
3. The surrounding streets and infrastructure are sufficient in size and capacity to handle uses permitted in the TC-1 and TC-2 zoning districts.

## **RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of approximately 173 acres of property located in and around Downtown Logan from Town Center (TC), Traditional Neighborhood Residential (NR-6), Recreation (REC), and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), PUB and REC.

On April 12, 2018, the Planning Commission unanimously recommended that the Logan Municipal Council approve the Town Center Rezone project that amends the Official Logan City Zoning Map.

Planner Russ Holley addressed the Council and reviewed several proposed maps for TC-1 and TC-2. He stated that staff looked at other cities such as Provo and Ogden and how they are developing and what types of densities and heights they require. Also considered were how these cities are handling the "fringe" areas and how they interface with lower density residential. Logan has single family neighborhoods adjacent to downtown or lower density neighborhoods adjacent to the downtown, a step-down or buffer is appropriate. Doing this will preserve and keep the neighborhood vibrant. He said one area of slight contention was the religious properties and how they should be designated. Originally it was thought that TC-2 would be appropriate, Commissioner Butterfield was adamant about rezoning all of the religious properties to a Recreation Zone. Staff had some hesitation with changing to a Recreation Zone because this zone is geared toward public uses such as a golf course or a park. The other Planning Commission members voted to keep the way they are as NR-6 or Town Center.

Mr. Holley reported that staff received 80 written comments with the majority being in opposition. Over the course of the Planning Commission meetings that were held, there were more favorable comments but they were mostly 70/30 in opposition in comparison to the written comments. The proposed Garff Garden project was the main topic of a lot of the comments with others referring to density and other issues. He will provide the Council with a summary of the top comments received.

Mr. DeSimone referred to the Comparison Chart of Town Center (TC), TC-1 and TC-2.

**Comparison of Town Center (TC), TC-1 and TC-2**

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Density	70	70	30
Lot Coverage	100%	100%	80%
Building Frontage	75% Main/40% Other	75% Main & 4 <sup>th</sup> /50% Other	50%
Ground Floor Commercial	Unclear (Policy language yes - regulatory language no)	Required on Main & 4 <sup>th</sup> North only/Other streets no	No
Free Standing Residential	Unclear	See above	Yes
Commercial Setbacks	Front: 0'-5'; Side: 0'-5'; Rear: 0'	Front: 0'-5'; Side: 0'; Rear: 5'	Front: 0'-10'; Side: 0'-8'; Rear: 5'
Residential Setbacks	Same as above	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location
Height/Setback Transitions	Yes	Yes	Yes
Building Heights	68' – Main/45' other streets	55' all street frontages & up to 80' internal to block	45'
Ground Floor Height	15' – 20'	Commercial/MU – 12'	None
Transparency/Fenestration	Ground Floor 60%/Upper 20%	Same	Same
Parking (Residential)	0.5 stall/unit – 2.0 stalls/unit	Studio/1 BR – 1.5 stalls/unit & no shared parking 2 + BR – 2.0 stalls/unit & with up to 50% shared	2.0 stalls/unit & with up to 25% shared
Parking (Commercial)	Based on Use Type	Based on Use Type & with up to 50% shared	Based on Use Type & with up to 50% shared
Land Set-asides	No	No	Open Space - 10% & Useable Outdoor Space – 10%

Chairman Jensen announced that a public hearing regarding Ordinance 18-07 would not be held at tonight's meeting.

City Attorney Kymber Housley suggested that the Council hold one more public hearing after tonight's discussion before making a final decision.

Chairman Jensen announced that the public will have another opportunity to provide input before the Council votes on Ordinance 18-07 and 18-08.

Chairman Jensen reviewed the following:

## **HEIGHT**

Chairman Jensen said currently the building height in TC-1 is 80'. The Fire Marshall has stated at 75' the code requires too many things to be changed in the building that would make a project not economical.

