

CITY OF LOGAN, UTAH
ORDINANCE NO. 15-19

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 17.31: "Critical Lands Overlay" 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 _____, 2015.

AYES:
NAYS:
ABSENT:

Jeannie F. Simmonds, 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 _____, 2015.

Jeannie Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2015.

Craig Petersen, Mayor

EXHIBIT A

- B. Riparian Areas. Lands within 75 feet of the stream centerline for streams draining a basin size greater than 1 square mile, and the land within 25 feet of the stream centerline for streams that drain areas of one square mile or less. It also includes any wetlands or riparian area identified during the Federal 404 Permit Process.
- C. Geologically Unstable Areas. Lands that are geologically unstable due to potential erosion hazards, unstable slopes, steep slopes (slopes in excess of 30 percent), and areas susceptible to debris flows. Areas above and below canals on slopes greater than 10% that contain a high slope failure potential are also considered potential erosion hazard areas.
- D. Wildfire Lands. Lands with potential of wildfire as determined by the Logan City Fire Chief.
- E. Wetlands. Lands defined as wetlands by the U.S. Army Corp of Engineers.
- F. Prime Agricultural Land. Lands mapped by the State of Utah as Agricultural land of National or State Importance.
- G. Essential Views. Locally significant and important view corridors, view foregrounds, and view backdrops identified on the Essential Views Map.
- H. Critical Wildlife Habitat. Lands identified by the State of Utah as critical wildlife habitat.

§17.31.040 Official Maps

- A. The City shall adopt official critical lands maps denoting the above identified areas using the most accurate and best data available. Site specific critical lands information, such as a formal wetland delineation or floodplain map amendment prepared by individuals with expertise in the critical lands in question may be considered by the City for inclusion in the official critical lands maps.

§17.31.050 Development Standards for Floodplains

All development shall comply with the applicable regulations and standards of the National Flood Insurance Program (NFIP), the most current effective Flood Insurance Study (FIS) and the most current Flood Insurance Rate Maps (FIRM) as administered by the City Engineer. Development within a designated Floodway is prohibited. All construction and substantial improvement of any structure shall have the lowest habitable floor, including basement, elevated to a minimum of 1' above the base flood elevation.

§17.31.060 Development Standards for Riparian Areas

All development within a Riparian Area shall comply with the following standards:

- A. All structures shall maintain a 25' setback from the top of stream bank within a riparian area with the exception of bridges, docks, viewing platforms, public recreational amenities, or other similar features.
- B. No more than 50% of the land area with the riparian area may be disturbed, including grading, clearing, grubbing, tree removal, etc. All disturbed areas shall be revegetated within 60 days of initial disturbance. Erosion control measures shall be implemented during all construction.
- C. Trees larger than 12" dbh shall not be removed from a riparian area unless they are considered a hazard tree, diseased or dead.



**Project #15-043
Floodplains
Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Floodplain Construction Standards
<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>	August 27, 2015
<i>Submitted By:</i>	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 17.31 (Critical Lands Overlay).

REQUEST

This proposed amendments to Section 17.31 (Critical Lands Overlay) of the Land Development Code include the following:

Existing Language:

§17.31.050 Development Standards for Floodplains

All development shall comply with the applicable regulations and standards of the National Flood Insurance Program (NFIP), the most current effective Flood Insurance Study (FIS) and the most current Flood Insurance Rate Maps (FIRM) as administered by the City Engineer. Development within a designated Floodway is prohibited.

Amended Language:

§17.31.050 Development Standards for Floodplains

All development shall comply with the applicable regulations and standards of the National Flood Insurance Program (NFIP), the most current effective Flood Insurance Study (FIS) and the most current Flood Insurance Rate Maps (FIRM) as administered by the City Engineer. Development within a designated Floodway is prohibited. *All construction and substantial improvement of any structure shall have the lowest habitable floor, including basement, elevated to a minimum of 1' above the base flood elevation.*

The purpose of the additional language is to ensure Logan City's floodplain development and construction standards are consistent with Federal standards for new construction in floodplains.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These 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 August 13, 2015, posted on the City's website and the Utah Public Meeting website on August 17, 2014, and noticed in a quarter page ad on August 9, 2015.

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 Amendment clarifies floodplain development & construction standards to ensure new construction is elevation above the base flood event as defined on the adopted FIRM (Flood Insurance Rate Maps) for Logan City.
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 the material in the report with additional information at the Planning Commission meeting.



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: September 15, 2015
FROM: Mike DeSimone, Director
SUBJECT: LDC Text Amendment – Floodplains (Critical Lands Overlay)

Summary of Planning Commission Proceedings

Project Name: Floodplains
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval with modification

On August 13, 2015, the Planning Commission recommended that the Municipal Council **approve** a request to amend the Land Development Code Chapter 17.31 (Critical Lands Overlay) to update the development standards for floodplains.

Planning Commissioners vote (5 - 0):

Motion for Recommendation: R. Price

Second: D. Butterfield

Yea: R. Price, S. Sinclair, A. Davis, T. Jensen, D. butterfield

Nay: none

Attachments:

Staff Report

Ordinance 15-045

PC Meeting Minutes