CITY OF LOGAN  
State of Utah  
Ordinance No. 98-49

An ordinance amending Title 17, Logan Municipal Code, Land Development, to repeal sections 17.08-060(21), “Efficiency Units,” 17.16.160, Article V. Residential Density Bonus Incentives, 17.20.060, Open Space, 17.20.120, Site Development and Landscaping; and 17.20.130, Site Development and Landscaping in Manufacturing Zone; repeal Chapters 17.24, Parking, Chapter 17.27, Standards, Specifications, and Improvements; Renumber Chapter 17.29 to Chapter 17.35, and enact Chapters addressing Supplemental Regulations and Development Standards and to enact Article V, Supplemental Regulations Chapters 17.26, Standards, Specifications and Improvements; Chapter 17.27, Right-of-Way Access; 17.28, Parking Regulations; 17.32, Accessory Dwellings; 17.33, Home Occupations; and 17.34, Additional Development Standards.

The Municipal Council of the City of Logan does ordain as follows:

Section 1:  
The Municipal Council finds and declares:

1. The Municipal Council has adopted a revised General Plan requiring revision to the Land Development Code.

2. The Land Development Code is being prepared to revise the process by which private land development is managed within the City of Logan.

3. Supplemental regulations are necessary for the orderly development, and protection of the public health, safety and general welfare.

Section 2:  
The following sections of Title 17, Logan Municipal Code, Land Development are hereby repealed:

17.08.060(21), “Efficiency Units”

17.16.160, Article V. Residential Density Bonus Incentives

17.20.060, Open Space.

17.20.120, Site development and landscaping.

17.20.130, Site development and landscaping in manufacturing zone.

Section 3:  
The following Chapters of Title 17, Logan Municipal Code, Land Development are hereby repealed:
Chapter 17.24, Parking

Chapter 17.27, Standards, specifications, and improvements

Section 4:

The following chapter of Title 17, Logan Municipal Code, Land Development is hereby renumbered as follows:

Chapter 17.29, Landscaping is renumbered Chapter 17.35, Landscaping.

Section 5: (* TABLE 0 7/1/98 - Home Occupations *)

Section 17.08.060(29) of the Logan Municipal Code is hereby amended to read as follows:

29. Home occupation. "Home occupation" means any activity carried out for gain or requiring a business license by a resident and conducts as a customary, incidental, and accessory use in the resident's dwelling unit.

a. Home occupations Defined. A "home occupation" is defined as follows: A use in a residential or agricultural zone which does not detract from the residential character of the neighborhood. Except in the case of some preschool care and certain special uses, a home occupation shall mean any use conducted entirely within a building, which use is clearly accessory to the use of the building for dwelling purposes. Any home occupation which utilizes an accessory structure shall be a special use. No home occupation shall include any activity which disrupts the normal residential character of the neighborhood in which the home occupation is located. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone. Home occupation shall not be interpreted to include commercial stables and kennels, any type of automobile or vehicle repair for which consideration is exchanged.

b. Standards for all Home Occupations. The following standards shall be observed in the operation of all home occupations:

i. No person other than members of the immediate family occupying such dwelling may be employed in the home occupation, except as provided for in major home occupations.

ii. The home occupation shall not physically change the dwelling to the extent that it would alter the residential character or appearance of the dwelling or neighborhood.

iii. Except for home care/preschool, no more than twenty-five percent of any one floor area of the residential dwelling structure, nor, in the alternative more than fifty percent of the total floor area of any garage wherein the home occupation is conducted, shall be utilized for the home occupation. If the garage is utilized, displaced parking shall be permitted only within required setbacks. Additionally, the garage door shall remain shut; except for occasional required opening. A passenger door shall be provided in addition to the garage door.

iv. The home occupation shall not involve the use of any yard space for storage, nor shall activities be conducted outside any structure.

v. The home occupation shall not display nor create outside any structure any external evidence of the operation of the home occupation except for one unanimated, nonilluminated flat sign having an area of not more than two square feet, for each street upon which the dwelling is entirely within a structure or entirely behind the dwelling, out of view of the street.

viii. There shall be complete conformity with fire, building, plumbing, electrical and health codes and to all state and city laws and ordinances.
ix. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses. Any utility or municipal service usage in excess of customary residential service usage shall be charged the current commercial rate.

x. The home occupation shall not be associated with or produce odor, fumes, light, glare, color, design, materials, construction, lighting, sounds, noises or vibrations or other nuisances, including radio and television reception, that may be discernible beyond the premises or unreasonably disturb the peace and quiet of the neighborhood.

xi. All home occupations are granted for a one-year period and must be renewed annually in January. Compliance with stated conditions will be reviewed at the time the special use permit is originally granted and annually when it is renewed. Complaints against the home occupation can also cause a review and possible revocation of the business license. Complaints against minor home occupations shall be considered by the business license administrator and complaints against major home occupations shall be considered by the planning commission.

xii. Business conducted on the lot shall be conducted only between the hours of seven a.m. and nine p.m.

xiii. Disabled persons can obtain a waiver of these conditions through the special use process and hearing before the planning commission.

d. Permitted--Special Use Permit--Minor Home Occupation. The municipal council finds and determines that business enterprises listed in this section will not, when conducted in conformance with the provisions of this chapter, alter or create a negative impact upon the residential neighborhoods of the city. Because of this finding, the following home occupations shall be permitted and shall not be required to seek a special use permit. The following uses are permitted:

i. Utilization of a residence as an office, limited to the purposes of receiving and sending mail or telephone calls;

ii. Dressmakers, seamstresses, tailors and related occupations;

iii. Artists, artisans, craftsmen, sculptors, authors and related artistic work;

iv. Physicians, dentists and other state licensed medical practitioners, for emergency treatment, not for the general practice of the trade;

v. Lawyers, architects, social workers, insurance agents, brokers and engineers and real estate licensees;

vi. Ministers, rabbis, priests or other similar ordained religious work;

vii. Music and dance teachers and educational tutors providing private lessons to no more than two students at a time;

viii. Clerical, secretarial, notary publics, accounting, drafting and similar office work;

ix. Small crafts and handicrafts;

x. Door-to-door sales, which sales shall still be subject to the ordinances governing itinerant merchants;

xi. Yard sales on an occasional basis;

xii. Home gatherings (parties) on an occasional basis;

xiii. Home occupations with gross receipts less than ten thousand dollars annually, based upon 1993 dollars.

