

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, October 17, 2023, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 5:30 pm. Logan Municipal Council Meetings are televised live as a public service on Channel 17 and the City of Logan YouTube channel at: [https://www.youtube.com/channel/UCFLPAOK5eawKS\\_RDBU0stRQ](https://www.youtube.com/channel/UCFLPAOK5eawKS_RDBU0stRQ)

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

Chairman Ernesto López welcomed those present. There were approximately 14 in attendance at the beginning of the meeting.

**OPENING CEREMONY:**

USU President Elizabeth (Betsy) Cantwell provided the opening ceremony and led the audience in the pledge of allegiance.

USU President Cantwell wants USU to be the hallmark of land grant universities with three main goals in mind teaching and learning, research, and community engagement. She wants USU to grow based on what is needed and make community engagement a critical piece of the puzzle. Our role is not just limited to Logan and Cache Valley but the entire State through the Utah State University online learning campuses.

President Cantwell acknowledged the difficulties of housing for the student population as USU continues to grow and the continuing difficulties of accommodating that growth. The housing crisis even impacts married students, graduate students, and early career faculty. There are continued losses among faculty members who cannot find housing despite being offered a position. She suggested creating alternative housing options as a possible means of solution.

Councilmember Simmonds inquired how President Cantwell envisions the relationship between town and the gown growing, changing, and becoming. (Gown is a figure of speech referring to higher education institutions).

President Cantwell answered that the relationship to an extent has to function as an economic value for the region. There is a connection between community engagement and how the community views itself and its future. The topics are interconnected and should be viewed as such.

Mayor Daines commended President Cantwell for her interest in the community and willingness to be involved.

**Meeting Minutes.** Minutes of the Council meeting held on September 19, 2023, and October 3, 2023 were reviewed.

**Meeting Agenda.** Chairman López announced there are three public hearings scheduled for tonight's Council meeting.

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair A.**

**Anderson to approve the September 19, 2023 and October 3, 2023, minutes as presented and tonight's agenda. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

**Meeting Schedule.** Chairman López announced that regular Council meetings are held on the first and third Tuesdays of the month at 5:30 p.m. The next regular Council meeting is Tuesday, November 7, 2023.

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

Chairman López explained that any person wishing to comment on any item not otherwise on the agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to respond to outside of the City Council meeting.

Joshua Molitor, a resident of Logan acknowledged the approval of the 1400 North Main RDA and asked if the parking concerns for the project were appropriately addressed.

Mayor Daines responded that there was more parking than needed for the project.

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

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

Mayor Daines reported that Fire Chief Brad Hannig has accepted a position to start on November 02, 2023. She thanked Chief Hannig for all the excellent service and efforts he has provided to the City.

Fire Chief Brad Hannig thanked the Council and City as it has been an honor to serve the community. He is certain that the community will continue to appreciate the service their hard-working staff provides for the community.

Councilmember Simmonds inquired what position Chief Hannig would be relocating to.

Chief Hannig responded that his new position would be the Deputy Director for the Utah Communications Authority. It is a state oversight of the 911 radio system.

The Council and Mayor thanked Chief Hannig for all he had done and wished him well.

Mayor Daines announced that Assistant Chief Nate Thompson has agreed to serve as the Interim Fire Chief while the new Fire Chief is selected.

No Mayor/Staff Reports were presented.

## **COUNCIL BUSINESS:**

### **Planning Commission Update – Councilmember Simmonds**

Councilmember Simmonds reported that two short-term rentals were approved. The first short-term rental is located at 1444 East 1200 North, a basement short-term rental. The second short-term rental is located at 131 West 200 North in the MR-12 zone in the Ellis Neighborhood. The short-term rental is a four-bedroom rental of the entire home.

An apartment was approved of 27 beds and 27 parking stalls at 698 East 700 North, Campus Residential. The approval of the apartment was 5 to 0. Thunder Mountain was approved as well. The project is a warehousing shop building at 1044 West 800 North in the industrial park zone. Lastly approved was a project consisting of a 4,300-square-foot periodontics dental office located at 168 East 200 North in the Adams Neighborhood Moser building.

Vice Chair A. Anderson asked if there was a limit placed on the number of short-term rentals, what the number of short-term rentals that are permitted, and how close we are to fulfilling that limit.

Mike DeSimone, Community Development Director answered that there is a limitation on the number of short-term rentals permitted. However, the limit has yet to be reached.

Tanya Rice, City Planner interjected three short-term rentals per thousand population.

Mr. DeSimone added the current population is 52,000 which means a total of 150 short-term rentals can be approved. As of right now, there are over 24 short-term rentals that have been approved.

Chairman López said there is a growing concern and whether the limits on short-term rentals should be changed.

Councilmember Simmonds responded that limits were put in place to ensure that short-term rentals cannot be within a certain proximity of each other. However, there has been some concern in the Hillcrest neighborhood as there are already several short-term rentals in their neighborhood. Perchance there is merit in amending or reviewing the existing short-term rental policy.

