

Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, November 7, 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

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

Excused: Councilmember Tom Jensen.

Chairman Ernesto López welcomed those present. There were approximately 25 in attendance at the beginning of the meeting.

OPENING CEREMONY:

Wallace (Wally) Odd, a veteran of the Air Force with 26 years of service provided the opening ceremony and led the audience in the pledge of allegiance.

Mr. Odd said we all serve how we can, we don't have to be veterans to do so. We are ordinary people who do things. He presented his background in the Military starting in the ROTC at Logan High School, and then at USU eventually joining the Air Force.

Chairman López thanked Mr. Odd for his service as well as all those who serve in the military and their families who support them.

Meeting Minutes. Minutes of the Council meeting held on October 17, 2023 were reviewed.

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

Agenda item 8. A. "Willow Ski Lakes Rezone" has been continued by the applicant to the December 5, 2023 Council meeting.

ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember M. Anderson to approve the October 17, 2023, minutes as presented and tonight's agenda. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen: Absent

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 21, 2023.

The council meeting on December 19 has been cancelled.

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.

Josh Molitor, a resident of Logan asked if Councilmember M. Anderson during his tenure on the City Council has received any government contracts. He emphasized his concern regarding the Woodsonia project and whether it was reckless or careless.

Councilmember M. Anderson said that there are no contracts with the City. As a business entity, there has been some work done for the city, and there are some city employees who purchase items from Anderson Seed and Garden. However, there are no ongoing contracts with the city.

Richard Anderson, Finance Director said employees are not prohibited from shopping at Anderson Seed and Garden. The definition of a contract or how it is referenced could be further clarified.

Erin Bennet, a resident of Logan inquired regarding plastic waste management on the fact that ten cents will be charged for a bag. She expressed concerns regarding microplastics in the environment and the impact on reproductive health of men and that of children.

Vice Chair A. Anderson responded that the plastic bag ban was rescinded prior to the implementation date and offered to further explain the reason and show further documentation after the meeting.

Ms. Bennett continued a tirade on the repercussion of microplastics.

Chairman López reminded Ms. Bennett that her time was up.

Ms. Bennett interrupted and resumed her concerns.

Chairman López reminded Ms. Bennett to respect the public meeting process.

Ms. Bennett's verbal outburst increased in volume and in derogatory language.

Thrice Chairman López reminded Ms. Bennett of the process.

Ms. Bennett's derogatory outburst continued until Chairman López reminded Ms. Bennett that she can be removed from the meeting.

Chairman López reminded Ms. Bennett for the fourth time to respect the process.

Ms. Bennett verbal outburst resumed.

Chairman López firmly repeated that Ms. Bennett's time for comment was over.

Marilyn Griffin, a resident of Logan thanked staff for putting the flashing light on 700 North 200 East. It has been a great benefit to the neighborhood.

Keaton Papke, a resident of Logan is in opposition to the proposed Woodsonia development. He would be in favor of continued discussion and indicated that the City Council meetings may not be the proper venue since he feels the city knows more than is being said. He is not against the site being revamped but is concerned about various elements of the mall such as the high-density complex on the premises and the resulting increase in traffic on already congested streets.

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

MAYOR/STAFF REPORTS:

Open & Public Meetings Act Training – Craig Carlston, City Attorney ([28:35](#))

City Attorney Craig Carlston addressed the Council and gave an update on the Annual Open and Public Meetings Act training which is required by law to be completed annually. He stated the Open and Public Meetings Act was enacted upon the premise that the State, its agencies, and its political subdivisions exist to aid in the conduct of the people's business. As such, a public body should deliberate and act openly. The Open and Public Meetings Act requires that members of a public body be provided with annual training on the requirements of the Open and Public Meetings Act.

Mr. Carlston, for the benefit of the public clarified that the municipal employee ethics act permits employees and elected officials to contract with the City, so long as there is prior disclosure.

Mr. Carlston also said the public notice requirement of 24-hour notice is still the same, but there is a requirement of a Class A notice. The requirements are satisfied by posting the notice on the Utah Public Notice Website, the city's website, and is no longer required to be posted in various public locations beyond City Hall.

Councilmember Simmonds requested confirmation that the Councilmember's participation will be sent to the State to meet with requirements set by the State.

Mr. Carlston confirmed that he would confirm their participation with the State.

