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Minutes of the meeting of the Logan Municipal Council convened in regular session on Tuesday, March 5, 2024, 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: Mayor Holly H. Daines, Chair Amy Z. Anderson, Vice Chair Mark A. Anderson, Councilmember Ernesto López, Councilmember Mike Johnson, and Councilmember Jeannie F. Simmonds. Administration present: City Attorney Craig Carlston, Finance Director Richard Anderson, City Recorder Teresa Harris, and Deputy Recorder Esli Morales.

Chair Amy Z. Anderson welcomed those present. There were approximately 16 in attendance at the beginning of the meeting.

**OPENING CEREMONY:**

Randy Williams provided the opening ceremony on the topic of International Women's Day and led the audience in the pledge of allegiance.

Ms. Williams is the immediate/past president of CRIC (Cache Refugee and Immigrant Connection). CRIC is celebrating International Women's Day (along with the UN) on Friday, March 8, 2024. The CRIC story circle started in the summer of 2021. The idea is that the most vulnerable women in the world are refugees and immigrant women. Some of the women in our community are refugees and others have PTSD. Having an environment for the women to tell their stories and be heard in a safe environment is their goal. She thanked the Council for the opportunity to speak and invited the community to attend the CRIC event.

**Meeting Minutes.** Minutes of the Council meeting held on February 20, 2024 were reviewed and approved with no corrections.

**Meeting Agenda.** Chair A. Anderson announced there are five public hearings scheduled for tonight's Council meeting.

**ACTION. Motion by Councilmember Johnson seconded by Councilmember Simmonds to approve the February 20, 2024 minutes as presented and to approve tonight's agenda. Motion carried by roll call vote.**

- A. Anderson: Aye**
- M. Anderson: Aye**
- Johnson: Aye**
- López: Aye**
- Simmonds: Aye**

44 **Meeting Schedule.** Chair A. Anderson announced that regular Council meetings are held  
45 on the first and third Tuesdays of the month at 5:30 p.m. The next regular Council  
46 meeting is Tuesday, March 19, 2024.

47

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

49

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

58 Joshua Molitor, a resident of Logan expressed concerns regarding the term ethical  
59 billionaires, and the City's ranking on the poverty list of the State. He is further concerned  
60 by the cost of living and housing.

61 Erin Bennett, a resident of Logan requested the plastic bag ban be reimplemented and  
62 offered the possible solution of a voluntary plastic bag ban similar to what is implemented  
63 in the City of Moab.

64 Matthew Fautesi, a resident of Logan played a recorded song to emphasize his  
65 dissatisfaction with the status quo.

66 Roger Yost, a resident of Logan expressed concern regarding the traffic on Federal Avenue  
67 that connects to 100 East and requested that there be a sign at that location as drivers pull  
68 out onto the road.

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

70 **MAYOR/STAFF REPORTS:**

71

72 **Board Appointments (Logan River Golf Advisory Board and New Logan City Solid**  
73 **Waste Advisory Committee) – Mayor Daines ([22:35](#))**

74

75 Mayor Daines asked the Council for ratification to reappoint Rick Johnson to serve on the  
76 Logan River Golf Advisory Board and ratification of new appointments of Scott  
77 Salisbury, R. Ryan Dupont, and Josh Runhaar to serve on the new Logan City Solid  
78 Waste Advisory Committee.

79

80 **ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember**  
81 **Johnson to approve ratification of Rick Johnson, Scott Salisbury, R. Ryan Dupont,**  
82 **and Josh Runhaar as presented. Motion carried by roll call vote.**

83 **A. Anderson: Aye**

84 **M. Anderson: Aye**

85 **Johnson: Aye**

86 **López: Aye**

87 **Simmonds: Aye**

88

89 **Logan City Police Department Accreditation – Police Chief Jeff Simmons and**  
90 **Director Val Shupe of the Utah Chief of Police Association (24:20)**

91 Police Chief Jeff Simmons addressed the Council and announced that the Logan Police  
92 Department has received their reaccreditation. The Department goes through an audit by  
93 the Utah Police Chief Association done by independent auditors every 5 years to check the  
94 facility, policies, procedures, and best practices to ensure they comply with police national  
95 standards which, are made up of 180 standards. Chief Simmons credited Lieutenant  
96 Brooks Davis for the majority of the work.

97 Director Val Shupe addressed the Council regarding the accreditation. He stated there are  
98 108 police departments and only 29 entities that are accredited. There are only three  
99 universities in the State that are accredited and among them is Utah State University. There  
100 are 169 standards that are accredited and required to be maintained. Examples must be  
101 shown that the standards are being adhered to. An on-site assessment is done going through  
102 the evidence room and all protocols that are required. Furthermore, a commission hearing  
103 is held to determine that all is in order.

104 The Logan Police Department was approved and accredited in recognition of the  
105 completion of the standards for certification and accreditation prescribed and mandated by  
106 the Utah Police Chief Association on January 20, 2024.

107 The Mayor and Council members expressed their appreciation and gratitude for all that the  
108 police department and police officers do for the City.

109 At 5:53 p.m. Erin Bennett verbally interrupted the meeting and was asked by Chair A.  
110 Anderson to remain silent for the duration of the meeting as the public comment period  
111 was over.

112 At 5:54 p.m. after repeated warnings, Chair A. Anderson requested Ms. Bennett for the last  
113 time to desist or Ms. Bennett would be requested to leave the meeting. Ms. Bennett refused  
114 to comply with the request.

115 A motion was made to remove Ms. Bennett from the meeting by a majority vote.

116 **ACTION. Motion by Councilmember López seconded by Councilmember Johnson**  
117 **to remove Ms. Bennett from the Council Meeting. Motion carried by roll call vote.**

118 **A. Anderson: Aye**

119 **M. Anderson: Aye**

120 **Johnson: Aye**

121 **López: Aye**

122 **Simmonds: Aye**

123

124 At 5:54 p.m. the Council recessed while Ms. Bennett was escorted out of the meeting.

125 At 5:57 p.m. Chair A. Anderson called the meeting back to order.

126

127 **Change to Citywide Spring Cleanup Program – Mayor Daines (34:12)**

128 **Announcement on Changes to Spring Cleanup, March 5, 2024**

129 *In order to better manage and utilize city resources, we are making some major changes*  
130 *to our annual spring cleanup, where crews have historically gone street to street citywide*  
131 *for green waste pickup. We can't find any other city in the entire state that provides this*  
132 *service, and we are asking for the public's help as we make this change.*

133 *To give you perspective, this event takes most of our streets department employees four*  
134 *weeks to cover the entire city. They spend one week downtown washing roads, and*  
135 *sidewalks and clearing storm pipes and inlet boxes. The other three weeks are dedicated*  
136 *to covering every single street in Logan to pick up green waste from individual properties.*  
137 *This is significant as these are the same individuals working to keep our underground*  
138 *utilities functioning properly and our streets and sidewalks fixed and maintained.*

139 *With the number of staff and equipment involved, the cost is about \$64,000 a week, or*  
140 *almost \$200,000. Last year because of potential flooding, we canceled street-by-street*  
141 *spring cleanup and created green waste drop sites at four parks throughout the city, which*  
142 *seemed to work quite well. Going forward we will make last year's spring cleanup process*  
143 *permanent.*

144 *To incentivize residents, we are lowering the price of a monthly green can from \$5 a month*  
145 *to \$4 a month. If you don't have a can, please sign up for one. They are picked up weekly*  
146 *at your curb from mid-April to mid-November. Many of the piles our crews pick up*  
147 *curbside could easily fit in a green can over a week or two, and you'll have that service all*  
148 *summer long.*

149 *Please don't put branches and green waste curbside. If you have a large load that won't*  
150 *fit in your green can over several weeks, you're welcome to take it to the green waste drop*  
151 *sites, or even better, take it directly to the landfill. That saves our crews time. You can also*  
152 *rent a dumpster for green waste if you have a large amount. Tomorrow, we'll be posting*  
153 *and sending out info on our website about where the green waste sites will be located, how*  
154 *to sign up for a green can, or who to call to order a dumpster.*