### **December Meeting Schedule – Chairman López**

Chairman López stated that the second council meeting of December 19<sup>th</sup> will not be held. The only council meeting to be held in December is the first council meeting of the month on December 5<sup>th</sup>. After December, the City Council will resume on the first Tuesday of January 02, 2024.

**ACTION. Motion by Councilmember Jensen seconded by Councilmember M. Anderson to approve the December Meeting Schedule as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

No further Council Business presented.

### **ACTION ITEMS:**

**Consideration of a proposed resolution supporting the Board Apportionment of the Cache Valley Transit District in compliance with Utah Code 17B-2a-807 effective January 1, 2024 – Resolution 23-41 – Councilmember Jeannie Simmonds**

At the October 3, 2023 Council meeting, Todd Beutler, CEO/General Manager of CVTD addressed the Council. Utah Code 17B-2a-807 has not been changed for 25 years and was structured for the intent and purpose of the UTA (Utah Transit Authority). The only services provided through the code were for fixed routes which could be used to project the number of service miles for the upcoming year to determine board membership. Since then, there have been new on-demand services through which members of the community can call for a ride or schedule it through an app. It is hard to project on-demand service mileage since it all depends on how much and when the services are used.

Outside of the UTA, there have been several transit districts created including the Cache Valley Transit. The existing code did not permit the new changes to be addressed. The code would instead change to allow 5 to 9 board members, but it would be up to the legislative council to determine how the board membership would be decided. For Cache Valley Transit, since it is the hub for the County, it should have a larger portion of members serving on the board. Of the 9 board members, 4 would be from Logan, and the remaining 5 from various communities throughout the County.

Councilmember Simmonds summarized the changes made to the criteria for Transit Districts by the legislation to Utah Code 17B-2a-807. One of the changes was the limit to the number of individuals that can serve on the board of a transit district between 5 to 9 individuals. The Cache Valley Transit board had 19 members and will be reduced to 9 board members. The City of Logan once the changes are implemented will have 4 board members serving on the transit board.

Councilmember M. Anderson requested confirmation on the change to the number of board members will the City still proportionally have the same number of votes as before.

Councilmember Simmonds confirmed that is the case. The number of votes will be proportional to what the City had before.

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to approve Resolution 23-41 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING – Consideration of a proposed ordinance amending Section 12.36.020 of the Logan Municipal Code Regulating Sewers and Sewage Disposal – Ordinance 23-31 – Issa Hamud**

Craig Carlston, City Attorney stated that currently the Division of Water Quality is still reviewing the amendments and there is a 30-day comment period from the State. It is best to continue the ordinance to the first week of January by which point the comment period of the State will be completed.

Chairman López inquired if there was a possibility that the ordinance might be changed.

Mr. Carlston replied that there may be a possibility but if there are changes, they will be highlighted and brought before the Council.

Councilmember Simmonds requested the public hearing be delayed until the ordinance is presented in January to give the public the opportunity to review the ordinance in the instance there are any new changes. The ordinance was continued to the January 16, 2024 meeting.

**ACTION. Motion by Councilmember Simmonds seconded by Vice Chair A. Anderson to continue Ordinance 23-31 to January 16, 2024 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

**PUBLIC HEARING - Budget Adjustments FY 2023-2024 appropriating: \$13,464 additional funding the City received from HUD for the CDBG programs for fiscal year 2024; \$8,080 funds the Library received from the State of Utah to support the Libraries Interlibrary Loan Program; \$1,000,000 electric fund reserves toward Second Dam sediment removal - Resolution 23-43 – Rueben Nelson**

Finance Director Richard Anderson gave a review of the proposed budget adjustments.

Chairman López opened the meeting to a public hearing.

Dr. Gail B. Yost, a resident of Logan inquired when the sediment removal is expected to occur and if it will have any community impact.

Councilmember Simmonds answered that most of the sediment removal of second dam will not impact the roadway or the community.

Mayor Daines stated that the contract is expected to commence in December, but the Light & Power department is waiting for state and federal permits.

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

**ACTION. Motion by Councilmember M. Anderson seconded by Councilmember Simmonds to approve Resolution 23-43 as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

## **WORKSHOP ITEMS:**

**CODE AMENDMENTS** – Consideration of a proposed ordinance amending the Land Development Code to allow Moderate Income Housing density bonuses in the MR-9, MR-12, MR-20, MR-30, TC-2, and Commercial (COM) zones, add Micro Living Units to Table 17.08.040 and Table 17.11.030, create Chapter 17.35 for Micro Living Unit Housing, and amend definitions to modify occupancy thresholds for residential dwelling units – Ordinance 23-32 – Mike DeSimone, Community Development Director

Community Development Director Mike DeSimone addressed the Council regarding the proposed code amendments.

He stated that on September 14, 2023, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

***LDC Chapter 17.07: Specific Development Standards: Residential Zones***

Added Moderate Income Housing Density Bonuses in the MR-9, MR-12, MR-20 & MR-30 Zones.