Chairman Jensen suggested the maximum building height be changed from 80' to 75'. This is the height that was proposed to the Planning Commission by staff and the Planning Commission then recommend the 80' height to the Council.

Mr. DeSimone asked if the Council still approves 55' along the street frontage and 75' in the internal block area.

Vice Chair Simmonds suggested that the height be left at 80'.

Councilmember Bradfield suggested changing the height to 75' because the additional 5' would be cost prohibitive for a builder.

Councilmember Olsen asked Fire Chief Brad Hannig in terms of ladder capacity, is there a break in height.

Chief Hannig responded that he doesn't feel that 5' is relevant and doesn't think that anyone will build to 80'.

The Council all agreed to change the maximum building height from 80' to 75'.

### **TRANSPARENCY**

Vice Chair Simmonds said the transparency issue is related to the density bonus. She has the desire that the first floor be built with a greater transparency because she feels it will look better at the street level. She suggested transparency for residential projects in the TC-2 zone be increased on the ground floor for residential from 20% to 40%.

The Council all agreed to change transparency from 20% to 40%.

### **TC-1 PARKING**

Councilmember Bradfield said he made two campaign promises to the residents along 100 East. One is that if a project were built in their neighborhood that the cultural significance would remain and the second is that if a project were built, there would be adequate parking. At the time, the neighborhood understood that there will be higher density in Logan but that if more housing were to come that it must be attractive and be consistent with the current neighborhood. In TC-1 he proposed less parking and in TC-2 no shared parking.

Councilmember Anderson said she preferred that shared parking be incorporated into density bonus.

Vice Chair Simmonds said the Planning Commission reviewed the percentages for shared parking. The concern of the Planning Commission regarding parking in TC-1 is that we don't want to have an entirely paved downtown, we would all much rather have projects and provide shared parking that works with residents and the City. In TC-2, the Planning Commission wanted to have a small amount of shared parking but not 50% shared.

Chairman Jensen said TC-1 is more isolated from neighborhoods than TC-2. He agrees with Vice Chair Simmonds and the Planning Commission and feels that shared parking in TC-1 is better than paving the entire downtown.

Councilmember Olsen said we don't want an entirely paved downtown but, the alternative is we have less parking downtown and people will end up parking on the street or in other people's parking areas. He does not want to create a situation similar to what is happening on 600 East with the lack of parking. He proposed having 2 parking stalls per unit for both TC-1 and TC-2 and no shared parking.

Chairman Jensen said TC-1 is away from the residential neighborhoods and his opinion is that urban/city areas should have more shared parking.

Mr. DeSimone stated the definition of shared parking is a formal agreement that the City would sanction between two compatible uses.

Councilmember Bradfield commented that we can always reduce parking but we can never go back and add more parking.

Councilmember Anderson stated that people will make choices depending on what they have to work when it comes to parking. As people consider whether or not they want to live in downtown Logan if they have 2 cars and a boat, they most likely will not live downtown. The right person will need to decide if they can get along with one parking stall or if they need more.

Councilmember Olsen said there is also the situation of visitors and where can they park.

Councilmember Anderson said it doesn't make sense to her to have more parking for 5-10 days out of the year when the rest of the year only one parking stall is adequate. She feels there is currently enough parking downtown even when several events are going on at the same time. Parking might not be located right in front of the store or location that someone wants to go but, there is parking.

Vice Chair Simmonds said the original intent in regards to Campus Residential is less parking would be allowed onsite but there had to be alternative parking arrangements. Sadly, those arrangements were not based on contracts that went along with the land. She feels if we have something in place that runs with the land, that is consistent, and agreed to by all parties will work.

Chairman Jensen said if the developer of a project determines there is not enough parking for the renters/owners, they will go elsewhere to build their project.

Councilmember Olsen said his primary concern are the neighbors who could have people parked in front of their home and will have to deal with parking problems. He would like two parking stalls for all units including studio apartments.

Councilmember Bradfield said he would prefer no shared parking and also feels there should be visitor parking.