155 *Crews will still spend one week cleaning up downtown. However, instead of going house*  
156 *to house, we will set up and attend to the four green waste drop sites to give individuals a*  
157 *convenient location to deposit their yard waste. This will give our crews an additional three*  
158 *weeks to fix potholes and repair damaged roadways, clean our storm drain system, sweep*  
159 *and clean leftover winter debris, address safety hazards along our sidewalks, do weed*  
160 *control, and other needed projects.*

161 *We understand that this is a change from what's been done in Logan City historically. With*  
162 *our community growing, we are continually trying to stretch our resources and be as*  
163 *efficient as possible. There may need to be flood prevention efforts again this spring.*  
164 *Although we have had less snow in the valley this year, with this last storm, our watershed*  
165 *is now at 130% of normal, so we will be watching that closely as well.*

166 *As we approach the end of the snow season and look forward to warmer temperatures and*  
167 *spring rains, we want to thank our citizens for the work they do to keep our community*  
168 *tidy. By not putting green waste curbside or in the road, your efforts will help keep our*  
169 *storm drains and gutters clear of blockages that damage roadways and contribute to flood*  
170 *hazards and dangerous driving conditions.*

171 Councilmember Simmonds asked if there was an opportunity for small portions of the  
172 neighborhood to provide a clean-up area and for the City to provide a green waste can to  
173 later be picked up.

174 Mayor Daines responded that may be a possibility through the neighborhood council. The  
175 City would consider working with a subset of the neighborhood.

176 Councilmember Simmonds remarked that the change is not to make it more difficult for  
177 the community but rather the change comes out of the size and growth of the City. It is a  
178 huge burden on the overworked and limited staff of the Streets Department. The hope is  
179 with the change in cost, citizens will take up the mantle to make use of green cans.

180 The Council will inform the neighborhood councils to ensure the change in spring cleanup  
181 reaches the community.

182 **Capital Project Update – Paul Lindhardt, Public Works Director ([40:34](#))**

183 Paul Lindhardt, Public Works Director, addressed the Council regarding capital projects.  
184 The first project is on 1000 North from 50 East to 250 East, there will be a signal installed  
185 at 200 West. Bids for the project will be opened on Thursday, the hope is to keep one lane  
186 open the entire time the project is ongoing.

187 The second project is from 1200 East 750 North to 1100 North, there will be two  
188 roundabouts. The project will be out to bid in two to three weeks. The goal is to begin  
189 immediately afterward with restrictions during commencement. The only way to get the  
190 project done in one season is to essentially close the road to get it done.

191 The third project is 200 North to 400 North from Main Street to 600 West and 400 North  
192 to Main Street & 200 East. There will be sewer replacement completed in order to get it  
193 done this summer so UDOT can do an overlay.

194 The fourth project is a waterline replacement on 200 North ahead of the SR-30 Project.  
195 The project has been awarded and will commence this spring.

196 The fifth project is in conjunction with the Logan Outdoor Recreation Complex at 200  
197 South from 1200 West to 1900 and will be completely reconstructed along with water and  
198 sewer upgrades. The project went out to bid and has been awarded.

199 Smaller projects such as 300 South 300 East is a waterline replacement in conjunction with  
200 a CDBG project and the project has already commenced. Along Temple Avenue Heights,  
201 the loop will be completed along with utilities. There will be two new pedestrian crossings,  
202 one in front of the Recreation Center and the other at 200 North 50 West between the  
203 Library and the County block.

204 The last project is the upgrading and replacement of six traffic signals. The first is nearly  
205 done at Center Street & 100 East. The next are at 100 West 400 North and 100 West 100  
206 South. The last two traffic signals UDOT will aid the City with at 100 North 100 East &  
207 100 North 100 West.

208 Chair A. Anderson asked if the contractors will be doing work in the evening.

209 Mr. Lindhardt responded that the City has a noise ordinance so if a noise variance is needed  
210 it is up to the contractor to make the request. However, when requesting a variance, the  
211 contractor is required to know dates and times, especially near residential areas.

212 Councilmember Simmonds inquired how the construction will work if the road has to be  
213 closed for the second project.

214 Mr. Lindhardt answered there will be a restriction that construction the road must be open  
215 during those dates.

216 Chair A. Anderson asked when the third project would commence.

217 Mr. Lindhardt replied that the project will commence this spring, but bids will open nine  
218 days from today.

219 Councilmember Simmonds requested confirmation if the entire road will be torn up for the  
220 third project.

221 Mr. Lindhardt explained they are trying to do everything they can without digging a trench.  
222 It will be mostly soft closures or temporary closures and detours.

223 Councilmember Simmonds asked if the fourth project goes to 1000 West.

224 Mr. Lindhardt responded the waterline would go roughly to 950 West.

225 Councilmember Johnson requested confirmation on whether the fifth project includes  
226 realignment.

227 Mr. Lindhardt confirmed that is the case. The project will also include a realignment of the  
228 road.

229 Chair A. Anderson remarked it was a large ask of UDOT to permit the new crossing at 200  
230 North 50 West.

231 Mr. Lindhardt stated that UDOT has been supportive, and it had been delayed due to the  
232 design process.

233 Chair A. Anderson inquired what is the protocol for notification of residents who live on  
234 or near the project sites.

235 Mr. Lindhardt answered that notification depends on the size and type of the project. The  
236 larger projects as part of the construction management will hire a team to build an  
237 email/contact list to reach residents weeks or months before the start of a project. The  
238 smaller projects are up to the staff or the contractor to leave door hangers as a notification.

239

240 **Update on Logan River Sediment Removal at Rendezvous Park – Mayor Daines**  
241 **[\(51:35\)](#)**

242 Mayor Daines announced that a portion of road from Golf Course Road to Rendezvous  
243 Park, has been closed from the cart path for ongoing sediment removal at Rendezvous  
244 Park. There is disruption to this area of the trail due to safety concerns.

245 No further Mayor/Staff Reports were presented.

246

247 **COUNCIL BUSINESS:**

248

249 **Planning Commission Update – Councilmember Simmonds [\(53:19\)](#)**

250

251 Councilmember Simmonds reported the Planning Commission approved a short-term  
252 rental at 750 East 1150 North. There was a subdivision change from condominiums at  
253 1600 North Park. There was further discussion of the location of the West Willow cell  
254 tower. Verizon did move the tower and the tower has been approved.  
255

256 **Board and Committee Reports – Vice Chair M. Anderson and Councilmember**  
257 **Simmonds ([53:57](#))**  
258

259 Councilmember Simmonds reported that she recently attended the USU Stainability  
260 Conference on how economic growth and sustainability can work together. She was  
261 present at the Water Board Meeting, Planning Commission, the Historic Preservation  
262 Committee (HPC), and the Hope Squad. The Hope Squad is a group of students, whose  
263 job it is to watch out for students who are exhibiting signs of stress, especially signs of  
264 suicide and they are trained to recognize the signs. She believes the participants,  
265 mentors and students involved in the Hope Squad feel the process is extraordinarily  
266 beneficial.  
267

268 Vice Chair M. Anderson reported that she recently attended the HPC, there was a request  
269 for a façade improvement at 73 North. The Economic Development Committee did not  
270 meet nor did the Golf Advisory Board. The Solid Waste Board will be meeting soon.  
271

272 Chair A. Anderson asked if the request for a façade was for a business.  
273

274 Vice Chair M. Anderson responded that the request from the applicant is to return the  
275 façade back to a historical look.  
276

277 Chair A. Anderson reminded the community of the deadline for grant applications from  
278 the Utah Office of Homeless Services. There is \$1,080,000 million dollars coming to the  
279 Bear River Local Homeless Council for distribution to projects that help prevent  
280 homelessness.  
281

282 No further Council Business were presented.  
283

284 **ACTION ITEMS:**  
285

286 **PUBLIC HEARING - CODE AMENDMENT – Consideration of a proposed**  
287 **ordinance amending Sections 13.16.030 of the Logan Municipal Code “Duty to Pay;**  
288 **Disconnection” – Ordinance 24-07 – Richard Anderson ([59:00](#))**  
289

