CITY OF LOGAN, UTAH
ORDINANCE NO. 17-26

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 17.24: “Airport Limitations (AL) Overlay Zone” is hereby amended as attached
hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, __ date __
DAY OF __November __, 2017.

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 __ date __ day of __November __, 2017.

H. Craig Petersen, Mayor

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby ______________________________ approved __________ this __ date __ day of __November __, 2017.

__________________________
H. Craig Petersen, Mayor
Chapter 17.24: Airport Limitation (AL) Overlay Zone

§17.24.010. Purpose
The Airport Limitation Overlay Zone is intended to establish standards assuring the long-range, safe and beneficial use of the Logan-Cache County Airport.

§17.24.020. Applicability
The Airport Limitation Overlay Zone is applicable to properties located adjacent to the Logan-Cache County Airport and identified as “Lands of Limited Development” in the Logan-Cache Airport Specific Plan “Comprehensive Vision Vicinity and Airport Influence Map” Specific Plan.

§17.24.030. Airport Zoning Commission
A. Commission Established.
1. The City of Logan Planning Commission is designated as the “Airport Zoning Commission” as prescribed in Utah code § 67-2-10-405.
2. In this Title and State law, any references to the “Airport Zoning Commission” shall mean the City of Logan Planning Commission.
3. If the Planning Commission is empowered in this Title to take actions that are duties of the Airport Zoning Commission as prescribed in Utah law, the Planning Commission shall be presumed to be functioning as the Airport Zoning Commission.

B. Duties.
The Airport Zoning Commission shall recommend boundaries of the various zones to be established and the regulations to be adopted pertaining to any airport hazard area and to perform such other duties as may be assigned to it by the Municipal Council or Utah law.

§17.24.040. Airport Land Use Appeal Board
A. Board Established.
1. The City of Logan Land Use Appeal Board is designated as the “Airport Board of Adjustment” as prescribed in Utah Code § 67-2-10-405.
2. In this Title and State law, any references to the “Airport Board of Adjustment” shall mean the City of Logan Land Use Appeal Board.
3. If the Land Use Appeal Board is empowered in this title to take actions that are duties of the Airport Board of Adjustment as prescribed in Utah law, the Land Use Appeal Board shall be presumed to be functioning as the Airport Board of Adjustment.

B. Duties.
The Airport Board of Adjustment shall hear issues pertaining to any airport hazard area and to perform such other duties as may be assigned to it by the Municipal Council or Utah law.

§17.24.050. Permitted Uses
The permitted uses in the Airport Overlay Zone are as identified in each of the base zoning districts. In lieu of the permitted uses identified in each of the base zoning
districts, the following uses shall be permitted in the Airport Limitation Overlay Zone following conformance to development standards and issuance of appropriate permits:

1. Aircraft maintenance facilities;
2. Air service buildings and facilities at airports;
3. Agriculture, subject to airport hazard area regulations;
4. Hangars;
5. Warehousing and storage; mini storage-warehouse;
6. Classrooms related to Utah State University’s aviation-related educational program; and
7. All uses not prescribed in this section shall be conditional uses and shall be reviewed under the provisions pursuant to Chapter 17.49.

§17.24.060. Airport Master Plan
All uses and regulations pertaining to the Airport Limitation Overlay Zone shall be in compliance with, and subject to, the provisions of the Airport Master Plan, Airport Layout Plan, and Noise Contour Map as adopted by the Logan-Cache Airport Authority Board and is incorporated into this Chapter by reference.

§17.24.070. Regulations
A. No variance, permit, or use shall be allowed in the airport hazard area that would create or enhance an airport hazard.
B. No use shall be permitted which:
   1. Creates or tends to create electrical interference to navigational devices and communication between aircraft and airports;
   2. Creates or tends to create gas, smoke, dust, glare, or other visual hazard in the atmosphere around airports or in the airport hazard area;
   3. Creates or tends to create structures that interfere with aircraft safety; and
   4. Creates or tends to create any type of hazard for the airport that would inhibit or constrain safe and acceptable airport operations.
C. Height Limitation.
   No structure may be at a height that creates or tends to create an airport hazard.