d. Special Use Permit Required--Major Home Occupations--Subject to Additional Conditions. The municipal council finds and determines that the business enterprises listed in this section may, even when conducted in conformance with the provisions of this chapter, alter or create a negative impact upon residential neighborhoods in the city. Because of this finding it is determined that such occupations must be monitored through the special use process to prevent harm or negative impact in the neighborhoods. As such, the home occupations listed in this section shall be allowed only after a permit has been obtained and such occupations shall be operated only in conformance with such conditions of operation as can be established by the business license administrator:

i. The following shall be considered major home occupations:

   i. Music and dancing schools;

   ii. Nursery, private and preschools. There is the additional requirement that any such school involving more than twelve children at any one time must conform with applicable code provisions;

   iii. Any occupation involving children in groups of five or more from several families,
iv. Light part-time auto repair;
v. Any home occupation with employees outside the residing family members with a maximum number of two;
vi. Repair shops or service establishments; classified by the state as family group day-care and require special use approval. There is the additional requirement that any such school involving more than twelve children at any one time must conform with applicable code and commercial zoning provisions;
vii. All accessory building, swimming pool or garage uses;
viii. Food or drink preparation;
ix. Private detectives;
ix. Beauticians and barbers;
x. Florists;
xi. All unlisted uses.
c. Prohibited Home Occupations. The municipal council finds and determines that the business enterprises listed in this section will, even when conducted in conformance with the provisions of this chapter, alter or create a negative impact upon the residential neighborhoods of the city. Because of this finding, and because it is determined that no conditions of operations can remove the inherent harm and negative impact caused by such businesses, the following home occupations are prohibited:
i. Mortuaries;
ii. Animal hospitals;
iii. Clinics and hospitals;
iv. Junkyards;
v. Commercial stables or kennels;
vi. Truck repair, automobile repair;
vii. Any other use dealing with explosive, hazardous or toxic materials not specifically permitted.
f. Special review procedure is outlined in Section 17.32.160, Special use permits.

Section 6:

Article V, Supplemental Regulations is hereby added to Title 17, Logan Municipal Code, Land Development as follows:

Chapters 17.26, Standards Specifications, and Improvements;
Chapter 17.27, Right-of-Way access;
17.28, Parking Regulations;
17.32, Accessory Dwellings;
17.33, Home Occupations; and
17.34, Additional Development Standards.

As incorporated in the text and graphics in Exhibit A, attached.

Effective date

This ordinance shall become effective upon publication in a newspaper of general circulation in the City of Logan.

PASSED BY THE CITY OF LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, THIS FIRST DAY OF JULY, 1998

[Signature]
Karen Borg, Council Chair
PRESENTATION TO MAYOR

The foregoing ordinance was presented by the City of Logan Municipal Council to the Mayor for his approval or disapproval on the 1st day of July, 1998.

Karen Borg, Council Chair

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby Approved, this 1st of July, 1998.

Douglas E. Thompson, Mayor
Article V: Supplemental Regulations
Chapter 17.26: Standards, specifications, and improvements

§17.26.010. Purpose
The purpose of this chapter is to provide for uniform application of Public Works standards and specifications as a condition of project approval and permit issuance for all development permits, subdivisions, building permits, conditional use permits, design review permits, or other permit issued by the City. The standards of this chapter are carried out through other provisions of the Logan Municipal Code and the Public Works Standards and Specifications manual as approved by the Director of Public Works.

§17.26.020. Curb, gutter, and drainage requirements
A. Sidewalks.
The property owner shall construct sidewalks at locations as specified in the Department of Public Works Standards and Specifications as approved by the Public Works Director. Sidewalks shall be constructed prior to the use or occupancy of structures on the subject property.
B. Curb and gutter required.
All street frontages shall include a curb and gutter constructed to the standards and specifications of the Department of Public Works.
C. Exceptions.
1. Where curb and gutter is not required, alternative drainage meeting the approval of the City Engineer shall be required.
2. The drainage channel shall be grass, plantings or other material as determined by the City Engineer to prevent erosion and assist in drainage control.
3. The drainage channel shall be considered part of project improvements and as approved by the City Engineer, shall be:
   a. Designed by a professional licensed in the State of Utah to undertake drainage design and engineering prior to the recordation of any subdivision plat or associated metes and bounds deed, or issuance of any building permit, and
   b. All improvements shall be installed to the satisfaction of the City Engineer prior to the issuance of a certificate of occupancy, use, or occupancy of the project.

All improvements shall be constructed to the Department of Public Works Standards and Specifications as approved by the Director of Public Works.

Formerly §§16.05.020 and 16.05.030 and Chapter 16.08. Chapter 16.08 was rechaptersed as Chapter 17.27 in Ordinance 98-16 without changes. This version of the ordinance reflects modifications and changes proposed to the Planning Commission.
§17.26.040. Driveway and parking surface
Driveways shall be constructed according to Public Works Standards and Specifications. All driveways and parking areas shall be "hard surfaced" in asphalt, concrete, or other hard surface as approved by the Department of Public Works and Fire Chief.

§17.26.050. Bridges and culverts.
The property owner shall install all culverts and bridges designed to the Department of Public Works Standards and Specifications as approved by the Public Works Director.

Adequate provision shall be made for the retention, detention, or discharge of stormwater, ground water, surface water, subsurface drainage, and roof runoff as required by the City Engineer.

§17.26.070. Logan Transit Department access, benches, and shelters
The Director of the Logan Transit Department may require the installation of a bus pull-out, bus access, benches, or shelters in conformance with the policies of the Logan Transit Department.

§17.26.080. Street trees.
Street trees shall be required as a condition of all project approvals. The tree species and locations of plantings shall be as specified in Department of Public Works Standards and Specifications as approved by the Public Works Director and as approved by the City Forester. Street trees shall be planted at the time of issuance of a Certificate of Occupancy or construction of sidewalks, whichever occurs first. For subdivisions, the Director of Community Development may require posting of improvement security to guarantee the availability of funds adequate to cover the cost of purchasing and installing street trees.

§17.26.090. Waste management facilities onsite
Solid waste receptacles, recycling bins, and refuse storage shall be sited in locations approved by the Department of Environmental Health. Such locations shall be designed for appropriate access by the Department's equipment. All waste disposal areas shall be screened with solid fencing, such as masonry, wood, or vinyl. No waste disposal facilities shall be located between the structure and a public right-of-way, unless specifically approved by the decision-makers with a finding that no screened site exists.
Publicly accessible recycling facilities may be located between the structure and the right-of-way, provided that the facility is kept in a neat appearance with regular collection and clean-up in the general area.

§17.26.100. Parks, school sites, public places.

A. Park sites.
1. New residential development may be required to dedicate park space equal to the project's proportion of required parkland area as defined in the General Plan.
2. If additional park land is required for dedication in excess of the project's fair share, the City may negotiate to purchase the parkland at a value in conformance with laws related to municipal property acquisition.
3. In lieu of acquiring parkland within the residential project, the Planning Commission may require that the proponent provide funds in-lieu of land dedication to the City for acquisition of parkland in conformance with Council policy or adopted impact fees.

B. School sites.
The Planning Commission may require a subdivider or residential development to reserve sites for new schools if requested by the Logan School District. The District shall be responsible for the financial guarantees or requirements of such an action.

C. Public facilities, road rights-of-way, and public utility easements
1. The City may require a project proponent to reserve lands within a project site for a public facility. Such request shall be made in conformance with the laws related to municipal property acquisition.
2. The City may require dedication of lands for public utility easements, road right-of-way, and for other public purposes without compensation in conformance with the requirements of Utah law and this Title.