1. Intent of the Act:
 - a. Public bodies “exist to aid in the conduct of the people’s business.”
 - b. Public bodies should “take their actions openly; and conduct their deliberations openly.” (Utah Code Ann. §52-4-102)
2. Definition of a Meeting:
 - a. The convening of a public body, with a quorum present (whether in person or by electronic means), “for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the public body...has jurisdiction or advisory power.”
 - b. “Meeting” does not mean a chance or social gathering. Cannot use a chance meeting or social gathering to circumvent the purpose of the Open and Public Meetings Act. (Utah Code Ann. §52-4-103(6), 52-4-208)
3. Definition of a Quorum: “Quorum” means a simple majority of the membership of a public body, unless otherwise defined by law. (Utah Code Ann. §52-4-103 (11))
4. Public Notice for a Meeting:
 - a. At least 24-hour notice of the meeting, including the agenda, date, time, and location of the meeting.
 - b. Notice must be posted at the principal office of the public body and on the Utah Public Notice website and newspaper or local media correspondent.
 - c. The schedule of regularly scheduled meetings must also be noticed once a year.
 - d. Emergency meetings once approved by a majority of the public body require the best notice practicable. (Utah Code Ann. §52-4-202)
5. Agenda for Meeting:
 - a. Agenda items should have reasonable specificity to notify the public.
 - b. Items raised by the public, but not on the agenda, may be discussed but no action may be taken. (Utah Code Ann. §52-4-202)
6. Written Minutes/ Meeting Recording:
 - a. Written minutes of an open meeting include the date, time, and place of the meeting; the names of the members present and absent; and the substance of the matters discussed; a record of each vote taken; a summary of public comments.
 - b. A recording of an open meeting shall be a complete and unedited record of the open meeting. (Utah Code Ann. §52-4-203)
7. Closed Meeting:
 - a. A closed meeting may be held if a quorum is present; the meeting starts out as an open meeting for which proper notice has been given; two-thirds of the members' present vote to approve closing the meeting; the reasons for closing the meeting are entered into the record of the public portion of the meeting; a recording of the closed meeting is kept (exception for discussion on individual or for security issues).

Logan City School District Update – Superintendent Frank Schofield (31:00)

Superintendent Frank Scofield addressed the Council.

He stated there are 5,416 students, 2 preschools, 6 elementaries, 1 middle school, and 1 high school. Out of the student body, 50% are non-Caucasian and 50% of students live in poverty. An increasing number of students come from refugee backgrounds.

The graduation rate in 2022 was 91.2% at Logan High School. Presently, there are three national merit semi-finalists. There is competitive employee compensation with help from the legislature, RDA, and school district permitting for the 3rd highest starting salary in the State of Utah. As a result, there are highly engaged employees. There is an ongoing Aggie Up initiative for first-generation students. There is quality instruction in early literacy programs that commence in kindergarten in collaboration with Utah State.

Statewide there is a challenge with consistent attendance and getting children to school. However, 25% of students are missing 10% or more of school attendance. The School District is working with parents and students to encourage attendance, but they are limited in what they can do for truancy based on state law.

The former Municipal Pool will be turned into the Indoor Athletic Facility at some point in the future.

Councilmember M. Anderson asked what the impact of full-day kindergarten is.

Mr. Scofield answered that the amount of information does not change, but how it is shown has changed. The content is being reinforced for a five-year-old.

Vice Chair A. Andreson inquired what is the utilization of the Family Resource Center.

Mr. Scofield responded that the appointment slots are always being utilized or full. There are two full-time staff members, and the district has applied for a grant to increase the total number of staff to three.

Chairman López asked if the staff members speak any other languages than English.

Mr. Scofield replied all staff members speak Spanish, but it would be great to have staff members speak other languages as well.

Councilmember M. Anderson inquired how much funding the School District receives from the recently closed RDAs.

Mr. Scofield answered that \$465,000 of new revenue for the School District is received every year going forward.

Mayor Daines thanked Mr. Scofield and the School Board members for their continued support, including the most recent RDA.

Board Reappointment (Parks and Recreation Advisory Board) – Mayor Daines (53:24)

Mayor Daines asked the Council for ratification to reappoint Eric Eliason to serve on the Parks and Recreation Advisory Board.

ACTION. Motion by Councilmember Simmonds seconded by Councilmember M. Anderson to approve ratification of Eric Eliason as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen: Absent

López: Aye

Simmonds: Aye

Dignity Index – Mayor Daines (54:23)

Mayor Daines addressed the Council regarding the Dignity Index that the Utah League City and Towns has provided. The organization is trying to promote civility and cooperation in politics. Government Cox has also started ‘Disagree Better’ in the Government Association.

No further Mayor/Staff Reports were presented.

COUNCIL BUSINESS:

Planning Commission Update – Councilmember Simmonds (55:40)

Councilmember Simmonds reported that the Planning Commission did not meet.

No further Council Business were presented.

ACTION ITEMS:

(Continued to December 5, 2023) – PUBLIC HEARING - 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 (56:00)

Chairman López announced that the applicant of Ordinance 23-33 requested a continuance to the December 5, 2023 Council meeting.

ACTION. Motion by Councilmember Simmonds seconded by Vice Chair A. Anderson to continue Ordinance 23-33 to the December 5, 2023 Council meeting as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen : Absent

López : Aye

Simmonds : Aye

PUBLIC HEARING – 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 ([57:05](#))

At the October 17, 2023 Council meeting, 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 to 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 is 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.