290 At the February 20, 2024 Council meeting, Finance Director Richard Anderson addressed  
291 the Council regarding the proposed ordinance. He explained the proposed amendment  
292 would delete the word "written" notice but the City would still provide notice by phone  
293 and also via email to the utility customer and is also how the customer would be  
294 contacted regarding a utility disconnection. By not sending a mailed notification the City  
295 will save \$20,000 per year.  
296

297 Chair A. Anderson opened the meeting to a public hearing.  
298  
299 Joshua Molitor, a resident of Logan stated that he relies on the “Do not disconnect”  
300 mailed card notification to remind him to pay his bill.  
301  
302 There were no further comments and Chair A. Anderson closed the public hearing.  
303  
304 Councilmember Johnson clarified for the benefit of the public, that all utility notifications  
305 will still be sent via phone or email.  
306  
307 Richard Anderson, Finance Director said presently a courtesy phone call of disconnect is  
308 successful in gaining the attention of the customer. This will be the primary form of  
309 notice. The hope is more customers will be reached this way.  
310  
311 Councilmember Johnson requested confirmation on whether a voicemail will be left.  
312  
313 Mr. Anderson confirmed that a voicemail would be left along with records being kept of  
314 who answered the phone call.  
315  
316 Chair A. Anderson requested that there be a forewarning that a secondary notice via letter  
317 will not be sent out rather the notification will be through phone or email.  
318  
319 Councilmember López requested that some of the notices be in Spanish as well.  
320  
321 **ACTION. Motion by Councilmember Simmonds seconded by Councilmember**  
322 **López to adopt Ordinance 24-07 as presented. Motion carried by roll call vote.**  
323 **A. Anderson: Aye**  
324 **M. Anderson: Aye**  
325 **Johnson: Aye**  
326 **López: Aye**  
327 **Simmonds: Aye**  
328  
329 **PUBLIC HEARING - Budget Adjustments FY 2023-2024 appropriating: \$15,000 a**  
330 **grant the Police Department was awarded from the State of Utah. These Alcohol &**  
331 **Drug Free Committee (ADF) funds will be used to purchase police equipment;**  
332 **\$20,000 fund balance toward additional election expenses - Resolution 24-07 –**  
333 **Richard Anderson, Finance Director ([1:04:19](#))**  
334  
335 At the February 20, 2024 Council meeting, Finance Director Richard Anderson addressed  
336 the Council regarding the proposed budget adjustments.  
337  
338 Councilmember Simonds requested confirmation that the additional election budget  
339 expenses were not more expenses but rather that the budget for the election expenses  
340 was budgeted the exact same amount every year, and only after the election can the fund  
341 balance be added to cover the cost of the election. She clarified for the benefit of the  
342 public that it was not because of the election recount.

343 Mr. Anderson confirmed that is the case, though this year the process was not in that  
344 exact order. Otherwise, the normal budget accumulation would have been sufficient to  
345 cover the cost of this election cycle. In future budget years he will remember to carry  
346 forward in the election budget since municipal elections are held every other year.

347  
348 Chair A. Anderson opened the meeting to a public hearing.

349  
350 There were no comments and Chair A. Anderson closed the public hearing.

351  
352 **ACTION. Motion by Councilmember Simmonds seconded by Councilmember**  
353 **Johnson to approve Resolution 24-07 as presented. Motion carried by roll call vote.**

354 **A. Anderson: Aye**  
355 **M. Anderson: Aye**  
356 **Johnson: Aye**  
357 **López: Aye**  
358 **Simmonds: Aye**

359  
360 **PUBLIC HEARING - Consideration of a proposed resolution adopting revised**  
361 **Water Division Classification, Rates, Fines and Fees – Resolution 24-06 – Paul**  
362 **Lindhardt, Public Works Director ([1:06:20](#))**

363  
364 At the February 20, 2024 Council meeting, Public Works Director Paul Lindhardt  
365 addressed the Council regarding the proposed resolution.

366  
367 Chair A. Anderson stated for the benefit of the public that the average rate increases in  
368 2024 would be \$1.95 per month, and \$1.65 in 2025 & 2026.

369  
370 Chair A. Anderson opened the meeting to a public hearing.

371  
372 There were no comments and Chair A. Anderson closed the public hearing.

373  
374 **ACTION. Motion by Councilmember Johnson seconded by Councilmember**  
375 **Simmonds to approve Resolution 24-06 as presented. Motion carried by roll call**  
376 **vote.**

377 **A. Anderson: Aye**  
378 **M. Anderson: Aye**  
379 **Johnson: Aye**  
380 **López: Aye**  
381 **Simmonds: Aye**

382  
383 **PUBLIC HEARING - REZONE – Consideration of a proposed rezone of**  
384 **approximately 0.13 acres of property located at 181 North 200 East (Little**  
385 **Bloomsbury) from Traditional Neighborhood Residential (NR-6) to Town Center 2**  
386 **(TC-2) – Ordinance 24-08 – Russ Holley, Planner ([1:11:04](#))**

387

388 At the February 20, 2024 Council meeting, Planner Russ Holley addressed the Council  
389 regarding the proposed rezone.

390

391 **RECOMMENDATION**

392 Staff recommended that the Planning Commission forward a **recommendation of**  
393 **approval** to the Municipal Council for a rezone of approximately 0.13 acres of property  
394 located at 181 North 200 East (TIN# 06-066-0023) from Traditional Neighborhood  
395 Residential (NR-6) to Town Center 2 (TC-2).

396

397 *Land use adjoining the subject property*

<i>North:</i>	NR-6: Residential Uses	<i>East:</i>	NR-6: Religious Uses
<i>South:</i>	NR-6: Residential Uses	<i>West:</i>	TC-2: Commercial Uses

398

399 **PROJECT**

400 The proponent is requesting to rezone the 0.13-acre property at 181 North 200 East from  
401 NR-6 to TC-2. The applicant is planning a small 3-room boutique hotel and sculpture  
402 walk for the property. If the rezone is successful, a Conditional Use Permit will need to  
403 be obtained to legally establish the commercial use. The property is currently a single-  
404 family home, built in 1909, with a detached garage in the rear yard. An open-ditch  
405 irrigation canal traverses the property flowing northward and essentially bisects the  
406 parcel with the home on the front section and the garage on the rear section.

407

408 **GENERAL PLAN**

409 The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Town  
410 Center (TC). The General Plan, a nonregulatory visioning plan, describes TC areas as  
411 being a hub of the City and Valley and reflects a vibrant downtown, with a variety of  
412 commercial, mixed-use, and institutionally uses and activities. The TC designation  
413 covers land from 200 South to 500 North and staggers between 100 East and 200 East  
414 along the eastern side of Downtown Logan. The TC designation staggers between 100  
415 and 150 West along the west side of Downtown.

416

417 ***Land Development Code (LDC) - Zoning***

418 The TC-2, which encourages dense, walkable commercial and residential development in  
419 the downtown area with unique and interesting building designs. This zone allows a  
420 density of up of to 30 units per acre along with a mixture of commercial uses. The City  
421 went through a deliberate and robust process in 2018 to redefine the Town Center zoning  
422 districts which culminated in the adoption of Ordinance Number 18-07. This year-long  
423 zoning process established TC-2 in the outer-ring areas of downtown as a way to buffer  
424 or transition the residential neighborhoods further east and west of Downtown. The goal  
425 of the zoning strategy adopted in 2018 was to further implement the visions expressed in  
426 the General Plan through a methodical transition of uses and structure.

427

428 ***Site***

429 The proposed 3-room hotel would be within the current walls of the home and essentially  
430 convert the existing bedrooms to hotel rooms. The conversion will require numerous  
431 building updates to comply with current commercial building codes. The site will need to

432 be redeveloped to accommodate the required parking stalls associated with the  
433 commercial uses and the required open space and usable outdoor space.

