



## MEMORANDUM TO MUNICIPAL COUNCIL

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

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### **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. Fannesbeck

Second: S. Sinclair

Yea: D. Adams, A. Fannesbeck, R. Price, S. Sinclair, G. Smith, A. Davis

Nay: none

### **Attachments:**

*Staff Report*

*Ordinance 14-46*

*PC Meeting Minutes*

**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, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2014.

AYES:  
NAYS:  
ABSENT:

\_\_\_\_\_  
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 \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Karl Ward, Chairman

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Craig Petersen, Mayor

# EXHIBIT A

## **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 it is 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**



**Project #14-024  
Track I Process (17.54)  
Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Track I Review Process Amendment
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	May 22, 2014
<i>Submitted By:</i>	Mike DeSimone, Director

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**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 1 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.

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 this material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

Planning Commission    Board of Adjustment    Board of Appeals    Other

Date Received <b>4-21-14</b>	Received By	Receipt Number	Zone	Application Number <b>PC 14-024</b>
Type of Application (Check all that apply):				
<input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
PROJECT NAME				
<b>TEXT AMENDMENT – LOGAN LAND DEVELOPMENT CODE</b>				
PROJECT ADDRESS				COUNTY PLAT TAX ID #
<b>CITYWIDE – TEXT AMENDMENT.</b>				--   --
AUTHORIZED AGENT FOR PROPERTY OWNER ( <u>Must</u> be accurate and complete)				MAIN PHONE #
<b>LOGAN CITY COMMUNITY DEVELOPMENT DEPARTMENT</b>				<b>(435) 716-9021</b>
MAILING ADDRESS		CITY	STATE	ZIP
<b>290 NORTH 100 WEST</b>		<b>LOGAN</b>	<b>UTAH</b>	<b>84321</b>
EMAIL ADDRESS				
<a href="http://WWW.LOGANUTAH.ORG">WWW.LOGANUTAH.ORG</a> ; <a href="mailto:MIKE.DESIMONE@LOGANUTAH.ORG">MIKE.DESIMONE@LOGANUTAH.ORG</a>				
PROPERTY OWNER OF RECORD ( <u>Must</u> be listed)				MAIN PHONE #
<b>CITYWIDE</b>				
MAILING ADDRESS		CITY	STATE	ZIP
E-MAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) <b>AMEND LOGAN LAND DEVELOPMENT CODE SECTIONS 17.54 TO INCLUDE PROCEDURES FOR PROCESSING TRACK 1 PROJECT APPLICATIONS.</b>				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 2: Legal Notice published in Herald Journal – [5/8/14](#)
- Attachment 3: Utah Public Meeting Notice website -- [4/22/14](#)
- Attachment 4: Qtr Page Ad published in Herald Journal – [5/4/14](#)
- Attachment 5: Municipal Council - Legal Notice published in Herald Journal – [6/3/14](#)
- Attachment 6: Municipal Council - Utah Public Meeting Notice website – [4/22/14](#)