***LDC Chapter 17.08: Neighborhood Residential Uses***

Added Micro Living Units as a land use type and updated reference of residential occupancy.

***LDC Chapter 17.10: Specific Development Standards: District and Corridor Zones***

Added Moderate Income Housing Density Bonuses in the TC-2 and Commercial Zones.

***LDC Chapter 17.11: District and Corridor Uses***

Added Micro Living Units as a land use type.

***LDC Chapter 17.34: Residential Density and Height Bonus***

Added Moderate Income Housing Density Bonus standards.

***LDC Chapter 17.35: New- "Micro Living Units"***

New Section for Micro Living Unit Housing.

***LDC Chapter 17.62: Definitions***

Updated the definition of Family, changed occupancy thresholds for a family to a family plus one unrelated individual, and changed occupancy from three unrelated individuals to four unrelated individuals.

The Planning Commission voted (6-1) E. Peterson voted nay.

## **REQUEST**

This is a proposal to amend the Land Development Code to provide more opportunities and incentives for Moderate Income Housing by adding density bonuses for affordable housing in certain zones, allowing efficiency living units, and increasing the maximum occupancy rates for residential dwelling units.

## **SUMMARY OF PROPOSAL**

Logan City adopted a new Moderate-Income Housing {MIH} Plan on November 15, 2022, in response to House Bill (HB) 462 which was passed by the State Legislature during the 2022 State legislative session. HB 462 amended UCA 10-9a-403 requiring all local governments provide for moderate-income housing in their communities by implementing a certain number of housing strategies from a specific list generated by the State. Each year, the City is required to work towards meeting specific strategies for increasing the supply of moderate-income housing and then report that progress annually to the State. Failing to adopt a MIH Plan, make any progress in addressing the lack of affordable housing, or reporting to the State will result in a loss of significant transportation funding to the community.

One of the goals of the City's 2022 MIH Plan is to evaluate or consider changes to the City's Land Development Code that could be implemented to encourage more Moderate-Income Housing, and which is identified as Goal 5 in the Plan. Goal 5 includes four specific objectives that reflect a number of State-identified strategies from which we were required to choose and implement. This specific LDC amendment target Objectives 2 - 4 while Objective 1 (Residential Parking) will be addressed in 2024 through a separate evaluation & process.

Goal 5: Evaluate the City's Land Development Code to determine if there are short-term regulatory changes that the City could make to encourage more Moderate-Income Housing

Objective 1: Evaluate parking requirements for residential uses, including MIH uses.

Objective 2: Evaluate a MIH density bonus provision in all Mixed Use, Commercial and Town Center Zones

Objective 3: Evaluate the City's current occupancy limitations to determine whether a permit system for increasing the occupancy limit for residential units could be increased from three to four, and under what circumstances.

Objective 4: Evaluate single-room occupancy development standards State Strategies being addressed:

(H) amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities; (Related)

(I) amend land use regulations to allow for single-room occupancy developments;

(J) implement zoning incentives for moderate-income units in new developments;

- (W) create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones;
- (X) demonstrate implementation of any other program or strategy to address the housing needs of residents of the municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate-income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate-income housing;

#### Density Bonuses for Moderate Income Housing (Objective 2)

Amend LDC Chapters 17.34, 17.07, & 17.10 to include a density bonus for Moderate Income Housing in the MR-9, MR-12, MR-20, MR-30, TC-1, TC-2, and Commercial (COM) zones.

Chapter 17.34 provides the standards for when a density bonus is available while 17.08 & 17.10 are language changes in the individual zoning designation spec sheets referencing a potential density bonus for MIH. The density bonus is only available for projects with a minimum size of three (3) acres and is limited to the multi-family zones or mixed-use zones.

#### §17.34.070. General Requirements, Limitations and Eligibility for Moderate Income Housing/Affordable Housing Residential Density Bonuses

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the applicable height and setback transition standards.
- C. The application of a density 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 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, features, or affordable units 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. Moderate Income Housing/Affordable Housing Units. On project sites larger than three acres, the total residential density may be increased by up to 25% if at least 5% of

the total residential units are designated and deed restricted as affordable units (serving residents who are at or below the 80% AMI income threshold).

#### Micro Living Unit Housing (Objective 4)

Amend LDC 17.35 to include provisions for Micro Living Unit Housing in the MR-20, MR-30, TC- 1, TC-2, Commercial and Mixed-Use Zones. Micro Living Units are smaller living units by design in order to provide affordable residential space for lower income residents. There is not a standard size; rather, the specific size of an MLU is determined by the jurisdiction where they are proposed for use, but should generally be approximately 50% of a "typical" apartment size. We are proposing a range of 150 square feet - 400 square feet in order to accommodate the conversion of an older hotel/motel with typically smaller rooms to an MLU or new construction that may go larger with studio & 1-bedroom units. We have also restricted these to be located near a high-traffic volume corridor (Main Street) with access to transit, or near large employers and access to transit. The goal is that this type of housing will be targeted toward a wider range of residents across a broad economic spectrum with close proximity to employment and transit opportunities and is limited to the higher-density zones.

