CITY OF LOGAN, UTAH
ORDINANCE NO. 15-15

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 17.15: “Specific Development Standards: Residential Zones” is hereby amended as attached hereto as Exhibit A, respectively:

SECTION 2: That certain code entitled “Land Development Code, City of Logan, Utah” Chapter 17.19: “Specific Development Standards: District and Corridor Zones” is hereby amended as attached hereto as Exhibit B, respectively:

SECTION 3: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF September, 2015.

AYES: Simmonds, Needham, Olson, Harris, Ward
NAYS: None
ABSENT: None

Jeannie F. Simmonds, Chair
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 15 day of September, 2015.

Jeannie F. Simmonds, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this 15 day of September, 2015.

Craig Petersen, Mayor
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: September 1, 2015
FROM: Mike DeSimone, Director
SUBJECT: LDC Text Amendment – Side Yard Setback Modification

Summary of Planning Commission Proceedings

Project Name: Side Yard Setback Modification
Request: Code Amendment
Project Address: City-wide
Recommendation of the Planning Commission: Approval with modification

On August 13, 2015, the Planning Commission recommended that the Municipal Council approve a request to amend the Land Development Code Chapter 17.15 (Specific Development Standards: Residential Zones) and Chapter 17.19 (Specific Development Standards: District and Corridor Zones) to modify the side yard setback requirement in the MR-9, CR, COM, CC, CS, I & AP to 0’ for common wall construction only. This amendment does not modify the minimum setback for other types of construction.

Planning Commissioners vote (6-0):
Motion for Recommendation: T. Jensen
Second: T. Nielson
Nay: none

Attachments:
Staff Report
Ordinance 15-015
PC Meeting Minutes
REPORT SUMMARY...

Project Name: Side Yard Setback Modification
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: August 13, 2015
Submitted By: Mike DeSimone, Director

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendments to the Land Development Code (LDC): Sections 17.15 (Specific Development Standards: Residential Zones), and 17.19 (Specific Development Standards: District and Corridor Zones).

REQUEST
The proposed amendments to Sections 17.15.080 (MR-9), 17.15.120 (CR), 17.19.070 (COM), 17.19.090 (CC), 17.19.110 (CS), 17.19.120 (I), and 17.19.130 (AP) modify the side setbacks to provide for common walls (walls shared between buildings) and which would typically have a zero setback associated with them. The proposed modification to the existing language distinguishes between common wall construction with a zero setback versus typical construction utilizing regular side yards without a common wall. The proposed changes do not authorize zero setbacks without common wall construction.

This amendment is a response to the recent Design Review permit the Planning Commission reviewed for a medical complex off of 14th North. The owner is in the process of subdividing the property and building, but is unable to complete the plat until the Code is changed to permit a zero setback with a common wall.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments are relatively minor in nature and are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

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

PUBLIC NOTIFICATION
Legal notices were published in the Herald Journal on July 23, 2015, posted on the City's website and the Utah Public Meeting website on July 14, 2015, and noticed in a quarter page ad on July 26, 2015.
AGENCY AND CITY DEPARTMENT COMMENTS
No comments have been received.

RECOMMENDED FINDINGS FOR APPROVAL
The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments clarify side yard setbacks for common wall development patterns which is appropriate in the multi-family residential, commercial and industrial zones.
4. The provisions of these amendments are consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.
§17.15.080 Mixed Residential (MR-9) Development Standards

Residential Density
Units/Acre (max) 9

Site
Min. Lot Size 4,000 sq ft²

Lot Width (min. average/block) 40'
Lot width average does not apply to flag lots and courtyard homes.
Lot Coverage (max bldg. footprint) 70%

Setbacks
Front 15'
Corner 15'

Side – Common Wall 8'
Side – Non Common Wall (Min) 8'

Rear 10'
Canal (recognized top bank) 15'

Parking
Required Stalls 2.0 / Unit

Land Set Asides (17.35.020)
Open Space 20%
Useable Outdoor Space 10%

Attached Garage
Garages with street facing garage door(s) shall not extend more than 10' beyond the front plane of the primary structure (side entry garages-15' setback).
Maximum width of street facing garage doors shall not exceed 50% percent of the overall width of the primary structure.

Accessory Structures/Detached Garages
Building footprint shall not exceed 100% of the primary structure footprint.
Maximum width of street facing garage doors shall not exceed 50% percent of the overall width of the primary structure.

