CITY OF LOGAN
MUNICIPAL COUNCIL

Ordinance
No. 00-34

AN ORDINANCE AMENDING TITLE 17 OF THE LOGAN MUNICIPAL CODE ADDING CHAPTER 17.61, WORDS DEFINED and 17.62, DEFINITIONS.

WHEREAS, the Municipal Council of the City of Logan has been revising its land development regulations to create a new Land Development Code; and

WHEREAS, the effective use of the code requires that there be definitions intended to meet the needs of special terminology within the content of the Land Development Code; and

WHEREAS, the Planning Commission did hold a public hearing on January 27, 2000 and unanimously recommended that the Municipal Council adopt Chapters 17.61 and 17.62 of the Logan Municipal Code; and

WHEREAS, the Municipal Council did hold public workshops on March 15, 2000 and April 5, 2000 to discuss the content of the Code; and

WHEREAS, the Municipal Council did hold a duly noticed public hearing on the seventh day of June, 2000, to accept public testimony about the content of the chapters,

ON A MOTION BY COUNCIL MEMBER Kerr with a second by Council member Pearce, this ordinance duly passed and enacted this 7th day of June, 2000.

AYES: Kerr, Pearce, Thompson
NAYS: None
ABSENT: Alfred, Barg

Stephen C. Thompson, Chairman

ATTEST:
Lois Price, City Recorder
PRESENTATION TO THE MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ___ day of June, 2000.

Stephen C. Thompson, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby ___APPROVED___ this ___15th___ day of June, 2000.

Douglas E. Thompson, Mayor
THE REVISED DEVELOPMENT CODE
PLANNING COMMISSION DRAFT

Recommended for approval by the Planning Commission January 27, 2000
Chapter 17.61: Words defined

§17.61.010. Defining Words
Words used in the Land Development Code have their normal dictionary meaning unless they are defined in Chapter 17.62. Words defined in Chapter 17.62 are defined for the purposes used in this Title only. These words have the specific meaning stated, unless the context clearly suggests another meaning.

§17.61.020. Use of General Terms
Information about the use of general terms and conventions of language is contained in §§17.61.030 and 17.61.040.

§17.61.030. Use of “shall” and “may”
A. “Shall” means mandatory
The word “shall” means that the directives or requirements are mandatory and may not be waived or modified. If used within the text, “will” and “must” also mean “shall.”
B. “May” means permissive
The word “may” means that the directives or requirements are permissive and are imposed at the option of the decision-maker. “Can” and “strive” also mean “may.”

§17.61.040. Use of “and” and “or”
A. “And” means that each item identified shall be required.
B. “Or” means any combination of one or more of the identified items may be required.

§17.61.050. Sources of definitions
A. Definitions within the Land Development Code
Words defined within the Land Development Code shall have the meaning as assigned in this code.
B. Definitions within other Titles of the Logan Municipal Code
Words not defined within Title 17, Logan Municipal Code, Land Development, which are defined in other Titles of the Logan Municipal Code shall have the meanings as established within the Logan Municipal Code. In the event a word is defined in both Title 17, Logan Municipal Code, Land Development and other titles of the Logan Municipal Code, the definition within Title 17, Logan Municipal Code, Land Development shall apply to word usage within this Title.
C. Definition sources for words not defined anywhere within the Logan Municipal Code


Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

§17.62.010. Accessory Dwelling Unit

"Accessory dwelling unit" means one additional dwelling unit for limited occupancy in an owner-occupied single family home in a single family zoning district that may be occupied by a separate household.

§17.62.020. Accessory Structure

"Accessory structure" means a structure that is subordinate to and serves a primary use or structure; is subordinate to the primary use or structure served; contributes to the comfort, convenience or necessity of occupants of the primary use or structure served; and is located on the same lot and in the same zoning district as the primary use.

§17.62.030. Accessory Use

"Accessory use" means a use or activity that is a subordinate part of a primary use and clearly incidental to a primary use.

§17.62.040. Accommodations

"Accommodations" means a generic term used in this code to apply to "bed and breakfast inn", "motel", and "hotel". Also means "lodging".

§17.62.050. Adult-Oriented Business

"Adult-oriented business" means any or all of the following or any portions of the following:

A. Adult Bookstore, Adult Video Store, Adult Novelty Store

1. A business which excludes minors from more than fifteen percent of the retail floor or shelf space of the premises; or

2. A business which, as one of its principal purposes, offers for sale, exhibition, or rental, for any form of consideration, any one or more of the following: books, magazines, novelties, periodicals, or other printed matter; or photographs, films, motion pictures, video cassettes, or video reproductions, slides, or other visual representations, the central theme of which depicts or describes "specified sexual activities" or "specified anatomical areas"; or instruments, devices, or paraphernalia which are designated for use in connection with "specified sexual activities," except for legitimate medically recognized contraceptives.

B. Adult business, or Adult-oriented Business
An adult motion picture theater, adult theater, adult bookstore, adult video store, or adult novelty store.

C. Adult Motion Picture Theater

"Adult motion picture theater" means a commercial establishment which:

1. Excludes minors from the showing of two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or

2. As its principal business, shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

D. Adult Theater

"Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which:

1. Holds itself out as an adult theater; or

2. Excludes minors from the showing of two consecutive exhibitions (repeated performance of the same presentation shall not be considered a consecutive exhibition); or

3. As its principal purpose or business, features persons who appear in live performances in a state of semi-nudity or which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

E. Principal purpose

A component of a business which generates fifteen percent or more of gross sales or utilizes ten percent or more of retail display area.

F. Semi-nude

A state of dress in which opaque clothing covers no more than the areola of the female breast; and the male or female genitals, pubic region, and anus shall be fully covered by an opaque covering no narrower than four inches wide in the front and five inches wide in the back, which shall not taper to less than one inch wide at the narrowest point.

G. Specified Anatomical Areas

The human male or female pubic area or anus with less than a full opaque covering, or the human female breast below a point immediately above the top of the areola, with less than full opaque covering.

H. Specified Sexual Activities

Specified sexual activities means:

1. Acts of:
   a. Masturbation,
   b. Human sexual intercourse,
   c. Sexual copulation between a person and a beast,
   d. Fellatio,
   e. Cunnilingus,
f. Bestiality,
g. Pederasty,
h. Buggery, or
i. Any anal copulation between a human male and another human
   male, human female, or beast;
2. Manipulating, caressing or fondling by any person of:
   a. The genitals of a human,
   b. The pubic area of a human,
   c. The breast or breasts of a human female;
   d. Flagellation or torture by or upon a person clad in undergarments,
      a mask or bizarre costume, or the condition of being fettered,
      bound or otherwise physically restrained on the part of the one so
      clothed.