434

435 ***Parking Requirements***

436 The LDC requires 1.0 parking stalls per hotel room plus 4 additional stalls. The  
437 additional stalls are likely for employee's and additional guests. The gallery or outdoor  
438 sculpture garden land use is not specifically addressed in the parking code and thus would  
439 be required to go through the alternative parking plan process. The applicant has  
440 submitted an alternative parking plan stamped by Michael Taylor that shows up to 5 stalls  
441 on-site in the rear yard and identified surrounding public parking lots within 600 feet of  
442 the site. The LDC also has code language that waives parking requirements in the TC  
443 zone when a project renovates within the existing walls of the building. This code section  
444 typically applies to existing downtown commercial building that convert from retail to  
445 restaurant or similar scenarios, to avoid the need to demolish a portion of the building to  
446 create the uptick in parking requirements. The submitted plan shows a parking stall  
447 perpendicular to the drive and difficult to access. As conditioned to meet LDC parking  
448 requirements, the project complies with code regulations.

449

450 ***Useable Outdoor Space and Landscaping***

451 The LDC 17.10.070 requires 10% landscaping and an additional 10% useable outdoor  
452 space in the TC-2 zone. The LDC 17.32 generally describes useable outdoor space as  
453 outdoor areas that are designed and used in conjunction with a primary use for the benefit  
454 and enjoyment of the residents and their guests of the development. Useable outdoor  
455 space may include public gathering areas, patios, decks, walkways, plaza's, active  
456 recreational areas, and natural open space areas but do not include parking lots,  
457 driveways, and other similar vehicular-oriented areas. Landscaping is defined as planted  
458 and natural areas contained trees, shrubs, grasses, mulches, and other similar materials.

459

460 The LDC requires a minimum of 20 trees and a combination of 50 shrubs, flowers and  
461 ornamental grasses per acre of land for multi-family residential projects. The LDC also  
462 requires minimum perimeter and interior parking lot landscaping to reduce the visual and  
463 environmental impacts of asphalt parking lots. At 0.13 acres, 1,132 SF of open space, 2  
464 trees and 6 shrubs/flowers/grasses are required.

465

466 **CONDITIONAL USE PERMITS**

467 The Planning Commission may conditionally approve a Conditional Use Permit that is  
468 based on an objective standard in compliance with Utah Code (10-9a-507) and only upon  
469 substantiating the following findings:

- 470 A. The proposed use is consistent with the allowable maximum densities of the  
471 underlying zone.
- 472 B. The proposed use is consistent with the requirements of the Land Development  
473 Code.
- 474 C. The use is compatible with surrounding land uses and will not interfere with the  
475 use and enjoyment of adjoining properties.
- 476 D. The site will be served by infrastructure having sufficient capacities to meet the  
477 service demands of the proposed use.

- 478 E. The proposed use is compatible with the surrounding neighborhood character as
- 479 defined in Section 17.62.
- 480 F. The proposed access is consistent with Logan City access and roadway standards
- 481 and Utah Department of Transportation requirements where applicable.
- 482 G. The conditional use is aimed at mitigating the possible negative impacts of
- 483 excessive light, noise, and traffic.
- 484

**STATE OF UTAH CONDITIONAL USE STANDARDS**

- (a) (i) *A land use authority shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.*
- (ii) *The requirement described in Subsection (2)(a)(i) to reasonably mitigate anticipated detrimental effects of the proposed conditional use does not require elimination of the detrimental effects.*
- (b) *If a land use authority proposes reasonable conditions on a proposed conditional use, the land use authority shall ensure that the conditions are stated on the record and reasonably relate to mitigating the anticipated detrimental effects of the proposed use.*
- (c) *If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the land use authority may deny the conditional use.*

485  
486

**SUMMARY**

488 Given the FLUP designation of TC and the current commercial land uses on the block,  
489 the request to up-zone this parcel to TC-2 would be a predictable and expected zoning  
490 change. With the LDS Temple located to the east of the block with extensive setbacks,  
491 TC-2 development and land uses on the subject property and the remaining 200 East  
492 block face would be compatible and pose minimal impacts to the residential areas further  
493 east. Being a core development proposal, infrastructure and utilities can be more  
494 efficiently utilized as compared to outer fringe areas. The hotel use will have parking and  
495 traffic impacts and possibly noises during late hours as guest come and go. Being semi-  
496 residential in nature, hotel uses should be quiet once guest are settled into their rooms for  
497 nearby residential uses. Parking can be entirely waive based on TC zoning allowances or  
498 the alternative parking plan can be accepted which uses a combination of on-site and off-  
499 site public lots within 600 feet to satisfy parking demands.

500

**AGENCY AND CITY DEPARTMENT COMMENTS**

502 Comments were solicited from the following departments or agencies:

503

● Forestry	● Water
● Environmental	● Engineering

504

**PUBLIC COMMENTS**

505

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

508 **PUBLIC NOTIFICATION**

509 Legal notices were published in the Herald Journal on 1/27/24 and the Utah Public  
510 Meeting website on 1/29/24. Public notices were mailed to all property owners within  
511 300 feet of the project site on 1/22/24.

512

513 **RECOMMENDED FINDINGS OF APPROVAL FOR REZONE**

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

- 516 1. The surrounding zoning to the west is TC-2 and a rezone of this property will  
517 result in a contiguous zoning pattern on the block.  
518 2. The TC-2 zone is appropriate because it aligns with the adopted FLUP and fits  
519 into the existing land use patterns of the block.  
520 3. TC-2 zoning, and land uses are in close proximity to transportation choices,  
521 downtown commercial goods and services and employment centers.  
522 4. The majority of the surrounding existing land uses to the west are commercial in  
523 nature.  
524 5. The Conditional Use Permit process and LDC development standards will ensure  
525 a quality project that will be compatible with the surrounding neighborhood.  
526

527 **RECOMMENDED CONDITIONS OF APPROVAL FOR CONDITIONAL USE**  
528 **PERMIT**

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

- 531 1. All standard conditions of approval will be recorded with the Design Review and are  
532 available in the Community Development Department.  
533 2. All building renovations shall meet applicable commercial building codes.  
534 3. The project shall provide at least 3 parking stalls on-site that are accessible 24-7  
535 without the need of moving other cars that may be in the way. No on-street winter  
536 parking permits will be available for this property and use. If overflow parking is  
537 needed, the public parking lot on 100 East must be utilized.  
538 4. The gallery and sculpture garden shall maintain quiet hours between 10:00 PM and  
539 7:00 AM for surrounding residential uses.  
540 5. The project shall comply with open space and outdoor space and provide 2 trees, 6  
541 shrubs, and a minimum of 1,132 SF of open space area.  
542 5. Future fences or signs shall receive approved permits prior to installation of  
543 construction.  
544 6. The canal shall maintain a 15 setback for any new structure unless express written  
545 consent is given by the canal company.  
546 7. Prior to issuance of a Building Permit, the Director of Community Development shall  
547 receive a written memorandum from each of the following departments or agencies  
548 indicating that their requirements have been satisfied:  
549 8. If in the future, requests are made that significantly change this tower from that which  
550 is approved with this permit, a subsequent conditional use permit with legal noticing  
551 must be approved.