A memo was included in the Council packet which reads:

A notice has been sent via the Neighborhood Newsletter email distribution list to residents who have registered for emails, the Neighborhood Councils, and the Neighborhood Chairs, has been posted on Facebook, and advertised with the Council

Agenda. Comments received through November 2, 2023 will be included in this packet while any later comments will be emailed out to the Council. I have also included a copy of the presentation from the Council's (10/17/23) workshop with this packet.

The bulk of the comments received thus far are focused on a change in occupancy, and more so with the 3 to 4 then with adding one unrelated to a family. Some see this as a threat to the overall integrity and character of Logan's residential neighborhoods, others are concerned about parking, while others see this as a windfall opportunity for landlords thereby driving up rents and overall housing prices leading to further degradation in neighborhoods. There have also been a few comments in favor of the proposed occupancy change. We have also heard that an expansion of the ADU program to permit both internal & detached ADU's citywide (provided they are still owner occupied) rather than expanding individual occupancy is more palatable and less intrusive to neighborhoods.

There was discussion at the Council workshop about the proposed density bonuses for Moderate Income Housing. The proposed 25% density bonus for 5% LMI restricted housing is patterned after the current Mixed Use affordable housing density bonus language in the LDC. Section 17.34.060.A.6 allows an additional 5 units per acre in the MU zone, which has a base density of 20 units/acre, if at least 5% of the total housing in the project is restricted based on income (80% of AMI).

There was also discussion regarding the number of Short-Term Rentals (STR) in Logan. There are 21 permitted STR's in the residential neighborhoods as follows: Adams (7), Ellis (5), Wilson (3), Woodruff (2), Hillcrest (4), and Bridger (0). There are two STR applications on the 11/9/23 PC agenda. There are 10 STR's located in the Commercial/Town Center zones. We currently have pending enforcement action against 15 suspected short-term rentals.

In regard to Accessory Dwelling Units (ADU), 5 internal ADU's have been permitted since the City adopted the new ADU rules: Adams (0), Ellis (2), Wilson (2), Woodruff (0), Hillcrest (0), and Bridger (0). Since the last Council discussion of ADU's, we have logged 24 inquiries from homeowners interested in locating an ADU on their site, and with the exception of Bridger, the inquiries represent all neighborhoods.

Mike DeSimone, Community Development Director reminded the Council that it is mandated by the State under UCA 10-9a-403.2 a/b (LUDMA) (Utah's Land Use, Development, and Management Act) to review Moderate-Income Housing (MIH) criteria and comply with the City's moderate-income housing plan or the State requirements. Otherwise, the City jeopardizes the State Transportation Funding that is tied to MIH.

Councilmember M. Anderson inquired about the reason why the increase in density bonuses will not be applied in Mixed-Use areas.

Mr. DeSimone responded that the density bonus already exists in Mixed-Use zones, the percentage being used is based on the current mixed-use density bonus.

Councilmember Simmonds requested clarification that the proposal is based on 80% AMI.

Mr. DeSimone clarified that the proposal is based on 50% AMI and a recommendation made by the Planning Commission.

Councilmember Simmonds requested confirmation that the density bonus will not be available in a mixed-use project as the targeted income is for 50% AMI.

Mr. DeSimone responded that the targeted income range is different in the proposed zones to that of mixed-use. The target of a mixed-use area is 80% AMI, but for these targeted areas it is 50% AMI.

Vice Chair A. Anderson requested confirmation that micro-living is another term for ELU's, (Efficiency Dwelling Units or Efficiency Living Units).

Mr. DeSimone confirmed that is correct as micro-living, however, ELU's is the old term used for micro-living units.

Vice Chair A. Anderson requested confirmation on whether the commercial space is still required on the lower floor as part of the density bonus.

Mr. DeSimone replied that commercial space is not a requirement of the density bonus. The example is that of an old hotel which generally will not have commercial on the first floor. The idea is that these underutilized buildings can be reutilized into housing.

Vice Chair A. Anderson asked if micro-living units located in the TC-2 zone will not be required to have commercial requirements.

Mr. DeSimone confirmed that there will be no commercial requirements in TC-2 for micro-living units.

Chairman López asked in terms of a micro-living unit relocating near a business institution employing more than 100 employees, what does near mean in terms of distance.

Mr. DeSimone answered within a quarter of a mile, which is two blocks.

Councilmember Simmonds inquired why Main Street was identified as one of the relocation points as the intent was to relocate near transit-oriented locations.

Mr. DeSimone explained the decision to make Main Street one of the locations to relocate is because it is near transit and there are a large number of employers in that corridor. The second option is to put micro-units near a business that offers employment and nearby transit options such as utilizing bus services or a bike or within walkable distance.

Councilmember Simmonds pointed out the fact that most of the large employers are in the industrial zone.

