CITY OF LOGAN, UTAH
ORDINANCE NO. 18-08

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 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS DAY OF \textbf{August}, 2018.

AYES: Simmonds, Anderson, Jensen
NAYS: Olsen, Bradfield
ABSENT:

\begin{center}
\includegraphics[width=0.5\textwidth]{signature}
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Thomas C. Jensen, Chair

ATTEST: Teresa Harris, City Recorder

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The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \textbf{7} day of \textbf{August}, 2018.

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Thomas C. Jensen, Chair

\textbf{MAYOR'S APPROVAL OR DISAPPROVAL}

The foregoing ordinance is hereby \textbf{approved} this \textbf{7} day of \textbf{August}, 2018.

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Holly H. Daines, Mayor
MEMORANDUM TO MUNICIPAL COUNCIL

DATE: April 27, 2018
FROM: Mike DeSimone, Director
SUBJECT: Ordinance #18-08 (2018 Land Development Code Update)

Summary of Planning Commission Proceedings

Project Name: 2018 Land Development Code Update
Request: Code Amendment
Project Address: Citywide
Recommendation of the Planning Commission: Approval

On April 12, 2018, the Planning Commission recommended that the Municipal Council approve the 2018 Land Development Code Update.

This proposed amendment updates and re-adopts the entire Land Development Code (LDC) as amended. The amendments are divided into either “general” changes and “specific” changes. The general changes found throughout the document including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining, and are considered relatively minor. The more specific amendments include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, and dividing Town Center into two separate and distinct zones (TC-1 and TC-2).

The Town Center component will generally be discussed during the rezone application under Ordinance #18-07; however, procedurally, the language changes involving TC-1 and TC-2 are to be acted upon in this specific Ordinance and code amendment package.

Planning Commissioners vote (7-0):
Motion: T. Nielson
Second: D. Newman
Abstain: none    Nay: none

Attachments:
Staff Report (PC) 
Ordinance #18-08 
PC Meeting Minutes 
2018 LDC Update Document (delivered separate)
2018 Land Development Code Update
Code Amendment

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council of the 2018 Land Development Code Update.

REQUEST
This proposal is to update and re-adopt the entire Land Development Code (LDC) as amended. The amendments can be divided into either “general” changes and “specific” changes. The general changes found throughout the document including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining and are relatively minor. The more specific amendments, which are covered in greater detail below, include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, and dividing Town Center into two separate and distinct zones. The Town Center component will also be discussed during the rezone application.

The proposed “general” amendments or changes to individual LDC Chapters are as follows:

Preface: Changed dates, eliminated Amendment/Rezone Tables and updated Table of Contents.

Minor grammatical corrections, updated references and eliminated reserve chapters.

The proposed “specific” amendments or changes to individual LDC Chapters are as follows:

Chapters 17.12 & 17.15. Consolidate these two chapters by eliminating the general descriptions for each specific residential zone, adding a purpose statement to each spec sheet, and eliminating the redundant regulations from the spec sheets already listed elsewhere in the LDC, e.g., fencing, parking, etc. The general language for each of the different zones in Chapter 17.12 is non-regulatory language, or General Plan language, is generally very subjective, difficult if impossible to apply and enforce, and has created confusion when applying the regulatory provisions of the code.

Chapter 17.14. Add building length standards targeted to each of the different multi-family zones to replace the generic spec sheet maximum building length language of 120’ (note: this is in wrong location in draft, should be inserted at 17.14.040.C.3).

Chapter 17.15. Residential Spec Sheets. Eliminate this chapter and move refined spec sheets into Chapter 17.12 (old) or Chapter 17.07 (new).

Chapters 17.16 & 17.19. Consolidate these two chapters by eliminating the general descriptions for each specific commercial/industrial zone, adding a purpose statement to each spec sheet,
eliminating the redundant regulations from the spec sheets already listed elsewhere in the LDC, and replacing the existing Town Center (TC) zone with both a Town Center 1 (TC-1) and a Town Center 2 (TC-2) zones.