552

553 **GENERAL**

- 554 1. Additional water shares or in-lieu fee for indoor and outdoor increased water  
555 demands shall be provided to the City in accordance with City Code 17.29.210  
556 and Utah Administrative Rule R309-510-7.
- 557 2. Dedicate a 10' Public Utility Easement along the street frontage.
- 558 3. This project is located in a Zone 3 water source protection zone and shall be  
559 designed to comply with all City codes and requirements related to source  
560 protection zone restrictions.
- 561 4. Property is less than 1 acre, so compliance with the State Storm Water Permit is  
562 not required. A sediment and erosion control plan will be required for all  
563 construction activities.
- 564 5. Maintain the capacity, size, and location of all existing irrigation system  
565 infrastructure along and within the project; or where irrigation infrastructure is  
566 required to be relocated or changed, improve the infrastructure to the irrigation  
567 company standards. The City will require all affected Irrigation companies to  
568 provide a signature approval on all final construction plans.
- 569
- 570 a. Water
- 571 1. All points of use of water downstream of this properties water meter should  
572 meet Utah's current IPC plumbing code it's amendments and the Drinking  
573 Water Rules in section 309. These rules help minimize the risk of  
574 contamination of the water for homes occupants and Logan Cities water  
575 system. This also would help minimize liabilities to the owner. These rules  
576 would include but are not limited to the following--
- 577 2. The buildings water main needs to have a DC (ASSE1015) installed and  
578 tested on the water main after the water meter, as it enters the building  
579 before any branch-offs or possible connections inside or outside of building.  
580 All backflow assemblies must be tested within 10 days of turning in water to  
581 them and annually thereafter.
- 582 3. Refer to current IPC Utah State Amendment # 608.1.1, 608.1.2.2 for  
583 installation criteria.
- 584 4. All landscape irrigation system's fed from Logan City water must have a  
585 high-hazard-rated backflow assembly installed and tested.
- 586 5. 3-) Fire suppression systems that are connected to Logan City water (with  
587 no added unapproved chemicals) must have a minimum DC (ASSE1015)  
588 installed and tested. Fire risers and all B/F assemblies must be installed and  
589 tested as per Logan City standards.
- 590 6. Project shall comply with all current Utah State plumbing codes,  
591 amendments and Utah Admin. code R 309-105-12-(1) rules and regulations  
592 including, but not limited to, those pertaining to backflow prevention and  
593 cross connection protection, during and after construction, for the safety of  
594 the water source and its consumption.
- 595 7. This water service/meter is an older ¾". \*\*\* Size concern for proper fire  
596 suppression, culinary and landscape irrigation demand. \*\*\*
- 597
- 598 b. Light & Power

599 1. A 1-line diagram required. A Logan City Load Data Sheet Found on Logan Light  
600 & Power Website and email to [angie.pacheco@loganutah.org](mailto:angie.pacheco@loganutah.org). A Digital Site Plan  
601 in AutoCAD (DWG) Format. PUE’s Public Utility 10’ Easement on all property  
602 lines that face a roadway and 5’ Easement on all other property lines. Contact  
603 Logan Light and Power for Power Location for a meet on site.  
604

605 **RECOMMENDED FINDINGS FOR APPROVAL FOR THE CONDITIONAL**  
606 **USE PERMIT**

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

- 609 1. The proposed project is compatible with surrounding land uses and will not  
610 interfere with the use and enjoyment of adjacent properties and stealth design of  
611 the tower will help to mitigate visual impacts.
- 612 2. The Conditional Use Permit conforms to the requirements of Title 17 of the  
613 Logan Municipal Code and is consistent with the allowable maximum densities of  
614 the underlying zone compatible with surrounding land uses and will not interfere  
615 with the use and enjoyment of adjoining properties.
- 616 3. The site will be served by infrastructure having sufficient capacities to meet the  
617 service demands of the proposed use.
- 618 4. The proposed use is compatible with the surrounding neighborhood character as  
619 defined in Section 17.62.
- 620 5. The proposed access is consistent with Logan City access and roadway standards  
621 and Utah Department of Transportation requirements where applicable.
- 622 6. The conditional use is aimed at mitigating the possible negative impacts of noise,  
623 and traffic.
- 624 7.

625 The project met the minimum public noticing requirements of the Land Development  
626 Code and the Municipal Code.  
627

628 On December 14th, the Planning Commission **recommended approval** to the Municipal  
629 Council for the Little Bloomsbury Rezone from NR-6 to TC-2. **Planning**

630 **Commissioners vote (4-1):**

631 Motion: Peterson

632 Second: Guth

633 Yea: J. Guth, R. Croshaw, E. Peterson, K. Heare

634 Abstain: none Nay: D. Lewis

635 Councilmember Simmonds asked if there were any further thoughts regarding an outdoor  
636 gallery.  
637

638 Russ Holley, Planner answered that some outdoor activities are permitted or be  
639 associated with an adjacent building such as a sidewalk sale. As part of the conditional  
640 use permit, it is not a daily type of use. The gallery is associated with a charity that meets  
641 infrequently in small and approved times.  
642

643 Councilmember Johnson inquired if the gallery has any items in between meeting times.  
644

645 Mr. Holley responded that the gallery has some items such as a handcard that is currently  
646 located in the right of way, and as part of the conditional use permit, it must be moved to  
647 private property. There will be limitations to the business license with maximum  
648 occupancy.

649  
650 Councilmember Simmonds asked how the shared driveway can be regulated.

651  
652 Mr. Holley said the easement allows access but requires the area to be clear. All three  
653 residences can use the shared driveway. To access the hotel parking, the driveway must  
654 be used, however, they will pull off the shared driveway and will be moved out of the  
655 way for others to use the driveway.

656  
657 Councilmember Simmonds expressed some reservations on whether that will suffice due  
658 to the ignorance of hotel guests, in which case, it becomes an enforcement issue.

659  
660 Mr. Holley stated parking will be specifically spelled out in the conditional permit along  
661 with signage which typically mitigates those types of issues.

662  
663 Chair A. Anderson opened the meeting to a public hearing.

664  
665 Joshua Molitor, a resident of Logan stated that he is in favor of small business and that it  
666 will help promote art projects in the community and the home will be preserved.

667  
668 Leah Adkins, a resident of Logan is involved in the arts community. She is in favor of  
669 what Dr. Brenda Sun will contribute to the community and feels this project will build up  
670 self-confidence in the community and those involved can express their diversity.

671  
672 Dr. Brenda Sun, proponent of Little Bloomsbury addressed the Council and said she  
673 hopes the Council will approve the project. She said the shared driveway is part of their  
674 concern as well, but she said this will be a good project. They do not want to take guests  
675 for less than three months to ensure there is not a large group of guests moving in and out  
676 of the area.

677  
678 There were no further comments and Chair A. Anderson closed the public hearing.

679  
680 Councilmember Simmonds reiterated her prior comments regarding her reservation of  
681 having TC-2 across from the Logan Temple.

682  
683 Councilmember Johnson said it is his understanding that the entire section of this street is  
684 to allow for an upzone, should they desire. The project aside, it would be typical to  
685 upzone as projects come into the downtown area.

686  
687 Mr. Holley answered that was the intent for other areas such as the L-59 building.  
688 Roughly 80% of rezones are initiated by property owners, the other 20% are city-initiated  
689 rezones. .

690

691 **ACTION. Motion by Vice Chair M. Anderson seconded by Councilmember López**  
692 **to adopt Ordinance 24-08 as presented. Motion carried (4-1) by roll call vote.**

693 **A. Anderson: Aye**

694 **M. Anderson: Aye**

695 **Johnson: Aye**

696 **López: Aye**

697 **Simmonds: Nay**

698

699 **PUBLIC HEARING - CODE AMENDMENT - Consideration of a proposed**  
700 **ordinance amending the Land Development Code - Chapter 17.29 “Engineering**  
701 **Design Standards, Water and Sewer”. City Engineer Darren Farar/Logan City is**  
702 **requesting an amendment to Chapter 17.29 to adopt the City of Logan Public**  
703 **Works Design Standards for sanitary sewer, culinary and secondary water, and**  
704 **storm drain systems – Ordinance 24-05 – Darren Farar, City Engineer ([1:40:24](#))**  
705

706

706 At the February 20, 2024 Council meeting, City Engineer Darren Farar addressed the  
707 Council regarding the proposed ordinance and gave a PowerPoint presentation with the  
708 following information.

