CITY OF LOGAN, UTAH
ORDINANCE NO. 12-53

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 properties are hereby zoned from Neighborhood Residential Core (NRC) to Commercial Services (CS):

TIN #06-004-0006, 06-004-0007, 06-004-0008, 06-004-0009, 06-004-0010, 06-004-0011.

SECTION 2: That certain map or maps entitled "Zoning Map of Logan City, Utah" is hereby amended and the following property is hereby zoned from Neighborhood Residential Center Street (NRCS) to Commercial Services (CS):

TIN #06-010-0007, 06-010-0008, 06-010-0009.

The above nine (9) parcels are also described as Exhibits A & B attached hereto.

SECTION 3: This ordinance shall become effective upon publication.

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

AYES: Ward, Doines, Quayle, Leon, Oeter

NAYS: None

ABSENT: None

Dean Quayle, Chair

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 August, 2012.

Dean Quayle, Chair
MAYOR’S APPROVAL OR DISAPPROVAL

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

Randy Watts, Mayor
EXHIBIT A

Ellis Neighborhood Rezone
600 West, 200 North to 100 South
EXHIBIT B

Legal Descriptions:

06-004-0006 - BEG AT SW COR LOT 2 BLK 24 PLAT A LOGAN CITY SVY, N 5 RDS 2 FT E 5.5 RDS S 5 RDS 2 FT W 5.5 RDS TO BEG SW/4 SEC 33 T 12N R 1E D579

06-004-0007 – BEG 84.5 FT N OF SW COR LOT 2 BLK 24 PLAT A LOGAN CITY SVY, N 64 FT E5.5 RDS S 64 FT W 5.5 RDS TO BEG SW/4 SEC 33 T 12N R 1E D579A

06-004-0008 – BEG 9 RDS N OF SW COR LOT 2 BLK 24 PLAT A LOGAN CITY SVY, N 4.5 RDS E 76 FT S 4.5 RDS W 76 FT TO BEG SW/4 SEC 33 T 12N R 1E D573

06-004-0009 – N/2 OF THE N/2 LOT 2 & W/2 OF N/2 LOT 6 BLK 24 PLAT A LOGAN CITY SVY, SW/4 SEC 33 T 12N R 1E ALSO BEG AT NE COR OF S/2 OF N/2 SD LOT 2, S 4.5 RDS W 72.5 FT N 4.5 RDS E 72.5 FT TO BEG D574C

06-004-0010 – THE W/2 LOT 5 BLK 24 PLAT A LOGAN CITY SVY ALSO; BEG AT SW COR LOT 3 SD BLK N 51.5 FT E 86 FT N 90 FT W 86 FT N 155.5 FT E 9 RDS S 18 RDS W 9 RDS TO BEG SW/4 SEC 33 T 12N R 1E LESS 0.02 AC TO UDOT IN BK 904 PG 44 NET 1.33 AC

06-004-0011 – BEG 51.5 FT N OF SW COR LOT 3 BLK 24 PLAT A LOGAN CITY SVY E 86 FT N 90 FT W 86 FT S 90 FT TO BEG SW/4 SEC 33 T 12N R 1E D574B

06-010-0007 – BEG AT NW COR LOT 2 BLK 8 PLAT A LOGAN CITY SVY S 3 RDS E 9 RDS N 52 FT W 9 RDS S 2.5 FT TO BEG 12N R 1E

06-010-0008 – BEG AT A PT 2.5FT N OF NW COR LOT 2 BLK 8 PLAT A LOGAN CITY SVY & TH E 9 RDS TH N 63.5 FT TH W 9 RDS TH S 63.5 FT TO BEG SW/4 SEC 33 T 12N R 1E

06-010-0009 – THE N 4 RDS OF THE S 8 RDS LOT 3 BLK 8 PLAT A LOGAN CITY SVY SW/4 SEC 33 T 12N R 1E
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: July 27, 2012
FROM: Mike DeSimone, Community Development
SUBJECT: Ellis Neighborhood Rezone – 6th West

Summary of Planning Commission Proceedings

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On July 26, 2012, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a Rezone Request for nine (9) parcels in the Ellis Neighborhood and located on the east side of 600 West between 200 North and 100 South.

Planning Commissioners, vote (5,0):
Recommend approval: Konrad Lee, John Kerr, David Adams, Amanda Davis, Heather Hall.
Recommend denial: None.

Attachments:
Staff Report
Ordinance 12-53
PC Meeting Minutes
REPORT SUMMARY...