After the Garden Park project & rezone hearings, the City created a working group last summer to evaluate the efficacy of the Town Center zone as it relates to the Downtown Specific Plan, the General Plan, and the surrounding neighborhoods. This group consisted of City Council members, Planning Commission members, and various staff members. The group met on a number of occasions and held a public workshop to discuss concerns about the Town Center zone. Based on those discussions and the input we received, we have proposed to replace the Town Center zone with two TC zones – TC-1 and TC-2. The TC-1 zone is centered around Main Street and 4th North and is very similar to the original TC zone from a use, density and intensity standpoint. The TC-2 zone is centered on properties away from Main Street and is less intense than the original TC zone from a use, density and intensity standpoint. This approach provides a transition from the taller, denser urban development on Main Street tiered outward to a primarily residential development pattern with lower building heights, larger setbacks, less density while still keeping true to the basic principles of both the Downtown Specific Plan and the Logan General Plan by encouraging dense residential and commercial development in the downtown area in order to stimulate new activity and vibrancy in the downtown.

The proposal also eliminates the confusion centering around whether commercial is required for all residential development by clearly stating that freestanding residential buildings are not permitted in the TC-1 zone, but are permitted in the TC-2 zone. Residential projects in the TC-2 will be required to meet residential design and site standards so buildings retain a residential character while also meeting height transition standards and enhanced setbacks from adjoining residential areas. A density bonus in the TC-2 zone is proposed to encourage additional ground floor commercial development as well as encourage the provision of structured parking to residential projects in the outer portions of downtown. We have also proposed to modify the existing parking requirement from two stalls per unit to a number of required stalls tied to the number of bedrooms. The following table provides a comparison of the two zones.

<table>
<thead>
<tr>
<th></th>
<th>TC-1</th>
<th>TC-2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Density</td>
<td>70 Units/acre</td>
<td>50 Units/acre</td>
</tr>
<tr>
<td>Density Bonus</td>
<td>0</td>
<td>10 units/acre</td>
</tr>
<tr>
<td>Ground Floor Commercial</td>
<td>Required</td>
<td>Not Required – if provided leads to density bonus</td>
</tr>
<tr>
<td>Free Standing Residential</td>
<td>Not Allowed</td>
<td>Allowed</td>
</tr>
<tr>
<td>Building Height</td>
<td>68’ within 300’ of Main St/4th No. 45’ elsewhere</td>
<td>45’</td>
</tr>
<tr>
<td>Residential Parking</td>
<td>Up to 1 bdrm - 1 dedicated stall 2 plus bdrms - 2 stalls required with no more than 50% shared</td>
<td>Up to 1 bdrm - 1 dedicated stall 2 plus bdrms - 2 stalls required with no more than 50% shared</td>
</tr>
<tr>
<td>Commercial Parking</td>
<td>Commercial – based on use type with no more than 50% shared</td>
<td>Commercial – based on use type with no more than 50% shared</td>
</tr>
</tbody>
</table>

Chapter 17.17. Add TC-2 to the Use Table and define those uses appropriate for this zone. We also have proposed to eliminate some of the specific uses listed in the table as they can be accommodated under the more general sales/service category. A number of the uses formerly permitted in the Town Center zone are outright permitted in the TC-1 zone while listed as a conditional use in the TC-2 zone.
Chapter 17.18. Delete redundant language found elsewhere in the Code, e.g., design, parking landscaping, etc. as well as include specific commercial design language regarding building orientation, four-sided architecture, building massing and building articulation. The following proposed changes have already been workshoped with the PC.

Section 17.18.010.D. Eliminate 17.18.010.D as these items are codified elsewhere in the code.

Section 17.18.020.C.2. Clarify that 4-sided building design is required for all projects.

Section 17.18.020.C.4. Change Subsection C.4 to clarify this section is about regulating Building Mass through two subcategories (1) Horizontal Articulation and (2) Vertical Articulation.

Horizontal Articulation – changed language to require at least 3 of the 6 different elements. Changed the square feet of surface area and distinct planes listed in subsection a and went to a maximum wall plan length of 40 feet instead, which means that a building shall be broken up into individual components no greater than 40' in length using at least 3 of the 6 different horizontal articulation elements.

Vertical Articulation – added limitations on the vertical height of a blank wall to 12 feet.

Removed the language regarding adaptive reuse in subsection 5 as it isn't regulatory and not any different than rest of design standards.

Section 17.18.030. Building Orientation

Section 17.18.030.A. We think it is important to keep the overall purpose of orienting buildings towards a public street, but also need to address the reality that each project is different, each site is different, each location or setting is different, each property owner's preference is different, so it is not always realistic to expect that the front door will face the streeet. The movement away from only requiring that the primary door face the public street allows for flexibility for all parties engaged in the design and review processes.

Section 17.18.030.C. Same concept. The City believes that the best side of a building should be oriented towards the street and this can be done regardless of where the front door is located. So, if a developer wants to orient his front door towards the parking lot, which by code is located either to the side or rear of the building (not between building and street), we want to ensure that the side of the building facing the street is equally as attractive.