The Council recommended the following for the TC-1 Parking:  
Studio/1 bedroom – 1.5 parking stalls/unit with no shared parking  
2/bedroom – 2 parking stalls/unit with up to 50% shared  
Add a requirement for visitor parking at 1 parking stall per 10 units

## **TC-2 PARKING**

Chairman Jensen said the TC-2 zone is property that is adjacent to neighborhoods so the Council will need to be more sensitive in determining parking.

Councilmember Anderson said it's also important to keep in mind that these guidelines are to encourage development within a compact, walkable, urban form. The Council needs to encourage the intent of the entire area.

The Council recommended the following for the TC-2 Parking:  
All units – 2 parking stalls/unit with up to 25% shared  
Add a requirement for visitor parking at 1 parking stall per 10 units

## **DENSITY**

Chairman Jensen said currently proposed is 70 units per acre in TC-1 and 30 units per acre in TC-2. His feeling is with 30 units per acre we will get a substandard project and will not have the amenities that people want. What makes the difference is parking, noise, and how the units are managed. He suggested a density bonus based on design.

Vice Chair Simmonds said there are three categories that she would consider for a density bonus but, if the Council considers density bonuses, it would have to go back to the Planning Commission since they will need to enforce the bonus. She said one measure of quality that we can absolutely define and will make sure that we get a quality building is to require someone to use LEEDS standards. In TC-2 the ground floor could be built as if it were going to be commercial someday. There could also be parking within the perimeter of the building (underground parking). If a developer were to be given the choice of one of these three things mentioned, she feels we would get a better project. She is adamant this should go to the Planning Commission for them to decide.

Chairman Jensen added that he would like there to be an onsite full-time manager of the units.

Vice Chair Simmonds said she doesn't feel that an onsite manager should be one of the choices in regards to density bonus.

Mr. Housley said a manager is a good idea but doesn't know how it would be enforced.

Councilmember Anderson suggested we could make the fines so egregious for not having an onsite manager.

Mr. Housley said the developer would already have the bonus and if the manager were to leave there is no nothing we can do to enforce the manager remaining onsite.

Chairman Jensen said he feels an onsite manager is needed for a 30 or higher unit project and this would be for rentals or owner-occupied units.

Mr. Housley said fines don't work either because it would not be in violation of an ordinance. An onsite manager is a good idea and we can try and encourage it but, but we could not enforce it. He said building materials is something that we can define and we should focus on things that can be defined or verified at the time the project is built and not afterward.

Chairman Jensen stated at the July 17, 2018 Council meeting there will be further discussion regarding density, density bonus, and boundaries.

**ACTION. Motion by Councilmember Bradfield seconded by Vice Chair Simmonds to continue Ordinance 18-07 to the July 17, 2018 Council Meeting as a public meeting, not a public hearing as presented. Motion carried unanimously.**

***(Continued from the June 5, 2018 Council Meeting)* - Land Development Code 2018 Updates – Consideration of proposed code amendments. Logan City requests to amend and update the Logan Land Development Code as follows: Delete Chapters 17.07-17.11; re-number and update 17.12-17.61; consolidate 17.12 & 17.15; consolidate 17.16 & 17.19; divide Town Center Zone into TC-1 & TC-2 and add TC-1/TC-2 language into 17.10-17.12; amend 17.09 & 17.12 to add building orientation, massing, length and articulation standards; update 17.36 Home Occupations; amendment includes minor grammatical corrections throughout the entire document; update 17.60 Administrative Enforcement to increase civil fee for over occupancy; add Footnote #4 Food Service Establishments in the Neighborhood Commercial Zoning District are prohibited from serving alcohol due to the nature of the Neighborhood Commercial Zone and its proximity to single family residential areas – Ordinance 18-08**

At the May 1, 2018, May 15, 2018, and June 5, 2018 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the 2018 Land Development Code Updates. The proposal is to update and re-adopt the entire Land Development Code as amended. The amendments can be divided into either “general” changes and “specific” changes. The general changes including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining and are considered relatively minor. The specific amendments include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, and replace Town Center (TC) with two separate and distinct (TC-1 & TC-2).

