

**CITY OF LOGAN, UTAH
ORDINANCE NO. 26-14**

**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, UTAH AS
FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter
17.24.110 "Development Standards for Wetlands" are amended as attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS ____ DAY OF _____, 2026.

Dahle, Melissa	☐ Aye	☐ Nay	☐ Abstained	☐ Excused
Johnson, Mike	☐ Aye	☐ Nay	☐ Abstained	☐ Excused
Koven, Katie-Lee	☐ Aye	☐ Nay	☐ Abstained	☐ Excused
López, Ernesto	☐ Aye	☐ Nay	☐ Abstained	☐ Excused
Simmonds, Jeannie F.	☐ Aye	☐ Nay	☐ Abstained	☐ Excused

Mike Johnson, 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 _____, 2026.

Mike Johnson, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2026.

Mark A. Anderson, Mayor

EXHIBIT A

§17.24.110 Development Standards for Wetlands

The purpose of these ~~standards and requirements are~~ is to preserve and enhance wetlands by protecting them from adverse effects and potentially irreversible impacts caused by development activities.

- A. Applicability. City staff will determine if a wetland delineation is required based on National Wetlands Inventory data, aerial photography or site visits showing potential wetlands on the subject property. The development proposal will not proceed to the decision-making body until the wetland delineation is approved in writing by the U.S. Army Corps of Engineers (USACE) or staff receives a letter from the USACE stating that jurisdictional wetlands do not exist on the subject property. These requirements ~~only~~ apply to formally delineated wetlands determined by the U.S. Army Corp of Engineers to be waters of the United States as regulated under Section 404 of the Clean Water Act and surrounding areas of the subject property proposing new developments. Delineated wetlands that are considered by the U.S. Army Corp of Engineers to not be waters of the United States are not regulated under this Section.
- B. All wetlands shall be clearly delineated and shown on the preliminary development plans. The wetland delineation shall be conducted using the current version of the Federal Manual for Identifying and Delineating Jurisdictional Wetlands and shall be completed by an individual certified by the U.S. Army Corp of Engineers as a wetland specialist and reviewed by the City Engineer and Director.
- C. Prohibited Activities. No person shall disturb, remove, fill, dredge, clear, destroy or alter any areas, including vegetation, within wetlands and their respective Setbacks, except as ~~may be~~ expressly allowed herein.
- D. Setbacks. Setbacks are measured from the nearest edge of the delineated wetland to the nearest edge of the development type listed below.
 1. For all public and private projects of any size, a 10 foot "do not disturb" setback is required and shall have no land disturbances unless restoring native plants and vegetation or as specifically allowed in USACE exceptions. During all construction activities a temporary fence and signage shall be installed at the 10 foot "do not disturb" setback line.
 2. For all private development projects, except single-family detached homes, the following setbacks are required. A 50-foot setback to all structures, paved parking lots, and driveways. A 15-foot setback is required for storm water retention facilities, sidewalks, trails, patios and decks. The setbacks for all development adjacent to a delineated wetland shall extend 50' as measured landward from the delineated wetland Ordinary High Water Mark (OHWM) and shall be shown on the preliminary development plans.
 3. For all public and recreational development projects, the following setbacks are required. A 50-foot minimum setback for all structures with a 1,200 SF footprint or more, all paved parking lots, and driveways. A 25-foot minimum setback for sidewalks and structures with a less than 1,200 SF footprint. A 35-foot minimum setback for streets, measured at the edge of curb. A 15-foot minimum setback for storm water retention facilities, trails, patios, and decks. Boardwalks may be permitted inside wetlands and setback areas if approved by the USACE and the city.
 4. For single family residential subdivisions, no new building lot property line shall be located closer than 35 feet away from the nearest edge of a delineated wetland. For residential subdivisions, wetlands and setback areas shall be located on separate parcels and maintained as per project approvals or city codes.

25. The setback for all development adjacent to an irrigation ditch or canal that meets the U.S. Army Corp of Engineers definition for water of the United States shall extend a minimum of 20' from the Ordinary High Water Mark.

