

RETURN TO:
City of Logan c/o Lois Price
255 North Main
Logan, UT 84321

ORDINANCE NO. 93-31 REVISED

AN ORDINANCE AMENDING THE LOGAN MUNICIPAL CODE, 1989

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

SECTION 1: Section 2.42.060, Redevelopment Plan, is hereby adopted to read as follows:

2.42.040. Redevelopment Plan. (a) General Findings.

(1) Whereas both the Logan Redevelopment Agency ("Agency") and the Logan Planning Commission ("Planning Commission") have determined in their respective reports prepared in connection with the Proposed Redevelopment Plan for the Logan Northwest Redevelopment Project ("Proposed Redevelopment Plan") that conditions of age, obsolescence, deterioration, dilapidation, economic deterioration and stagnation and other similar indications of blight exist within the Redevelopment Project Area selected by the Agency (the "Project Area");

(2) Whereas the Logan Municipal Council ("Municipal Council") concurs to the findings of the Agency and the Planning Commission that the Project Area is a blighted area;

(3) Whereas the Agency in consultation with the Planning Commission has caused the Proposed Redevelopment Plan for the Logan Northwest Redevelopment Redevelopment Project to be prepared;

(4) Whereas the Planning Commission and the Redevelopment Agency have recommended the adoption of the Proposed Redevelopment Plan;

(5) Whereas public hearing on the Proposed Redevelopment Plan was held by the Agency on March 18, 1993 (the "Hearing"); after considering such on January 17, 1993 and February 18, 1993, and July 5, 1990.

(6) Whereas the Municipal Council has considered the Agency's Report to accompany the Logan Downtown Redevelopment Plan ("Agency Report"), including the Report and Recommendations of the Logan Planning Commission on the Proposed Redevelopment Plan for the Logan Northwest Redevelopment Project, everything contained in the record of the Hearing and all evidence and testimony for or against the adoption of the Proposed Redevelopment Plan submitted to it at or prior to the Hearing.

(7) Whereas the Planning Commission have recommended various modifications of the Redevelopment Plan, by motion and included such modification in the Planning Commission Report of Recommendations approved at its meeting on February 18, 1993;

(8) Whereas the Agency has approved and adopted the Redevelopment Plan for the Logan Northwest Redevelopment Project (the "Redevelopment Plan") by its Resolution No. RA-93-19 dated March 18, 1993 and Resolution No. RA-93-41 dated June 22, 1993, and has submitted the Redevelopment Plan to the Logan Municipal Council;

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(9) Whereas the Municipal Council concurs in the modifications made by the Agency and has overruled all objections to the adoption of the Redevelopment Plan received by the Municipal Council at or prior to the Hearing, whether written or oral, except insofar as such objections are the basis for the modifications made by the Agency in its Resolution No. RA-93-19 of March 18, 1993, and RA 93-41 of June 22, 1993.

(10) Whereas the Municipal Council has determined that the owners of forty percent (40%) of the area of the property included within the Project Area proposed in the Redevelopment Plan, excluding property owned by public agencies or dedicated to public use, either have not objected in writing to the adoption of the Redevelopment Plan, or, because objections were withdrawn at or prior to the Hearing; and

(11) Whereas the Municipal Council finds and determines that the Redevelopment Plan would redevelop the Redevelopment Project area in conformity with the Utah Neighborhood Development Act, as amended; that it would further the interests of the public peace, health, safety and welfare; that the adoption and carrying out of the Redevelopment Plan is economically sound and feasible; and that a number of other appropriate reasons call for the adoption and implementation of the Redevelopment Plan.

(b) Adoption of the Plan. The Logan Municipal Council hereby approves and adopts the Redevelopment Plan for the Logan Northwest Redevelopment Project as approved by Resolution RA-93-19 of the Agency on March 18, 1993, and Resolution RA 93-41 on June 22, 1993.

(c) Legal Description. The legal description of the boundaries of the Northwest Redevelopment Project Area ("Project Area") is as follows:

Situated in the Southeast Quarter of Section 20, Township 12 North, Range 1 East.

In Block 14, Plat "C" Logan Hayland Survey: All of Lots 1, 4, 5, 6, 7, 8.

In Block 5, Plat "D" Logan Farm Survey: All of Lots 2 and 3.

(d) Purposes and Intent of the Municipal Council. The purposes and intent of the Municipal Council with respect to the Project Area are as follows:

(1) To reduce and eliminate existing blight and to prevent further deterioration with the Project Area;

(2) To revitalize the Industrial Quadrangle District;

(3) To establish the Project Area as a manufacturing center thereby attracting increased business and office space uses into the Project Area;

(4) To develop and enhance properties structures along both sides of 1000 West and adjacent east/west streets;

- (5) To avoid fragmentation of land uses;
- (6) To utilize all economic and financial resources available to develop incentives for owners and developers to renovate; and/or
- (7) To take any or all additional steps which may appropriate or necessary to promote or further the aim of improving the Project Area (and, indirectly, surrounding areas) and preventing further deterioration within that Area.