§17.62.060. Affordable Housing
"Affordable Housing" means safe and decent housing with a sales price
or rent that is within income limitations for households defined as low and
moderate income by current Federal or State definitions.

§17.62.070. Airport
"Airport" means the Logan–Cache County Airport.

§17.62.080. Airport Board of Adjustment
"Airport Board of Adjustment" means the City of Logan Board of Adjust-
ment performing the duties prescribed in Utah Code §2–4–5.

§17.62.090. Airport Hazard
"Airport hazard" means any structure or use of land which actually or
potentially obstructs the airspace required for safe flight of air craft in
landing or taking off at an airport.

§17.62.100. Airport Hazard Area
"Airport hazard area" means any area of land upon which an airport
hazard might be established.

§17.62.110. Airport Zoning Commission
"Airport zoning commission" means the City of Logan Planning Comis-
sion serving in the roles prescribed in Utah Code §2–4–5.

§17.62.120. Appeal
"Appeal" means an administrative procedure that requests relief from a
decision by a designated hearing officer, commission, committee, or
board.
f. Bestiality,
g. Pederasty,
h. Buggery, or
i. Any anal copulation between a human male and another human
male, human female, or beast;

2. Manipulating, caressing or fondling by any person of:
a. The genitals of a human,
b. The pubic area of a human,
c. The breast or breasts of a human female;
d. Flagellation or torture by or upon a person clad in undergarments,
a mask or bizarre costume, or the condition of being lettered,
bound or otherwise physically restrained on the part of the one so
clothed.

§17.62.070. Affordable Housing

"Affordable Housing" means safe and decent housing with a sales price
or rent that is within income limitations for households defined as low and
moderate income by current Federal or State definitions.

§17.62.080. Agriculture

"Agriculture" means the production, keeping or maintenance for sale,
use or personal use of plants and animals useful to society, including
and not limited to: grains, legumes, vegetables, fruits, dairy products,
poultry and poultry products, livestock, and related activities.

§17.62.090. Airport

"Airport" means the Logan–Cache County Airport.

§17.62.100. Airport Board of Adjustment

"Airport Board of Adjustment" means the City of Logan Board of Adjust-
ment performing the duties prescribed in Utah Code §2-4-5.
§17.62.130. Applicant

"Applicant" means the person making application for a project review. See also "proponent".

§17.62.140. Application

"Application" means:

A. Application in general.

A submission of materials that is required to be received by the City prior to commencing any action that results in the issuance of a permit or the granting of an approval or conditional approval. The contents of an application are a combination of the materials that are required by statute, materials that are specified in this title, and materials that may be required as a part of the City's administrative process. A "petition" is also an application.

B. Complete application.

An application shall not be considered complete until all the required materials have been received and verified as to content. A complete application includes:

1. payment of required application fees and charges, and
2. all maps, drawings, and materials required by statute or ordinance, and
3. all of the maps, drawings, and information specified in the City's administrative procedures prepared in a neat, legible manner;

§17.62.150. Assisted living center

"Assisted living center" means Residences that provide for semi-independent living. Such facilities may be (1) equipped with studio or one bedroom apartments with limited kitchen facilities, generally designed for single occupancy; (2) contain central dining facilities where prepared meals are served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents.


"Back-Out Parking" means a parking configuration that requires vehicles to maneuver directly from the parking space onto a public street without a driveway.

§17.62.170. Base zone or base zoning district.

See "zone, base," refer to §17.62.220A.
§17.62.180. Basement
"Basement" means a portion of a building partly below ground and not having more than one-half of its height above the level of the adjoining ground.

§17.62.190. Bed and Breakfast or Bed and Breakfast Inn
"Bed and Breakfast" or "Bed and Breakfast Inn" means Overnight accommodations of ten or fewer rooms that may also serve one or more meals limited to registered guests.

§17.62.200. Berm
"Berm" means a linear earthen mound.

"Billboard" means a sign, land use, vehicle, trailer, or structure that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

§17.62.220. Block
"Block" means a unit of land bounded by streets or a combination of streets, public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

§17.62.230. Block Frontage
"Block Frontage" means all of the property fronting on a street that is between intersecting streets, or that is between a street and a water feature, or end of a dead end street.

§17.62.240. Board of Adjustment
"Board of Adjustment" means the five person Board established in Logan Municipal Code Chapter 2.54.

§17.62.250. Boarding house, lodging house
"Boarding house, lodging house" means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided. A lodging house is a boarding house in which meals are not provided. The length of stay in a boarding house or lodging house is thirty or more days.
§17.62.250. Block Frontage

"Block Frontage" means all of the property fronting on a street that is between intersecting streets, or that is between a street and a water feature, or end of a dead end street.

§17.62.270. Board of Adjustment

"Board of Adjustment" means the five person Board established in Logan Municipal Code Chapter 2.54.

§17.62.280. Boarding house, lodging house

"Boarding house, lodging house" means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided. A lodging house is a boarding house in which meals are not provided. The length of stay in a boarding house or lodging house is thirty or more days.

§17.62.290. Boundary line adjustment.

"Boundary line adjustment" or "Lot line adjustment" means the relocation of the property boundary line between two adjoining lots with the consent of the owners of record.

§17.62.300. Building footprint

See "building coverage."

§17.62.310. Building Coverage

"Building Coverage" means the portion of a site covered by buildings or other roofed structures, including eaves. "Building Coverage" also means "building footprint."

§17.62.320. Building

"Building" means a structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

§17.62.330. Building Line

"Building Line" means a line running parallel to a lot line, that is the same distance from the lot line as the closest portion of a building on the site.
§17.62.260. Boundary line adjustment.  
"Boundary line adjustment" or "Lot line adjustment" means the relocation of the property boundary line between two adjoining lots with the consent of the owners of record.

§17.62.270. Building footprint  
See "building coverage."

§17.62.280. Building Coverage  
"Building Coverage" means the portion of a site covered by buildings or other roofed structures, including eaves. "Building Coverage" also means "building footprint."

§17.62.290. Building  
"Building" means a structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

§17.62.300. Building Line  
"Building Line" means a line running parallel to a lot line, that is the same distance from the lot line as the closest portion of a building on the site.

§17.62.310. Cart corral  
"Cart corral" is an area designated within a parking lot where persons place shopping carts, dollies, handtrucks, pallet jacks, and other similar equipment.

§17.62.320. Certificate of approval  
"Certificate of Approval" means certification language as required by this title and Utah Code incorporated onto any deed or instrument creating a new lot by metes and bounds description or other such description.

§17.62.330. Chief executive officer  
"Chief Executive Officer" means the elected Mayor of the City of Logan.

§17.62.340. Clear trunk  
"Clear trunk" means the distance between the top of the root ball along the vertical trunk or trunks of a tree to the point at which lateral branching or fronds begin.