Section 17.18.040. Transition Areas. Included changes to 17.18.040.C by removing references to the height transition standards in the residential section and instead putting those same standards in the commercial section.

Chapter 17.19. Commercial Spec Sheets. Eliminate chapter and move refined spec sheets into Chapter 17.16 (old) or Chapter 17.10 (new).

Section 17.36.020. Removed figures/drawings of typical cross sections and instead referenced Public Works to eliminate confusion between the LDC and actual engineering requirements which are based on adopted MUTCD and City road standards.

Section 17.38.040. Added a parking standard for call centers of one stall per one employee at largest shift.

Chapter 17.43. Simplifying the Home Occupation language to line up with recent changes to the Logan Municipal Code and State Law. We are proposing to eliminate the listing of types of Home Occupations, consolidated 17.43.040 with 17.43.050, and eliminated 17.43.150 and 17.43.160.
Section 17.60.440. Increased the civil penalty fee for over occupancy violations from $50.00 to $250.00.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments to update the Land Development Code, along with specific changes to the commercial design standards and the modification to the Town Center zone, are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
The proposed changes to the Land Development Code will help eliminate ambiguous and conflicting language, works to streamline the implementation of the Code, provides additional flexibility to both applicants and the City in designing and reviewing commercial projects, and works to better execute both the Logan General Plan as well as the Downtown Specific Plan. 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 1/14/18, posted on the City’s website and the Utah Public Meeting website on 1/14/18, and noticed in a quarter page ad on 1/14/18.

AGENCY AND CITY DEPARTMENT COMMENTS
As of the time the staff report was prepared, 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 Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments are consistent with the Downtown Logan Specific Plan.
5. The proposed Code Amendments addressing commercial design standards continue to improve new development proposals within the Commercial Districts by affording additional design flexibility without negatively impacting the community’s interest in an aesthetically pleasing built environment.
6. The proposed Code Amendments addressing building length in the Multi-family zones eliminates an existing standard that negatively hampers innovative and creative building design.
7. The division of the Town Center zone into two distinct Town Center zones recognizes the differing levels of development intensity adjacent to Main Street versus those downtown areas off of Main Street. The Code amendment creating the TC-1 and TC-2 zones also correlates with a pending rezone request.
8. The Geographic area of downtown as established in the Town Center zones generally extends from 3rd South to 5th North, and from 1st West to 2nd East.
9. The creation of the TC-1 and TC-2 zones will not negatively impact Logan’s Center Street Historic District boundaries as projects occurring within the district boundaries, regardless of zoning, are required to comply with the historic guidelines.
10. No public comment has been received regarding the proposed amendments.
REPORT SUMMARY...

Project Name: 2018 Land Development Code Update
PropONENT/Owner: Community Development Department
Project Address: Citywide
Request: Code Amendment
Type of Action: Legislative
Date of Hearing: April 12, 2018
Submitted By: Mike DeSimone, Director

RECOMMENDATION
Staff recommends that the Planning Commission recommend approval to the Municipal Council of the 2018 Land Development Code Update.

REQUEST
This proposal is to update and re-adopt the entire Land Development Code (LDC) as amended. The amendments can be divided into either “general” changes and “specific” changes.

General Changes - The general changes including formatting or grammatical corrections, chapter consolidation, document renumbering, and overall document content streamlining and are considered relatively minor.

Specific Changes - The specific amendments include eliminating vague or general policy language from the regulatory document, eliminating multiple references to specific development standards or regulations, clarifying building design standards regarding orientation, massing, articulation and building length, and replace Town Center (TC) with two separate and distinct zones (TC-1 & TC-2).

The proposed “general” amendments or changes to existing LDC Chapters are as follows:

Preface: Changed dates, eliminated Amendment/Rezone Tables and updated Table of Contents.

Chapters 17.01 - 17.11, 17.13, 17.20 - 17.35, 17.37, 17.39 - 17.42, 17.44 - 17.59, 17.61 - 17.62. Minor grammatical corrections, updated references and eliminated reserve chapters.

The proposed “specific” amendments or changes to existing LDC Chapters are as follows:

Chapters 17.12 & 17.15. Consolidate these two chapters by eliminating the general descriptions for each specific residential zone, adding a purpose statement to each spec sheet, and eliminating the redundant regulations from the spec sheets already listed elsewhere in the LDC, e.g., fencing, parking, etc. The general language for each of the different zones in Chapter 17.12 is non-regulatory language, or General Plan language, is generally very subjective, difficult if impossible to apply and enforce, and has created confusion when applying the regulatory provisions of the code.