Detached Garage Setback
From front plane of Primary Structure 10'
(side-entry garage - 15' setback)
Detached garage distance from rear or side of primary structure 6'
Side/Rear Setbacks (accessory structure) 5'
Structures less than 120 ft² 1'

Driveway
Driveway Width (min-max) (max width within 15' of street ROW) 12'-22'
Driveway Setback from side property line (shared driveway exempt) 2'
Driveway Access Curb Cut Width (max) (driveways shall lead to parking stalls located outside of building setbacks) 24'

Building Height
Primary Building (Max) 35'
Accessory Building (Max) 15'

Building Form
Covered Front Stoop/Porch (min-max depth) 4'
Primary Roof Pitch 5:12
Roof Overhang (min) 1'
17.19.070: Commercial (COM) Development Standards

Residential Density
Units/acre (max) 30

Site
Lot coverage (max) 60%

Building Frontage
% at front setback (min) 50%

Setbacks
A Front (min) 10'
B Side – Common Wall (min) 0'
C Side – Non Common Wall (min) 8'
D Rear (min) 10'
Parking (min) 15'

See §17.14.050 for additional setback requirements if adjacent to a residential zone.

Parking
Residential (min-max) 1/Unit - 2/Unit
Commercial (min) Varies by use
Commercial (max) See §17.38.040
Location Rear or Side

Land Set Asides (17.35.020)
Open Space 10%
Useable Outdoor Space 10%

Building Form

Building Heights
Stories (min) NA
Height (max) 38'

Floor Heights (floor to ceiling)
F Ground Floor (min) 12'
G Upper Floors (min) 9'

Transparency (Fenestration)
Ground Floor (frontage) 30%
Ground Floor (exposed sides) 30%
Upper Floors (frontage) 20%

Entrances
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.
§17.19.090 Community Commercial (CC) Development Standards

**Residential Density**
- Units/Acre: 12

**Commercial Footprint Area**
- Per Parcel: 10,000 SF

**Site**
- Maximum Lot Coverage: 60%
  - No Drive-Thru lane or window.
  - No Outside Storage.

**Setbacks**
- **Front (min-max):** 10'-25'
- **Corner:** 10'-25'
- **Side Common Wall (min):** 80'
- **Side – Non Common Wall (min):** 8'
- **Rear (min):** 10'
  - Building Frontage: % at front setback (min)
  - % at front setback (min): 50%

**Parking**
- Parking is not permitted between the structure and the street in the CC zone. The CC zone is intended for neighborhood traffic and shall be designed at pedestrian scale. See Chapter 17.38 Parking Regulations.

**Landscaping (17.35.020)**
- Open Space: 10%
- Useable Outdoor Space: 10%

**Building Form**

**Heights**
- **Primary Building (max):** 35'
- **Accessory (max):** 15'
- **Fences & Walls – Front (max):** 4'
- **Fences & Walls – Side/Rear Yard:** 6'

**Roofs**
- **Roof Types:**
  - Flat or Sloped
  - (Flat roof requires Track 2 approval)
  - (Parapets are required for flat roofs – min 3 feet)
- **Sloped Roof Pitch (min):** 5:12
- **Roof Overhang:** 6''

**Transparency**
- **Ground Floor Frontages (street facing min):** 30%

**Elevations**
- Front, side and rear elevations shall be divided into distinct planes of 500 sq. ft. or less. Changes in wall plane shall project or recess at least 1 ft for a length of at least 6 ft.
17.19.110: Commercial Services (CS) Development Standards

Site

Lot coverage (max) 60%

Setbacks

A Front (min) 10'
B Side - Common Wall (min) 50'
Side - Non Common Wall (min) 5'
C Rear (min) 10'
Parking (min) 15'

See §17.14.050 for additional setback requirements if adjacent to a residential zone.

Parking

Commercial (min) Varies by use
See §17.38.040
Commercial (max) See §17.38.050

Land Set Asides (17.35.020)

Open Space 10%
Useable Outdoor Space 10%

Building Form

Building Heights

Stories (min) NA
D Height (max) 38'

Floor Heights (floor to ceiling)

Ground Floor (min) 12'
F Upper Floors (min) 9'

 Transp e racy (Fenestration)

Ground Floor (frontage) 30%
Ground Floor (exposed sides) 30%
Upper Floors (frontage) 20%

Site Plan Diagram

Site Section Diagram
17.19.120: Industrial (I) Development Standards

Site

Lot coverage (max) 50%

Setbacks

- Front (min) 20'
- Side Common Wall (min) 20'
- Rear (min) 10'
- Parking (min) 30'

See §17.14.050 for additional setback requirements if adjacent to a residential zone.

