CITY OF LOGAN
ORDINANCE NO. 03-91

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 Agriculture (AG) to
Single Family Traditional (SFT) as follows:

TIN #02-077-0001.

Also identified as “River Trails Rezone,” 19.51 acres at approx. 1700-1900 West 600
South

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS 5th

AYES: NAYS: ABSENT:

Tom Kerr, Chairman

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 5th day of November, 2003.

Tom Kerr, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby Approved this 5th day of

Douglas H. Thompson, Mayor
DATE: October 10, 2003
FROM: Michelle N. Mechem, Planner
SUBJECT: River Trails Rezone

Summary of Planning Commission Proceedings
Project Name: River Trails Rezone
Project Address: Approximately 1700 to 1900 West 600 South Street
Request: Rezone to Single Family Traditional
Current Zoning: AG, Agriculture

The proponent has requested a rezone of approximately 19.51 acres of land from the Agriculture zoning district to the Single Family Traditional zoning district. Staff recommended that the Planning Commission recommend approval to the Municipal Council to rezone the parcel from the Agriculture zoning district into the Single Family Traditional-Planned Development Overlay (SFT-PD) district. On September 25, 2003, the Planning Commission voted 5-0 to approve a motion to recommend approval to the Municipal Council of a rezone to the SFT-PD zoning district. Staff has attached the staff report to the Planning Commission and the minutes of the September 25, 2003 Planning Commission Meeting.

Attachments:
Planning Commission Minutes from September 25, 2003
Staff Report to the Planning Commission September 25, 2003
7. The proposed use provides adequate off-street parking in conformance with Title 17 of the Logan Municipal Code.

8. The proposed project conforms to the requirements of Chapter 17.42 of the Land Development Code.

[Moved: Mr. Kartchner Seconded: Ms. Morgan Passed: 4, 2]

Yea: B. Morgan, J. Kerr, G. Kartchner, R. Robison
Nay: P. Morgan, G. Wickwar
Abstain:

03-100 RIVER TRAILS. Rezone. D. Martin Reese, applicant/owner, requests a rezone from the Agriculture (AG) zone to the Single Family Traditional (SFT) zone on 19.51 acres at approx. 1700-1900 West 600 South. TIN#02-077-0001.

STAFF: Staff reviewed the report as written.

Ms. Wickwar asked about the planned development. Are they going to have to cut back on the number of units?

Mr. Butler stated it could be, but they are not in the design phase of the development.

Mr. Ward asked about the density.

Mr. Butler explained.

PROPOSER: Marty Reese. He explained his project. Regarding wildlife habitat and wetlands, there are none. Other than that, he concurs with the staff report.

Mr. Ward stated that can be looked at when he comes in for design review.

Mr. Kartchner discussed the PUD.

Mr. Reese stated he is in contact with the Parks and Recreation department regarding the open space.

Ms. Wickwar asked if PUDs require homeowners association.

Mr. Reese stated he understood the utilities could be maintained by the city.

Mr. Nielson stated it can go either way, it could be private or public.

PUBLIC: Fred Baugh. He asked about the approval process.

Mr. Ward explained.

Mr. Baugh asked about the flood plain. Does that put the city in liability?

Mr. Housley stated there are separate requirements, but the city is not liable.

Mr. Baugh asked about access. Is it limited?

Mr. Kerr stated the properties to the east have limited access and it will continue.
Ms. Wickwar stated in a PUD, the houses could be clustered and have limited access.

Mr. Baugh asked which direction the homes will face.

Ms. Wickwar stated PUD's have design review and the Planning Commission can place conditions on which direction the homes will face.

Larry Parker. Development causes things for other people. He wants to continue to run a cattle operation. He is still reeling from the other project approved that has caused problems on his property.

Ms. Wickwar asked where his property was located.

Mr. Parker explained.

Ms. Wickwar stated there is a right-to-farm in the city.

Mr. Parker is concerned about the integrity of his fence when they put in the ditch right next to it. It would be nice if the proponent put in a fence to protect both sides.

A discussion took place regarding the irrigation ditch put in and the fence.

Mr. Housley stated staff could check into the ditch.

Mr. Nielsen asked Mr. Parker if this was due to their retention pond.

Mr. Parker stated no.

MOTION: Moved to approve a motion to recommend approval of the rezone request to SFT-PD to the Municipal Council.

[Moved: Ms. Wickwar  Seconded: Mr. Robison  Passed: 5 0 ]

Yea: B. Morgan, G. Kartchner, G. Wickwar, P. Morgan, R. Robison

Nay: 

Abstain:

03-105 600 WEST INDUSTRIAL EDA – Review and Recommendation.

STAFF: Staff reviewed the project. A discussion took place regarding the project.

Mr. Ward asked about Schreiber’s getting a tax break since they already exist.

