

**CITY OF LOGAN, UTAH
ORDINANCE NO. 24-23**

**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 map or maps entitled "Official Zoning Map of Logan City, Utah" is hereby amended and the following properties in the Bridger Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20).

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2024.

AYES:

NAYS:

ABSENT:

Amy Z. Anderson, 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 _____, 2024.

Amy Z. Anderson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

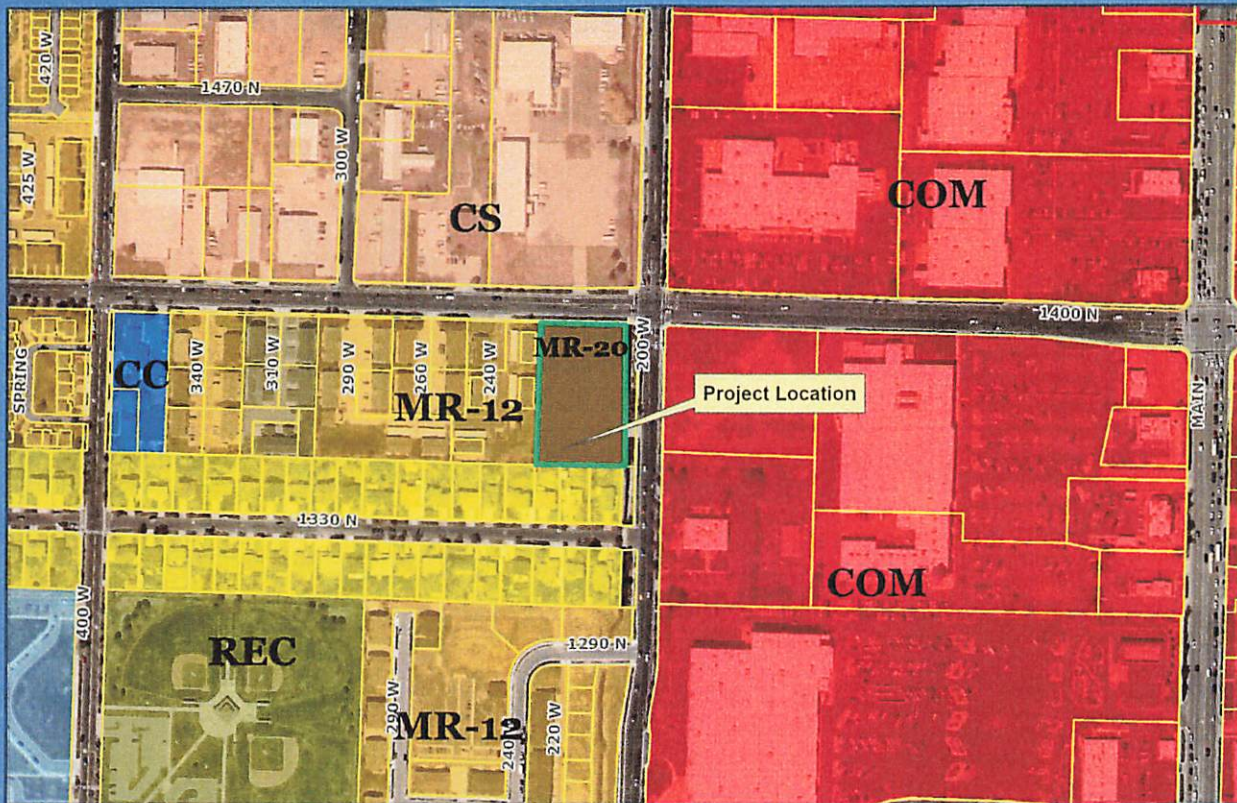
The foregoing ordinance is hereby _____ this ____ day of _____,
2024.

