

**CITY OF LOGAN, UTAH
ORDINANCE NO. 23-36**

**AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF
LOGAN CITY, UTAH**

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain map or maps entitled "Official Zoning Map of Logan City, Utah" is hereby amended and the following properties in the Bridger Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Commercial (COM) to Public (PUB)

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2023.

AYES:

NAYS:

ABSENT:

Ernesto López, Chairman

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the _____ day of _____, 2023.

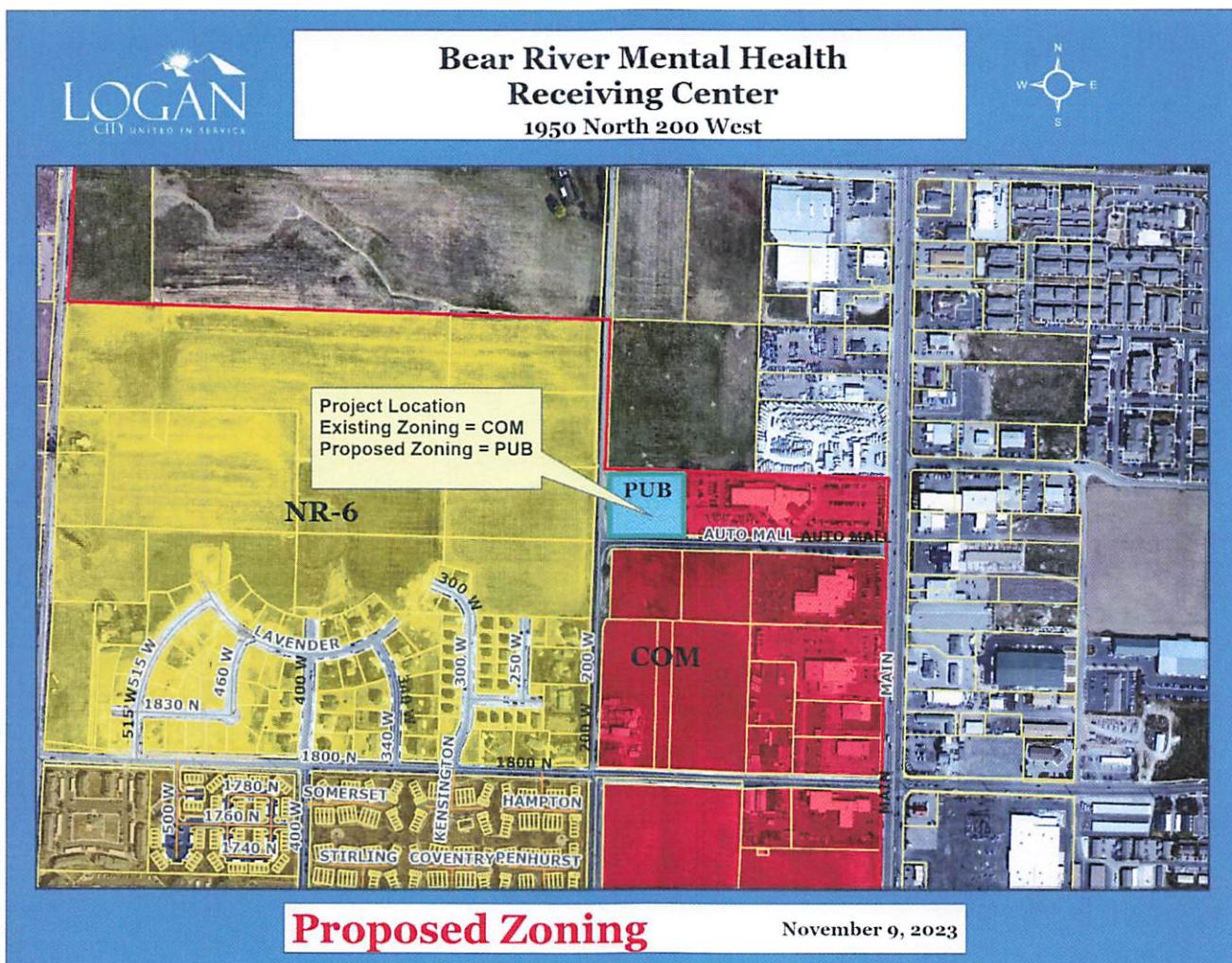
Ernesto López, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this _____ day of _____, 2023.

