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(s) are hereby zoned from University Corridor (UC) to Campus Residential (CR)

TIN #05-016-0019; 0030; 0031

Also identified as, 1249, 1251 & 1279 North 800 East, and more particularly described as Exhibit A attached hereto.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, ___
THIS DAY OF ___ , 2012.

AYES: Dean Quayle, Chair
NAYS: More
ABSENT: More

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 ___ day of ___ , 2012.

Dean Quayle, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby ___ approved ___ this ___ day of ___ , 2012.

Randy Watts, Mayor
EXHIBIT A

Legal Description (05-016-0019)

------- 2012 -------

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F
LOGAN FARM SVY & TH S 0*14'25" W 360.52 FT TO TRUE POB TH S 1*42'26"
E 80.36 FT TO PT N 0*12'20" E 668.24 FT FROM SE COR LT 8 SD BLK 1 & TH N
87*37'45" W 242.86 FT TO E BANK OF LOGAN NORTHERN CANAL TH N
28*27' E 141.69 FT TH S 61*33' E 89.72 FT TH N 28*27' E 20 FT TH S 61*33' E 63
FT TH N 88*17'34" E 28.97 FT TO TRUE POB CONT 0.49 AC M/B

Legal Description (05-016-0030)

------- 2012 -------

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F
LOGAN FARM SVY & TH S 0*14'25" W 190 FT TO PT N 0*12'20" E 668.24 FT &
N 1*42'26" W 85.18 FT & N 0*14'25" W 170.52 FT FROM SE COR LT 8 SD BLK 1
& TH N 89*45'35" W 61.33 FT TH S 28*48'01" W 160 FT TH N 61*33' W 39.72 FT
TO E BANK OF CANAL TH ALG E BANK IN 3 COURSES: N 28*27' E 46.53 FT N
28*48'01" E 167.08 FT N 30*00'56" E 142.86 FT TO BEG WITH 25 FT R/W BEG 10
RDS S & S 0*14'25" W 352.84 FT FROM NE COR SD LT 7 & TH S 88*17'34" W
25.86 FT TH N 61*33' W 109.43 FT TO BEG CONT 0.37 AC M/B

Legal Description (05-016-0031)

------- 2012 -------

BEG ON E BANK OF CANAL 10 RDS S OF NE COR OF LOT 7 BLK 1 PLAT F
LOGAN FARM SVY & TH S 0*14'25" W 190 FT TO TRUE POB TH N 89*45'35"
W 61.33 FT TH S 28*48'01" W 160 FT TH S 61*33' E 50 FT TH N 28*27' E 20 FT
TH S 61*33' E 63 FT TH N 88*17'34" E 28.97 FT TO E LN OF LT 7 AT PT N
0*12'20" E 668.24 FT & N 1*42'26" W 80.36 FT FROM SE COR LT 8 SD BLK 1 TH
N 1*42'26" W 4.82 FT TH N 0*14'25" E 170.52 FT TO TRUE POB WITH 25 FT
R/W BEG 10 RDS S & S 0*14'25" W 352.84 FT FROM NE COR SD LT 7 & TH S
88*17'34" W 25.86 FT TH N 61*33' W 109.43 FT TO BEG CONT 0.39 AC M/B
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: April 13, 2012
FROM: Kristen Clifford, Planner II, Community Development
SUBJECT: Riverside Apartments Zone Change

Summary of Planning Commission Proceedings

Project Name: Riverside Apartments Zone Change
Project Address: 1249, 1251 & 1279 North 800 East;
                 TIN 05-016-0019; 0030; 0031
Recommendation of Planning Commission: Approval

On April 12, 2012, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a Zone Change from University Corridor (UC) to Campus Residential (CR).

Planning Commissioners, vote (5,0):
Recommend approval: Konrad Lee (Motion), Heather Hall (Second), David Adams, Amanda Davis, Allison Hale

Attachments:
Staff Report
Map of Proposed Zone Change
Ordinance 12-29
PC Meeting Minutes
REPORT SUMMARY...

Project Name: Riverside Apartments Rezone
Proponent/Owner: Darren Child / Riverside Apartments LLC
Project Address: 1249, 1251 & 1279 North 800 East
Request: Rezone from University Corridor (UC) to Campus Residential (CR)
Type of Action: Legislative
Hearing Date: April 12, 2012
Submitted By: Kristen Clifford, Planner II

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Municipal Council for a Rezone of three (3) properties, totaling 1.25 acres, located at 1249, 1251 and 1279 North 800 East, from UC to CR, TIN #05-016-0019; 0030; 0031.