Public improvements performed by or on behalf of private development shall be guaranteed for a period of two years after the date of acceptance. The improvements shall be guaranteed against settlement, break up, failure or inability to satisfactorily function as required, lack of adequate drainage. The City may require or retain security to assure performance of improvements during the guarantee period.

§17.26.120. Waterlines and fire hydrants.

A. Water distribution systems.
Water distribution systems shall be constructed by the property owner to State of Utah regulations and the Department of Public Works Standards and Specifications as approved by the Public Works Director.
B. Water Pressure.

Increases or decreases in water pressure from that existing in the culinary water system prior to installation is the responsibility of the project developer or property owner. Adequate flow of a minimum pressure of the current State of Utah standards at any point in the project shall be the responsibility of the proponent.

C. Fire hydrants.

Fire hydrants shall be installed to meet the specifications of the Department of Public Works and the Fire Chief in locations approved by the Fire Chief.

§17.26.130. Sewage disposal.

The sanitary sewer collection system shall be constructed to the current State of Utah and Department of Public Works Standards and Specifications as approved by the Public Works Director. All new projects shall connect the City sewage disposal system. No subdivisions shall be permitted if all of the lots are not to be connected to the City's sewage disposal system.

§17.26.140. Electric power and street lights.

The project proponent shall be required to provide for power and telecommunication distribution and service lines. Additionally, the proponent shall be responsible for the installation of street and yard lighting under specifications as required by the Department of Public Works and Light and Power Department. The property owner is responsible for payment of all fees established by the City.
Chapter 17.27: Right-of-Way Access and Driveways

§17.27.010. Purpose

The right-of-way access regulations of this Chapter are intended to maintain and improve traffic levels of service by managing the number and location of access points to public rights-of-way.

§17.27.020. Right-of-Way Access Permits

No property owner shall be permitted to construct, develop, or begin using access from private property onto a City right-of-way without obtaining a Right-of-Way Access Permit from the Department of Public Works.

§17.27.030. General standards

The following standards apply to all development except single family detached houses located in the AG, SFL, SFT, SFR, and MFM zoning districts.

A. Back-Out Parking Prohibited

Parking configurations that require vehicles to back-out of parking areas directly onto public rights-of-way are prohibited.

B. Maintenance of Parking Bridges

Parking bridges shall be maintained in a safe and orderly manner. If parking bridges or parking areas fall into disrepair, the Public Works Director may order the portion of the facility within the public right-of-way to be repaired, removed, or abated. If the City undertakes any action that is a duty of the property owner under this chapter, the property owner shall be responsible for the cost of the City’s action.

C. Access to State Highway rights-of-way

Uses and developments taking access to state highways are subject to the Utah State Department of Highways’ “Regulations for the Control and Protection of State Highway Rights-of-Way” and the approval of the Public Works Director.

§17.27.040. Shared Access

Shared access between adjoining parcels is strongly encouraged. It may be required by the decision-makers or Public Works Director as a condition of project approval. The decision-makers may require shared access if the property owner owns or controls adjoining property. Decision-makers may require shared access if it is feasible for separate property owners to enter into an agreement.
§17.27.050. Access adjoining major streets.

A. Arterial and major collector streets.

Whenever a project proposes access to an arterial street or major collector street—whether the streets are existing or proposed—frontage roads or limited access to the street may be required:

1. The determination shall be consistent with the City of Logan Transportation Plan and General Plan Transportation Element.

2. The determination shall be based upon the recommendation of the Department of Public Works.

3. When frontage roads or alternative access are used, "no access easements" may be required between the project and the road to which access is limited.

a. No new driveway access shall be permitted direct access to the following streets except as exempted in the subsections following this list:

   (1) 1400 West within the Logan City Limits,
   (2) 1000 West within the Logan City Limits,
   (3) 600 West between US 89-91 and 2500 North,
   (4) Main Street within the Logan City Limits,
   (5) 1000 South between Utah 165 and 600 West,
   (6) 200 North between Main Street and the westernmost Logan City Limits,
   (7) 400 North between 1400 West and the easternmost Logan City limits,
   (8) 1000 North between 1400 West and 1200 East,
   (9) 1400 North between 1400 West and 1400 East,
   (10) 200 East from 1000 North to the North Logan City limits (1500 North),
   (11) 800 East from 800 North to the North Logan City limits (1500 North).

b. If there are no alternatives for access utilizing existing side streets or rights-of-way, the decision-makers may approve access to one of the excluded streets in this section as follows:

   (1) Frontage roads may be required to create a shared access between the subject property and adjoining properties to limit the number of points of access,
   (2) Driveways, if permitted shall be required to be aligned on the City's grid system by either:
      (a) Aligning with existing driveways across from the proposed new driveway location,
      (b) Aligning the driveways in locations approved by the Director of Public Works to create safe driveway separations and accommodate other potential driveways within the project area.
(3) If the project is a subdivision, the decision-makers may reduce the number of lots within a subdivision to accommodate a frontage road; or

(4) The decision-makers may approve an access to a street if it is designed to be or become a shared access,

c. If recommended by the Director of Public Works, the decision-makers shall require that the access be developed to serve as an interior project street to provide access to multiple properties.

d. No new residential driveways shall be permitted to access the excluded streets if there is any other location for access. If a legally existing lot is proposed for development and there are no alternative points of access, the Director of Public Works may approve one residential driveway with a maximum width of 22 feet at the right-of-way.

e. If a lot has been created in violation of subdivision regulations, the Director of Public Works may require driveways for illegally created lots to conform to the provisions of this chapter.

f. Other access limitations as defined in the General Plan or the Transportation Plan shall apply.

B. Alternate access required.

The Commission shall consider the long-term needs of the City in maintaining local and regional transportation corridors in the approval of any subdivisions pursuant to this Title. The Commission shall place the burden of the design of a project to achieve preservation of the transportation routes and corridors. The Commission may reduce density, reduce the number or change driveway locations, or impose other design considerations in order to avoid or prohibit access to arterials and major collectors and to preserve future transportation corridors. The Commission may require road right-of-way stubs or connections to adjoining lots for purposes of future road development whether or not the adjoining properties are proposed for development at the present time. The Commission may require the dedication of the extended right-of-way upon recommendation of the Director of Public Works if adjoining zoning or site development potential results in the need for a logical

§17.27.060. Driveway Setbacks

No standalone driveway shall be closer to another driveway than twelve feet (measured edge to edge) and no driveway shall be closer to a side lot line than five feet.

§17.27.070. Driveway specifications

A. Residential driveways

1. Driveways serving single family detached houses, attached houses, or duplexes shall be not less than twelve feet in width for single lane
driveways. Driveways in this classification shall not exceed twenty-two feet in width for two or more car parking areas. The maximum residential driveway width shall be thirty-two feet for four car or larger garage or parking areas,

2. Driveways serving multi-dwelling structures, group living structures, mobile home parks, or planned developments shall have a maximum driveway width of thirty feet at the property line. Interior driving lanes shall be at least twenty feet wide,

3. Only one driveway is permitted on a single family residential lot, except as specified in subsection 17.29.060B for circular driveways.

