

Lot 1062085 Bk 1708 Pg 506
Date: 12-Apr-2012 10:19 AM Fee \$4.00
Cache County, UT
Michael Glead, Rec. - Filed By GC
FOR LOGAN CITY



ORIGINAL

When recorded return to:
Community Development
City of Logan
290 North 100 West
Logan, UT 84321

290 North 100 West, Logan, Utah 84321
(435) 716-9021 * Fax (435) 716-9001
www.loganutah.org

CONDITIONAL USE PERMIT

At its meeting of March 22, 2012, the Logan City Planning Commission conditionally approved PC 12-021, Logan City Community Solar Farm, for installation of ground cover and panels for a 2 acre community owned solar farm at 2655 West 200 North in the Public (PUB) zone; TIN #12-042-0004. The subject property is as described on the attached legal description.

This decision is based on compliance with the following conditions. These conditions are binding on the property owner and any subsequent purchaser of the property. If the property is rented or leased to another party, the recorded owner is still responsible for compliance with the conditions.

CONDITIONS OF APPROVAL

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

1. All standard conditions of approval will be recorded with the Design Review and Subdivision Permits and are available in the Community Development Department.
2. The proponent shall take the necessary steps during installation to mitigate the negative impacts of glare from solar panels to Highway 30 traffic and adjoining properties.
3. The proponent shall obtain FAA approval for the solar farm prior to installation of any solar arrays.
4. Access to the project shall be obtained from the existing access on Hwy 30.
5. 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. Engineering
 - i. Provide storm water best management practices in accordance with the City storm water design standards.
 - b. Fire
 - i. Emergency shut-off switches and proper grounding may apply.

FINDINGS FOR APPROVAL

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

1. Logan Solar Farm has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Logan Municipal Code.
2. The Conditional Use Permit conforms to LDC 17.49.
3. The proposed project is compatible with existing land uses and zoning and is an efficient use of public land due to the co-location of Environmental and Police Department facilities.
4. Because of the location and positioning of the panels they will not interfere or negatively impact the surrounding sewer treatment facility.

- 5. Roads to the subject property have adequate capacity for the proposed use and because of the minimal maintenance requirements the existing parking is sufficient for the project.
- 6. Other infrastructure to the subject property has adequate capacity, or suitable levels of service, for the proposed use.

Ent 1062085 Bk 1708 Pg 507

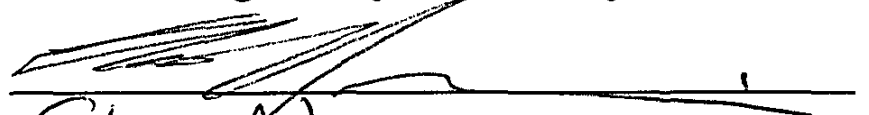
Some conditions are ongoing, which means the property owner shall always be in compliance with the condition(s). If you are unable to comply, you must return to the Planning Commission for consideration of an amendment to your approval. Failure to comply may result in an action by the City to revoke your permit.

The Planning Commission's decision came on a motion by Commissioner John Kerr, with a second by Commissioner Amanda Davis. The motion passed by a vote of 5,0.

This action will expire **one year** from the date of **March 22, 2012** if all conditions have not been met. An extension of time must be requested in writing and received by the Department of Community Development prior to the expiration date. **The City does not send reminder notices or other notification of the pending expiration date. The action to request an extension is the responsibility of the proponent.**

We have reviewed the decision of the Planning Commission and agree to the conditions and requirements. We understand this project expires one year from the date of the Commission's action unless the final plat has been recorded, or the Department of Community Development has issued a Building Permit. If an extension of time is required, we must submit our written request prior to the expiration date of the Planning Commission's action. The length of an extension of time is established in the Logan Land Development Code (LDC) §17.58.

Accepted and agreed by:
Property Owner of Logan City Community Solar Farm

Signed: 
 Print Name: Chris Niemann
 Address: 233n Main
 City/State/Zip: Logan Utah 84321
 Date: 3-27-12

By the authority vested in me as the Logan City Director of Community Development, I affix my signature upon this document for the purpose of granting from the City of Logan to , a permanent and recorded Planning Commission Permit to run with the subject property in perpetuity.

Michael A. DeSimone

Michael A. DeSimone, AICP *K*
Community Development Director
City of Logan

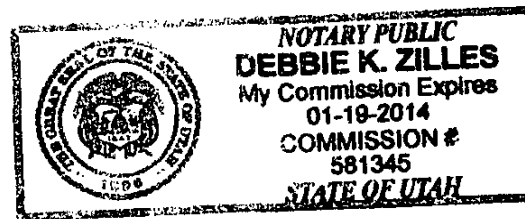
State of Utah)
 : §
County of Cache)

Ent 1062085 Bk 1708 Pg 508

On this 30 day of march, 2012, before me, Debbie K. Zilles, a notary public, personally appeared Michael A. DeSimone, Community Development Director for the City of Logan, who is personally known to me and who signed the above permit.

Debbie K. Zilles

Notary Public



S
E
A
L

cc: Director of Public Works
City Engineer
Chief Building Official
Project File

Logan City Planning Commission

STANDARD CONDITIONS OF APPROVAL

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

1. The 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 approved Permit. The Director of Community Development reserves the right to supplement the material in the written report with additional information at the Planning Commission meeting.
2. Any representations by the proponent or authorized agent at the Planning Commission hearing shall be incorporated into the final action as conditions of approval and shall be binding upon the proponent as modifications to the approved project. *"If you show it, you do it."*
3. No site development activities, including grading, clearing, or vegetation removal shall commence until an executed copy of the applicable permit, signed by the property owner or authorized agent, has been filed with the City.
4. Failure to comply with any conditions of approval shall void the permit and require a new Planning Commission hearing.
5. All improvements shall be constructed in substantial conformance with the approved site plan and/or to the satisfaction of the entity with jurisdiction over the improvement.
6. No work shall be undertaken within the public right-of-way without a Right-of-Way Permit. These permits are issued by either the City of Logan Public Works Department for City right-of-way or the Utah Department of Transportation for work within a State right-of-way.
7. Some projects require the adoption of deed covenants, conditions, and restrictions (CC&Rs) to be imposed upon the project. Any required CC&Rs shall be approved by City staff prior to recordation.
8. Street trees shall be placed on 30' centers or less in an 8 foot park strip on all roads within the residential, commercial or industrial project for each phase. The City Forester shall determine the size and species. Occupancy for the final home or building in each phase shall not be granted until all the street trees for that phase have been installed, or a bond equal to 110% of the materials and labor necessary to install the street trees has been issued to the City.
9. All projects shall comply with the City Standards and Specifications.

Legal Description

Parcel # 12-042-0004

SIT IN SEC 36 T 12N R 1E CONT 87.24 AC

PC 12-021

Ent 1062085 Bk 1708 Pg 510