§17.62.350. Cluster development  
"Cluster development" means "planned development." Refer to §17.62.1250.
$17.62.360. Combining district, combining zone
See "zone, combining." Refer to §17.62.220B.

$17.62.370. Common area
"Common area" means lands, structures, infrastructure, or facilities within a project that is owned in undivided interest by the property owners, a condominium association, or other entity in common.

$17.62.380. Condominium
"Condominium" means a building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. "Condominium" means a "planned development" (Refer to §17.62.1250).

$17.62.390. Days
"Days" means calendar days, unless specifically stated as working days.

$17.62.400. Decision-Making Body
"Decision-Making Body" means a person or group authorized in the Land Development Code to conduct land use reviews and take action on the matter under review.

$17.62.410. Department
"Department" means the Department of Community Development. Other departments, divisions, or agencies are referenced by name.

$17.62.420. Density
"Density" means the number of dwelling units per acre of land area. Density may also be expressed as the amount of land area per dwelling unit.

$17.62.430. Development Review Committee
"Development Review Committee" means the committee of members of the City staff and other agencies as invited or convened to review development proposals prior to permits being issued or reports being prepared for decision-making bodies.

$17.62.440. Diameter breast height
"Diameter at Breast Height" (DBH) means the diameter of a tree measured at 4.5 feet above grade.
§17.62.340. Cart corral
“Cart corral” is an area designated within a parking lot where persons place shopping carts, dollies, handtrucks, pallet jacks, and other similar equipment.

§17.62.350. Certificate of approval
“Certificate of Approval” means certification language as required by this title and Utah Code incorporated onto any deed or instrument creating a new lot by metes and bounds description or other such description.

§17.62.360. Chief executive officer
“Chief Executive Officer” means the elected Mayor of the City of Logan.

§17.62.370. Clear trunk
“Clear trunk” means the distance between the top of the root ball along the vertical trunk or trunks of a tree to the point at which lateral branching or fronds begin.

§17.62.380. Cluster development
“Cluster development” means “planned development.” Refer to §17.62.1320.

§17.62.390. Combining district, combining zone
See “zone, combining,” Refer to §17.62.230B.

§17.62.400. Common area
“Common area” means lands, structures, infrastructure, or facilities within a project that is owned in undivided interest by the property owners, a condominium association, or other entity in common.

§17.62.410. Community center
Community center means a building used for recreation, social, educational, or cultural activities, open to the public or designated part of the public. A community center is usually owned and operated by a public or nonprofit organization.

§17.62.420. Community service
“Community service” means a use of a public, a nonprofit, or a charitable nature providing a local service to people of the community. Generally the service is provided onsite or there are employees at the site on a regular basis. The service is always ongoing and not for special events. It may include special counseling, education, or training of a public, nonprofit, or
CHAPTER 17.62 * DEFINITIONS

§17.62.430. Condominium

"Condominium" means a building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis. "Condominium" means a "planned development" (Refer to §17.62.1320).

§17.62.440. Days

"Days" means calendar days, unless specifically stated as working days.

§17.62.450. Decision-Making Body

"Decision-Making Body" means a person or group authorized in the Land Development Code to conduct land use reviews and take action on the matter under review.

§17.62.460. Department

"Department" means the Department of Community Development. Other departments, divisions, or agencies are referenced by name.

§17.62.470. Density

"Density" means the number of dwelling units per acre of land area. Density may also be expressed as the amount of land area per dwelling unit.

§17.62.480. Development Review Committee

"Development Review Committee" means the committee of members of the City staff and other agencies as invited or convened to review development proposals prior to permits being issued or reports being prepared for decision-making bodies.

§17.62.490. Diameter breast height

"Diameter at Breast Height" (DBH) means the diameter of a tree measured at 4.5 feet above grade.
§17.62.450. Director

"Director" means the Director of Community Development of the City of Logan or the Director's designee. Directors of other departments are referenced by department, division, or title.

§17.62.460. Discretionary approval

"Discretionary approval" means an action of the City that may be approved, conditionally approved, or denied at the discretion of the decision-making body upon making appropriate findings or utilizing adopted standards or policies.

§17.62.470. Discretionary permit

"Discretionary permit" means a permit issued by the City when the City has the discretion to approve the permit as requested, approve it in a modified form with conditions or other changes generated by application review, or to deny the permit on the basis of reasons or findings of fact.

§17.62.480. District

Same as "Zoning District."

§17.62.490. Dripline.

"Dripline" means the natural outside end of the branches of a tree or shrub projected vertically to the ground.

§17.62.500. Drought-tolerant vegetation

"Drought-tolerant vegetation" means trees, shrubs, groundcovers and other vegetation, excluding prohibited or controlled species, which is classified as very or moderately drought-tolerant in accepted horticultural or landscaping publications.

§17.62.510. Dwelling Unit

"Dwelling Unit" means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of the occupants.

§17.62.520. Engineer.

"Engineer", when referring to a City decision-maker, means the City Engineer.
§17.62.530. Family
“Family” means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.

§17.62.540. Flood hazard: Appeal
“Appeal” means a request for a review of the city engineer’s interpretation of any provisions of this chapter or a request for a variance.

§17.62.550. Flood hazard: Area of special flood hazard
“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

§17.62.560. Flood hazard: Base flood
“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year.

§17.62.570. Flood hazard: Development
“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

§17.62.580. Flood hazard: Existing manufactured home park or manufactured home subdivision
“Existing manufactured home park” or “manufactured home subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of the ordinance codified in this chapter.

§17.62.590. Flood hazard: Expansion to an existing manufactured home park or manufactured home subdivision
“Expansion to an existing manufactured home park” or “manufactured home subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured
homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

§17.62.600. Flood hazard: Flood or flooding

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:
A. The overflow of inland
B. The unusual and rapid accumulation or runoff of surface waters from any source.

§17.62.610. Flood hazard: Flood Insurance Rate Map (FIRM/Flood Insurance Study)

"Flood Insurance Rate Map (FIRM/Flood Insurance Study)" means the official map on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zoning districts applicable to the community and official report provided by the Federal Emergency Management Agency. It includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

§17.62.620. Flood hazard: Floodway

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

§17.62.630. Flood hazard: Lowest floor

"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter.

§17.62.640. Flood hazard: Manufactured home

"Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers unless the same are placed on a site for greater than one hundred eighty consecutive days.
§17.62.650. Flood hazard: New construction

"New construction" means structures for which the start of construction commences on or after the effective date of the ordinance codified in this chapter.

§17.62.660. Flood hazard: New manufactured home park or manufactured home subdivision

"New manufactured home park" or "manufactured home subdivision" means a parcel (or contiguous parcels of land) divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance codified in this chapter.

