

**CITY OF LOGAN, UTAH
ORDINANCE NO. 19-14**

**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, 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 Woodruff Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Traditional Neighborhood Residential (NR-6) to Mixed Residential Traditional (MR-9).

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2019.

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 _____, 2019.

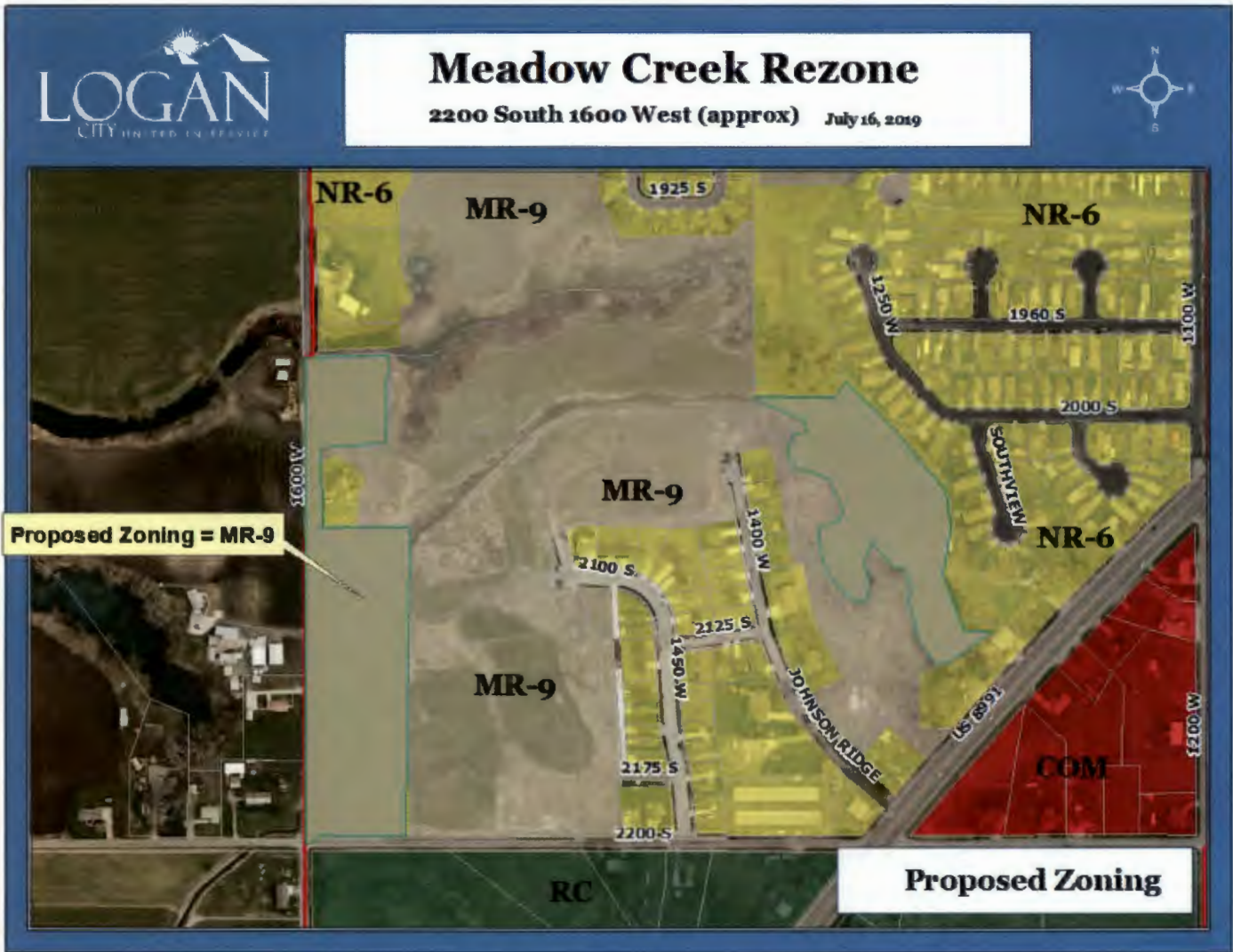
Jeannie F. Simmonds, Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2019.