The proposed “general” amendments or changes to existing LDC Chapters are as follows:

**Preface:** Changed dates, eliminated Amendment/Rezone Tables and updated Table of Contents.

## **ACTION ITEMS:**

***(Continued from the June 19, 2018 Council Meeting) - Town Center Rezone – Consideration of a proposed rezone. Logan City requests to rezone multiple parcels on approximately 173 acres from Town Center (TC), Neighborhood Residential (NR-6) and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), Public (PUB) and Recreation (REC) – Ordinance 18-07***

At the May 1, 2018, May 15, 2018, June 5, 2018, and June 19, 2018 Council meetings, Community Development Director Mike DeSimone and Planner Russ Holley addressed the Council.

Mr. DeSimone said what will be presented tonight are two separate items, but are somewhat related. Part of the Town Center Rezone includes aspects of the Land Development Code Updates. The Council will act on the Town Center Rezone Map on its own merit and the Council will also act on the Land Development Code Updates which includes the Town Center information as a separate item.

Mr. DeSimone reviewed the following information regarding the Town Center Rezone.

### **REQUEST**

The Logan City Community Development Department is requesting to create two new zoning districts (TC-1 & TC-2) and rezone approximately 173 acres of property located in various areas, in and around Downtown Logan from TC, NR-6, PUB & REC to TC-1, TC-2, PUB & REC. The fundamental reason for this proposal is the creation of two new zoning districts (TC-1 & TC-2), that create a two-tier downtown. TC-1 is designed to be higher density urban development areas positioned along the Main Street and 400 North corridors. TC-2 is designed to be a lower density zone for areas positioned around the edges of downtown. Both TC-1 and TC-2 would be considered commercial zoning districts, with the main difference being that TC-2 requires lower building heights, larger setbacks and would allow stand-alone multi-family residential projects.

The majority of properties under consideration currently contain some form of development, with most being commercial uses and structures. Many of the properties are considered historic, with buildings dating back to the early 1900's. This proposal also includes several civic, public and recreational properties located in various areas throughout downtown. In one area along 100 East, the proposal includes an up-zone of NR-6 properties to TC-2.

### **GENERAL PLAN**

The Future Land Use Plan (FLUP) adopted in 2008 identifies the entire downtown area as TC with the exception of Garff Wayside Gardens and Pioneer Park shown as REC. In 2008, the General Plan did not contemplate a tiered or step-down Town Center pattern. With numerous debates in recent years focused on development compatibility, a step-down transition to lower intensity neighborhoods should increase compatibility while remaining consistent with the General Plan. And the creation of the TC-2 zone should spark additional multi-family residential development around downtown, which is something the General

Plan identifies as important for downtown vibrancy and a way to reduce the demand and pace of outward sprawling suburban development.

## **ZONING**

The TC-1 zone is proposed as being the inner core of Logan City with a mix of retail, office, commercial, entertainment and residential land uses. Projects must contain commercial space and are prohibited from stand-alone residential. The TC-1 zone is proposed with building heights at 80', front yard setbacks at 0' and 70 residential units per acre. The TC-2 zone is proposed in areas off Main Street and 400 North, with a mixture of commercial and residential uses encouraged. Projects in the proposed TC-2 zone could be commercial or stand-alone multi-family residential. The TC-2 zone is proposed with building heights at 45', front yard setbacks at 25' and 50 residential units per acre. Residential bonuses are proposed in the TC-2 zone. The PUB and REC zones are described as areas for public use, such as parks, civic and governmental projects.