~~E. Land Disturbance in the Setback Area. No more than 20% of the land area within this setback area may be disturbed, including grading, clearing, grubbing, tree removal, revegetation, landscaping, etc. All disturbed areas shall be revegetated within 60 days of initial disturbance. Erosion control measures shall be implemented. Mitigation plans involving wetland creation, restoration or enhancement authorized in conjunction with a U.S. Army Corp of Engineers permit approval are exempt from this restriction.~~

~~EE. Wetland Disturbance-USACE Exceptions. No activity will be permitted which disturbs, fills, dredges, clears, destroys, or alters any water, soils and vegetation within delineated wetlands as set forth in this Section, unless approved in writing by the U.S. Army Corp of Engineers (Corp Permit). A copy of the USACE permit approval shall be provided to Logan City. The 10-foot do not disturb setback may only be adjusted to align with USACE one-tenth of an acre approved disturbance areas. Any adjustments to the 10-foot do not disturb setback area must be approved by the city. Underground utilities are exempt from these regulations if done in accordance with USACE and city specifications.~~

G. General standards and requirements for all Wetlands and Wetland Setback Areas as listed below are also subject to approval by the U.S. Army Corp of Engineers.

7. Stormwater retention or detention facilities are prohibited in all wetlands or the 10-foot do not disturb setback area.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: July 14th, 2026
FROM: Russ Holley, Director
SUBJECT: Ordinance #26-14 Wetlands Code Amendment

Summary of Planning Commission Proceedings

<i>Project Name:</i>	Wetlands Code Amendment
<i>Request:</i>	Code Amendment
<i>Project Address:</i>	NA
<i>Recommendation of the Planning Commission:</i>	Approval

On July 9th, 2026, the Planning Commission **recommended approval** to the Municipal Council for the Wetland Code Amendment.

Planning Commissioners vote (5-1):

Motion: Doutre

Second: Duncan

Recommend Approval: Doutre, Heare, Duncan, Lewis, McNamara

Nay: Maughan

Abstain: none

Attachments

Meeting Minutes

Ordinance #26-14

Staff Report

Slides

PLANNING COMMISSION MINUTES Meeting of July 9, 2026

PC 26-023 LDC Amendment - Wetlands -Continued from the June 11th meeting. [Code Amendment] Russ Holley/Logan City are proposing amendments to the Land Development Code Chapter 17.24.110 Development Standards for Wetlands.

Staff/Proponent: Community Development Director Russ Holley explained that the item was continued from the June 11, 2026, Planning Commission meeting to allow staff time to prepare maps illustrating undeveloped properties, site acreage, and the impacts of proposed wetland setbacks.

R. Holley reviewed the proposed amendments, which would:

- Better define when a wetland delineation is required and who determines that requirement based National Wetlands Inventory (NWI) mapping.
- Require development applications involving mapped wetlands to obtain written approval of a wetland delineation from the U.S. Army Corps of Engineers (USACE) or a written conformation from the USACE that wetlands are not present on the subject property, before an application may be accepted.
- Clearly define where setbacks are measured from and establish different project categories with varying setback standards.
- Establish no-disturbance areas and replace the current percentage-based disturbance allowances with linear setbacks requirements.

As proposed, development projects of 10 acres or more would require a 50-foot setback for structures, paved parking areas, and driveways, and a 15-foot setback for stormwater facilities, sidewalks, trails, patios, and other site improvements. Development projects of less than 10 acres would require a 20-foot setback for structures, paved parking areas, and driveways, and a 15-foot setback for other site improvements.

For public and recreational projects, the proposal would require a 20-foot setback for structures, paved parking areas, and driveways, and a 15-foot setback for stormwater facilities, streets, roads, sidewalks, trails, and similar improvements. Boardwalk trails could be permitted within wetlands and setback areas with approval from the USACE. For residential subdivisions, no new building lot line could be established within 10 feet of a delineated wetland. Wetlands and associated no-disturbance areas would be placed on separate parcels and maintained in accordance with project approvals and City regulations.

R. Holley explained that the 10-acre distinction was based on the historic logan block size, which originated from the Public Land Survey System (PLSS) and the townships, range, and section layout established from the Salt Lake City Base Meridian.

R. Holley reviewed wetland areas located west of 1000 West and presented several large development sites, identifying each property's total acreage, building area, and open space/landscaping area. He also reviewed several vacant properties containing wetlands and illustrated the percentage of each property that would be affected by wetlands and the existing 50-foot setback requirement.

Commissioner Maughan asked whether the required setback should instead be based on the percentage of wetlands present on a site.

Commissioner Doutré suggested that sites with 10 percent or less wetlands could require a 50-foot setback, while sites with 40 percent or more wetlands could require a 20-foot setback.

Public: Joshua Moliter stated that wetland setbacks should begin at 50 feet and increase for larger

developments to better preserve wetlands in the valley. He commented that wildlife and other species also have a right to the land and that accommodating new development should not be the primary objective.