4. More than one driveway may be permitted for multi-dwelling structures, if approved as a part of the design review permit for new construction or with a right-of-way access permit.

B. Circular driveways

Circular driveways may be permitted by the Director of Community Development and City Engineer for residential development on minor collector or residential streets. Maximum driveway width of a circular drive shall be ten feet within the property and 12 feet at the street. Circular driveways shall only be permitted if the lot frontage is greater than 100 feet in width or a corner lot with at least 40 feet of clearance from curb on the intersection for each driveway. A right-of-way access permit shall be required.

C. Non-residential driveways

1. Entry (ingress) lanes shall be limited to a maximum width of sixteen feet, except as noted in this subsection,

2. Exit (egress) lanes shall be at least twelve feet wide with one lane for each turning movement. If there is a lateral (straight across) alignment approved by the decision-makers, there shall be a third twelve foot lane for straight traffic.

3. Typical non-residential driveway width shall be forty feet (one sixteen foot ingress lane and two twelve foot egress lanes) with a maximum established at fifty feet when approved by the Director of Public Works.

4. The decision-makers or Public Works Director may approve varied widths based on site specific and project specific conditions and traffic safety.

§17.27.080. Access to flag lots and lots without direct street frontage

Flag Lots and Inner block Developments are subject to the following requirements:

A. Access to lots or inner block developments containing not more than one detached house shall be provided by a paved driveway at least twelve feet wide.

B. Access to two to four dwelling units shall be provided by a paved driveway at least twenty feet wide.
C. Access to five or more dwelling units shall be provided by a paved driveway at least twenty-four feet wide.

D. If any flag lot or inner block development requires access for emergency vehicles due to the length of the driveway, nature of the land use, topography, or other physical features the driveway width shall be as determined by the Fire Chief.

E. Landscaping shall be required in a planting strip not less than three feet wide between the edge of the driveway and the adjoining property line. Landscaping along driveways serving multi-family dwellings shall be a minimum of eight feet wide and landscaping shall include trees in a value equal to at least fifty percent of the landscaping strip's total point requirements.

Figure 17-4: Components of the public right-of-way

§17.27.090. Delay agreements

The Public Works Director may enter into a recorded agreement with a property owner to defer the construction of improvements to a future date. The improvements shall be constructed within five years of the date of the agreement. In cases where the City will be undertaking similar improvements to the same street, and such improvements have been scheduled, a longer period than five years may be approved by the Public Works Director. Improvement security may be required as a part of the delay agreement.
§17.27.100. Driveway Location and Spacing

A. Commercial and Recreation Zoning Districts

The following standards apply to all development in the CN, CC, CG, CE, and REC zoning districts.

1. Number of Driveways: One driveway is allowed per lot or one driveway per three hundred feet of street frontage, whichever is greater, unless a greater number is approved by the Public Works Director.

2. Driveway Width: The maximum width of a driveway providing access to public right-of-way is 40 feet for three lanes and fifty-two feet for four lanes. The Public Works Director may require that driveways wider than 24 feet be constructed with a landscape island or divider median to separate ingress and egress traffic. Depending on the design or use of the project, a driveway width of up to fifty feet may be approved by the Public Works Director.

3. Driveway Spacing: Driveways shall be spaced at least 100 feet from other driveways and street intersections, unless otherwise approved by the Public Works Director. Spacing is measured from edge to edge.

B. Industrial Districts

The following standards apply to all development in IND zoning districts.

1. Number of Driveways: One driveway is allowed per lot or per three hundred feet of street frontage, whichever is greater, unless otherwise approved by the Public Works Director.

2. Driveway Width: The maximum width of a driveway providing access to public right-of-way is fifty-two feet. The Public Works Director may require that driveways wider than 36 feet be constructed with a landscape island or divider median to separate ingress and egress traffic.

3. Driveway Spacing: Driveways shall be spaced at least 100 feet from other driveways and street intersections, unless otherwise approved by the Public Works Director. Spacing is measured from edge to edge.
Chapter 17.28: Parking Regulations

§17.28.010. Purpose
The purpose of this chapter is to establish standards for the development of parking facilities, access to private and public property, and ensure public health and safety with facilities which safely accommodate vehicles, bicycles, and pedestrians.

§17.28.020. General
A. Applicability
1. New Development: The off-street parking standards of this chapter apply to any new development and to any new use established.
2. Expansions and Alterations: The off-street parking standards of this chapter apply when an existing structure or use is expanded or enlarged. Additional off-street parking spaces shall be required only to serve the enlarged or expanded area, not the entire building or use. The decision-making body may require increases in parking for non-conforming parking areas when found necessary to ensure adequate off-street parking.
3. Change of Use: Off-street parking shall be required for any change of use or change of operation that would result in a requirement for more parking than the existing use. Additional parking shall be required only in proportion to the extent of the change, not for the entire building or use.
4. Areas for deliveries and loading shall be required as a part of the site plan review to ensure that loading and deliveries do not constrain fire access, street safety, or use public streets for deliveries.

B. No Reduction Below Minimums
Existing parking spaces shall not be reduced below the minimum requirements in this Chapter. Any change in use that increases applicable off-street parking requirements will be deemed a violation of the Land Development Code.
Development Code unless parking is provided in accordance with the provisions of this Chapter.

§17.28.030. Off-Street Parking Schedules

A. Off-Street Parking Requirements

The "Off-Street Parking Schedule" Figure 17-3 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 17.28.100.

Table 17-8: Parking by Land Use Category

<table>
<thead>
<tr>
<th>Use Categories</th>
<th>Specific Uses</th>
<th>Number of Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group Living</td>
<td>Organized group living</td>
<td>1 per 2 residents/staff members</td>
</tr>
<tr>
<td></td>
<td>Assisted Living Center</td>
<td>1 per 2 beds as established in permit</td>
</tr>
<tr>
<td>Household Living</td>
<td>Multi-dwelling structures</td>
<td>2 per dwelling unit plus 0.25 guest parking space 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>
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<td></td>
<td>Accessory Dwelling</td>
<td>1 per accessory dwelling</td>
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<tr>
<td></td>
<td>Co-housing or student housing</td>
<td>Student rentals</td>
</tr>
<tr>
<td></td>
<td></td>
<td>1 space per occupant plus 1 guest parking space per 6 spaces</td>
</tr>
<tr>
<td>Institutional</td>
<td></td>
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</tr>
<tr>
<td>College</td>
<td>Refer to &quot;Unique Characteristics&quot; follows this table</td>
<td></td>
</tr>
<tr>
<td>Community Services</td>
<td>Refer to &quot;Unique Characteristics&quot; follows this table</td>
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</tr>
<tr>
<td>Daycare</td>
<td>Excluding home occupation daycare</td>
<td>1 per 500 square feet</td>
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<tr>
<td>Hospital</td>
<td></td>
<td>1 space per two beds</td>
</tr>
<tr>
<td>Parks and Open Areas</td>
<td>Refer to &quot;Unique Characteristics&quot; follows this table</td>
<td></td>
</tr>
<tr>
<td>Religious Institutions</td>
<td></td>
<td>1 per 4 persons of maximum capacity(^{58})</td>
</tr>
<tr>
<td>Safety Service</td>
<td>Refer to &quot;Unique Characteristics&quot; follows this table</td>
<td></td>
</tr>
<tr>
<td>Schools</td>
<td>Refer to &quot;Unique Characteristics&quot; follows this table</td>
<td></td>
</tr>
<tr>
<td>Utilities, Basic</td>
<td>Excluding park'n'ride facilities(^{59})</td>
<td>None</td>
</tr>
<tr>
<td>Commercial</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office or administrative area</td>
<td></td>
<td>1 per 300 square feet</td>
</tr>
</tbody>
</table>

