CITY OF LOGAN
ORDINANCE NO. 07-49

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 Multi Family Medium (MFM) and Commercial General (CG) to Single Family Residential (SFR) as follows:

TIN 05-041-0038 from MFM to SFR
TIN 04-082-0059 from CG to SFR

Also identified as City “Fix-It” Rezone, 4.21 acres at 409 W 1000 N and 1580 N 400 W.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF June, 2007.
AYES: Neeckham, Needham, Taylor, Potter, Thompson
NAYS: None
ABSENT: None

Steven C. Taylor, Chairman

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 19th day of June, 2007.

Steven C. Taylor, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 19th day of June, 2007.

Randy Watten, Mayor
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: June 1, 2007
FROM: Tavis J. Austin, Senior Planner, Community Development
SUBJECT: Zoning Map Amendment at 409 W 1000 North and 1580 North 400 West

Summary of Planning Commission Proceedings

Project Name: City "Fix-It" Rezone
Project Address: 409 W 1000 North and 1580 North 400 West
Recommendation of Planning Commission: Approval of rezone to Single-Family Residential (SFR)
Current Zoning: Multi-Family Medium (MFM) and Commercial General (CG)

On May 10, 2007, the Planning Commission unanimously recommended that the Municipal Council approve a rezone of parcels 05-041-0038 and 04-082-0059 from Multi-Family Medium (MFM) and Commercial General (CG) to the Single-Family Residential (SFR) zoning district. These parcels were unintentionally omitted from the "Western Logan Zoning Amendment" a few weeks ago.

I have attached the staff report to the Planning Commission and the minutes of the Planning Commission meeting.

Attachments:
Planning Commission Minutes from May 10, 2007
Staff Report to the Planning Commission May 10, 2007
3. The Logan River Hotel/Conference/Restaurant is compatible with existing land uses and zoning and enhances the character of the neighborhood.

4. The Design Review Permit is issued in conformance with the requirements of Title 17 of the Logan Municipal Code.

5. The Logan River Hotel/Conference/Restaurant is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining or area properties.

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

[Moved: Mr. Ward Seconded: Mr. Robison
Passed: ~
Yea: R. Robison, J. Kerr, G. Kartchner, K. Ward, D. Blaser
Nay: Abstain:

07-042 City “Fix-It” Rezone. Zone Change. The City of Logan requests a zone change of parcels 05-041-0038 on 0.44 acres at 409 W 1000 N and 04-082-0059 on 3.77 acres at 1580 N 400 W zoned Multi Family Medium (MFM) and Commercial General (CG) respectively to Single Family Residential (SFR).

STAFF: Mr. Mumford reviewed the staff report as written.

PUBLIC: There were no public comments.

MOTION: Mr. Kerr motioned that the Planning Commission recommend that the Municipal Council Conditionally Approve PC #07-042, a rezone from the Commercial General (CG) and Multi-Family Medium (MFM) zoning districts to Single-Family Residential (SFR), for property located at 409 West 1000 North and 1580 North 400 West, TIN #05-041-0038, 04-082-0059. Mr. Blaser seconded the motion.

RECOMMENDED FINDINGS FOR APPROVAL
1. The subject properties should have been included in the previously approved Western Logan Zoning Amendment and were unintentionally left out.

2. The subject properties, when used for the permitted uses in the MFM and CG zoning districts would not be compatible with adjoining land uses or the purpose of the adjoining SFR districts.

3. The Future Land Use Plan identifies these areas for detached residential, which would be compatible with the surrounding neighborhoods/parcels.

4. The subject properties are suitable for development within the SFR zoning district without increasing need for variances or special exceptions, and are suitable for all of the permitted uses within the district.

[Moved: Mr. Kerr Seconded: Mr. Blaser
Passed: ~
Yea: R. Robison, J. Kerr, G. Kartchner, K. Ward, D. Blaser
Nay: Abstain:

Staff and the Planning Commission reviewed the agenda for the meeting of May 24, 2007, in a workshop setting.

- 07-043 600 West Commercial
- 07-044 Logan Regional Hospital Cancer Center
- 07-045 Willow Wood East

The Springs stated that they have two lots that do not fit their standard house plan and requested setbacks of 9.9 feet. Mr. Peterson stated they would add rock along the entire side and additional landscaping. Substantial conformance was granted.

