CITY OF LOGAN, UTAH
ORDINANCE NO. 14-46

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 17.54: “Procedures for Processing Track 1 Project Applications” 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, 19 THIS DAY OF August, 2014.

AYES: Simmonds, Ward, Neesham, Olsen
NAYS: None
ABSENT: Barnes

Karl Ward, 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 19 day of August, 2014.

Karl Ward, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 19 day of August, 2014.

Craig Peterson, Mayor
EXHIBIT A
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: August 5, 2014
FROM: Mike DeSimone, Director
SUBJECT: LDC Text Amendment – Track 1 Review Process Amendment

Summary of Planning Commission Proceedings

Project Name: Track 1 Review Process Amendment
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval with modification

On May 22, 2014, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Chapter 17.54 (Procedures for Processing Track 1 Project Applications) creating a new Chapter detailing review processes and procedures for Track 1 design review applications.

Planning Commissioners vote (6 - 0):
Motion to recommend approval: A. Fonnesbeck
Second: S. Sinclair
Nay: none

Attachments:
Staff Report
Ordinance 14-46
PC Meeting Minutes
Chapter 17.54: Procedures for Processing Track 1 Project Applications

§17.54.010. Uniform Project Review Procedures
All applications for Track 1 project review shall be processed with the uniform procedures of this Chapter.

§17.54.020. Pre-application Conference
Prior to submitting an application for a Design Review Permit, an applicant shall submit a conceptual development plan to the Community Development for review by Staff. The review process will allow staff to ensure the project is suitable for the Track 1 review process. Once it is determined by staff that the concept plan meets the intent of the Land Development Code, a formal application for a Design Review Permit may be submitted. Conceptual development plans shall include a scaled drawing accurately depicting property lines, critical lands, buildings, setbacks, paving, trees, and other site features. The proposed plan shall also identify any proposed buildings, parking, landscaping, signs and building elevations.

§17.54.030. Application Requirements
A. Complete Application Required.
An application for Track 1 review shall not be accepted nor scheduled for review unless is it determined to be “complete” by meeting the following:
1. Be submitted by the property owner or a person who has written authorization from the property owner to act as “agent” on their behalf;
2. Be completed on a form prescribed by the City;
3. Include supporting information such as drawings, deeds, graphics, plat maps, plans, or other materials required by this Code or deemed necessary by the Director demonstrating compliance with the applicable review and approval criteria;
4. Be accompanied by the appropriate filing fee as set forth in the adopted Fee Schedule; and
5. Provide proof of ownership in the form of a deed, or other recorded document.
B. Distribution of Application.
The Director shall distribute copies of the proposed project to appropriate City and public agencies, and public utilities for purposes of soliciting comments.

§17.54.040. Staff Analysis and Record of Decision
The Director shall review the applications for conformance with submittal requirements and shall prepare a written Record of Decision that includes or references the following:
1. Analysis of the proposed project for conformance with the plans, policies, and provisions of this title;
2. Comments and requirements of other City entities or public agencies;
3. Recommendation for approval, conditional approval, or denial;
4. Recommended conditions of approval; and
5. Findings of fact on which the decision is based.

§17.54.050. Findings of Fact Required
A. All Decisions Shall Be Supported With Findings.
Based on the specific requirements within this Title, the Director shall make appropriate findings of fact substantiating the decision.
B. Failure to Make Findings.
The Director may deny a proposed project when he or she is unable to find facts in the record substantiating the required findings in this section.
§17.54.060. Records of Decision
The Director shall prepare a Record of Decision enumerating this decision according to Section 17.54.040. The Record of Decision may be signed by the proponent, shall be signed by the Director, and shall be recorded against the Tax Identification Number with the County Recorder.

§17.54.070. Completion of Projects
All projects shall be initiated prior to the expiration dates specified in the appropriate code sections. If not extended pursuant to Section 17.58, the permits shall become null and void.

§17.54.080. Standards for Development
All project applications shall be processed by the regulations in effect at the time a complete application was accepted by the Director.

Chapter 17.54: Reserved
REPORT SUMMARY...
Project Name: Track I Review Process Amendment
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: May 22, 2014
Submitted By: Mike DeSimone, Director

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendments to the Land Development Code (LDC): Sections 17.54 (Procedures for Processing Track I Project Applications).