#### Summary of Changes from 8/10/23:

Changed title from Efficiency Living Units to Micro Living Units. Changed the language in 17.35.40 & 17.62 regarding the composition of income ranges represented in these types of projects. Removed TC-1 from 17.35.050 (Conversion of Existing Buildings to MLU's).

The proposed LDC 17.35 language is attached.

#### Increase the Maximum Residential Occupancy Standard (Objective 3)

The proposal is to increase the maximum residential occupancy for a residential dwelling unit from three (3) to four (4) individuals, and allow for a "family" to have one (1) additional person in the household (renter, boy/girlfriend, etc.). The current occupancy limitations for residential occupancy is either three (3) individuals or one (1) family may occupy a residential unit. This is based on Utah Municipal Code 10-9a-505.5 which allows a municipality, with a state university within its boundary, to limit individual occupancy to three (3) rather than four (4) for other municipalities throughout the State. The number of occupants constituting a family is not limited provided those family members meet the definition of Family.

#### Summary of Changes from 8/10/23:

Updated the definition of "Family" in LDC 17.62 as shown below:

### **Proposed**

"Family" means persons related by blood, adoption, marriage, legal guardianship, or similar legal relationship, or two unrelated persons and their children, living and cooking together as a single housekeeping unit.

### **Existing**

"Family" means persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family. Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage.

Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.

We originally planned to link an increase in occupancy to some type of permit system that required additional bedrooms, parking, etc., but realized an approach tying housing with bedroom counts, dwelling size, parking stalls, etc., could violate fair housing requirements, so we dropped it. Parking concerns will be managed through current methods of enforcement and permitting. The proposed language is as follows:

"Occupancy Limits, Residential" means the number of persons legally allowed to occupy a residential dwelling unit for living and sleeping purposes shall be either:

- A. One (1) family as defined in this Chapter and not more than one (1) additional person; or
- B. No more than four (4) individuals.

All of these three elements could contribute to more affordable housing in a relatively quick manner. While not without issues or controversy, increasing the occupancy allowance is the quickest and easiest way to "legally" get more people into housing, while the other two approaches would be implemented over time with new projects.

### **STAFF RECOMMENDATION AND SUMMARY**

As described above, the purpose of these proposed amendments are to encourage the availability of additional Moderate Income Housing options consistent with the City's adopted MIH plan.

### **GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The purpose of these code changes relative to Moderate

Income Housing would encourage the provision of additional, affordable housing for Logan residents. Well thought out and well executed projects will have minimal impacts to existing neighborhoods and will continue to implement the vision of, and are consistent with, the General Plan.

### **PUBLIC COMMENTS**

We sent this information out to the chairperson for each of the Neighborhood and sent it out to the neighborhood email distribution maintained by the City that residents can sign up for. Comments that have been received are included as an attachment. Any other comments will be forwarded to the Planning Commission.

### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 7/1/23, posted on the City's website and the Utah Public Meeting website on 7/3/23, and noticed in a quarter page ad on 6/29/23.

### **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 Logan City Moderate Income Housing Plan and further efforts to provide additional moderate income housing opportunities for Logan residents.
5. No public comment has been received regarding the proposed amendments.

Mike DeSimone, the Community Development Director stated that the definition of moderation-income housing is households with a gross household income equal to or less than 80% of median gross income for households of the area median income.

Currently, the City's 2020 Median Household Income was \$43,056 or just 62% of the 2020 Countywide AMI of \$71,000 (2023 - \$75,310). The current AMI of 80% is \$56,000. Per Capita Income is \$20,598. 25% of the population is below the poverty level (\$30,000 family AMI). 65% of Logan households are at, or below, 80% of the areawide AMI levels meaning 11,294 households.

These changes relate specifically to Goal Number 5 of the moderate-income housing plan. The goal is to evaluate the City's Land Development Code to determine if there are

short-term regulatory changes that the City could make to encourage more moderate-income housing.

The current population is 54,148. The median age is 23.8 with a statewide average of 31.3. Roughly 52% of the population is in the 18 to 34 age group or under five years old. With 73% of the population being under the age of 34. The annual growth rate per year is 1.2% with a projection in 2040 of 64,393 to 78,425 total residents. The estimate is of 10,000 to 24,000 new residents by 2040.

85% of Demand/Growth is generated from within Cache Valley (Cache County Housing Crisis Task Force). It is in net growth of the younger population growing up and desiring their own housing.

The current housing supply is approximately 19,000 DU (Dwelling Units) in the existing housing inventory. 40% are detached SFR (single-family-residential homes). 11% are attached SFR housing such as townhomes. 47% is multi-family housing. Of that, 45% of the housing stock is 2 bedrooms or smaller, and 55% of the housing stock is three bedrooms or larger.