Current Land use adjoining the subject property:

<table>
<thead>
<tr>
<th>North</th>
<th>East</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC: Multi Family Residential Uses</td>
<td>PUB: Utah State University</td>
</tr>
<tr>
<td>South</td>
<td>West:</td>
</tr>
<tr>
<td>PUB: USU Housing</td>
<td>UC: LDS Churches</td>
</tr>
</tbody>
</table>

Request

The request is to rezone three (3) parcels (1.25 acres) on the west side of 800 East from UC to CR. The three properties are currently occupied by the Riverside Apartments, consisting of 14 dwelling units, and one (1) house. The Riverside Apartments were built in 1994-1995 and vary between five and four bedroom units. The house appears to have been built circa 1930, but the exact date is not available. The Logan Northern canal buffers the property from the two LDS Churches and single family homes to the west.

Zoning History

The property was annexed into Logan City in 1969, under the R-1 (single family) zone. The zoning changed to R-4 (multi-family) in 1976 and Multi-Family Very High (MFV) in 2000, which allowed 32 units/acre. In 2011, the zoning changed to its current designation of UC.

In response to staff-recommended changes presented at the March 22, 2012 meeting, the Planning Commission voted to recommend approval to the Municipal Council to change the zoning from UC to Mixed Residential High (MRH) which, if approved, would allow 11-20 units/acre.

Proposed Zoning

The LDC §17.15.060 describes the MRH zone as a medium density zone that allows a mix of housing options for all stages of life at a maximum density of 20 units/acre and at a maximum height of 45 feet (pending review and approval of PC 12-025 by the Planning Commission and Municipal Council).

The LDC §17.19.070 describes the CR zone as areas adjacent to large educational and employment centers. This zone is intended to permit the highest density residential development in the city and allows a maximum density of 40 units/acre and a maximum height of 58 feet (pending approval).
Occupancy
The LDC §17.13.040 states that residential occupancy of a dwelling unit is limited to one (1) family, or no more than three (3) unrelated adults. Occupancy of no more than six (6) unrelated adults, not to exceed two (2) per bedroom, is permitted only in the CR zone. The increased occupancy is intended to further help the concentration of students closer to USU's campus.

The Riverside Apartments were built under the R-4 zoning which, at the time, allowed a maximum of six (6) unrelated adults per dwelling unit.

General Plan
The Future Land Use Plan (FLUP), adopted in 2008, identifies these properties as CR. The General Plan 3.4 identifies the largest CR district being located adjacent to Utah State University (USU) where it is intended to relieve the student housing pressure on traditional single-family neighborhoods.

In the February, 2011, city-wide zone change, the MFV zoned properties were changed to the most similar new zone: CR. Although the subject property was zoned MFV, it was re-zoned to UC, which is not included as a zoning designation of the General Plan. The UC was created during the LDC re-write and was intended to create a mixed use corridor between USU and Main Street. As a result of the 2012 city-wide zone change process, it is recommended that future amendments be made to the UC ordinance. Therefore, staff is recommending to temporarily eliminate the UC zoning designation from the current zoning map.

Summary
Due to the previous MFV zoning and the location of the subject properties, staff finds that the proposed zone change to CR, and its associated density and occupancy, meet the intent of the General Plan. The close proximity to the USU campus and its location along existing transit routes allow for a decrease in vehicle trips and emphasize pedestrian activity and transit-use, in accordance with the LDC and the General Plan.

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 from city departments had been received.

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

1. The proposed rezone is consistent with the General Plan and Future Land Use Plan (FLUP) because those adopted documents identify the area as Campus Residential (CR).
2. The close proximity to the USU campus and its location along existing transit routes allow for a decrease in vehicle trips and emphasize pedestrian activity and transit-use, in accordance with the General Plan and Land Development Code.
3. The proposed rezone is consistent with the City's effort to concentrate multi-family uses and higher occupancies near the University and in Town Center areas, to further reduce rental pressures in traditional single family neighborhoods and provide growth areas for future populations.
4. The proposed rezone is compatible with the residential land uses adjacent to the subject property.
5. The proposed rezone is compatible with the neighborhood character, because the land uses and structure types in areas surrounding this property are developed in a manner similar to CR zoning.
PC 12-023 Riverside Apts Rezone Zone Change. Darren Child, authorized agent/owner, requests a zone change for three (3) properties, totaling 1.25 acres, from University Corridor (UC) to Campus Residential (CR) located at 1249, 1251 & 1279 North 800 East; TIN 05-016-0019;30;31.

STAFF: Ms. Clifford reviewed the Staff report as written, recommending approval. Due to the previous Multi-Family Very High (MFV) zoning and the location of the subject properties, Staff finds that the proposed zone change to Campus Residential (CR) and its associated density and occupancy meet the intent of the General Plan. The close proximity to the USU campus and its location along existing transit routes allow for a decrease in vehicle trips and emphasize pedestrian activity and transit use in accordance with the Land Development Code and General Plan.