Holly H. Daines, Mayor

EXHIBIT A





MEMORANDUM TO MUNICIPAL COUNCIL

DATE: November 14, 2023
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #23-36 Rezone - Bear River Mental Health Crisis Receiving Center

Summary of Planning Commission Proceedings

Project Name: BRMH Crisis Receiving Center
Request: Rezone from COM to PUB
Project Address: approx. 1950 N. 200 W.
Recommendation of the Planning Commission: Approval

On Nov. 9th, 2023, the Planning Commission recommended to the Municipal Council **approval** of the Bear River Mental Health Crisis Receiving Center Rezone from COM to PUB.

Planning Commissioners vote (6-0):

Motion: Lucero
Second: Doutre
Yea: J. Guth, R. Croshaw, E. Peterson, S. Doutre, J. Lucero, K. Heare
Abstain: none **Nay:** none

Attachments

Ordinance #23-36
Slides
Staff Report
PC Meeting Minutes

PLANNING COMMISSION MINUTES

Meeting of November 9, 2023

DRAFT 11/14/23

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, November 9, 2023. Commissioner Heare called the meeting to order at 5:30 p.m.

Commissioners Present: Ken Heare, Jordy Guth, Roylan Croshaw, Jessica Lucero, Sara Doutre, Eldon Peterson

Commissioners Excused: David Lewis

Staff Present: Russ Holley, Amanda Pearce, Mohammed Abdullahi, Daren Farar, Ben Anderson Jeannie Simmonds (City Council)

PC 23-068 Bear River Mental Health Receiving Center [Zone Change] Beth Smith/DI Mac LLC & Zulu Rentals LLC, authorized agent/owner has requested a zone change of a 2-acre parcel located on the northeast corner of 1950 North and 200 West from Commercial (COM) to Public (PUB) for a Behavioral Health Crisis Receiving Center; TIN 04-080-0044 in the Bridger Neighborhood.

STAFF: Russ Holley, Planner reviewed the request for a new

PROPOSER: Beth Smith

PUBLIC: Dean Quayle who owns the NR-6 property to the west said they have no plans to develop any more single family homes in the area. He is in support of the facility, but not at this location, there is no public transportation close...

David Zook, Cache County Executive said there is currently a robust mental health system in place here in the valley, but they are missing this receiving center that will help people.

COMMISSION: Peterson said that this may not be the right location due to lack of public transportation and accessibility.

Lucero said that mental health care is health care. Health care facilities are permitted in commercial zones. Beth said that the nearest bus stop is on 1800 North, but they do not anticipate many patients coming in by bus. They will have recliners

Jess asked about the condition of the road in that area. Russ said that 200 West is approximately 20 feet wide

Peterson asked about the road being finished if the property to the west is never developed.

Sara said she doesn't have any concerns with rezoning to public where they have not been able to get a location in a public zone.

MOTION: Commissioner Lucero made a motion to forward a recommendation of approval to the Municipal Council on a zone change for **PC 23-068 Bear River Mental Health Receiving Center**. Commissioner Doutre seconded the motion with the findings for approval as listed below.

FINDINGS FOR APPROVAL

1. The PUB zone is not factored into FLUP and General Plan growth models as these uses and facilities are difficult to predict when and where the appropriate locations should be.

2. Most of the surrounding existing land uses to the east are commercial in nature. The areas to the west are currently being developed with single family residential uses.
3. The Conditional Use Permit process will ensure negative impact associated with the use a properly mitigated.



**Project #23-068
Bear River Mental Health
Receiving Center Rezone
Located at approx. 1950 North 200 West**

REPORT SUMMARY...

Project Name: Bear River Mental Health Receiving Center
Proponent/Owner: Beth Smith / DLMAC & Zulu Rentals LLC
Project Address: 1950 North 200 West (NE Corner of Intersection)
Request: Rezone from COM to PUB
Current Zoning: Commercial (COM)
Date of Hearing: Nov. 9th, 2023,
Type of Action: Legislative
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission forward a recommendation to the Municipal Council for a rezone of approximately 2.03 acres of property located at approximately 1950 North (Auto Mall Drive) 200 West (Vacant NE Corner of Intersection) (TIN# 04-080-0044) from Commercial (COM) to Public (PUB).

