

CITY OF LOGAN, UTAH
ORDINANCE NO. 13-88

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, STATE OF UTAH AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.39: "Landscaping" is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, 3
THIS DAY OF December, 2013.

AYES: Simmonds, Ward, Daines, Olsen, Quaye
NAYS: None
ABSENT: None

Holly Daines
Holly Daines, Chair

ATTEST:
Teresa Harris
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 3 day of December, 2013.

Holly Daines
Holly Daines, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 3 day of December, 2013.

Randy Watts
Randy Watts, Mayor

EXHIBIT A

Chapter 17.39: Landscaping

§17.39.010. Purpose and Intent

This chapter provides standards for landscaping within the City. It is intended to ensure that the policies of the General Plan related to increasing the attractiveness of the City and enhancing neighborhood character includes appropriate landscaping. The intent of this Chapter is to promote the importance landscaping plays in the overall site design and development process by providing a visual link between the natural and built environments. The City recognizes the aesthetic, ecological, and economic value of landscaping and requires its use to:

- Improving Landscaping improves the visual quality of the City;
- Reducing the rate and volume of storm water runoff;
- Promoting compatibility between land uses and creating buffer areas to help reduce by reducing the visual, noise, and lighting impacts from adjoining properties;
- Unifying development within the Districts, Corridors and Neighborhood zones throughout the City;
- Promoting the retention of existing vegetation and the restoration of natural communities by re-establishing native plant communities through re-establishment of native plants;
- Reducing the visual and audio impacts of automobile-related infrastructure (parking lots, driveways and roads);
- Promoting healthy outdoor recreational activities;
- Reducing greenhouse gases and the negative environmental impacts created from automobiles and development;
- Using the landscape to compliment the built environment to achieve and achieving the principals and goals set forth in the General Plan and Land Development Code;
- Promoting water efficient landscaping that reduces the demand of the City's water resources; and
- Reducing the heat island effect.

§17.39.020. Applicability

The standards of the chapter apply to all public and private development, new construction, exterior remodeling, enlargement or change of use, unless otherwise specifically stated in this chapter.

§17.39.030. Exemption

The following are exempt from the standards of this chapter:

- A. Agriculture structures and agricultural uses;
- B. Minor improvements or repairs to existing development that do not result in an increase in floor area; or
- C. Detached single family dwellings on individual lots for a period of one (1) year for the front yard area and a period of two (2) years for the rear yard area beginning at the time the final certificate of occupancy is issued.

§17.39.040. Landscaping

- A. Required Landscaping.

17.39: Landscaping

Required landscaping shall be installed in all yard areas, along the perimeter of the lot, around buildings, and all other portions of the property not specifically utilized for walkways, driveways, parking, loading, or other functions for which landscaping may not be practical as determined by the decision-makers (See Figure 17.39.040.A).

~~B. Use of Sterilants, Weed Killers, or Herbicides~~

~~No sterilants, weed killers, or herbicides that result in soil conditions that preclude plant material to grow shall be permitted without the prior written approval of the Director of Community Development. Such products shall be applied in conformance with Federal and State regulations.~~

~~C.B. Landscaping for Lots Which are Partially Developed.~~

At the discretion of the ~~decision-makers~~ **decision making body**, projects with substantial portions of the parcel area left for future development may be exempt from landscaping the undeveloped portion of the property. If any portion of the undeveloped area of the lot fronts a public right-of-way, standard improvements such as curb, gutter, sidewalk and installation of street trees and other appropriate landscaping shall be required at the time of the development.