PROONENT: None

PUBLIC: None

COMMISSION: Commissioner Davis asked about the height allowance in the Multi-Family Very High (MFV) zone. Ms. Clifford answered that it was 35-38'.

Ms. Clifford advised that the properties just west of the canal, where the churches are located, have been proposed to be zoned as Neighborhood Residential Outer Core (NROC).

Commissioner Hall asked if there were any height differences between the Multi-Family Very High (MFV) and Campus Residential (CR) zones. Ms. Clifford explained that the Mixed Residential High (comparable to the former MFV zone) has a height maximum of 45' and Campus Residential is 55'.

Ms. Clifford confirmed for Commissioner Adams that this parcel was reviewed during the recent zoning map discussions and it was determined to have the applicant for this project come forward with this site specific rezone.

MOTION: Commissioner Lee moved that the Planning Commission forward a positive recommendation to the Municipal Council for the Riverside Apts. zone change with the findings as listed below. Commissioner Hall seconded the motion.

FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:
1. The proposed rezone is consistent with the General Plan and Future Land Use Plan (FLUP) because those adopted documents identify the area as Campus Residential (CR).
2. The close proximity to the USU campus and its location along existing transit routes allow for a decrease in vehicle trips and emphasize pedestrian activity and transit use, in accordance with the General Plan and Land Development Code.
3. The proposed rezone is consistent with the City’s effort to concentrate multi-family uses and higher occupancies near the University and in Town Center (TC) areas, to further reduce rental pressures in traditional single family neighborhoods and provide growth areas for future populations.
4. The proposed rezone is compatible with the residential land uses adjacent to the subject property.
5. The proposed rezone is compatible with the neighborhood character, because the land uses and structure types in areas surrounding this property are developed in a manner similar to Campus Residential (CR) zoning.

[Moved: Commissioner Lee Seconded: Commissioner Hall Passed: 5,0]
Yea: D. Adams, A. Davis, A. Hale, H. Hall, K. Lee Nay: Abstain:
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 12-023 Riverside Apts Rezone Zone Change.** Darren Child, authorized owner/agent, requests a zone change from University Corridor (UC) to Campus Residential (CR) at 1251 North 800 East; TIN 05-016-0019;30;31

**PC 12-024 Historic District X-Overlay Zone Change.** Logan City Community Development requests to re-establish the X-overlay zone over the NRCS (Residential) properties within the Center Street Historic District. The overlay zone would prohibit residential subdivisions within the Historic District boundary.

**PC 12-025 Text Amendment – LDC** Amend the Logan Development Code (LDC): Delete 17.11.190-17.11.220 (Density & Height Bonus Provisions); Amend the following sections: 17.14.050 (Neighborhood Height Transition Area); 17.15.060 (MRM); 17.15.070 (MRH); 17.15.090 (Campus Residential); 17.18.040 (Transition Areas); 17.19.060 (Town Center); 17.19.070 (Commercial); 17.19.080 (Mixed Use); 17.19.090 (University Corridor); 17.19.100 (Gateway); 17.19.110 (Commercial Services); 17.19.120 (Industrial); 17.19.130 (Airport).

The Municipal Council is tentatively scheduled to hold a workshop on these items on Tuesday, April 17, 2012, and tentatively scheduled to hold a public hearing on Tuesday, May 1, 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.

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 14th day of May, 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:
05/08/2012

Subscribed and sworn to before me on this 14th day of May, A.D. 2012

Amanda Marie Nye
Commissioned in the State of Utah
My Commission expires August 1, 2015

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL
SUMMARY OF AN ORDINANCE passed by the Logan Municipal Council, Logan, Utah is as follows:

ORD.12-29 An ordinance was adopted and approved May 1, 2012 rezoning (3) parcels (1.25 acres) on the West side of 800 East from University Corridor (UC) to Campus Residential (CR) at 1251 North 800 East, Riverside Apartments.

ORD.12-30. An ordinance was adopted and approved May 1, 2012 to re-establish the X-overlay zone over the Neighborhood Residential Center Street (NRCS) properties within the Historic District.

ORD.12-31. An ordinance was adopted and approved May 1, 2012 Deleting Section 17.11.190 17.11.220 (Density & Height Bonus Provisions) and Amending Sections: 17.14.050 (Neighborhood Height Transition Area); 17.15.060 Mixed Residential Medium; 17.15.070 Mixed Residential High; 17.15.090 (Campus Residential); 17.18.040 (Transition Areas); 17.19.060 (Town Center); 17.19.070 (Commercial); 17.19.080 (Mixed Use); 17.19.090 (University Corridor); 17.19.100 (Gateway); 17.19.110 (Commercial Services); 17.19.120 (Industrial); 17.19.130 (Airport).

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris
City Recorder
Publication date: May 8, 2012