\(^{58}\)Parking may be increased for Stake Centers or other religious institutions that are found by the Director of Public Works to generate vehicle traffic in higher volumes than typical religious institutions.

\(^{59}\)Park'n'ride facilities shall be developed in conformance with parking design and landscaping requirements.
### Use Categories

<table>
<thead>
<tr>
<th>Indoor sales, service or display area</th>
<th>1 per 500 square feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Outdoor sales, service or display area</td>
<td>1 per 750 square feet</td>
</tr>
<tr>
<td>Office</td>
<td>Medical 1 per 200 square feet</td>
</tr>
<tr>
<td></td>
<td>All Other Office 1 per 300 square feet</td>
</tr>
<tr>
<td>Parking, Commercial</td>
<td>Must meet design/landscaping stds. N/A</td>
</tr>
<tr>
<td>Recreation and Entertainment, Outdoor</td>
<td>Refer to “Unique Characteristics” follows this table</td>
</tr>
<tr>
<td>Retail Sales and Service</td>
<td>Bank or Financial Service 1 per 250 square feet, plus stacking spaces per Table 17-9</td>
</tr>
<tr>
<td></td>
<td>Car Wash Stacking spaces per Table 17-9</td>
</tr>
<tr>
<td></td>
<td>Health Club 1 per 200 square feet</td>
</tr>
<tr>
<td></td>
<td>Hotel, motel or other temporary lodging 1 per guest room, plus required spaces for associated uses</td>
</tr>
<tr>
<td></td>
<td>Restaurant, General 1 per 150 square feet</td>
</tr>
<tr>
<td></td>
<td>Restaurant, Fast-Food 1 per 75 square feet of customer service and dining area or 1 per 150 square feet, whichever is greater, plus stacking spaces per Table 17-9</td>
</tr>
<tr>
<td></td>
<td>Retail Sales and Service not specifically listed 1 per 250 square feet</td>
</tr>
<tr>
<td></td>
<td>Theater 1 per 4 seats</td>
</tr>
<tr>
<td></td>
<td>Parking based on the sum of parking requirements for components</td>
</tr>
<tr>
<td>Vehicle and Equipment Sales</td>
<td>1 per 200 square feet</td>
</tr>
<tr>
<td>Video Sales/Rental</td>
<td>Site design and landscaping of paved areas required None</td>
</tr>
<tr>
<td>Self-Service Storage</td>
<td>5 per service bay</td>
</tr>
<tr>
<td></td>
<td>6 per service bay</td>
</tr>
<tr>
<td>Vehicle Repair</td>
<td>Parking based on the sum of parking requirements for components</td>
</tr>
<tr>
<td>Vehicle Service, Limited</td>
<td>Parking based on the sum of parking requirements for components</td>
</tr>
<tr>
<td></td>
<td>1 per 2,500 square feet</td>
</tr>
<tr>
<td>Industrial Services</td>
<td>Parking based on the sum of parking requirements for components</td>
</tr>
<tr>
<td></td>
<td>1 per employee per shift plus 15%</td>
</tr>
<tr>
<td></td>
<td>Parking based on the sum of parking requirements for components</td>
</tr>
<tr>
<td></td>
<td>Refer to “Unique Characteristics” following this table</td>
</tr>
</tbody>
</table>

---

60 If office areas are provided, parking must be established for the office use; no use conversion to other than storage shall be permitted without appropriate parking being provided in numbers of spaces, design of the parking facility, and landscaping.
B. Off-Street Parking For Land Uses With Unique Parking Requirements

Land uses which have widely varying parking demand characteristics, make it impossible to specify a single off-street parking standard. Uses found by the Director of Community Development to have unique parking requirements shall comply with the provisions of this subsection.

1. A developer proposing to develop or expand a land use with unique parking requirements shall submit a parking study that provides justification for the number of off-street parking spaces proposed.

2. The Director of Community Development and City Engineer shall review this study and any other traffic engineering and planning data relevant to the establishment of an appropriate off-street parking standard for the proposed use.

3. A parking study shall include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable estimates as approved by the Department of Public Works, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, location, or parameters of the use that may be estimated to parking requirements.

4. The study shall document the source of data used, and methods used to develop the recommendations. After reviewing the parking study, the Director of Community Development and City Engineer shall establish a minimum off-street parking standard for the proposed use.

5. Appeals of the administrative decision may be made to the Board of Adjustment in accordance with the procedures of Chapter 17.46.

§17.28.040. Rules for Computing Requirements

The following rules apply when computing off-street parking and loading requirements:
A. Multiple Uses
Lots containing more than one use shall provide parking in an amount equal to the total of the requirements for all uses. The decision-makers may award a reduction of not more than fifteen percent when it can be found that the uses within the business share general customer traffic.

B. Fractions
When measurements of the number of required spaces result in fractions, any fraction of one-half or less will be disregarded and any fraction of more than one-half will be rounded upward to the next highest whole number.

C. Area Measurements
Unless otherwise specifically noted, all square footage-based parking and loading standards are to be computed on the basis of gross floor area.

D. Occupancy-Based Standards
For the purpose of computing parking requirements based on employees, students, residents or occupants, calculations shall be based on the largest number of persons working on any single shift, the maximum enrollment or the maximum fire-rated capacity, whichever is applicable and whichever results in the greater number of spaces.

E. Unlisted Uses
Upon receiving a development application for a use not specifically listed in an off-street parking schedule, the Director of Community Development shall apply the off-street parking standard specified for the listed use that is deemed most similar to the proposed use or require a parking study in accordance with this Chapter.

§17.28.050. Parking for residences with occupancy by co-housing

A. Multi-family dwelling units used for co-housing on or after June 1, 1998
When a dwelling unit, whether single family dwelling or multi-family dwelling, is to be occupied on a co-housing basis, the property owner shall provide one conforming parking space per occupant of the dwelling unit. Occupancy of the dwelling or dwellings shall be limited by the number of conforming parking spaces provided. The Director of Community Development may require verification of a parking enforcement program, the use of parking permits, or other parking management programs in order to maintain compliance with this requirement.