Land use adjoining the subject property

North:	North Logan City - Vacant	East:	COM: Commercial Uses
South:	COM: Vacant	West:	NR-6: Vacant (Res. Nearby)

PROJECT

The proponent is requesting to rezone a vacant 2.03-acre lot from Commercial (COM) to Public (PUB) with the intention to develop a Mental Health Crisis Receiving Center for the Bear River/Northern Utah area (Box Elder, Cache and Rich Counties). Funding from the State of Utah has been secured for the development of this regional facility. This is a request to determine if this is the right location. A receiving center is a community facility open 24/7 staffed by therapists, nursing, and counselors to provide treatment for individuals in mental health or substance abuse crisis. Receiving centers are non-refusal and will accept anyone for assessment, no matter their crisis. If successfully Rezoned, the applicant will subsequently apply for a Design Review and Conditional Use Permit for site and project design approvals.



Figure 1: Shows the proposed rezone for the receiving center.

GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Commercial (COM). The General Plan, a nonregulatory visioning plan, describes COM areas as being intended for retail, office, service, and hospitality businesses that provide employment commercial goods and services to city-wide and regional populations.

The Public (PUB) designation is reserved for lands on which public facilities will be located. This designation typically includes schools, government offices, public facilities, emergency services and other similar public developments.

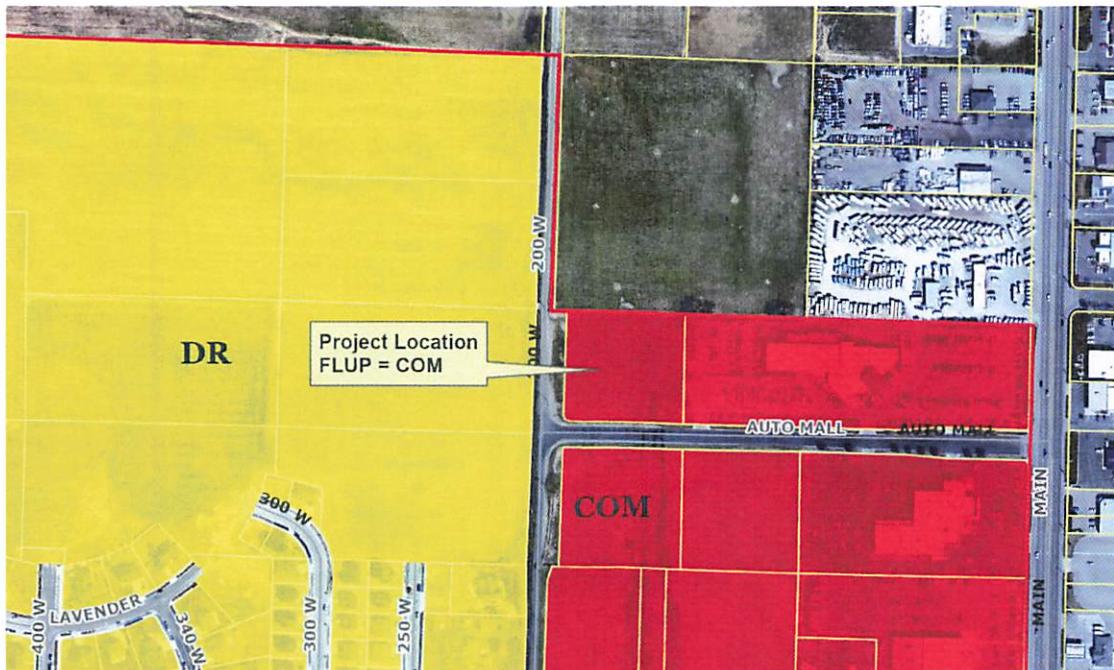


Figure 2: Shows the FLUP designation.

Public Zoning

The Logan City Land Development Code (LDC) entitles property within the PUB zoning district to a mix of development patterns and building designs containing a range of either public or non-profit uses. Typically, with larger setbacks, lower building heights and generous landscaping and parking requirements, PUB developments tend to look more suburban in character. Receiving Centers are required to obtain a Conditional Use Permit in the PUB zoning district prior to construction.