**Project Name:** Ellis Neighborhood Rezone  
**Proponent/Owner:** Logan City  
**Project Address:** 600 West, 200 North – 100 South  
**Request:** Rezone from Neighborhood Residential Core (NRC) and Neighborhood Residential Center Street (NRCS) to Commercial Services (CS)  
**Type of Action:** Legislative  
**Hearing Date:** July 26, 2012  
**Submitted By:** Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Rezone of the following nine (9) properties:

- 06-004-0006 – 595 1st North; NRC to Commercial Services  
- 06-004-0007 – 118 6th West; NRC to Commercial Services  
- 06-004-0008 – 132 6th West; NRC to Commercial Services  
- 06-004-0009 – 156 6th West; NRC to Commercial Services  
- 06-004-0010 – 170 6th West; NRC to Commercial Services  
- 06-004-0011 – 164 6th West; NRC to Commercial Services  
- 06-010-0007 – 55 6th West; NRCS to Commercial Services  
- 06-010-0008 – 48 6th West; NRCS to Commercial Services  
- 06-010-0009 – 32 6th West; NRCS to Commercial Services

**Current Land use adjoining the subject property:**

| North: | NRC/CS: Commercial, Residential | East: | NRC/NRCS: Residential |
| South: | CS: Commercial, Residential | West: | CS: Commercial, Industrial, Vacant |

**Request**

The request is to rezone nine (9) parcels on the east side of 600 West from Neighborhood Residential to Commercial Services. This request is a follow-up to the 2012 Zoning Map Project recently completed by the City. The majority of the east side lots fronting 600 from 200 North to 200 South were rezoned Commercial Services. These nine lots were left out of the Planning Commission recommendation based on early mapping conducted by staff. During their public hearing, the City Council considered additional public testimony regarding these remaining nine parcels and directed staff to initiate a rezone from Neighborhood Residential to Commercial Services.

The nine properties contain a variety of land uses including residential, commercial and industrial uses. The properties surrounding properties also contain a mixture of residential, commercial, and industrial uses. While the west side of 600 West is predominantly commercial and/or light industrial, the east side has been an area of transition for a number of years as it contains both residential and commercial/industrial. 6th West is a relatively busy street with a moderate amount of truck traffic serving larger commercial & industrial uses further north.
Based on the testimony received during the Council meetings, there are immediate plans to renovate one of the existing properties into office space.

**Zoning History**
This strip of parcels (200 North to 200 South – east side of 600 West) has been zoned Manufacturing (M-1) and Multi-Family Residential (R-2) since the 1950's. The zoning remained fairly constant (manufacturing/industrial) throughout the years and by 2006, a majority of the strip was zoned Industrial with some residential properties interspersed throughout. The 2011 zoning map changed the entire strip to Neighborhood Residential Core (NRC) or Neighborhood Residential Center Street (NRCS). This action was based on the Logan General Plan which designated this area as Neighborhood Residential, even though many of the parcels contained either commercial or industrial uses.

**Proposed Zoning**
The LDC §17.16.040 describes the Commercial Services (CS) zone as a zone that fills a need between industrial and commercial uses. CS supports light manufacturing, warehousing, and service oriented commercial uses like construction offices, supply stores, parts distributors, etc. And while the CS zone is not intended for residential uses, it is very clear that this area has seen a mixture of residential, commercial and industrial uses co-exist for a number of years. This action is also important from the standpoint that it will eliminate any issue with non-conformity for those existing businesses whose zoning was changed from Industrial to Neighborhood Residential in 2011.

**General Plan**
The Future Land Use Plan (FLUP), adopted in 2008, identifies these properties as Neighborhood Residential. The Plan drew a boundary at 600 West to help define the Ellis Neighborhood in order to concentrate efforts on protecting and revitalizing the residential areas to the east. Unfortunately, a number of these parcels have already converted to other uses making future residential usage unlikely unless existing structures and businesses are removed. A future amendment to the FLUP will need to occur to ensure the zoning on these properties, as well as the adjoining properties on 6th West previously rezoned during the 2012 Zoning process, are consistent with the City's Future Land Use Plan.

**Summary**
Due to the previous discussions held during the 2012 Zoning Map project in the Ellis Neighborhood, the Planning Commission and City Council workshops & hearings, staff finds that proposed zone change to Commercial Services (CS) meets the intent of the General Plan albeit an amendment to the FLUP is necessary at some point in the future.

**PUBLIC COMMENTS**
All public notification requirements for this rezone were met (see attachment). No written comments have been received regarding this request in response to this public notification. We have received a number of verbal comments and/or questions regarding this rezone (none in opposition) and we have written comments regarding this rezoning from the Council zoning workshops.

**AGENCY AND CITY DEPARTMENT COMMENTS**
As of the time the staff report was prepared, no comments from city departments have been received.

**RECOMMENDED FINDINGS FOR APPROVAL**
The Planning Commission bases its decisions on the following findings:
1. The proposed rezone is consistent with the intent of the General Plan as this rezone will reduce the number of non-conforming uses and works towards providing clarity in the land use and zoning boundaries. An amendment to the Future Land Use Plan is necessary for this proposed rezone as well as many others from the 2012 Zoning Map Project and will be initiated with the annual plan amendment cycle.