(e) The Redevelopment Plan. The Redevelopment Plan as approved by Resolution RA-93-19 and RA-93-41 of the Agency (the "Redevelopment Plan") and the Report to Accompany the Logan Northwest Redevelopment Plan, including the Report and Recommendations of the Logan Planning Commission on the Proposed Redevelopment Plan for the Logan Northwest Redevelopment Project, are incorporated herein by this reference.

(f) Designation of the Redevelopment Plan as the Official Redevelopment Plan for the Project Area. The Redevelopment Plan which has been approved by the Agency is hereby adopted and approved by the Municipal Council and designated as the official redevelopment plan of the Northwest Redevelopment Project Area.

(g) Specific Findings and Determinations of the Municipal Council. The Municipal Council hereby makes the following findings and determinations:

(1) Blight. The Project Area is a blighted area, the redevelopment of which is necessary to effectuate public purposes of the Utah Neighborhood Development Act, as amended (U.C.A. 17A-2-1201, et seq.) in view of the various existing conditions outlined in the Agency's Report to Accompany the Logan Northwest Redevelopment Plan (the "Agency Report") which is incorporated herein by this reference. Nothing herein shall be construed to imply that the Agency report exhaustively describes all the conditions of blight within the Project Area.

(2) Conformity with Utah Neighborhood Development Act and Other Public Purposes. The Redevelopment Plan would redevelop the Logan Northwest Redevelopment Project Area in conformity with the Utah Neighborhood Development Act, as amended (U.C.A. 17A-2-1201 et seq.) and in the interests of the public peace, health, safety and welfare in that:

- (A) It would enable the Agency to make financing alternatives available to parties electing to become participants in the Redevelopment Project and to private developers, thereby providing additional stimulus to investment, redevelopment, rehabilitation, and the elimination of blight within the Project Area;
- (B) It would help to prevent erosion of Logan's economic base;
- (C) It would help to prevent fragmentation of commercial land uses within the Project Area;

(D) It would facilitate revitalization and beautification of the Project Area; and

(E) It would contribute in a variety of other ways to the redevelopment of the Project Area in conformity with the Utah Neighborhood Development Act, as amended, and to furthering the interest of public peace, health, safety and welfare.

(F) Project Plan is subject to "grandfathering" provisions of UCA 17A-2-1201.

(3) Feasibility. The adoption and carrying out of the Redevelopment Plan is economically sound and feasible in that redevelopment projects under the Plan which form parts of the overall Redevelopment Project contemplated by the plan will proceed and be carried out only if and when financing becomes available, based upon the willingness of public and private entities to invest and develop in the Project Area.

(4) Conformity to Comprehensive Plan. The Redevelopment Plan conforms to the Logan City Comprehensive Plan/Guide for Development.

(5) Effects of Carrying out the Redevelopment Plan. The carrying out of the Redevelopment Plan would promote the public peace, health, safety, and welfare of the community and would effectuate the purposes and policy of the Utah Neighborhood Development act as amended, in that it would promote and facilitate:

(A) The elimination or reduction of blight in the Project Area;

(B) Measures which would prevent further stagnation, deterioration, and/or fragmentation within the Project Area;

(C) The revitalization of the Project Area; and

(D) Other measures which would promote the public peace, health, safety, and welfare and which would be consistent with the purposes of the Utah Neighborhood Development Act, as amended.

(6) Eminent Domain. The condemnation of real property is not authorized by the Logan Redevelopment Plan.

(7) Relocation. The Agency has a feasible method and plan for the relocation of families and persons displaced from the Project Area, to the extent that the Redevelopment Plan may result in the temporary or permanent displacement of any occupants of housing facilities in the Project Area, in that par. 311 of the Redevelopment Plan specifies that the Relocation Rules and Regulations for Implementation of the Utah Relocation Assistance Act for the Logan Northwest Redevelopment Project ("Relocation Rules") shall govern relocation of persons, businesses, and other entities displaced by Agency action.

(8) Relocation Dwellings. The Relocation Rules which govern relocation of persons displaced from the Project Area under the

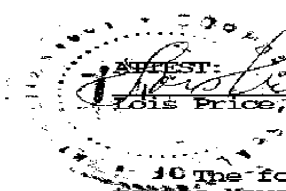
Redevelopment Plan as indicated in par. 311 hereof, provide in par. 500 thereof that "{n}o person or family shall be required to move or be relocated from land used as his residence and acquired under any of the Utah condemnation or eminent domain laws until he has been offered a comparable replacement dwelling adequate to accommodate such person, reasonably accessible to public services and places of employment, and available on the private market." Thus, there are or will be provided in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to such families and persons as may be displaced by the Redevelopment Plan and reasonably accessible to their place of employment.