709

710 The goal of a Standards update is to accomplish the following:

711

- 711 • Document compliance with existing and new State and Federal minimum codes  
712 and standards
- 713 • Provide clarity and additional detail on specific items that are required in Logan  
714 due to our climate and environment (for example our water lines need to be  
715 constructed at a minimum of 5’ in the ground to keep from freezing)
- 716 • Update the standards to reflect current construction techniques, technology, and  
717 materials.
- 718 • Provide direction on how to handle conditions not identified in other codes and  
719 standards (for example setting water meters at townhomes, requiring looped water  
720 lines, maximum services on a dead-end water line)

721

722 Proposed Updates and Additions

723

- 723 • Public Works Design Standards
  - 724 ○ Update to the Water Distribution Standards
  - 725 ○ Update to the Sanitary Sewer Standards
- 726 • APWA Standard Specifications and Standard Plans
  - 727 ○ An update is not yet proposed for these standard specifications as a 2024  
728 specification is nearly approved by APWA
  - 729 ○ Update includes revisions, deletions, and additions to the Water and Sewer  
730 APWA Standards Plans (details) needed now cannot wait until 2024  
731 APWA update
- 732 • Approved Materials List
  - 733 ○ Add a new standard that identifies approved Water and Sewer materials at  
734 this time

735

736 **RECOMMENDATION**

737 Staff recommended that the Planning Commission recommend approval to the Municipal  
738 Council to amend Land Development Code Chapter 17.29 thereby adopting the updates  
739 to the City of Logan Public Works Design Standards for sanitary sewer systems and  
740 culinary water systems.

741

#### 742 **REQUEST**

743 This is a proposal to adopt by reference the City of Logan Public Works Design  
744 Standards for sewer and water improvements. Chapter 17.29 is the LDC chapter  
745 referencing back to these specific sewer & water "technical " standards for new  
746 development.

747

#### 748 **Public Works Design Standards**

749 The LDC refers to the City's Public Works Design Standards in Chapter 17.29 for the  
750 variety of infrastructure necessary to accommodate new development. The proposal adds  
751 specific language regarding sewer & water infrastructure to the design standard  
752 document, similar to what the City adopted in 2020. The State of Utah also requires that  
753 municipal governments adopt minimum infrastructure design and development standards.

754

755 The Logan City Public Works Design Manual establishes minimum City engineering and  
756 design standards for the installation of typical infrastructure associated with new  
757 development e.g., roads, sewer, water, stormwater, etc. These specific design standards  
758 are based on the 2007 American Public Works Association (APWA) standard  
759 specifications and the City's amendments to those standard specifications. The primary  
760 benefit of the Public Works Design Standards is to ensure uniformity in the installation  
761 and construction of public and private utilities.

762

763 Mr. Farar provided a memo summarizing the proposed additions to the Public Works  
764 Design Standards.

765

766 Included with this staff report are the following documents:

767

- 768 1. Proposed changes to the Public Works Design Standards.
- 769 2. Proposed changes to the Manual of Standard Plans Unit edits & not entire  
770 manual).
- 771 3. New Approved Materials Lists.

772

#### 773 **STAFF RECOMMENDATION AND SUMMARY**

774 These specific amendments add clarity to the Land Development Code and the  
775 expectations of the City during the design and development review processes.

776

#### 777 **GENERAL PLAN**

778 The Land Development Code was prepared and adopted to implement the vision  
779 expressed in the General Plan. The proposed amendments continue to implement the  
780 vision of the General Plan by further clarifying development standards. These proposed  
781 amendments are consistent with the General Plan.

782

783 **PUBLIC COMMENTS**

784 As of the time the staff report was prepared, no public comments had been received.

785

786 **PUBLIC NOTIFICATION**

787 Legal notices were published in the Herald Journal on 1/13/24 and posted on the City's  
788 website and the Utah Public Meeting website on 1/15/24.

789

790 **AGENCY AND CITY DEPARTMENT COMMENTS**

791 As of the time the staff report was prepared, no comments have been received.

792

793 **RECOMMENDED FINDINGS FOR APPROVAL**

794 The Planning Commission bases its decisions on the following findings:

- 795 1. Utah State Law authorizes local Planning Commission to recommend ordinance  
796 changes to the legislative body (Municipal Council).
- 797 2. The Code Amendments are done in conformance with the requirements of Title  
798 17.51 of the Logan Municipal Code.
- 799 3. The proposed Code Amendments are consistent with the Logan City General  
800 Plan.
- 801 4. The proposed Code Amendments will clarify the minimum design standards  
802 acceptable for new sewer & water infrastructure in Logan City.
- 803 5. No public comment has been received regarding the proposed amendments.

804

805 On February 6, 2024, the Planning Commission recommended to the Municipal Council  
806 approval of the following Land Development Code Amendments:

807

808 Amend Land Development Code (LDC) Chapter 17.29 "Standards, Specifications and  
809 Improvements" adopting updates to the City of Logan's Design Standards for sanitary  
810 sewer and culinary water systems.

811

812 **Planning Commissioners vote (5-0):**

813 Motion: K. Heare Second: R. Croshaw

814 Yea: J. Guth, R. Croshaw, D. Lewis, E. Peterson, K. Heare

815 Abstain: none Nay: none

816

817 Councilmember Simmonds stated it is important for the development to be up to city  
818 standards and should an area desire to be annexed into the city, the code will be clear on  
819 the requirements needed to be met.

820

821 Chair A. Anderson requested confirmation that the amended development code was  
822 passed unanimously by the Planning Commission.

823

824 Darren Farar, City Engineer confirmed that the amended land development code was  
825 passed unanimously by the Planning Commission.

826

827 Councilmember López inquired when the last time the standards were changed or  
828 updated.

829 Mr. Farar responded that the standards predated his time in the City. A portion of the  
830 standards was updated but at that time this section was left blank as the code was still  
831 being worked on.

832  
833 Councilmember López asked if there are any cities where standards are handled by the  
834 department and have no need to come before the council.

835  
836 Mr. Farar answered that the directive from the City Council is that all development  
837 standards must go through the Planning Commission and then come before the Council.

838  
839 Chair A. Anderson opened the meeting to a public hearing.

840  
841 There were no comments and Chair A. Anderson closed the public hearing.

842  
843 **ACTION. Motion by Councilmember Simmonds seconded by Councilmember**  
844 **Johnson to adopt Ordinance 24-05 as presented. Motion carried by roll call vote.**

845 **A. Anderson: Aye**  
846 **M. Anderson: Aye**  
847 **Johnson: Aye**  
848 **López: Aye**  
849 **Simmonds: Aye**

850  
851 **CODE AMENDMENT – Consideration of a proposed ordinance amending Section**  
852 **10.52.010 of the Logan Municipal Code “Regulating Stopping, Standing or Parking**  
853 **Vehicles” – Ordinance 24-06 – Craig Carlston, City Attorney ([1:46:25](#))**

854  
855 At the February 20, 2024 Council meeting, City Attorney Craig Carlston addressed the  
856 Council regarding the proposed ordinance. He explained this is a “housekeeping” change.  
857 In Section 10.52.010 it states that no person shall stop, stand, or park a vehicle, except  
858 when necessary to avoid conflict with other traffic or in compliance with law or the  
859 direction of a police officer or traffic control device. It then lists various places where this  
860 code applies. In A. 19. of the current code, it reads that, “In any Logan transit district.” It  
861 is proposed to amend this to read “In any public transit”.

862  
863 In A.17.d. of the current codes it reads, “City buses engaged in an official function  
864 relating to intracity transportation of passengers are exempt from the provisions of this  
865 subsection.” It is proposed to amend this to strike City and replace with “Public transit.”

866  
867 The purpose of the code amendments is to update the code and to bring it current with the  
868 public transit organization.

869  
870 Councilmember Johnson inquired if the City Code addressed parking in front of  
871 mailboxes.

872  
873 Councilmember Simmonds replied that parking in front of mailboxes is regulated at the  
874 federal level.

