

CITY OF LOGAN, UTAH
ORDINANCE NO. 13-64

AN ORDINANCE AMENDING TITLE 17 OF THE LAND DEVELOPMENT CODE
MODIFYING COMMERCIAL, INDUSTRIAL AND MIXED USE DESIGN STANDARDS AND
CLARIFYING PLANNING COMMISSION REVIEW AUTHORITY IN THE DESIGN
REVIEW PROCESS

WHEREAS, it is the intent of the Council to manage growth by implementing the principles of the General Plan and Land Development Code; and

WHEREAS, in accordance with the vision of the General Plan, the Council desires to make land use decisions which promote enduring quality and consideration for the entire community; and

WHEREAS, the diversity of development styles and types have made it difficult to apply design standards uniformly in a fair and equitable manner; and

WHEREAS, the Council finds that the application of specific design standards in a flexible manner is warranted due to unique site circumstances or issues with neighborhood compatibility; and

WHEREAS, the Council further finds that the additional discretion provided to the Planning Commission in the design review process will help to ensure quality design and development are constructed in the City without compromising the overall intent of the Logan General Plan or Land Development Code.

BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN,
STATE OF UTAH AS FOLLOWS:

That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.18: "General Development Standards: Districts and Corridor Zones" is hereby amended as attached hereto as Exhibit A; and

That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.50 "Design Review Permits" is hereby amended as attached hereto as Exhibit B.

This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, 20
THIS DAY OF August, 2013.

AYES: Daines, Ward, Jensen, Olson, Quigley
NAYS: none
ABSENT: none

Tom Jensen
Tom Jensen, Vice Chair

ATTEST:

Teresa Harris
Teresa Harris, City Recorder

1274

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 20 day of August, 2013.



Tom Jensen, Vice Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 20 day of August, 2013.



Randy Watts, Mayor

EXHIBIT A

Chapter 17.18: General Development Standards: District and Corridor Zones

§17.18.010. ~~Districts and Corridors~~ General Development Standards

A. Purpose.

The purpose of Chapter 17.18 is to provide unified development standards for Logan's Districts and Corridors, to promote streamlining of development review, to ensure consistency, and to provide flexibility in site design, ~~consistent with Logan's General Plan.~~

B. Applicability.

Chapter 17.18 applies to all development proposals in Logan's Districts and Corridors ~~and development in other zones when specified by this Title or by the City.~~ Some Sections of 17.18 may not be applicable to certain types of development in certain locations of the City due to unique site conditions, neighborhood compatibility, access issues or some other technical consideration. ~~, as specified by this Code. The Director or the applicable decision body (depending upon the review process) shall make the interpretation of applicability during the design review process. Where an interpretation of applicability is required, the Community Development Director shall make the interpretation or elevate the decision to the applicable decision body.~~

C. Design Review and Decision Criteria.

Development proposals which comply with the standards in this Code Chapter that do not require any adjustment or modification to a specific standard shall be reviewed as Track 1 Design Review decisions, ~~in accordance with Chapter 17.50. Track 1 approval may be granted if an adjustment(s) to the standards is not requested. The standards listed in the sections below are the review criteria for Track 1 decisions.~~ Development proposals which require adjustments or deviations from the standards identified in this Chapter, or include one or more adjustments, and/or include requests requiring a public hearing, shall be reviewed as Track 2 Design Review decisions. ~~Where adjustments are requested, the adjustments criteria in the sections below are the applicable decision criteria.~~

D. Site Design ~~for Districts and Corridors.~~

1. Site plans shall be coordinated with adjoining projects to take advantage of landscape screening, common access, or similar features.
2. Site planning shall employ sustainable practices where feasible including:
 - a. Integrating Water quality features such as bioswales and bio-retention basins integrated in a cohesive and logical manner and to take advantage of site topography, orientation and visibility.
 - b. Utilizing impervious paving materials used in lieu of pervious paving for circulation areas for automobiles and light duty trucks and by reducing the amount of paving to the ~~. Paving shall be reduced to the minimum only where~~ necessary to accomplish site circulation and parking needs.
 - c. Using Recycled products used for driveway and parking lot base material.
3. Location of Accessory Facilities.
 - a. Accessory facilities such as mechanical equipment, trash collection, storage areas, and vehicle service areas shall be adequately screened and shall be located in areas that are not away from portions of the site which are visible from public roadways.
4. Circulation, Parking and Loading (see Chapter 17.38-Parking).

17.18: General Development Standards: District and Corridor Zones

- a. ~~As a general design guideline for new projects, All the following is the preferred approach for parking areas:~~ parking facilities shall be located ~~toat~~ the side or ~~to~~ the rear of the primary building ~~and not between the front of the primary building and the street providing primary access.~~ ~~The setback for all parking areas shall be equal to or greater than the setback for the front façade of the primary building. Parking shall not be located between the front of the primary building and the street providing primary access.~~ On corner lots, parking shall not be located between the primary building and any street creating the corner lot. In certain circumstances, parking may be located between the front of the primary building and the street due to unique site and design conditions or constraints, neighborhood character and compatibility, shared access, property interconnectivity or some other technical consideration.
- a.b. Pedestrian access to primary building entrances shall be separated from auto access by walkways.
- b.c. Driveway access along streets ~~shall be kept to the minimum width which is essential for proper traffic and service circulation. Driveways~~ shall be aligned with existing or planned driveways on the opposite side of the street or aligned with existing or future street median breaks. Driveways shall be located to avoid arterial streets, ~~close proximity to~~ street corners, ~~or~~ adjacent driveways, and ~~to avoid~~ areas with restricted visibility.
- e.d. In order to minimize interference with street circulation, a minimum driveway length of twenty feet is required between the property line and the first parking stall, unless a greater distance is required herein.
- d.e. Parking, delivery, service, and loading facilities on each site shall be sufficient to serve its businesses without the need to park, ~~load or back onto-on~~ adjacent streets. Shared parking areas with other uses are encouraged. Each project shall comply with the number and configuration of parking and loading spaces required in Chapter 17.38.
- e.f. Parking lot design shall include landscape planters, sidewalks, or other separators at the end of parking bays. All parking, loading and driveway areas shall be separated from landscaped areas by concrete curbs as ~~further required~~ specified in Chapter 17.39.
- f.g. ~~Access to loading facilities shall eliminate the need for trucks to back into or out of street rights-of-way.~~ Provisions shall be made for required access and circulation of emergency vehicles.
5. Landscape Design (see ~~also~~ Chapter 17.39).
- a. A combination of trees, shrubs, groundcover and landscaped berms ~~will~~ shall be used to provide variety and to reduce the apparent mass of large, blank facades.
- b. Landscaping ~~and~~ berms, ~~and/or low fencing will~~ shall be used to reinforce circulation patterns ~~while screening and shading and screen and shade parking and loading areas.~~ large visible paved surfaces such as loading areas.
- e. ~~Parking lots and other large circulation areas shall be designed to reduce visibility of vehicles through the use of planting, earth mounds, and/or low fencing along the street frontage. However, views through the site shall be maintained for orientation and security.~~