Mr. DeSimone clarified that in some locations it may be appropriate to rezone but in others, it will be far from appropriate if there are no means of transportation such as a bus stop.

Vice Chair A. Anderson requested confirmation that in theory, a developer may request to rezone an area to permit micro-living units to be put in an industrial zone.

Mr. DeSimone clarified that a requirement would be a change in zoning and the requirement of approval of the location as well to ensure it is deemed suitable for micro-living units.

Councilmember Simmonds requested confirmation that every single university town in the State already permits three unrelated individuals to reside in a residential dwelling.

Mr. DeSimone confirmed that is the case in the rest of the State.

Chairman López asked regarding the ongoing developments how many have received a density bonus or have requested a density bonus.

Mr. DeSimone responded that none of the current projects have received or inquired on how to acquire a density bonus.

Councilmember Simmonds stated the Planning Commission expressed concerns regarding the ability to enforce the increase to four unrelated individuals residing in a residential dwelling. It may be prudent to reconsider in light of a broader enforcement issue.

Mayor Daines pointed out the statistics presented in the monthly neighborhood report. The number of cases opened and generated by staff needing enforcement. There is an ongoing effort and staff follow up with complaints made by citizens.

Mr. DeSimone added staff follows up with all reports, but there needs to be reasonable proof to make a report. The burden is on staff to prove there is a need.

Vice Chair A. Anderson asked if there would be issues in adopting only a portion of the ordinance.

Mr. DeSimone clarified that the Council could adopt nothing should they desire. The Council may adopt all of the ordinance or only a portion. The State does require that the Council consider or evaluate any regulatory change that may encourage moderate-income housing.

Chairman López said the Planning Commission recommended approval of the ordinance and inquired what was the final vote of the Planning Commission.

Mr. DeSimone stated that the vote was 6 to 1 as the Planning Commission understands that there is a housing shortage and moreover a concern for affordable housing.

Councilmember Simmonds wondered if it would be possible to increase three to four unrelated individuals in a fourplex or larger dwelling and not in a residential neighborhood.

Mr. DeSimone answered there is a different occupancy for campus residential since it is geared toward students. The easiest approach is to keep it as fundamental as possible.

Vice Chair A. Anderson requested confirmation on whether a section of residential can be carved out and where it does not such as the Foothill Lofts.

Mr. DeSimone replied that it would be possible, but it would make enforcing that much more problematic with the possibility of an argument of discrimination.

Councilmember M. Anderson commented as a landlord indicated that for an extra individual, why lower the prices when more can be made with another tenant. An example is \$600 per individual for three is \$1,800 with another that can go up to \$2,400. There is nothing to prevent a landlord from increasing the cost.

Mr. DeSimone said it the application of economics, if there are more units available that can house more individuals the demand will naturally drop if there is more supply than demand, and the cost will be forced to drop as a direct result.

Chairman López inquired regarding parking complaints and how many are non-student related.

Mr. DeSimone answered that it would be a mix of both.

Chairman López opened the meeting to a public hearing. ([1:30:00](#))

Dr. Gail B. Yost, a resident of Logan asked if micro-housing units will expand in the future to tiny houses such as bungalows for veterans or the homeless population, and why are tiny houses not related to neighborhood residential.

Christine Lord, a resident of Logan and president of Maple Grove's homeowner's association is opposed to the increase of four unrelated individuals in a residential dwelling. Due to past negative experiences, she is vehemently opposed.

Frank Stewart, a resident of Logan expressed the concern of absentee homeowners, it is a blight in the single-family neighborhoods. He is in opposition to the increase in the proposal.

Thomas Edward, a resident of Logan, is opposed to the increase to four unrelated individuals in residential dwelling homes. He requested the Council dismiss this portion of the clause and pass the rest of the ordinance.

Andrew Sinfield, a resident of Logan, thanked the Council for their service. He is opposed to the amendment of the increase in a number of unrelated occupants in residential units.

Stephanie Carter, a resident of Logan is also in opposition to the increase in occupancy in residential dwellings of unrelated individuals.

Cole Checketts, a resident of Logan thanked the Council for all their work. He is in opposition to the increase of unrelated occupants in residential dwellings.

Bonnie Hoth, a resident of Logan, is in opposition to the increase of unrelated occupants in residential dwellings. However, she proposed should the ordinance pass, she requested that a requirement be one car per person per bed and not per unit.

Steve Wells, a resident of Logan opposed the increase to four unrelated occupants in residential dwelling homes. The City responds quickly to overoccupancy complaints but said he is frustrated as a homeowner for the need to register a complaint in order to have it enforced.

Marilyn Griffin, a resident of Logan opposed the increase to four unrelated occupants in residential dwelling homes. She expressed her concern over residential neighborhoods being further degraded rather than being improved.

Ray Ann Hansen, a resident of Logan is the Adams Neighborhood Chair. She opposed the increase to four unrelated occupants in residential dwelling homes.

