



## MEMORANDUM TO MUNICIPAL COUNCIL

DATE: February 7, 2023  
FROM: Mike DeSimone, Director  
SUBJECT: **Ordinance #23-04 Stephens Rezone**

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### **Summary of Planning Commission Proceedings**

<i>Project Name:</i>	Stephens Rezone
<i>Request:</i>	Zoning Map Amendment to MR-12
<i>Project Address:</i>	745 E Canyon Road
<i>Recommendation of the Planning Commission:</i>	<b>Denial</b>

On January 12, 2023 the Planning Commission recommended that the Municipal Council **deny** the rezone.

### **Planning Commissioners vote (6-0):**

Motion: E. Peterson  
Second: R. Crowshaw

### **Vote to recommend denial to City Council:**

**Yea:** D. Lewis, E. Petersen, R. Croshaw, S. Doutre, J. Guth, K. Heare

**Nay:** None

**Abstain:** None

### **Attachments:**

*Ordinance #23-04*  
*Staff Report & Project Slides*  
*Planning Commission Meeting Minutes*

**CITY OF LOGAN, UTAH  
ORDINANCE NO. 23-04**

**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 Wilson Neighborhood and as specifically identified in Exhibit A, as attached, are hereby zoned from Neighborhood Residential (NR-6) to Mixed Residential Low (MR-12)**

