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


SECTION 5: Effective Date. This ordinance shall become effective upon publication.

ADOPTED BY THE LOGAN MUNICIPAL COUNCIL THIS 3rd DAY OF August, 2004, by the following vote:
AYES:需签名
NAYS: 需签名
ABSENT: None

Tami W. Pyfer, Chair

Lois Price, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 2nd day of Aug, 2004.

Tami W. Pyfer, Chair
MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 5th day of Aug., 2004.

Douglas E. Thompson, Mayor
§17.07.010. Group Living

A. Characteristics

Group Living is characterized by the residential occupancy of a structure by a group of people who do not meet the specifications established for the category of Household Living (§17.07.020) of a structure by a group of people who exceed the maximum occupancy allowed by the base zoning district. The size of the group shall be larger than the average size of a household. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Sales and Service and Community Service categories). Generally, Group Living structures have a common eating area for residents; structures such as dormitories may have several eating areas for the tenants of the structure.

Within the Group Living category there are two distinct types. The first is where the residents of the group living structure receive care, training, or treatment on site, as long as the care givers also reside at the site. The second type of group living is where the residents of the structure do not receive care, training, or treatment on site.

B. Accessory Uses

Accessory uses commonly associated with Group Living are recreational facilities and parking of vehicles for occupants and staff, carports, garages, storage buildings, and communal gardens.

C. Examples

Examples of Group Living include dormitories; communes; fraternities and sororities; seminaries with boarding, monasteries, and convents; nursing and convalescent homes; assisted living centers with densities compatible with the base zoning district; and some group homes for the physically disabled, mentally retarded, or emotionally disturbed.

D. Regulations

1. Purpose

The purpose of this section is to establish reasonable and uniform regulations to control any adverse effects of structures where the occupancy of the dwelling unit exceeds the maximum occupancy allowed by the base zoning district.

2. Permits

   A. A Conditional Use Permit is required for all new or expanding group living structures. The Conditional Use Permit shall be issued in conformance with the City’s standard Conditional Use Permit approval process described in Chapter 17.49.

   B. The structure must meet current building code requirements. Building permits are required when applicable.

   C. Any violation related to the Conditional Use Permit or Building Permit may result in the revocation of said permit.

3. Location

Group Living is only conditionally permitted in conformance with sections 17.14.020 and 17.17.020.
4. Parking
Parking shall be installed in conformance with Chapter 17.38. This includes the minimum number of parking stalls and the location of the parking stalls and driveway.

5. Occupancy Limitation
Occupancy is limited by the gross finished area of the dwelling unit. A structure in this category may be occupied by a maximum of one occupant for every 200 square feet of gross finished floor area, not including attached garages.

6. Useable Open Space
Useable open space shall be provided at a ratio of 1,386 square feet of open space for the first 6,000 square feet of lot area and an additional 231 square feet of open space for each additional 1,000 square feet of lot area. Gross lot area will be rounded to the nearest thousand to determine the minimum amount of open space required.

E. Exceptions
1. Lodging where tenancy may be arranged for periods of less than 30 days is considered a hotel or motel use and is classified in the Sales and Service category.

2. Lodging where the residents meet the definition of Household and where tenancy is arranged on a month-to-month basis, or for a longer period, is classified as Household Living.

3. Facilities for people who are under judicial detainment and under the supervision of sworn officers are included in the Detention Facilities category.
§17.14.020. Residential Zoning District Uses

<table>
<thead>
<tr>
<th>Category</th>
<th>Description (Excerpt)</th>
<th>AG</th>
<th>SFL</th>
<th>SFT</th>
<th>SFR</th>
<th>MFM</th>
<th>MFH</th>
<th>MFY</th>
<th>MIH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Residential occupancy of a structure by a group of people who do not meet the definition of a family.</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assisted Living Center (^1,^2)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nursing Home, Convalescent Home (^3)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Group Homes (^3)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other types of occupancy of a structure where the occupancy exceeds the maximum occupancy allowed by the base zoning district where care, training, or treatment IS provided on site.</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dormitories, Fraternities, Sororities (^3)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other types of occupancy of a structure where the occupancy exceeds the maximum occupancy allowed by the base zoning district where care, training, or treatment IS NOT provided on site.</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>No (^1)</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No (^1)</td>
<td></td>
</tr>
<tr>
<td>Household Living</td>
<td>Residential occupancy of a dwelling unit by a family</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>

