



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: November 5, 2024

FROM: Mike DeSimone, Director

SUBJECT: Ordinance #24-022 (LDC Amendments – Definitions Receiving Center)

Summary of Planning Commission Proceedings

Project Name: Definitions

Request: Code Amendment

Project Address: Citywide

Recommendation of the Planning Commission: **Approval**

On October 10, 2024, the Planning Commission recommended to the Municipal Council **approval** of the following Land Development Code Amendments:

Amend Land Development Code (LDC) Chapter 17.62 "Definitions" modifying the definition of a Behavioral and Mental Health Receiving Center to allow for supportive housing.

Planning Commissioners vote (7-0):

Motion: K. Heare

Second: J. Lucero

Yea: D. Lewis, E. Peterson, K. Heare, S. Doutre, J. Guth, J. Lucero, S. McNamara

Abstain: none **Nay:** none

Attachments

Ordinance #24-22

Staff Reports

PC Meeting Minutes

CITY OF LOGAN, UTAH
ORDINANCE NO. 24-22

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

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

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter
17.62 "Definitions" are amended as attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS ____ DAY OF _____, 2024.

AYES:

NAYS:

ABSENT:

Amy Z. Anderson, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for
approval or disapproval on the ____ day of _____, 2024.

Amy Z. Anderson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____,
2024.

Holly H. Daines, Mayor

EXHIBIT A

Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

“Behavioral and Mental Health Receiving Center” means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supportive living environment due to emotional, psychological, developmental, or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.



Project #24-040
Definitions
Land Development Code Amendment

REPORT SUMMARY...

<i>Project Name:</i>	Code Amendment - Definitions Behavioral and Mental Health Receiving Center Housing
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	October 10, 2024
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.62 of the Land Development Code.

REQUEST

This is a proposal to update the definition of a Behavioral and Mental Health Receiving Center in 17.62 to address the placement of supportive housing with a Behavioral and Mental Health Receiving Center in a Public Zone.

BACKGROUND

The Planning Commission approved a Conditional Use Permit for the Bear River Mental Health Receiving Center on September 12, 2024. The site is zoned Public and the proposed project included a supportive housing component. The Public Zone does not permit most types of housing. The approval was conditioned upon an amendment to the definition of a receiving center in the Land Development Code to clarify that supportive housing is a permitted element of a receiving center.

SUMMARY OF CHANGES

The proposed definition in the Code Amendment Application is as follows:

“Behavioral and Mental Health Receiving Center” means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supervised living environment due to emotional, psychological, developmental, or behavioral dysfunctions or impairments.

After additional internal discussions, the proposed definition has been modified as follows:

“Behavioral and Mental Health Receiving Center” means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supervised living environment due to emotional, psychological, developmental, or behavioral dysfunctions or impairments. Supportive housing shall be

designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.

STAFF RECOMMENDATION AND SUMMARY

With the exception of some very specific types of living arrangements, housing is not a permitted use in the Public Zone. Supportive housing, as used in the proposed definition, fits into a narrow type of living arrangement that is consistent with the purpose of the Bear River Mental Health Department and aligns with other types of unique living arrangements outside of regular housing. Staff's approach in this proposed language is to not permit general or market rate housing in the Public Zone, but rather to allow for supportive long term, short term, or transitional housing for individuals that need some form of supervised living arrangement due to some underlying emotional, psychological, developmental, or behavioral dysfunction or impairment. The services provided to individuals requiring some level of supportive housing are typically aligned with either a governmental or non-profit entity providing supportive types of services. The definition is narrow enough with the additional proposed language that ties housing into the overall receiving center's campus design, is considered "accessory" to the receiving center, and is not permitted without the receiving center.

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 is to update and clarify provisions in the Land Development Code relative to the provision of housing in conjunction with a Behavioral and Mental Health Receiving Center. The proposed updates are consistent with the General Plan.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 9/28/24 and posted on the City's website and the Utah Public Meeting website on 9/30/24.

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 UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

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

Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

“Behavioral and Mental Health Receiving Center” means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, supportive long term, short term or transitional housing for individuals needing a supportive living environment due to emotional, psychological, developmental, or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.



PLANNING COMMISSION MINUTES

Meeting of October 10, 2024

Logan City Council Chambers (290 N 100 W Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, October 10, 2024. Commissioner Guth called the meeting to order at 5:30 p.m.

Commissioners Present: Sara Doutre, Jordy Guth, Ken Heare, Jessica Lucero, David Lewis, Eldon Peterson, Sarah McNamara

Commissioners Excused:

Staff Present: Russ Holley, Mike DeSimone, Mohamed Abdullahi, Amanda Pearce, Darren Farrar, Ben Anderson, Mark Montgomery, Jeannie Simmonds (City Council)

Approval of the Minutes: Commissioner Guth made a motion to approve the minutes from the September 26, 2024 meeting. Commissioner Lucero seconded the motion. The motion was approved unanimously.