Andrew Semadeni, a resident of Logan opposed the increase to four unrelated occupants in residential dwelling homes. He also expressed concerns regarding housing availability and affordability.

Josh Smith, a resident of Logan thanked the city staff for all the work they do and did not oppose the increase to three occupants in residential dwelling homes.

Cheryl Semadeni, a resident of Logan opposed the increase to four occupants in residential dwelling homes.

Sue Sorenson, a resident of Logan, opposed the increase to three occupants in residential dwelling homes. She requested that the Council continue the ordinance before making a decision.

Joe Needham, a resident of Logan, opposed the increase to three occupants in residential dwelling homes and the detrimental impact this would have on the city.

Erin Bennett, a resident of Logan expressed concerns regarding micro-living units that they may become the equivalent of modern mobile home parks.

Glen A., a resident of Logan opposed the increase to four occupants in residential dwelling homes for the sake of the community.

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

Chairman López thanked the public for their feedback both from those for and against portions of the ordinance.

Councilmember Simmonds clarified that she is not in opposition to the ordinance but feels that the increase in occupancy in residential dwellings to four unrelated individuals should not occur.

Vice Chair A. Anderson said upon reviewing the letters and emails received along with the comments made by the public, she concluded that goal number two of the ordinance related to the increase of occupancy is not compatible with the idea of maintaining and increasing home ownership in the community. It would not achieve that goal along with an increase in enforcement issues.

Chairman López inquired if there was a desire for subdividing the change in occupancy.

Vice Chair A. Anderson offered an amendment of the definition 17.62 B to “remain as three occupants” and in Table 17.08.040 the chart reference matches 17.62 B and does not increase unrelated occupants to four.

Councilmember M. Anderson remarked that the Council needs to remember that not everyone desires a home. Yet in that same breath, there are those that do. There is a valid concern for affordable housing that needs to be addressed.

Chairman López spoke on behalf of Councilmember Jensen, who is absent, and relayed his message of being against the increase of unrelated occupants from three to four and would prefer it remain at three individuals.

Councilmember Simmonds referenced the use Table for Section 17.10.060 regarding height increase. “Building Height Bonus as per Chapter 17.34 permits an additional 24’ of building height,” in TC-1 (Town Center 1). She requested Mr. DeSimone expand on the topic.

Mr. DeSimone explained the density building height already exists and instead, he put a direct reference in the spec sheet with a direct reference to the location where the standards are already in existence. Chapter 17.34. The language in Chapter 17.34 currently permits density and height bonuses in TC-1 with a base zone, based density of 70 units to the acre and a density bonus of 15 units for superior design, 30 units for structured parking, and 40 units for superior design and structured parking. The maximum density is 85 to 115 units in total. The height is 55 to 80 feet with a height bonus of 12 to 24 feet with a maximum total height of 104 feet.

Councilmember Simmonds asked if the affordable housing density bonus would be an add-on or if only one of the density bonuses could be added at a time. She requested clarification on whether the density bonus can be added together with a height bonus.

Mr. DeSimone confirmed that the density bonus could not be added together with the affordable housing nor with the height bonus.

Chairman López inquired if the Council preferred the 5% requirement with the developer receiving a 25% density increase or the second option of a 10% affordable housing requirement and a 20% density bonus.

Councilmember Simmonds and Councilmember M. Anderson preferred the 20-10 option.

Vice Chair A. Anderson requested confirmation that the income restriction for affordable housing would be for 80% AMI.

Mr. DeSimone clarified that it will be for 50% AMI or below in mixed-use. The 80% AMI is applicable to other zones.

Chairman López asked if there would be an issue with the parking requirements of micro-living units only having three-quarters of vehicle parking per unit.

Vice Chair A. Anderson answered with this particular population, it should not be an issue. This is a lower income threshold; a car is a luxury. Hence, one of the requirements is to be close to employers and have access to transportation options.

Mr. DeSimone expanded the idea of the proposal to target a lower-income population that cannot afford a car or market-rate rent.

The Council discussed what they were or were not in favor of. They did not oppose micro-living units as they would be in mixed-used areas and not in residential areas. Neither did they oppose the increase in density bonus in dwelling units for low-income affordable housing. Their concern primarily lies in the increase of occupancy in residential dwellings to four occupants.

The Council had the option of 10% housing requirements, or 20% density bonus based on income units built. The Council was in favor of the 20-10 for density bonus and 10% of units will be income restricted to 50% AMI. They would commence there and may change it as needed.

The Council discussed whether micro-living units will possibly be built. There may be projects that will come, but they will need to see how the type of units develop. With the restrictions in place, micro-units will not occur in residential areas. There are specific requirements that are within walkable distance to employment and have access to transport such as the bus system. Twenty-five percent of micro-living units will be market-rate units which will have parking stalls. The intent and hope are tenants of these units will eventually move into market-rate housing.