Jeannie Simmonds stated that the Municipal Council's intent was to preserve wetlands but agreed to revisit the ordinance because of issues involving recreation facilities and street construction.

Commission: R. Holley noted that developers have the option, through USACE permitting process, to mitigate impacts by removing wetlands from the property when permitted.

Commissioner Duncan agreed with the public comment, stating that developments other than parks and recreational uses should not be constructed immediately adjacent to wetlands.

Commissioner Doutre recommended removing the proposed distinction between developments greater than and less than 10 acres by eliminating the 20-foot setback for smaller developments and applying the 50-foot setback to all private development while keeping the remainder of the proposed code unchanged.

Commissioner Doutre asked which projects had been prevented from moving forward under the existing 50-foot setback requirement. Mohammed Abdullahi, City Attorney, responded that one residential subdivision and one trail project had been unable to proceed because of the current setback.

Commissioner Lewis stated that establishing a consistent wetland setback would provide greater certainty for developers than using a variable setback based on percentage of wetlands on a site.

Commissioner Heare agreed with Commissioner Doutre, stating that the 50-foot setback should remain for private development, while the proposed exceptions for public, recreational, and residential subdivision projects should remain.

Commissioner Doutre proposed the following amendments to the proposed code:

- Remove proposed section D.3 relating to private development projects of less than 10 acres.
- Amend section D.2 so the 50-foot setback requirement applies to all private development projects, regardless of acreage.

MOTION: Commissioner Doutre made a motion to forward a **recommendation of approval** for PC 26-023 to the Municipal Council, incorporating the amendments discussed by the Commission and with the findings for approval as listed below. Commissioner Duncan seconded the motion. The motion was approved five to one.

FINDINGS FOR APPROVAL

1. Utah State Law authorizes local Planning Commissions to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

Moved: S. Doutre

Second: J. Duncan

Approved: 5-1

Yea: Heare, Lewis, Doutre, Duncan, McNamara,

Nay: Maughan

Abstain:



Project #26-023 Wetlands Code Amendment

REPORT SUMMARY...

<i>Project Name:</i>	Wetlands Code Amendment
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Land Development Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	June 11, 2026
<i>Submitted By:</i>	Russ Holley, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.24 of the Land Development Code.

REQUEST

This is a proposal to amend the Wetland sections of the Critical Lands Overlay Zone in Chapter 17.24 and to modify the wetland regulations and the range of uses and activities permitted within setback areas.

BACKGROUND

The City adopted the current revisions to the Critical Lands requirements in 2023 and again in 2025. These changes were driven, in part, by issues and concerns raised during the Willow Lakes residential subdivision project review as well as State and Federal requirements to update the City's Flood Damage Prevention regulations. Recent Supreme Court cases concerning wetlands is considered in this proposal. This application tries to balance the swing in regulation between pre-2023 and current 2025 and how to best manage the different types of developments near wetlands.

"Wetlands" means those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions as delineated during a formal wetland delineation and approved by the U.S. Army Corps of Engineers.

SUMMARY OF CHANGES

The proposed changes include how and who determines when wetland delineations are required. They reduce some current setbacks and set up multiple categories or development types, rather than lumping everything under "all development" and a citywide 50-foot setback. Proposed setbacks are based on property size, land use, and development type, and add clarity to what can and cannot be done inside setback areas. This proposal establishes a "do not disturb" area to better protect wetland resources. This proposal allows for boardwalks and other similar improvements within setback and wetland areas. This also better accounts for U.S. Army Corps of Engineers one-tenth of an acre disturbance allowance within a delineated wetland.

The Reasonable Use exceptions and transfer of density and development rights remain as is in this section of code to offer an alternative path to permitting or retain property values for unique or challenging property sites. The purpose of these changes is to clarify the regulation of new development adjacent to or within areas identified as critical lands, and address different types of use, activities or developments.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The newly adopted General Plan continues to place value on natural resources and the proposed wetland amendments will continue to protect and enhance wetlands in and around new project approvals. The proposed updates are consistent with the General Plan.

PUBLIC COMMENTS

As of the time the staff report was prepared, no comments were received.

PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 5/30/26 and posted on the City's website and the Utah Public Meeting website on 6/01/26.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, no comments were 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).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with UCA Title 10, Chapter 9a, Part 5 & Part 6.
5. No public comment has been received regarding the proposed amendments.

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.