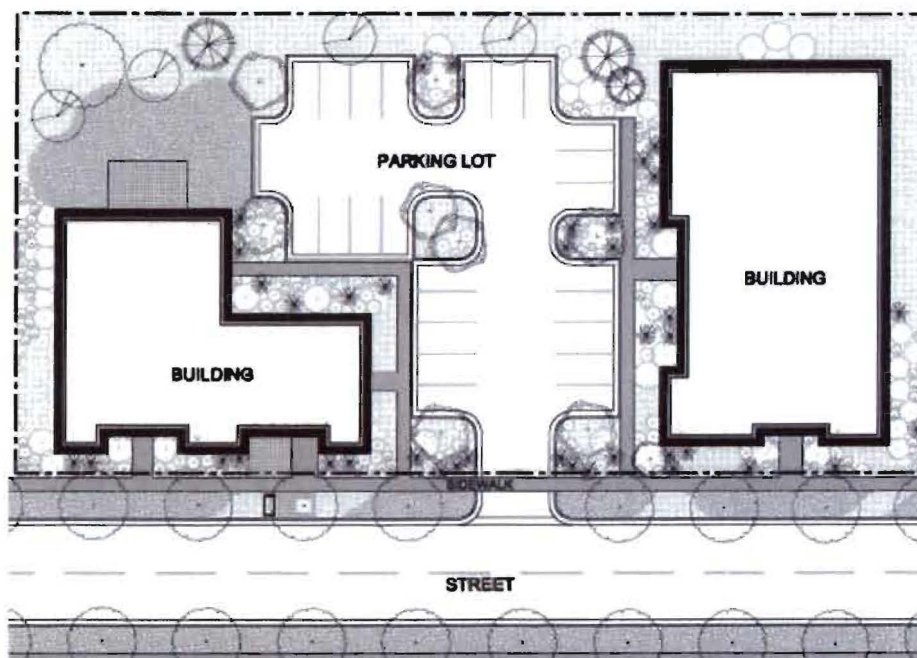
~~D.C. Landscaping When Expansion or Additional Development Occurs.~~

If a parcel with existing development is proposed for additional development, and the expansion results in more than a 10% increase in gross square footage, the ~~decision making body~~ **decision-makers** have the discretion to review the landscaping installed on the entire property and may require conformance to the requirements of §17.39.050. If the expansion or redevelopment results in less than a 10% gross increase in square footage, the Director ~~of Community Development~~ will determine if the property will be required to conform to the landscape requirements of §17.39.050.

~~E.D. Landscaping Required for Interior Remodeling That Results in a Change of Use.~~

Full compliance with this ~~chapter~~ **Chapter** shall be required when a change of use occurs that results in any modifications to the site and exterior of the structures. Compliance is not required when the use within a structure is changed, ~~in-use and~~ there is no change in exterior appearance, and ~~no~~ Planning Commission or Design Review Committee approvals are not required.

Figure 17.39.050040.A: Areas in Commercial and Industrial Development to be Landscaped



§17.39.050. Minimum Landscaping Performance (Minimum Requirements)

Landscaping requirements are intended to establish a minimum standard by which a property owner may use to design a set of landscape drawings that can be approved and constructed through the City’s development process.

A. ~~C~~ For commercial, industrial, mixed-use, and multi-family projects shall comply with the following: located within the Districts and Corridor zones

1. At least fifty (50) percent of the required exterior usable open space of the project shall be planted landscape area.
2. Twenty (20) trees shall be required per one (1) acre of gross land
3. Fifty (50) shrubs shall be required per one (1) acre of gross land
4. Plant material shall be placed around the perimeter of the building footprint in a three (3) foot minimum planting strip with the exception of entrances, utilities and where setbacks are less than three feet

~~B. For multi-family, mixed use, and neighborhood commercial projects located within the Mixed Residential and Neighborhood zones excluding single family homes.~~

- ~~1. At least fifty (50) percent of the required useable open space of the project shall be planted landscape area.~~
- ~~2. Eighteen (18) trees shall be required per one (1) acre of gross land~~
- ~~3. Fifty (50) shrubs shall be required per one (1) acre of gross land~~
- ~~4. Plant material shall be placed around the perimeter of the building footprint in a three (3) foot minimum planting strip with the exception of entrances, utilities and where setbacks are less than three feet~~

~~C.B.~~ Plant Selection.

Plants selected for landscape areas shall be well suited for Logan’s climate and soil conditions at the project site. Plants with similar water needs shall be grouped together as much as possible. On slopes greater than 30%, plant material shall be selected to reduce the risk of soil erosion. Native and drought tolerant plant material are encouraged and should be used whenever possible. Projects should have a diverse mix of plant and tree species for disease resistance and visual interest (See Table 17.39.050.D).

~~D.C.~~ Mulch.

Mulch is encouraged in non-turf areas to retain water, discourage weed growth and moderate soil temperatures. Weed barrier fabrics shall be a porous material to allow water and air to infiltrate the soils below.

~~E.D.~~ Use of Evergreen Trees and Shrubs.

A minimum of twenty-five (25%) percent of the plant material used for the project shall be evergreen trees and shrubs in order to provide ~~visual interest~~ year round visual interest and ~~for~~ dense landscape screening.