The proposed 17.62 B change is "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." Portion (b) is to remain as previously or rather be amended as "no more than *three (3) individuals.*"

ACTION. Motion by Councilmember Simmonds seconded by Vice Chair A. Anderson to adopt Ordinance 23-32 with the removal of four individuals to three occupants and density bonus of 20% and 10% housing requirement as amended.
Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen: Absent

López: Aye

Simmonds: Aye

PUBLIC HEARING - 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 – Richard Anderson, Finance Director ([2:30:30](#))

At the October 17, 2023 Council meeting, Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments.

Chairman López opened the meeting to a public hearing.

Gail B. Yost, a resident of Logan asked how many bulletproof vests will be purchased with the proposed amount. She would like to see more grants or funding for bulletproof vests for the police.

Assistant Chief Hooley responded the cost of each bulletproof vest is \$1,200.

Councilmember Simmonds responded that bulletproof vests are rotated every year and purchased every few years on rotation.

Assistant Chief Hooley clarified that all officers have and wear bulletproof vests.

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

ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember Simmonds to approve Resolution 23-45 as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen: Absent

López: Aye

Simmonds: Aye

WORKSHOP ITEMS:

Consideration of a proposed resolution approving fees for the Parks and Recreation Department (Plaza Ice Rink, Ice Skate Rental fees and Logan River Golf Course Fees) – Resolution 23-49 – Russ Akina, Parks & Recreation Director ([2:35:03](#))

Parks and Recreation Director Russ Akina addressed the Council regarding the proposed fee increases. These will be administering fees for recreational, special event programs,

and services such as ice skate rental fees. The ice-skating sessions will be 90-minutes for skate loops. The staff recommendation is for 60-minutes for skate loops.

Vice Chair A. Anderson inquired about the maximum occupancy of skaters that can be on the ice rink.

Mr. Akina responded that the maximum number of skaters on the ice is estimated between 120 to 150 during any given session.

Mr. Akina remarked that prior to opening the ice rink to the public, they will do a test run with city employees.

Councilmember Simmonds said the determination to be made by the Council is whether to keep 90-minute sessions or the 60-minute staff recommendation.

Mr. Anderson interjected the staff recommendation is 60-minutes per session.

Councilmember Simmonds requested further information on the Monday Family Night as the fee reads as \$3/up to 5 members.

Mr. Akina clarified that is \$3 per person for up to 5 family members and any more individuals will pay full price. An example given is if a family of twelve arrives for the first five people, they will pay \$15 for the first five and \$21 for the rest of the remaining seven family members.

Mayor Daines asked if there would be group rates available.

Mr. Akina responded there have been numerous inquiries made, staff are still making calculations in regard to group rates.

Vice Chair A. Anderson requested confirmation that the Council is only approving the rate and the price of fees.

Mr. Akina confirmed that this is the case, what is being proposed are the fees for public time to ice skate on the ice rink.

Chairman López inquired if there would be a student discount.

Mr. Akina answered not at this time.

Councilmember Simmonds asked why the junior driving range requires a season golf pass when no other ranges do.

Mr. Akina replied he would verify the reasoning prior to the next council meeting and report back.

**City of Logan
Parks and Recreation Department
2023 Proposed Fees
Laub Plaza Ice Rink**

Location Fee Hours

Laub Plaza Ice Rink \$5/person (90-min. session) M – F: 4p – 9:30p
\$3/person, 60+, Military, -3 yrs. (90-min. sess.) Sat.: 12p – 9:30p
\$15 Monday Family Night (90-min session) Sun.: 12p – 5:30p
(\$3/up to 5 members); Free Skate Rental Hours may vary for special events.

Ice Skate Rental \$3/skates

Skate Trainer – Walker \$3/upon request – limited supply

Helmet \$1/upon request – limited supply

Eccles Ice Center \$8/8 yrs. & older Public Hours Vary

\$7/up to 8 yrs., 55 yrs. +
\$50 Family Night – 8 people

Ice Skate Rental \$2/skates

Skate Trainer – Walker \$2.50

Helmet \$1

Bountiful Ice Ribbon \$7/Adult M – F: 4p – 9p

\$5/Child Sat.: 1p – 9p

Sun.: 2p – 7p

Ice Skate Rental \$3/skates Hours may vary

Skate Trainer -Walker \$6

Gallivan Center \$12/Adult M – TH: 4p – 10p

\$11/Seniors, Military F-S: 12p – 12a

\$10/Children (12 yrs. And under) Sun.: 12p – 9p

Fee includes ice skate rental.

Millreek Commons Skate Loop \$7/All Ages (90-min. session) M – S: 11a – 10p

Group Discount for 25+

5-Punch Pass \$25

10-Punch Pass \$50

Ice Skate Rental \$5

South Davis Recreation Center \$7/Adult (18 yrs. +) 3 1hr. 45 min sessions

\$5/Senior (60+) 10 am to 12 pm

\$5/3 yrs. – 17 yrs. 12:15 pm to 2 pm

6:30 pm to 8:15 pm

Ice Skate Rental \$3

Skate Trainer – Walker \$6

The proposed resolution will be an action item and public hearing at the November 21, 2023, Council meeting.

