CITY OF LOGAN, UTAH
ORDINANCE NO. 12-14

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE 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 code entitled “Land Development Code, City of Logan, Utah” Chapter 17.22.070: “Public (PUB) AND Recreation (REC) Zone Development Standards,” is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, this 21st day of February, 2012.

AYES: Ward, Bowles, Quayle, Ljersen, Olsen

NAYS: None

ABSENT: None

Dean Quayle, Chair

ATTEST:
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 21st day of February, 2012.

Dean Quayle, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 21st day of February, 2012.

Randy Watts, Mayor
EXHIBIT A

17.22.070
Height Exceptions
The maximum height standards of Section 17.22.070 apply to all primary and accessory uses allowed within Public and Recreation zones, except that the following may exceed the stated height limits by ten (10) feet: water towers; utility poles; solar collectors, louvers, and reflectors; penthouse structures for elevators, stairways, HVAC facilities, or; skylights; steeples; flagpoles; chimneys; silos and barns. Utility poles, and public safety facilities, and recreational facilities may exceed height limits with a Conditional Use Permit.
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: February 2, 2012
FROM: Kristen Clifford, Planner II, Community Development
SUBJECT: PUB & REC Zone Height Exception

Summary of Planning Commission Proceedings

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>PUB &amp; REC Zone Height Exception</th>
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<tr>
<td>Project Address:</td>
<td>Citywide</td>
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<tr>
<td>Recommendation of Planning Commission:</td>
<td>Approval</td>
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On January 26, 2012, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a Rezone from Mixed Use (MU) to Commercial (COM)

Planning Commissioners, unanimous vote (4,0):
Recommend approval: Konrad Lee, John Kerr, David Adams, Amanda Davis

Attachments:
Staff Report
Ordinance 12-14
PC Meeting Minutes
REPORT SUMMARY...

<table>
<thead>
<tr>
<th>Project Name:</th>
<th>Public &amp; Recreational Zone Height Exception</th>
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<tr>
<td>Proponent/Owner:</td>
<td>Logan City Community Development Department</td>
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<tr>
<td>Project Address:</td>
<td>Citywide</td>
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<td>Request:</td>
<td>Code Amendment</td>
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<td>Type of Action:</td>
<td>Legislative</td>
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<td>Date of Hearing:</td>
<td>January 26, 2012</td>
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<tr>
<td>Submitted By:</td>
<td>Kristen Clifford, Planner II</td>
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</tbody>
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RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council for an amendment to the Land Development Code (LDC) §17.22.070.

REQUEST

Due to strong request from various City Departments and City officials, this is a request to amend §17.22.070 "Public and Recreation Zone Development Standards". The proposal is to amend this section by adding text to the “Height Exceptions” paragraph that exempts recreation facilities from the stated height maximums in the Public (PUB) and Recreation (REC) zones. The amendment would appear as follows:

17.22.070

Height Exceptions

The maximum height standards of Section 17.22.070 apply to all primary and accessory uses allowed within Public and Recreation zones, except that the following may exceed the stated height limits by ten (10) feet: water towers; utility poles; solar collectors, louvers, and reflectors; penthouse structures for elevators, stairways, HVAC facilities, or; skylights; steeples; flagpoles; chimneys; silos and barns. Utility poles, public safety facilities, and recreational facilities may exceed height limits with a Conditional Use Permit.

GENERAL PLAN

The General Plan recommends increasing recreational opportunity and enjoyment to allow citizens more choice in the type, location, cost, and pace of activities unique to their needs. The Plan does not, however, discuss height specific to recreational uses. The General Plan §3.13 describes the REC zone as lands that are primarily recreation and park facilities. They are typically publicly-owned, but may also include privately owned recreation facilities such as campgrounds, golf courses, and RV parks (long-term residential use is prohibited). The PUB zone is described in §3.14 as Public/USU designated properties reserved for lands on which public facilities (schools, government offices, fire stations, etc.) are, or will be, located.
STAFF RECOMMENDATION AND SUMMARY
Staff finds that a variety of recreational facilities currently exceed the stated height maximums (35 feet) in the zone (i.e. Logan River Golf Course nets, Aquatic Center water slides, etc.). Due to the requirement of a Conditional Use Permit, staff finds that the opportunity for thorough review and appropriate conditions will be required in order to minimize any negative impact from the height exception.

PUBLIC COMMENTS
As of the time the staff report was prepared, no public comments had been received.

AGENCY AND CITY DEPARTMENT COMMENTS
As of the time the staff report was prepared, no comments had been received.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:

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 Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendment to chapter 17.22 further expands recreational opportunities and choices for the enjoyment of the citizens of Logan City, and is consistent with the goals and objectives of the General Plan.
4. Any proposed height exception in the Public or Recreation zones will require the approval of a Conditional Use Permit in order to ensure appropriate design and compatibility to the surrounding neighborhood.
The Logan City Planning Commission will hold a public hearing to receive input on the following:

PC 12-006 1400 North Zone Change. Request to rezone properties from Mixed Use (MU) to Commercial (COM) adjacent to the intersection of 1400 North Main.

PC 12-007 Height Exception PUB/REC Zones Code Amendment. Request amendment to LDC 17.22.070 to include recreation facilities in the "Height Exceptions" paragraph associated with Public (PUB) and Recreation (REC) zones.

The Municipal Council is tentatively scheduled to hold a workshop on these items on Tuesday, February 7, 2012, and tentatively scheduled to hold a public hearing on Tuesday, February 21, 2012. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West and will not begin before 5:30 pm.

PC 12-009 Zoning Map Readoption/Update. Logan City. Review and update the current zoning map. Hearings will be held with Planning Commission and Municipal Council (this will be a series of hearings through Planning Commission with Municipal Council workshop tentatively scheduled for April 3, 2012 and hearing on May 1, 2012).

Contact the Department of Community Development at 716-9021 for more information or www.loganutah.org
STATE OF UTAH
COUNTY OF CACHE, ss

On this 28th day of February, A.D. 2012 personally appeared
before me Monica Christensen who being first being duly sworn, deposes and says that
she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal
a daily newspaper published in Logan City, Cache County Utah, and that the
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper

Commencing on the following days:
02/28/2012

\[Signature\], Assistant to the Finance Director

Subscribed and sworn to before me on this 28th day of February, A.D. 2012

\[Signature\], Notary Public

Commissioned in the State of Utah

My Commission expires August 1, 2015