Holly Daines, Mayor

EXHIBIT A





MEMORANDUM TO MUNICIPAL COUNCIL

DATE: July 8, 2019
FROM: Russ Holley, Senior Planner
SUBJECT: **Ordinance #19-14 Meadow Creek Rezone**

Summary of Planning Commission Proceedings

<i>Project Name:</i>	Meadow Creek Pointe Rezone
<i>Request:</i>	Official Zoning Map Amendment
<i>Project Address:</i>	2200 South 1600 West (approx.)
<i>Recommendation of the Planning Commission:</i>	Approval

On June 27, 2019, the Planning Commission recommended that the Municipal Council **approve** the Meadow Creek Rezone. Staff originally recommended denial because the MR-9 zone allows townhome and other attached multi-family structures, but after the applicant publicly stated that they would be willing to place a deed restriction on the property allowing only single-family home structures staff's recommendation changed to approval. The FLUP indicates DR (detached residential) uses and with some recently approved multi-family attached projects in the immediate vicinity, staff considered residential structure type ratios and neighborhood character.

Planning Commissioners vote (5-0):

Motion: R. Croshaw

Second: S. Goodlander

vote recommend approval: T. Nielson, R. Croshaw, R. Dickinson, S. Goodlander, J. Lucero

vote recommend denial: none

abstain: none

Attachments:

Staff Report

Ordinance #19-14

Planning Commission Meeting Minutes

Project Slides



Project #19-022
Meadow Creek Rezone
Located at approx. 2200 South 1600 West

REPORT SUMMARY...

Project Name: Meadow Creek Subdivision Rezone
Proponent/Owner: Visionary Homes / Gregory Anderson
Project Address: 2200 South 1600 West
Request: Rezone from NR-6 to MR-9
Current Zoning: Neighborhood Residential Traditional (NR-6)
Date of Hearing: June 27, 2019
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 9.51 acres of property located at approximately 2200 South 1600 West (TIN# 03-005-0060, 03-005-0029.) from Neighborhood Residential Traditional (NR-6) to Mixed Residential Transitional MR-9).

Land use adjoining the subject property

<i>North:</i>	NR-6: Single Family Uses	<i>East:</i>	MR-9: Single Family Uses
<i>South:</i>	Outside of City Boundary	<i>West:</i>	Outside of City Boundary

REQUEST

The proponent is requesting to rezone approximately 9.51 acres (2 parcels) north of 2200 South and west of 1600 West from NR-6 to MR-9. The main area is 8.0 acres and located directly adjacent to the west side of the recently subdivided Meadow Creek single-family project. The other area is 1.51 acres and consists of sensitive land surrounding the Spring Creek Reservoir. This 1.51-acre area is not anticipated to be developed into residential land uses. The main 8.0-acre area is adjacent to 1600 West on the west and could tie into the proposed street network for the Meadow Creek Subdivision on the east. The Meadow Creek Subdivision was approved on February 14, 2019 for 143 single-family lots laid out in a cluster pattern with a deed restriction that limited lots and structures to only single-family homes.

GENERAL PLAN

The Future Land Use Plan (FLUP) adopted in 2008 identifies this area as Detached Residential (DR). DR areas are describes as being designated for single family residential homes built at 4-6 units per acres. New development must create traditional neighborhood character with homes oriented towards streets with front porches. Subdivision streets should create block patterns similar to that of historic Logan neighborhoods. Mixed Residential (MR) areas are described in the General Plan as areas being designed to provide a range of housing options for all stages of life. Structures in MR will range from small single-family homes to townhomes and apartments.

LAND DEVELOPMENT CODE

The Land Development Code (LDC) describes the NR-6 zone as being Logan's most established residential areas. Detached single-family homes are permitted at no more than six (6) dwelling units per acre and with 6,000 SF minimum lot sizes. The MR-9 zone is described as allowing a mix of housing structures, including attached multi-family structures. The MR-9 zone allows a maximum density of nine (9) units per acre of land and a minimum lot size of 4,000 SF.