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Chapter 17.17. Add TC-2 to the Use Table and define those uses appropriate for this zone. We also have proposed to eliminate some of the specific uses listed in the table as they can be accommodated under the more general sales/service category. A number of the uses formerly permitted in the Town Center zone are outright permitted in the TC-1 zone while listed as a conditional use in the TC-2 zone.

Chapter 17.18. Delete redundant language found elsewhere in the Code, e.g., design, parking landscaping, etc. as well as include specific commercial design language regarding building orientation, four-sided architecture, building massing and building articulation. The following proposed changes have already been workshopped with the PC.

Section 17.18.010.D. Eliminate 17.18.010.D as these items are codified elsewhere in the code.

Section 17.18.020.C.2. Clarify that 4-sided building design is required for all projects.

Section 17.18.020.C.4. Change Subsection C.4 to clarify this section is about regulating Building Mass through two subcategories (1) Horizontal Articulation and (2) Vertical Articulation.

Horizontal Articulation - changed language to require at least 3 of the 6 different elements. Changed the square feet of surface area and distinct planes listed in subsection a and went to a maximum wall plan length of 40 feet instead, which means that a building shall be broken up into individual components no greater than 40' in length using at least 3 of the 6 different horizontal articulation elements.

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Section 17.60.440. Increased the civil penalty fee for over occupancy violations from $50.00 to $250.00.

Also proposing to add a new Chapter on Residential Density and Height Bonuses (17.37) which is discussed under a different memo.

GENERAL PLAN
The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments to update the Land Development Code, along with specific changes to the commercial design standards and the modification to the Town Center zone, are consistent with the General Plan.

STAFF RECOMMENDATION AND SUMMARY
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PUBLIC COMMENTS
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2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
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5. The proposed Code Amendments addressing commercial design standards continue to improve new development proposals within the Commercial District by affording additional design flexibility without negatively impacting the community’s interest in an aesthetically pleasing built environment.
6. The proposed Code Amendments addressing building length in the Multi-family zones eliminates an existing standard that negatively hampers innovative and creative building design.
7. The division of the Town Center zone into two distinct Town Center zones recognizes the differing levels of development intensity adjacent to Main Street versus those downtown areas off of Main Street. The Code amendment creating the TC-1 and TC-2 zones also correlates with a pending rezone request.

8. The Geographic area of downtown as established in the Town Center zones generally extends from 3rd South to 5th North, and from 1st West to 2nd East.

9. The creation of the TC-1 and TC-2 zones will not negatively impact Logan's Center Street Historic District boundaries as projects occurring within the district boundaries, regardless of zoning, are required to comply with the historic guidelines.

10. No public comment has been received regarding the proposed amendments.
Land Development Code 2018 Update
Summary of Proposed Changes (Post PC Hearings)

Note about Chapter numbering - Both old chapter numbers and new chapter numbers are shown. By eliminating a number of empty chapters, the bulk of the document numbering will change. Chapters 1 – 6 maintain existing numbers, we are eliminating Chapters 17.07 – 17.11 because they are empty, leaving everything from Chapter 17.12 to be renumbered.

Preface
- Include new dates & remove Code Amendment and Rezone Tables.
- Table of Contents to be updated.
- Document dated January 1, 2018 – will be updated throughout entire document.

Chapter 17.01
- Minor grammatical corrections.
- Removed General Plan mandate.

Chapter 17.02
- Reference update.

Chapter 17.03
- None.

Chapter 17.04
- Add reference to TC I, TC II and Community Commercial Zones.

Chapters 17.05 & 17.06
- None.

Chapters 17.07 – 17.11
- Eliminate the reserved chapters and shift Code up into these chapters.

Chapter 17.12 (to be moved to 17.07)
- Deleted all of the policy and visionary (non-regulatory) language for each of the different residential zoning districts.
- Moved the revised Residential Spec Sheets from 17.15 to this Chapter for each specific zone.
- Added a statement of intent to each Spec Sheet and removed general regulations applicable to all zones and found elsewhere in the Code.
- Retained zone specific regulations within each Spec Sheet unique to that specific zone (setbacks, etc.).
- Eliminated Building Length in the MR Zones and moved it into new Chapter 17.09 (old 17.14).

Chapter 17.13 (to be moved to 17.08)
- Updated cross referencing.
- Modified group homes and residential treatment programs.
- No other proposed changes to Use Table.