B. Dwelling units used for co-housing prior to June 1, 1998
A dwelling unit used for co-housing prior to June 1, 1998 shall be required to conform to the provisions of this Chapter by August 1, 2001. Conformance may be obtained by providing onsite or offsite parking spaces assigned to the dwelling unit(s), obtaining a right-of-way parking permit in conformance with the Logan Municipal Code, or other methods as approved by the Director of Community Development and Director of Public Works.
§17.28.060. **Maximum number of parking spaces**

The number of parking spaces specified in this chapter shall not be exceeded by an amount of more than twenty-five percent of the minimum without design review approval pursuant to the procedures in Chapter 17.39.

§17.28.070. **Vehicle stacking capacity in drive-through lanes**

Based on specific site requirements and business operations, the following Table shall be used as a guide for the recommended stacking capacity:

<table>
<thead>
<tr>
<th>Activity Type</th>
<th>Minimum Stack</th>
<th>Measured From</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bank teller lane</td>
<td>3 per lane</td>
<td>Teller or Window</td>
</tr>
<tr>
<td>Automated teller machine</td>
<td>3 per machine</td>
<td>Teller</td>
</tr>
<tr>
<td>Restaurant drive-through</td>
<td>8</td>
<td>Order Box</td>
</tr>
<tr>
<td>Car wash stall, automatic</td>
<td>6</td>
<td>Entrance</td>
</tr>
<tr>
<td>Car wash stall, self-service</td>
<td>1</td>
<td>Entrance</td>
</tr>
<tr>
<td>Other</td>
<td>Determined by City Engineer based on Traffic Study</td>
<td></td>
</tr>
<tr>
<td>Convenience store drive-thru</td>
<td></td>
<td>Prohibited</td>
</tr>
<tr>
<td>Gasoline pump island</td>
<td>30 feet from each end of pump island</td>
<td></td>
</tr>
</tbody>
</table>

**A. Design and Layout.**

Required stacking spaces are subject to the following design and layout standards:

1. Stacking space shall be a minimum of 8 feet by 16 feet in size,
2. Stacking spaces shall not impede on- or off-site traffic movements or movements into or out of off-street parking spaces,
3. Stacking spaces shall be separated from other internal driveways with raised medians, as deemed necessary by the City Engineer for traffic movement and safety.

§17.28.080. **Residential parking**

**A. Onsite**

Except as specifically stated in this chapter, required off-street parking spaces shall be located on the same lot as the primary use.

**B. Residential zoning districts**

1. Parking shall not be located within the front or side setbacks,
2. Within the MFM, MFH, MFV, and MH districts, and for attached dwelling units in the SFR district, parking (not located within an

51/Stacking for at least 4 vehicles shall be provided between the order box and pick-up window.
attached garage) shall be separated from the dwellings by a
landscape area. No parking shall be located between the street and
the structure.
3. If there are no conforming locations on a lot for parking in residential
districts, a parking pad may be situated in the side setback, provided
that it is no closer than three feet to the adjoining property line. No
carport, canopy, or cover shall be permitted.
C. No Heavy Vehicle Storage in Residential Districts

The parking or storage of any commercial truck or truck trailer is pro-
hibited in the SFL, SFT, SFR, MFM, MFH and MFV except when located
outside of required setbacks and public rights-of-way, or located within a
residential garage. This prohibition does not apply to vehicles making
deliveries or pick-ups.
D. Parking of recreation vehicles in front setback

No recreation vehicles shall be parked within the front yard or on the
driveway in front of a residence for more than 72 hours. The intention of
this section is to permit the temporary parking of a recreation vehicle in the
driveway while it is being loaded or prepared for use or storage, or to
accommodate short-term visitors to the residence.

§17.28.090. Commercial and industrial parking

A. Onsite parking required

A commercial and industrial development shall be required to provide
adequate parking onsite except as noted:
1. Within the Central Commercial district in Downtown Logan where there
   is no physical location for onsite parking, businesses may provide
   parking at offsite locations in conformance with this Chapter, or
   business may contribute a proportional share of the cost of developing
   offsite parking.
2. Businesses in any zone may contract or lease offsite parking or obtain
   parking easements at locations conforming to the requirements of this
   Chapter.
3. If a right-of-way parking permit has been obtained in conformance
   with the Logan Municipal Code, the parking identified in the permit
   shall count or be part of the parking requirements of this Chapter.
B. Location of parking

When parking is located between the building and the street, landscaped
separations between the right-of-way and the parking shall be required
in conformance with Chapter 17.31 as shown in Figure 17–7 on page 162.
1. Within commercial districts, the decision-makers may reduce setback
   requirements if parking is not located between the building and the
   right-of-way.
Figure 17-5: Parking lot specifications and dimensions

Table 17-10: Parking lot dimensions and design

<table>
<thead>
<tr>
<th>Angle of Parking</th>
<th>90°</th>
<th>60°</th>
<th>45°</th>
<th>30°</th>
<th>Parallel</th>
</tr>
</thead>
<tbody>
<tr>
<td>A: Angle of Parking</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
<td>12'</td>
</tr>
<tr>
<td>B: Single lane turning aisle</td>
<td>9'</td>
<td>8'</td>
<td>6'</td>
<td>4'6&quot;</td>
<td>24'</td>
</tr>
<tr>
<td>C: Curb length per vehicle</td>
<td>20'</td>
<td>22'</td>
<td>20'6&quot;</td>
<td>18'</td>
<td>9'</td>
</tr>
<tr>
<td>D: Parking stall depth (standard)</td>
<td>24'</td>
<td>19'</td>
<td>15'</td>
<td>13'</td>
<td>12'</td>
</tr>
<tr>
<td>E: Driveway width (minimum)</td>
<td>60° PARKING LAYOUT</td>
<td>60° PARKING LAYOUT</td>
<td>60° PARKING LAYOUT</td>
<td>60° PARKING LAYOUT</td>
<td>60° PARKING LAYOUT</td>
</tr>
<tr>
<td>F: Right-of-Way Access</td>
<td>Ingress: 16' for one lane; egress: 12' per lane</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G: Backout area (dead end aisles)</td>
<td>9' x 20'</td>
<td>Through traffic only; no dead end lanes allowed</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking stall sizes</td>
<td>Standard: 9' x 20'; Compact: 9' x 18'; 9' x 24'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12'</td>
<td>24'</td>
<td>Driveway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9'</td>
<td>PARALLEL PARKING LAYOUT</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20'5&quot;</td>
<td>18'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15'</td>
<td>9'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18'</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13'</td>
<td>9'</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17'4&quot;</td>
<td>17'4&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12'8&quot;</td>
<td>14'1&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10'3&quot;</td>
<td>10'1&quot;</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 17-5: Parking lot specifications and dimensions
2. Within industrial districts, no parking shall be permitted in the front setback on properties fronting arterial roads, major collectors, or minor collectors.

