CITY OF LOGAN
ORDINANCE NO. 05-94

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 Residential Planned Development (SFR-PD) as follows:

TIN#02-069-0006

Also identified as "Parker Property Rezone," 22.2 acres, more or less, located at approx. 1100 West to 1400 West and 750 South to 850 South.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF SEPTEMBER, 2005.

AYES: Swenson, Taylor, Paper, Thompson, Needham
NAYS: None
ABSENT: None

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 20 day of SEPTEMBER, 2005.

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 23 day of SEPTEMBER, 2005.

Douglas B. Thompson, Mayor
DATE: September 3, 2005
FROM: Michelle N. Mechem, Senior Planner
SUBJECT: Parker Property Rezone

Summary of Planning Commission Proceedings

Project Name: Parker Property Rezone
Project Address: Approximately 1100 – 1400 West 750 – 850 South
Current Zoning: Agriculture (AG)/Unincorporated County

On August 11, 2005 the Planning Commission unanimously recommended that the Municipal Council approve a rezone of an approximately 22 acre parcel into the Single Family Residential – Planned Development (SFR-PD) zoning district. The Municipal Council is considering the annexation of this property on the same night (September 6th) as the rezone workshop. Currently the property is located within the County, but if annexed it will automatically be zoned Agriculture, which is a holding zone in Logan City. Staff has attached the staff report to the Planning Commission and the minutes of the August 11th, 2005 Planning Commission Meeting.

Attachments:
Planning Commission Minutes from August 11th, 2005
Staff Report to the Planning Commission August 11th, 2005
Project Name: Parker Property Rezone  
Proponent/Owner: Horizon Development and Management  
Project Address: Approximately 1100 to 1400 West from 750 to 850 South  
Request: A Rezone to Single Family Residential (SFR)  
Current Zoning: Unincorporated County/AG (Agriculture)  
Type of Action: Legislative (rezone)  
Staff Recommendation: Recommend approval to the Municipal Council of a rezone from Agriculture (AG) to Single Family Residential-Planned Development (SFR-PD).

Rezone
The proponent is requesting a rezone of approximately 22 acres of property located from approximately 1100 to 1400 West from 750 to 850 South. The property is directly south/southeast of the Henry's Point Subdivision located on 600 South Street. The Municipal Council is currently in the process of annexing this property into Logan City, the public hearing and decision on the annexation is tentatively scheduled for September 6th. If the property is annexed into Logan it will be assigned the Agriculture (AG) zoning district as a holding zone until a new zoning district is approved for this property. The proponent has been informed that applying for a rezone prior to the annexation of the property is at his own risk and if the property is not annexed into Logan City the zone change will be moot.

Land use adjoining the subject property
North: SFT, Henry’s Point Subdivision  
East: County, Farming operation  
West: SFT, Henry’s Point Subdivision and County, Undeveloped  
South: County, Undeveloped

The proponent has requested a rezone into the Single Family Residential zoning district, however, staff is recommending the Planning Commission recommend the Municipal Council rezone the property into the Single Family Residential - Planned Development (SFR-PD) zoning district for the reasons listed below.

This property is located within the Urban Service Area as defined by the Logan City Annexation Policy Plan, which is intended to have “commercial, industrial, and residential development” at urban densities. The sensitive lands maps in the Annexation Policy Plan show this parcel to have a possible small area of wetlands. It is also near wildlife habitat, has a moderate liquefaction potential, and a high water table. It is not located in the floodplain and does not have farmlands of state or national significance, although the property is currently used as part of a larger agricultural operation.

The Future Land Use Plan (FLUP) shows this property in the Detached Residential (DR) land use area. As stated in the FLUP, the DR land use is intended for detached single family structures. The proposed maximum density in the DR area is ten units per acre. The proponent has applied for the SFR zoning district, which allows for a maximum density of seven units per acre and only permits detached single
family structures. This applied for zone is consistent with the density and structure types recommended in the FLUP, however, the proposed zone does not require design review over the subdivision layout or design of the homes.

Staff is recommending that this property have the Planned Development overlay zone applied to it to ensure a higher quality development that allows the proponent greater flexibility while designing the future subdivision while also ensuring City review over the lot layout and site/structure design. This additional review (Design Review) will allow the Planning Commission to review the project and ensure that the proponent has preserved quality open space, specifically sensitive lands on the property, and that the home design meets or exceeds the design of the surrounding neighborhoods. The PD overlay will also allow planning staff to encourage the proponent to design a subdivision which is consistent with the FLUP with varied lot and structure sizes that create a diverse and stable neighborhood. The subdivision/home design should create a traditional neighborhood quality with the entrance of the homes oriented towards public streets, garages setback behind the front of the homes, with street trees and front porches that dominate the street scene. The proponent should also be aware during the subdivision design phase that street connectivity and re-implementation of the city street grid system is a high priority for Logan City.

The Single Family Residential zoning district requires a minimum 6,000 square foot lot size, however the PD overlay would allow a 5,000 square foot lot size. The maximum density with or without the PD overlay is seven units per acre.

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.