SUMMARY

When “Receiving Centers” were recently added to Logan City’s land use table, the Council intentionally decided that the PUB zone would be the only zone to Conditional Permit this land use. They wanted the ability to ensure the public was involved in most facets of a decision to locate a Receiving Center somewhere in Logan to help determine a sites appropriateness and compatibility. Being a relatively new land use in Utah, with the 2019 Davis County Center being one of the first to be established, it may be difficult for decision makers to extensively understand the impacts associated with these facilities. Given the proximity to NR-6 zoned areas to the west, decision makers should consider the possible impacts to residential land uses. Decision makers should also consider the loss of commercially zoned property adjacent to two existing car dealerships which limits their future expansion, as well as the compatibility of the entire range of uses in the Public Zone with adjacent properties. Based on the City’s projected growth models, the currently vacant surrounding properties will likely develop into a mix of commercial and residential uses in the coming years. Being opened 24/7, possible noise

and late-night impacts may be associated with the Receiving Center land use. Both the Commission and the Council should consider location and impacts prior to making a decision to rezone.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

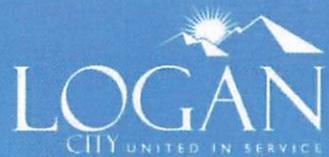
Legal notices were published in the Herald Journal on 10/28/23, posted on the City's website and the Utah Public Meeting website on 10/30/23 and mailed out to adjacent property owners within 300' on 10/23/23.

RECOMMENDED FINDINGS

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

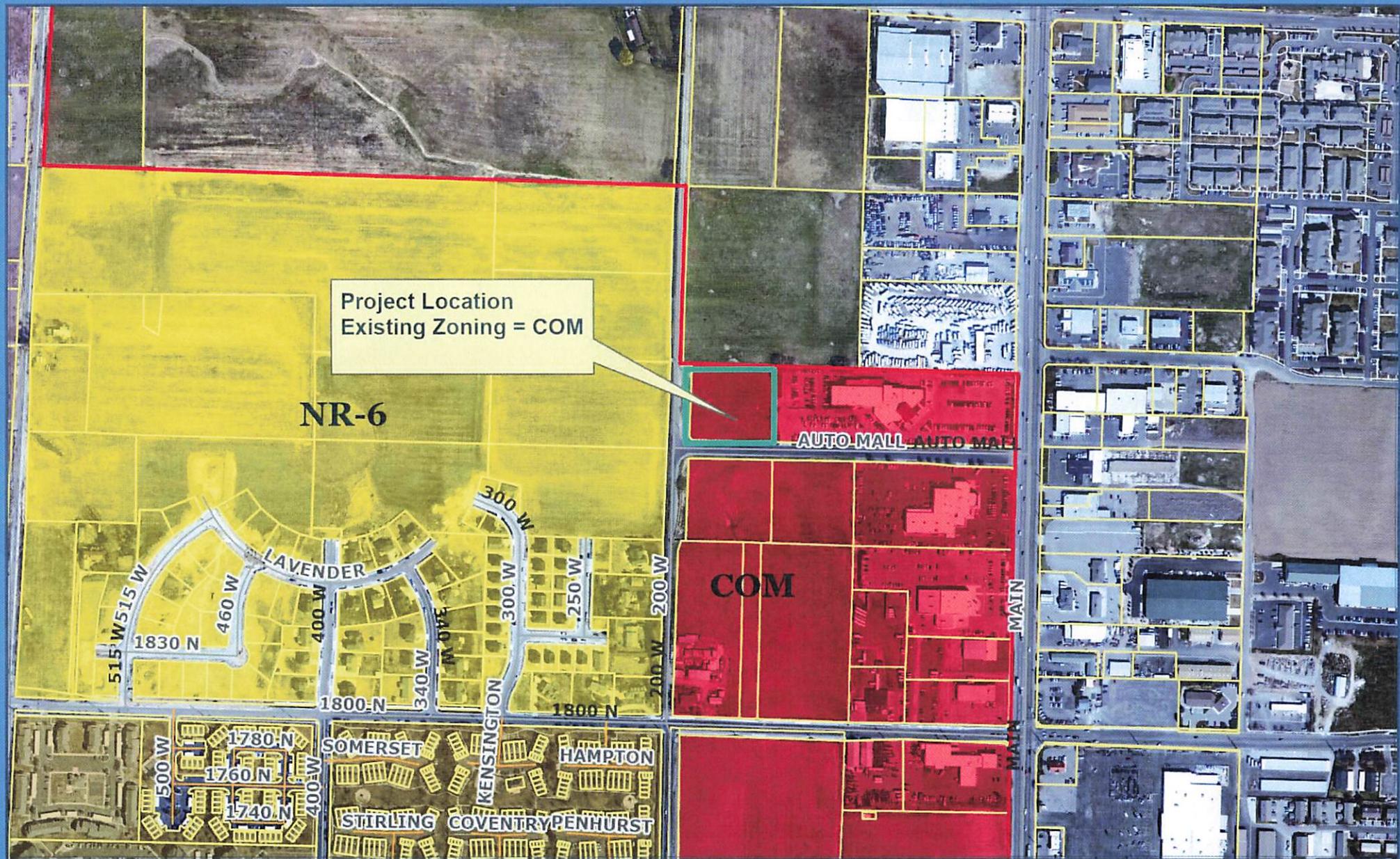
1. The PUB zone is not factored into FLUP and General Plan growth models as these uses and facilities are difficult to predict when and where the appropriate locations should be.
2. Most of the surrounding existing land uses to the east are commercial in nature. The areas to the west are currently being developed with single family residential uses.
3. The Conditional Use Permit process will ensure negative impact associated with the use a properly mitigated.