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- ~~d.c.~~ Street trees shall be provided along all public and private streets with a minimum of one tree installed for each thirty feet of frontage. One dominant species of street tree shall be selected for each street as approved by the City Forester.
- ~~e.d.~~ Plant, shrub and tree species shall be appropriate to Logan's climate and will require minimal water and care. New trees shall be uniform in appearance and be wind tolerant. Large visible slopes shall be landscaped with trees, shrubs and groundcover. Disturbed slopes shall also be hydro-seeded/mulched where feasible with a perennial ground cover for erosion control.
- ~~f.e.~~ Live plant materials shall be used for all ground cover areas. Wood chip mulch or similar material will be used for weed prevention.
- ~~g.f.~~ An automatic irrigation system shall be provided. Where drought-resistant landscape materials are planted, only temporary irrigation is needed until the landscaping is established.
- ~~h.g.~~ Landscaping shall be provided around the perimeter of a building to minimize the "hard edge" that is created where a building meets the ground or pavement.
6. Fencing and Screening. ~~(see also Section 17.36.220)~~
- a. All exterior mechanical equipment, utility meters and valves, refuse storage and containers, and aboveground storage tanks shall be located and screened in a manner which is compatible with the design of the project and nearby development, ~~in accordance with Section 17.39.050.F.~~
- b. Outdoor storage of merchandise, materials or equipment shall be located and screened ~~in a manner which is compatible with the design of the project and nearby development, accordance with Section 17.39.050.F.~~
- ~~e. The maximum height of a fence or wall around an industrial use shall be eight feet.~~
- ~~d.c.~~ New fencing along public rights-of-way shall be softened with landscaping along the entire outside fence line, ~~shall not impair traffic safety by obscuring views, and shall not consist of chain link or barb-wire.~~
- ~~e. Fencing shall not impair traffic safety by obscuring views.~~
- ~~f.d.~~ Fencing shall be designed for compatibility with nearby building and landscape materials. Fences shall be constructed of highly durable materials. Use of wood, ornamental iron, and masonry is encouraged. ~~Chain link and barb wire fencing shall not be installed along street frontages.~~
7. Lighting. ~~(see also Section 17.36.190).~~
- a. Exterior lighting type, brightness, height and fixture design shall be appropriate to the building design, its function and location.
- b. Light bulbs or tubes shall not be exposed. Generally, exterior lighting shall be shielded and be non-glare. Lights must not emit direct light into adjacent streets or neighboring properties.
- c. Security lighting shall be indirect, diffused, shielded, and/or directed away from an adjacent Neighborhood district.

§17.18.020. Building Design Standards – Commercial and Mixed Use Development**A. Purpose.**

17.18: General Development Standards: District and Corridor Zones

The purpose of this Section is to promote high quality and aesthetically pleasing design and development within the Districts and Corridors. ~~ensure that new buildings and building remodels are designed to promote quality development and aesthetically pleasing Districts and Corridors.~~

B. Applicability.

The provisions of this Section apply to commercial and mixed use development in District and Corridor zones. ~~Residential projects, where permitted, are subject to the applicable development standards of Chapter 17.14 and 17.15. Industrial development is subject to the development standards in 17.18.080 below.~~

C. Standards.

1. Variation in Front and Street-Facing Elevations.

- a. For all new development, no two adjacent buildings may possess the same front/street-facing elevation. This standard is met when building elevations differ by at least ~~three~~ 3 of the ~~following seven~~ 7 following criteria:

1. ~~Differing~~ Mix of Materials;
2. Articulation;
3. Roof line;
4. Entry;
5. Fenestration (the arrangement of windows and other openings);
6. Height; or
7. Detailing (including colors and materials and textures for multiple bu

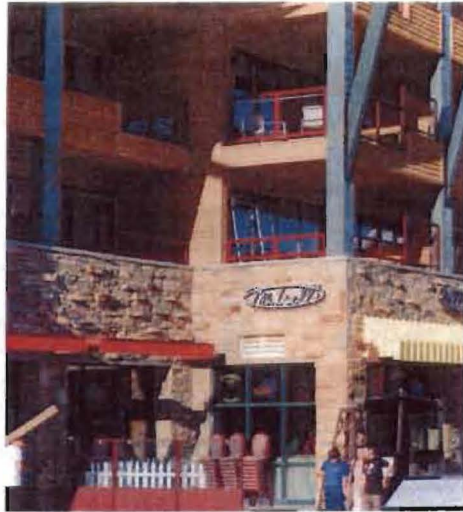


Required: Use a variety of materials and alterations in the façade to clarify entries and reduce the perceived building scale.

- a) ~~On any one side of a block frontage, building elevations of adjacent buildings shall not repeat.~~
- a) Use a variety of materials and alteration in the façade to clarify entry and reduce perceived building scale.
- b. All sides of a building that are visible from a public right of way, park, school, sidewalk, etc., shall receive equal architectural design consideration (i.e., windows, doors, architectural treatments, etc). No building shall have a blank, flat wall.

17.18: General Development Standards: District and Corridor Zones

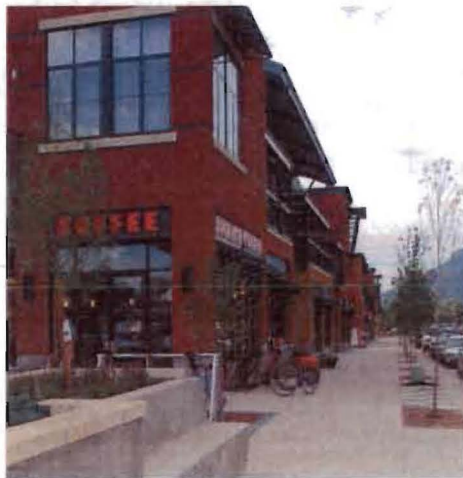
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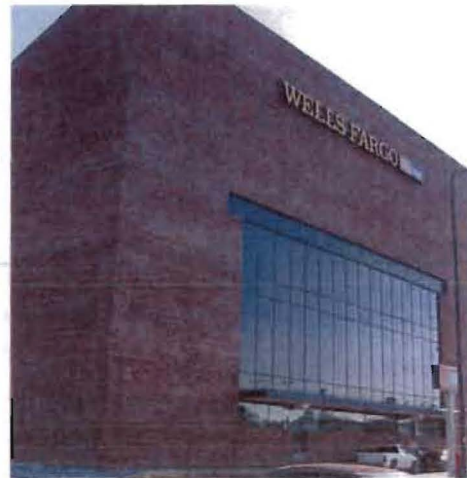
Example: This is a good example of appropriate use of multiple materials. However, too many materials, colors, and textures can create confusion and lack of continuity.



Example: Integrating a variety of forms helps reduce the mass of a building.