Holly H. Daines, Mayor

EXHIBIT A



Willets Rezone 1354 North 220 West



Proposed Zoning

Oct. 24, 2024



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: October 29, 2024
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #24-23 Willets Rezone

Summary of Planning Commission Proceedings

Project Name: Willets Rezone
Request: Rezone
Project Address: 1354 North 220 West
Recommendation of the Planning Commission: **Deny**

On Oct 24th, 2024, the Planning Commission **recommended denial** to the Municipal Council for the Willets Rezone from MR-12 to MR-20

Planning Commissioners vote (4-0):

Motion: Peterson

Second: McNamara

Recommend Denial: Guth, Lewis, McNamara, Peterson

Nay: none

Abstain: none

Attachments

PC Meeting Minutes (draft)

Ordinance #24-23

Staff Report

Slides

PLANNING COMMISSION MINUTES

Meeting of October 24, 2024

Logan City Council Chambers (290 N 100 W Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, October 24, 2024. Commissioner Guth called the meeting to order at 5:30 p.m.

Commissioners Present: Jordy Guth, David Lewis, Eldon Peterson, Sarah McNamara

Commissioners Excused: Sara Doutre, Ken Heare, Jessica Lucero

Staff Present: Russ Holley, Aimee Egbert, Mike DeSimone, Mohamed Abdullahi, Amanda Pearce, Jeannie Simmonds (City Council)

Approval of the Agenda: Project PC 24-043 was removed from the consent agenda and placed under the public hearing section of the agenda for further discussion.

PC 24-041 Willets Rezone [Zone Change] Jed Willets is requesting a zone change of a .24-acre property located in the southwest corner of the Royal Point Subdivision at 1354 North 220 West from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20) to add a four-plex unit; TIN 05-041-0056 (Bridger Neighborhood).

Staff: Russ Holley, Planner reviewed the request to rezone lot six of the Royal Point Subdivision from MR-12 to MR-20. Russ explained the history of the zoning in the area.

Commission: Peterson asked if this zone change was approved, if the entire subdivision would be upzoned. R. Holley said, yes the entire subdivision gets rezoned with a zone change. Guth asked if as it is zoned now they could put a duplex on it. Russ explained as of now in the MR-12 zone this subdivision is already over density. The property was upzoned twice to MR-20 for the applicant to then build the duplex with the understanding that the City would down zone the subdivision back to MR-12.

Proponent: Jed Willets reviewed the time frames with the first and second zone change approvals.

Public: Jeannie Simmonds, City Council said she would like to see a timeline showing when permits were issued and when they expired.

Leann Wilkins, who owns a home on 200 West near the proposed project, complained about the weeds that grow on the property and explained her frustration with the City and the proponent and is opposed to the rezone request.

Staff: Darren Farar, City Engineer said the proponent has had ample time to complete the conditions for a duplex.

Motion: Commissioner Peterson made a motion to **forward a recommendation of denial** to the Municipal Council on a zone change for **PC 24-041 Willets Rezone** with the findings for denial as listed below. Commissioner McNamara seconded the motion.

FINDINGS FOR DENIAL

1. The Logan City FLUP identifies the area as MR. The surrounding areas are zoned MR-12 and this property should also be zoned MR-12 for consistency.
2. The Bridger Neighborhood was specifically downzoned to reduce the number new multi-family developments in order to better balance housing stock in this neighborhood as compared to other Logan City neighborhoods.
3. The MR-12 zone would prevent future multi-family development as this 1.80 acre lot is already above the maximum density of 12 units per acre.

Moved: E. Peterson

Seconded: S. McNamara

Approved: 4-0

Yea: Guth, Lewis, Peterson, McNamara

Nay:

Abstain:

Project #24-041
Willets Rezone
Located at approx. 1354 North 220 West

REPORT SUMMARY...

Project Name: Willets Rezone
Proponent/Owner: Jed F. Willets
Project Address: 1354 North 220 West
Request: Rezone to MR-20
Current Zoning: MR-12
Date of Hearing: October 24, 2024
Type of Action: Legislative
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission recommend **denial** to the Municipal Council for a rezone of approximately 1.80 acres of property located at approximately 1360 North 200 West (TIN# 05-041-0056) from Mixed Residential Low (MR-12) to Mixed Residential Medium (MR-20).