PUBLIC HEARING:

PC 24-037 William A. Burnard Warming Center [Conditional Use Permit] Lindsey Harrelson/Corporation of the Episcopal Church of Utah, authorized agent/owner is requesting an amendment to their conditional use permit to operate the Warming Center to shelter unhoused persons beginning the last week of November through mid-April, between the hours of 7 pm to 8 am within the St. John's Episcopal Church located at 85 East 100 North in the Town Center One (TC-1) zone; TIN 06-018-0037; 0001 (Adams Neighborhood).

Staff: Russ Holley reviewed the request to amend an existing Conditional Use Permit issued in 2022 to the Warming Center. The Warming Center has been operating for two seasons at the St John's Episcopal Church located at 85 East 100 North in the Town Center One (TC-1) zone. The Warming Center has provided overnight shelter and care to unhoused individuals and families during the winter months from December through February. This proposal is to extend the operational hours during the year from the last week in November through mid-April, between the hours of 7:00 PM to 8:00 AM seven days a week. The Planning Commission is reviewing the impact of the Warming Center on the surrounding community which may include neighborhood compatibility, parking, and access.

Commissioner Doutre asked about the Warming Center's off-site parking agreement and if that agreement were to terminate if the Conditional Use Permit would no longer be valid. R. Holley said that if the current parking agreement were terminated the Warming Center would have to replace the agreement with a new one that is within the same proximity to the Warming Center and with the same number of parking stalls.

Proponent: Jayme Walters, President of the Warming Center said they are planning to add cameras to the parking areas to monitor guests. Warming Center staff and volunteers will also be checking the parking lots and surrounding site every morning to ensure that there is no trash or items left behind. The Warming Center will reach out to the surrounding neighbors to provide their contact information if there are any issues or concerns that need to be addressed.

During the first year, the Warming Center provided shelter to 100 guests, during the second year, shelter was provided to 148 guests. During this last year, the Warming Center has received over \$350,000 in grant funding to expand their services to the community by offering street outreach, emergency food assistance, and case management to help individuals connect with resources to help stabilize their life situations. The funding will also allow the Warming Center to hire staff to ensure guests are served consistently and to increase the impact of the organization. The Warming Center is essential to the community as it is the only emergency shelter in the Bear River Region that is open to all people.

Commissioner Peterson asked if temperature regulates when the Warming Center is open. J. Walters said the center will be open regardless of the temperature.

Public: Dorothy Walters, President of the Logan Pride Foundation said that the Warming Center is a welcome resource and that they have not seen any excessive loitering or trash left throughout the area since the Warming Center opened.

Commission: Commissioner Guth said she appreciates the added security the Warming Center will be implementing.

Commissioner Peterson said he would like to see a condition added regarding how security and property maintenance will be handled.

Commissioner McNamara said that having documentation that the property is being checked regularly will help to catch any issues early.

Commissioner Lucero said that it is important to recognize the benefit the Warming Center is providing. Conditions should not be too prescriptive and hinder services.

Commissioner Doure said she would like a condition that requires the center to notify the neighbors on who to contact with any issues or concerns they may have.

Mohammed Abdullahi, City Attorney, reviewed the list of Police Department incidents recorded in the area and stated that there were 4 in 2016, 2 in 2017, 3 in 2018, and nothing from 2019-2021. Out of the total 43 complaints made from December 2022 through September 2024, the majority are medical calls, received from the Warming Center. There were only a few criminal-related incidents, and without the police reports there is no way to know the exact situation and what the outcome was.

Commissioner Peterson said that the City's unwillingness to respond to the Warming Center's parking need is unfortunate and disappointing. The simple solution would be to let the Warming Center use City parking. The City is not carrying its portion of responsibility towards the success of the Warming Center. Commissioner Heare seconded Commissioner Peterson's statement and added that the police could patrol more often if the parking was located on City property.

A Condition was added for the Warming Center to provide an annual safety and maintenance plan to the City and to annually notify their surrounding neighbors with the contact information for any concerns or issues that may come up.

Motion: Commissioner Heare made a motion to conditionally approve a design review permit for PC 24-037 William A. Burnard Warming Center with the amended conditions of approval and findings for approval as listed below. Commissioner Peterson seconded the motion.

AMENDED CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Conditional Use Permit and are available in the Community Development Department.
2. Warming Center hours of operation are 7:00 PM to 8:00 AM.
3. Quiet times shall comply with the City noise ordinance of 10 PM to 8 AM.
4. The Warming Center may operate between November 23rd to April 15th.
5. Maximum occupancy for the Warming Center shall comply with fire and building codes.
6. The Boards Policies and Procedures shall be completed prior to opening.
7. The Guest Occupancy Agreement shall be available prior to opening the Warming Center.
8. All parking related to the Warming Center including staff, volunteers, and guests shall be off the street and located on-site at the Church or across the street at 112 East 100 North. Warming Center volunteers shall monitor the off-site parking area to prevent further loitering.
9. No signs are approved with this Conditional Use Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
10. Annual security, maintenance, and grounds monitoring plan, including contact information to report issues, shall be submitted to the City for review and to the surrounding property owners.
11. A Logan City building/fire inspection is required to determine maximum occupancy prior to operation.
12. A Logan City business license is required prior to operating.
13. The Warming Center shall comply with local and state Building, Health, Fire, Safety, Maintenance, and Nuisance Codes prior to operating.
14. Prior to issuance of Business License, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
 - a. **Fire—contact 716-9515**
 1. This church building is equipped with a fire alarm and fire sprinkler system in the areas of application. This is a change of use. The building department will need to approve the change of use and establish the occupancy limitations and determine time of day and number of days to allow this temporary use. The historic chapel does not have fire alarm or fire sprinklers and will not be allowed to be used for this type of use.
 - b. **Water/Cross Connection—contact 716-9627**
 1. All points of use of water down stream of this properties water meter/s should meet the current adopted plumbing code and its amendments along with Utah's Administrative Drinking Water rules. This would help minimize the risk of a contamination of the water that would affect the homes/buildings occupants, guest or lodger and Logan Cities water system. This also would help minimize liabilities to the owner.
 - c. **Environmental—contact 716-9761**
 1. Applicant can continue existing service.