Mr. Housley stated they do not get a break. It creates a funding source for the city to make improvements.

Mr. Robison asked about the time period.

Mr. Housley stated this encourages development and spurs the development.

Mr. Kartchner asked about Gossner’s and why they are not included.

Ms. Morgan asked for clarification on the project.

Mr. Housley stated if the infrastructure is there, it would be cheaper for industry to come in.
Rezone to Single Family Traditional for the River Trails Rezone
Approximately 1700 to 1900 West 600 South Street
TID #02-077-0001

REPORT SUMMARY...

Project Name: River Trails Rezone
Proponent/Owner: D. Martin Reese
Project Address: Approximately 1700 to 1900 West 600 South Street
Request: A Rezone to Single Family Traditional (SFT)
Current Zoning: AG (Agriculture)
Type of Action: Legislative (rezone)
Staff Recommendation: Recommend approval to the Municipal Council of a rezone from Agriculture (AG) to Single Family Traditional-Planned Development (SFT-PD).

PROJECT

Rezone

The proponent is requesting a rezone of approximately 19.51 acres of property located from 1700 to 1900 West on the south side of 600 West Street. The property is currently zoned Agriculture (AG) and the proponent has requested a rezone into the Single Family Traditional zoning district. Staff is recommending the Planning Commission recommend the Municipal Council rezone the property into the Single Family Traditional - Planned Development (SFT-PD) zoning district.

Land use adjoining the subject property
North: County: Undeveloped
East: SFT: Green Rivers Subdivision
West: PUB: Sewer Lift Station/Undeveloped
South: County: Undeveloped

The 19.51 acres of property was annexed in 1998. The Logan City Annexation Policy Plan states that any properties that where within the Logan City Boundaries prior to the adoption of the plan are permitted to develop with restrictions that would be consistent with the Urban Service Area description of the plan. The sensitive lands maps in the Annexation Policy Plan show this parcel with areas of wetlands, floodplains, wildlife habitat, higher liquefaction potential, high water table, and state significant farmlands.

The proponent has proposed a rezone of this property into the Single Family Traditional zoning district, which zone requires a minimum 8,000 square foot lot. Staff is recommending that the property be rezoned into the SFT-PD district. The planned development overlay would require a higher quality development and would allow the proponent greater flexibility while designing the future subdivision. Staff has discussed this recommendation with the proponent. The proponent should come prepared to discuss their preference of zoning district with the Planning Commission.

According to the Land Development Code, "[t]he purpose of a planned development is to encourage a project that is designed and intended to be a quality development with a comprehensive theme and
character.” (Land Development Code §17.28.020[D]). Additionally, in order to approve a Planned Development, the Planning Commission must substantiate findings that the project is compatible with surrounding land uses, will not interfere with the use of properties in the area, and provides recreation areas and usable open space. Staff believes that a residential subdivision in this site should address issues such as neighborhood compatibility, preservation of open space, protection of sensitive resource areas such as flood plains and wildlife habitat, and other General Plan issues. Staff believes that the Planned Development requirements incorporated in the Land Development Code provide the Planning Commission with the tools to ensure that these issues are addressed when the property is subdivided.

General Plan considerations
The General Plan does not address development issues for this part of the City in any specific manner. Without specific direction from the General Plan, staff analyzes land uses in the neighborhood to determine if a rezone request would be a spot-zone, or if the rezone would be compatible with the existing uses in the area. Staff believes a rezone of this property to Single Family Traditional-Planned Development would result in a quality development that is consistent with the existing single family subdivisions located to the East of this property. The use would also be compatible with the Public zoned piece of property owned by the Parks and Recreation Department to the west of this property.

Although the General Plan does not cite specific direction for this area it does cite southwest neighborhood residents as desiring increased home ownership opportunities. In addition, this project if approved with the Planned Development overlay will require a review based on several broad issues discussed in the General Plan and outlined below:

1. Preservation of open space. The General Plan calls for the “preservation of important natural resources” (General Plan page 4-7). Additionally, Policy LU-20 seeks to “Preserve riparian vegetation on the Logan River and along tributary creeks and canals” (General Plan p 3-51).
2. Neighborhood compatibility. The General Plan requires that new development preserve and enhance neighborhood character (General Plan Goal LU-23, p. 3-58). Additionally, the General Plan requires new development to be compatible with existing neighborhoods, stating that “new residential neighborhoods present design opportunities during subdivision review” (General Plan p 3-47).
3. Housing. The General Plan encourages the development of housing affordable to all income brackets (General Plan Policy LU-11, p 3-43).
4. Transportation. The General Plan calls for a “safe and adequate roadway network for traveling to and through Logan” (General Plan Goal CT-1).

The Planning Commission will review all four of these issues during the subdivision and design review phase of this project to ensure compliance with the goals of the General Plan. The Planned Development overlay will allow the developer to design a project that is consistent with the goals of the General Plan by allowing flexibility to the site design standards.

