CITY OF LOGAN,
ORDINANCE NO. 03-60

AN ORDINANCE AMENDING LOGAN MUNICIPAL CODE, 1989, CHAPTER 17.16
"ECONOMIC DEVELOPMENT ZONING DISTRICTS"

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

SECTION 1: Logan Municipal Code, 1989, Chapter 17.16.020, "CN, Commercial
Neighborhood District," is hereby amended to read as follows:

17.16.10. CN, Commercial Neighborhood District

The CN, Commercial Neighborhood District is primarily intended to accommodate
neighborhood-oriented retail and service businesses that have a limited market area. The
CN district corresponds to the CN land use classification of the General Plan. The CN
zoning district is the only commercial zone which may be placed without being
contiguous to other commercial zoning districts. The CN zone is intended to permit
small scale retail development in residential areas. Its uses are intentionally limited in
scope and development size, and are to be generally supported by customers from the
surrounding residential neighborhoods.

A. Site development considerations.
   1. Design review: Required.
   2. Residential land use: Conditionally permitted conforming with the standards for
density, site development, and landscaping for the MFM-zoning-district which is
consistent with the highest intensity residential zoning district that is nearest the
subject property.
   3. Accessory dwellings associated with residential permits: Not permitted
   4. Parking shall conform to code (Parking 17.38.080).
   5. Signs shall conform to code (Signs 17.40).

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

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 6th DAY OF
AUGUST, 2003, by the following vote:
AYES: Kerr, Allred, S. Thompson
NAYS: Pyfer
ABSENT: Borg

Lois Price, City Recorder

Tom Kerr, Chairman

ATTEST:

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the __________ day of __________, 2003.

Tom Kerr, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this __________ day of __________, 2003.

Douglas E. Thompson, Mayor
DATE: April 10, 2003
FROM: Michelle N. Mechem, Planner II
SUBJECT: Amendment to the text of the Land Development Code - §17.16.020 A 2: CN, Commercial Neighborhood District

Summary of Planning Commission Proceedings

On March 27, 2003 the Planning Commission recommended approval for an amendment to the text of the Land Development Code §17.16.020 A 2. Staff has attached the staff report discussing the proposed text change to this memo. The Planning Commission did change the wording of the proposed amendment from staff’s recommendation in order to clarify the meaning of this code section. The Planning Commission recommended approval of this code change unanimously.

Staff recommends that the Municipal Council Amend the Land Development Code §17.16.020 A 2 as shown below. Added language is highlighted. Deleted language is struck.

§17.16.020 CN, Commercial Neighborhood District
A. Site Development Considerations
Residential land use: Conditionally permitted conforming with the standards for density, site development, and landscaping for the MFM zoning district which is consistent with the highest intensity residential land use that is nearest the subject property.

Attachments:
Staff Report to the Planning Commission – March 27, 2003
Minutes of the March 27, 2003 Planning Commission
PROJECT
Section 17.16: Economic Development Zoning Districts establishes and defines the commercial and industrial zoning districts. The Commercial Neighborhood Zoning District is defined in section 17.16.020. Subsection “A” identifies the site development considerations. This section of code currently allows residential land uses within the CN zone to be conditionally permitted as long as the project conforms to the standards in the MFM zoning district for density, site development, and landscaping. The structure type for residential uses within the CN zone is discussed in section 17.17.030 and states that in the CN zoning district the structure type shall be consistent with the highest intensity adjacent residential use. Staff recommends that in order to clarify the code requirements and to encourage mixed use in the Commercial Neighborhood zone that section 17.16.020 A 2 be changed so it is consistent with section 17.17.030 1. By changing this section of code a CN zoning district that is adjacent to the MFH zone would be allowed to have the structure type as well as the density of the MFH zone rather than being limited to the density allowed in the MFM zone and the structure type allowed in the MFH zone as the code currently reads.

AGENCY AND DEPARTMENTAL COMMENTS
No departmental comments were received for this project.

PUBLIC COMMENTS
A newspaper advertisement was published as public notice for the proposed amendment to the Land Development Code. No comments were received by the Department of Community Development as of the date this staff report was published.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission approve a motion to recommend that the Municipal Council amend Land Development Code section §17.16.020 A 2, as shown below. Added language is highlighted. Deleted language is struck.