§17.62.670. Flood hazard: Start of construction

"Start of construction" means the first placement of permanent construction of a structure (other than a manufactured home) on a site, which as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent construction, such as the pouring of slabs, pilings, footings, etc. For manufactured homes not within a manufactured home park or manufactured home subdivision, "start of construction" means the affixing of the manufactured home to its permanent site.

§17.62.680. Flood hazard: Structure

"Structure" means a walled and roofed building or manufactured home that is principally above ground.

§17.62.690. Flood hazard: Substantial improvement

"Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:
A. Before the improvement or repair is started; or
B. If the structure has been damaged and being restored before the flood damage occurred. For the purpose of this definition, "substantial
improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure;

C. The term, does not, however, include either:
1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

§17.62.700. Flood hazard: Variance

"Flood Hazard Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. Such variances are to be reported to the Federal Emergency Management Agency upon request.

§17.62.710. Floor Area Ratio (FAR)

"Floor Area Ratio (FAR)" means the gross floor area of a primary building, divided by the lot area of the lot on which the building is placed.

§17.62.720. Floor Area, Gross

"Floor Area, Gross" means the total square footage within a structure calculated by using the measurements from the exterior walls.

§17.62.730. General Plan.

"General Plan" means the document adopted by the Municipal Council meeting the provisions of Utah Code Sections 10-9-301 and 10-9-302.

§17.62.740. Garage

"Garage" means a structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents of the residential building and is not a separate commercial enterprise available to the general public.

§17.62.750. Gateway

"Gateway" means an entrance to the Logan area which transitions from generally rural, agricultural, or undeveloped areas into the urban City limits.
§17.62.760. Grade, Average Finished

"Grade, Average Finished" means the average between the highest and lowest elevation of the ground abutting the street walls of a structure, existing, or as shown on the construction plans.

§17.62.770. Grandfathering

"Grandfathering" is a colloquial term used to refer to legally existing nonconformities. Refer to §§17.62.113

§17.62.780. Groundcover

"Groundcover" means plants, generally not exceeding an average maximum height of 24 inches at maturity.

§17.62.790. Hedge

"Hedge" means a landscape barrier consisting of a continuous, dense planting of shrubs.

§17.62.800. Height, Building

"Height, Building" means the height of building is the vertical distance above the reference datum of the ground. This is shown in Figure 17-16 on page 362. The height of a building is calculated utilizing the current version of the Uniform Building Code as amended.

§17.62.810. Height, Structure (other than building)

"Height, Structure (other than building)" means the vertical distance measured from "Average Finished Grade" to the highest point of the structure.

§17.62.820. Historic Preservation Committee

"Historic Preservation Committee" means the committee appointed by the Mayor for duties specified in Logan Municipal Code Chapter 2.32.
§17.62.810 Grade, Average Finished

"Grade, Average Finished" means the average between the highest and lowest elevation of the ground abutting the street walls of a structure, existing, or as shown on the construction plans.

§17.62.820 Grandfathering

"Grandfathering" is a colloquial term used to refer to legally existing nonconformities. Refer to §§17.62.1200

§17.62.830 Groundcover

"Groundcover" means plants, generally not exceeding an average maximum height of 24 inches at maturity.

§17.62.840 Group home

"Group home" means a profit or non-profit boarding home for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation. A group home is not the same as the "community service," as defined in §17.62.420 on page 365. A group home is not a shelter as defined in §17.62.1690 on page 388.

§17.62.850 Hedge

"Hedge" means a landscape barrier consisting of a continuous, dense planting of shrubs.

§17.62.860 Height, Building

"Height, Building" means the height of building is the vertical distance above the reference datum of the ground. This is shown in Figure 17-16 on page 373. The height of a building is calculated utilizing the current version of the Uniform Building Code as amended.
§17.62.830. Home occupation

"Home occupation" means any activity carried out for gain or requiring a business license by a resident and conducts as a customary, incidental, and accessory use in the resident’s dwelling unit.

§17.62.840. Home occupation—professional office

"Home occupation—professional office" means a home occupation consisting of the office of a practitioner of a recognized profession. Refer to §17.62.830.

§17.62.850. Hotel

"Hotel" means a facility offering transient sleeping rooms and providing additional services within the same building, such as restaurant(s), conference or meeting rooms, banquet facilities, and full guest services, such as room service or a gift shop.

§17.62.860. Household

"Household" means a housekeeping unit living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.

§17.62.870. Infill lot

"In-fill lot" means an undeveloped parcel located within an area where most of the surrounding parcels are already development.
$17.62.870. Height, Structure (other than building)

"Height, Structure (other than building)" means the vertical distance measured from "Average Finished Grade" to the highest point of the structure.

$17.62.880. Historic Preservation Committee

"Historic Preservation Committee" means the committee appointed by the Mayor for duties specified in Logan Municipal Code Chapter 2.32.

$17.62.890. Home occupation

"Home occupation" means any activity carried out for gain or requiring a business license by a resident and conducts as a customary, incidental, and accessory use in the resident's dwelling unit.

$17.62.900. Home occupation—professional office

"Home occupation—professional office" means a home occupation consisting of the office of a practioner of a recognized profession. Refer to §17.62.890.
§17.62.880. Inner block development

"Inner block development" means "planned development." Refer to §17.62.1250.

§17.62.890. Irrigation

"Irrigation" means a system of to convey water to all landscaped or agricultural areas.

§17.62.900. Kennel

A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation. A business license may be required.

§17.62.910. Land Area

"Land area" means the total area of a lot lying within the lot lines, not including any portion of a street or right-of-way.

A. Land Area, Gross:

"Gross land area" means the size of a lot or parcel of land prior to subdivision or dedication of road rights-of-way, or other rights-of-way.

B. Land Area, Net

"Net land area" means that land available for development after the area allocated for roads or rights-of-way is deducted from the gross land area.

§17.62.920. Landscape strip

"Landscape strip" means the area between the property side of the curb and the property line that is within the public street or right-of-way upon which landscaping, including groundcover and trees, is planted.

§17.62.930. Landscaping

"Landscaping" means consisting of any of the following or a combination thereof; material such as, but not limited to grass, groundcover, shrubs, vines, hedges, or trees; but excluding sand, gravel, pavers, or pavement, unless the latter are approved as a component of the landscaping plan by the Planning Commission.

§17.62.940. Lawn

"Lawn" means an area of maintained turf or grass.

§17.62.950. Loading Area

"Loading Area" means the area available for the maneuvering and standing of vehicles engaged in delivering and loading of passengers, freight, or other articles.
§17.62.960. Lodging

"Lodging" means a generic term for accommodations, such as motel or hotel (See "accommodations").

§17.62.970. Lodging house

See "Boarding house" in §17.62.250 on page 353.