**SECTION 2: This ordinance shall become effective upon publication.**

**PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, \_\_\_\_\_  
THIS DAY OF \_\_\_\_\_, 2023.**

**AYES:**

**NAYS:**

**ABSENT:**

\_\_\_\_\_  
Ernesto López, Chairman

**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 \_\_\_\_\_, 2023.**

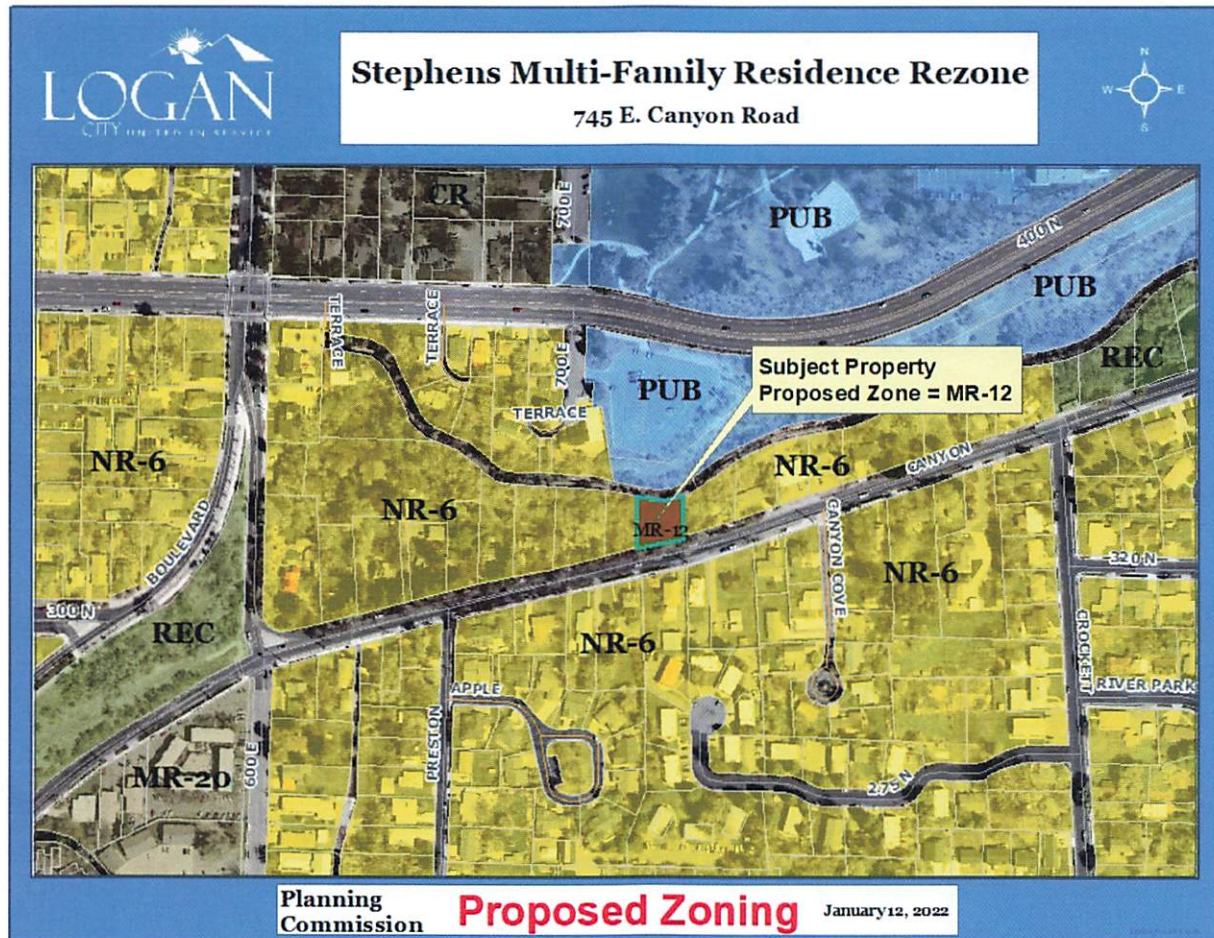
\_\_\_\_\_  
Ernesto López, Chairman

**MAYOR'S APPROVAL OR DISAPPROVAL**

**The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_,  
2023.**

\_\_\_\_\_  
Holly H. Daines, Mayor

# EXHIBIT A







**Project #23-003  
Stephens Rezone  
Located at 745 E Canyon Road**

**REPORT SUMMARY...**

<i>Project Name:</i>	Stephens Rezone
<i>Proponent/Owner:</i>	Barak Stephens / Shon Hender
<i>Project Address:</i>	745 E Canyon Road
<i>Request:</i>	Rezone from NR-6 to MR-12
<i>Current Zoning:</i>	Traditional Neighborhood Residential (NR-6)
<i>Date of Hearing:</i>	January 12, 2023
<i>Type of Action:</i>	Legislative
<i>Submitted By:</i>	Mike DeSimone, Director

**RECOMMENDATION**

Staff recommends that the Planning Commission forward a recommendation of **Denial** to the Municipal Council for a rezone of approximately .25 acres of property located at approximately 745 E Canyon Road (TIN# 06-048-0011) from Traditional Neighborhood Residential (NR-6) to Mixed Residential Low (MR-12).

*Land use adjoining the subject property*

<i>North:</i>	COM: Residential Uses	<i>East:</i>	NR-6: Residential Uses
<i>South:</i>	COM: Residential Uses	<i>West:</i>	COM: Residential Uses

**PROJECT**

The proponent is requesting to rezone a vacant lot approximately .25 acres from NR-6 to MR-12 on the north side of East Canyon Road for the purpose of constructing multi-family residential dwellings. The rezone request does not include any formal development plans. The existing lot size of .25 acres would accommodate one SFR in the NR-6 zoning designation or up to three residential units in the proposed MR-12 zoning designation.



**Figure 1: Subject property at 745 E Canyon Road**



## GENERAL PLAN

The Future Land Use Plan (FLUP), adopted in 2008, identifies this property as Detached Residential. The Logan City General Plan states that in areas designated Detached Residential (DR), all new development, whether infill between existing homes, replacement of existing homes or new development on vacant land, will be detached single family structures. The site is surrounded by DR (east, west, south) and PUB to the north. The nearest MR FLUP designations are located off of 400 East/600 North or at Canyon Road/600 East.

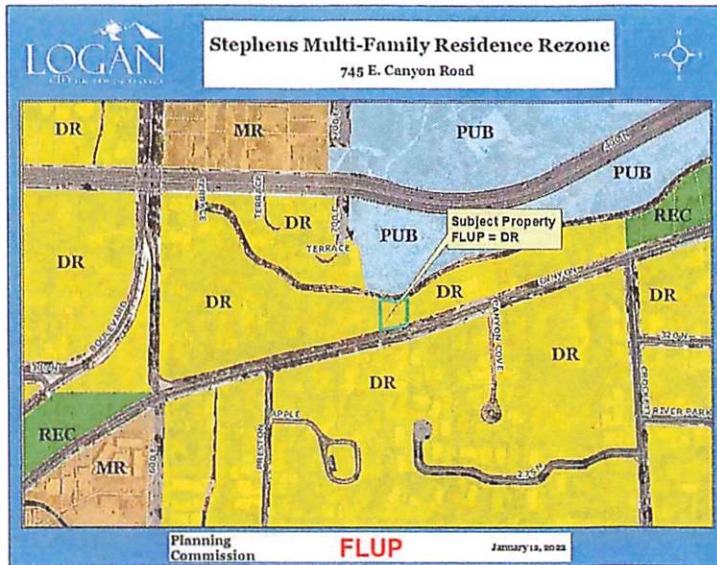


Figure 2: Future Land Use Plan Map

## LAND DEVELOPMENT CODE

The Land Development Code (LDC) regulates land uses and entitles properties with specific development allowances. The NR-6 zone permits single family residential dwellings with minimum lot sizes of 6,000 square feet and a maximum gross density of six units/acre. The current zoning would permit one SFR while the proposed MR-12 would allow for up to three units.

