



**Project #16-015  
Drinking Water Source Protection (SP)  
Overlay Zone Amendment  
Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Drinking Water Source Protection Overlay (SP) Zone Amendments
<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>	April 14, 2016
<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 17.25 (Drinking Water Source Protection (SP) Overlay Zone).

**REQUEST**

This proposed modifications to Section 17.25 ((Drinking Water Source Protection (SP) Overlay Zone) of the Land Development Code are required in order to comply with State & Federal requirements to manage storm water on-site. Underground injection systems, called Class V injection wells, are currently prohibited in all Drinking Water Source Protection Zones. These changes would permit the use of Class V injection wells in Drinking Water Source Protection Zones 3 & 4 only.

A Class V injection well is a type of drainage facility that generally depends on gravity to drain fluids below the land surface and generally involves little or no pretreatment. A typical Class V system is a dry well or a septic system.

The proposed language 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 to the Definitions 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 March 31, 2016, posted on the City's website and the Utah Public Meeting website on April 1, 2016, and noticed in a quarter page ad on March 27, 2016.

## **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 and bring our Drinking Water Source Protection Standards into compliance with State/Federal requirements.
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.

## Chapter 17.25: Drinking Water Source Protection (SP) Overlay Zone

### §17.25.010. Purpose

The purpose of the Drinking Water Source Protection Overlay Zone is to ensure the provision of a safe and sanitary drinking water supply for Logan City by establishing drinking water source protection zones surrounding the wellheads and springs for all wells and springs which are the supply sources for the Logan City water system or neighboring city water systems, and by the designation and regulation of property uses and conditions which may be maintained within such zones.

### §17.25.020. Establishment of Drinking Water Source Protection Zones

In accordance with Utah State Regulations R309-600, the following source protection zones are hereby established:

- A. **Zone 1:** The area within 100' of radius from the wellhead or spring.
- B. **Zone 2:** The area within a 250 day groundwater time of travel to the wellhead or spring, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.
- C. **Zone 3:** The area within a 3 year groundwater time of travel to the wellhead or spring, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.
- D. **Zone 4:** The area within a 15 year groundwater time of travel to the wellhead or spring, the boundary of the aquifer(s) which supplies water to the groundwater source, or the groundwater divide, whichever is closer.

### §17.25.030. Prohibited Uses

Excepting uses legally established before the effective date of this Chapter and used continuously and in the same manner thereafter, the following uses are prohibited:

- A. Zones 1 and 2.
  1. Sanitary sewer lines within 150 feet of a wellhead or spring collection area;
  2. Underground storage tanks;
  3. Stormwater infiltration structures, including Class V injection wells;
  4. Geothermal wells;
  5. Application of Fertilizers, herbicides or pesticides;
  6. Sanitary landfills; and
  7. Any pollution source as defined herein or in R309-600 of the Utah Administrative Code.
- B. Zones 1, 2, and 3.

Agriculture industries including, but not limited to, intensive feeding operations such as feed lots, dairies, fur breeding operations, poultry farms, etc.
- C. All Zones.
  1. Surface use, storage, or dumping of hazardous waste or material, expressly including industrial or commercial uses of agricultural pesticides (except when such pesticides are used in farming applications within strict compliance of the manufacturer's recommendations of use);
  2. Hazardous waste or material disposal sites;
  3. Septic tanks/drainfield systems;
  4. Geothermal wells deeper than 30';

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17.25: Drinking Water Source Protection (SP) Overlay Zone

- 5. Manure piles; and
- 6. Uncontrolled salt piles; and
- 7. ~~Class V underground injection wells.~~



# APPLICATION FOR PROJECT REVIEW

Planning Commission     Land Use Appeal Board     Administrative Review

Date Received <b>3-8-16</b>	Received By —	Receipt Number —	Zone —	Application Number <b>PC 16-015</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"/> Administrative Design Review <input checked="" 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>LDC Section 17.25 Drinking Water Source Protection Overlay Zone (SP)</b>				
PROJECT ADDRESS			COUNTY PLAT TAX ID # — —	
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete) <b>Public Works/Engineering</b>				MAIN PHONE # <b>435-716-9160</b>
MAILING ADDRESS <b>290 N 100 W</b>	CITY <b>LOGAN</b>	STATE <b>UT</b>	ZIP <b>84321</b>	
EMAIL ADDRESS <b>Bill.Young@loganutah.org</b>				
PROPERTY OWNER OF RECORD (Must be listed) <b>n/a</b>				MAIN PHONE #
MAILING ADDRESS CITY STATE ZIP				
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed) <b>In order to comply with new requirements to infiltrate or evaporate the first 0.6" of rainfall on the site of each project, it has become necessary to modify underground injection systems, called class V injection wells, in Zones 3 and 4 in our Source Protection Zone.</b>				Total Lot Size (acres) <b>N/A</b>
<b>- NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -</b>				Size of Proposed New Building (square feet) <b>N/A</b>
				Number of Proposed New Units/Lots <b>N/A</b>
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	

**Council workshop: May 3**  
**Council hearing: May 17**

## **Chapter 17.25: Drinking Water Source Protection (SP) Overlay Zone**

### **Amended**

#### **§17.25.010. Purpose**

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