AN ORDINANCE AMENDING THE ZONING MAP 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 map or maps entitled "Zoning Map of Logan City, Utah" is hereby amended and the following property is hereby zoned from Commercial General (CG) to Industrial (IND) as follows:

Tax ID No. 05-061-0017 (that portion identified as Attachment A).

Also identified as "Cache County Sheriff's Complex Rezone," an approximate 20 ac. parcel at approx. 1200 West 200 North.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 2nd
DAY OF August, 2002.

AYES: Barg, Piper, Auld, Kerr

NAYS: None

ABSENT: S. Thompson

ATTEST:

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 1st day of August, 2002.

Tom Kerr, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 1st day of August, 2002.

Douglas E. Thompson, Mayor
MEMORANDUM TO THE MUNICIPAL COUNCIL

DATE: 1 August, 2002
FROM: Jay L. Nielsen AICP, Director
SUBJECT: PROPOSED AMENDMENT TO THE ZONING MAP FOR THE CACHE COUNTY SHERIFF’S COMPLEX

The Planning Commission has recommended that the Municipal Council amend the zoning map consistent with Attachment ‘A’. The proposed zone amendment involves approximately 20 acres north of the planned future alignment of 400 N / 200 N contained in a portion of parcel 05-061-0017. The proposal and recommendation consists of a rezone from GC Commercial General to IND Industrial.

At the Council workshop, staff was asked to review the necessity of extending 1200 West through this parcel. After a review of the General Plan and the Transportation Plan there is no reference to the 1200 West Street. Further discussion and thought about the matter suggests that 1200 West is not an efficient north/south corridor since residential development to the south has precluded a continuous 1200 West alignment. In the industrial area to the north, a future 1200 West street will likely be needed to facilitate industrial growth. The north/south corridors of 1000 West and 1400 West will remain the most logical transportation routes in this area. Engineering is working on a more detailed analysis. They will either validate these conclusions or recommend dedication of a right-of-way for 1200 West when the Planning Commission hears the project for subdivision, conditional use permit, and design review.

The Logan City Planning Commission and the Planning Staff recommends this action to the Council.

ATTACHMENTS: Minutes and recommendation of the Planning Commission, M.C. workshop memo, staff report, application, zoning map, and property plat
APPLICATION FOR PROJECT REVIEW

✓ Planning Commission  □ Board of Adjustments  □ Board of Appeals

Date Received 07-08-02
Received By YR
Receipt No NC
Zone NC
Application No 02-070

Type of application (Check all that apply):
PC:  □ Subdivision  □ Conditional Use  □ Design Review  □ Zone/Text Change  □ Amendment
□ Rezone to PD  □ Rezone to X  □ Boundary Line Adjustment

Project Name:
CACHE COUNTY SHERIFFS COMPLEX

Property Address:
APPROX. 1200 WEST 200 NORTH

County Plat ID Number: 05-061-0017

Contact Person:
LYNN LEMON

Daytime Phone 714-7167
Alternate Phone/Fax

Mailing Address, City, State, Zip:
120 N 100 W LOGAN, UT 84321

Applicant: (Must be Listed)
CACHE COUNTY DON LINTON

Phone Number: 716-8361

Mailing Address, City, State, Zip (if different):
120 N 100 W LOGAN UT 84321

Applicant: (Must be Listed)
MICHAEL PARSON

Phone Number: 258-2017

Mailing Address, City, State, Zip (if different):
12305 N 1200 E LEWISTON UT 84320

Property Owner of Record (Must be listed):

Phone Number:

Mailing Address, City, State, Zip (if different):

Describe the proposed project as it should be presented:
REZONE FROM COMMERCIAL GENERAL TO INDUSTRIAL ZONE

Lot size in acres or sq. feet:
26.57 ACRES

Number of dwelling units/lots:

I certify that the information contained in this application and supporting plans is correct and accurate.

[Signature of Applicant]

Deputy, Cache County Attorney

I certify that I am the record owner of the subject property and that I consent to the submittal of this project.

[Signature of Owner (if different)]

The Commission has directed Staff to continue projects if the application is not complete.

Version: July 3, 2002
PC Docket #02-070
Rezone to “IND” for the Cache County Sheriff’s Complex
Approximately 1200 West 200 North;
TID #05-061-0017

REPORT SUMMARY...

Project Name: Cache County Sheriff’s Complex Rezone
Proponent: Cache County
Owner: Michael Parson Family
Project Address: Approximately 1200 West 200 North
Request: A Rezone to “IND” for property located at approximately 1200 West 200 North
Current Zoning: CG (Commercial General)
Type of Action: Legislative (rezone)
Staff Recommendation: Recommend action to rezone by the Municipal Council

PROJECT

The proponent is requesting approval for a rezone of roughly 26.57 acres of property at approximately 1200 West 200 North from Commercial General (CG) to Industrial (IND). The purpose of the rezone is to allow the relocation of the Cache County Sheriff’s Complex from its current downtown location to this site. The site development aspects of this project are not at issue here. This application is for a rezone only. A detention facility is not allowed in the CG zone but is conditionally allowed in the Industrial zone.