FINDINGS FOR APPROVAL

1. A Warming Center is compatible with surrounding land uses and zoning designations and, as conditioned, will not interfere with the use and enjoyment of adjoining properties.
2. The streets providing access and other infrastructure to the subject property have adequate capacities and level of service for the conditional use.
3. The Conditional Use Permit conforms to the requirements of Title 17 of the Logan Municipal Code as an identified conditional use.
4. The project was noticed as required by State and City regulations and proper procedure was followed in processing this request.

Moved: K. Heare

Seconded: E. Peterson

Approved: 7-0

Yea: Doutre, Guth, Heare, Lucero, Lewis, Peterson, McNamara

Nay:

Abstain:

PC 24-038 West Meadows Subdivision Resubmittal [Subdivision Permit] Clark Rigby/Northwest 17, LLC, authorized agent/owner is requesting to subdivide approximately 17.57 acres into 57 single-family lots located at approximately 550 West 1800 North in the Traditional Neighborhood Residential (NR-6) zone; TIN 04-079-0016 (Bridger Neighborhood).

Staff: Russ Holley reviewed the request to subdivide approximately 11.5 acres into 37 new single-family lots in Phase 1 of the West Meadows Subdivision. This review is for Phase 1 only, the proponent is waiting for North Logan City to install the sewer connection to the south before they start the approval process for Phase 2.

Proponent: Clark Rigby asked about the requirement for two access points for Phase 1 and explained that they had to swap Phase 1 and Phase 2 due to the sewer issue which left Phase 1 with only one access. The second access will be part of the Phase 2 development.

R. Holley said the Land Development Code allows a stub to a future road connection to count towards the access requirement.

Darren Farar, City Engineer, said that he would like to see two full street connections in Phase 1 in case Phase 2 is never completed. D. Farar also stated that Phase 1 is required to have two water connections.

Public: Dean Quayle, who owns the property to the north and east, said he receives irrigation water through the proposed subdivision and asked for a 6-foot fence around the north perimeter to protect his cattle that graze on his property.

Jeannie Simmonds, City Council, said the Orton's who own the home to the northwest of the development are concerned about their septic field and their access being impacted by the development. J. Simmonds also brought up receiving numerous complaints about the weeds in the undeveloped properties in this area.

Mohammed Abdullahi, City Attorney, said that a fence cannot be conditioned for this Subdivision Permit.

Commission: Commission Heare asked if the city should look into a code amendment to require fencing around new subdivision developments.

Commissioner Heare asked the proponent if there is a recorded easement to the Orton's property. Clark Rigby said there will be public streets in both Phase 1 and 2 that will connect to the Ortons property, which they can use for access, they can also continue to use their existing access from 600 West.

Commissioner Hear said that the City has a Code Enforcement Department that enforces on overgrown weeds and any complaints received should be directed to that department.

Commissioner Dautre asked if there is an HOA for this development. Clark Rigby said that there is not an HOA.

Dean Quayle said he will not be developing any more of his property to the north of the proposed subdivision.

Motion: Commissioner Heare made a motion to conditionally approve a subdivision permit for **PC 24-038 West Meadows Subdivision Resubmittal** with the conditions of approval and findings for approval as listed below. Commissioner McNamara seconded the motion.

CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Subdivision Permit and are available in the Community Development Department.
2. Thirty-seven (37) new single-family lots and two (2) open space parcels are approved with this subdivision permit.
3. Open Space containing storm water retention shall be listed as "non-buildable" on the final plat.
4. Trails, parks, and open space associated with the original Quayle Meadows subdivision detailed in the 2017 Agreement to Develop Land must be upheld with this proposal unless all parties agree to an amendment to that arrangement.
5. The Orton property boundaries (04-079-0012 & 04-079-0019) were modified through a boundary line adjustment at the county and without city approval. These original parcels shall be included in the final plat of this subdivision to legitimize that land use action by the applicable land use authority.
6. The 37-lot subdivision shall meet the requirements of LDC 17.30.170 for street connectivity. Future phases may be required to install a temporary roadway to ensure adequate fire access is provided.
7. The project shall comply with LDC 17.24 which regulates wetland impacts prior to final plat recordation. If the applicant is unable to secure a U.S. Army Corp of Engineering Permit for wetland disturbances & mitigation, the applicant shall submit a redesigned preliminary plat for review and approval by the Planning Commission demonstrating compliance with 17.24.
8. Street trees shall be provided on park-strips at every 30 linear feet, aside from driveway approaches, along all public street frontages.
9. All street cross-sections must follow Logan City Public Works Standards and Specifications.
10. Provide 10' public utility easement on all property lines at the bounds of the subdivision and 5' PUE on all other property lines.
11. The final plat shall be recorded within one (1) year of this action or comply with LDC 17.58 Expirations and Extensions of Time.
12. Developments with common areas or facilities shall be owned and managed by a "homeowner association" as defined in U.C.A. §57-8a-102.
13. The homeowner association shall adopt Logan City approved covenants, conditions, and restrictions (CC&Rs), bylaws and rules for the association. The bylaws and rules for the association shall provide for enforcement of the CC&Rs, including assessing fines for violations. The CC&Rs shall be reviewed by the City prior to recordation. The CC&Rs shall be recorded with the final plat.
14. Prior to the issuance of any permits, the developer shall file a lien in favor of the homeowner association against each residential lot equal to the pro rata share of ten percent (10%) of the total cost of the common area and facility improvements. Upon payment of the liens, the homeowner association shall place the proceeds in a restricted fund to be used solely for the maintenance, repair, and replacement of the common area and facility improvements.
15. Prior to the recording of a Final Plat or issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from the following departments indicating that their requirement has been satisfied:
 - a. **Environmental —contact 716-9515**
 1. Hammer head turn around area between homes needs to be 20 feet wide and 20 feet deep. In addition, the surface must be asphalt, cement, or improved gravel. It cannot be used as additional parking or storage of snow in winter months. Snow will need to be removed promptly for winter access.

b. Engineering —contact 716-9153

GENERAL

1. Table 17.30.170.E.2 of the land development code requires a minimum of 2 roadway connections for developments greater than 20 lots. Right of way and improvements shall be provided to meet the minimum required connections.
2. Parcel 04-079-0019 (Orton's) appears to have been illegally subdivided as it is not showing as a legal parcel on the City's GIS system. Provide documentation of the subdivision approved by the City or include the property within the boundaries of the plat, extend the road, water, sewer, stormwater, and all other subdivision improvements required by City and State codes.
3. Per section 5.5.C.3 of the engineering design standards, a second water connection is required for subdivisions greater than 30 lots. A second connection will be required to be shown on the construction plans prior to approval.
4. Water shares or in-lieu fee for indoor and outdoor water demands shall be provided to the City in accordance with City Code 17.29.210 and Utah Administrative Rule R309-510-7.
5. All existing easement / right of way lines shall be shown on the plat and the type of easement / right of way and recording information shall be labeled on the plat. Improvements shall not infringe upon the rights of an existing easement / right of way / property owned by others. Where non-existent or insufficient, provide a 10' Public Utility Easement along all street frontages, and provide a 5' Public Utility Easement along each side of all interior property lines and perimeter property lines.
6. The plat shall include the entirety of the properties being subdivided. This includes the balance of the property to the west, the Orton's property that was illegally subdivided, and the Roger Jones property that is being proposed to be subdivided in conjunction with this development. All property owners involved will be required to be signers on the Final Plat and shall provide a letter of acknowledgement for the work identified on their property on the construction plans.
7. Due to development being within 1000 feet of an existing railroad crossing, a diagnostic review of this developments impacts to the crossing must be completed with Utah Department of Transportation (UDOT) and Union Pacific Railroad. All requirements imposed on project by UDOT and Union Pacific Railroad shall be incorporated into the final design permit package (Reference State Code R930-5-7(2)). This has been completed with the previous submittal which documentation may be used with this submittal so long as the subdivision does not substantially change.
8. The engineering design shall coordinate with and adjust plans as may be necessary to account for improvements being designed and / or constructed by adjacent developers, UDOT, and Logan City.
9. This development has been identified as a multi lot subdivision and as such shall provide a subdivision plat that meets City standards to be recorded after construction plans have been approved and all other City and State requirements have been met.
10. Covenants, Conditions, and Restrictions (CC&R's) for the subdivision shall include language that addresses the requirement of the Home-owners Association (HOA) / homeowners to maintain any private water lines, private sewer lines, common areas, parking areas, and the Storm Water management system, basins, swales, and related infrastructure along with the adjacent right-of-way park strips.
11. A Development Agreement and Financial Surety equal to at least 110% of the cost to construct all infrastructure & storm water improvements shall be provided prior to Final Plat approval. Financial assurances shall not expire for a minimum of 2 years from date of City acceptance.