The estimated housing need by 2030 is between 2,000 to 4,000 new DU's (non-student units). By 2040 the estimated housing need will be between 5,000 to 8,000 new DU's (non-student units).

The USU Master Plan to for a campus buildout for 26,000 students by 2040. USU projects a 1.6% AGR student population. The goal of USU is to house 23% of students on campus. The estimate is that 18% of students which is 3,500 will live on campus and that 82% of students which is 15,500 students will live off campus.

In 2020 the median value of owner-occupied housing is \$238,400. The median listing price in July of 2023 is \$434,500. The median monthly rent jumped 57% from \$775 in 2016 to \$1350 in 2022. Over 74% are at or below the 80% AMI. 70% of rental households are cost burdened with more than 30% of their income going toward housing costs.

The Federal Reserve Bank of Atlanta looks at housing needs and affordability across the nation. In June 2023 for Cache County, the median income is \$75,310. The median home price is \$422,009. This implies a monthly housing payment of \$2,870.

Using an affordability Calculator using the median income of the City at \$43,056, the monthly debt for a home is \$250 with a \$20,000 down payment, the only home that is affordable is in the \$113,211 range. Yet in the City there is no if any housing stock at that price. The same if applied for Cache County at \$75,310, the only affordable homes would be \$211,677 range. Even in the County, there are not many homes that are affordable at

this price. In order to pay for the existing housing prices of \$438,319, there needs to be an income of \$150,000.

In conclusion, the median price is unattainable for 75% of households. The median price is unattainable for 90% of rental households. There is a lack of supply and high demand for housing.

Councilmember Jensen asked if the population of the university students is included as part of the growth rate projection.

Mr. DeSimone answered generally transient populations are not included such as the university students whose place of residence may be elsewhere. The exception is students that state the City is their residence, therefore will be included in the Census, and be part of the annual growth projection. Possible variables are online learning programs or USU off-campus learning sites.

Vice Chair A. Anderson requested confirmation of whether the annual growth projections are based on the population census.

Mr. DeSimone confirmed that is the case. The annual growth projections are based on the census.

Councilmember Simmonds requested confirmation of the fact that 21% of the population is between the ages of 6 years old and 17 years old.

Mr. DeSimone replied that may or may not be the case. The percentage was used to calculate the two base categories of 18 to 34 and those who may be under the age of 34 years old. It was the largest grouping per age group and per population in the City.

Vice Chair A. Anderson asked of the 40% of detached single-family-resident housing, what percentage of that is owner-occupied or rented.

Mr. DeSimone responded that the percentage is roughly 60 to 40, 60% is owner-occupied with the remaining 40% being rentals. It is closer to 70% vs. 30% but there are no specifics at this time.

Vice Chair A. Anderson requested further data on owner-occupied vs. rented single-family-resident housing.

Mr. DeSimone briskly reviewed the data stating there are 7100 single-family detached units of which 5468 are owner-occupied single-family units. That would mean 81% of single-family units are owner-occupied.

Councilmember Simmonds said a home is defined as a house that has not been chopped up into apartments. If there is a home that has been split into apartments, it will belong in multi-family housing, is that correct.

Mr. DeSimone confirmed that is correct. The house would be considered multi-family housing as it has been split up into apartments. However, the data is coarse in this respect since it is based on Census data and their definition. An example is a single-family housing unit being recorded as detached when in reality it may be a grandfathered apartment consisting of two units.

Councilmember Jensen inquired if a predominate number of owner-occupied housing units are absentee landlords.

Mr. Desimone clarified that is not the case though it does vary by neighborhood. The Adams neighborhood has the highest ratio for renters residing in a detached single-family housing unit. The neighborhood with the lowest ratio would be the Hillcrest neighborhood.

Chairman López asked if there is a much higher percentage of multi-family housing units to be rented.

Mr. DeSimone confirmed that is the case, there is a substantial percentage of the multi-family housing units to be rented, and asked if there are any condominiums in the City.

Councilmember Simmonds remarked that most multi-family units would not be owner-occupied to begin with.

Mayor Daines added that there are condos that constitute owner-occupied and would be part of multi-family housing.

Mr. DeSimone for clarification purposes expanded that attached single-family housing would be a town home. Multi-family housing would be considered that it is a living level on a single level in the dwelling with other residents residing on another level within the dwelling above or below. There are existing Condominiums in the City that would be considered multifamily units as well as existing fourplexes and duplexes that are owner-occupied.

Councilmember Simmonds remarked that USU will need to build over 3,000 units by 2040 in order to provide 3,500 additional students with on-campus housing.

Councilmember M. Anderson expressed concerns that the City is providing and is expected to provide 82% of the university's student housing needs.

Councilmember Simmonds inquired how much of the housing stock today is considered affordable housing.

Mr. DeSimone responded that less than 50% of housing stock is affordable.

Councilmember Simmonds asked why the numbers are so skewed for density bonuses with an increase of 25% density bonuses with only 5% of total units being deed restricted to serve at/below 50% AMI.