The long range development plan for the complex is composed of a sheriffs office building, separate detention buildings (pods), parking and service areas. At the August 8th Planning Commission, separate application is being made for a conditional use permit, a subdivision, and a design review permit. These applications are for the 1st phase of construction containing the office building, the first pod and associated parking, roadwork and landscaping.

An indoor gun range is shown on the site plan, but is not part of this initial project request. This facility may be requested by Cache County at a future date. However, the use is not clearly defined in the existing code and will require future discussion about the appropriateness of the land use, an amendment to the Land Development Code, and necessary public input.

Land use adjoining the subject property
North: IND: Undeveloped
East: CG: Self Storage Units
West: CG: Valley View Business Park
South: IND: Undeveloped
General Plan issues

During the 1996 City-wide rezone, the Municipal Council and the Planning Commission discussed this area of the city. At the time, there was a perceived need for large parcels that could accommodate "big box" retail uses. The area along 200 North was zoned Commercial General. However, since that time, no big box retail stores have located along 200 North, and retailers have not shown any interest in this part of the City. For example, Sam's Club is located at about 1250 North Main Street, and the Home Depot and Lowe's located in the same part of the City. It is clear that "big box" retail requires proximity to major residential areas and visibility from Main Street. It appears that this part of Logan is not a preferred location for big box retail. If, however, a big box retail store did desire to locate in this area, there are other large parcels zoned Commercial General, such as along 200 North near 600 West, and along 1000 West between 200 North and 200 South.

The General Plan also identifies 200 North as one of the main "gateways" into Logan, which the General Plan defines as the areas of the city along major transportation routes that "provide visitors to the area with a 'first impression' of the City." (General Plan page 3-33). Any development proposed for this parcel (or in this area) would be reviewed with this consideration in mind. Staff has visited new detention facilities around the state and has found that this land use can be most compatible with the intent of the gateways.

The Transportation Element of the General Plan shows the realignment of the western gateway from 200 North to 400 North. UDOT is supportive of this plan and currently the city is attempting to acquire new rights-of-way to facilitate the transition. The implementation of this development will ensure dedication of the right-of-way for the future roadway.

1200 West street is shown in the General Plan connecting to the new alignment of 400 North. 1200 West should be extended to the south and connect to 400 North with a perpendicular intersection. Accommodations should be made for 1200 West to join 400 North through this property.

Rezone to IND

This parcel borders land zoned Industrial to the north and to the south (across 200 North Street) Staff does not believe this rezone request raises any spot-zoning issues.

The proposed request was to rezone the entire property Industrial. The proposed 400 North realignment will necessitate the new road dissecting the parcel. The proposed sheriff's facility would be located north and west of the new alignment of 400 North containing approximately 20 acres. A parcel would remain in the southeast corner of the property contain approximately 3 acres. This remaining parcel will become an important commercial opportunity site when the new road is developed. It would be appropriate to modify this request by rezoning the northwest approx. 20 acres IND-Industrial and leaving the remaining approx. 3 acres in the southwest as CG-Commercial General. (see attachment A)
AGENCY AND CITY DEPARTMENT COMMENTS
No comments were received from City or County departments regarding this project.

PUBLIC COMMENTS
Notices were mailed to 10 property owners located within three hundred feet of the subject property. At the time the staff report was prepared, no written comments had been received by the Department of Community Development.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission recommend that the Municipal Council approve PC Docket #02-070, the proposed rezone of approximately 20 acres north and west of the proposed realignment of 400 North at approximately 1200 West 200 North from Commercial General to Industrial; Tax ID ##05-061-0017.

Respectfully submitted,

Jay L. Nielson, AICP

Report Published: July 18, 2002
Attachment 'A'
Staff Recommendation
c. Light and Power Department — contact Garth Turley 716-9741
   1. Electrical service shall extend from the southeast corner to the southwest corner of the property. The developer shall provide a trench and conduit for extension.
   2. The developer shall be responsible for both primary and secondary conduit installation which must be installed and inspected according to the LCL&P specifications.
   3. The developer shall provide secondary connections (including lugs) in transformer (de-energized equipment only).
   4. The developer shall provide a concrete transformer pad.
   5. Prior to the issuance of a building permit a digital copy of the site plan and electrical plan, in AutoCad or DXF format, must be submitted to LCL&P.

d. Public Works Department — contact Mike Mecham 716-9160
   1. The proponent shall install curb, gutter, and sidewalk on 400 West and 300 South Street.
   2. The proponent shall provide separate water and sewer connections for each unit in the duplex.
   3. No access will be allowed to 300 South Street.

RECOMMENDED FINDINGS FOR APPROVAL
1. The 315 South Project has been revised and amended by the conditions of project approval to address the issues and concerns raised within the public and administrative records.