Table 17.39.050.ED: Species Diversity Requirements

Required Number of Trees	Minimum Number of Species
11-20	2
21-30	3
31-40	4
41+	5

~~F.E. Screening of Service Areas.~~

~~Landscape shall be used to provide visual and audio buffers between pedestrian and service areas. Use multiple planting layers and stagger plants to provide screening from various view points. Loading docks, storage areas of material or vehicles, and other service areas and blank walls shall be screened from public view as specified in the design review process. Acceptable screening may include a combination of plant material, fencing, walls, earth berms, and vertical landscape elements. —or a combination as approved by the decision-makers.~~

1. Solid waste receptacles, recycling bins, -refuse storage shall be screened from view on three sides by a fence or wall with a minimum height of six feet ~~or one foot taller than the receptacle, whichever is greater.~~ ~~Waste disposal receptacles shall be located out of the public view insofar as is practical. See 17.11.160.~~
2. The enclosure shall be compatible in material and color with the primary structure on the lot if located within 20 feet of the building. ~~If the enclosure is to be, if~~ located beyond 20 feet from the structure, the enclosure should be designed to ~~minimize the visual impact and~~ blend in with surrounding landscaping.
3. Waste disposal and recycling receptacles shall be consolidated to reasonably minimize the number of collection sites and to equalize the distance from the buildings they serve.

~~3.4. Vertical landscaping, in conjunction with general building design elements, shall be considered as a tool for breaking up long stretches of linear wall planes.~~

~~G. Enhance or Develop Pedestrian-Oriented Spaces within a Project: Such as Walkway Landscaping and Creation of Usable Outdoor Spaces~~

1. ~~Use vertical landscaping to break up long stretches of linear wall planes and to soften the hard edges of the built environment.~~
2. ~~Provide a balance between the overall appearance of the landscaping as a part of a planned site and the buildings on the site. The City's objective is to ensure that the site has dense landscaping in terms of the land area dedicated to landscaping and in vertical elevation of landscaping.~~
3. ~~Any flexibility to be applied by the decision-makers shall be based on achieving an attractive site with installations of landscaping that are designed to complement and enhance the site development.~~
4. ~~A variety of tree species shall be provided in conformance with Table 17.39.060~~

~~H.F. Submission of Landscape Plans.~~

1. All commercial, industrial, mixed-use and multi-family landscape plans shall be prepared and stamped by a Licensed Landscape Architect registered with the State of Utah.
2. Landscape plans shall be submitted prior to, or included with, the submittal for a Building Permit.
3. Landscape plans shall be of adequate size and detail so the ~~decision making body~~ ~~decision-makers~~ can see the land area to be planted and the appearance of plantings at seventy-five percent (75%) of mature growth.
4. Landscape plans and details shall be drawn in a professional manner with credible representations of plant sizes and site features. The ~~decision making body~~ ~~Planning Commission or Community Development staff~~ may reject plans which do not accurately depict the site landscaping (see Figure 17.39.050.).