Staff has analyzed land uses in the neighborhood to determine if the rezone request is compatible with the existing uses in the area. Staff believes a rezone of this property to Single Family Residential-Planned Development would result in a quality development that is consistent with the existing single family subdivisions located to the north and west of this property. The use would also be compatible with future uses of the property to the east of this property.

Although the current 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 current 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.

Development of the site
The proposed rezone to SFR would allow the construction of a maximum (gross density) of approximately 154 homes (7 u/ac x 22 ac. = 154 homes). Once developed with roads and dedicated open space the project is more likely to have approximately 100 homes (4.5 u/ac), although this property could be developed at a lower density.

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 SFR with the Planned Development overlay, the Planning Commission would apply the Planned Development standards in reviewing a subdivision proposal.

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.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission approve a motion to recommend approval of a rezone to the SFR-PD to the Municipal Council for the property located at approximately 1100 to 1400 West from 750 to 850 South; TID #02-069-0006.

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

1. The Parker Property 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 Parker Property 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 Parker Property zone amendment conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The Parker Property zone amendment is compatible with existing land uses and zoning.

5. The Parker Property zone amendment is consistent with the goals and policies of the Logan General Plan.

Respectfully submitted,

Michelle N. Mechem, AICP
Senior Planner

Report Published: August 4, 2005

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.
05-049 Parker Property. Zone Change. Horizon Development and Management/Kirt Peterson, applicant/owner, requests a zone change from Agriculture (AG) to Single Family Residential (SFR) zone on 22 acres at approximately 1100-1400 W 750-850 S. TIN#02-069-0002.

STAFF: Ms. Mechem reviewed the report as written.

Ms. Mechem stated the Single Family Residential zoning allows for a maximum density of 7 units per acre. By the time roads are accounted for, there are around 3 ½-4 units per acre. She stated that this will start mixed densities discussed in the Future Land Use Plan.

Ms. Hinckley asked where they will access 600 South.

Ms. Mechem stated there will be accesses through the existing subdivision. The developer may develop a park in order to obtain the small lot sizes. The City has a park planned for this area, but there is no money dedicated to it at the current time.

PROPOENENT: Nothing further to add.

PUBLIC: Mr. Alan Hinckley questioned where the rivers are.

Ms. Mechem stated that there is a high water table in the area, but it is not in the flood plain. The land has been used as farm land in the past and there is an active farm to the south.

MOTION: Mr. Kartchner motioned to recommend approval of the rezone to the Municipal Council if the annexation is approved. Mr. Morgan seconded the motion.

RECOMMENDED FINDINGS FOR APPROVAL
1. The Parker Property 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 Parker Property 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 Parker Property zone amendment conforms to the requirements of Title 17 of the Logan Municipal Code.

4. The Parker Property zone amendment is compatible with existing land uses and zoning.

5. The Parker Property zone amendment is consistent with the goals and policies of the Logan General Plan.

[Moved: Mr. Kartchner   Seconded: Mr. Morgan     Passed: 5-0]
Yea: P. Morgan, B. Morgan, G. Kartchner, R. Robison, M. Hinckley  Nay: Abstain:

Workshop Items
Staff and the Planning Commission reviewed the projects for the meeting of August 25, 2005, in a workshop setting.

- 05-054 Stone River Bronze
- 05-055 Horlacher Meats Addition
- 05-056 Riverpark Senior Housing
- 05-057 Seasons at the Riter Mansion Carriage House
- 05-058 Logan Crossroads LLC
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, et al.

On this 6th day of September, 2005 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 REZONING PROPERTY

a copy of which is hereto attached, was published in said newspaper for One (1) issue commencing September 6, 2005 and ending September 6, 2005.

Signed, Rachelle S. Thomas

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

Signed, Cynthia K. Fulton, Notary Public.


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

Zone Change Horizon Development & Management requests a zone change on 22.2 acres from Agriculture (AG) to Single Family Residential (SFR) zone, TIN #02-069-0006, located at approx. 1100 West to 1400 West and 750 South to 850 South.

Public hearing will be held before the Logan Municipal Council on Tuesday, September 20, 2005, not before 6:15 p.m. in the Council Chambers at 255 North Main Street, Logan, Utah. Interested citizens are invited to attend.

Lois Price, Recorder

Publication Date: September 6, 2005
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF Cache...

On this 29th day of September, 2005

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 September 29, 2005

ending September 29, 2005

Signed Rachelle S. Thomas

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

Signed

Notary Public


LEGAL NOTICES

SUMMARY OF AN ORDINANCE amending the Logan Municipal Code, 1989, passed by the Logan Municipal Council, as follows:

ORD. 05-94. An ordinance was adopted and approved September 6, 2005

LEGAL NOTICES

amending the Zoning Map of Logan City to rezone from Agricultural (AG) to Single Family Residential Planned Development (SFR-PD), the following parcel: TIN#02-069-0006. Also identified as "Parker Property Rezone," 22.2 acres, more or less, located at approx. 1100 West to 1400 West and 750 South to 850 South.

Ordinances are effective upon publication. Full texts may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: September 29, 2005