Mr. DeSimone answered to cover the cost of the units that the developer will not be getting a return on. It is patterned after the California density bonus housing practices. Vice Chair A. Anderson requested confirmation on whether the affordable housing units would be deed restricted.

Mr. DeSimone confirmed that is the case. The housing units in question will be deed restricted.

Councilmember Simmonds inquired how rental units can be ensured they will remain affordable housing.

Mr. DeSimone responded the rental units will be deed restricted but if done in conjunction with a non-profit and tax rebate program will need to report to the tax entity be it the State or other. The general practice is to have a deed restriction in place but there is no further or annual reporting to the City.

Councilmember Simmonds expressed clear reservations on the fact that only 5% of the units will be for affordable housing out of the 25% increased density bonus. She would be more in favor of having 9% to 10% of the density bonus units be affordable housing or be more relational to the total amount of additional density bonus units added.

Mr. DeSimone explained the intent is to have more affordable housing in moderate-income housing rental housing that is being developed or developed in the future.

Councilmember Jensen remarked that it has to be a sufficient incentive for a developer otherwise they will not build or add any affordable housing units.

Vice Chair A. Anderson asked if the moderate-income housing units would be eligible for government programs that would help offset the rent or in this scenario, their rent will be less because they are moderate-income housing units.

Mr. DeSimone answered that it may be a combination of both depending on the project.

Chairman López inquired if there are any other cities in the State that are building or have micro-dwelling units.

Mr. DeSimone responded that Salt Lake City and a few other communities have micro-dwelling units. The intent is to facilitate, for example, a hotel conversion to these micro-dwelling units and facilitate the construction of these smaller types of units.

Vice Chair A. Anderson asked if the micro dwelling units in TC-2 zone if the commercial aspects will still be required on the first floor.

Mr. DeSimone replied that it is uncertain, but it will apply for certain in a hotel or motel conversion to micro-dwelling units. The commercial aspect will need to be met.

Councilmember Simmonds expressed concerns regarding additional occupants in homes or other types of units and whether that can be further exploited with the idea of meeting 'low hanging fruit.'

Vice Chair A. Anderson understood the fears of Councilmember Simmonds of the possibility of renting an unsuitable location or increasing the rent because of additional occupants in the home.

Councilmember Jensen is wary of absentee landlords due to an increase in general occupancy in homes. Neighborhoods may be detrimentally impacted as a result.

Vice Chair A. Anderson inquired if the increase in general occupancy would be limited to an area in the City or citywide.

Mr. DeSimone answered there can be no target areas, the general occupancy would be applied citywide.

Chairman López asked if occupancy is increased will it reduce traffic if the occupants are closer to a walkable location.

Mr. DeSimone replied he is uncertain if there will be a positive or negative impact. The intent is to increase general occupancy.

The proposed ordinance will be an action item and public hearing at the November 7, 2023, Council meeting.

**REZONE – Consideration of a proposed ordinance to rezone from current Traditional Neighborhood Residential (NR-6) to Mixed Use (MU) comprised of four properties located along 1100 South West – Willow Ski Lakes (Woodruff Neighborhood) – Ordinance 23-33 – Tanya Rice, Planner**

Planner Tanya Rice addressed the Council regarding the proposed rezone.

## **RECOMMENDATION**

Staff recommended that the Planning Commission forward a recommendation of **denial** to the Municipal Council for a rezone for project PC 23-057 Willow Ski Lakes, comprised of four properties located along 1100 South: TIN #02-081-0004, 02-080-0007, -0008, -0010.

Land use adjoining the subject property:

North: Outside City Boundary	East: NR-6 Residential Uses
South: NR-6 Residential Uses	West: NR-6 Residential Uses

## **Request**

Willow Lakes rezone request includes four (4) remainder parcels recognized as Phase 5 of the Willow Lakes Subdivision project approved in March of 2021. Phase 5 is approximately 30.07 acres located along the south side of 1100 South in the northeast section of the original subdivision. The applicant is in the process of reducing the size of the four parcels to 12.5 acres through a Boundary Line Adjustment to accurately reflect the area that is under consideration for this specific rezone. The remaining area of the property will be subdivided during phase 5 plating into residential lots on the south side of the proposed lake. In some respects, this rezone application is a little premature until those boundaries are drawn as it does not accurately reflect the true request. The request is to rezone the four parcels from Traditional Neighborhood Residential (NR-6) to Mixed Use (MU). As part of future development plans associated with the Willow Lakes project, the applicant anticipates a mixture of residential multi-family structures, a hotel, a boat club with fitness facility, eateries, clubhouse, retail and office space to be included in the area being considered for rezone.

## **General Plan**

The Future Land Use Plan (FLUP) adopted in 2008 identifies this property, as well as the surrounding properties, as Detached Residential (DR) which is designated as being an area for detached single-family homes developed at a density range of 4-6 units per acre of land. The recently adopted Woodruff Neighborhood Plan also designates this project area as DR (single- family residential). The MU designation in the General Plan is described as having high concentrations of commercial and residential uses. Structures would typically be multi-story with projects laid-out in a compact fashion that allows residents to work, play and live all within a walkable center. The MU designation can be applied to encourage re-development, especially in areas that have old or outdated one-story shopping centers.