Chapter 17.14 (to be moved to 17.09)
- Minor grammatical changes.
- Added MR building length standards.

**Chapter 17.15 (incorporated into 17.07)**
- Moved the Spec Sheets from 17.15 to 17.07.

**Chapter 17.16 (to be moved to 17.10)**
- Deleted all of the policy and visionary (non-regulatory) language for each of the different commercial & industrial zones.
- Moved the revised Spec Sheets from 17.19 to this Chapter.
- Added statement of intent to each Spec Sheet and removed general regulations applicable to all zones and found elsewhere in the Code.
- Replace Town Center (TC) with TC-1 and TC-2 language.

**Chapter 17.17 (to be moved to 17.11)**
- Added list of uses for TC-1 and TC-2.
- Eliminated certain uses that can be covered under the general sales/services category.
- Eliminated footnote relative to residential uses in commercial zones.
- Updated group homes.

**Chapter 17.18 (to be moved to 17.12)**
- Deleted all redundant language housed elsewhere in Code, e.g., design, parking, landscaping, etc.
- Added language about 4-sided architecture, building mass, horizontal/vertical articulation.
- Added changes to building orientation requirements.
- Added Height Transition Language applicable to commercial/industrial projects.

**Chapter 17.19 (incorporated into 17.10)**
- Delete entire Chapter and move revised Spec Sheets to 17.10.

**Chapters 17.20 – 17.22 (to be moved to 17.13 – 17.15)**
- Deleted policy and visionary (non-regulatory) language.
- Updated references.
- Changed front & rear setbacks from 30’ to 20’.

**Chapters 17.23 - 35 (to be moved to 17.16 – 17.28)**
- Updated number and cross referencing.

**Chapter 17.36 (to be moved to 17.29)**
- Removed all street cross sections and referred to Public Works Standards/Specifications.
- Minor grammatical changes.

**Chapter 17.37 (to be moved to 17.30)**
- Minor grammatical changes.

**Chapter 17.38 (to be moved to 17.31)**
- Added parking standard for Call Centers.

**Chapters 17.39 - 42 (to be moved to 17.31 – 17.35)**
- Minor grammatical changes.
Chapter 17.43 (to be moved to 17.36)
- Eliminated types and performance standards for Home Occupations to make consistent with recent changes to State Law.
- Minor grammatical changes to eliminate redundancy.

Chapters 17.44 – 17.55 (to be moved to 17.37 – 17.48)
- Minor grammatical changes and updated numbering.

Chapter 17.56 (to be moved to 17.49)
- Removed redundant language.

Chapters 17.57 – 17.59 (to be moved to 17.50 – 17.52)
- Updated numbering.

Chapter 17.60 (to be moved to 17.53)
- Included a civil fee for over-occupancy of $250.00.

Chapters 17.61 – 17.62 (to be moved to 17.54 – 17.55)
- Updated numbering.
LOGAN MUNICIPAL COUNCIL

SUMMARY OF AN ORDINANCE - The following ordinances were adopted and approved by the Logan Municipal Council, Logan, Utah on August 7, 2018.

ORD. 18-07 - An ordinance to rezone multiple parcels on approximately 173 acres from Town Center (TC), Neighborhood Residential (NR-6) and Public (PUB) to Town Center 1 (TC-1), Town Center 2 (TC-2), Public (PUB) and Recreation (REC).

ORD. 18-08 - An ordinance to amend and update the Logan Land Development Code as follows: Delete Chapters 17.07-17.11; re-number and update 17.12-17.61; consolidate 17.12 & 17.15; consolidate 17.16 & 17.19; divide Town Center Zone into TC-1 & TC-2 and add TC-1/fC-2 language into 17.10-17.12; amend 17.09 & 17.12 to add building orientation, massing, length and articulation standards; update 17.36 Home Occupations; amendment includes minor grammatical corrections throughout the entire document; update 17.60 Administrative Enforcement to increase civil fees for over occupancy.

ORD. 18-11 - An ordinance to rezone approximately 16.69 acres located at 1100 West 1800 South from Neighborhood Residential (NR-6) to Mixed Residential (MR-9).

ORD. 18-12 - An ordinance amending Sections of the Logan Municipal Code regarding Mobile Food Vendors.

ORD. 18-13 - An ordinance to amend the Land Development Code to change the maximum building height in the Commercial (COM) zone from 38' to 55' for construction of a new 60,000 SF office building on 3.43 acres located at 86 West 1200 South in the Commercial (COM) zone.

These ordinances are effective immediately upon publication. Full text 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.