Land use adjoining the subject property

<i>North:</i>	CS: Commercial Uses	<i>East:</i>	COM: Commercial Uses
<i>South:</i>	NR-6: Residential Uses	<i>West:</i>	MR-12: Residential Uses

Background

In 1992, the Logan City Planning Commission approved the six (6) lot Royal Point Subdivision located south of 1400 North between 200 and 400 West. Each lot was approximately 1.30 to 1.80 acres in size. Lot #6 is 1.80 acres and the location of this request. In 1992, the zoning was R4, which allowed multi-family at a rate of one unit per every 6,000 square feet (SF) and an additional 1,000 SF for each subsequent unit (4-plexes would require 9,000 SF). Over the course of two (2) years, seven 4-plexes were built on Lot #6. In 1995, after the seventh fourplex was built, the owners illegally subdivided lot #6 into eight tax identification numbers (TIN) at the county and never received city permits or approvals for this action. The remainder eighth area (0.24-ac.) was subsequently sold off and is now the subject property for this request. In 2000 zoning changed to MFH-14 and the project became "legally existing nonconforming" because lot#6 (the city recognized 1.80-acre building lot) sits at 15.5 units-per-acre with the existing seven permitted four-plex's. In 2013 zoning changed to MR-12, and the project remains nonconforming. Since 2000, zoning has been based on a units-per-acre density rather than the 6,000 SF plus 1,000 SF formula.

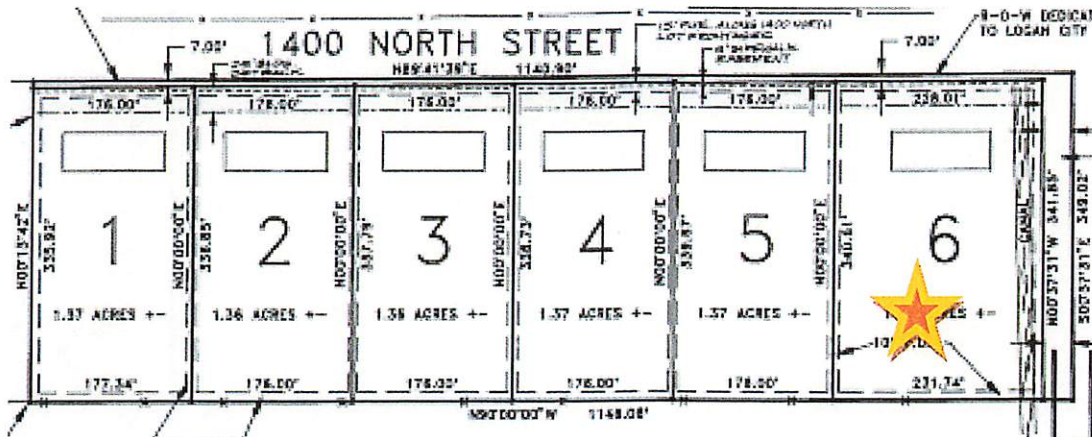


Figure 1 shows the original city approved Royal Point Subdivision (rezone property is lot #6)

The current applicant (Jed Willets) purchased this remainder property (illegal building lot) thinking he could build a duplex because it was zoned MR-12, and it was a 0.24-acre property size. Logan City decided to rezone the 1.80 acre building lot to MR-20 in 2016 to allow for a duplex to be built. This same applicant received a Design Review Permit for a duplex but never pulled a building permit and allowed this entitlement to expire. Again in 2023, the City upzoned the 1.80 acres to MR-20 and issued a new Design Review Permit for the duplex. Again, this same applicant let this entitlement expire in March of 2024 without obtaining a building permit.

This request is from the same applicant; however, this request is an upzone to build a four-plex rather than the duplex. If up-zoned to MR-20, the 1.80 acre building lot could support 36 dwelling units max. With seven existing four-plex's (28 units existing), that could allow for a new 12-plex.

GENERAL PLAN

The Future Land Use Plan (FLUP) identifies this area as Mixed Residential. It does not distinguish between medium and high. As part of the revised Land Development Code (LDC) and Zoning Map update in February of 2011, the area was zoned Mixed Residential Medium (MRM) rather than Mixed Residential High (MRH) because this area was over saturated with multi-family structures exceeding the balance of housing options outlined in the General Plan.