## **Woodruff Neighborhood Specific Plan**

The Woodruff Neighborhood Plan was adopted February 16, 2021, after a multi-year public process. The Woodruff Plan includes recommendations for proposed changes to the FLUP; however, the project site was not designated as an area warranting a change in intensity from the DR designation.

Land Development Code (LDC) - Zoning

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The current zoning district is Traditional Neighborhood Residential (NR-6), which is described as detached single-family zoning with a maximum density of six (6) homes per acre. Minimum building lot sizes are 6,000 SF with minimum 50-foot lot widths.

In the MU zone, the Land Development Code (LDC) allows for 20 residential units per acre by right and up to 30 residential units per acre with certain density bonuses. It allows for a “horizontal” mixed use pattern, which does not require every building to contain ground floor commercial and upper story residential but does specifically require a minimum amount of commercial square footage. For 12.5 acres, a minimum of 20,000 SF of commercial space shall be provided and at 30 residential units per acre, a maximum of 375 multifamily units would be permitted. The Design Review process ensures compliance and proper placement of commercial square footage. The MU zoning district permits a wide range of commercial uses that include, but are not limited to restaurants, offices, retail, hospitality, and personal commercial services.

#### Staff Summary

Staff Report for the Planning Commission meeting of Sept. 28, 2023

The applicant is requesting a rezone from NR-6 to MU. The proposed rezone does not align with the Logan City Future Land Use Plan and the Woodruff Neighborhood Plan. The surrounding land uses are predominately single-family residential uses with undeveloped county parcels north of the subject site. From staff's review, the site is zoned and planned for single-family residential uses, and a rezone to a more intensive commercial and residential use is contrary to the overall goals and vision expressed in the General Plan and the adopted Zoning.

#### AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

- Environmental
- Water
- Fire
- Engineering

#### 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 9/16/23, posted on the City's website and the Utah Public Meeting website on 9/18/23 and mailed out to adjacent property owners within 300' on 9/11/23.

## **RECOMMENDED FINDINGS**

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

1. The Logan City FLUP identifies the area as Detached Residential (DR).
2. The surrounding zoning is NR-6.
3. The original Willow Lakes project, approved in 2021, was permitted with NR-6 zoning throughout the entire site.
4. The adopted Woodruff Neighborhood Plan shows this area as single-family zoning.
5. The MU zone permitting multi-family housing is not appropriate in a low-density zoned area in the outskirts of town.
6. The predominate land use pattern in the area is detached single family residential uses.

On September 28, 2023, the Planning Commission recommended the Municipal Council to deny the Willow Ski Lakes Rezone.

Planning Commissioners voted (7-0) to deny.

Councilmember Simmonds requested confirmation if the entire area was phase 5.

Tanya Rice, City Planner responded phase 5 is the consequence of a portion of the project being declared open space due to an endangered flower being found therein. The subject property is what is being requested to be added, the current zoning is NR-6, but the proposal is for MU (multi-family).

Vice Chair A. Anderson asked if the plan has yet to be approved by the Planning Commission minus the modification.

Ms. Rice answered the plan has been approved by the Planning Commission minus the modification of phase 5.

Vice Chair A. Anderson requested the access roads be shown on the map.

Ms. Rice indicated on the map two locations on 600 South and 1400 East which are currently under construction.

Councilmember Simmonds inquired what is the zone to the north of the property.

Ms. Rice answered the property belongs to the County.

Ms. Rice remarked that the Planning Commission did not believe that the Mixed-Use zone was appropriate for the location, but that a PD (Planned Development) overlay zone may be a better option. Hence one of the reasons why the Planning Commission denied the request.

Councilmember Jensen asked if in the western nob, there would be a boat house and if it would rent boats and such.

Ms. Rice answered that they would speak to the applicant regarding private use vs. public use in terms of boat rentals and being on the water. There may be a restaurant or a café that would be open to the public. A clubhouse with a fitness center, townhouses, apartments, and a hotel. The concept in general is not bad, but the proposal should be more tuned in than mixed use would allow, a PD overlay would be a far more appropriate zone.

Councilmember Jensen inquired if the intent of PD overlay by the Planning Commission is to have more control or say over the proposal.

Councilmember Simmonds clarified that the City would have far more say over the proposed development just like the mall.

Councilmember Jensen asked if a deed restriction had been discussed at all if there was a rezone.

Councilmember Simmonds explained that a PD overlay would replace a deed restriction by increasing the City's opportunity to be part of the discussion on the final product.

Councilmember Jensen agreed that the proposal is unique and cannot be considered like another subdivision, a PD overlay would be a better avenue for the project.

Chairman López inquired if the density of the project was not a detrimental factor in the decision of the Planning Commission.