§17.16.020 CN, Commercial Neighborhood District
March 27, 2003 Planning Commission Minutes

[Moved: Mr. Kerr  Seconded: Mr. Hooper  Passed: 5, 0 ]
Yea: Hooper, Wickwar, Robison, Kerr, Morgan  Nay:  Abstain:

**03-019  COMMERCIAL NEIGHBORHOOD DISTRICT §17.16.020.** Amendment to the Land Development Code.

STAFF: Staff reviewed the report as written.

Mr. Ward asked for an example on what will change.

Ms. Mechem gave several examples. The mixed-use portion is what we are dealing with, not the commercial part. She also explained the meaning of the words “highest adjacent”.

Mr. Housley stated to write that into the code.

A discussion took place regarding the verbiage.

PUBLIC: There was no public comment.

MOTION: Moved to recommend the project to the Municipal Council using the new wording.

[Moved: Mr. Kerr  Seconded: Mr. Hooper  Passed: 5, 0 ]
Yea: Hooper, Wickwar, Robison, Kerr, Morgan  Nay:  Abstain:

**Work Shop Items**
Staff and the Planning Commission reviewed the projects for the meeting of April 10 in a workshop setting.

- 03-028 Wes Johnson Rezone
- 03-029 Logan Business Park – Nextel Cell Tower
- 03-030 Soil Bin Project – Logan Golf Course
- 03-031 Rodeo Lane – 7 Fourplexes
- 03-032 Econo Storage & Apt.
- 03-034 Golf Cart Building – Country Club

The meeting adjourned at 7:00 p.m.

Minutes approved as written and recorded on 2 tapes at PC meeting of March 27, 2003.

Jay Nielson
Director of Community Development

Karl Ward
Chairman

Teri Routledge
Administrative Secretary
A. Site Development Considerations

2. Residential land use: Conditionally permitted conforming with the standards for density, site development, and landscaping for the MFM zoning district which are consistent with the highest intensity adjacent residential land use.

RECOMMENDED FINDINGS

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

1. Utah state law authorizes local planning commissions to recommend ordinance changes to the legislative body (Municipal Council) that are consistent with the role of the Planning Commission.

2. The proposed changes to the Land Development Code are consistent with the Land Development Code.

3. The proposed changes to the Land Development Code will enable the Planning Department to fulfill its obligations and make land use decisions that are consistent with the General Plan and the Land Development Code.

4. The proposed changes to the Land Development Code will prevent unnecessary delays encountered by the public during project permitting and construction.

Respectfully submitted,

Michelle N. Mechem
Planner II
Staff report published: March 18, 2003
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, u.

On this 23rd day of July, A.D. 2003, personally appeared before me, Rachelle S. Thomas, 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 AMENDING THE LAND DEVELOPMENT CODE

THE LAND DEVELOPMENT CODE

a copy of which is hereto attached, was published in said newspaper for one (1) issue commencing July 23, 2003 and ending July 23, 2003.

Signed Rachelle S. Thomas

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

Signed Cynthia K. Fulton
Notary Public


Logan Municipal Council will hold a public hearing to consider the following change to the Logan Municipal Code, 1999:

Amending Section 17.16.020, "CN, Commercial Neighborhood District," to read as follows:

A. Site Development Considerations. Residential land use: Conditionally permitted conforming with the standards for density, site development and landscaping which is consistent with the highest intensity residential land use that is nearest the subject property.

A public hearing will be held before the Logan Municipal Council on Wednesday, August 6, 2003, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah. Copies of the ordinance are available at the City Recorder's office during regular business hours.

Lois Price, Recorder

Publication Date: July 23, 2003
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss.

On this 15th day of August ........................................... A.D. 2003...
personally appeared before me ... Rachelle S. Thomas .......... 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

LOGAN MUNICIPAL COUNCIL

a copy of which is hereto attached, was published in said
newspaper for One (1) issue

commencing August 15, 2003 and

ending August 15, 2003

Signed Rachelle S. Thomas

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

Signed .......................... Notary Public.