## **SUMMARY**

As proposed, the TC-1 and TC-2 concept should preserve prime commercial properties for commercial uses and tax base along Main Street and 400 North within downtown. The TC-2 zone should spark additional housing, being in high demand, in areas around downtown that will create vibrancy, better walk-ability and contribute to downtown business development. With such high demand for housing, Cache Valley is seeing unprecedented amounts of agricultural land, green space, bench land and low-land wildlife habitat being consumed for suburban residential development. This type of development pattern increases reliance on the automobile, worsens traffic congestion and degrades air quality and natural environments. This pattern does not supply a wide-ranging housing stock that meets the wide range of household types and various stages of life for the citizens of Logan. This proposal is attempting to fulfil the saying, "Keep the country, county and the city, city".

## **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments.

## **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, numerous phone calls and comments have been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 1/14/18, posted on the City's website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18, and a Public Notice mailed to property owners within 300' was sent on 1/9/18.

## **RECOMMENDED FINDINGS FOR APPROVAL**

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

1. The location of the subject properties is compatible in land-use with the surrounding commercial, residential and civic uses.

2. The subject properties can fulfill the purpose of the General Plan, Downtown Specific Plan and Land Development Code by providing a compact vibrant and urban downtown.
3. The surrounding streets and infrastructure are sufficient in size and capacity to handle uses permitted in the TC-1 and TC-2 zoning districts.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of approximately 173 acres of property located in and around Downtown Logan from Town Center (TC), Traditional Neighborhood Residential (NR-6), Recreation (REC), and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), PUB and REC.

On April 12, 2018, the Planning Commission unanimously recommended that the Logan Municipal Council approve the Town Center Rezone project that amends the Official Logan City Zoning Map.

Planner Russ Holley addressed the Council and reviewed several proposed maps for TC-1 and TC-2. He stated that staff looked at other cities such as Provo and Ogden and how they are developing and what types of densities and heights they require. Also considered were how these cities are handling the “fringe” areas and how they interface with lower density residential. Logan has single family neighborhoods adjacent to downtown or lower density neighborhoods adjacent to the downtown, a step-down or buffer is appropriate. Doing this will preserve and keep the neighborhood vibrant. He said one area of slight contention was the religious properties and how they should be designated. Originally it was thought that TC-2 would be appropriate, Commissioner Butterfield was adamant about rezoning all of the religious properties to a Recreation Zone. Staff had some hesitation with changing to a Recreation Zone because this zone is geared toward public uses such as a golf course or a park. The other Planning Commission members voted to keep the way they are as NR-6 or Town Center.

Mr. Holley reported that staff received 80 written comments with the majority being in opposition. Over the course of the Planning Commission meetings that were held, there were more favorable comments but they were mostly 70/30 in opposition in comparison to the written comments. The proposed Garff Garden project was the main topic of a lot of the comments with others referring to density and other issues. He will provide the Council with a summary of the top comments received.

Mr. DeSimone referred to the Comparison Chart of Town Center (TC), TC-1 and TC-2.

**Comparison of Town Center (TC), TC-1 and TC-2**

	<b>Town Center (TC)</b>	<b>TC-1</b>	<b>TC-2</b>
Density	70	70	30
Lot Coverage	100%	100%	80%
Building Frontage	75% Main/40% Other	75% Main & 4 <sup>th</sup> /50% Other	50%
Ground Floor Commercial	Unclear (Policy language yes - regulatory language no)	Required on Main & 4 <sup>th</sup> North only/Other streets no	No
Free Standing Residential	Unclear	See above	Yes
Commercial Setbacks	Front: 0'-5'; Side: 0'-5'; Rear: 0'	Front: 0'-5'; Side: 0'; Rear: 5'	Front: 0'-10'; Side: 0'-8'; Rear: 5'
Residential Setbacks	Same as above	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location	Front: 0'-10'; Side: 0'-8'; Rear: 10' with design flexibility based on project/location
Height/Setback Transitions	Yes	Yes	Yes
Building Heights	68' – Main/45' other streets	55' all street frontages & up to 80' internal to block	45'
Ground Floor Height	15' – 20'	Commercial/MU – 12'	None
Transparency/Fenestration	Ground Floor 60%/Upper 20%	Same	Same
Parking (Residential)	0.5 stall/unit – 2.0 stalls/unit	Studio/1 BR – 1.5 stalls/unit & no shared parking 2 + BR – 2.0 stalls/unit & with up to 50% shared	2.0 stalls/unit & with up to 25% shared
Parking (Commercial)	Based on Use Type	Based on Use Type & with up to 50% shared	Based on Use Type & with up to 50% shared
Land Set-asides	No	No	Open Space - 10% & Usable Outdoor Space – 10%