12. Provide a Geotechnical Report that includes but is not limited to: 1) California Bearing Ratio (CBR) of the subgrade under the City's pavement section, 2) Historical high ground water elevation, and 3) Percolation rate of soils at bottom of all storm water retention ponds. The report shall include a City roadway cross section design based on the CBR and the 30 year projected ESALs identified in the Logan City Transportation Master Plan and the following truck percentages: 2% for residential and grided streets, 4% for collector streets, 8% for arterial streets.
13. A "Preconstruction meeting" shall be held with the City's Engineering Division prior to starting construction activities and a "Work in the Right of Way" permit shall be obtained for all work in the City's right-of-way and PUE prior to scheduling the Pre Construction meeting.
14. Wetlands have been identified as existing or previously existing on the property. If this development contemplates doing work within 100 feet of the wetland area, a wetlands delineation study approved by the Army Corps of Engineers will be required to confirm the location of any jurisdictional wetlands. If jurisdictional wetlands are found, provide a wetlands mitigation plan approved by the Army Corps of Engineers.
15. This development is located in an area of high-water table (0 to 24 inches) and classified as having moderate liquefaction potential; as such structures and stormwater management facilities shall be designed accordingly.
16. Agreements between property owners and easements where necessary shall be provided to the City prior to approval of a construction plan set that shows construction improvements outside of the property boundary lines.
17. The City may elect to have a 3rd party review technical studies such as a traffic study, floodplain study, noise study, vibration study, etc. provided in support of the development. Reasonable costs associated with the third-party review shall be borne by the applicant.

UTILITIES

18. A 20' easement for sewer improvements located along the Union Pacific Railroad alignment shall be provided on the plat for the construction of a regional sewer line that will serve Logan and North Logan residents. The developer shall coordinate with North Logan regarding the installation and easement location for this facility. This is per a proposed alignment previously studied and accepted by both Logan and North Logan and the consortium of property owners proposing to develop this master planned community.
19. Where utilities have to extend onto other properties to serve this development, easements or rights of way shall be dedicated to the City and the adjacent property owners shall provide written approval for the proposed construction work.
20. All lots shall have separate water service and sewer service connections to water distribution and sewer collection systems.
21. Fire hydrants locations shall meet the Fire Code requirements as determined by the City's Fire Marshall.
22. The existing sewer manhole in 1800 S to which the project is connecting shall be upsized to a 60" manhole if the existing is of a smaller diameter.
23. All existing water and sewer service lines extending to the site that are not proposed to be used with the new development shall be capped at the City main line.
24. Proposed water and sewer lines in the rights of way shall typically be a minimum of 8 inches in diameter. The City may require larger diameter utility lines (proposed or existing) if required according to modeling results or if identified by the City's master plans. If required per a master plan document, the City will pay for any increase in size.

STORMWATER / IRRIGATION

25. Provide storm water detention/retention per Logan City Design standards. This includes the retention of stormwater from an adjacent existing street that discharges to the property. Retention of the 90% storm event is required and shall be provided according to Low Impact Design methods.
26. Except for stormwater from City rights-of-way which shall be managed on the property, the development shall either incorporate into its stormwater design or pass through in a historical manner any stormwater that flows onto the property from adjacent properties.
27. Provide a stormwater maintenance agreement for City Review, approval, and recordation at County Recorder's Office.
28. Area is greater than 1 acre so compliance with the State Storm Water Permit is required. Development shall also provide a sediment and erosion control plan for all construction activities.
29. Maintain the capacity, size, and location of all existing irrigation system infrastructure along and within the project; or where irrigation infrastructure is required to be relocated or changed, improve the infrastructure to the irrigation company standards. The City will require all affected Irrigation companies to provide a signature approval on all final construction plans and final plats.
30. Stormwater information has been provided without the benefit of a grading plan or geotechnical considerations. Given the high groundwater elevations in the area, additional stormwater pond area may be required to comply with the City's storm water management standards which could result in the loss of lots.
31. Stormwater basins shall not be located on residential lots. A dedicated parcel for stormwater management shall be provided and language added to the CC&Rs indicating that the storm water systems and ponds shall be maintained by the HOA.
32. The minimum diameter of storm drain piping in a City right of way shall be 15 inches unless a larger size is required by the design.

STREETS

33. Temporary turnarounds shall be provided for Lavender Loop, 450 West, 1950 North, and 2000 North.
34. Any existing improvements (such as stormwater ponds, utilities, etc) on adjacent properties that will be modified or removed with the proposed improvements of this development shall be designed and included on the construction plans.
35. If the circle area to the east of 450 West is to be used for stormwater for this development, the basin design and improvements shall be included in the construction plan design, and approval will be required from other property owners that are affected.
36. The adjacent Union Pacific Railroad right-of-way on the plat shall be shown on the plat.
37. Dedicate right-of-way as needed to construct trail improvements along 1800 North.
38. 450 West shall be dedicated as a 66-foot-wide right of way and constructed to the City's gridded street cross section.
39. All other full streets not previously identified shall be dedicated as 60-foot-wide rights of way and constructed to the City's residential street cross section.
40. Temporary turnaround facilities shall meet minimum fire code requirements regarding length and width which shall be determined assuming cars are parked in the on-street parking area, shall be constructed of concrete or asphalt, and a no parking sign shall be placed at the end of the turnaround portion on private property. The plat shall dimension these easements and provide information in the dedication regarding their use as a temporary turnaround and the requirement to not park or store items within the easement.