1 Except for group living uses for which State or Federal preemption may require approval in this district.
2 For specific development regulations regarding structures where the occupancy exceeds the maximum occupancy allowed by the base zoning district see section 17.07.010 D.
3 Density for assisted living centers is determined on the basis of population for the facility. Using current census data, the number of units per acre is multiplied by the City of Logan person per household number to determine the maximum population per acre. In the SFR district, 5.5 units per acre would be multiplied by 3.25 persons for a population of 17 persons per acre. An assisted living center would be able to propose a population of clients less than or equal to 17 persons per acre in SFR.
<table>
<thead>
<tr>
<th>Residential Uses</th>
<th>Description (Excerpt)</th>
<th>Residential Zoning Districts</th>
<th>CN</th>
<th>CG</th>
<th>CC</th>
<th>CE</th>
<th>IND</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group Living</td>
<td>Residential occupancy of a structure by a group of people who do not meet the definition of Household Living</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assisted Living Center</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nursing Home, Convalescent Home</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Group Homes</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other types of occupancy of a structure where the occupancy exceeds the maximum occupancy allowed by the base zoning district where care, training, or treatment is provided on site.</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dormitories, Fraternities, Sororities</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other types of occupancy of a structure where the occupancy exceeds the maximum occupancy allowed by the base zoning district where care, training, or treatment is NOT provided on site.</td>
<td>No</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Household Living</td>
<td>Residential occupancy of a dwelling unit by a family</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

1. New household living (including the addition of dwelling units) is conditionally permitted only when floor space adjacent to the street or front of the building is comprised of commercial uses; the residential use is limited to space within the building or internal to the project. Renovation of existing residential properties does not require a Conditional Use Permit so long as the number of residential units(s) does not increase beyond the number that currently exists.

2. For new construction of residential dwellings, except new residential may be conditionally permitted when more than 50% of the project square feet is a commercial use.

3. A caretaker or security guard is permitted to live onsite within a mobile home or an existing dwelling unit on the site upon approval of a conditional use permit.

4. Except for group living uses for which State or Federal preemption may require approval in this district.

5. For specific development regulations regarding structures where the occupancy exceeds the maximum occupancy allowed by the base zoning district see section 17.07.010 D.
§17.38.030. Off-Street Parking Schedules
A. Off-Street Parking Requirements
The “Off-Street Parking Schedule” Table 17.38.030 lists the minimum off-street parking requirement for each use category defined in the Land Development Code. These requirements apply unless an Alternative Parking Plan is reviewed and approved in accordance with 17.38.100.

Table 17.38.030. Parking By Land Use Category

<table>
<thead>
<tr>
<th>Category</th>
<th>Specific Uses</th>
<th>Number of Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td>Land use with unique parking characteristics refer to the subsection following this table.</td>
</tr>
<tr>
<td>Group Living</td>
<td>Organized group living</td>
<td>Refer to §17.38.030 B: Unique Characteristics</td>
</tr>
<tr>
<td></td>
<td>Structures which exceed the maximum occupancy established by the base zoning district and do provide care, training, or treatment on site.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Assisted Living Center</td>
<td>1-per-2-beds-as-established-in-permit</td>
</tr>
<tr>
<td></td>
<td>Structures which exceed the maximum occupancy established by the base zoning district and do not provide care, training, or treatment on site.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Refer to §17.38.030 B: Unique Characteristics</td>
<td>1 space per occupant plus 1 guest parking space per 6 spaces</td>
</tr>
<tr>
<td>Household Living</td>
<td>Multi-dwelling structures</td>
<td>2 per dwelling unit plus 0.25 guest parking spaces per dwelling unit with a minimum of one guest parking space</td>
</tr>
<tr>
<td></td>
<td>Single family dwelling</td>
<td>2 per dwelling unit</td>
</tr>
<tr>
<td></td>
<td>Accessory dwelling</td>
<td>1 per accessory dwelling</td>
</tr>
<tr>
<td>Co-housing, dormitory, fraternity, sorority, or other student housing</td>
<td>Student rentals</td>
<td>1 space per occupant plus 1 guest parking space per 6 spaces</td>
</tr>
</tbody>
</table>
STATE OF UTAH
COUNTY OF CACHE, et al.