875 **ACTION. Motion by Councilmember López seconded by Vice Chair M. Anderson**  
876 **to adopt Ordinance 24-06 as presented. Motion carried by roll call vote.**

877 **A. Anderson: Aye**

878 **M. Anderson: Aye**

879 **Johnson: Aye**

880 **López: Aye**

881 **Simmonds: Aye**

882

883 **Consideration of a proposed resolution appointing Temporary Justice Court Judges**  
884 **for the Logan Municipal Justice Court – Resolution 24-05 – Craig Carlston**

885 **(1:48:00)**

886

887 At the February 20, 2024 Council meeting, City Attorney Craig Carlston addressed the  
888 Council regarding the proposed resolution. He explained that State code allows for a  
889 temporary justice court judge to serve in the Logan Justice Court in conflict cases, when  
890 the Logan Justice Court Judge is absent, or as the need may arise. The current Justice  
891 Court Judge is Lee Edwards who this applies to. The proposed resolution allows for a  
892 larger selection of judges and will give more options so that any judge who is currently in  
893 office as a Justice Court Judge in the First Judicial District Court can be appointed if  
894 needed rather than just two judges who are currently listed in the City’s previous  
895 resolution from 2019.

896

897 **ACTION. Motion by Councilmember Simmonds seconded by Councilmember**  
898 **Johnson to approve Resolution 24-05 as presented. Motion carried by roll call vote.**

899 **A. Anderson: Aye**

900 **M. Anderson: Aye**

901 **Johnson: Aye**

902 **López: Aye**

903 **Simmonds: Aye**

904

905 **WORKSHOP ITEMS:**

906

907 **Budget Adjustments FY 2023-2024 appropriating: \$1,200,000 electric fund reserves**  
908 **toward the UDOT Logan Canyon Betterment project; \$22,000 Golf Course reserves**  
909 **for the completion of a cart path project; \$11,483 funds the Library received from**  
910 **the State of Utah. The Community Library Enhancement Fund (CLEF) grant will**  
911 **be used for collection development and technology for public use - Resolution 24-07**  
912 **– Richard Anderson, Finance Director (1:49:35)**

913

914 Finance Director Richard Anderson addressed the Council regarding the proposed budget  
915 adjustments. The \$1,200,000 electric fund reserves will be used to install powerlines  
916 underground at the same time UDOT is currently working in Logan Canyon installing  
917 fiber optic lines.

918

919 Mayor Daines commented on the valuable opportunity presented as the current hanging  
920 powerlines in Logan Canyon are a concern with the potential to cause a fire.

921 Councilmember Simmonds inquired about the UDOT Logan Canyon Betterment  
922 Projects.

923

924 Matt Boone, Light & Power Technical Operations Manager answered that the Light &  
925 Power Department was approached by UDOT. The project itself was not something the  
926 department was anticipating at this time. UDOT is digging a trench, the intent and  
927 purpose is for fiber optics. It is an opportunity for the City to join the project and utilize  
928 the opportunity to move the canyon power lines underground. The cost would be shared  
929 three ways with UDOT, Rocky Mountain Power, and the City making it much more  
930 affordable than if the City was doing it on our own. The cost would be shared for the  
931 portion that the City would be utilizing.

932

933 The Light & Power department will be putting in a four-inch conduit line to run power.  
934 The power lines are necessary for feeding up and back from the Third and Second Dams  
935 for power generation. A fiber conduit will also be installed to facilitate communications  
936 for equipment there and for the system operations center. The timing is not ideal with the  
937 budget and the reserves where they are. However, it is an advantageous opportunity for  
938 the City to take advantage of at this time.

939

940 Councilmember Simmonds requested clarification on where the power lines will  
941 commence from Third Dam to the city.

942

943 Mr. Boone clarified that the lines from Third Dam to the City are already in existence.  
944 The power lines instead will be placed underground rather than hanging overhead.

945

946 Councilmember Johnson asked if there would be anything further and past Third Dam.

947

948 Mr. Boone replied there would be, but it would not be for the City. That portion will be  
949 covered by Rocky Mountain Power. The power line will be stopping/starting from Third  
950 Dam to the City.

951

952 Councilmember López inquired if Rocky Mountain Power is putting the same sized  
953 conduit as the City or bigger.

954

955 Mr. Boone responded that Rocky Mountain Power is putting in the same sized conduit as  
956 the City.

957

958 Councilmember Simmonds asked if power is being expanded up Logan Canyon.

959

960 Mr. Boone answered not at this time. All the project is doing is moving overhead  
961 powerlines and placing them underground.

962

963 Councilmember Johnson requested confirmation on whether the power lines are going  
964 under the road or right next to the road, and if that would change maintenance costs.

965

966 Mr. Boone replied that the power lines are going under the road. Putting the power lines  
967 underground will actually reduce the maintenance costs of the lines. There won't be a  
968 need to trim bushes or trees near the powerlines. The trenches will be accessible should  
969 there be a need for repair. The anticipated plan is in the future to make junction boxes on  
970 the side of the road for both fiber and powerlines.

971

972 Councilmember Simmonds inquired if the \$1.2 million dollars being allocated for the  
973 project will include the cost of the trenches but also the wire and piping as well.

974

975 Mr. Boone explained that at this time, the department does not have sufficient funds to  
976 cover the cost of the wiring and piping as well. There are only sufficient funds to cover  
977 the cost of the conduit. The anticipation is to budget again so that in two or three years to  
978 demo the old line and put in the new wire. Currently, only the conduit is being installed  
979 along with junction boxes to complete the project fully in the future.

980

981 Chair A. Anderson requested confirmation that the project upon completion will help  
982 lower the potential for wildfires.

983

984 Mr. Boone confirmed that would be the case.

985

986 Mr. Anderson clarified that all funds discussed will soon be appropriated for the project.  
987 In addition, in fiscal year 2026, the City is anticipating ordering new transformers for the  
988 substation, a cost of \$4 million dollars. Although there are purchases yet to be made, the  
989 funds will take time to spend. At the end of the entire shuffle of five years, the funds will  
990 have built up again.

991

992 The proposed resolution will be an action item and public hearing at the March 19, 2024,  
993 Council meeting.

994

995 **CODE AMENDMENT – Consideration of a proposed ordinance amending the**  
996 **Land Development Code Chapters 17.40 “Subdivisions” and 17.41 “Boundary Line**  
997 **Adjustments.” Subdivision Plat Amendments or Vacations or Vacations of Rights of**  
998 **Way, or Easements to update application requirements, processing requirements,**  
999 **review procedures, and appeals procedures - Ordinance 24-09 – Russ Holley,**  
1000 **Planner ([1:59:45](#))**

1001

1002 Planner Russ Holley addressed the Council regarding the proposed code amendment.

1003

#### 1004 **RECOMMENDATION**

1005 Staff recommended that the Planning Commission recommend approval to the Municipal  
1006 Council of the proposed amendments to Chapters 17.40 & 17.41 of the Land  
1007 Development Code.

1008

#### 1009 **REQUEST**

1010 This is an update of the Subdivisions, Boundary Line Adjustment, Plat Vacations, and  
1011 Plat Amendment Standards in the Land Development Code (17.40 & 17.41) to bring the

1012 City's land division regulations into compliance with Senate Bill 174 & UCA Title 10,  
1013 Chapter 9a, Part 5 & Part 6 adopted by the Utah State Legislature during the 2023  
1014 legislative session.

1015

## 1016 **SUMMARY OF PROPOSAL**

1017 The changes required by Senate Bill 174 are centered around four general areas:

1018

### 1019 **Procedural**

1020 • Cities need to establish the Administrative Land Use Authority for the different types  
1021 of land divisions. The language in SB174 emphasizes that the review of a preliminary  
1022 plat is an administrative function and not a legislative function. Final plat approval cannot  
1023 be reviewed by either the City Council or the Planning Commission. (Already in current  
1024 LDC)

1025 • Cities cannot mandate a conceptual plan review. (Logan does not mandate conceptual  
1026 plan review)

1027 • Cities need to define what a "complete application" consists of. (Logan will have new  
1028 "complete applications 11 for all elements covered under SB174)

1029

### 1030 **Timing of Review Process**

1031 • Initial review of a complete preliminary plat application shall be completed within 15  
1032 business days. (In proposed code language - City's predevelopment review process will  
1033 be conducted within 15 days of complete application whereas "approval11 of a  
1034 preliminary plat still resides with Planning Commission in a public hearing)

1035 • Final plat review completed within 20 days of receiving a complete final plat  
1036 application.