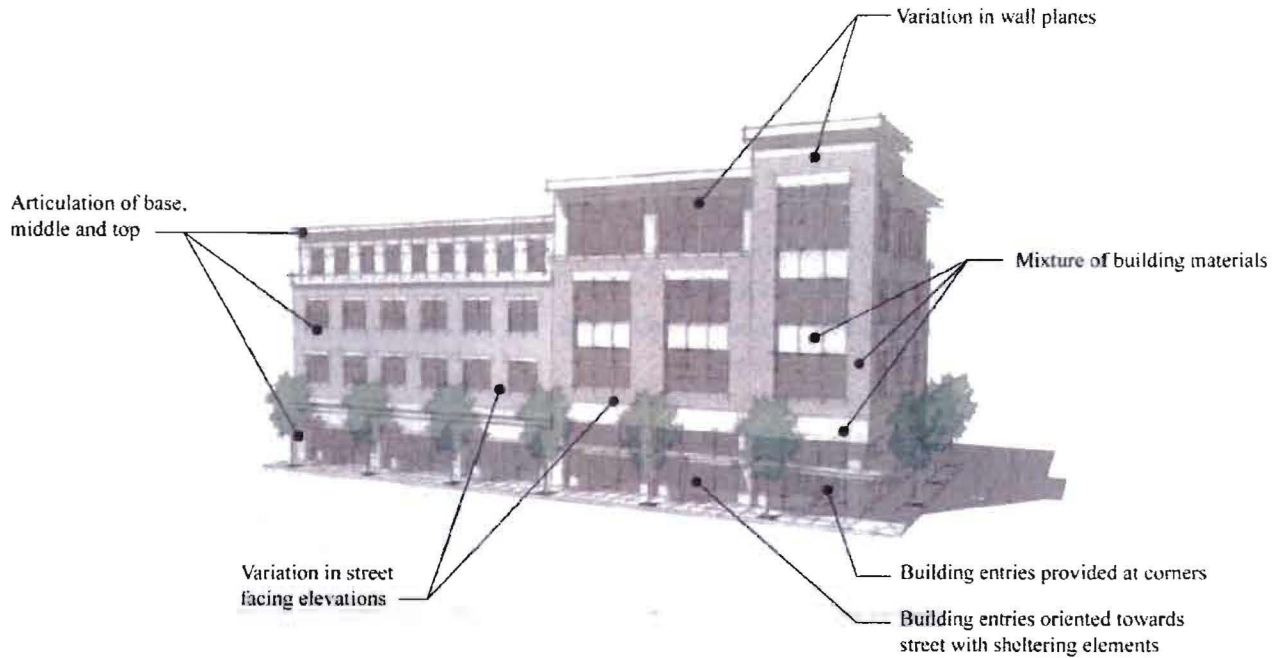
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17.18: General Development Standards: District and Corridor Zones

Figure 17.18.020: Town Center, Commercial and Mixed Use Building Design Standards



2. Building Materials Mix.
 - a. Building materials shall be compatible with the architectural style and design of the building.
 - b. A mixture of building materials is required on all building elevations.
 - c. Materials that convey texture, scale, finish and color **similar to those used traditionally** shall be used. Acceptable building materials include: masonry, **including** (brick, stone, **or equivalent** imitation stone, and rusticated masonry block); stucco; wood; textured concrete fiber cement **board(Hardie) when detailed; metal;** or a combination of these materials. Stucco (EIFS) is only permitted when it is sufficiently detailed to provide interest and surface variation. Scoring is acceptable to achieve the required detailing. Areas between score lines should not exceed 64 square feet. **Whenever stucco (EIFS) is used as an exterior material, details shall be introduced into the surface design to provide interest and surface variation.**



Required: Use building materials that are architecturally compatible with the architectural style and design of the building.



Required: Whenever stucco (EIFS) is used as an exterior material, details shall be introduced into the surface design to provide interest and surface variation.

17.18: General Development Standards: District and Corridor Zones

~~Whenever stucco (EIFS) is used as an exterior material, surface texture must be incorporated in the form of scoring, where no surface component exceeds 64 square feet in area.~~

- d. The mixture of material(s) used on the front facade must continue or transition on the remaining sides and rear of new buildings, for example by turning a building corner and maintaining consistent horizontal and/or vertical lines.
- e. Large, panelized products shall not be used for portions of a building that are visible from a public street, pedestrian way or any abutting residential uses.
- f. Façade components shall help to establish a human scale. Examples include providing exterior wall treatments that establish rhythms and patterns of windows, columns, and floors of the building. Windows and doors will be similar in scale.



Required: Whenever stucco (EIFS) is used as an exterior material, surface texture must be incorporated in the form of scoring where no surface component exceeds 64 square feet in area.



Example: Express façade components using methods that will help convey a human scale. Comparable to this historic building wall, dividing a single development into distinct façade modules is one example of how to accomplish this.

3. Articulation of Wall Planes. ~~Wall Planes~~

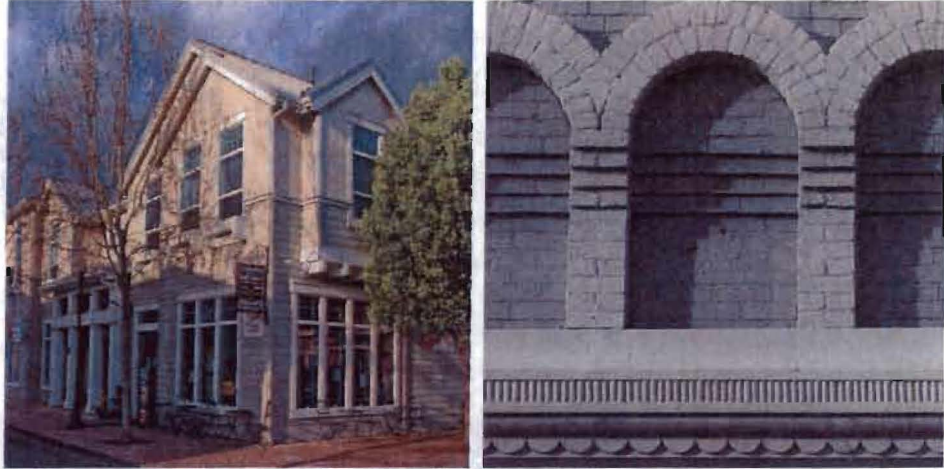
- a. In the Town Center and Mixed Use zones, building elevations of more than 800 square feet in surface area must be divided into distinct planes of 800 square feet or less. In other Districts and Corridors, the standard is 1,200 square feet. A wall planes is considered distinct from other wall planes when there is a



Example: Large storefront windows can help to establish a sense of human scale and provides street-level pedestrian interest.

17.18: General Development Standards: District and Corridor Zones

recess or projecting section of the structure that projects or recedes at least 1 foot for a length of at least 6 feet. The purpose of this standard is to promote human-scaled buildings by breaking down larger wall masses into modules and articulated planes.



Example: Select materials and architectural elements that reduce the building's scale.