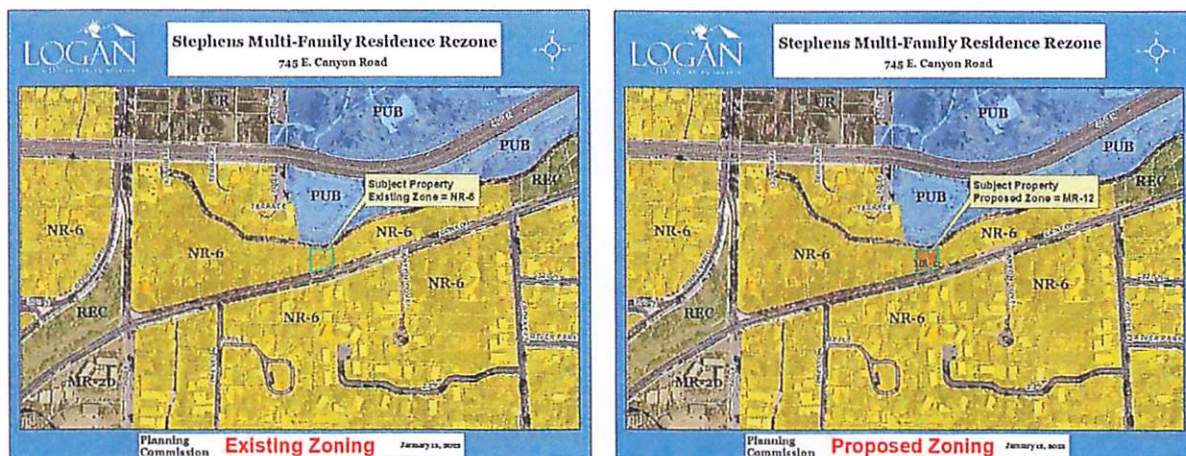


Figure 3: Existing & Proposed Zoning

## STAFF SUMMARY

The property is a vacant lot located on the north side of East Canyon Road. The surrounding land uses are predominately single family residential uses interspersed with some multi-family residential uses. Portions of Canyon Road are unimproved or lack curb, gutter, & sidewalk. A



parking lot used by Utah State University is located to the north and across the canal. The site sits below the canal and is constrained with steep slopes which will present a challenge for any type of development. The nearest multi-family zoning designation is located approximately 900' to the west near the 600 East/Canyon Road intersection. From staff's review, the site is zoned and planned for single family residential uses, and a rezone to a more intensive residential use is contrary to the overall goals and vision expressed in the General Plan and the adopted Zoning. The site contains slopes and the development costs associated with developing on this type of a site are going to be higher than an adjoining level site. However, the additional development costs, as suggested by the applicant, are not adequate grounds for a rezone on this site to a more intensive residential use. Staff recommends denial of this rezone request.

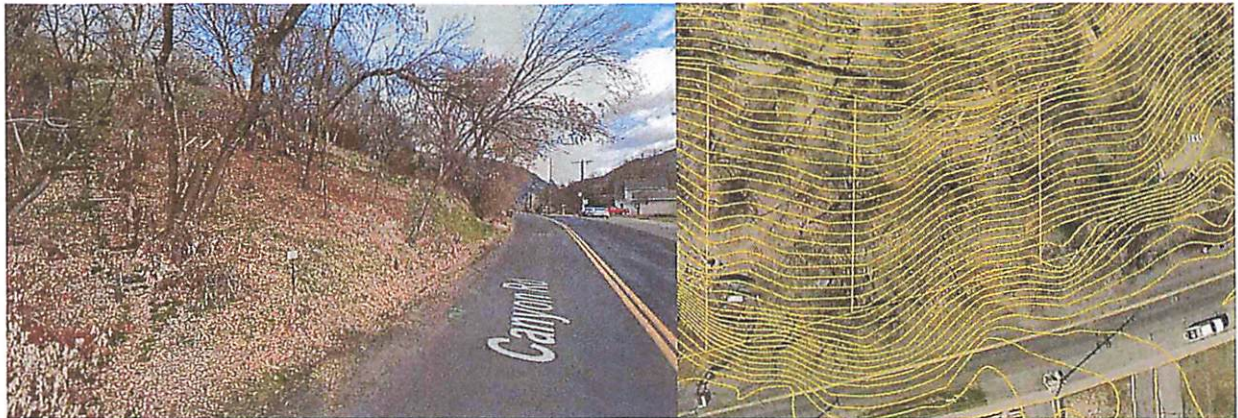


Figure 4: Street View and Contour Map

#### **AGENCY AND CITY DEPARTMENT COMMENTS**

No comments have been received.

#### **PUBLIC COMMENTS**

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comments have been received.

#### **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 12/31/22, posted on the City's website and the Utah Public Meeting website on 1/02/23, and noticed in a quarter page ad on 12/29/23.

#### **RECOMMENDED FINDINGS**

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

1. The Logan City FLUP identifies the area as Detached Residential (DR).
2. The surrounding zoning is NR-6 with the nearest multi-family zoning located approximately 900' to the west.
3. The predominate land use pattern in the area is detached single family residential uses.
4. This site fronts onto East Canyon Road with adequate utilities present.
5. The site contains severe slopes which, while not prohibiting development, make any type of development on this site challenging.

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.