On this 20th day of July, 2004, personally appeared before me Rachelle S. Thomas, who being first duly sworn, deposés 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

NOTICE OF PUBLIC HEARINGS FOR PURPOSES OF REZONING PROPERTY

AND AMENDING THE LAND DEVELOPMENT CODE

a copy of which is hereto attached, was published in said newspaper for One (1) issue,

commencing July 20, 2004 and


Signed Rachelle S. Thomas

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

Signed

Notary Public.


NOTICE OF PUBLIC HEARINGS FOR PURPOSES OF REZONING PROPERTY AND AMENDING THE LAND DEVELOPMENT CODE

The Logan Municipal Council will hold public hearings to consider the following:

1. Bridgerland Meadows Rezone. Don Barringer/Charlie Fullmer, applicant/owner, requests a rezone from the Commercial General (CG) zone to the Multi-Family Medium (MFM) zone on 36 acres at approx. 1400 North 400 West. TIN#04-081-0018,0019,0020,0021.

2. Land Development Code Group Living Amendments. City of Logan, applicant/owner, requests a text change to Logan City Land Development Code Chapter 17.07.010 and 17.08.030 regarding group living in the multifamily zones.

3. Procedures for Processing Applications. City of Logan, applicant/owner, requests a text change to the Logan City Land Development Code, Chapter 17.55 regarding clarification of notification requirements.

Public hearings will be held before the Logan City Council, Tuesday, August 3, 2004, not before 6:15 p.m., in the Council Chambers at 255 North Main Street, Logan, Utah. Interested citizens are invited to attend.

Lois Price, Recorder
Publication Date: July 20, 2004
PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, etc.,

On this 16th day of August, 2004, personally appeared before me, Rachelle S. Thomas, 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

LOGAN MUNICIPAL COUNCIL

A copy of which is hereto attached, was published in said newspaper for One (1) issue commencing August 15, 2004, and ending August 15, 2004.

Signed: Rachelle S. Thomas

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

Signed: Cynthia K. Fulton

Notary Public.


LEGAL NOTICE

LOGAN MUNICIPAL COUNCIL

SUMMARIES OF ORDINANCES amending the Logan Municipal Code, 1989, adopted August 3, 2004 and approved August 5, 2004 by the Logan Municipal Council and Mayor as follows:

ORD. 04-65. An ordinance amending the Zoning Map of Logan City, Utah rezoned 36 acres at approx. 1400 North, 400 West from Commercial General (CG) to Multi-Family Medium (MFM) for Tax ID Nos. 04-081-0016, 0018, 0019, 0020, 0021. Also identified as "Bridgerland Rezone."

ORD. 04-64. An ordinance vacating 33 feet of property on the north side of 500 North right-of-way adjacent to parcel Tax Identification No. 05-066-0018 located at 305 West 500 North.

ORD. 04-63. An ordinance vacating 33 feet of property on the north side of 500 North right-of-way adjacent to parcel Tax Identification No. 03-065-0002 located at 305 West 500 North.

ORD. 04-66. An ordinance amending Section 17.55.030, Public Notice, clarifies notice requirements to affected property owners relative to changes to the Zoning Map, Land Development Code or General Plan. Among other things, the ordinance stipulates that the Logan Municipal Council shall comply with the public noticing requirements specified in Utah Law in adopting an amendment to the Official Zoning Map, Land Development Code, or the General Plan.


The ordinance, among other things, requires conditional use permits for all new or expanding group living structures; limits occupancy by gross finished dwelling unit area; and requires provision of useable open space based on sq. ft. of lot area. Parking requirement are also set forth.

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, 255 North Main, during regular business hours.

Lois Price, Recorder
Publication Date: August 15, 2004

Notary Public * State of Utah
CYNTHIA K FULTON
320 West 1330 North
Logan, UT 84341