§17.24.080. Airport Development Standards
The Municipal council may adopt by resolution or enact by ordinance uniform development standards and procedures for facilities within the Airport property.
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: November 7, 2017
FROM: Mike DeSimone, Director
SUBJECT: Ordinance 17-24 (LDC Amendment – Airport Overlay Zone)

Summary of Planning Commission Proceedings

Project Name: Airport Overlay Zone
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval

On October 12, 2017 the Planning Commission recommended that the Municipal Council approve the amendment to the Land Development Code (LDC) Section 17.24 eliminating the list of permitted uses in the Airport Overlay Zone, and instead defaulting to the underlying base zoning as contemplated by the Logan-Cache Airport Specific Plan.

The Airport Overlay Zone is fairly broad as it extends east to Main Street, south to 1800 North and west to 12th West. The current zoning is a mixture of commercial, industrial and residential. The current language in the LDC is confusing and is inconsistent with the Airport Specific Plan, which calls out that the underlying land uses shall be determined by the base zoning.

Planning Commissioners vote (6 - 0):
Motion for Recommendation: D. Butterfield
Second: E. Ortiz
Nay: n/a

Attachments:
Staff Report (PC)
Ordinance 17-26
PC Meeting Minutes
REPORT SUMMARY...

Project Name: Airport Overlay Zone
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: October 12, 2017
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): Section 17.24 (Airport Limitation Overlay Zone).

REQUEST

The proposed changes to Section 17.24 would eliminate the list of uses in the Airport Overlay Zone as prescribed in Section 17.24.050, and instead defer to the uses permitted in the underlying zoning. The geographic applicability of 17.24 is defined by 17.24.0120 and is identified as the "Lands of Limited Development" on the Logan-Cache Airport Specific Plan (see below), or those properties located within the yellow boundary.
The area contained within the yellow lines extends down to almost 1800 North on the South, Main Street on the East and 12th West. These areas include existing commercial uses along Main Street, residential uses adjacent to 18th North and industrial uses along 10th West, and are zoned as such. The list of uses in Section 17.24.050 is inconsistent with the Logan Cache Airport Specific Plan as that plan states the underlying zoning determines the uses. To that end, the City created the Airport Zone (see zoning map below) which is placed around the airport and governs the range of uses permitted near the airport. The removal of 17.24.050 will eliminate an inconsistency within the Land Development Code.

The purpose of the Logan-Cache Airport Specific Plan is to ensure that uses proposed either adjacent to, or within close proximity of the airport are compatible with airport operations as well as airport impacts (noise). To this end, the City solicits work with the Airport Authority when projects are proposed near the airport to ensure technical concerns are addressed.

The proposed code changes are attached.

**GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments help clarify the overall code and simplify its administration and implementation. 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 October 1, 2017, posted on the City's website and the Utah Public Meeting website on October 2, 2017, and noticed in a quarter page ad on September 24, 2017.

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 are minor in nature, eliminates inconsistencies with the Land Development Code, and clarifies the range of permitted uses near the Logan Cache Airport.
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.
Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 29th day of November, A.D. 2017 personally appeared
before me JENNIFER BIRCH who being first being duly sworn, deposes and says that
(s)he is the Principal Legal Clerk 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 day(s) as publication in said newspaper

Commencing on the following days:
11/26/2017

_________________________, Principal Legal Clerk

Subscribed and sworn to before me on this 29th day of November, A.D. 2017

_________________________, Notary Public
Commissioned in the State of Utah
My Commission expires 10/18/2019

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances
were adopted and approved by the Logan Municipal Council,
Logan, Utah on November 21, 2017.
ORD. 17-26 An ordinance amending the Land Development
Code Chapter 17.24 Airport Overlay Zone to clarify permitted
uses.
ORD. 17-27 An ordinance amending the Land Development
Code Section 17.13 & 17.15 (Mixed Residential Development
Standards).
ORD. 17-28 An ordinance amending Chapter 2.52 of the
Logan Municipal Code regarding the Duties of and the
Standards of Review to be applied by the Employee Appeals
Board.

These ordinances are effective immediately upon publication.
Full texts of the ordinances can 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
Published November 26, 2017 Ref. No. 1699651