REQUEST
This proposed amendment to the Land Development Code includes a new Chapter delineating the Track I review process.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. This proposed amendment clarifies the review process for those projects suitable for the Track I process. The proposed amendments are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

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 May 8, 2014, posted on the City's website and the Utah Public Meeting website on April 22, 2014, and noticed in a quarter page ad on May 4, 2014.

AGENCY AND CITY DEPARTMENT COMMENTS
No comments have been received.

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

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
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 delineates the specific Track 1 review process.
4. The provisions of these amendments are consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.
APPLICATION FOR PROJECT REVIEW

X Planning Commission  □ Board of Adjustment  □ Board of Appeals  □ Other

Date Received  
4-21-14

Received By

Receipt Number

Zone

Application Number

Type of Application (Check all that apply):

□ Design Review  □ Conditional Use  □ Subdivision  □ Zone Change  □ Boundary Line Adjustment

□ Code Amendment  □ Appeal  □ Variance  □ 4950' Design Review  □ Other

PROJECT NAME

TEXT AMENDMENT – LOGAN LAND DEVELOPMENT CODE

PROJECT ADDRESS

CITYWIDE – TEXT AMENDMENT.

COUNTY PLAT TAX ID #

AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)

LOGAN CITY COMMUNITY DEVELOPMENT DEPARTMENT

MAILING ADDRESS

290 NORTH 100 WEST

CITY

LOGAN

STATE

UTAH

ZIP

84321

MAIN PHONE #

(435) 716-9021

EMAIL ADDRESS

WWW.LOGANUTAH.ORG; MIKE.DESIMONE@LOGANUTAH.ORG

PROPERTY OWNER OF RECORD (Must be listed)

CITYWIDE

MAILING ADDRESS

CITY

STATE

ZIP

EMAIL ADDRESS

DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED

(Include as much detail as possible - attach a separate sheet if needed)

AMEND LOGAN LAND DEVELOPMENT CODE SECTIONS 17.54 TO INCLUDE PROCEDURES FOR PROCESSING TRACK 1 PROJECT APPLICATIONS.

Size of Proposed New Building

(square feet)

Number of Proposed New Units/Lots

I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.

Signature of Property Owner's Authorized Agent

I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.

Signature of Property Owner

mc workshop: Jun. 17
mc hearing: Jul. 1
PUBLIC NOTIFICATION
PC 14-024

Project Name: LDC – 17.54 Track 1 Projects
Project Address:
Project TIN:
Meeting Date: May 22, 2014

Attachment 1: Public Notice - N/A
Attachment 3: Utah Public Meeting Notice website – 4/22/14
Attachment 6: Municipal Council - Utah Public Meeting Notice website – 4/22/14
Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 25th day of August, A.D. 2014 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:
08/24/2014

Subscribed and sworn to before me on this 25th day of August, A.D. 2014

Assistant to the Finance Director

Commissioned in the State of Utah

My Commission expires August 1, 2015

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances
were adopted and approved by the Logan Municipal Council,
Logan, Utah on August 19, 2014.

ORD. 14-45 Code Amendment to the Land Development Code
Section 17.40 & 17.50 to modify the Electronic Message
Display (EMD) review process.

ORD. 14-46 Code Amendment to the Land Development Code
Section 17.54 to include procedures for processing Track I
project applications.

ORD. 14-47 Code Amendment to the Land Development Code
Section 17.59 to clarify the nonconforming policies,
procedures and standards.

ORD. 14-48 Code Amendment to the Land Development Code
Section 17.18 to clarify the distinction between Commercial
and Industrial design and standards for food grade
manufacturing and processing facilities.

ORD. 14-49 Code Amendment to the Land Development Code
Section 17.37 to clarify minimum connectivity standards and
requirements.

ORD. 14-50 Code Amendment to the Land Development Code
Section 17.47 & 17.58 to clarify subdivision application,
having recordation requirements and procedures for permit
novation and extensions of time.

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, 250 North 100 West, Logan,
Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: August 24, 2014
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 22nd day of July, A.D. 2014 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:
07/22/2014

Subscribed and sworn to before me on this 22nd day of July, A.D. 2014

[Signature]

Assistant to the Finance Director

Notary Public
Commissioned in the State of Utah

My Commission expires August 1, 2015