The meeting adjourned at 7:25 p.m.
REPORT SUMMARY...
Project Name: City Fix-It Rezone
Proponent: City of Logan (Jay Nielson)
Project Address: Approximately 409 W 1000 N and 1580 N 400 W
Request: A Rezone to Single-Family Residential (SFR)
Current Zoning: Commercial General (CG) and Multi-Family Medium (MFM)
Type of Action: Legislative (rezone)
Staff Recommendation: Recommend Approval of Rezone to Municipal Council

PROJECT

The City is requesting a rezone of two properties that were unintentionally left out of the recently approved Western Logan Zoning Amendment. The properties do not pose any real issues with incompatible development, but the zoning of the properties should be consistent with the surrounding parcels.

One of the two properties is the 3.77 acre LDS Church property, located at 1580 North 400 West. Although the zone change will have no effect on the current development possibilities (a church was recently built on the property), the Single Family Residential zoning is compatible with the neighboring properties which were rezoned with the Western Logan Zoning Amendment.

The second property is located at 409 West 1000 North and is approximately 0.44 acres. This property was owned by Logan City and was recently sold to the current property owner, with the condition that the City initiates a boundary line adjustment to join the property to the adjacent 4.4 acre parcel. It was also unintentionally left out of the Western Logan Zoning Amendment, and if left alone, would not be suitable for permitted uses and site development standards without requiring variances.

The practice of the City has been to divide zoning districts along property lines, rather than having several zoning districts on the same parcel. This practice minimizes confusion on all sides and does not hamper the ability of the Land Development Code to regulate development. This rezone is also consistent with the draft Future Land Use Plan (FLUP). Staff recommends approval of this rezone request, with the findings located at the end of this document.

Surrounding Zoning/ Land Uses
North: SFR: Vacant
South: SFR: Residential and Existing Commercial Uses
East: MFM: Townhomes
West: SFR, MFM: Vacant & Single Family Homes

AGENCY AND CITY DEPARTMENT COMMENTS
- No Agency or Department comments have been received at this time; no additional requirements or conditions have been requested.
PUBLIC COMMENTS
Notices were mailed to 41 property owners located within three hundred feet of the subject property. Notices were also mailed to 18 surrounding and effected entities (cities, county, and districts, etc.). At the time the staff report was prepared, no public comments had been received by the Community Development Staff.

STAFF RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council of PC Docket #07-042, a rezone from the Commercial General (CG) and Multi-Family Medium (MFM) zoning districts to Single-Family Residential (SFR), for property located at 409 West 1000 North and 1580 North 400 West, TIN # 05-041-0038, 04-082-0059.

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

1. The subject properties should have been included in the previously approved Western Logan Zoning Amendment, and were unintentionally left out.

2. The subject properties, when used for the permitted uses in the MFM and CG zoning districts would not be compatible with adjoining land uses or the purpose of the adjoining SFR districts.
3. The Future Land Use Plan identifies these areas for detached residential, which would be compatible with the surrounding neighborhoods/parcels.

4. The subject properties are suitable for development within the SFR zoning district without increasing need for variances or special exceptions, and are suitable for all of the permitted uses within the district.

Respectfully submitted,

Steve Mumford
Planner II

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.
PROOF OF PUBLICATION

On this 25th day of June, A.D. 2007

Rachelle S. Thomas

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

LEGAL NOTICE

LEGAL NOTICES
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, is as follows:

ORD. 07-49. An ordinance was adopted and approved June 19, 2007 amending the Zoning Map of Logan City to rezone from Multi Family Medium (MFM) and Commercial General (CG) to Single Family Residential (SFR) respectively:

TIN 05-041-0038 and TIN 04-082-0059

Also identified as "City Fix-it Rezone," 4.21 acres located at approx. 409 West 1200 North and 1580 North 400 West.

The ordinance is effective immediately upon publication. Full text of the ordinance may be reviewed at the Office of the Logan City Recorder, City Hall, 255 North Main, Logan, Utah during regular business hours.

Lois Price, Recorder
Publication Date: June 24, 2007