§17.62.980. Lot

"Lot" means property that has been legally subdivided with appropriate City approvals on which development may occur.

A. Lot, Corner

A lot abutting two or more streets at their intersection.

B. Lot, Interior

A lot other than a corner lot.

C. Lot, Through

A lot, other than a corner lot, having frontage on two parallel or approximately parallel streets.

§17.62.990. Lot coverage

"Lot coverage" means the percentage of a lot covered by all building footprints.

§17.62.1000. Lot Depth

The horizontal distance between front and rear lot lines measured at the mid-point between the two side lot lines.

§17.62.1010. Lot Lines

"Lot Lines" means the property lines delineating the boundaries of a lot.

A. Lot Line, Corner

Any lot lines that abut a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and side lot lines.

B. Lot Line, Front

A lot line that abuts a street. On a corner lot, the front line is the property line from which the main entrance to the structure is located. If two or more street lot lines are of equal length, then the applicant or property owner may choose which lot line is to be the front. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.

C. Lot Line, Interior Side

Any lot line except a front or rear lot line. On a corner lot, the longer lot line that abuts a street, is a street side lot line.
D. Lot Line, Rear
A lot line that is opposite a front lot line. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.

E. Lot Line, Street Side
A lot line that is both a side lot line and a street lot line.

F. Lot Line, Street
Any lot lines that abut a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and side lot lines.

§17.62.1020. Lot of Record
"Lot of Record" means a lot that was legally created before any amendment to the Land Development Code.

§17.62.1030. Lot Width
A. Lot width
The distance between two side lot lines as measured at the midpoint between the front and rear lot lines.

B. Average lot width
The average horizontal distance between side lot lines.

C. Minimum lot width
The narrowest point between side lot lines.

§17.62.1040. Mixed-Use
"Mixed-Use" means the combination on a site of residential uses with commercial or industrial uses.

§17.62.1050. Motel
"Motel" means an establishment providing sleeping accommodations and limited support services, such as no room service, no in–facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher (See also "accommodations" and "hotel").

§17.62.1060. Mulch
"Mulch" means nonliving organic material customarily used in landscape design to retard erosion and retain moisture.

§17.62.1070. Multi–family
"Multi-Family" means two or more attached residential dwelling units on a single parcel of land.
§17.62.1080. Neighborhood character

"Neighborhood character" means an area of the community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as a river or canal.

§17.62.1090. Nonconforming Lot

A. Legally existing nonconforming lot.

A lot or parcel that was lawful and conforming to regulations prior to the adoption, revision, or amendment of Logan Municipal Code Titles 16 and 17 prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the regulations of the zoning district in which it is located. A legally existing lot shall also have been divided or subdivided in conformance with the provisions of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code.

B. Illegally existing lot.

A lot or parcel that was created without compliance with requirements of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code, or lots created without compliance with Title 17 of the Logan Municipal Code.

§17.62.1100. Nonconforming Sign

A. Legally existing nonconforming sign.

A sign that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

B. Illegally existing sign.

A sign that was established without compliance with regulations in effect at the time it was erected or was erected without a permit.

§17.62.1110. Nonconforming Structure

A. Legally existing nonconforming structure or building.

A building or structure, the size, dimensions, or location of which was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

B. Illegally existing building or structure.
A building, structure, or sign that was not in compliance with zoning, building, or planning regulations in effect at the time it was constructed or erected.

§17.62.1120. Nonconforming Use

A. Legally existing nonconforming use.
   An activity located on any land, or within building or structure that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

B. Illegally existing use.
   The use of any land, building, or structure for which no permit was obtained, which has not complied with the use regulations of the zoning district in which it is located, or was not established in conformance with regulations of the City at the time the use was established.

§17.62.1130. Nonconformity
   “Nonconformity” means a use, sign, structure, lot, or other situation that does not comply with currently applicable regulations of Title 17 of the Logan Municipal Code. A nonconformity maybe legally existing or illegally existing as further defined in §§17.62.110 through 17.62.112.

§17.62.1140. Official map.

A. Official transportation map
   The map of proposed streets that has the legal effect of prohibiting development of the property until the municipality develops the proposed street. The “official transportation map” includes the street and transportation maps within the General Plan, the street maps within the City of Logan “Transportation Master Plan,” and the street maps within any plans prepared by the Cache Metropolitan Transportation Organization.

B. Official zoning map.
   The map enacted by the Municipal Council identifying the location of all zoning districts as applied to lands within the City of Logan.

§17.62.1150. Off-site improvements
   “Off-site improvements” means construction of public facilities or public improvements that are not located on the parcel under development.

§17.62.1160. On-site improvements
   “On-site improvements” means construction of public facilities or public improvements and access within the boundaries of a lot proposed for development.
§17.62.1220. Paved Area

“Paved area” means an uncovered hard surfaced area or an area covered with a perforated hard surface (such as “grasscrete”), that may withstand vehicular traffic or other heavy impact uses. Gravel covered areas are not considered paved areas.


“Performance standard” means a regulation, quantity, timing requirement, or other requirement of this Title for which the code identifies an objective or measure to be achieved or accomplished but allows the decision-makers or project applicant the flexibility to propose the means by which the requirement will be successfully achieved.

§17.62.1240. Person

“Person” means any person, partnership, association, limited liability corporation, or corporation.

§17.62.1250. Planned development

“Planned development” means an area to be planned, developed, operated, and maintained according to a plan as a single entity and containing one or more structures with appurtenant common areas. Planned developments may have individual ownership of airspace, dwelling units, or commercial units in conjunction with commonly owned space. Planned developments may contain a mixture of land use classifications as approved by the City during the hearing and permitting process.

§17.62.1260. Planned unit development

“Planned unit development” means a planned development (refer to §17.62.1250) which is a comprehensive project in which the site planning, building design, and landscaping are all part of an overall single approval process to ensure that the project develops in a planned and comprehensive manner over its life. A planned unit development may also mean a style of ownership in which the property owner owns the ground under the unit, possibly some exterior patio area, and the exterior walls, and additionally owns an undivided interest in the common area.

§17.62.1270. Planning Commission

“Planning Commission” means the seven member body appointed by the Mayor as authorized in Logan Municipal Code Chapter 2.40.
§17.62.1280. Plant unit

"Plant Unit" means a numeric measurement to establish planting requirements which can be expressed in optional Plant Types. Units provide equivalency values for each plant type as described elsewhere in this Chapter.

§17.62.1290. Plat.

"Plat" means the official map approved by the City, prepared for recording showing the boundaries of the subdivision, the location of lots, easements, streets, common areas, and upon which are affixed required signatures, notes, and other such inscriptions as required by conditions of project approval.

§17.62.1300. Preliminary plat.

