

AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL
MAKING CHANGES TO REQUIREMENTS FOR WATER CONSERVATION PLAN FOR NEW
SUBDIVISIONS

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinances of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, said Code included Title 12 which is the City's Land Use Ordinance; and

WHEREAS the City Council and the City's Planning and Zoning Commission have determined there is need and good cause to amend the City's Land Use Ordinance to modify the requirements for Water Conservation Plans with new subdivisions

NOW, THEREFORE, pursuant to Section 12A-301 of Title 12 of North Logan City code and Section 10-9a-205 of the Utah Code, and after fourteen (14) days' notice and a public hearing held April 1, 2021 by the Planning Commission as required, the City Council of the City of North Logan, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED by the City Council of the City of North Logan, Utah as follows:

SECTION I: Amend TITLE 12 LAND USE, modifying 12D-115 Development Regulations, to amend 12D-115 (B)(4) as follows.

~~Water Conservation Plan. The water conservation plan shall contain an assessment of the potential outside culinary water use for the subdivision and recommendations for lot size, landscaping and irrigation practices to minimize culinary water use. For land with irrigation water rights the conservation plan should contain an assessment and recommendations for development of a secondary water system.~~

The water conservation plan shall assess if the land currently or has historically had irrigation rights.

If the land being developed has currently or historically had irrigation rights, the water conservation plan shall contain an assessment and recommendations for development of a secondary water system, including sizes and locations of all existing and proposed lines and valves, and shall include approval from the irrigation and canal companies for the area if applicable. See City Code 12I Dedication of Water System Shares or Water Rights for required water share dedication.

If the land being developed does not currently have and has not historically had irrigation rights, the water conservation plan shall contain an assessment of the potential outside culinary water use for the subdivision and recommendations for lot size, landscaping and irrigation practices to minimize culinary water use and shall require the following:

1. A landscape plan shall be submitted with the building permit that shall include the total area of turf grass, and planted areas, with an estimate on total monthly exterior water use during peak irrigation months along with an estimated month water bill for the installed landscape using the applicable current Water Usage Fee Tiers.
2. A maximum of 6000 square feet or 35 percent of the total landscaped area may be turf grass, whichever is less. The remaining must be landscaped using water wise design.

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3. Water Rates for all new development post December 2021 without access to secondary irrigation rights will be subject to separate Water Usage Fee Tiers as found in the North Logan City Master Fee Schedule. These separate Water Usage Fee Tiers shall be referenced and noted on the final subdivision plat.
4. Exterior water use shall only be permitted from the months of May through September.
5. If determined by the North Logan City Water Model that exterior water use will create a demand that cannot be met, exterior water use may be restricted further to zero exterior water use if necessary.

SECTION II: CONFLICT. To the extent of any conflict between this ordinance and any other North Logan City ordinance(s) or regulation(s), the provisions of this Ordinance shall be controlling.

SECTION III: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION IV: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this ____ day of September, 2021.

NORTH LOGAN CITY

ATTEST:

By: _____
Damon Cann, Mayor

Scott Bennett, City Recorder

CERTIFICATE OF DUE POSTING

I, Scott Bennett, City Recorder of North Logan, Utah, hereby certify that I caused to be posted the

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foregoing Ordinance No. 21-__ on the __ day of May, 2021, in the City of North Logan, Cache County, State of Utah, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this __ day of May, 2021.

Scott Bennett
City Recorder