2. The 315 South Project has been revised and amended by the conditions of project approval to conform to the requirements of Title 17 of the Logan Municipal Code, the City of Logan Public Works Standards and Specifications, and the requirements of various departments and agencies.

3. The 315 South Project is compatible with existing land uses and zoning.

4. The design permit is issued in conformance with the requirements of Title 17 of the Logan Municipal Code.

5. The street providing access and other infrastructure to the subject property has adequate capacities, or a suitable level of service, for the proposed use.

6. The proposed use provides adequate off-street parking in conformance with Title 17 of the Logan Municipal Code.

[Moved: Mr. Kartchner Seconded: Mr. Kerr Passed: _4_, _0
Yea: Box, Hooper, Kerr, Kartchner Nay: Abstain: ]

02-070 CACHE COUNTY SHERIFF'S COMPLEX. Rezone. Cache County/Michael Parson Family LC, applicant/owner, requests a rezone from the Commercial General (CG) to the Industrial (IND) zone on 26.57 acres at approx. 1200 West 200 North. TIN#05-061-0017.

STAFF: Staff reviewed the report as written.

Mr. Nielson gave the history of the site.
Mr. Kartchner stated we should rezone everything North of 400 North.

Mr. Kerr stated we should not rezone the whole area because with the new complex, there is a possibility of other commercial businesses in the area. It does create a commercial island to the West.

PROPOONENT: County Attorney Don Linton, County Executive Lynn Lemon. Mr. Linton stated that this has been a compromise between the City and County to accommodate Icon Health and Fitness, a large employer in Logan City.

PUBLIC: There was no public comment

MOTION: Moved to recommend the project to the Municipal Council.

[Moved: Mr. Kerr Seconded: Mr. Hooper Passed: 4, 0]

Yea: Box, Hooper, Kerr, Kartchner
Nay: Abstain:

02-067 SIDE YARD SETBACKS FOR ACCESSORY STRUCTURES. Amendment to the Land Development Code.

STAFF: Staff reviewed the report as written.

Mr. Kerr asked how the height is measured for a shed.

Ms. Mechem stated from the ground to the peak.

Mr. Kerr asked if there is a provision for a shed larger than 120 square feet.

Ms. Mechem stated that if the shed is larger than 120 square feet, it needs to comply with the regular set back requirements.

Mr. Ward asked about why we allow fences on the property line but make others put a 3 foot space between the shed and property line where weeds can grow.

Ms. Mechem stated because of the drip line.

Mr. Ward asked what drives the 3-foot requirement.

Ms. Mechem stated previous code.

Mr. Croshaw stated that the International Code has dropped the number of feet required.

PROPOONENT: Val Grant stated that his side yard collected junk, after putting the shed in, there was an improvement. 1 or 3 foot setback still leaves an area to put junk.

Val grant and John Kerr are neighbors.

Mr. Kerr stated that we cannot address the accessory structure in the 10 foot side set back.
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss.

On this 25th. day of ___________________________ July ___________________________ A.D. 2002,
personally appeared before me ________________ who being first duly sworn,
deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement
NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

a copy of which is here to attached, was published in said newspaper for ONE (1) issue,
commencing July 24, 2002 and
ending July 24, 2002
Signed ________________
Subscribed and sworn to before me, the day and year
above written.

Signed ________________

My Commission expires ___________________________ 9-7-2003

NOTICE OF PUBLIC HEARING FOR PURPOSES OF REZONING PROPERTY

The Logan Municipal Council will hold a public hearing to consider the following rezone:

Cache County Sheriff's Complex, Cache County/Michael Parson Family LC, applicant/owner, requests a rezone from the Commercial General (CG) to the Industrial (IND) zone on 26.57 acres at approx. 1200 West 200 North. TIN 05-061-0017.

A public hearing will be held before the Logan Municipal Council on Wednesday, August 7, 2002, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah.

Lois Price, Recorder
Publication Date: July 24, 2002
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE,

On this 14th day of August, 2002, personally appeared before me Mandie Simpson, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement

LEGAL NOTICE

was published in said newspaper for ONE (1) issue commencing August 14, 2002 and ending August 14, 2002. Signed

Mandie Simpson

Subscribed and sworn to before me, the day and year above written.

Signed

Notary Public


SUMMARIES OF ORDINANCES amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council are as follows:

ORD. 02-44. An ordinance amending the Zoning Map of Logan City, Utah, was passed August 7, 2002 and approved August 8, 2002 rezoning approx. 20 acres at approx. 1200 West 200 North from Commercial General (CG) to Industrial (I/MI) for a portion of Tax ID No. 05-081-0017. Also identified as the Cache County Sheriff's Complex.

ORD. 02-43. An ordinance, amending Section 10.88.220, "Riding on sidewalks", was adopted August 7, 2002 and approved August 8, 2002 to read as follows: "Bicycles, except when being operated by public safety personnel, postmen, newspaper carriers, or other deliverymen in the course of their business must ride on the street and not on the sidewalk" of 'Main Street between 3rd South and 5th North Streets and on Center...