4. Base, middle, top
 - a. Building design will provide a clear, distinctive base, an occupied middle, and a top (e.g., an eave, cornice, and/or parapet line) that complement and balance one another.
 - b. A building's facade shall emphasize each floor in the external design. Examples of meeting this standard include use of belt courses or other horizontal shadow producing trim band of contrasting color, relief, and materials, varying materials, and using structural elements
5. Roof
 - a. Varied roof or parapet forms shall be used to reduce the perceived scale of the building and to conceal roof top equipment from public view.
 - b. Any roof shall have at least one of the following features:
 1. Overhanging eaves of at least 2 feet.
 2. Sloping roof or multiple roof planes.
 3. A parapet concealing a flat roof.
 - c. False roof forms or varying parapet elements shall have depth behind the façade of the building no less than 20% of the depth of the building footprint.



Example: Using sloped roof forms can help reduce the perceived scale of a building.

17.18: General Development Standards: District and Corridor Zones

- 6. Center Street National Historic District.
 - a. All buildings within the Center Street National Historic District must comply with the Center Street National Historic District Design Standards and shall receive a Certificate of Appropriateness where required.
- 7. Adaptive Reuse.
 - a. Adaptive reuse of buildings shall provide street-level amenities and human scale design.
 - b. Adaptive reuse projects shall remain consistent with traditional building forms and materials.



Required: Varied roof forms and depth help to reduce perceived building scale. False roof forms shall have depth behind the façade of the building no less than 25 % of the depth of the building footprint.



Example: The adaptive reuse of this historic building is a great example of providing street-level pedestrian interest on the front of retail buildings.



Example: Varied roof forms, heights, design details, and materials can be used to clarify entrances and reduce perceived building scale.



Example: These photos illustrate the importance of adaptive reuse projects remaining consistent with traditional building forms and materials.

17.18: General Development Standards: District and Corridor Zones

§17.18.030. Building Orientation and Entries

A. Purpose

The purpose of this Section is to ensure that primary building entrances are visually prominent and oriented to the street, ~~visually prominent and~~ while easily accessible to pedestrians.



Required: A building's primary entrance shall be oriented toward the public street.

B. These standards apply in the following districts:

1. Town Center
2. Commercial
3. Mixed Use Center
4. University Corridor

C. Standards

1. Buildings and their primary entrances shall be oriented to streets and must express human scale.
2. Where feasible, ~~C~~corner buildings with two street frontages shall have the primary entrance oriented to the street corner.
3. Primary building entrances shall be immediately accessible by street sidewalks, pedestrian ways, plazas, courtyards, public transit areas, or other civic spaces, ~~as approved through design review.~~

4. Primary building entrances shall include at least one (1) sheltering element matching the scale and design of the building such as awnings, canopies, colonnades, marquees, building overhangs, arcades or porticos extending at least 6-feet over adjoining walks. Additional sheltering elements may be required in some zones, or may be required through design review.

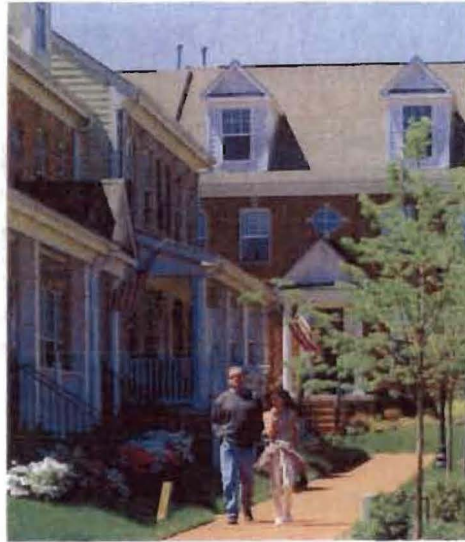
Required: Develop the street-level to provide visual interest to pedestrians at the sidewalk edge and to convey a human scale.



Example: Locating an entrance on the corner can provide street-level interest to the front and side of a building.

- ~~5. Primary entrances, for all types of development, must express human scale.~~
- ~~6.5. Design the primary entrance to be the prominent feature of the building. Primary entrances shall have a sheltering element that matches the scale and design of the building.~~

17.18: General Development Standards: District and Corridor Zones



Required: Primary entrances, for all types of development, must express human scale.



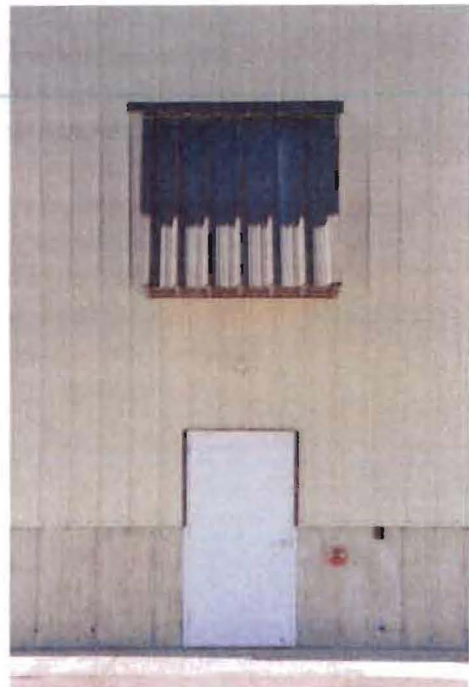
Required: Design the primary entrance to be the prominent feature of the building.



Required: The primary entrance of a building will orient to sidewalks and pedestrian ways.



Required: Primary entrances shall have a sheltering element that matches the scale and design of the building.



Prohibited: A primary entrance that is not appropriate to the size and design of the building.

17.18: General Development Standards: District and Corridor Zones



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§17.18.040. Transition Areas**A. Purpose**

The purpose of this Section is to ensure new infill development is compatible with adjacent neighborhoods. The standards are intended to provide for gradual transitions from shorter to taller structures and consistency in setbacks along streets.

B. Applicability

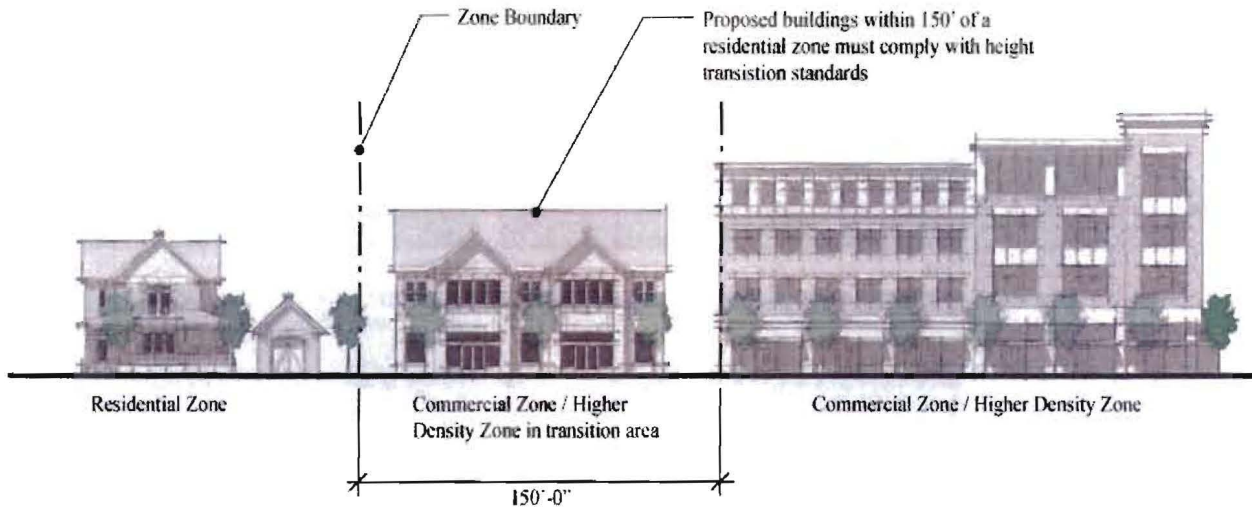
This Section applies to all new commercial, industrial or mixed use structures proposed for construction, addition, or expansion adjacent to, or within 150 feet of, the following residential zones: (NRC, NRCS, NROC, NRE, NRW, MH, MRM, & MRH).