17.39: Landscaping

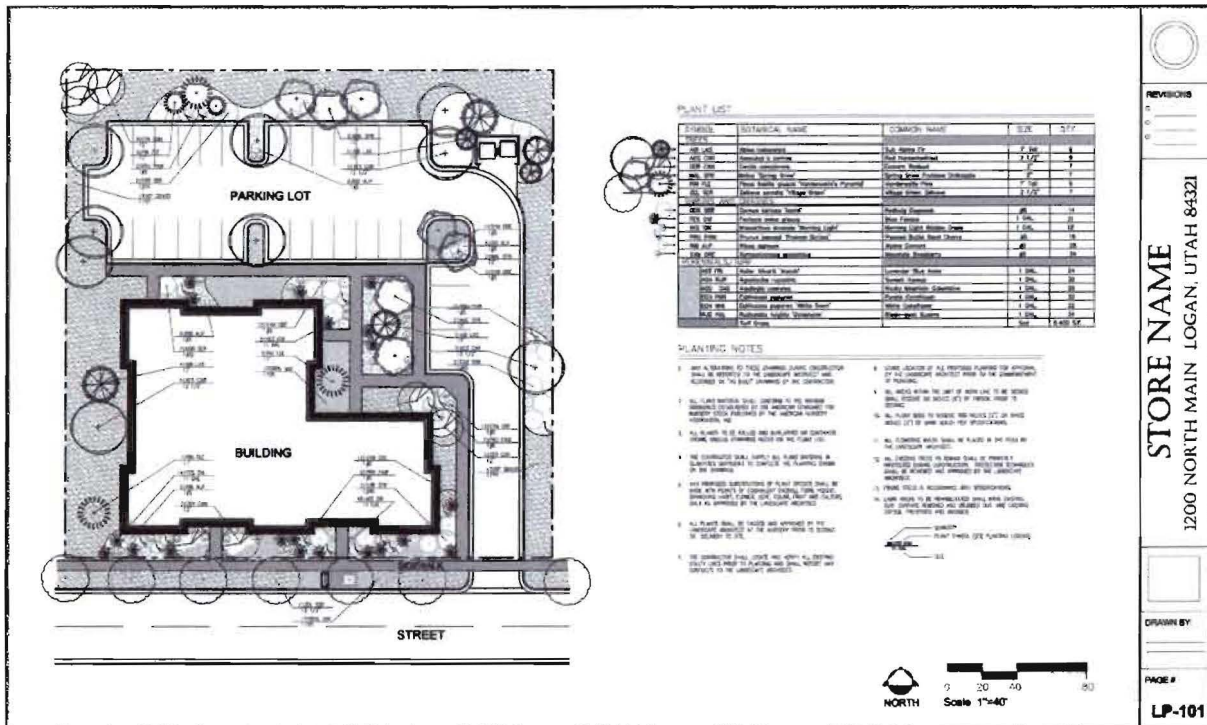
5. Landscape plans shall be accompanied by a planting schedule that identifies both the common and scientific name of each species. The schedule shall include the size and type of plant material to be installed.
6. Landscape plans shall be drawn to scale and have a north arrow. Site features including buildings, parking lots, streets, existing vegetation, and utilities shall be shown for reference and orientation. Planting details and irrigation specifications are will generally not required to be included ing with the submitted Performance Landscape landscape plan unless unique situations are associated with the project requiring further detail.

I-G. Review of Landscape Plans

Landscape plans may be approved upon a finding that the plan meets or exceeds the purposes and objectives of this chapter through either:

1. Integrating Nnatural land featureseharacteristics or existing vegetation into the proposed development projecton the proposed development site; or
2. Implementing Finnovative landscaping orand architectural design.

Figure 17.39.050.F: Example of a Landscape Plan



§17.39.060. Landscaping Rights-Of-Way

All public or private streets, either public or private, shall provide a planted landscaped strip (park strip) to City specifications, and be perpetually maintained by the adjacent property owner. Plantings within the right-of-way or park strip will not count towards meeting the minimum landscapereformance landscape requirements of §17.39.050.

- A. Street trees shall be planted within the parkstrip along both sides of all streets every thirty (30) feet on center. If no parkstrip exists, trees shall be planted adjacent to the roadway edge. Tree size and species shall be approved by the City Forrester.

- B. Residential park strips shall be planted with live plant material to a minimum of fifty percent (50%). When calculating park strip coverage percentage areas, plants may be measured at mature spread excluding street trees. Shrubs and other plant material located within the park strip should not exceed three (3) feet in height at maturity. Potential hazardous plant material containing thorns or spikes shall be prohibited in the park strip.
- C. Stone, gravel, mulch, or other decorative hardscape materials shall consist of less than fifty percent (50%) of the parkstrip area. Decorative boulders and similar features shall be less than eighteen (18) inches in height. Poured concrete, asphalt or other similar solid surface paving is prohibited within the parkstrip with the exception of driveway approaches and adjacent commercial uses.
- D. Landscaping and any other surface material located within the right-of-way between the edge of traveled way and the property shall not be used for the storage, sale, display, of merchandise without the written permission of the Director of Public Works.

§17.39.070. Parking Lot Landscaping

Parking lot landscaping standards of this section establish minimum landscaping requirements for the perimeter and interior of off-street parking areas. The general purpose of such landscaping is to reduce the visual impact of parking and pavement. ~~See §17.38 Parking Section and the project's zone Development Specification Standards page for parking lot locations and setbacks.~~ Parking lot landscaping may count towards meeting the minimum Landscaping Performance Minimum Requirements.

A. Applicability ~~to All Off-Street Parking Lots~~

All Off-street parking lot landscaping shall be approved through the Design Review process, and shall not be less than the minimum standards of this chapter.

