CITY OF LOGAN, UTAH
ORDINANCE NO. 11-67

AN ORDINANCE AMENDING TITLE 17 THE LAND DEVELOPMENT CODE OF LOGAN CITY, UTAH

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

SECTION 1: That certain code entitled “Land Development Code, City of Logan, Utah” Chapter 17.19.060: “Town Center (TC) Development Standards,” and Table 17.11.200.B “Maximum Residential Densities (Dwelling Units per Acre)” are hereby amended as attached hereto as Exhibits A and B respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF September, 2011.

AYES: Olsen, Magoon, Davies, Quaile.
NAYS: Abstained: Magoon.
ABSENT: None

Herm Olsen, Chair

ATTEST:
Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the 20 day of September, 2011.

Herm Olsen, Chairman

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby adopted this 20 day of September 2011.

Randy Watts, Mayor
17.19.060: Town Center (TC) Development Standards

### Residential Density
<table>
<thead>
<tr>
<th>Units/acre (max)</th>
<th>3,070</th>
</tr>
</thead>
<tbody>
<tr>
<td>Units/acre (max w/ bonus)</td>
<td>6,0100</td>
</tr>
</tbody>
</table>

### Site
- Lot coverage (max): 100%

### Building Frontage
- % at front setback (min) – TC-MS: 100%
- % at front setback (min) – TC-Other: 75%
- % at side setback: 40%

### Setbacks
- A: Front (min-max): 0'-5'
- Civic space exception: Track 2
- B: Side (min): 0'-5'
- C: Rear (min): 0'
- Parking (min): 10'

### Parking
- Residential (min-max): 0.5/unit-2/unit
- Commercial (min): Varies by use
- Commercial (max): See §17.38.040
- Location: Rear
- 50% max. surface parking. See notes in header of Table 17.38.040

### Land Set Asides (17.35.020)
- Open Space: Not required
- Useable Outdoor Space: Not required

### Building Form

#### Building Heights
- **Main Street Frontage**
  - Height (min-max): 38'-68'
  - Height with bonus (max): 88'
- **Side Street Frontage**
  - Height (max): 40'

#### Floor Heights (floor to ceiling)
- Ground Floor (min-max): 12'-20'
- Upper Floors (min): 9'

#### Transparency
- Ground Floor (frontage): 60%
- Upper Floors (frontage): 20%

#### Entrances
- 1 per 40 linear feet of frontage. A functioning entrance, open during business hours, is required along each frontage. Buildings with two frontages may substitute an angled entrance at the corner. See also Section 17.18.030, Building Orientation and Entries.
A. Qualifiers for Residential Density and Height Bonuses

To qualify for bonuses, the owner/developer shall meet or exceed the number of listed qualifiers shown in Table 17.11.200.A or B. Those qualifiers are described below.

1. Open Space Substitution:
   a. Intent: To encourage an increase in open space in locations prioritized in the General Plan for resource conservation and open land preservation.
   b. Standards:
      1) There shall be a well-documented report as to the condition and market value of the substituted open space which demonstrates that the land or fees being substituted is equivalent or greater in value than open space that would have been required to be set aside on the property being developed.
      2) As part of the application for Design Review, as applicable, the owner(s) of lands proposed as open space in exchange for a bonus shall voluntarily consent to a rezoning of the open space area with the Open Space zoning district, and shall submit a written statement to this affect or if exchanged open space is located within the future annexation area of the city, the owner voluntarily places the open space in a permanent land conservation easement until annexation occurs at which time the open space would be zoned open space.
      3) The owner(s) of the land proposed to substitute open space shall accept the imposition of reasonable conditions and legal safeguards by the Planning Commission in its granting of a bonus, so as to assure compliance with all applicable standards and provisions of this Ordinance.
      4) In approving any bonus, the Planning Commission shall find that sufficient funding and management provisions exist for the future maintenance of the substituted open space. As a condition of award of the density bonus, the Planning Commission may require the developer/owner to provide proof of encumbered monies necessary to provide a reasonable level of maintenance of the open space for a period of at least three (3) years beyond initial occupancy of the principal use being developed on the site.
      5) Amount of bonus shall be equal in value to Land Set Aside substituted. Requirements for Land Set Asides are specific in Chapter 17.35.
Project Name: Town Center Text Amendment  
Proponent: Logan City  
Project Address: Citywide  
Request: Amendment to the Land Development Code  
Current Zoning: NA  
Type of Action: Legislative  
Staff Recommendation: Approval  
Presented By: Glen Goins, Planning Manager

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Logan Municipal Council of Project #11-029, an amendment to the Land Development Code (LDC).

REQUEST
The request is for an amendment to Table 17.11.200.B “Maximum Residential Densities (Dwelling Units Per Acre),” and Section 17.19.060 “Town Center Development Standards” of the Land Development Code. The proposal is to amend these sections by increasing the maximum residential density from 30 units per acre to 70 units per acre, and increasing the maximum residential density with a density bonus from 60 units per acre to 100 units per acre.