"Preliminary plat" means a draft or proposed map of a subdivision presented to the City for review and action.

§17.62.1310. Prescriptive standards.

"Prescriptive standards" means a regulation, quantity, timing requirement, or other requirement of this Title for which the code specifies or prescribes what must be accomplished or achieved.

§17.62.1320. Primary Structure

"Primary Structure" means a structure or combination of structures of chief importance or function on a site. Usually, the primary use of the site is carried out in a primary structure. The difference between a primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on a site. Garages are an accessory use.

§17.62.1330. Primary Use

"Primary Use" means an activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use.

§17.62.1340. Project

"Project" means any application, petition, or request for an action by the City that results in the issuance of a permit, approval or conditional approval of a development entitlement, or authorization by a City official, board, commission, committee, or council.
§17.62.1350. Proponent

"Proponent" means a person who advocates on behalf of a project. A proponent may be the owner of the property or someone who is representing the owner such as a builder, developer, optional purchaser, consultant, or architect.

§17.62.1360. Property owner for purposes of mailed notice

"Property owner for purposes of mailed notice" means the person who is shown on the County’s rolls as the record owner of a lot or parcel in the City of Logan. The “record property owner on the latest County rolls” means the person shown as an owner of record as of the time the property rolls were finalized for setting property tax bills. Generally, this means the property owner as of January first of a calendar year.

§17.62.1370. Residential Facilities for the Elderly

"Residential Facilities for the Elderly" means the City adopts the standards and definitions within the Utah Code.

§17.62.1380. Residential Facilities for people with disabilities

"Residential Facilities for people with disabilities" means the City adopts the standards and definitions within the Utah Code.

§17.62.1390. Residential Structure Types

A. House, Attached

"House, Attached" means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a “townhouse” or “townhome.”

B. House, Detached

"House, Detached" means a dwelling unit located on its own lot that is not attached to any other dwelling unit.

C. Duplex

"Duplex" means a structure that contains two dwelling units on one lot. The units may share common walls or common floor/ceilings.

D. Fourplex

"Fourplex" means a structure that contains four attached dwelling units on one lot. The units may share common walls or common floor/ceilings.

E. Group Living Structure

"Group Living Structure" means a structure that contains sleeping areas and at least one set of cooking and sanitary facilities that is used as a residence for Group Living uses.
F. Manufactured Housing Unit

"Manufactured Housing Unit" means a dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.

G. Multi-Dwelling Structure

"Multi-Dwelling Structure" means a structure that contains five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwellings include structures commonly called apartments and condominiums.

H. Triplex

"Triplex" means a structure that contains three dwelling units on one lot. The units may share common walls or common floor/ceilings.

I. Townhome

"Townhome" means a townhouse dwelling unit that is attached to an adjoining dwelling unit, in which the ground and building are owned in fee title. A townhome is a part of a cluster or planned unit development.

J. Townhouse

"Townhouse" means a dwelling unit constructed in a row of three or more dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

K. Twinhome

"Twinhome" means a structure that contains two dwelling units with common walls or abutting walls, each located on its own lot. Twinhomes are often created by subdividing a single duplex into two separate lots, each of which contains one dwelling unit. A Twinhome is an "Attached house."

§17.62.1400. Retail food establishment—mobile

"Retail food establishment—mobile" means a vehicle, normally and not limited to, a van, truck, towed trailer, or push cart from which food or beverages are sold.

§17.62.1410. Retail sales

"Retail sales" means businesses or other establishments engaged in selling goods of merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

§17.62.1420. Retail sales establishment

"Retail sales establishment" means a business location engaged in retail sales which result in activities intended to attract the general public to buy including receiving and reselling goods, including process or manufacture.
of products, such as baked goods or jewelry, provided that the two-thirds or more of the sales volume of the process or manufacture goods is sold on premises.

§17.62.1430. Retail sales—outdoor

"Retail sales—outdoor" means the display and sales or products or services primarily outside of a building or structure including vehicles, building materials, garden supplies, gas, food and beverages, boats and aircraft, farm equipment, recreation vehicles, building and landscape materials, and lumber yards.

§17.62.1440. Retail services

"Retail services" means an establishment providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate, insurance, personal service, motion pictures or video, amusement and recreation services, health, educational, and special services, museums, and galleries.

§17.62.1450. Review Body

"Review Body" means a person or group authorized in the Land Development Code to conduct land use reviews and to act in an advisory capacity.

§17.62.1460. Right-of-Way Access Permit

"Right-of-Way Access Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to work within or access from private property into the public right-of-way.

§17.62.1470. Right-of-Way Parking Permit

"Right-of-Way Parking Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to maintain parking spaces within the public right-of-way.

§17.62.1480. Setback

"Setback" means the distance that is required by the Land Development Code to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term "setback" refers to a required minimum distance while the term "yard" refers to the actual open area. Refer to Figures 17.17 and 17.18.
§17.62.1520. Review Body

"Review Body" means a person or group authorized in the Land Development Code to conduct land use reviews and to act in an advisory capacity.

§17.62.1530. Right-of-Way Access Permit

"Right-of-Way Access Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to work within or access from private property into the public right-of-way.

§17.62.1540. Right-of-Way Parking Permit

"Right-of-Way Parking Permit" means a permit issued by the Department of Public Works to allow a private party revocable permission to maintain parking spaces within the public right-of-way.

§17.62.1550. School

School means any building or part thereof which is designed, constructed, or used for educational or instructional purposes. The term is not limited to any one type or type of building. "School" includes public, private, parochial, non-profit and for profit schools.

A. School, elementary

Elementary school means any school licensed by the State that meets the State requirements for elementary education.

B. School, parochial

Parochial school means a school located and controlled by a church or religious organization.

C. School, private

Private school means any building or group of buildings, the use of which meets State requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.

D. School, public

Public school means any building or group of buildings, the use of which meets State requirements for elementary, secondary, or higher education and which does secure the major part of its funding from any governmental agency.

E. School, secondary

"Secondary school" means any school licensed by the State and that is authorized to award diplomas for secondary education.

F. School, vocational

Vocational school means a secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the State requirements as a vocational facility.
City trees; permits from City Forester required to plant, remove, or trim trees

**Figure 17-17: Location of building setbacks on corner lots**

A. Setback, Corner
   The distance from the street side property line not designated as a "front setback" to the closest distance a structure may be located from the property line.

B. Setback, Front
   The distance from the front property line to the closest point a structure can be constructed to the front property line.
C. Setback, Side Interior
The distance from the interior side property lines to the closest distance a structure may be located from the property line.

D. Setback, Rear
The distance from the rear property to the closest distance a structure may be located from the property line.

§17.62.1490. Shade tree
"Shade tree" means a hardwood tree that reaches a mature height of at least 15 feet at maturity, provides relief from direct sunlight and is included in the permitted species list.