Development of the site
The proposed rezone to SFT would allow the construction of a maximum of approximately 107 homes on 8,000 square foot lots. If approved, the Planning Commission would then review a subdivision for the project. Staff is concerned with this approach because it may not result in the proper review of issues such as protection of habitat, open space, and a project with the highest quality design. While the subdivision process could address these issues, there is no guarantee of that occurring if the property is rezoned to SFT.

The Planned Development requirements of the Land Development Code contain provisions that are intended to address issues such as preservation of sensitive areas such as wetlands and wildlife habitat.
The Land Development Code allows Planned Developments to "cluster" homes and obtain some relief from minimum lot sizes, and contains other provisions to enable the Planning Commission and Municipal Council to approve high-quality, well-designed subdivisions. For example, lots can be clustered and slightly reduced in size from the standard minimum lot sizes to avoid highly sensitive areas such as wetlands and flood plains. Additionally, clustering of homes would also enable larger open space areas to be preserved, providing residents and neighbors of the subdivision with quality open space. Clustering homes in such a manner also reduces the cost of roads and utilities as there is less ground to cover.

The Planned Development portion of the Land Development Code allows flexibility in applying standard subdivision and zoning requirements providing the subdivision is of high quality. If the property were rezoned to SFT with the Planned Development overlay, the Planning Commission would apply the Planned Development standards in reviewing a subdivision proposal.

Therefore, for the reasons outlined above, staff recommends two motions:

1. Staff recommends that the Planning Commission approve a motion to recommend denial of the rezone request to SFT to the Municipal Council for the property located at approximately 1700 to 1900 West 600 South Street; TID #02-077-0001.

2. Staff recommends that the Planning Commission approve a motion to recommend approval of the rezone request to SFT-PD to the Municipal Council for the property located at approximately 1700 to 1900 West 600 South Street; TID #02-077-0001.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments were received from City or County departments or agencies.

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, the Department of Community Development had received no comments.

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

1. The River Trails zone amendment 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 River Trails zone amendment 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 River Trails zone amendment conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The River Trails zone amendment is compatible with existing land uses and zoning.

5. The River Trails zone amendment is consistent with the goals and policies of the Logan General Plan.
Staff Report for the Planning Commission meeting of September 25, 2003
PC Docket # 03-100, River Trails Rezone, Approximately 1700-1900 West 600 South

Respectfully submitted,

Michelle N. Mechem
Planner II

Report Published: September 18, 2003

This 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.
## APPLICATION FOR PROJECT REVIEW

**Type of application (Check all that apply):**
- [ ] Subdivision
- [ ] Conditional Use
- [ ] Design Review
- [ ] Zone Change
- [ ] Code Amendment
- [ ] Boundary Line Adjustment
- [ ] Accessory Dwelling Unit, inspection #

**Project Name:** River Trail

**Project Address:** Between 1700 W and 1900 W on 600 S. Logan, UT 84321

**APPLICANT: (MUST BE ACCURATE AND COMPLETE)**

- **Name:** D. Martin Reese
- **Contact Person:** D. Martin Reese
- **Mailing Address, City, State, Zip:** 1916 Shadow Valley Dr, Ogden, UT 84403

**Lot Size (acres or square feet):** 8,000 ft²
**Site of building (square feet):** 19.5
**Number of dwelling units/lots:**

**Application No:** 03-100

**Date Received:** 8-14-03
**Received By:** D.M.
**Receipt No:** 1627
**Zone:** AG

**Contact Person:** D. Martin Reese
**Daytime Phone:** 801-477-0114
**Alternate Phone/Fax:** 801-477-0164

**Signature of Applicant:**

**Signature of Owner (if different):**

Use additional pages if necessary. You must provide the Planning Commission with enough information to make an informed decision.

---

*group/planning/forms/PREP Application Package*
- Proceed West on 200 North st. From Main Street.
- Turn South on 1000 West and proceed to 600 South.
- Turn West onto 600 South.
- Property is located between sewer lift station and Green Meadows subdivision.
- 19.6 acres rectangle fence in two parcels at approximately 1700 to 1900 west on 600 South.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, et. al.

On this 12th day of November, 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 November 12, 2003
and
ending November 12, 2003

Signed Rachelle S. Thomas

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

Signed

Notary Public

My Commission expires September 7, 2007

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council is as follows:
ORD. 03-91. An ordinance amending the Zoning Map of Logan
City, Utah, was passed and approved November 5, 2003, rezoning 19.51 acres at approx. 1700-1900 West 600 South from Agriculture (AG) to Single Family Traditional (SFT) identified as TIN #02-077-0001. Also identified as "River Trails Rezone."
This ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 235 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: November 12, 2003
River Trails Rezone from AG to SFT
Ord # 03-91  Date 11/5/03