1037 (In proposed code language)

1038 • Capped review cycle - no more than 4 review cycles for the final plat. (In proposed  
1039 code language)

1040 • Applicant required to respond to changes. All disagreements must be in writing. (In  
1041 proposed code language)

1042 • Modified lot line adjustment provisions to remove requirement to record an amendment  
1043 plat. (In proposed code language)

1044

### 1045 **Engineering Standards**

1046 • Cities need to have codified engineering standards. (Road standards already codified,  
1047 water/sewer standards in process with PC 24-004)

1048 • No bonding for landscaping on private property permitted anymore. (No longer  
1049 requiring landscape bonds - this does affect applicants trying to get into buildings during  
1050 winter, early, etc.)

1051 • New road standards - limit pavement widths on residential roads (25 mph) to no greater  
1052 than 32'. (Existing road standards consistent with this requirement)

1053

### 1054 **Appeals Processes**

1055 • SB 174 creates two distinct appeals processes after the four review cycles have been  
1056 exhausted and 20 days have passed. (In proposed code language) Disputes related to  
1057 public improvements or engineering standards: within 10 days assemble a panel of three

1058 engineers to function as the review authority on the specific disputed standard. Other  
1059 disputes follow existing appeals process & appeals authority.

1060

1061 **Summary of Proposed LDC 17.40 - Subdivisions**

1062 The proposed revisions to Chapters 17.40 and 17.41 are attached. Changes were made to  
1063 address the requirements under SB 174. The following is a summary of the proposed  
1064 changes to Chapter 17.40 (Subdivisions):

1065

- 1066 • Expanded the "General" requirements;
- 1067 • Identified the Land Use Authority's for each different type of land division;
- 1068 • Updated the Preliminary Plat procedures and application requirements that the  
1069 submittal shall include information addressing soils & groundwater, floodplain  
1070 and drainage, wetlands & critical lands, and preliminary traffic study (above a  
1071 certain threshold of development);
- 1072 • Updated the preliminary plat document requirements;
- 1073 • Included a timeline for preliminary plat application review (5 & 15 business  
1074 days);
- 1075 • Included a statement of Notification of Approval to match current practices;
- 1076 • Cleaned up the Final Plat procedures (Engineering is putting together specific  
1077 application checklists for final plats);
- 1078 • Included a timeline for final plat application review (5 & 15 business days);
- 1079 • Included a reference to Utah Code 10-9a-508 for the specific appeals processes;  
1080 and
- 1081 • Updated final plat recording procedures and requirements;

1082

1083 The following is a summary of the changes to Chapter 17.41 (Boundary Line  
1084 Adjustments, Subdivision Plat Amendments or Plat Vacations, or Vacation of Rights of  
1085 Way or Easements):

1086

- 1087 • Updated Purpose statement;
- 1088 • Identified the Land Use Authority's for each different type of specific activity;
- 1089 • Clarified the review and approval procedures for Boundary Line Adjustments  
1090 (City Engineer);
- 1091 • Clarified the review and approval procedures for Plat Amendments and Plat  
1092 Vacations;
- 1093 • Clarified the review and approval procedures for Vacation of Rights of Way or  
1094 Public Easements; and
- 1095 • Added expiration deadlines for the actions covered under this Chapter.

1096

1097 **STAFF RECOMMENDATION AND SUMMARY**

1098 As described above, the purpose of these proposed amendments are to bring the City's  
1099 land division regulations into compliance with changes made to State Law.

1100

1100 **GENERAL PLAN**

1101 The Land Development Code was prepared and adopted to implement the vision  
1102 expressed in the General Plan. The purpose of these code changes is to bring the City's

1103 Land Division requirements into compliance with changes made to State Law. The  
1104 proposed updates are consistent with the General Plan.

1105

1106 **PUBLIC COMMENTS**

1107 As of the time the staff report was prepared, no comments have been received.

1108

1109 **PUBLIC NOTIFICATION**

1110 Legal notices were published in the Herald Journal on 2/10/24 and posted on the City's  
1111 website and the Utah Public Meeting website on 2/12/24.

1112

1113 **AGENCY AND CITY DEPARTMENT COMMENTS**

1114 As of the time the staff report was prepared, no comments have been received.

1115

1116 **RECOMMENDED FINDINGS FOR APPROVAL**

1117 The Planning Commission bases its decisions on the following findings:

- 1118 1. Utah State Law authorizes local Planning Commission to recommend ordinance  
1119 changes to the legislative body (Municipal Council).
- 1120 2. The Code Amendments are done in conformance with the requirements of Title 17.51  
1121 of the Logan Municipal Code.
- 1122 3. The proposed Code Amendments are consistent with the Logan City General Plan.
- 1123 4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5  
1124 & Part 6.
- 1125 5. No public comment has been received regarding the proposed amendments.

1126

1127 On February 22 2024, the Planning Commission recommended to the Municipal Council  
1128 approval of the following Land Development Code Amendments:

1129

1130 Amend Land Development Code (LDC) Chapter 17.40 "Subdivisions" and 17.41  
1131 "Boundary Line Adjustments, Vacation or Amending of a Subdivision Plat Map" to bring  
1132 the City's land division regulations into compliance with changes to UCA Title 10,  
1133 Chapter 9a, Part 5 & 6 adopted by the State Legislature during the 2023 legislative  
1134 session (SB 174). Planning Commissioners vote (5-0).

1135

1136 Chair A. Anderson asked if all changes are from the 2023 legislative session, and if there  
1137 is anything the community would be alarmed by what was passed during the legislative  
1138 session.

1139

1140 Mr. Holley confirmed that is the case. The changes were adopted in the summer and the  
1141 City was granted time in which to implement the changes the Legislation passed. The  
1142 changes were in part because some city councils were approving subdivisions. The code  
1143 now reads that the city council adopts the rules and once the rules are adopted then the  
1144 planning commission or staff act as the judicial branch to approve the subdivision.

1145

1146 Councilmember Simmonds was under the impression that some city councils in smaller  
1147 towns or cities can act as a planning commission or have a planning function.

1148

1149 Mr. Holley stated that this is no longer the case.  
1150  
1151 Mr. Carlston interjected that as far as he is aware that is not the case. He will look into  
1152 this further and respond back to the Council.  
1153  
1154 Councilmember Johnson requested confirmation on whether the Logan City Planning  
1155 Commission had any concerns.  
1156  
1157 Mr. Holley stated that the Planning Commission did not list any concerns. The Planning  
1158 Commission voted unanimously in favor of the code amendment.  
1159  
1160 Chair A. Anderson requested confirmation that the amendments to the code are to ensure  
1161 the City code is up to date.  
1162  
1163 Mr. Holley confirmed that is correct, the amendments to the code are to ensure that the  
1164 code is up to date.  
1165  
1166 The proposed ordinance will be an action item and public hearing at the March 19, 2024,  
1167 Council meeting.  
1168  
1169 **OTHER CONSIDERATIONS:**  
1170  
1171 The Council expressed their delight at the library opening and their appreciation for the  
1172 library staff and gratitude to all of the library donors, who were also recognized at the  
1173 opening of the library.  
1174  
1175 Mayor Daines remarked that Karen Clark, Library Director had previously commented  
1176 that she has taken more library card applications from citizens outside of Logan than she  
1177 has during her whole tenure as library director.  
1178  
1179 Councilmember Johnson said the intention of the Transportation Master Plan is to mesh  
1180 the bike and pedestrian moveability as part of the Plan. The hope is to continue the  
1181 discussion with staff along with UDOT as they provide input for their plans for Main  
1182 Street.  
1183  
1184 Chair A. Anderson stated that on Friday, March 8, 2024, the Cache County Chamber of  
1185 Commerce will be recognizing the City for the new Carol and Jim Laub Plaza along with  
1186 the success of the Giant Pumpkin Festival hosted for the first time last year.  
1187  
1188 No further items were discussed.  
1189  
1190 **ADJOURNED.** There being no further business, the Logan Municipal Council adjourned  
1191 at 7:37 p.m.  
1192  
1193  
1194

1195  
1196 Esli Morales, Deputy City Recorder

DRAFT