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.



Bear River Mental Health Receiving Center

1950 North 200 West

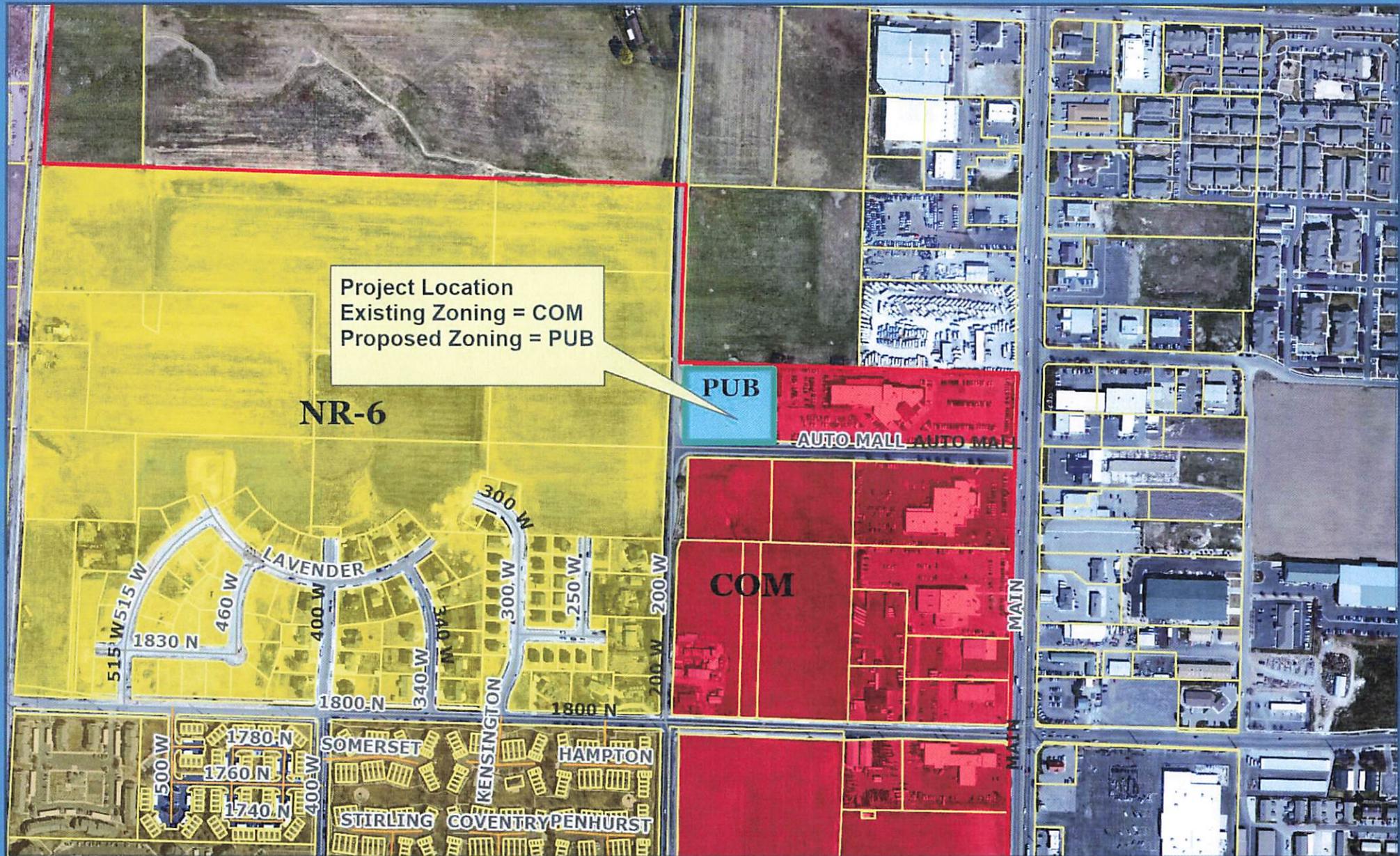
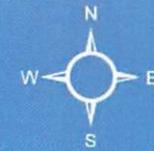