Chairman Jensen announced that a public hearing regarding Ordinance 18-07 would not be held at tonight's meeting.

Chairman Jensen announced that the public will have another opportunity to provide input before the Council votes on Ordinance 18-07 and 18-08.

Chairman Jensen reviewed the following:

### **HEIGHT:**

Chairman Jensen rescinded his recommendation from the June 19, 2018 Council meeting taking the building height down to 75' from a height of 80'.

### **TRANSPARENCY**

The Council agreed for residential projects in the TC-2 zone to increase ground floor transparency for residential from 20% to 40%.

### **TC-1 PARKING**

At the June 19, 2018 Council meeting, the Council recommended the following for TC-1 Parking:

Studio/1 bedroom – 1.5 parking stalls/unit with no shared parking

2/bedroom – 2 parking stalls/unit with up to 50% shared

Add a requirement for visitor parking at 1 parking stall per 10 units

Councilmember Olsen said he still feels that 2 stalls, no shared parking per unit is appropriate. This is for all units including studios.

Councilmember Bradfield concurred and said he was reminded that during his campaign he promised a certain neighborhood that he would commit to 2 stalls per unit.

Councilmember Olsen said the visitor parking of 1 stall per 10 units is still appropriate.

Chairman Jensen said he is concerned because sometimes there can be overparking, especially in a TC-1 zone. If it doesn't impact the neighborhood then it can impact other commercial businesses.

## **TC-2 PARKING**

At the June 19, 2018 Council meeting, the Council recommended the following for TC-2 Parking:

All units – 2 parking stalls/unit with up to 25% shared

Add a requirement for visitor parking at 1 parking stall per 10 units

At tonight's Council meeting, there was a discussion about changing the TC-2 parking to require 2 stalls per unit, and eliminate all shared parking and retain visitor parking.

## **DENSITY**

Chairman Jensen stated the proposed TC-1 density is 70 units per acre and 30 units per acre in TC-2.

Density Bonuses – Offer an additional 10 units/acre in the TC-2 zone if a project does one of the following:

- Project constructed to LEED Standards
- Project includes a full first floor of commercial space
- Project includes structured parking internal to the design
- Front of project facing residential street/residential zone is constructed as townhomes with bulk of the project incorporated behind.

Chairman Jensen said a suggestion was made by Vice Chair Simmonds to have parking underneath the building. He suggested giving a higher density if parking is underneath the building because it would then allow for more surface parking. Parking under a building is very expensive but it is a wonderful amenity to the neighborhood.

Chairman Jensen also suggested that any area of a project that faced the street should be townhomes (2 story) facing the street and development behind the townhomes. He said 30 units does not attract a quality development and that density pays for quality.

Councilmember Anderson said the original density was 50 units per acre. She asked why it jumped from 50 down to 30 units per acre.

Mr. DeSimone responded that originally 50 units per acre was proposed in TC-2 and the Planning Commission felt that was too much.

Chairman Jensen said there is a set height of 45', there is a parking density and as an architect, he said parking always governs the project. Setbacks, height and parking determines how large the building will be.

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Vice Chair Simmonds said what she proposed are standards that are identifiable, verifiable and stay with the structure.

Mr. DeSimone said he's seen the concept of townhomes facing the street with but the challenge are flag lots that would have to be done differently.

Chairman Jensen suggested that the Council talk through these items tonight and then hold a public hearing on August 7 and possibly vote that same evening.