C. Standards

1. Height Transition Standards. Where a building is to be constructed or expanded, those portions of the building within 150 feet of any residential zone shall meet the minimum height transition requirements listed in Section 17.14.050.
2. Setback Transition Standards. New commercial, industrial, or mixed use development either immediately adjacent to, or directly facing (including across a public street), a residential zone shall be subject to the same setback standards as applicable to that residential zone.

17.18: General Development Standards: District and Corridor Zones

Figure 17.18.040.C: Building Height Transition



3. New commercial, industrial or mixed used buildings proposed for placement or expansion adjacent to, or across the street from, a residential zone shall maintain a front yard character similar in nature and context to that of a residential use or neighborhood.
4. When parking lots are located adjacent to residential areas, an additional parking setback of ten (10) feet with landscaping, and other screening techniques are required to produce, at the time of construction, a total screen of the parking lot from adjacent properties.



Required: New commercial buildings in a residential context shall maintain a front yard character.



This fast food restaurant is a great example of retaining the traditional residential development patterns of its context.



Required: When parking lots are located adjacent to residential areas, additional setbacks, landscaping, and other screening techniques will reduce the visual impact to the neighborhood.

§17.18.050. Buildable Area Extensions**A. Purpose.**

The purpose of this Section is to allow, by right, certain encroachments into required setbacks, and exempting certain architectural features from required setbacks and structure height calculations. The intent is to provide flexibility in building design where certain architectural features contribute aesthetically or functionally to a building without changing its floor area, occupancy, or intensity of use. When evaluating adjustments or modifications to buildable area for consistency with the above purpose, the approval body shall consider whether the subject site has unique physical characteristics and/or whether the proposed structure has special operational or functional requirements necessitating the adjustment. Adjustments are also limited by applicable building and fire safety regulations.

B. Applicability.

1. The provisions of this Section apply to all development within all Districts and Corridors.

C. Standards.

1. Eaves, balconies, stoops, stairs, overhangs, awnings, bay windows, and similar features may extend beyond the required buildable area by up to 36 inches.
2. Unenclosed porches, balconies and similar structures extending not more than 30 inches above grade shall not be counted against maximum lot coverages.
3. Spires, cupolas, belfries and domes, and similar architectural features not used for human occupancy and covering not more than ten percent (10%) of the ground area covered by the structure to which they are accessory, may exceed height restrictions through design review, except where prohibited by Federal Aviation Regulations, part 77.

§17.18.060. Building Design Standards - Industrial Park Development**A. Purpose.**

The purpose of Logan's Industrial Park development standards are to:

1. Support employment and production uses by providing a functional and attractive environment.
2. Ensure a quality development image.
3. Protect and enhance private property values and investments.
4. Protect public investments.
5. Promote transition and compatibility with adjacent uses.
6. Employ sustainable design practices.

B. Applicability.

~~The provisions of this Section apply to new industrial development including new construction and/or additions to existing buildings, and excluding changes in uses or occupancy, interior building modifications and temporary uses or facilities. The applicability of these standards to the expansion of existing buildings may be modified or altered due to existing building configuration, site conditions, processing requirements or other technical considerations provided appropriate mitigation offsetting any identifiable impacts are identified and considered. The provisions of this section apply to all exterior building construction, changes in materials, repainting and mechanical equipment, as well as new or expanded outdoor facilities, parking, fencing, landscaping and exterior lighting in the Industrial Park zone. The standards do not~~

17.18: General Development Standards: District and Corridor Zones

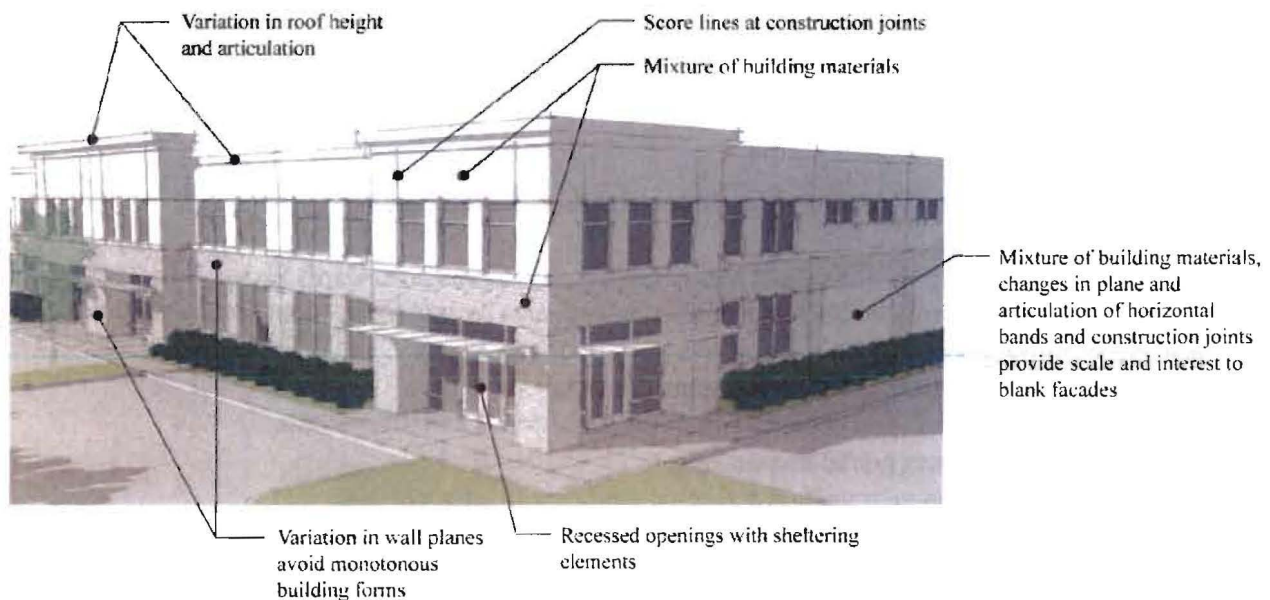
apply to changes in permitted uses, interior building modifications needed to accommodate permitted uses, and temporary uses or facilities.

