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 17.15.080 and 17.13.030: “Mixed Residential Development Standards” and “Residential Structure Types Allowed in Residential Zones” is hereby amended as attached hereto as Exhibit A.

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, ___.
THIS DAY OF November, 2017.

AYES: Necham, Daines, Jensen, Olson

NAYS: 

ABSENT: Simmonds

Holly Daines, Chair

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ___ day of November, 2017.

Holly Daines, Chair

MAYOR’S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby approved this ___ day of November, 2017.

H. Craig Petersen, Mayor
§17.15.080 Mixed Residential (MR-9) Development Standards

### Residential Density

<table>
<thead>
<tr>
<th>Units/Acre (max)</th>
<th>9</th>
</tr>
</thead>
</table>

### Site

<table>
<thead>
<tr>
<th>Min. Lot Size for Single Family Detached House</th>
<th>4,000 sq ft²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lot Width for Single Family Detached House (min. average/block)</td>
<td>40'</td>
</tr>
<tr>
<td>Lot Coverage (max building footprint)</td>
<td>70%</td>
</tr>
</tbody>
</table>

### Setbacks

<table>
<thead>
<tr>
<th>Front</th>
<th>15'</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corner</td>
<td>15'</td>
</tr>
<tr>
<td>Side - Common Wall</td>
<td>0</td>
</tr>
<tr>
<td>Side - Non Common Wall (min)</td>
<td>8'</td>
</tr>
<tr>
<td>Rear</td>
<td>10'</td>
</tr>
<tr>
<td>Canal (recognized top bank)</td>
<td>15'</td>
</tr>
</tbody>
</table>

### Parking

- Required Stalls: 2.6 / Unit

### Land Set Aside (§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').
- 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 (side-entry garage - 15' setback): 10'
- 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): 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'
Table 17.13.030: Residential Structure Types Allowed in Residential Districts

<table>
<thead>
<tr>
<th>Type of Residential Structure</th>
<th>NR-2</th>
<th>NR-2</th>
<th>NR-6</th>
<th>MR-9</th>
<th>MR-12</th>
<th>MR-20</th>
<th>MR-JD</th>
<th>CR</th>
<th>NC</th>
<th>RC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Courtyard house, attached</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Courtyard house, detached</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Front yard house, attached</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Front yard house, detached</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Live work</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>N</td>
</tr>
<tr>
<td>Multi-dwelling, attached</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Multi-dwelling, stacked</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Manufactured housing unit</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>C</td>
<td>N</td>
</tr>
<tr>
<td>Twinhome (Duplex)</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Town House</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
</tr>
</tbody>
</table>
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: October 31, 2017
FROM: Russ Holley, Senior Planner
SUBJECT: Ordinance #17-27 MR Zone Development Standards

Summary of Planning Commission Proceedings
Project Name: MR Zone Development Standards
Request: Code Amendment
Project Address: Citywide
Recommendation of the Planning Commission: Approve

On Oct. 12, 2017, the Planning Commission recommended that the Municipal Council approve the MR Zone Development Standards project that amends the development standards for the MR-9 zoning district.

Planning Commissioners vote (5 - 1):
Motion: T. Nielson
Second: S. Goodlander

Attachments:
Staff Report
Ordinance #17-27
Planning Commission Meeting Minutes from Oct. 12, 2017
Project #17-031
MR Zone Development Standards
Code Amendment

REPORT SUMMARY...
Project Name: MR Zone Development Standards
Proponent/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: Oct. 12, 2017
Submitted By: Russ Holley, Senior Planner

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council for the following amendments to the Land Development Code (LDC): Section 17.13 & 17.15 (Mixed Residential Development Standards).

REQUEST
This proposed modification to Section 17.13.030 (Structure Type Table) of the Land Development Code proposes the outright allowance of Townhomes and Multi-Dwelling Attached (4-plex or smaller) in the MR-9 zoning district. The proposal also includes modifications to 17.15.080, which clarifies lot size and width applicability for single family homes in the MR-9 zone.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. These proposed amendments help clarify the overall code and simplify its administration and implementation. The proposed amendments are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
Staff considers townhomes, duplexes, triplexes and fourplexes appropriate structure types within the MR-9 zoning district if density and acreage are below the allowed maximums. If lot widths and minimum sizes apply to all structure types, it becomes problematic for a townhome or twin-home project to individually sub-divide and sale. A higher ratio of home ownership is something Logan City is striving to achieve and these adjustments will help to facilitate that.

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 7/2/17, posted on the City's website and the Utah Public Meeting website on 7/2/17, and noticed in a quarter page ad on 6/25/1.

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 the applicability of lower density structure types and clarify lot width and size applicability for multi-family residential projects.
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.
Minutes of the meeting for the Logan City Planning Commission convened in regular session on Thursday, October 12, 2017. Chairman Price called the meeting to order at 5:30 p.m.

Commissioners Present: David Butterfield, Regina Dickinson, Sandi Goodlander, Tony Nielson, Eduardo Ortiz, Russ Price

Commissioners Excused: Dave Newman

Staff Present: Mike DeSimone, Russ Holley, Amber Pollan, Paul Taylor, Kymber Housley, Debbie Zilles

Minutes from the September 14, 2017 meeting were reviewed. Commissioner Nielson moved that the minutes be approved as submitted. Commissioner Goodlander seconded the motion. The motion was unanimously approved.