Budget Adjustments FY 2023-2024 appropriating: \$80,000 a reimbursement for special inspection services; \$20,329 funds received for police overtime shift reimbursements; \$100,000 a loan forgiveness grant from the State of Utah for the Water Lead Service Line Inventory Project; \$32,784 public works engineering for traffic studies related to development; \$800,000 contingent legal fees associated with the Woodsonia development; \$60,000 funds for increased credit card fees, supplies, maintenance, and capital projects; \$390,000 a grant to Parks & Recreation Afterschool Program to be used to support After School Programs for Adams, Bridger, Ellis and Woodruff Elementary, and the Logan City School District - Resolution 23-47 – Richard Anderson, Finance Director ([2:47:48](#))

Finance Director Richard Anderson addressed the Council regarding the proposed budget adjustments. He explained that the water lead service line inventory loan forgiveness is a grant, but the way it is processed by the State is, as a loan.

Mayor Daines asked if the grant money for the After School Program is federal funds.

Mr. Anderson responded he was uncertain as several of the grants come through every year.

Vice Chair A. Anderson inquired for the benefit of the public, if there is a differentiation of funding between the different schools.

Mr. Anderson referred the question to Mr. Akina.

Mr. Akina explained that the six elementary schools are under contract with the State. The funding is federal money that passes through the Department of Workforce Services for the State. The funding is on two different schedules, but all six schools do participate, and an equal amount of funding goes to each school. There are different levels of participation, but they are the same program.

The proposed resolution will be an action item and public hearing at the November 21, 2023, Council meeting.

Consideration of a proposed ordinance amending Sections 2.48.010, 2.48.020, 2.48.030, 2.48.040, 2.48.050, 2.48.060, 3.04.010, 3.04.020, 3.04.030, 3.04.040, 3.04.050, 3.04.060, and 3.04.070 of the Logan Municipal Code – Ordinance 23-34 – Richard Anderson ([2:52:29](#))

Finance Director Richard Anderson addressed the Council regarding the proposed ordinance. It has been ten years since the purchasing thresholds have been updated and it is time to do so again. He emphasized the change will permit flexibility and should there

be any concerns of abuse as by increasing the thresholds, there will be more effective monitoring. It is an appropriate adjustment, and it will be monitored.

Current purchasing ordinance thresholds are the following:

\$0 to \$5,000	Department documentation of 3 quotes
5,001 to 50,000	Department submits to Purchasing documentation of at least 3 bids, PO
50,001+	Formal bidding by Purchasing

Proposed changes to purchasing ordinance thresholds:

\$0 to \$5,000	Department obtains best value
\$5,001 to \$10,000	Department documentation of 3 quotes
\$10,001 to \$100,000	Department submits to Purchasing documentation of at least 3 bids, PO
100,001+	Formal bidding by Purchasing

Councilmember Simmonds inquired when things are purchased through a State purchasing contract will that eliminate the need for the threshold process.

Mr. Anderson answered that portions of the threshold requirements will be eliminated. A purchase order will still be required along with legal and statutory requirements.

The proposed ordinance will be an action item and public hearing at the November 21, 2023, Council meeting.

OTHER CONSIDERATIONS:

Councilmember M. Anderson addressed the previous statement made by Ms. Bennett and said now that the City has only just split with the County, staff can readdress the ban on plastic bags.

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 8:27 p.m.

Minutes of the meeting of the Logan Redevelopment Agency convened on Tuesday, November 7, 2023, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah 84321 at 8:27 pm.

Council Members present at the beginning of the meeting: Chairman Ernesto López, Vice Chair Amy Z. Anderson, Councilmember Jeannie F. Simmonds, and Councilmember

Mark A. Anderson. Administration present: Mayor Holly H. Daines, City Attorney Craig Carlston, Richard Anderson, Economic Development Director Kirk Jensen, City Recorder Teresa Harris and Deputy Recorder Esli Morales.

Excused: Councilmember Tom Jensen.

Chairman López welcomed those present. There were approximately 10 in attendance at the beginning of the meeting.

ACTION ITEM:

A resolution approving Agency Assistance to Woodsonia Cache Valley, LLC for its Redevelopment Project in the 1400 North Main Community Reinvestment Project Area – Resolution 23-46 RDA – Kirk Jensen, Economic Development Director (3:01:37)

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He explained the City of Logan has adopted policies for assistance in projects and improvements in Community Reinvestment Project Areas.