Bear River Mental Health Receiving Center

1950 North 200 West



Proposed Zoning

November 9, 2023



Bear River Mental Health

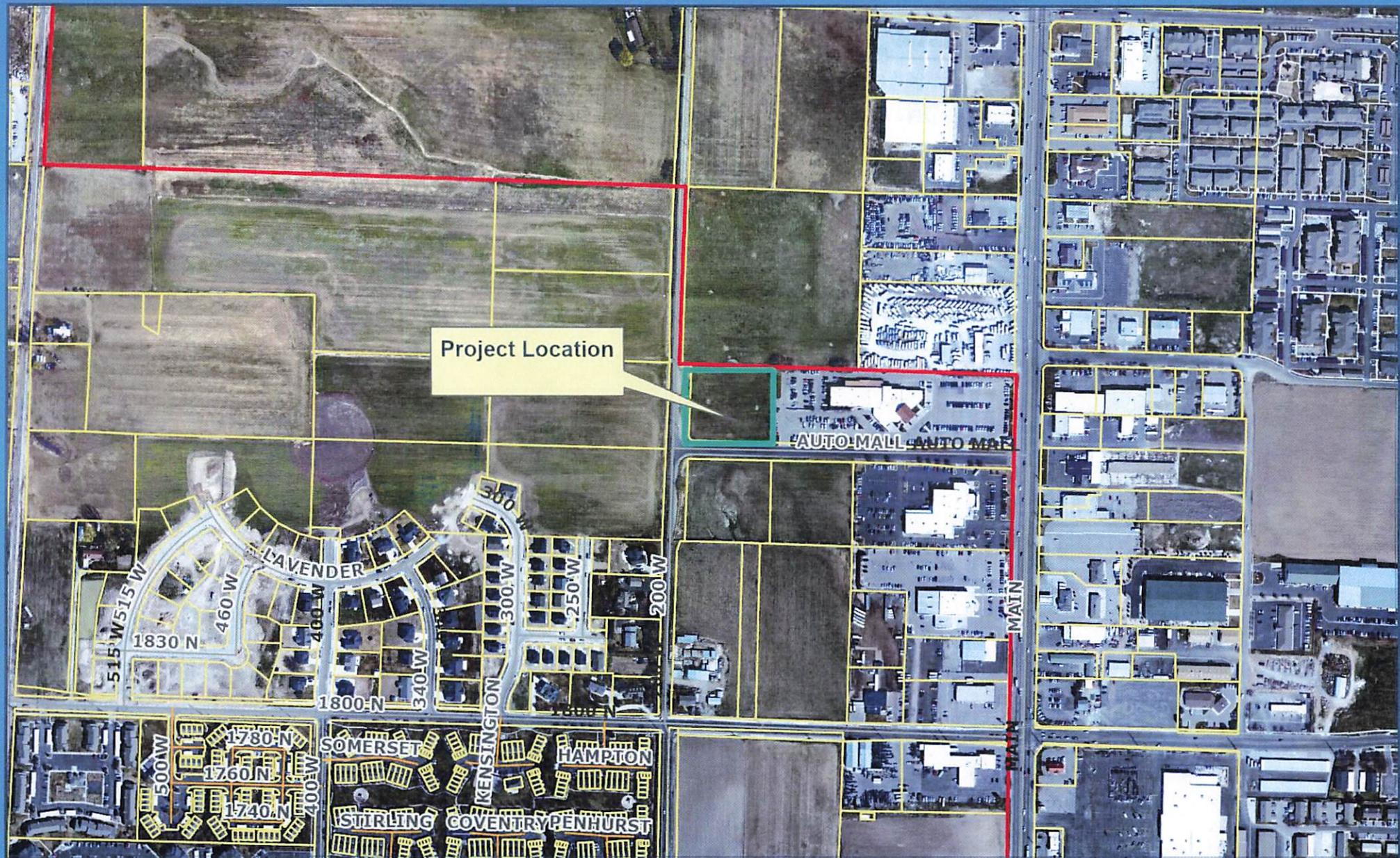
1950 N 200 W





Bear River Mental Health Receiving Center

1950 North 200 West



Receiving Centers

A Crucial Part of Utah's Behavioral Healthcare System

Revised September 2023



QUICK FACTS

Open 24/7 and available to anyone

Therapists, nurses, peer counselors, and prescribers available

Offers jail diversion

Saves money for law enforcement, taxpayers, and hospitals

WHAT IS A RECEIVING CENTER?



A receiving center is a 24/7 community center staffed by therapists, nursing staff, and peer counselors to provide treatment for individuals in mental health or substance use crisis. Individuals are assessed, stabilized, and observed in a recliner for up to 23 hours. Most individuals are stabilized within these 23 hours and are then linked with a treatment program upon discharge. If an individual needs more than 23 hours to stabilize, there are stabilization beds available for them to continue to receive treatment. Caseworkers track all clients for four months and work to engage them in treatment and remove any barriers that prevent them from treatment. In rural areas, programs may be slightly different.

WHO CAN USE A RECEIVING CENTER?



An individual may walk in, be brought by friends or family, or be dropped off by law enforcement. Each receiving center is non-refusal and will take in anyone for triage and assessment, no matter their crisis. If an individual is suffering from a physical injury or is at risk for a medical injury (such as an overdose), receiving center staff will coordinate with local emergency rooms to stabilize the patient's health, and will provide them with behavioral health treatment afterward.