§17.62.1500. Shed
"Shed" means a permanent or temporary structure that is less than one hundred and twenty square feet in gross floor area, has no electricity or plumbing, and does not require a building permit (Any structure with
"Shade tree" means a hardwood tree that reaches a mature height of at least 15 feet at maturity, provides relief from direct sunlight and is included in the permitted species list.

§17.62.1580. Shed

"Shed" means a permanent or temporary structure that is less than one hundred and twenty square feet in gross floor area, has no electricity or plumbing, and does not require a building permit. Any structure with electricity or plumbing requires a building permit, and is defined as a "structure." Any shed over 120 square feet is a "structure".

§17.62.1590. Shelter

Shelter means a building serving as a residence or special classes of persons, or a building serving as a temporary refuge, or special classes of persons, or a building serving as a temporary refuge.

A. Emergency shelter

Emergency shelter means a building serving as a temporary residence for persons other than homeless persons (§17.62.910) while temporarily awaiting permanent housing or a return to permanent housing.

B. Homeless shelter

Homeless shelter means a building serving as a permanent residence for homeless persons without limitation on the length of stay.

C. Transitional shelter for the homeless

Transitional shelter for the homeless means a building serving as a temporary residence for homeless persons on an intermittent basis while a more permanent shelter or housing facilties are being prepared for their occupancy. A transitional shelter for the homeless may also be an emergency shelter for homeless persons.

§17.62.1600. Shrub

"Shrub" means a bushy, woody plant usually with several permanent stems, and usually not over 10 feet high at maturity and not less than 18 inches upon installation.

§17.62.1610. Sight distance triangle

"Sight distance triangle" means the distance along public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there is no curb).
electricity or plumbing requires a building permit, and is defined as a "structure." Any shed over 120 square feet is a "structure.")

§17.62.1510. Shrub
"Shrub" means a bushy, woody plant usually with several permanent stems, and usually not over 10 feet high at maturity and not less than 18 inches upon installation.

§17.62.1520. Sight distance triangle
"Sight distance triangle" means the distance along public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street forty feet from the intersection.

§17.62.1530. Sign
"Sign" means any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display,


$17.62.1540$. Sign—animated or moving

"Sign—animated or moving" means any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. Electronic message centers and visual broadcast centers are not classified as animated or moving signs.

$17.62.1550$. Sign-awning, canopy, or marquee

"Sign-awning, canopy, or marquee" means a sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance (Refer to Figure 17-20 and Figure 17-21)

$17.62.1560$. Sign—banner

A. Sign—banner means banner, generally

"Banner" means a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.

B. Commercial banner

"Commercial banner" means a banner that is erected by a business for purposes of attracting attention to products, services, activities, promotions, or events occurring on or at the location of the business.

C. Noncommercial banner

"Noncommercial banner" means a banner that is erected by the City, a nonprofit organization, bona fide service club, school, religious institution, or bona fide club for purposes of promoting a specific event or activity open to the public.
$17.62.1570. Sign—bench

"Sign—bench" means a sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a Public place or roadway.

$17.62.1580. Sign—billboard

See "billboard," §17.62.21.

$17.62.1590. Sign—bulletin board

"Sign—bulletin board" means a sign that identifies an institution or organization on the premises of which it is located and that contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.

$17.62.1600. Sign—business

"Sign—business" means a sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

$17.62.1610. Sign—construction

"Sign—construction" means a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

$17.62.1620. Sign—directional

"Sign—directional" means signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way," "entrance," and "exit."

$17.62.1630. Sign—directory

"Sign—directory" means a sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities (Refer to...
§17.62.1640. Sign—facade
See “sign—wall.”

§17.62.1650. Sign—face
“Sign—face” means the area or display surface used for the message.

§17.62.1660. Sign—flashing
“Sign—flashing” means any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

§17.62.1670. Sign—freestanding
“Sign—freestanding” means any nonmovable sign not affixed to a building.

§17.62.1680. Sign—governmental
“Sign—governmental” means a sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.

§17.62.1690. Sign—holiday decoration
“Sign—holiday decoration” means temporary signs, in the nature of decorations, clearly incidental to and customarily and commonly associated with a national, local, or religious holiday.

§17.62.1700. Sign—home occupation
“Sign—home occupation” means a sign containing only the name and occupation of an appropriately licensed permitted home occupation.

§17.62.1710. Sign—identification
“Sign—identification” means a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

§17.62.1720. Sign—illuminated
“Sign—illuminated” means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

§17.62.1730. Sign—inflatable
“Sign—inflatable” means any display greater than six feet in height, including any tethering material, capable of being expanded by air or
other gas and used on a permanent or temporary basis to advertise a product or event. A display of six feet or less in height is defined as a balloon.

§17.62.1740. Sign—memorial

"Sign—memorial" means a sign, tablet, or plaque memorializing a person, event, structure, or site.

§17.62.1750. Sign—message center, electronic

"Sign—message center, electronic" means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated and changeable segments. Signs with informational content that can be changed or altered by means of computer driven or electronically created impulses.

§17.62.1760. Sign—message center, manual

"Sign—message center, manual" means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface changed by manual means, such as and not limited to removing and replacing messages by changing individual letters.

§17.62.1770. Sign—monument

"Sign—monument" means any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure. See Figure 64.

§17.62.1780. Sign—nameplate

"Sign—nameplate" means a sign, located on the premises, giving the name or address, or both, of the owner or occupant of a building or premises.

§17.62.1790. Sign—on-site informational

"Sign—on-site informational" means a sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pickup and delivery areas.

§17.62.1800. Sign—painted

"Sign—painted" means a sign that is painted directly onto the wall of a building or structure without a physical structure or frame and does not
meet the definition of "wall art" (Refer to 17.62.2160) or "supergraphic" (Refer to 17.62.1890)

§17.62.1810. Sign—pennant, whirly-gig, attention-getting device
"Sign—pennant, whirly-gig, attention-getting device" means attention-getting devices, including pennants, whirly-gigs, streamers, and other similar devices are broadly defined to include triangular plastic flags attached to wires, ropes, and strung between products, poles, light standards, or the ground. Whirly-gigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.

§17.62.1820. Sign—pole
"Sign—pole" means a sign that is mounted on a freestanding pole or other support. (Refer to Figure 17–20 on page 376).

§17.62.1830. Sign—political
"Sign—political" means a temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.

§17.62.1840. Sign—portable
"Sign—portable" means a sign that is not permanent, affixed to a building, structure, or the ground (Refer to Figure 17–20 on page 376).