ZONING HISTORY

In 2005, this property was zoned Agriculture. In 2007, the zoning was changed to SFT. In 2012 the property was zoned NR-W and in 2014 to the present it has been zoned NR-6.

SUMMARY

Being the last remaining 8 acres of the original Spring Creek Village PUD area, staff assumes that like the previous proposal, the MR-9 zone is desired solely for matching smaller single-family lot sizes rather than attached multi-family structures. The previously approved Spring Creek Village PUD and Meadow Creek Subdivision both have smaller single-family lots sizes ranging from 4,000 – 6,068 SF, with the majority of lots near the 4,000 SF minimum. Being consistent with the previous application, rezone applications should anticipate the entire range of development possibilities. Unless a deed restriction or some other assurance is provided by the applicant that limits the project to single-family lots and homes, staff is concerned the MR-9 zoned property could be used for future multi-family structures in an area that has long been planned for single family homes.

AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

PUBLIC COMMENTS

No comments have been received.

PUBLIC NOTIFICATION

Legal notices were posted on the City's website and the Utah Public Meeting website on 6/20/19, and noticed in a quarter page ad on 6/1/19, and a Public Notice mailed to property owners within 300' were sent on 6/6/19.

RECOMMENDED FINDINGS FOR DENIAL

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

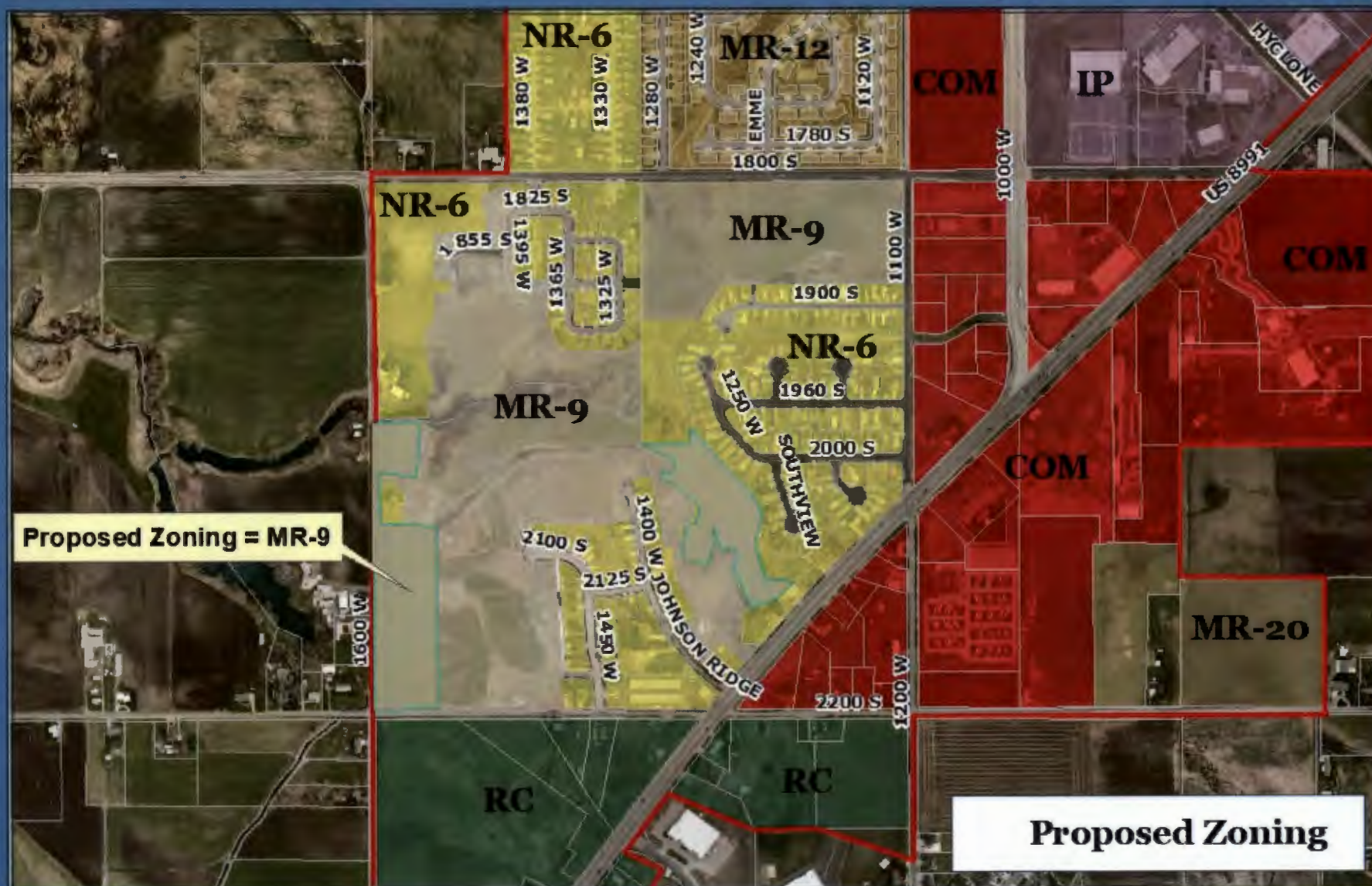
1. The MR-9 zone allows for multi-family structures, something not planned for this area.
2. The subject property was never identified in the General Plan and Land Development Code as an area for future multi-family development or MR zoning.
3. The existing single-family residential homes in the vicinity are anticipating additional single-family uses not multi-family uses.