Vice Chair Simmonds suggested that the Council send a recommendation for density bonuses to the Planning Commission and have them review before the Council votes.

Mr. DeSimone suggested the Council adopt the code without the density bonuses on August 7 and then direct it back to the Planning Commission with recommendations for density bonuses for them to review.

The Council all agreed on sending the density bonus provisions back to the Planning Commission for fine tuning after a public hearing on August 7.

## **BOUNDARIES**

Chairman Jensen said that he and Vice Chair Simmonds met with homeowners on the block bounded by 100 East, 200 East, 300 North and 400 North. The South side of that block is recommended to be TC-2 which, is filled with single family homes and are owner occupied. He and Vice Chair Simmonds recommended that for now, this area be removed from consideration.

The Council discussed the recommendation made by Chairman Jensen and Vice Chair Simmonds and support the overall boundaries as presented but recommended to return the 8 parcels at the Northwest corner of 200 East and 300 North from TC-1 to NR-6 and leave the Northeast corner of the same block as proposed at TC-1.

Chairman Jensen suggested in the area immediately adjacent to, and including portions of Garff Gardens. Retain the 5 residential parcels on the westside of 100 East (North of the LDS Chapel on the corner of 100 East/200 South at TC-2 as proposed. The ½ acre park piece that the City had under contract was forwarded to the Council by the Planning Commission with a recommendation to retain as Recreation. He suggested moving park amenities/features into the parking area North of the ½ acre and enhance the park North of the parking lot.

Mr. DeSimone said this is one area in the City where a neighborhood has a lot of park space.

Councilmember Anderson said it's easy to forget what the intention of TC-2 should be which, is a buffer to TC-1 and the other neighborhoods. These are changes we are making for the future and for when our community develops.

Vice Chair Simmonds reminded the Council that a lot of this area was Town Center and there isn't a large change other than we are allowing TC-2 to be 100% residential and we did not have that in Town Center.

Councilmember Olsen agreed to the suggestion made by Chairman Jensen, but he would first like to see more details and a drawing of what the proposed area will look like.

Mr. DeSimone said the Council is making a zoning decision based on a boundary that is zoned. Staff does not have the details that Councilmember Olsen is asking for but can be negotiated with a contractor when they purchase or sell the property.

Vice Chair Simmonds said she is concerned that whatever goes in the TC-2 portion does not impact the park in regards to traffic coming in and out of the park.

City Attorney Kymber Housley said the last version of the project had a fire access. At this point, this is all concept and no project has been approved or is pending.

The Council agreed and they are open to the suggestion made by Chairman Jensen but would like to see a visualization of this concept and how it will look.

Mr. DeSimone said staff will prepare concept plans showing options for enhancing the park North of the parking lot.

**ACTION. Motion by Vice Chair Simmonds seconded by Councilmember Bradfield to continue Ordinance 18-07 to the August 7, 2018 Council Meeting as a public hearing and action item as presented. Motion carried unanimously.**

***(Continued from the June 19, 2018 Council Meeting) - Land Development Code 2018 Updates – Consideration of proposed code amendments. Logan City requests to amend and update the Logan Land Development Code as follows: Delete Chapters 17.07-17.11; re-number and update 17.12-17.61; consolidate 17.12 & 17.15; consolidate 17.16 & 17.19; divide Town Center Zone into TC-1 & TC-2 and add TC-1/TC-2 language into 17.10-17.12; amend 17.09 & 17.12 to add building orientation, massing, length and articulation standards; update 17.36 Home Occupations; amendment includes minor grammatical corrections throughout the entire document; update 17.60 Administrative Enforcement to increase civil fee for over occupancy – Ordinance 18-08***

At the May 1, 2018, May 15, 2018, June 5, 2018, and June 19, 2018 Council meeting, Community Development Director Mike DeSimone addressed the Council regarding the 2018 Land Development Code Updates. The proposal is to update and re-adopt the entire