§17.62.1850. Sign—private sale or event
"Sign—private sale or event" means a temporary sign advertising private sales of personal property, such as "house sales," "garage sales," "rummage sales," and the like, or private not-for-profit events, such as picnics, carnivals, bazaars, game nights, art fairs, craft shows, and Christmas tree sales.

§17.62.1860. Sign—projecting
"Sign—projecting" means a sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building. (Refer to Figure 17–20 on page 376).

§17.62.1870. Sign—real estate
"Sign—real estate" means a sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.
§17.62.1880. Sign—roof

"Sign—roof" means a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof (Refer to Figure 17-20 on page 376).

§17.62.1890. Sign—supergraphic

"Sign—supergraphic" means a supergraphic sign is one that is painted directly on the surface of a building and is comprised of a combination of promotional, logo, advertising, or artistic representations. The proportion of art to advertising and promotional content shall be as prescribed in Chapter 17.40.

§17.62.1900. Sign—temporary

"Sign—temporary" means a sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.

§17.62.1910. Sign—vehicle

"Sign—vehicle" means a sign on a vehicle not customarily and regularly used to transport persons or properties.

§17.62.1920. Sign—vending machine

"Sign—vending machine" means any sign—display, or other graphic attached to or part of a coin-operated machine dispensing food, beverages, or other products.

§17.62.1930. Sign—wall

"Sign—wall" means a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve inches from such building or structure (Refer to Figure 17-20 on page 376).

§17.62.1940. Sign area

"Sign area" means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure (Refer to Figure 17-10).

§17.62.1950. Site Plan

"Site Plan" means a development plan or drawing which contains information required by the City intended to show existing and proposed site
.62.2030. Sign area

"Sign area" means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure (Refer to Figure 17-10).

.62.2040. Single-family

"Single-family" means one family as defined in this chapter. (Refer to 17.62.660. Family, or Owner's, or Landlord's)

.62.2050. Site Plan

"Site Plan" means a development plan or drawing which contains information required by the City intended to show existing and proposed site conditions, and other information necessary to obtain a permit or other approval.

.62.2060. Sketch Plan

"Sketch Plan" means a draft, rough, or conceptual drawing that expresses the general location of site development features, buildings, or other changes to the site that is prepared in order to obtain preliminary comments or address issues associated with the proposed development of a site. Sketch plans are prepared in advance of the expense required to prepare a full site plan.

.62.2070. Story, Half

"Story, Half" means a story under a gable or hip or gambrel roof the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.

.62.2080. Story

"Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it then the space between such floor and the ceiling next above it; not including cellar or basement.

.62.2090. Street

"Street" means public right-of-way, including highways, avenues, boulevards, parkways, roads, lanes walks, alleys, viaducts, subways, tunnels, bridges, public easements, and other ways. The public right-of-way shall also include the planting strip, sidewalk, curb, and gutter.

.62.2100. Structure

"Structure" has the meaning as defined in the current adopted edition of the Uniform Building Code.
§17.62.2070. Tree canopy

"Tree Canopy" means the upper portion of a tree consisting of limbs, branches and leaves.

§17.62.2080. Tree removal

"Tree removal" means to change the location of, or any action or inaction which will cause a tree to die within a period of 9 months. Tree removal also includes any action to any part of a tree which will cause a tree to become so undesirable as to warrant the total removal of the tree, e.g., improper pruning so as to destroy the natural shape or which causes infection, infestation, rot or decay; application of herbicidal or other lethal chemicals; paving over the root system, etc.

§17.62.2090. Triplex

"Triplex" means a residence consisting of three attached dwelling units.

§17.62.2100. Twin home

"Twin home" means a residence consisting of two attached units that are individually owned and occupied.

§17.62.2110. Usable open space

Refer to "Open Space—usable".

§17.62.2120. Use

"Use" means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

§17.62.2130. Vegetation, native

"Vegetation, native" means any plant species which is indigenous to all or a part of northern Utah or the northern Rocky Mountain and Great Basin ecosystems. Plant species which have been introduced by humans are not classified as native species.

§17.62.2140. Vehicle use area

"Vehicular Use Area" means an area used for the loading, circulation, access, storage or display of motor vehicles. Designated off-street parking spaces or spaces on public or private streets shall not be considered vehicular use areas.
§17.62.2150. Vines

"Vines" means plants which normally require support to reach mature form.

§17.62.2160. Wall art

"Wall art" means a graphic representation that has no advertising or promotional content, no signage, no logos, or other commercial content or graphics.

§17.62.2170. When feasible

"When feasible" means when all attendant circumstances are considered, the benefit to the community outweighs the cost and burden to the proponent or developer.

§17.62.2180. Yard

"Yard" means the actual undeveloped open space that exists or that is proposed between a structure and the lot lines of the lot on which the structure is located. See "Setback."

§17.62.2190. Zoning amendment

"Zoning amendment" means an application or petition to change either the Official Zoning Map or the regulations, provisions, standards, specifications, or text of the Land Development Code.

§17.62.2200. Zoning district

"Zoning district" means the separate areas defined within the City to which a specific zoning district or land use classification is assigned.

A. Base zoning district

"Base zoning district" means a zoning district that establishes the primary permitted uses, conditional uses, and development standards for a parcel of land.

B. Combining Zoning district

"Combining Zoning district" means a zoning district in the Land Development Code which is applied to a parcel of land to add special or additional development requirements in addition to or in place of the requirements of the base zoning district.
(Civil)

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF Cache

On this 21st day of June, 2000, personally appeared before me, Jean Willmore, who being first duly sworn, deposes and says that she is the chief clerk of the Cache Valley Publishing Co., publishers of The Herald Journal, a daily newspaper published in Logan, City, Cache County Utah, and that the advertisement:

LEGAL NOTICE

was published in said newspaper for one (1) issue commencing June 21, 2000 and ending June 21, 2000

Signed __________________________

Subscribed and sworn to before me, the day and year above written.


Notary Public

LEGAL NOTICE

SUMMARIES OF ORDINANCES passed by the Logan Municipal Council are as follows:

1. ORD. 00-32. An Ordinance amending the Zoning Map of Logan City, was passed June 7, 2000, adopting Amendment #228 rezoning 2.27 acres, more or less, of a ten-acre parcel owned by Gossner Foods Inc., located at approximately 1051 North 1000 West and identified in the Cache County recorder’s Office as Tax ID No. 05-060-0017.

2. ORD. 00-34. An Ordinance amending Title 17 of the Logan Municipal Code, adding Chapter 17.61, “Words Defined” and 17.62, “Definitions” was adopted June 7, 2000. The ordinance allows effective use of the Land Development by adopting definitions which meet the needs of special terminology within the Code.

Full texts of the ordinances may be reviewed at the Office of the Logan City Recorder, City hall, 255 North Main.

Lois Price
Recorder
Publication Date: June 21, 2000.