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.

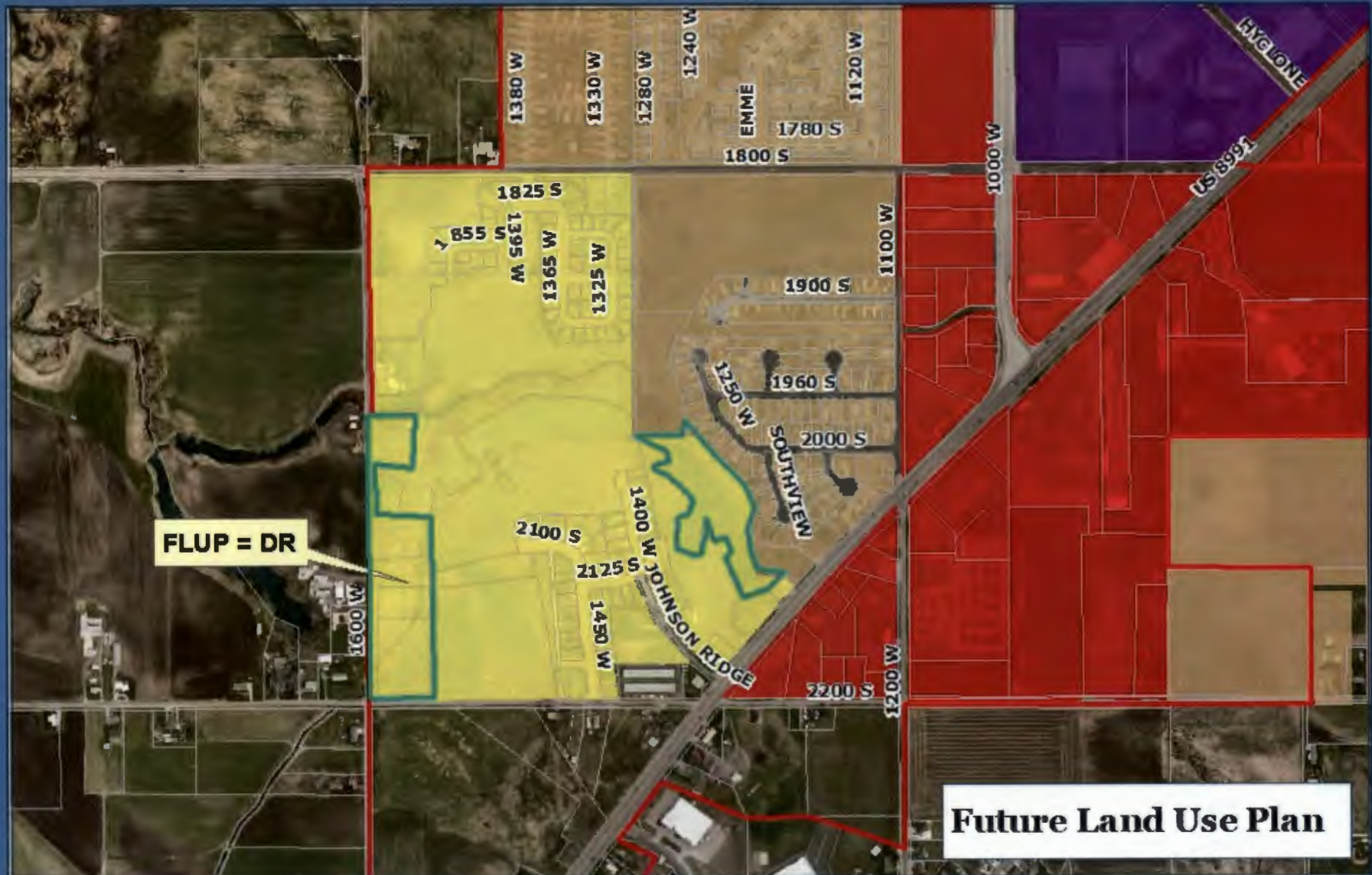
Meadow Creek Rezone

2200 South 1600 West (approx) July 16, 2019









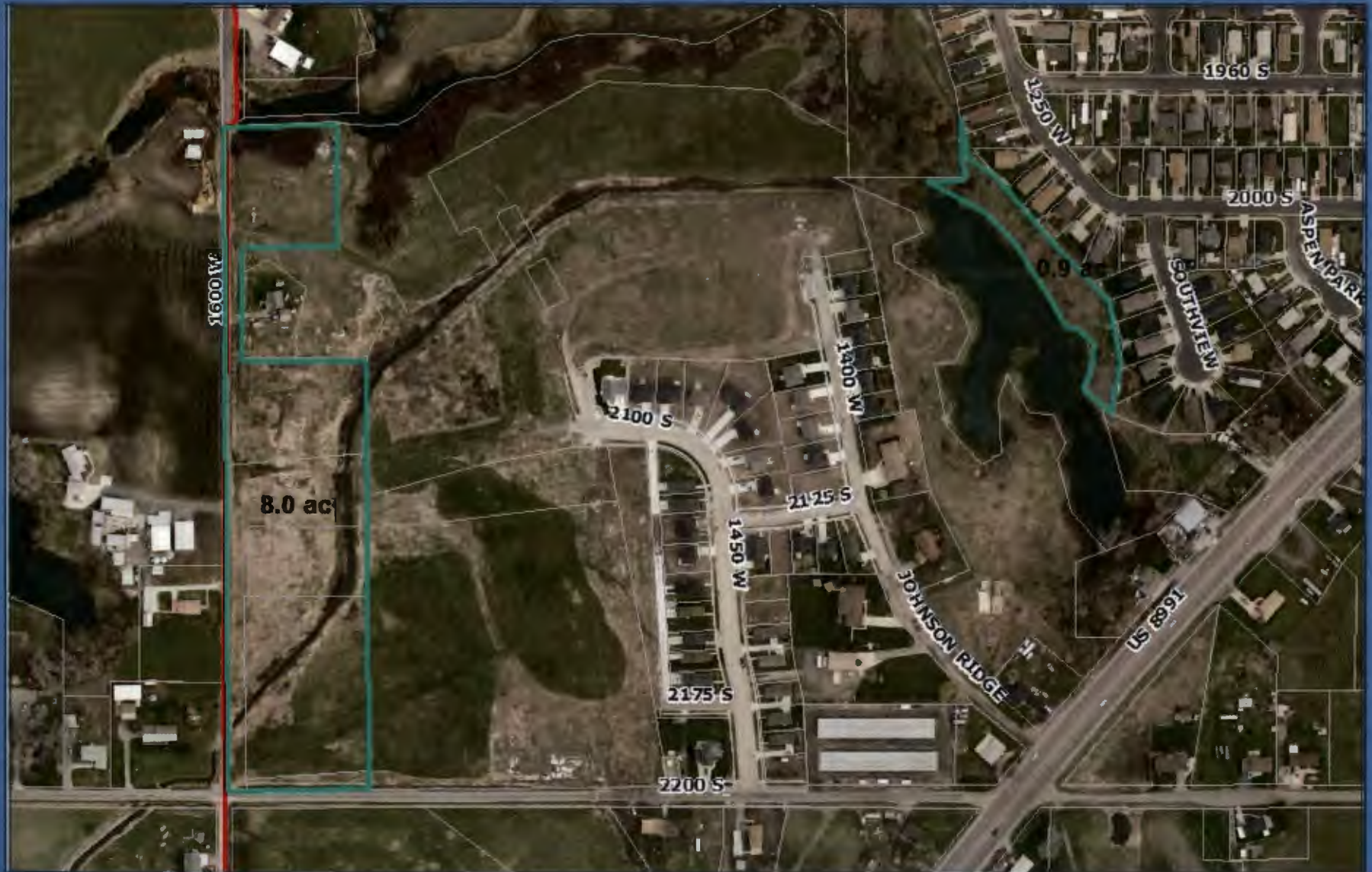
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Meadow Creek Rezone