Numerous Bridger Neighborhood meetings and public comments from the Logan City School District has indicated a desire to down-zone developable areas to get more low density detached single family homes for better neighborhood balance and longer-term occupancy in a neighborhood that struggles with transiency. There have been several down zones in the area and new housing developments in the neighborhood over the last several years have been predominately single-family homes (Quayle Meadows, Lloyd Estates, Cottonwood Estates).

LAND DEVELOPMENT CODE

The Land Development Code (LDC) allows for up to 20 residential units per acre of land in the MR-20 zone. The MR-20 zoning district permits a range of multi-family residential structures. The current zoning designation of MR-12 allows for similar structures but at a lower density.

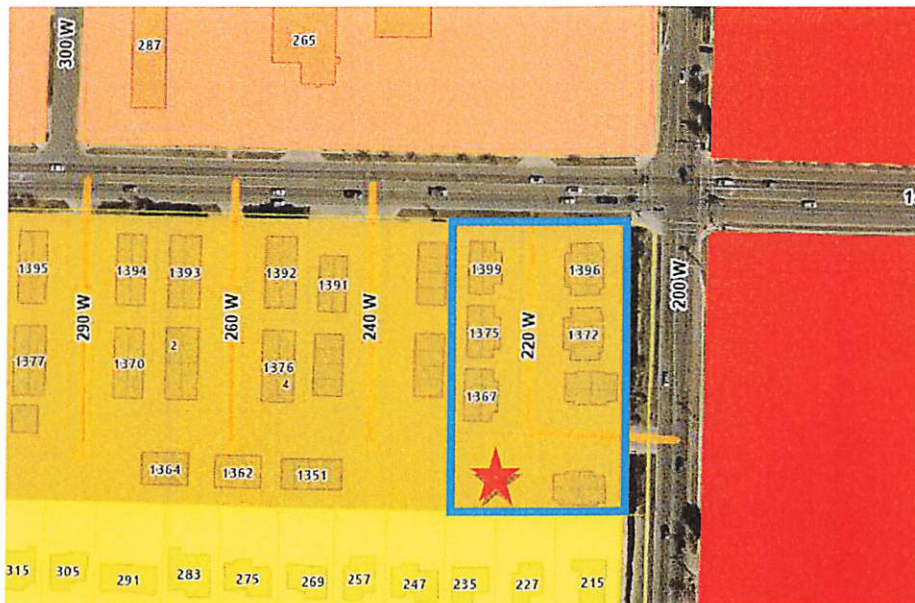


Figure 2 shows the FLUP

SUMMARY

Jed Willets originally purchased the property thinking he could build a duplex. After discovering the illegal subdivision, the City of Logan rezoned the property twice. Once in 2016 and again in 2023, for the applicant to build a duplex. Both times, the applicant failed to build a duplex. The most recent entitlement was issued in March of 2023. The applicant submitted a duplex building permit application just days prior to the one-year (March 2024) deadline of that entitlement. Over the last six months, since March of 2024, the applicant did not complete the building permit plans as instructed and pay the fee for final building permit issuance. The Logan City Building Department cancelled the building permit application after six months and the failure of the applicant's part to finalize and pay the fee, in September of 2024. A typical duplex building permit application is finalized and issued with fees paid in 2-4 weeks.

This application is requesting an upzone for a different reason now, the applicant is seeking to build a four-plex, not a duplex. A four-plex was never discussed or contemplated on this property and in this situation. Staff is recommending denial of this rezone because the Bridger Neighborhood has deliberately made numerous and consistent efforts to downzone remaining developable areas into single family zones, to better balance out the housing stock that currently has a much higher concentration of multi-family as compared to other Logan City neighborhoods. Going from a duplex to a fourplex is contrary to this neighborhood goal.



Figure 2 shows the site.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments.

PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 10/12/24, posted on the City's and Utah Public Meeting website on 10/14/24, and mailed to property owners within 300 feet on 10/7/24.

RECOMMENDED FINDINGS FOR REZONE DENIAL

The Planning Commission bases its decision on the following findings supported in the administrative record for this project:

1. The Logan City FLUP identifies the area as MR. The surrounding areas are zoned MR-12 and this property should also be zoned MR-12 for consistency.