41. Where existing asphalt, curb & gutter, or sidewalk adjacent to a project boundary are found to be in poor condition with regards to thickness, cracking, or other damage, or is otherwise damaged during construction; owner shall reconstruct the improvements out to an area where the improvements are in satisfactory condition. Where asphalt is required to be remedied, a minimum width of 3 feet shall be removed and replaced and shall not leave a smaller than 3-foot width to the edge and shall be continuous in nature rather than performed in several small pieces.

c. Water/Wastewater Collections – 716-9622

1. Fire Flow analysis must be obtained. Contact joseph.hawkes@loganutah.gov for analysis.
2. Water looping must be installed so that no more than thirty 1" connections are on a dead-end line.
3. Gravity sewerage is likely not possible based on existing infrastructure. However, future planned projects will provide possible gravity sewerage. A temporary lift station may be required but must be designed to connect the system to gravity sewer in the future. Coordinate with Engineering and Water/Wastewater Divisions on design.

d. Water/Cross Connection – 716-9627

1. All privately or commonly owned landscape irrigation system's fed from Logan City water must have a high hazard rated backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
2. Project shall comply with all current Utah State plumbing codes, amendments and Utah Admin. code R 309-105-12-(1) rules and regulations including, but not limited to, those pertaining to backflow prevention and cross connection protection, during and after construction, for the safety of the water and its consumption.

e. Fire – 716-9515

1. The dead-end road 2000 N indicates a permanent fire apparatus turnaround. NO PARKING – FIRE LANE signs in accordance with IFC D103.6 shall be installed on each side of the turn-around area.
2. Developments exceeding 30 dwelling shall be provided with two access roads. The number of dwellings can be increased when fire apparatus access roads will connect with future development, as approved by the fire code AHJ. Temporary turnarounds are required.

FINDINGS FOR APPROVAL

1. The proposed subdivision is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because the subdivision meets the minimum requirements of the LDC.
2. Each lot conforms to the requirements of Title 17 of the Logan LDC in terms of lot size and development requirements.
3. The Subdivision Permit conforms to the requirements of Title 17 concerning hearings, procedures, application requirements and plat preparations.
4. The project meets the goals and objectives of the NR-6 zoning designations within the Logan General Plan.
5. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
6. Infrastructure and utilities are adequate in size to handle anticipated traffic and use.

Moved: K. Heare

Seconded: S. McNamara

Approved: 7-0

Yea: Dautre, Guth, Heare, Lucero, Lewis, Peterson, McNamara

Nay:

Abstain:

PC 24-039 Light & Power Substation 7 Addition [Design Review Permit] Mark Montgomery/Logan City, authorized agent/owner is requesting a design review permit for a new 7,072 SF steel warehouse building that will house four 2.5mw, natural gas generators and related equipment, located at 810 West 1800 North in the Industrial (IP) zone; TIN 04-078-0007 (Bridger Neighborhood).

Staff: Russ Holley, City Planner, reviewed the request for a new 7,072 square foot, single-story metal public facility building that will house four natural gas electric power generators capable of producing 2.5 megawatts. The building will also contain accessory equipment, a bathroom, and a workroom. The project is proposed next to an existing power substation along 800 West. Because of the nature and use of this building, security fencing is required around the .9-acre perimeter. The project will also require street improvements along 800 West and landscaping.

Proponent: Mark Montgomery, Logan City Light & Power asked the commission if they had any questions.

The Commission asked why the project had already begun before the project was approved and permitted. M. Montgomery said he typically is not required to get permits for distribution and substations, but since this project included a building a permit was required. Mike DeSimone, Community Development Director stated that Light & Power had permission to start the groundwork.

M. Montgomery said they are planning to do the same fencing as the existing substation to the west, chain link with razor wire along the top.

Commissioner Peterson asked how 2.5 megawatts compares to the generators at Second Dam. M. Montgomery said that with a full river and running at full bore, the generators at second dam can run at 1.5 megawatts. The two generators at first dam are 3.5 megawatts, and the three generators at the 300 West Substation are 5 megawatts each.

Public: No public comments were made.

Commission: The Commission discussed requiring slats in the chain link fence, and/or additional landscaping along the fence to help with buffering.

The Commission determined that the trees outside the fence need to be at least as tall as the fence and that a slatted fence will need to be required when the applicant applies for a fence permit.

Motion: Commissioner Guth made a motion to **conditionally approve** a design review permit for **PC 24-039 Light & Power Substation 7 Addition** with the amended conditions of approval and findings for approval as listed below. Commissioner Lucero seconded the motion.

AMENDED CONDITIONS OF APPROVAL

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. This Design Review Permit authorizes a new 7,072 SF power generation building and associated site improvements.
3. A performance landscaping plan, prepared in accordance with §17.32 of the LDC, shall be submitted for approval to the Community Development Department prior to the issuance of the building permit. The plan shall include the following:
 - a) 18 trees along public streets and in areas outside of security fence **that are at least as tall as the fence** to help buffer the building. 45 shrubs, perennials, and grasses shall be provided.