B. ~~Perimeter~~ Parking Lot Perimeter Landscaping

The parking lot perimeter landscaping requirements apply to all off-street parking lots that are not otherwise fully screened from view of adjacent public rights-of-way. Landscape borders shall be used for open space and landscaping. No structures or paving shall be located within the border area, with the exception of walls, walkways or other features incorporated into the landscaping. If adjoining properties share or abut parking lots, the perimeter landscape requirements are waived for the two adjoining sides of each parking lot and the two adjoining parking lots will be calculated as one.

All off-street parking areas shall meet the following standards:

1. If the parking lot's front setback is twenty-five (25) feet or more, the border landscape shall conform to the Type "A" Separation in figure §17.3839.070.B. Border trees shall be planted at an average of ~~twenty-three~~ (30) feet on center.
2. For Type "B" and "C", separation, shrubs must be planted at an average of three (3) feet on center and small trees shall be planted at fifteen (15) feet on center along the entire border.
3. For Type "C" separations, the earth berm ~~or wall combination~~ shall be a minimum of three (3) feet in height as measured from the nearest street's top back of curb, and in combination with plant material, shall ~~to~~ achieve a minimum four (4) foot tall solid screen at installation.
4. For Type "D" separations, the wall shall ~~when a wall is constructed it must~~ be four (4) feet in height and used in combination with plant material placed at six (6) feet on center.

5. For parking lots containing twenty-five (25) stalls or fewer, five (5) feet shall be the minimum perimeter border width for the rear and side borders of the parking lot.
6. For parking lots containing more than twenty-five (25) stalls, eight (8) feet shall be the minimum perimeter border width for the rear and side borders of the parking lot.
7. Side and rear parking lot perimeter borders shall be landscaped with plant material covering a minimum of fifty percent (50%) of the total border surface area measured at the plants maturity.

C. Parking Lot Interior Landscaping

Requirements

The parking lot interior landscaping requirements apply to all off-street parking lots that contain five or more parking spaces. Only areas specified in figure §17.39.070.C ~~are~~ can be counted towards a project's interior parking lot landscaping requirements. Interior planting areas are required within all parking lots as specified in this subsection.

1. At least eighteen (18) square feet of interior landscape planting area shall be provided within the interior of an off-street parking area for each parking stall contained with the parking area.
2. Landscaping located within the interior of a parking area shall be evenly dispersed throughout the area. All planting areas shall be protected to prevent damage by vehicles and vehicle overhang.
3. When the number of stalls in a parking area exceeds the number of required parking stalls defined in Chapter 17.39 by 125%, the minimum interior parking lot landscaping requirements shall be increased to thirty-six (36) square feet of interior landscaping for each parking space contained within the parking stall.
4. All aisles shall have landscaped areas at each end of the aisle.
5. One landscaped planter area containing at least one (1) tree shall be installed planted within the interior of a parking area ~~per~~ every fifteen (15) ten (10) stalls ~~contained within the area~~. Interior parking area landscapes shall have a