2200 South 1600 West (approx) July 16, 2019



PLANNING COMMISSION MINUTES

Meeting of June 27, 2019

Logan City Council Chambers (290 North 100 West Logan, UT 84321) www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, June 27, 2019. Vice-Chairman Newman called the meeting to order at 5:30 p.m.

Commissioners Present: Roylan Croshaw, Regina Dickinson, Sandi Goodlander, Jess Lucero, Dave Newman

Commissioners Excused: Tony Nielson, Eduardo Ortiz

Staff Present: Mike DeSimone, Russ Holley, Aaron Smith, Debbie Zilles, Kymber Housley, Jeannie Simmonds (Council liaison)

PC 19-022 Meadow Creek Rezone [Zone Change] VHD, LLC/Gregory Anderson authorized agent/owner, request a rezone of ~9.51 acres from Neighborhood Residential (NR-6) to Mixed Residential (MR-9) at 2200 South 1400 West to create a more comprehensive project site for the already approved Meadow Creek project; TIN 03-005-0060;-0029.

STAFF: Mr. Holley reviewed the request to rezone approximately 9.51 acres (2 parcels) north of 2200 South and west of 1600 West from NR-6 to MR-9. The main area is 8.0 acres and located directly adjacent to the west side of the recently-subdivided Meadow Creek single-family project. The other area is 1.51 acres and consists of sensitive land surrounding the Spring Creek Reservoir. This area is not anticipated to be developed into residential land uses. The main 8.0-acre area is adjacent to 1600 West on the west and could tie into the proposed street network for the Meadow Creek Subdivision on the east. The Meadow Creek Subdivision was approved on February 14, 2019 for 143 single-family lots laid out in a cluster pattern with a deed restriction that limited lots and structures to only single-family homes.

Being the last remaining 8 acres of the original Spring Creek Village PUD area, staff assumes that like the previous proposal, the MR-9 zone is desired solely for matching smaller, single-family lot sizes rather than attached multi-family structures. The previously approved Spring Creek Village PUD and Meadow Creek Subdivision have smaller lot sizes ranging from 4,000 – 6,068 SF, with the majority of lots near the 4,000 SF minimum. Being consistent with the previous application, rezone applications should anticipate the entire range of development possibilities. Unless a deed restriction or some other assurance is provided by the applicant that limits the project to single-family lots and homes, staff is concerned the MR-9 zoned property could be used for future multi-family structures in an area that has long been planned for single-family homes and would therefore recommend denial.