HOW DOES A RECEIVING CENTER HELP INDIVIDUALS AVOID INCARCERATION?



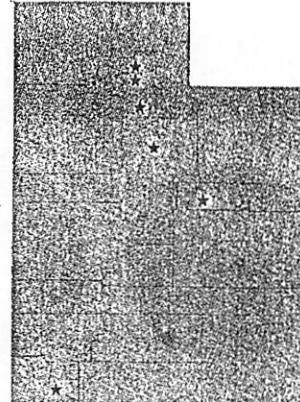
A receiving center functions as a pre-booking jail diversion where individuals can access treatment in lieu of being cited or sent to jail at the discretion of law enforcement. If they elect this option, individuals must engage in treatment within 60 days or charges may be filed by law enforcement.



WHERE ARE RECEIVING CENTERS LOCATED AND WHO ARE THEY RUN BY?

Local Mental Health/Substance Use Authorities (LMHAs) run the Receiving Centers. The goal is to have receiving centers within driving distance of all Utah residents. Currently the following LMHAs operate receiving centers and serve the following populations:

- Davis Behavioral Health
(Serving Davis County - December 2019)
- Wasatch Behavioral Health
(Serving Utah and Wasatch Counties - February 2021)
- Weber Human Services - Access Center, McKay Dee Hospital
(Serving Weber and Morgan Counties - November 2022)
- Southwest Behavioral Health
(Serving Beaver, Garfield, Iron, Kane, and Washington Counties - September 2023)
- Four Corners Behavioral Health
(Serving Carbon, Emery, and Grand Counties - Spring 2024)
- Salt Lake Behavioral Health
(Serving Salt Lake County - Autumn 2024)



Funding has been secured to build a receiving center in the Bear River area to serve Box Elder, Cache, and Rich Counties. We are now focusing on securing funding for receiving centers to serve the Northeastern area (Daggett, Duchesne, and Uintah Counties), the Central Utah area (Juab, Millard, Piute, Sanpete, Sevier, and Wayne Counties), and Tooele County.