Parking

Commercial (min) Varies by use
See §17.38.040
Commercial (max) See §17.38.050
Location Rear or Side

Land Set Asides (17.35.020)

- Open Space: 10%
- Useable Outdoor Space: 10%

Building Form

Building Heights

- Stories (min) NA
- Height (max) 48'

Height may be increased to 80' with a Conditional Use Permit and upon demonstration of need.

Floor Heights

- Ground Floor (min) NA
- Upper Floors (min) NA

Transparency (Fenestration)

- Ground Floor (street facing elevations) 30%
- Other Elevations NA
17.19.130: Airport (AP) Development Standards

Site
Lot coverage (max) 60%

Building Frontage
% at front setback (min) 50%

Setbacks
A Front (min) 10'
B Side Common Wall (min) 20'
C Side - Non Common Wall (min) 20'
D Rear (min) 10'
Parking (min) 30'

See §17.14.050 for additional setback requirements if adjacent to a residential zone.

Parking
Commercial (min) Varies by use
See §17.38.040
Commercial (max) See §17.38.050

Land Set Asides (17.35.020)
Open Space 10%
Useable Outdoor Space 10%

Building Form
Building Heights
Stories (min) NA
D Height (max) 48'
Heights must comply with the Airport Master Plan

Floor Heights
Ground Floor (min) NA
Upper Floors (min) NA

Transparency (Fenestration)
Ground Floor (street facing elevations) 30%
Other Elevations NA
The Logan City Planning Commission will hold a public hearing to receive input on the following:

**PC 15-037 LDC Amendment – 17.15 & 17.19 Minimum Side Setbacks** Logan City requests amendment to the Land Development Code sections 17.15 & 17.19 to adjust the minimum side yard setback in the Mixed Residential (MR), Campus Residential (CR), Commercial (COM), Commercial Services (CS), Industrial Park (IP) and Airport (AP) zones to allow for common wall construction.

**PC 15-038 Bridgerland Meadows Zone Change** Don Barringer, authorized agent/owner, requests a rezone of 3.46 acres (a portion of Phase IV) from MR-12 to MR-20 located at 1530 North 500 West.

**PC 15-039 Whispering Oaks Zone Change** Joshua Wiscombe/Jensen, Raymond & Judy Z Trust, authorized agent/owner, request a zone change from Resource Conservation (RC) to Mixed Use (MU) on 1.10 acres located at 2250 S. Hwy 89/91.

**PC 15-040 LDC Amendment – 17.40 Temp Signs** Logan City requests amendment to the Land Development Code section 17.40 to clarify temporary signs.

The Municipal Council is tentatively scheduled to hold a workshop on these items on **Tuesday, Sept 1, 2015** and a public hearing on **Tuesday, Sept 15, 2015**. Both meetings will be held in the Logan City Municipal Council Chambers at 290 North 100 West at 5:30 pm. Contact the Department of Community Development at 716-9021 or [www.loganutah.org](http://www.loganutah.org) for more information.
Civil

PROOF OF PUBLICATION

STATE OF UTAH
COUNTY OF CACHE, ss

On this 21st day of September, A.D. 2015 personally appeared
before me JAIME MAW who being first being duly sworn, deposes and says that
(s)he is the Principal Legal 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
Legal Notice, a copy of which is hereto attached was published in said
newspaper for 1 issue(s) and that said notice also published on utahlegals.com
on the same days(s) as publication in said newspaper

Commencing on the following days:
09/20/2015

______________________ , Principal Legal Clerk

Subscribed and sworn to before me on this21st day of September, A.D. 2015

______________________ , Notary Public
Commissioned in the State of Utah

My Commission expires 10/18/2015

LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances
were adopted and approved by the Logan Municipal Council,
Logan, Utah on September 15, 2015.

ORD. 15-15 An ordinance amending the Land Development
Code Sections 17.15 & 17.19 to adjust the minimum side yard
in the Mixed Residential (MR), Campus Residential (CR),
Commercial (COM), Commercial Service (CS), Industrial
Park (IP) and Airport (AP) zones to allow for common wall
construction.

ORD. 15-18 An ordinance amending the Land Development
Code Section 17.40 to clarify temporary signs.

These ordinances are effective immediately upon publication.
Full texts of the ordinances may be reviewed at the office of
the Logan City Recorder, City Hall, 250 North 100 West,
Logan, Utah during regular business hours.

Teresa Harris, City Recorder
Publication Date: September 20, 2015