CITY OF LOGAN, UTAH
ORDINANCE NO. 13-62

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 17.60: “Administrative Enforcement,” 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 DAY OF August, 2013.

AYES:)
NAYS:)
ABSENT:

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 August, 2013.

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this day of August, 2013.

Randy Watts, Mayor
§17.60.380. Civil Fees

If a responsible person fails to correct a violation by the correction date listed in a notice of violation or in an administrative enforcement order, civil fees shall be owed to the City as follows:

A. The civil fee for each violation shall be fifty dollars ($50) or one hundred dollars ($100).
B. Thereafter, an additional civil fee of fifty dollars ($50) or one hundred dollars ($100) for each and every subsequent day of violation for each separate violation until the violation is corrected.
C. The maximum amount of civil fees accruable for each violation listed in a notice of violation or in an administrative enforcement order shall be one thousand dollars ($1,000).
D. Payment of any civil fee shall not excuse any failure to correct a violation or the reoccurrence of the violation, nor shall it bar further enforcement action by the City.
E. Civil fees shall be paid to the City of Logan.

§17.60.440. Civil Fees Assessed

A. Civil fees shall be due and payable immediately upon service of an administrative citation.
B. The civil fee for each violation listed on the administrative citation shall be twenty-five dollars ($25) or fifty dollars ($50) if paid within ten (10) days of service.
C. Civil fees shall be double if paid after ten (10) days but within twenty (20) days of service.
D. Civil fees shall be triple if paid after twenty (20) days of service.
E. Payment of any civil fee shall not excuse a failure to correct a violation or any reoccurrence of the violation, nor shall it bar further enforcement action by the City.
F. Civil fees shall be paid to the City of Logan.
REPORT SUMMARY...

Project Name: Civil Fees
Proponent/Owner: Logan City Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: July 11, 2013
Submitted By: Mike DeSimone, Director

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendment to the Land Development Code (LDC): Chapters 17.60.

REQUEST
The proposed text amendments to the Land Development Code are located in Section 17.60 and as outlined in the attached amended code language.

Based on Council direction, we are proposing to raise the Civil Penalty Fees from $50.00 to $100.00 to help deter lack of compliance with provisions in the Land Development Code.

GENERAL PLAN
These proposed amendments help clarify and further refine the policies expressed in the General Plan and ultimately codified in the Land Development Code.

STAFF RECOMMENDATION AND SUMMARY
Staff finds that the proposed amendments will help the City continue to administer and enforce provisions contained with the Land Development Code.

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

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on 6/13/13, posted on the City's website and the Utah Public Meeting website on 6/18/13, and a quarter page ad was published 6/9/13.

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 Amendments to Chapter 17.60 modifies an existing penalty fee structure to assist with implementation and enforcement of the Land Development Code. These amendments are consistent with the goals and objectives of the General Plan.

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.
LEGAL NOTICE
Municipal Council
August 6 & 20, 2013

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 1, 2013. Contact 716-9021 or www.loganutah.org for further info.

Public Hearings:

PC 13-016 LDC Amendment - Infill & Flag Lots Code Amendment. Logan City requests an amendment to the Land Development Code Section 17.37 to include new infill and flag lot development standards.

PC 13-024 LDC Amendment – 17.60 Civil Fees Code Amendment. Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

PC 13-025 1200 E. Rezone Zone Change. Logan City/Laree Johnson-Dick Sackett, authorized agent/owner request to rezone two (2) parcels along 1200 East 1250 North from Mixed Residential High (MRH) to a mixture of eight (8) acres of Mixed Residential High (MRH) and twelve (12) acres of Neighborhood Residential Eastside (NRE). This rezone request is a result of the 2012 city-wide zoning project. TIN 05-011-0004;0005.

PC 13-029 LDC Amendment - Wireless Telecommunications Code Amendment. Logan City requests to amend sections 17.13, 17.17, 17.21, 17.45 and 17.50 in the Land Development Code regarding telecommunication facilities.