GENERAL PLAN
Staff finds the request consistent with the purposes and intent of the General Plan, as well as future zoning efforts, which intend to implement the policies of the General Plan. The Plan states that “the intent of the Town Center (TC) designation is to promote and compliment Logan’s downtown...(and)...in order to maintain the downtown as the central hub for both Logan and Cache Valley, the Town Center will have a mix of retail, office, residential, and civic uses in addition to entertainment and cultural activities. Regarding density and form, the Plan recommends that “new buildings will be more than one story, constructed of traditional building materials, and will be designed to be architecturally complementary to the existing downtown historic structures.” Staff finds a most obvious and practical tool for implementing the idea of building up and adding "substance" to the key blocks identified as the Town Center is density.

DOWNTOWN SPECIFIC PLAN (Draft)
The Draft Logan Downtown Specific Plan, Land Use and Design Concepts – Living Downtown Section recommends introducing "higher-density housing Downtown...(as well as)...more mixed-use developments throughout Downtown, with housing units over retail and office space." Adding increased density and housing-over-retail opportunities is also one of the goals of the Plan for "Enhancing the Business Mix." The Downtown Alliance Economic Restructuring Committee is actively seeking sites to promote increased density developments, such as the subject property. Staff finds the increased density in compliance with the recommendations of the draft Plan.

DENSITY
The current allowable density in the Town Center Zone is a maximum of 30 units per acre, and a maximum of 60 units per acre if the maximum density bonus is granted. When considering this density against the standard maximum height allowed and the maximum height allowed with a density bonus, it is not practical to expect that any such development would utilize the maximum height or take advantage of a bonus at the current density levels. Another consideration of staff is that there are few large parcels of land to be developed, and it is unlikely that many parcels of one acre or larger would be assembled for development. Meaning, the intent of adding density to the downtown can be accomplished on smaller parcels which build more vertically. Increased density supports this.
Another factor considered is that the code focuses significant attention on the form of new structures. New structures in the downtown are subject to the design requirements incorporated into the code. These requirements work to ensure that new designs are sensitive and compatible with the future vision of the downtown. Because no changes are proposed to the building height, additional density would occur within buildings which could reach the same height as with a lower density, and remain subject to parking and other considerations.

The Town Center is a very specifically defined area, and the statement that density makes towards providing opportunities for preserving areas we intend to preserve by allowing density where it is intended and relieving development pressures elsewhere.

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

AGENCY AND CITY DEPARTMENT COMMENTS
All of the agencies responding to this request have recommended approval.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. Utah state law authorizes local planning commissions to recommend ordinance changes to the legislative body (Municipal Council) that are consistent with the role of the Planning Commission.

2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.

3. The proposed Code Amendment presents language that is clear for the general public.

4. No projects are negatively impacted by the proposed ordinance.
Housing Density Examples

14 DU / ACRE
1 - 2 STORIES
HASTINGS GREEN
SE PORTLAND

20 DU / ACRE
2 STORIES
TOWN HOMES
LAKE OSWEGO

30 DU / ACRE
3 STORIES
STANDARD DAIRY
NE PORTLAND

40 DU / ACRE
3-4 STORIES
STAFFORD COMMON
LAKE OSWEGO

50 DU / ACRE
5 STORIES
BELMONT DAIRY
SE PORTLAND

60 DU / ACRE
4 STORIES
555 2ND STREET
LAKE OSWEGO

100 DU / ACRE
6 STORIES
PATTON PARK APTS.
N PORTLAND

140 DU / ACRE
5 - 7 STORIES
KEARNEY PLAZA APTS.
NW PORTLAND
R-19: Whittier Square

Site Information

- **Existing Zoning:** HR-X/MU-X
- **Number of Dwellings:** 191*
- **Site Acreage:** Gross: 3.9, Net: 3.9
- **Gross Density:** 48.9 Dwelling Units/Acre*
- **Net Density:** 48.9 Dwelling Units/Acre*
- **Open Space/Unit:** 480 SF
- **Year Built:** 1984

* For purposes of the density limits of Section 9-3.2-1, “Schedule of Bulk Requirements,” B.R.C. 1981, two efficiency living units constitute one dwelling unit. Whittier Square has 81 efficiency living units. Incorporating this into our density calculation we have 151 dwelling units, with a gross and net density of 38.7 Dwelling Units/Acre. Each unit has 608 SF of dedicated Open Space.

**Site also contains 2,200 SF of office/retail floor area on a .2 acre lot. This portion of the site is not included in the residential density calculation.**

Legend:
- **Gross**
- **Net**
- **Office**

48.9 DU/Acre (gross)  
48.9 DU/Acre (net)
San Rafael, California

LONE PALM COURT (840 C Street)

70 units per acre

This development by Samuelson & Schaffer consists of 60 residential apartments (affordable and market-rate) that sits directly across from Centertown. Like the other C Street development, it was assisted by state-mandated "set-aside" funds. The state mandates that 20% of the tax increment revenue (i.e. the tax revenue obtained from redevelopment projects in excess of the level of tax revenue generated by the areas prior to redevelopment) be set aside for affordable housing projects like this one.