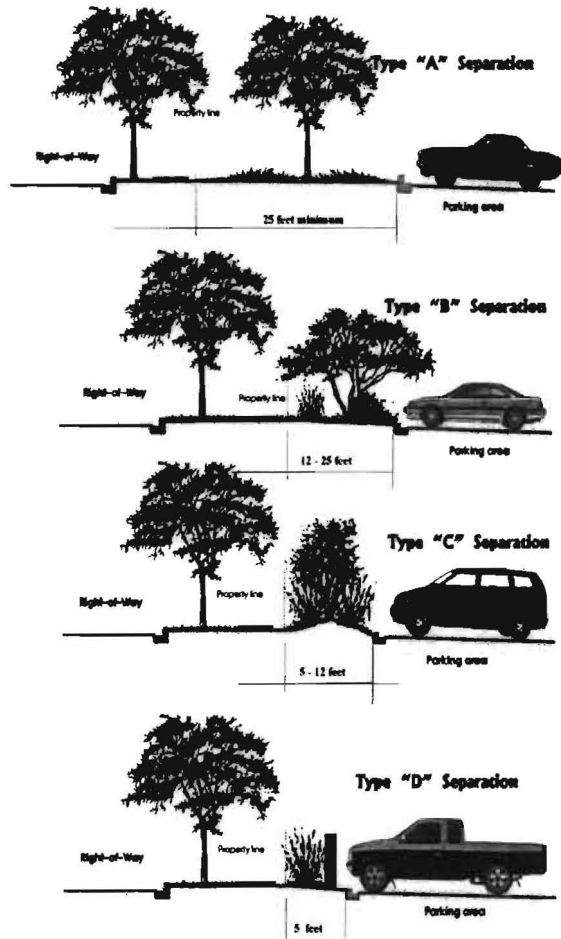
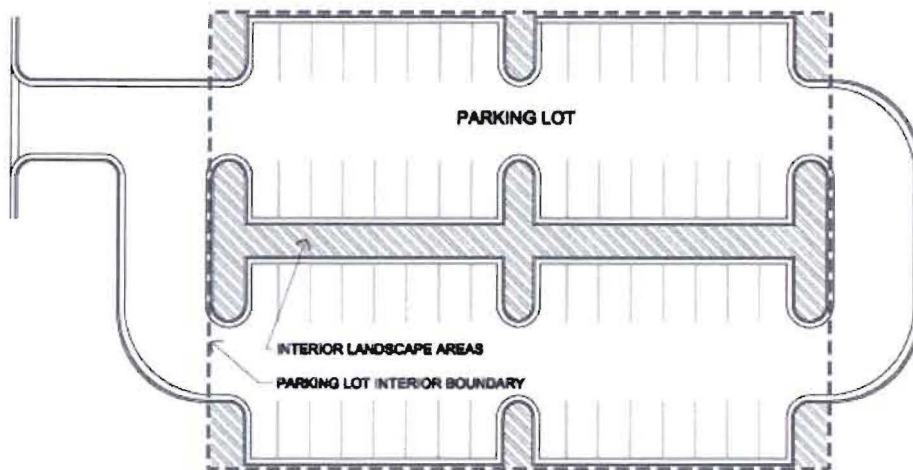


Figure 17.39.070.B: Parking Lot Landscaping Border Options for Separation from Street

minimum of fifty percent (50%) plant material coverage measured at plants maturity.

Figure 17.39.070.C: Interior Parking Lot Measurement Area



§17.39.080. Installation, Replacement, Occupancy

A. Accepted Practices Required.

All landscaping shall be installed according to sound nursery practices in a manner designed to encourage vigorous and healthy growth. All landscape material, living and non-living, shall be in place prior to the issuance of the final Certificate of Occupancy plant material shall be in a healthy condition.

B. Protection of Existing Trees During Construction.

Any trees identified or approved for preservation by the ~~decision making body~~ **Planning Commission** shall be protected utilizing accepted techniques for protection.

C. Replacement of Dead, Diseased, or Dying Vegetation.

The ~~Director or the~~ City Forester ~~or Director of Community Development~~ may require that landscaping be replaced in kind if vegetation becomes dead, diseased, or dying. In the event of blight or species-specific diseases, substitution of plants shall be approved by the Director ~~of Community Development~~ or the City Forester.

D. Temporary Occupancy Requirements.

A Certificate of Occupancy may be issued prior to the installation of required landscaping upon execution of an agreement with the City and acceptance by the City of appropriate surety according to the following:

1. Land development that does not require or is normally utilized without obtaining a certificate of occupancy shall have landscaping installed per this chapter prior to the initiation of any use or any occupancy of the facility, structure, or grounds.
2. An agreement for temporary occupancy shall be used only under extenuating circumstances which prohibit the physical installation of landscaping at the time the Certificate of Occupancy is issued. Financial or similar issues shall not constitute extenuating circumstances for the purpose of this section.
3. Financial surety shall be equal to 110% of the estimated cost of the plant material, irrigation, labor, and materials.
 - a. The amount of the surety shall be calculated from a written cost estimate prepared by an appropriately licensed professional and provided to the City by the developer. If the Director ~~of Community Development~~ finds that the cost

estimates are not generally within accepted standards for estimating the costs of landscaping installation, the Director shall require that surety be based on accepted estimating practices.

- b. Each estimate shall be guaranteed valid at the maturity of the surety instrument.
 - c. An irrevocable letter of credit, cash deposit, ~~cashiers~~ ~~cashier's~~ check, certificate of deposit endorsed in favor of the City, performance bond issued by a bonding company with an investment grade rating by Moodys or Standard and Poors, or savings account passbook issued in favor of the City shall be acceptable forms of surety.
4. The expiration date of the surety bond shall be determined by the Director ~~of Community Development~~ at the time the agreement is made. The expiration date shall be appropriate to the project circumstances. If the Surety bond expires, the City shall have the authority to seize the surety and install the landscaping.