C. Standards

1. Architectural Design

- a. The architectural design of new buildings and major exterior additions shall relate to neighboring buildings. While specific designs need not be duplicated, the general size, bulk, materials, and colors shall have a complimentary design relationship to other buildings in the vicinity. Due to their potential impact upon the character of Logan as a whole, particular attention shall be given to the architectural design quality of buildings which will be highly visible from public streets.
- b. Primary buildings in close proximity on the same property shall have harmonious proportions and similar architectural styles. Nearby accessory buildings shall be of a compatible design and treatment.
- c. Variety in roof shapes and forms is encouraged to add diversity, enhance scale, and complement the features of nearby buildings. Where parapet walls are used, they shall be designed as an integral part of the building design.

Figure 17.18.080.C1: Industrial Park Building Articulation and Detailing

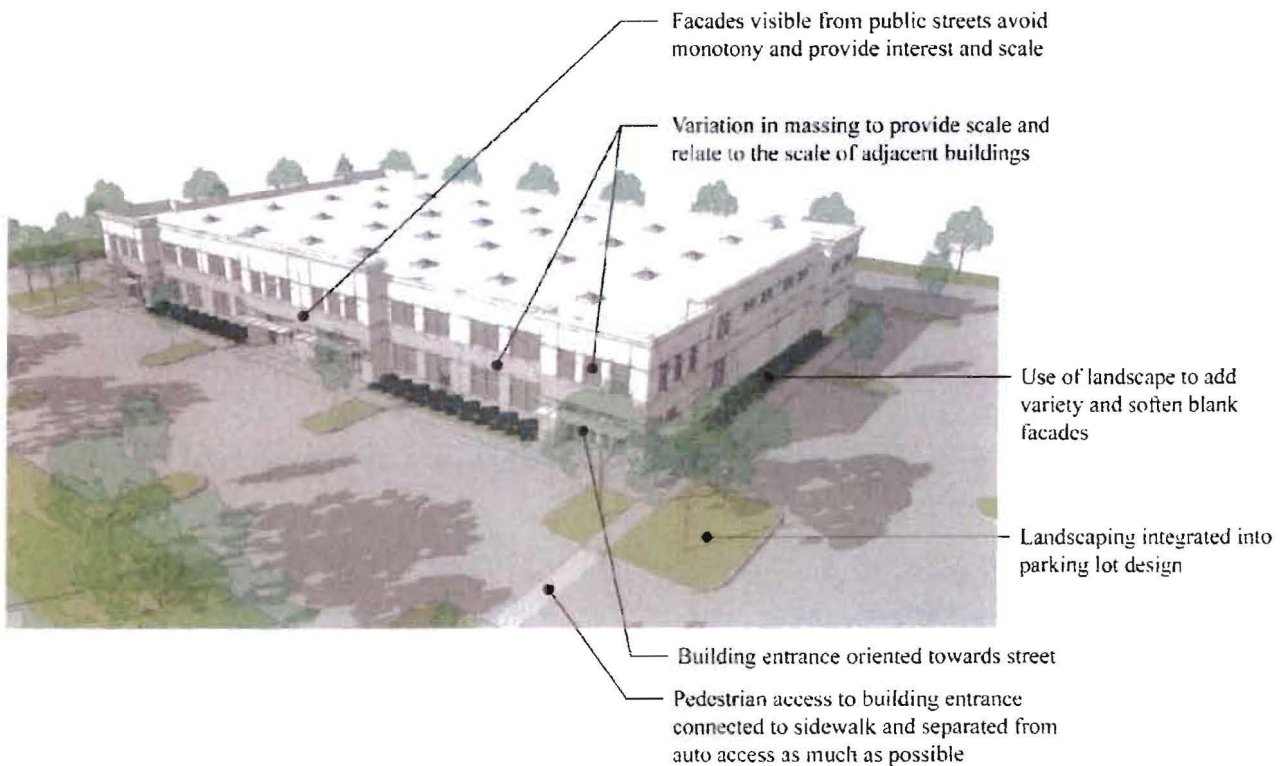


- d. Exterior design features including materials, texture, color and trim detailing shall be included on all building elevations visible to public streets, pedestrian ways, and Neighborhood districts.
- e. The mixing of unrelated architectural styles, materials and details is to be avoided.
- f. Exterior siding materials shall be masonry, plaster, wood, metal, textured concrete, or an approved alternative material. Metal clad buildings shall have baked-on enamel exterior finishes or its equivalent type of finish equal.
- g. Highly reflective glass shall not cover more than twenty percent of a building surface visible from a street.

17.18: General Development Standards: District and Corridor Zones

- h. Monotonous building forms shall be avoided by using various methods to help create interest and reduce scale. Examples include the staggering of vertical walls, recessing openings, providing upper-level roof overhangs, using deep score lines at construction joints, contrasting compatible building materials, and using horizontal bands of compatible colors. A minimum of two of these methods shall be utilized at a minimum of 40-foot intervals along facades visible from public streets, pedestrian ways, and Neighborhood districts.
- i. Ground-floor entrances shall include an off-set of at least four feet in depth and of a sufficient width to easily discern the location of the entrance. Examples of off-sets include recesses, extensions, or other breaks in elevation.
- j. Mixed-use buildings containing non-industrial uses shall highlight the public entry to the structure to create a sense of human scale and to emphasize a primary entry feature.
- k. Exterior walls shall incorporate compatible finishes and colors. Very bright, very light and very dark colors shall be used sparingly as accents, rather than as primary wall colors.
- l. Utility doors, fire doors, loading docks and other potentially unsightly service features shall be designed to blend with the building's architecture.

Figure 17.18.080.C2: Industrial Park Building Design Standards



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EXHIBIT B

17.50: Design Review Permits

§17.50.010. Purpose

The purpose of design review is to encourage high quality development design and enhance neighborhood character. The design review process is intended to ensure conformance to city standards and encourage superior design while providing for flexibility in project design. Two procedural “tracks” are provided whereby an applicant can choose to follow the prescriptive (Track 1) standards in Title 17, or propose an alternative design (Track 2) that is consistent with the purpose and intent of Title 17 and results in a superior design.

§17.50.020. Design Review Committee

The Planning Commission shall review Track 2 design review applications, including proposed site layout, building design, grading and drainage, for conformity with Title 17 and shall follow the notice and meeting requirements of Section 17.50.070.

§17.50.030. Standing To Apply

Any property owner, or proponent with the written permission of the property owner, may apply for consideration of a design review permit..

§17.50.040. Design Review Permits

A. Design Review Permits are required for the following types of development:

1. Single family dwellings located above the 4950' elevation;
2. Attached single family dwellings;
3. Townhomes and Townhouses;
4. Multi family residential buildings;
5. Subdivisions;
6. Commercial development;
7. Industrial development;
8. Recreation development;
9. Public development;
10. Freestanding signs;
11. Wall art over 10% of the first story façade area; and
12. Electronic Message Display Signs

B. Design Review Permit is required for certain modifications to uses.

1. All remodeling, renovation or additions, including parking and access, that result in an increase in size by more than 25% or 20,000 square feet, whichever is less; or
2. Exterior remodeling or renovation that is found by the Director to result in an increase in a nonconforming design condition.