Councilmember Simmonds answered that the Planning Commission was concerned about the potential density that the zone would allow.

Vice Chair A. Anderson asked if there had been any movement from the nearby County properties toward annexation.

Ms. Rice responded that during the Planning Commission meeting, Blake Parker advocated the rezone and is the owner of the property directly to the north of Phase 5. He is not ready at this time but in the future may seek a rezone for mixed-use.

Vice Chair A. Anderson requested confirmation on whether there is an ongoing annexation request from Blake Parker at this time.

Ms. Rice clarified that there are no pending or ongoing annexation requests at this time by Mr. Parker.

Councilmember Simmonds requested confirmation that at the public hearing, the purpose will be to determine if the rezone will be mixed-use or not.

Ms. Rice confirmed that the public hearing will be to determine if the property will be rezoned for mixed-use or not.

Councilmember Jensen indicated to the phase map rendering and inquired about what might possibly go in the corner of the rendering.

Brett Jensen, one of the proponents of the project responded that the intent is to put a grocery store in the location shown on the rendering.

Councilmember Jensen asked what type of units are part of phase 5.

Ms. Rice answered multi-family housing units such as townhomes, apartments, and a hotel. This is a concept, not the ultimate proposal. This is a type of layout that could possibly work.

Councilmember Jensen asked if the number of units or type of units was a factor of denial.

Ms. Rice reiterated the fact that the Planning Commission did not believe that mixed-use was the best zone for this type of proposal rather a PD overlay which would allow for more say in the proposal than the mixed-use would allow.

The proposed ordinance will be an action item and public hearing at the November 7, 2023, Council meeting.

**Budget Adjustments FY 2023-2024 appropriating: \$396 a grant the Library received from the State of Utah to be used to pay for the renewal of wi-fi hotspots at the Library; \$11,610 funds the Police Department received for the Bulletproof Vest Partnership to purchase vests for police officers; \$6,250 contributions received for the Public Works training event; \$248,584 Communication radio reserves (293010) toward the purchase of radio equipment - Resolution 23-45 – Rueben Nelson**

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

Councilmember Simmonds inquired if the \$248,584 communication radio reserves would complete the transfer to update the communication radio systems to another.

Mr. Anderson replied that the project has not yet been completed but does use up all the funds that have been set aside for this exact project. It is completed for today and future funding will be set aside in reserves to continue the project.

The proposed resolution will be an action item and public hearing at the November 7, 2023, Council meeting.

**OTHER CONSIDERATIONS:**

Vice Chair A. Anderson thanked Police Chief Jeff Simmons for coming down to the annual conference for Workforce Services and the Office of Homeless Services.

No further items were discussed.

**ADJOURNED.** There being no further business, the Logan Municipal Council adjourned to a meeting of the Logan Redevelopment Agency at 7:48 p.m.

Minutes of the meeting of the Logan Redevelopment Agency convened on Tuesday, October 17, 2023, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 7:49 pm.

The purpose of the City of Logan Redevelopment Agency Meeting is to consider the Diversion of Property Tax for a Community Reinvestment Project Area.

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

Excused: Economic Development Director Kirk Jensen.

Chairman López welcomed those present. There were approximately 4 in attendance at the beginning of the meeting.

**ACTION ITEM:**

**PUBLIC HEARING – Approval and Adoption of Interlocal Agreements for the Diversion of Property Tax for the 1400 North Main Community Reinvestment Project Area Between the City of Logan Redevelopment Agency and the following Taxing Entities: Cache County, Logan City School District, and the City of Logan – Resolution 23-44 RDA – Mayor Daines**

Mayor Daines addressed the Council regarding the proposed resolution. The Cache County Council and the Logan School District have approved the interlocal agreement. The City Council is being requested to vote and approve the RDA for the interlocal agreements with Logan City. After that, there is one more step left an agreement with Woodsonia.

Chairman López opened the meeting to a public hearing.

Dr. Gail B. Yost, a resident of Logan asked if there is a timeline for the project completion and if there will be substantial traffic impact. She expressed reservations because of the public access right that will need to be built and how much traffic can be borne before it becomes a problem.

Mayor Daines answered if everything is approved as scheduled, the demolition will commence in March 2024 and there will be a two-year build-out for the entire project. There should not be a substantial traffic impact beyond occasional closures as needed and any road closures must go through the city permitting process. Eventually, there will be a light at 1250 N 200 E.

Councilmember Simmonds added that a traffic impact study will be conducted, but largely construction will be self-contained on-site.

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

**ACTION. Motion by Councilmember Simmonds seconded by Councilmember Jensen to approve Resolution 23-44 RDA as presented. Motion carried by roll call vote.**

**A. Anderson: Aye**

**M. Anderson: Aye**

**Jensen: Aye**

**López: Aye**

**Simmonds: Aye**

**ADJOURNED.** There being no further business, the Logan Redevelopment Agency adjourned at 7:59 p.m.

Esli Morales, Deputy City Recorder