WHAT DO RECEIVING CENTERS COST?

The cost to operate a receiving center depends on the number of clients served, the FTEs necessary, and the specific challenges a county or region faces. In general, it costs about \$1.5 million for a rural area to operate a receiving center for a year, \$3 million for an urban receiving center, and \$5 million for an ultra-urban receiving center. One-time building costs are about double the on-going costs, respectively. Besides using state funding, receiving centers also utilize county funding, donations, and Medicaid and insurance reimbursements to offset costs. Receiving Center services are provided at no cost to the client. Insurance companies may be billed to the extent possible, but clients themselves are not charged and never see a bill.



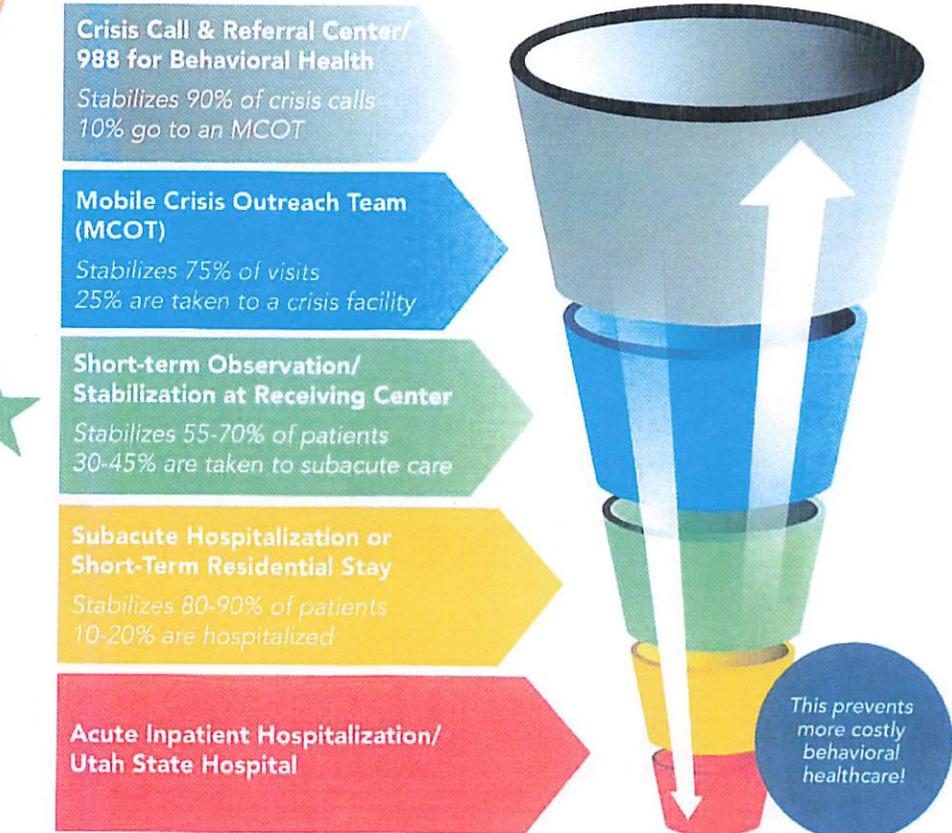
HOW DOES LAW INFORCEMENT FEEL ABOUT RECEIVING CENTERS?

Law enforcement is extremely supportive of receiving centers. It often takes as little as five minutes for the responding officer to complete paperwork and transfer the individual into the care of the receiving center workers, which is much quicker than booking someone in jail or waiting with them in an emergency room.





WHERE DO RECEIVING CENTERS FIT WITHIN UTAH'S COORDINATED CRISIS SYSTEM?



WHAT ARE THE OTHER BENEFITS OF RECEIVING CENTERS?

Receiving Centers are an essential part of the continuum of care. Not only do they save law enforcement and hospitals money, but they provide better outcomes for clients, who are able to receive help they need from licensed behavioral health professionals. Receiving centers also prevent clients from experiencing further trauma by helping them avoid arrest and incarceration. Additionally, it saves in-patient costs in the crisis system by diverting clients from a lengthy stay in in-patient care to a 23-hour visit in which the majority of patients are stabilized.



If you have questions about receiving centers or the public behavioral health system, please email katherine@uacnet.org.