- b) Open space and landscaping areas shall be a minimum area of 7,800 SF.
4. No open pit storm-water detention basins shall be placed in the yard between the building and the adjoining streets. If designed as landscaping with maximum 4-to-1 cross slopes, undulating shapes, and ground cover containing 75% grass and a combination of trees and shrubbery so that it does not appear to be a storm water collection area, then it may be located in the front yard area.
 5. Exterior lighting, including gas canopy lighting, shall be concealed source, down-cast and shall not illuminate or cast light onto adjacent properties.
 6. No signs are approved with this Design Review Permit. All signage shall be approved and permitted by staff in accordance with the Land Development Code.
 7. ~~No fences are approved with this Design Review Permit. All fences shall be approved and permitted by staff in accordance with the Land Development Code.~~ **The Proposed Chain link fencing will require slats to help buffer the building.**
 8. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:

a. Water—contact 716-9622

1. The buildings water service needs to have a RP (ASSE1013) installed and tested on the water service line after the water meter, as it enters the building before any branch offs or possible connections inside or outside of building. Properly sized drain required to serve the backflow assemblies dump port. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter. Refer to current IPC Utah State Amendment # 608.1.1, 608.1.2, 608.1.2.1 for installation criteria.
2. All landscape irrigation system's fed from Logan City water must have a high hazard rated backflow assembly installed and tested. All backflow assemblies must be tested within 10 days of turning in water to them and annually thereafter.
3. Fire suppression systems that are connected to Logan City water (with no added unapproved chemicals) must have a minimum DC (ASSE1015) installed and tested. Fire risers and all B/F assemblies must be installed and tested as per Logan City standards.
4. Project shall comply with all currently adopted plumbing codes and their amendments and Utah Admin. code R 309-105-12-(1) rules and regulations including, but not limited to, those pertaining to backflow prevention and cross connection protection, during and after construction, for the safety of the water source and its consumption.

b. Engineering – contact 716-9160

GENERAL

1. Water shares or in-lieu fee for indoor and outdoor increased water demands shall be provided to the City in accordance with City Code 17.29.210 and Utah Administrative Rule R309-510-7.
2. Dedicate a 10' Public Utility Easement along 1800 North and 800 West street frontages and dedicate a 5' Public Utility Easement along all side and rear property lines.
3. Provide a Geotechnical Report that includes but is not limited to: 1) Historical high ground water elevation, 2) Percolation rate of soils at bottom of all unlined storm water holding facilities and 3) California Bearing Ratio (CBR) of the subgrade under proposed City rights of way. The report shall include a City roadway cross section design based on the CBR and the 30-year projected ESALs identified in the Logan City Transportation Master Plan and the following truck percentages: 2% for residential and grided streets, 4% for collector streets, 8% for arterial streets.
4. A "Preconstruction meeting" shall be held with the City's Engineering Division prior to starting construction activities and a "Work in the Right of Way" permit shall be obtained for all work in the City's right-of-way and PUE or for any tie-in to City utilities.

5. The property is shown to have a riverine type wetland identified on the south boundary along the canal alignment. Improvements will need to the property shall not extend into this riverine area without a jurisdictional wetlands delineation by the USACE and appropriate mitigation measures identified.

UTILITIES

6. The City has recently updated the Public Works Design Standards and Amendments to APWA standard details for Water and Sewer and have developed a document of approved materials to be used for construction. Please refer to these new standards and details in the development of construction plans. The updated information can be found on the City Website:

https://www.loganutah.org/government/departments/public_works/engineering/Engineering_Docs.php#outer-11851.

STORMWATER / IRRIGATION

7. Storm water detention/retention shall be designed and constructed according to Logan City standards. This includes the retention of stormwater from any adjacent street that currently discharges to the property. Retention of the 90% storm event is required and shall be provided using Low Impact design methods.
8. The development shall either incorporate into its stormwater design or pass through in a historical manner any stormwater that flows onto the property from adjacent properties and rights of way.
9. Property improvements are less than 1 acre, so compliance with the State Storm Water Permit is not required. A sediment and erosion control plan will be required for all construction activities.
10. Maintain the capacity, size, and location of all existing irrigation system infrastructure along and within the project; or where irrigation infrastructure is required to be relocated or changed, improve the infrastructure to the irrigation company standards. The City will require all affected Irrigation companies to provide a signature approval on all final construction plans and final plats.
11. This development is located in an area of high-water table elevation (0 to 24 inches) and classified as having moderate liquefaction potential; given the potential groundwater elevation in the area, more than normal stormwater pond area may be required to maintain the pond elevation sufficiently above the historic high groundwater elevation.
12. Above ground and below ground stormwater facilities shall be designed to be a minimum 1 foot above the historic high groundwater elevation as determined by the geotechnical engineer. Regardless of the design, stormwater facilities that are found to be constantly wet by groundwater will be required to complete a design revision that revises the facility to meet the City's standard.
13. The minimum diameter of storm drain piping in a City right of way shall be 15 inches unless a larger size is required by the design.