3. No parking shall be permitted facing the 1400 West (Cache Valley Highway) right-of-way.

C. Driveway widths
Maximum driveway width in commercial and industrial zones shall be fifty feet.

D. Parking lot design
Parking lots and parking spaces shall be designed and maintained in conformance with the standards shown in Figure 17-4 on page 138.

E. Bicycle parking
Parking for bicycles shall be provided as follows:

1. Multiple dwelling structures:
   a. Storage areas capable of securing and holding two bicycle per each dwelling unit shall be provided. Bike racks are acceptable.
   b. Student housing shall provide at least one bicycle parking space with a fixed mount capable of providing locking storage for each two bedrooms or occupants.

2. Commercial businesses: One bicycle parking space with a fixed mount capable of accommodating locking bicycle storage shall be provided for each five parking spaces with a minimum of two. Parking lots with more than 50 parking spaces shall provide bicycle parking on a ration of one lockable space per ten parking spaces.

§17.28.100. Alternative Parking Plan

An Alternative Parking Plan is a proposal to meet vehicle parking needs by means other than providing parking spaces on-site in accordance with the ratios established in this Chapter. Proponents who wish to provide fewer off-street parking spaces than required shall secure approval of an Alternative Parking Plan, in accordance with the standards of this section.

A. Procedures

1. Plan Contents. Alternative Parking Plans shall be submitted in a form established by the Director of Community Development. At a minimum, such plans shall detail the type of alternative proposed and the rationale for such a proposal. Plans shall be prepared by a professional appropriately licensed by the State of Utah.

2. Review and Approval
   a. Small Facilities: The Director of Community Development is authorized to review and act on Alternative Parking Plans if the plan proposes a reduction of 5 or fewer off-street parking spaces.
   b. Large Facilities: Alternative Parking Plans that propose a reduction of 6 or more off-street parking spaces require review and action by the decision-maker.
3. Recordation of Approved Plans: A copy of an approved Alternative Parking Plan shall be submitted to the County Recorder's office for recordation. An Alternative Parking Plan may be amended by following the same procedure required for the original approval.

B. Transportation Management Program

The Director of Community Development may authorize a reduction in the number of required off-street parking spaces for developments or uses that institute and commit to maintaining a Transportation Management Program, in accordance with the standards of this section.

1. Required Study: The applicant shall submit a study that clearly indicates the types of transportation management activities and measures proposed.

2. Posting and Distribution of Information: The distribution and posting of information from transit agencies and other sources of alternative transportation shall be a minimum requirement of this subsection.

3. Transportation Management Activities: There is no limitation on the types of transportation management activities for which reductions may be granted from otherwise required off-street parking ratios. The following measures will serve as a guide to eligible transportation management activities.

   a. Transportation Coordinator: The appointment of a Transportation Coordinator with responsibility for disseminating information on ride-sharing and other transportation options may be cause for a reduction in otherwise applicable off-street parking requirements. In addition to acting as liaisons, Transportation Coordinators shall be available to attend meetings and training sessions with the City or transit providers.

   b. Off-Peak Work Hours: Employers that institute off-peak work schedules, allowing employees to arrive at times other than the peak commute periods as defined by the City Engineer, may be eligible for a reduction in otherwise applicable off-street parking requirements.

   c. Preferential Parking: The provision of specially marked spaces for each registered car pool and van pool may be cause for a reduction in otherwise applicable off-street parking requirements.

   d. Financial Incentives: The provision of cash or in-kind financial incentives for employees commuting by car pool, van pool and alternative transit may be cause for a reduction in otherwise applicable parking requirements.

C. Off-Site Parking

Required parking may be located off-site, if approved as a part of an Alternative Parking Plan and in compliance with all of the following standards:

1. Ineligible Activities: Off-site parking may not be used to satisfy the off-street parking standards for residential uses (except for guest
parking), restaurants, convenience stores or other convenience-oriented uses. Required parking spaces reserved for persons with disabilities may not be located off-site.

2. Location: Off-site parking may be located within a 300 foot radius from the use served. Off-site parking spaces may not be separated from the use served by a street right-of-way with a width of more than 80 feet, unless a grade-separated pedestrian walkway or other traffic control or safety device is provided.

D. Agreement for Off-Site Parking

Off-site parking requires a written agreement that shall run with the land and which shall be recorded. A signed, notarized copy of the agreement between the owners of record shall be submitted to the Director of Community Development for review and approval. Recordation of the agreement shall take place prior to the issuance of a building permit for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if required off-street parking spaces are provided in conformance with the provisions of this Chapter.

E. Shared Parking

Developments or uses with different operating hours or peak business periods may share off-street parking spaces if approved as part of an Alternative Parking Plan and if the shared parking complies with all of the following standards.

1. Location: Shared parking spaces shall be located within a 300 foot radius of all uses served.

2. Shared Parking Study: A parking study prepared by a professional appropriately licensed by the State of Utah shall be submitted to the Director of Community Development to clearly demonstrate the feasibility of shared parking. At a minimum, the study shall address the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

3. Agreement for Shared Parking: A shared parking agreement shall be enforced through written agreement among all owners of record. A signed, notarized copy of the agreement between the owners of record shall be submitted to the Director of Community Development for approval prior to recordation. Recordation of the agreement shall take place prior to the issuance of a building permit for any use to be served by the off-site parking area. A shared parking agreement may be revoked only if required off-street parking spaces can be otherwise provided, in conformance with the provisions of this Chapter.
CHAPTER 17.28 * PARKING REQUIREMENTS

§17.28.110. Parking for Persons with Disabilities.

Off-street parking for persons with disabilities shall be provided in accordance with the Americans with Disabilities Act (ADA) and the Uniform Federal Accessibility Standards.

§17.28.120. Use of Required Parking Spaces.

A. Use of parking areas.

Required off-street parking areas shall be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the storage of vehicles, boats, motor homes, campers, mobile homes, or building materials.

B. Use of parking areas for temporary events and sales

1. A portion of a parking lot that allows at least seventy-five percent of the remaining legal parking spaces to be used for parking in conformance with the standards of this chapter may be set aside for purposes of a temporary event, such as a “tent sale,” “sidewalk/parking lot sale,” or other permitted activity. These events may not exceed seven consecutive days in length and may not occur more than once each calendar quarter.

2. The property owner and operator of the licensed business at the location are jointly responsible for ensuring that events blocking parking lots do not result in unsafe traffic or circulation conditions and ensures that there is adequate fire and emergency vehicle access. The Police Chief, Fire Chief or their designee may order the event canceled and removed without hearing or notice if found that the arrangement of the temporary event or sale interferes with safe flow of traffic or emergency vehicle access to a site.