PC 13-030 LDC Amendment – Historic District 17.27 & 17.46 Code Amendment. Logan City requests to amend sections 17.46 and 17.27 in the Land Development Code to clarify the project review process for Certificate of Appropriateness and design review in the Historic District.

PC 13-031 LDC Amendment – Design Standards 17.18 & 17.50 (continued from June 27, 2013) Code Amendment. Logan City requests to amend sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process.

PC 13-035 LDC – Gateway Zone Code Amendment. Logan City is requesting to amend the Land Development Code Use Table 17.17.030. Change outdoor storage, warehouse, freight movement and waste-related use from not permitted to be allowed by conditional use.

PC 13-039 Hospital Remodel & Budge Clinic Addition Design Review, Conditional Use, Code Amendment & Zone Change. IHC, authorized agent/owner, request an amendment to the Land Development Code Section 17.30 to add a Hospital Overlay at 500 East 1400 North in the Commercial (COM) zone; TIN 05-016-0028.

Publication Date: Tuesday, July 23, 2013
The Logan City Planning Commission will hold a public hearing to receive input on the following:

- **PC 13-016 LDC Infill & Flag Lots Amendment** (continued from May 23, 2013) Logan City requests an amendment to the Land Development Code Section 17.37 to include new infill and flag lot development standards.

- **PC 13-024 LDC Amendment – 17.60 Civil Fees** Code Amendment Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

- **PC 13-028 Quad Training Code Amendment** Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone; TIN 07-176-0008.

- **PC 13-029 LDC Amendment - Wireless** Logan City requests to amend sections 17.13, 17.17, 17.21, 17.45 and 17.50 in the Land Development Code regarding telecommunication facilities.

- **PC 13-031 LDC Amendment – Historic District** Logan City requests to amend sections 17.46 and 17.27 in the Land Development Code to clarify the project review process for certificate of appropriateness and design review in the Historic District.

- **PC 13-031 LDC Amendment – Design Standards 17.18 & 17.50** (continued from June 27, 2013) Code Amendment. Logan City requests to amend sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, August 6, 2013**, and a public hearing on **Tuesday, August 20, 2013**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9021 for more information or www.loganutah.org

- **published in H.J. 6/30/13**
LEGAL NOTICE
Municipal Council
July 16 & August 6, 2013

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 July 11, 2013. Contact 716-9021 or www.loganutah.org for further info.

Public Hearing:

PC 13-024 LDC Amendment – 17.60 Civil Fees  Code Amendment  Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

PC 13-025 1200 E. Rezone  Zone Change  Logan City/Laree Johnson-Dick Sackett, authorized agent/owner request to rezone two (2) parcels along 1200 East 1250 North from Mixed Residential High (MRH) to a mixture of eight (8) acres of Mixed Residential High (MRH) and twelve (12) acres of Neighborhood Residential Eastside (NRE). This rezone request is a result of the 2012 city-wide zoning project. TIN 05-011-0004;0005.

PC 13-028 Quad Training Code Amendment  Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone; TIN 07-176-0008.

The Municipal Council is tentatively scheduled to hold a workshop on these items on Tuesday, July 16, 2013, and a public hearing on Tuesday, August 6, 2013. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9022 for more information or www.loganutah.org

Publication Date:  Tuesday, July 2, 2013
SUMMARY OF AN ORDINANCE(S) The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on August 20, 2013.


ORD. 13-61 Repealing Ordinance 13-30; Section 17.37 of the Land Development Code to include new infill and flag lot development standards.

ORD. 13-62 Amending the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fines.

ORD. 13-63 Amending Sections 17.46 and 17.27 of the Land Development Code to clarify the project review process for certificate of appropriateness and design review in the Historic District.

ORD. 13-64 Amending Sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process.

ORD. 13-65 Amendment and zone change. Amending the Land Development Code Section 17.30 to add a Hospital Overlay.

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 27, 2013