STREETS

14. Dedicate right of way along 800 West as required such that a minimum 66' of right-of-way exists and construct half street improvements for a 66' Gridded Street cross section and pavement section per City Design Standards.
15. Development shall construct half of the 800 West roadway along the frontage of the development. This requirement is inclusive of curb and gutter, sidewalk, park strip, landscaping, and all City infrastructure for water, sewer, irrigation/storm water required beneath the roadway improvements. The 800 West Roadway improvements may terminate at the end of the existing roadway improvements to the east or continue to the south end of the property. If continued to the South, the improvements will need to relocate the existing power pole, utility boxes and will need to perform a wetlands delineation for impacts to the Riverine wetlands condition. If terminated at the end of the existing roadway,

the balance of the roadway improvements will be required when the southern portion of the property develops.

16. Provide a temporary cul de sac or hammer head turn around at the south terminus of 800 West.
17. Access to the development shall be in accordance with Logan Design Standards.
18. Sidewalk through the drive approaches to this development shall be a minimum of 8" thick per City standards. Remove and replace sidewalk as needed to comply with this requirement.
19. All new commercial accesses through City right of way shall be a minimum of 8" thick concrete.
20. It is recommended that the driveway access be adjusted to align with the driveway access to the east.

c. Fire Dept – contact 716-9515

Access

1. IFC 503.1.1 Fire Apparatus Access shall extend to within 150 feet of all portions of the facility as measured by an approved route around the exterior of the building.

Fire Water Flow

2. (IFC 507.1) An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, building or portions of buildings are hereafter constructed or moved into or within the jurisdiction. (IFC 507.3)
3. Fire flow requirements for buildings or portions of building and facilities shall be determined by an approved method. Fire flow is calculated on the fire area, fire area is defined as the aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls or under horizontal projection of a roof or floor above.
4. According to IFC Table B105.1(2) a building with Type VB construction of 7,072 sq. ft. fire area requires 2,250 gpm @ 20 psi.
5. According to the Fire Flow Analysis provided by Logan Water Department dated 9/26/24 the existing fire hydrant FH00387 located at 1750 N 800 W has a fire flow of 2,650 gpm @ 20 psi.

Fire Hydrant Locations and Distribution

6. (IFC 507.5.1) Fire Hydrants shall be located within 400 feet of the building as measured by an approved route around the exterior of the building.
7. According to Table C102.1 a fire flow requirement of 2,250 gpm requires 2 accessible hydrants.

FINDINGS FOR APPROVAL

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties because of the building design, site layout, materials, landscaping, and setbacks.
2. The Design Review and Conditional Use Permit conforms to the requirements of Title 17 of the Logan Municipal Code.
3. The proposed project provides adequate open space and useable outdoor space in conformance with Title 17.
4. The proposed project provides the required amount of off-street parking stalls.
5. The proposed project complies with maximum height, density and building design standards and is in conformance with Title 17.
6. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.
7. 800 West provides access and are adequate in size and design to sufficiently handle all traffic modes and infrastructure related to the land use.

Moved: J. Guth

Seconded: J. Lucero

Approved: 7-0

Yea: Doutre, Guth, Lucero, Peterson, McNamara, Heare, Lewis

Nay:

Abstain:

PC 24-040 LDC Amendment Chapter 17.62-Definitions [Code Amendment] Mike DeSimone/Logan City is requesting a code amendment to modify the definition of behavioral and mental health receiving center to include a provision for supportive housing on a Behavioral and Mental Health Receiving Center Campus.

Staff/ Proponent: Mike DeSimone reviewed the proposed amendment to the Land Development Code adding Supportive Housing to the definition of a Behavioral and Mental Health Receiving Center.

“Behavioral and Mental Health Receiving Center” means a 23 hour nonsecure program or facility that is responsible for, and provides mental health crisis services to, an individual experiencing a behavioral or mental health crisis. A Behavioral and Mental Health Receiving Center may also provide on-site, ~~supervised~~ **supportive**, long term, short term or transitional housing for individuals needing a supervised living environment due to emotional, psychological, developmental, or behavioral dysfunctions or impairments. Supportive housing shall be designed and integrated into the overall site design as an accessory use. Stand-alone housing without a receiving center is not permitted.

Commissioner Lucero asked if the word supervised could be changed to supportive in the definition.

Public: No public comments were made.

Motion: Commissioner Heare made a motion to **forward a recommendation of approval** to the Municipal Council on a code amendment to amend the definition of Behavioral and Mental Health Receiving Center as written above for **PC 24-040 LDC Amendment Chapter 17.62-Definitions** with the findings for approval as listed below. Commissioner Lucero seconded the motion.

FINDINGS FOR APPROVAL

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 UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

Moved: K. Heare

Seconded: J. Lucero

Approved: 7-0

Yea: Doutre, Guth, Lucero, Peterson, McNamara, Heare, Lewis

Nay:

Abstain:

Meeting adjourned at 6:50 p.m.

Minutes approved as written and digitally recorded for the Logan City Planning Commission meeting on October 10, 2024.

Michael A. DeSimone
Community Development Director

Sara Dautre
Planning Commission Chair

Amanda Pearce
Administrative Assistant