2. The pattern of existing land uses found along 600 West are more consistent in character with the Commercial Services (CS) zoning designation than the Neighborhood Residential designation as the area contains a broad mixture of both commercial/industrial land uses as well as a number of residential uses.

3. The proposed rezone is compatible with the residential land uses adjacent to the subject property.

4. 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 CS zoning.
Ellis Neighborhood 600 W Rezone

PC # 12-040
9 parcels along 600 W from 200 N to 100 S
Zone Change
Ellis Neighborhood Rezone
600 West, 200 North to 100 South

Staff Report for the Planning Commission meeting of July 26, 2012
Ellis Neighborhood Rezone
600 West, 200 North to 100 South

Proposed Rezone
NRC & NRCS to CS

Planning Commission
July 26, 2012
**PC 12-040 Ellis Neighborhood 600 W Rezone** Zone Change. Logan City requests to rezone nine (9) parcels along 600 West between 200 North and 100 South from Neighborhood Residential Core (NRC) and Neighborhood Residential Center Street (NRCS) to Commercial Services (CS). This rezone is a result of the 2012 Citywide Zoning Project; TIN: 06-004-006-0011; 06-010-007-0009.

**STAFF:** Mr. DeSimone reviewed the Staff Report as written, recommending approval.

**PUBLIC:** Sam Winward, owns the south piece of property (of the nine parcels). There is a duplex currently on the property and he explained that it is very difficult to attract quality tenants to this area. He thinks it will be easier to have a small business located there. He said he has spoken with other property owners who all support this zone change.

**COMMISSION:** Commissioner Adams asked about the parcel that is not included in this proposal located on south side of the corner of Center St. and 600 West. Mr. DeSimone explained that there are two parcels which orient (north) toward Center St. that Staff felt were still sufficiently residential in character and should remain zoned as residential. Staff has not received any comments to suggest otherwise.

**MOTION:** Commissioner Kerr moved that the Planning Commission forward a positive recommendation to the Municipal Council for the requested zone change. Commissioner Davis seconded the motion.

**FINDINGS FOR APPROVAL**

1. *The proposed rezone is consistent with the intent of the General Plan as this rezone will reduce the number of non-conforming uses and works towards providing clarity in the land use and zoning boundaries. An amendment to the Future Land Use Plan (FLUP) is necessary for this proposed rezone as well as many others from the 2012 Zoning Map Project and will be initiated with the annual plan amendment cycle.*

2. *The pattern of existing land uses found along 600 West are more consistent in character with the Commercial Services (CS) zoning designation than the Neighborhood Residential designation as the area contains a broad mixture of both commercial/industrial land uses as well as a number of residential uses.*

3. *The proposed rezone is compatible with the residential land uses adjacent to the subject property.*

4. *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 Commercial Services (CS) zoning.*

[Moved: Commissioner Kerr Seconded: Commissioner Davis Passed: 5,0]

**Yea:** D. Adams, A. Davis, H. Hall, J. Kerr, K. Lee **Nay:** Abstain:
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 28th day of August , 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:
08/28/2012

Subscribed and sworn to before me on this28th day of August , A.D. 2012

Monica Christensen, Assistant to the Finance Director

Notary Public
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.12-44. An ordinance was adopted and approved July 17, 2012 amending Sections 17.46-17.60 (Administration) of the Land Development Code.


ORD.12-53. An ordinance was adopted and approved August 21, 2012 the Zoning Map of Logan City, Utah. Rezone (Ellis Neighborhood) nine (9) parcels along 600 West between 200 North and 100 South from Neighborhood Residential Core (NRC) and Neighborhood Residential Center Street (NRCS) to Commercial Services (CS). This rezone is a result of the 2012 Citywide Zoning Project. TIN: 06-004-006-0011; 06-010-007-0009.

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: August 28, 2012
Legal Notice

LEGAL NOTICE
Municipal Council
August 7, 2012

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. All comments must be submitted to Community Development to be included in the public record before 5:00 p.m. on August 3, 2012. Contact 435-716-9021 or www.loganutah.org for further info.

Public Hearing:

PC 12-040 Ellis Neighborhood (600 W) Rezone Zone Change. The City of Logan is requesting to rezone nine (9) parcels along 600 West, between 200 North-100 South, from Neighborhood Residential Core (NRC) and Neighborhood Residential Center Street (NRCS) to Commercial Services (CS). This rezone request is a result of the 2012 city-wide zoning project.

PC 12-044 Logan Gateway II Zone Change. Richard Reeve/Mountainland Developers LLC, authorized agent/owner, request a zone change from Mixed Residential Medium (MRM) to Mixed Residential High (MRH) at 1650 North 400 West; TIN 04-081-0014-0015.

The Municipal Council is scheduled to hold a workshop on these items on Tuesday, August 7, 2012, and a public hearing on Tuesday, August 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.

Contact the Department of Community Development at 435-716-9021 for more information or www.loganutah.org

Publication date: July 24, 2012