§17.50.050. Procedures

Design Review Permits shall be processed as either a Track 1 Permit or a Track 2 Permit, and the review process shall follow the procedural requirements in Section 17.55.

§17.50.060. Design Review Track 1: The Director shall be the review authority for Track 1 design review applications.

A. Track 1 Design Review Permits shall meet the following criteria:

1. The project or use does not require any variance or conditional use permit;

2. The applicant has not requested any adjustment or modification to the standards in Title 17;
 3. The Director has not referred the application for a Design Review Permit to the Planning Commission for any other reason. The Director may refer applications to the Planning Commission Section 17.50.070 (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17; and
 4. The application meets all of the approval criteria in Section 17.50.080.
- B. The applicant shall be notified of the design review permit decision.
 - C. Appeals shall be heard by the Board of Appeals following the provisions of Chapter 17.57.
 - D. The Administrative Record of Decision shall serve as the administrative record of proceedings.

§17.50.070. Design Review Track 2: The Planning Commission shall be the reviewing authority for design review applications that do not meet the criteria under Section 17.50.060.A. The Planning Commission shall review Track 2 applications according to Section 17.55.

§17.50.080. Approval Criteria

The Planning Commission may approve a design review permit upon substantiating the following findings:

- A. The maximum allowable density under the applicable zoning district has not been exceeded, unless a density bonus has been approved for the subject site in conformance with this Title.
- B. The design review permit substantially conforms to the requirements of Title 17 of the Logan Municipal Code.
- C. Where an adjustment to a provision of Title 17 is requested as part of the design review application, the following criteria shall apply:
 1. The adjustment is consistent with the purpose and intent of the zoning district in which the project is located;
 2. The adjustment is consistent with the purpose of the standard for which the adjustment is requested;
 3. Permitted use standards, including conditional use standards, shall not be adjusted;
 4. Density standards shall not be adjusted;
 5. Adjustments to height, bulk, ~~parking, open space, and landscaping setbacks, lot coverage and floor area requirements (including setbacks, lot coverage, buffering, parking ratio, and floor area)~~ may be approved provided that the adjustment does not exceed ten (10) percent of the base standard. ~~and Adjustments to design standards and guidelines such as building placement, building orientation, form, materials, fenestration, articulation, wall planes or façade variation may be approved by the Planning Commission with findings that demonstrate the proposed design changes are not due to financial considerations on behalf of the project proponent, are consistent with surrounding land use patterns and community design, will not compromise future projects or design, and any deviations reflect the City's desire to encourage and permit development that has lasting value to the community; and~~
 6. Historic district guidelines shall not be adjusted through this procedure.

§17.50.090. Conditions and Modifications**A. Permit Approval Conditions.**

In reviewing an application for a design review permit, the decision making body may modify the project or impose conditions concerning site development, site design, and building design features to ensure conformance to applicable development and design standards, consistent with the purpose of this section. The issues that may be reviewed include and are not limited to:

1. Size and location of site, including all property owned by the proponent;
2. Streets and roads in the area;
3. Ingress and egress to adjoining existing and proposed public streets. Where adjoining streets are regulated by the Utah Department of Transportation, access to street(s) shall conform to the requirements of the Cache Access Management Plan;
4. Location and amount of off street parking;
5. Internal traffic circulation system;
6. Pedestrian and vehicular connectivity to adjoining properties;
7. Fencing, screening and landscaped separations;
8. Building bulk and location;
9. Architecture design and detailing;
9. Usable open space;
10. Landscaping, screening and/or buffering;
11. Signs and lighting;
12. Noise, vibration, air pollution, adverse effects of lighting, and other development factors;
13. Setbacks as approved or modified by the Planning Commission from the site plan in conformance with the provisions of this Title; or
14. Existing trees, water bodies or other natural features.

B. Permit Modifications.

Modifications to an approved site plan and/or elevations may be approved by the Director upon finding that the modification substantially conforms to the design review permit and is not a change of more than ten (10) percent from the approved plan (i.e., for any quantitative standard, specification or condition of approval).



**Project #13-031
Commercial Design Review Amendment
Text Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Commercial Design Review Amendment
<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>	July 11, 2013
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for the following amendment to the Land Development Code (LDC): Sections 17.18 and 17.50.

REQUEST

This set of proposed text amendments to the Land Development Code are categorized into two parts and are attached in their entirety. The first component of this LDC amendment includes language in 17.18 and 17.50 which should provide greater flexibility in the Design Review process for commercial and industrial projects. The purpose of these modifications is to recognize that a written standard does not necessarily take into consideration the circumstances unique to a site or a previous decision, and may sometimes not fit as uniformly as we would like. It also helps to formalize those decisions where the application of standards are potentially unclear or conflicting. It is important to make sure all understands that the intent is to not open the door for “quasi-variances” where all standards are just thrown out nor open the door for the inclusion of public clamor into the design review process. The sole purpose is to give the PC enough discretion in applying seemingly competing or conflicting standards to make the best decision possible based on the site conditions, the code, the General Plan, and adequate and defensible findings. These Sections are discussed below:

- Amend Chapter 17.18.010.B to provide flexibility in applying Chapter 17.18 standards to all commercial or industrial projects based on unique site conditions.
- Amend Chapter 17.50.080.C.5 to provide flexibility in applying design standards during the design review process provided specific findings are met.

The second component of this LDC amendment is to clean-up some of the language in the Commercial design standards to make it consistent with other parts of the Code and to read easier. It also includes a specific reference to parking location in project design and review. The base standard is to require the placement of parking to the side or rear of new structures. In most cases, especially downtown, this design fits with the historical pattern of development. In other situations, especially those involving more suburban types of commercial development or commercial redevelopment, this standard can be a little more challenging to implement. Changes to 17.18.010.D.4.a provide some additional flexibility to the PC to consider various factors when reviewing a project’s design. These Sections are discussed below:

- Amend Chapter 17.18.010.C & D to clarify language and formatting.
- Amend Chapter 17.18.010.D.a as referenced above.

- Amend Chapter 17.18.020 to clarify language and formatting. Added 17.18.020.C.1.b to clarify that four sided architecture is required on commercial buildings.
- Amend Chapter 17.18.030 to clarify language and formatting.
- Amend Chapter 17.18.060.B to provide additional flexibility for industrial developments, especially industrial expansions, where trying to match new building lines with existing buildings or design being driven by production requirements.

GENERAL PLAN

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments help clarify and implement the policies expressed in the General Plan and ultimately codified in the Land Development Code. These amendments are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY

Staff finds that the proposed amendments will enable the Planning Commission to have greater latitude in reviewing projects during the design review process to ensure they are compatible with surrounding land use patterns and existing development without compromising the values and purposes expressed in both the Logan General Plan and the Development Code.

PUBLIC COMMENTS

As of the time the staff report was prepared, no public comments had been received.