PUBLIC HEARING

PC 17-031 LDC Amendment – MR Zone Development Standards – continued from July 13, 2017 [Code Amendment] – Logan City requests an amendment to the Land Development Code Chapter 17.13 Neighborhood Residential Zone Structure Type (Table 17.13.030); Chapter 17.15 Specific Development Standards Residential Zones Section(s) 17.15.080 (MR-9), 17.15.090 (MR-12), and 17.15.110 (MR-30) to clarify the specific development standards in the MR-9 and MR-12 zones and establish building length and mass standards in the Mixed Residential (MR) zones.

STAFF: Mr. Holley reviewed the proposal for modification to Section 17.13.030 (Structure Type Table) of the Land Development Code for allowance of townhomes and multi-dwellings in the MR-9 zoning district. The proposal includes modifications to 17.15.080, which clarifies lot size and width applicability for single-family homes in the MR-9 zone.

Staff considers townhomes, duplexes, triplexes and four-plexes appropriate structure types in the MR-9 zoning district if density and acreage are below the allowed maximums. If lot widths and minimum sizes apply to all structure types, it becomes problematic for a townhome or twin-home project to individually subdivide. A higher ratio of home ownership is something Logan City is striving to achieve and these adjustments will help facilitate that.

PUBLIC: None

COMMISSION: Commissioner Ortiz questioned the language in LDC §17.12.070 "Promote both the detached, single-family character and limited attached housing that meets the needs of a wide range of residents". Mr. Holley explained that the intent wording in the Land Development Code is not regulation language, the proposed changes will not be contradictory. The City can still promote detached housing, as well as multi-family, in the MR-9 zone. Lower density zones naturally limit larger complexes. Purpose statements are often difficult to define when it comes to "promoting and/or limiting." Both attached and detached structure types would be allowed in the MR-9 zone.
Commissioner Ortiz wanted to ensure that the concept of the zone remains compatible with these changes.

Commissioner Nielson asked how the maximum width of street-facing garage doors (not exceeding 50% of the overall width of the primary structure) is measured. Mr. Holley said the door is measured against the house to determine the percentage.

Chairman Price clarified that this zone will now be similar to other zones in terms of the ability to split lots.

Commissioner Ortiz felt that it is important, when making changes to the Land Development Code, that the concept is in line with the requirements and clear to understand. Chairman Price asked Commissioner Ortiz if he thought "limited" should be removed from the language. Commissioner Ortiz agreed. Chairman Price questioned whether it would be a significant change; he thinks that the MR-9 zone is a conceptual idea that is still not clear. Mr. DeSimone explained that the intent/purpose language is very general, the goal is to align the intent statement with specific regulations and will be handled in future amendments. Chairman Price agreed that the language within the Code should be enforceable.

Chairman Price understands that this zone is being aligned with other zones, however, it permits a large development to subdivide, allowing for individual units to be sold. Although he agrees that this may help provide more home ownership opportunities, the potential consequences can become problematic and it is much more difficult to re-aggregate a "project" if units are separately owned. He would like to have more discussion about all the Mixed-Residential zones in the future and how this aspect is being handled. Mr. Nielson agreed.

MOTION: Commissioner Nielson moved to recommend approval to the Municipal Council for an amendment to the Land Development Code as outlined in PC 17-031 based the findings for approval as listed below. Commissioner Goodlander seconded the motion.

FINDINGS FOR APPROVAL
1. Utah State Law authorizes local Planning Commissions to recommend ordinance changes to the legislative body (Municipal Council).
2. The amendment is in conformance with the requirements of Logan Municipal Code Title 17.51.
3. The amendment clarifies the applicability of lower-density structure types and lot width and size applicability for multi-family residential projects.
4. The provision of the amendment is consistent with the overall goals and objectives of the Logan General Plan.
5. No public comment has been received regarding the proposed amendment.

Moved: Commissioner Nielson   Seconded: Commissioner Goodlander   Approved: 5-1
Yea: Butterfield, Dickinson, Goodlander, Nielson, Price   Nay: E. Ortiz   Abstain:
STATE OF UTAH
COUNTY OF CACHE, ss

On this 29th day of November, A.D. 2017 personally appeared before me JENNIFER BIRCH who being first being duly sworn, deposes and says that she 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 day(s) as publication in said newspaper

Commencing on the following days:
11/26/2017

______________________________
JENNIFER BIRCH, Principal Legal Clerk

Subscribed and sworn to before me on this 29th day of November, A.D. 2017

______________________________
NOTARY PUBLIC
Commissioned in the State of Utah
My Commission expires 10/18/2019

LEGAL NOTICE
LOGAN MUNICIPAL COUNCIL
SUMMARY OF AN ORDINANCE - The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on November 21, 2017:
ORD. 17-26 An ordinance amending the Land Development Code Chapter 17.24 Airport Overlay Zone to clarify permitted uses.
ORD. 17-28 An ordinance amending Chapter 2.52 of the Logan Municipal Code regarding the Duties of and the Standards of Review to be applied by the Employee Appeals Board.

These ordinances are effective immediately upon publication. Full texts of the ordinances can be reviewed at the office of the Logan City Recorder, City Hall, 290 North 100 West, Logan, Utah during regular business hours.
Teresa Harris, City Recorder
Published November 26, 2017 Ref. No. 1699651