§17.39.090. Xeriscaping

A. ~~Qualifications~~

Xeriscaping consists of native and drought tolerant plant material placed in conjunction with groundcover or mulch. Xeriscaping is encouraged throughout the city as a way to reduce water consumption. The selection of plant material shall be based on microclimate, exposure and slope of the site. At mature growth plant material should cover a minimum of thirty percent (30%) of the ground. Rocks, hardscape and mulches alone without native and drought tolerant plantings are not considered xeriscaping.

§17.39.100. Irrigation

~~A. Automatic Irrigation Required~~

All new landscaping installations shall be required to incorporate an automatic underground irrigation system. Irrigation systems should be designed to conserve water and avoid erosion of soils. Irrigation heads should have a matched precipitation rates for each valve. The irrigation system, when connected to culinary water supplies, shall have backflow prevention assembly(s) installed to prevent contamination of culinary water system. Backflow preventer and installation shall meet current City codes and policies. ~~should be separate from culinary water supplies and backflow prevention devices shall be installed to avoid cross-contamination between systems.~~

§17.39.110. ~~Maintenance and Upkeep of Landscaping and Parkstrips~~

A. Landscaping to be Maintained in a Vigorous and Healthy Condition.

1. Regular maintenance of all landscaping to present a healthy, neat and orderly appearance shall be required.
2. All landscaping shall be maintained free from disease, pests, weeds and litter.
3. Maintenance shall include weeding, watering, fertilizing, pruning, mowing, edging, mulching and other maintenance as needed and in accordance with acceptable horticultural practices. Regular and routine maintenance also includes replacing dead, dying and/or diseased trees, shrubs, plants or turf.

B. Repair and Replacement of Landscaping.

1. Required landscape structures (examples include and are not limited to walls, fences, curbs, planters) shall be maintained in a structurally sound and aesthetically pleasing condition.

2. ~~Required landscape irrigation systems shall be maintained in a sound and working condition as required by this Chapter. The regular maintenance, repair, or replacement of any landscaping irrigation systems as required by this chapter.~~
 3. Continuous maintenance of the site as a whole.
- C. Aquifer Protection Areas
- Areas of the City may be designated by the Director of Public Works as “Aquifer Protection Areas.” Landscaping within designated areas may have restrictions as to the types of plants, use of chemicals, and other standards imposed for purposes of protecting municipal groundwater quality (See Chapter 17.25 of this Code and Utah State Division of Drinking Water R309-600 “Source Protection Regulations” for additional requirements).

§17.39.120. Landscaping Features are a Part of the Overall Approval

Trees, shrubs, fences, walls and other landscape features depicted on plans approved by the City shall be considered as elements of the project in the same manner as parking, building materials and other details are elements of the plan. The landowner, heirs, successors in interest, lessees, or agent, shall be jointly and severally responsible for installation, maintenance, and upkeep as specified in this Title.

§17.39.130. Exceptions Compliance

- ~~A. Landscaping compliance when it is found not to be physically possible to achieve compliance with the objectives of this chapter.~~
1. ~~The decision making body may allow for exceptions or deviations to the requirements of this Chapter if it is found that the If the Director of Community Development finds that~~ site development, location of existing landscaping, or other physical factors make it ~~impracticablephysically impossible~~ to achieve compliance with the provisions of this ~~sectionChapter. , the Director may require alternative compliance with the purpose of this chapter.~~
 2. ~~Exceptions, or Such methods of~~ alternative compliance, may include ~~any or a combination of~~ the following ~~and is not limited to the alternatives specified in this subsection:~~
 - a. Planting of street trees and public right-of-way landscaping in the general vicinity of the subject property;
 - b. Financial contributions related to the approximate value of onsite landscaping materials and labor into a trust fund to be established for public landscaping in the neighborhood in which the subject property is located;
 - c. City approved purchase and installation of other landscape or streetscape amenities, such as and not limited to benches, lighting, public art, access paths or sidewalks; or
 - d. Any other landscaping related options that would further the intent of this Chapter.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: November 19, 2013
FROM: Mike DeSimone
SUBJECT: Land Development Code Amendment – Landscaping (17.39)

Summary of Planning Commission Proceedings

<i>Project Name:</i>	Code Amendment - Landscaping
<i>Project Address:</i>	City wide
<i>Request:</i>	Amendment to LDC 17.39
<i>Recommendation of Planning Commission:</i>	Approval

On October 24, 2013, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a request to amend the Land Development Code, Section 17.39, Landscaping.