40% of Lone Palm Court's units are classified affordable to very low income residents.
PROJECT: 444 Escondido Boulevard (Tract 958)
45.60 units per acre

Location: Block of Escondido Blvd, Fourth, Fifth Ave. and Maple Street.
Size: 2.74 acres
Project includes: 10,010+ SF Ground-floor Pedestrian-Oriented Commercial

Details: 125 residential units: 72 Flats: 6 one-bdrm, 54 two-bdrm, 12 three-bdrm.
53 Town homes: 39 two-bdrm, 14 three bdrm
283-parking spaces on site (surface spaces, town home garages, podium garage)

Status: Approved, not under construction
PROJECT: So Cal Affordable Senior Units (2006-03-PD/SP)  
53.50 units per acre

Location: 215 E. Washington Avenue
Size: 1.14 acre
Details: 61 1-bedroom affordable apartments
Parking: 52 surface parking spaces
Status: Approved, not under construction
PROJECT: City Plaza (2007-11-PD/SP)  
68.75 units per acre

Location: 328 S. Escondido Blvd
Size: 0.80 acre (68.75 du/acre)
Project includes: 9,350+ SF
Ground-floor Pedestrian-Oriented Commercial

Details: 55 residential market rate apts:
7 one-bdrm, 48 two-bdrm
126- parking spaces, at-and below-grade podium garage
Status: Under Construction
PROJECT: Venue (Tract 926)
70.70 units per acre

Location: Centre City Parkway / Washington
Size 1.16 acre
Details: 82 Condominiums: 28-1 bdrm, 54-2 bdrm
157 parking spaces, at-and below-grade podium garage
Status: Under Construction
There are two lots that the project is split between. The first one is the area between Washington and Kiesel Avenue so it has two street frontages. There are 6 buildings on this 2.02 acre parcel. Four of the buildings have frontage on the streets so they have retail on the ground floors. There is also an inner area that has two strictly residential buildings.

**Data**

- Lot size: 2.02 acres
- Ground level Retail: 19,054 sq feet
- Ground level residential: 9,047 sq. ft
- Residential above first floor: 48,656 sq. ft.
- Total number of dwellings: 57 (28.2 D.U.A.)

The second lot has a five story building visible on the left side of the picture below. This has frontage on Kiesel Avenue. Parking for this building is located in the parking structure where the other development had parking for the residential units on its lot while its retail parking was provided in the common parking structure.
Data:
Lot size: 17,041 sq. ft.
Retail floor area: 7,833 square feet
Ground level residential entrance: 679 square feet
Total residential square feet above 1st floor: 30,228 sq. ft.
Total number of dwellings: 36 (92 D.U.A.)
## Entity: Logan

### Public Body: Municipal Council

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Land Use</th>
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<tbody>
<tr>
<td>Notice Title:</td>
<td>Text Amendment</td>
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<tr>
<td>Meeting Location:</td>
<td>290 North 100 West</td>
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<tr>
<td>Logan</td>
<td>84321</td>
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<tr>
<td>Notice Date &amp; Time:</td>
<td>September 10, 2011 10:02 PM - 7:00 PM</td>
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<tr>
<td>Description/Agenda:</td>
<td>The Logan Municipal Council will hold a public hearing to consider the following: PC 11-029 Land Development Code Text Amendment to Town Center Zone. City of Logan requests a text amendment to the Town Center (TC) zone in the Land Development Code (LDC). Public hearing will be held before the Logan Municipal Council on Tuesday, September 20, 2011, not before 5:30 p.m. in the Logan City Municipal Council Chambers at 290 North 100 West, Logan, Utah. Interested citizens are invited to attend.</td>
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### Notice of Special Accommodations:

Individuals needing special accommodations should notify Teresa Harris, 435-716-9002, at least two working days prior to the meeting. Hearing enhancement devices are available on request.
A councilmember may join a meeting electronically upon proper notice of the meeting and 24-hour notice to councilmembers. A councilmember participating electronically will be connected to the meeting by telephone.

<table>
<thead>
<tr>
<th>Notice of Electronic or telephone participation:</th>
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<tbody>
<tr>
<td>Other information:</td>
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<tr>
<td>Contact Information:</td>
</tr>
<tr>
<td>Teresa Harris, City Recorder</td>
</tr>
<tr>
<td>435-716-9002</td>
</tr>
<tr>
<td><a href="mailto:tharris@loganutah.org">tharris@loganutah.org</a></td>
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Printed from Utah's Public Notice Website (http://pmn.utah.gov/)
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 11-029 LDC TEXT AMENDMENT TO TOWN CENTER ZONE.** City of Logan requests a text amendment to the Town Center (TC) zone in the Land Development Code (LDC).

The Municipal Council is tentatively scheduled to hold a workshop on this zone change on Tuesday, September 6, 2011, and tentatively scheduled to hold a **public hearing on Tuesday, September 20, 2011.** Both meetings will be held in the City Hall Conference Room at 290 North 100 West and will not begin before 5:30 pm.

Please contact the Community Development Department at 716-9021 for further information.