(h) Availability of Replacement Housing. The Relocation Rules, which govern relocation of persons displaced from the Project Area under the Redevelopment Plan as indicated in par. 311 hereof, provide in par. 500 thereof that "{n}o person shall be required to move from his dwelling on account of any project of the Agency, unless the Agency Governing Board is satisfied that replacement housing is available to this person." Since Logan Municipal Council is satisfied permanent housing facilities will be available within three years from the time occupants of the Project Area may be or are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement.

SECTION 2: Effective Date. This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH THIS 22nd DATE OF June, 1993.

D. Louise Brown
D. Louise Brown, Chairman


WITNESSETH:
Lois Price
Lois Price, City Recorder

PRESENTATION TO MAYOR

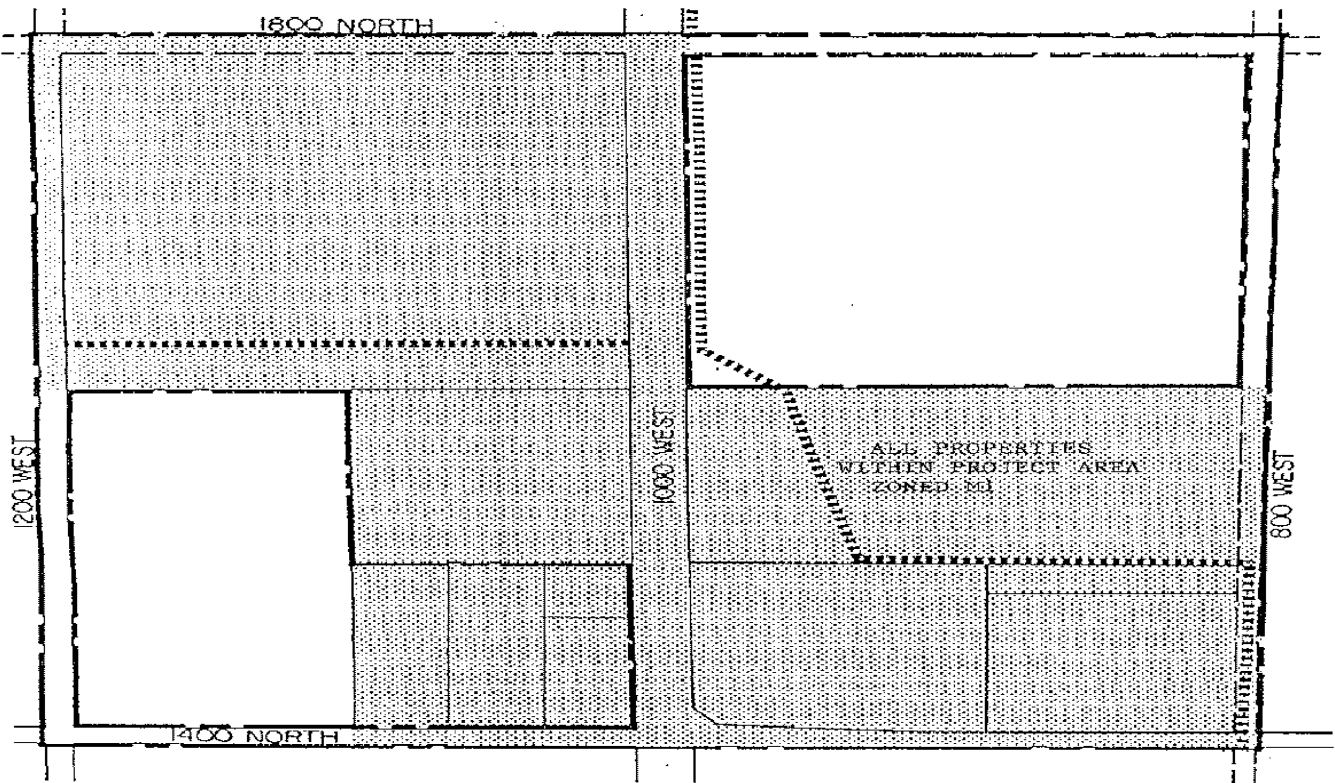
IC The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for his approval or disapproval on the 22nd day of June, 1993.


D. Louise Brown
D. Louise Brown, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 22nd
day of June, 1993.
Russell F. Fjeldstad
Russell F. Fjeldstad, Mayor

Exhibit A
Logan Northwest Redevelopment
Plan and Proposed Land Use Map



North 
No Scale