Planning Commissioners, vote (6,0):

Recommend approval: Dave Adams, Amanda Davis, Angela Foncesbeck, Russ Price, Garrett Smith, and Steve Stokes.

Recommend denial: None.

Attachments:

Staff Report

Ordinance 13-088

PC Meeting Minutes



**Project #13-063
Landscaping (17.39)
Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Home Occupation & Add. Dev. Standards Amendment
<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 24, 2013
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for the following amendment to the Land Development Code (LDC): Section 17.39.

REQUEST

This proposed text amendment to the Land Development Code amends the Landscaping Standards contained in Chapter 17.39. This amendment is generally clean-up work.

The changes in Chapter 17.39 are as follows:

§17.39.010 Purpose

Clarified wording.

§17.39.020 Applicability

Clarified wording.

§17.39.030 Exemptions

Clarified wording.

§17.39.040 Landscaping

Added reference to Figure, eliminated reference to requiring approval for applying weed killer, and clarified wording.

§17.39.050 Minimum Landscaping Requirements

Clarified wording and removed redundant language.

§17.39.060 Landscaping Rights-of-Way

Clarified wording and applicability.

§17.39.070 Parking Lot Landscaping

Clarified wording and mModified tree requirements in parking lots from every 10 stalls to 15 stalls due to concerns over snow removal.

§17.39.080 – 130

Clarified wording.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. This proposed amendment clarifies language and application within the Landscaping section. The proposed amendment is consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY

Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

PUBLIC COMMENTS

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

PUBLIC NOTIFICATION

Public notices were published in the Herald Journal on October 10, 2013, posted on the City's website and the Utah Public Meeting website on October 15, 2013, and noticed in a quarter page ad on October 6, 2013.

AGENCY AND CITY DEPARTMENT COMMENTS

Received comments from Brian Pattee regarding suggested language in a couple of sections dealing with irrigation, backflow prevention and aquifer recharge areas. Comments have been incorporated into a revised draft.

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 Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are generally administrative in nature as they remove redundant language, clarify intent and application, and streamline the overall section.
4. The provision of the Landscaping Standards is consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.

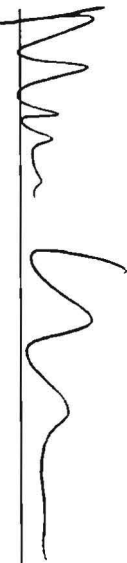
The staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the 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.

Civil
PROOF OF PUBLICATION


STATE OF UTAH
COUNTY OF CACHE, ss

On this 9th day of December, A.D. 2013 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same day(s) as publication in said newspaper

Commencing on the following days:
12/08/2013


_____, Assistant to the Finance Director

Subscribed and sworn to before me on this 9th day of December, A.D. 2013


_____, Notary Public
Commissioned in the State of Utah
My Commission expires August 1, 2015



LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on December 3, 2013.

ORD. 13-86 Amending the Land Development Code clarify the Critical Lands Overlay Zone.

ORD. 13-87 Amending the Land Development Code to clarify home occupation standards and additional development standards.

ORD. 13-88 Amending the Land Development Code Section 17.39 to clarify landscaping standards.

ORD. 13-89 Amending the Land Development Code Section 17.23 to create a Landfill Overlay Zone and amend the zoning map to include a Landfill Overlay Zone.

ORD. 13-90 Amending the zoning map to replace Neighborhood Residential Zones (Core, Outer Core, Westside, Eastside and Center Street) with NR-6 (traditional neighborhood residential), add NR-2 (low density neighborhood residential), NR-4 (suburban neighborhood residential), MR-9 (mixed residential transitional), MR-30 (mixed residential high). Replace the Mixed Residential Medium (MRM) and Mixed Residential High (MRH) with MR-12 (mixed residential low) and MR-20 (mixed residential medium), and remove the RR (Rural Reserve) Zone.

ORD. 13-92 Amending Title 5 of the Logan Municipal Code by adding a New Chapter 41 relating to Animal Drawn Vehicles.

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: December 8, 2013