PROPONENT: Dallas Nicoll said the intent is to include a deed restriction with the rezone, indicating that the subdivision layout and design shall be similar to what has been previously approved and developed (allowing only single-family structures). Because PUDs are no longer an option, requesting a change of the zone to MR allows for smaller lot sizes, which will conform to what is already there. There is no intent to build multi-family housing.

PUBLIC: Jim Kunsman lives on 1600 West (in the County) and wondered how this new development would affect his property. He raises small calves and pigs.

COMMISSION: Mr. Holley clarified for Commissioner Lucero that Spring Creek PUD Phase 1 average lots sizes were approximately 3,500 SF with alleyways.

Mr. Holley confirmed for Commissioner Goodlander that the developer would be required to improve the road along the frontage of their project. There is an existing home that is not part of the subject project.

Mr. Holley advised that the deed restriction was received after the Staff Report was issued. The restriction would be similar to the one for Meadow Creek Phase 1 which would only allow for single-family structures. The request for the MR zone is to allow for smaller lot sizes, which would then allow for continuation of a similar style of development to what is already in the area.

Mr. Housley confirmed for Commissioner Dickinson that a deed restriction runs with the property, if the property is sold, the new owner would have to adhere to the recorded restriction.

Commissioner Lucero pointed out that Phase 1 is quite tight and she has concerns with the aesthetics of the area. Continuing this same lot size and pattern might create the same concerns and problems. Mr. Nicoll said this development will have an HOA to maintain open space. The lots are individually owned so there is no formal control over each property owner's upkeep. The shift in housing is moving toward smaller lots.

Commissioner Dickinson questioned how properties that border Logan are handled and whether zoning is discussed and decided between jurisdictions. Mr. DeSimone explained that in this instance, the adjoining property is in Cache County, which does not have an intensive type of zone that would serve as a transition zone. The assumption is that Logan City will continue to grow to the west as the demand dictates and eventually the land will be annexed into the City. There is no control over what other jurisdictions can or cannot do.

Commissioner Croshaw asked if the recommendation for denial (within the Staff Report) was determined prior to the deed restriction. Mr. Holley said it was and staff's position changes with inclusion of a deed restriction, which would guarantee single-family homes and continue the pattern of development.

Mr. Housley said a condition for accepting the rezone could be included as a condition in the recommendation to the City Council.

Commissioner Lucero asked what the total number of homes would be when the area is completely developed. Mr. Holley said Spring Creek Village Phase 1 has 44 homes, Meadow Creek has been approved for 143 lots and this rezone area could accommodate up to 40 more. The average lot size of this area would be 4,000 SF. Commissioner Lucero questioned the access into the area. Mr. Holley explained that Johnson Ridge Lane, which is currently privately-owned, was originally developed as a county-road when it was put in. If, and when, UDOT decides to put in a traffic signal, some of these smaller roads could be closed off for better alternative accesses. Currently, Spring Creek Village and Meadow Creek Phase 1 filter out onto 2200 South and 1600 West. Commissioner Lucero asked if 1600 West will be improved. Mr. Holley said it will be improved along the frontage of the development, beyond that it will be improved with future development. 1600 West will eventually tie into the highway with a future signal. Mr. Nicoll pointed out that they have been working with UDOT and a deceleration lane will be installed for southbound traffic turning on to 2200 South and Johnson Ridge Lane will be barricaded off and will not be an access point once Meadow Creek is developed.

MOTION: Commissioner Croshaw moved to **forward a recommendation for approval** to the City Council for the requested rezone as outlined in PC 19-021 with the condition that a deed restriction be submitted. Commissioner Goodlander seconded the motion.

Moved: R. Croshaw **Seconded:** S. Goodlander **Approved:** 5-0
Yea: Croshaw, Dickinson, Goodlander, Newman, Lucero **Nay:** **Abstain:**