PUBLIC NOTIFICATION

Public notices were published in the Herald Journal on June 27, 2013, posted on the City's website and the Utah Public Meeting website on June 27, 2012, and noticed in a quarter page ad on June 30, 2013.

AGENCY AND CITY DEPARTMENT COMMENTS

As of the time the staff report was prepared, a comment was received from CVTD requesting inclusion of language that referenced CVTD's facilities. The Planning Commission will need to review the comments and consider whether they are appropriate for inclusion. Staff would recommend that we include the suggested reference to include public transit in Chapter 17.18.030 on page 18-10 and not include the other two suggestions. The suggested language in 17.18.010 and 17.50.090 are not in context with the provisions being addressed in those specific sections.

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

1. Utah state law authorizes local Planning Commissions 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 clarify the design review decision making process for the Planning Commission.
4. The proposed Code Amendments clarify language in Chapters 18 to provide clearer substantive requirements and remove ambiguities. Many of the proposed amendments are "clean up" in nature.
5. This type of Code Amendment is consistent with the overall goals and objectives of the General Plan as it helps to clarify the purpose, intent, processes and requirements of the Land Development Code.

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.

LEGAL NOTICE
Municipal Council
August 6 & 20, 2013

The following public hearings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 p.m. All comments must be submitted to Community Development to be included in the public record before 5:00 p.m. on August 1, 2013. Contact 716-9021 or www.loganutah.org for further info.

Public Hearings:

13-61 **PC 13-016 LDC Amendment - Infill & Flag Lots** Code Amendment. Logan City requests an amendment to the Land Development Code Section 17.37 to include new infill and flag lot development standards.

13-62 **PC 13-024 LDC Amendment – 17.60 Civil Fees** Code Amendment Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

PC 13-025 1200 E. Rezone Zone Change Logan City/Laree Johnson-Dick Sackett, authorized agent/owner request to rezone two (2) parcels along 1200 East 1250 North from Mixed Residential High (MRH) to a mixture of eight (8) acres of Mixed Residential High (MRH) and twelve (12) acres of Neighborhood Residential Eastside (NRE). This rezone request is a result of the 2012 city-wide zoning project. TIN 05-011-0004;0005.

13-59 **PC 13-029 LDC Amendment - Wireless Telecommunications** Code Amendment. Logan City requests to amend sections 17.13, 17.17, 17.21, 17.45 and 17.50 in the Land Development Code regarding telecommunication facilities.

13-63 **PC 13-030 LDC Amendment – Historic District 17.27 & 17.46** Code Amendment. Logan City requests to amend sections 17.46 and 17.27 in the Land Development Code to clarify the project review process for Certificate of Appropriateness and design review in the Historic District.

13-64 **PC 13-031 LDC Amendment – Design Standards 17.18 & 17.50** (continued from June 27, 2013) Code Amendment. Logan City requests to amend sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process.

PC 13-035 LDC – Gateway Zone Code Amendment. Logan City is requesting to amend the Land Development Code Use Table 17.17.030. Change outdoor storage, warehouse, freight movement and waste-related use from not permitted to be allowed by conditional use.

13-65 **PC 13-039 Hospital Remodel & Budge Clinic Addition** Design Review, Conditional Use, Code Amendment & Zone Change. IHC, authorized agent/owner, request an amendment to the Land Development Code Section 17.30 to add a Hospital Overlay at 500 East 1400 North in the Commercial (COM) zone; TIN 05-016-0028.

Publication Date: Tuesday, July 23, 2013



AMENDMENTS & ZONE CHANGE

**PUBLIC
HEARING
PLANNING COMMISSION**

**THURSDAY
July 11, 2013**

5:30 PM

**MUNICIPAL COUNCIL CHAMBERS
LOGAN CITY OFFICES
290 North 100 West**

The Logan City Planning Commission will hold a public hearing to receive input on the following:

- ✓ **PC 13-016 LDC Infill & Flag Lots Amendment** (continued from May 23, 2013) Logan City requests an amendment to the Land Development Code Section 17.37 to include new infill and flag lot development standards. 13-61
- ✓ **PC 13-024 LDC Amendment – 17.60 Civil Fees** Code Amendment Logan City requests to amend the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees. 13-6d
- ✓ **PC 13-028 Quad Training Code Amendment** Brandon Carlisle/Bryan Smith, authorized agent/owner, request an amendment to the Land Development Code Section 17.27.030 allowing health and fitness centers in the Industrial Park (IP) zone: TIN 07-176-0008. 13-53
- ✓ **PC 13-029 LDC Amendment - Wireless** Logan City requests to amend sections 17.13, 17.17, 17.21, 17.45 and 17.50 in the Land Development Code regarding telecommunication facilities. 13-59
- ✓ **PC 13-031 LDC Amendment – Historic District** Logan City requests to amend sections 17.46 and 17.27 in the Land Development Code to clarify the project review process for certificate of appropriateness and design review in the Historic District. 13-64
- ✓ **PC 13-031 LDC Amendment – Design Standards 17.18 & 17.50** (continued from June 27, 2013) Code Amendment. Logan City requests to amend sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process. 13-64

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, August 6, 2013**, and a public hearing on **Tuesday, August 20, 2013**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9021 for more information or www.loganutah.org

- published in H.J. 6/30/13

Civil
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 27th day of August, A.D. 2013 personally appeared before me Monica Christensen who being first being duly sworn, deposes and says that she is the Assistant to the Finance Director of the Cache Valley Publishing Co., publishers of The Herald Journal a daily newspaper published in Logan City, Cache County Utah, and that the Legal Notice, a copy of which is hereto attached was published in said newspaper for 1 issue(s) and that said notice also published on utahlegals.com on the same days(s) as publication in said newspaper

Commencing on the following days:
08/27/2013


_____, Assistant to the Finance Director

Subscribed and sworn to before me on this 27th day of August, A.D. 2013


_____, Notary Public
Commissioned in the State of Utah
My Commission expires August 1, 2015



**LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL**

SUMMARY OF AN ORDINANCE(S) The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on August 20, 2013.

ORD. 13-59 Amendment to Sections 17.13.040, 17.17.030, 17.21.040 and 17.45 of the Land Development Code regarding Telecommunication Facilities.

ORD. 13-61 Repealing Ordinance 13-30; Section 17.37 of the Land Development Code to include new infill and flag lot development standards.

ORD. 13-62 Amending the Land Development Code Section 17.60 to modify the administrative enforcement provisions regarding civil fees.

ORD. 13-63 Amending Sections 17.46 and 17.27 of the Land Development Code to clarify the project review process for certificate of appropriateness and design review in the Historic District.

ORD. 13-64 Amending Sections 17.18 and 17.50 of the Land Development Code to clarify design standards in commercial, industrial, mixed use and commercial service zones. The amendment also clarifies Planning Commission review authority in the design review process.

ORD. 13-65 Amendment and zone change. Amending the Land Development Code Section 17.30 to add a Hospital Overlay.

These ordinances are effective immediately upon publication. Full text of the ordinances may be reviewed at the Office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.

Teresa Harris,
City Recorder

Publication Date: August 27, 2013