The redevelopment project of Woodsonia Cache Valley, LLC is approximately a 25.5 acre site located at approximately 1300 North Main Street in the 1400 North Main Community Reinvestment Project Area (“CRPA”), consisting of a mixed-use development, consisting of an approximately 150,000 square-foot commercial building occupied by a national retailer; an approximately 98,000 square-foot, four-story hotel/retail building; and a multi-family apartment complex consisting of four, four-story buildings totaling approximately 364,000 square feet and including approximately 346 residential units with 10% of the units qualifying as affordable housing, contributes significantly to the achievement of the City’s economic goals, including: the revitalization of an underutilized site; the fiscal growth of the City through property and sales taxes; the creation of new jobs; the creation of additional and affordable housing; an additional economic return for the City in terms of the Project serving as a catalyst, encouraging additional development in the 1400 North Main Community Reinvestment Project Area.

The City of Logan has agreed to reimburse Woodsonia for various fees and other expenses with an estimated value of \$3,811,000. The Economic Development Committee has reviewed the proposed investment and recommended its approval.

The proposed incentive package is the following:

Woodsia will receive 100% of the available property tax increment generated by its Project annually during the life of the CRPA, not to exceed \$10,010,000. Available tax

increment is defined as the total tax increment generated by the Project during the life of the CRPA and received by the Agency minus 10% that is required to be allocated for affordable housing and 5% which is used for administrative costs.

Woodsonia will also receive 100% of the affordable housing reserves generated by its Project annually during the life of the CRPA, not to exceed \$1,180,000. Woodsonia will also receive \$500,000 from the Agency's affordable housing reserve.

All construction plans are to be approved by the City of Logan.

Additionally, the Agency encourages Woodsonia to utilize local contractors and vendors whenever possible.

Councilmember Simmonds, for the benefit of the public, said that the public may be taken aback by how things may appear or occur without their knowledge. She explained that when the City contracts with a developer, the developer negotiates for a retailer or other entity to fill the commercial space. Typically, the City does not know who the developer is in the process of negotiation as the City is not part of that process. The developer does not disclose to anyone until they have secured the appropriate commitments from the entity in question.

Kirk Jensen, Economic Development Director confirmed that typically is the case. However, in relation to the big box stores, it will be stipulated in the Development Agreement with the current developer Woodsonia. If it is not a specific retailer that has been discussed the entire agreement between the agency and the developer would need to be renegotiated. The City in this specific instance would be aware but would not be at liberty to say at this point in time.

Councilmember Simmonds requested confirmation that this type of exception will not apply to the hotel nor the 21,000 square feet of commercial space.

Mr. Jensen confirmed that is the case, the City will not be part of the developer's negotiations with the hotel nor any of the entities that may occupy the 21,000 square feet of commercial space. It is up to the developer to do so.

Councilmember Simmonds asked if the project's affordable housing is at 80% AMI. In addition, once the developer has received the reserves from the agency, the developer will still be required to have affordable housing for years to come.

Mr. Jensen responded that affordable housing would be at the 80% AMI income level. The developer is required to maintain affordable housing as part of the project for the duration of the RDA which is twenty years. The project will consist of 10% of affordable housing units which is 34 units.

Mayor Daines clarified the contract stipulates the developer is required to do so for the period of the RDA but may elect to not do so after that period has passed.

Chairman López referred to the scheduled annual amounts that are projected to be generated by the developer. “Woodsonia will receive 100% of the available property tax increment generated by its Project annually during the life of the CRPA, not to exceed \$10,010,000.” He asked if that would all be at one time or would be up to that amount.

Mr. Jensen answered that the amount will be a cumulative cap over the entire duration of the project and is the maximum increment that can be generated during the life of the RDA.

ACTION. Motion by Vice Chair A. Anderson seconded by Councilmember M. Anderson to approve Resolution 23-46 RDA as presented. Motion carried by roll call vote.

A. Anderson: Aye

M. Anderson: Aye

Jensen: Absent

López: Aye

Simmonds: Aye

WORKSHOP ITEM:

Budget Adjustment FY 2023-2024 appropriating: \$500,000 affordable housing reserves (292108) toward the Woodsonia development - Resolution 23-48 RDA – Kirk Jensen (3:11:46)

Economic Development Director Kirk Jensen addressed the Council regarding the proposed resolution. He summarized the assistance package that had been presented during the public hearing just before the workshop.

Chairman López inquired about the duration of time it took to collect affordable housing funds.

Mr. Jensen replied these are funds that have been earned and accumulated over several years. There have been multiple project areas throughout the City such as South Main, Auto Mall, and so forth. Not all of the RDA’s had statutory affordable housing requirements. For those that had a requirement, 10% of funds have been set aside for affordable housing. This will continue with future RDAs including the Woodsonia project.

Mr. Anderson confirmed that will not be the end of affordable housing funds but will end with the completion of an RDA.

The proposed resolution will be an action item and public hearing at the November 21, 2023, Council meeting.

ADJOURNED. There being no further business, the Logan Redevelopment Agency adjourned at 8:39 p.m.

Esli Morales, Deputy City Recorder