2. The Bridger Neighborhood was specifically downzoned to reduce the number new multi-family developments in order to better balance housing stock in this neighborhood as compared to other Logan City neighborhoods.
3. The MR-12 zone would prevent future multi-family development as this 1.80 acre lot is already above the maximum density of 12 units per acre.

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.

Willets Rezone

1354 North 220 West



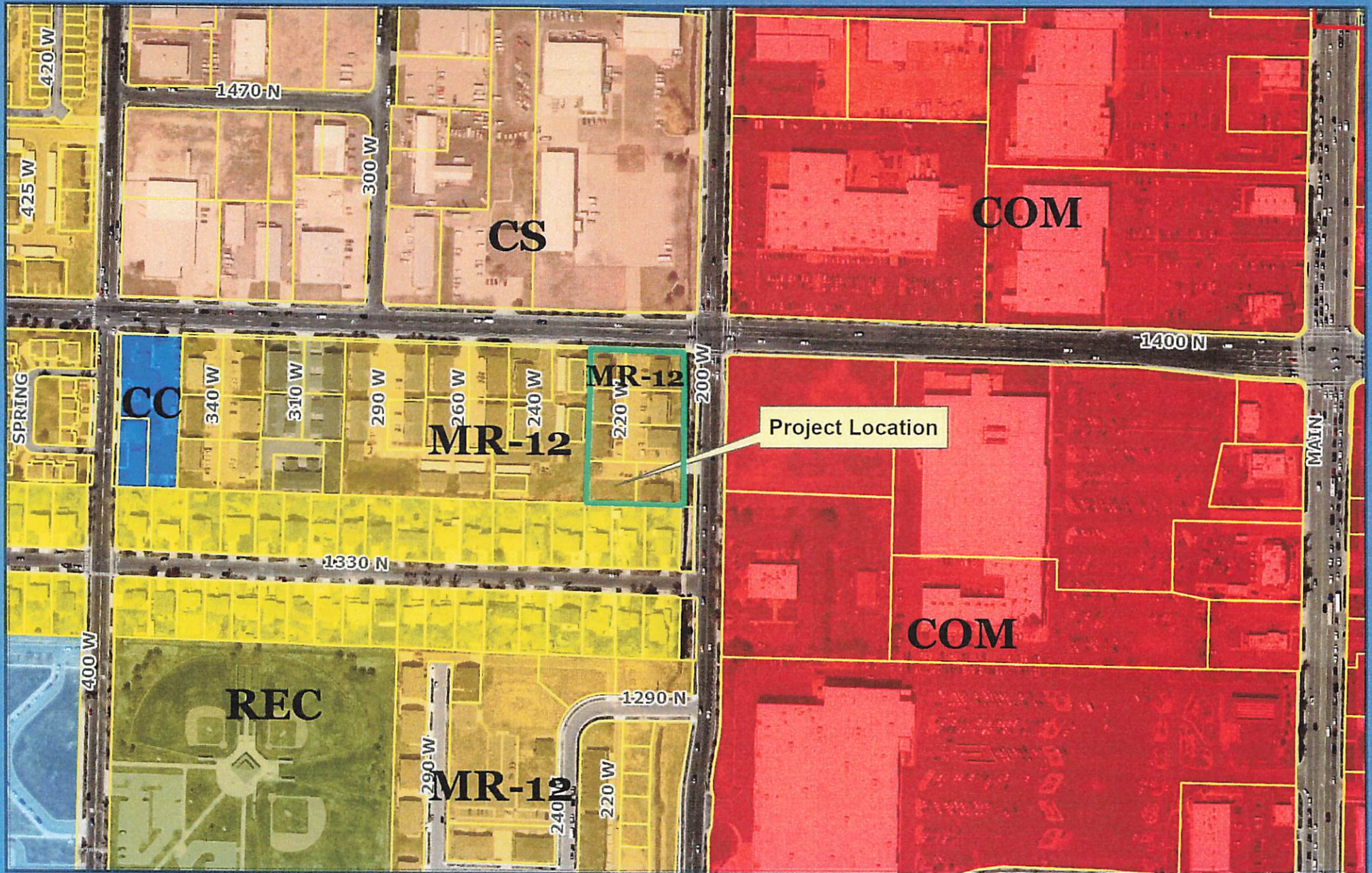
Willets Rezone

1354 North 220 West



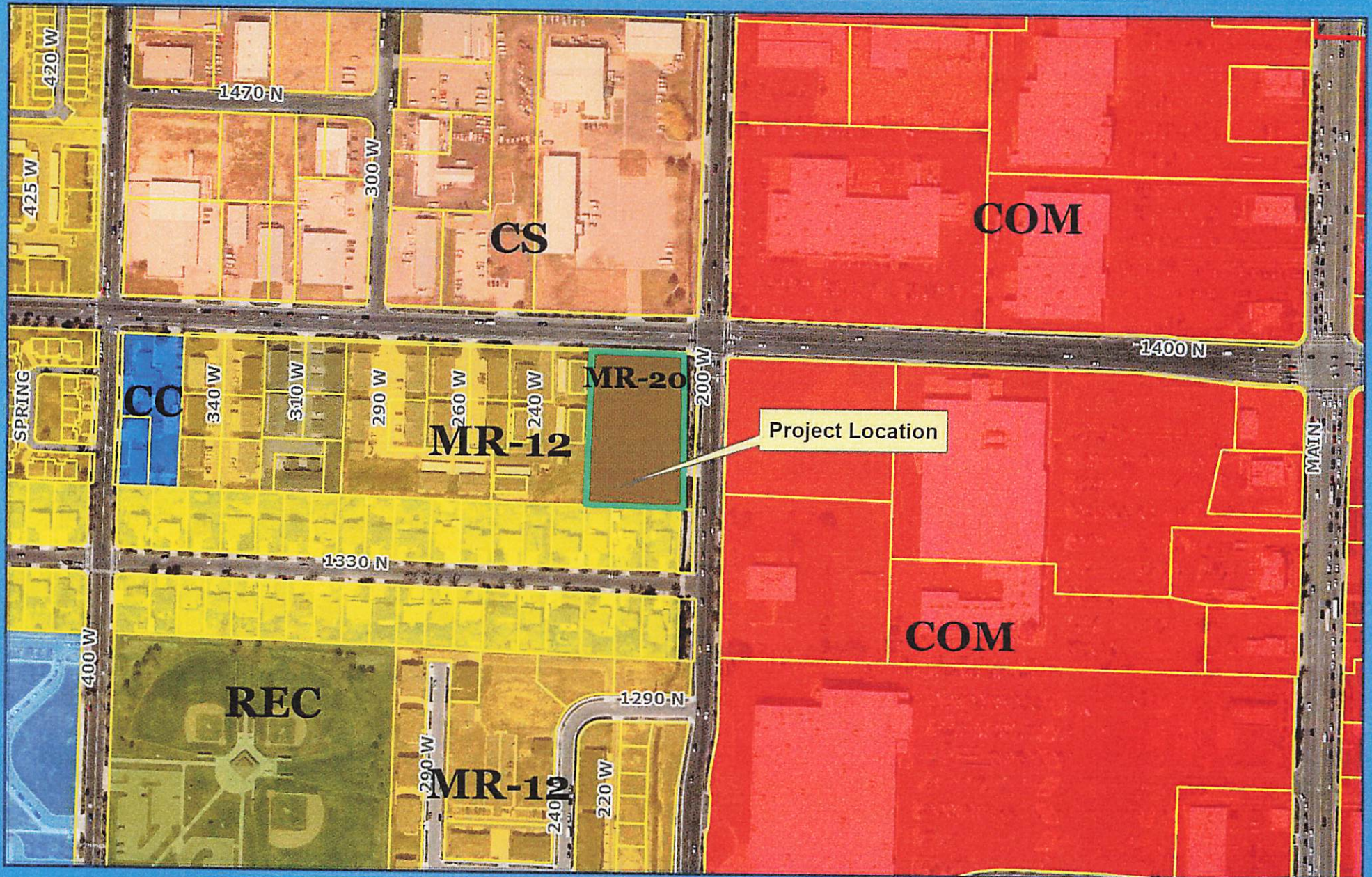
Willets Rezone

1354 North 220 West



Willets Rezone

1354 North 220 West



Proposed Zoning

Oct. 24, 2024