3. The property owner, business licensed at the site, and entity responsible for the event are jointly responsible for ensuring there is adequate parking at the event site. The use of public right-of-way for event parking is prohibited. Parking arrangements may be made for use of adjoining or nearby parking areas within a 300 foot radius, but a copy of the agreements shall be in writing and filed with the Director of Community Development at least 2 working days prior to the event.

C. Long-term vendors located in parking lots

1. Temporary long-term use of a parking lot for a vendor (example and not limited to: Christmas trees, fireworks, snow cone sales, ice cream sales, seasonal food sales) that will be located in the parking lot for more than seven consecutive days may be permitted by the Director of Community Development provided that a copy of a written agreement for use of the parking area is submitted to the Director prior to the establishment of the use.
2. A site plan showing the location of the facility and an indication of the total number of existing spaces in the parking lot and parking to be removed by the vendor shall be submitted to the Director.

3. Depending on the design of the parking area and location of the long-term vendor, the Director may require parking spaces in the area of the vendor to be restriped for purposes of providing parking or accommodating safe traffic flows.

4. In no case shall a long-term vendor be permitted to remove more than five percent of the subject property's parking spaces from general usage.

D. Temporary vendors on undeveloped sites

The use of undeveloped sites for parking or sales by temporary vendors shall be prohibited. Temporary vendors may utilize undeveloped portions of appropriately zoned properties provided that the property owner creates an approved right-of-way access, a paved surface for the area, parking needed by the vendor, and landscaping. The Director of Community Development may approve the design and landscaping for temporary vending.

E. Shopping cart corrals

Cart corrals or similar facilities shall not be permitted to replace required parking. New development shall identify cart corral or collection areas on the site plan.
Chapter 17.32: Accessory Dwelling Units

§17.32.010. Purpose

Accessory dwellings are intended to provide housing opportunities for residents and supplemental income opportunities for home owners. Accessory dwellings are second dwelling units contained within a detached house in a single family neighborhood.

§17.32.020. Conditional Use Permit Required

Accessory Dwellings may be conditionally permitted in the AG, SFL, SFT, and SFR zoning districts, upon review and approval in accordance with the Conditional Use Permit review procedures of Chapter 17.38.

§17.32.030. Owner occupancy required

At least one of the dwelling units in a single family detached dwelling with an accessory dwelling shall be the permanent, full time residence of the record owner of the property. The dwelling unit occupied by the owner shall not be used as rental housing at any time while the second unit permitted by this chapter is occupied by tenants.

§17.32.040. License Required

A. License shall be current.

1. A valid Accessory Dwelling permit is required for lawful use of any accessory dwelling unit;
2. An Accessory Dwelling permit is issued as a conditional use permit valid for a period of twelve months and renewable each calendar year in conformance with this chapter; In this chapter, the conditional use permit is also called an Accessory Dwelling Permit.
3. It is the responsibility of the property owner of the subject property to obtain and maintain a valid Accessory Dwelling permit each calendar year;
4. The use of an accessory dwelling without a valid permit shall be considered a violation of this Title.
   a. The property owner of the unit shall be subject to penalties and enforcement actions,
   b. A permit that has been expired for more than 30 days shall result in an automatic voiding of the accessory dwelling’s conditional use permit without hearing or notice.

B. Use permit approval required.

The Accessory Dwelling Permit shall be obtained after approval of the Conditional Use Permit by the Planning Commission and prior to the initial occupancy of the accessory dwelling.
C. Expiration date.
   The Accessory Dwelling Permit shall expire on the last day of the
calendar quarter in which the Permit was issued not less than twelve
months from the date of issuance of the current permit.

D. Annual renewal.
   Permits shall be renewed each year prior to the date of expiration.

§17.32.050. Size of Accessory Unit
   An Accessory Dwelling shall not exceed 50 percent of the gross floor area
   (including an unfinished basement) of the primary dwelling unit. It shall
   not contain more than one bedroom.

§17.32.060. Maximum Occupancy
   Maximum occupancy shall be limited to two persons.

§17.32.070. Development standards and requirements.
   A. Interior conversions only
      An accessory dwelling shall be created only through an internal
      conversion of an existing primary dwelling unit, and not through the
      conversion of a garage, or other accessory structure. No exterior
      expansion of a single family detached dwelling shall be permitted for
      purposes of adding an accessory dwelling.
   
   B. New entrances not to be visible from street
      No new entrances visible from the street shall be added to the structure to
      accommodate the accessory dwelling.

   C. Utility connections
      1. Appropriate utility charges shall be collected for the accessory
         dwelling.
      2. No new utility connections visible from the street shall be added to
         structure housing the accessory dwelling unit.

   D. Other site development standards.
      The Planning Commission may require additional site development
      standards based on site specific conditions and the requirements of
      Chapter 17.38.

§17.32.080. Onsite parking
   At least one onsite parking space shall be provided for the accessory
dwelling in addition to onsite parking required for the primary dwelling
unit. The parking space shall conform to the siting requirements of this
Title, and shall not be located within the front setback or in the front of the
house or within the public right-of-way.
§17.32.090. Variances to accommodate accessory dwellings prohibited
No variance shall be approved by the Board of Adjustment in order to accommodate an Accessory Dwelling.

§17.32.100. Noncompliance
The Accessory Dwelling Permit shall be renewed annually. Failure to comply with the terms and conditions of the permit shall be grounds to refuse to renew the Permit. All other enforcement and compliance shall be pursued through the procedures in this Title.

§17.32.110. Permit Nontransferable
No Accessory Dwelling Permit may be transferred from one property owner to the next. Accessory dwelling Permits expire upon transfer of the real property.
Chapter 17.33: Home Occupations

§17.33.010. Purpose
Many types of work can be conducted at home with little or no effect on the surrounding neighborhood. The home occupation regulations of this chapter are intended to permit residents to engage in home occupations, while ensuring that home occupations will not be a detriment to the character and livability of the surrounding neighborhood. The regulations require that accessory home occupations remain subordinate to the permitted residential use and that the residential viability of the dwelling unit is maintained. Home occupations are intended to be businesses that function within the residence with the actual transactions and customer activity occurring away from the residential property.

§17.33.020. Applicability
Uses identified in this chapter are allowed as home occupations only if they comply with all the requirements of this chapter.

§17.33.030. Performance standards
All home occupations are subject to the performance standards of this Chapter.
A. Employees
One nonresident employee may be permitted for Home Occupation provided no customers come to the site. Onsite parking is required.
B. Customers
Home occupations shall be businesses that are intended to operate, grow, and flourish without need for walk-in or unrestricted customer traffic to the residential property.
C. Retail sales
Retail sales of goods are prohibited from the residential property.
D. Home occupations and accessory dwellings
No home occupation involving employees or customer traffic shall be permitted in a residence with an accessory dwelling unit.

§17.33.040. Types of Home Occupations
A. Family, child, and elder day care
1. Daycare for up to six persons, including the family members of the provider, is a permitted home occupation in all residential base zoning districts upon issuance of a business license from the City and appropriate State licensing.
2. Daycare for seven to twelve persons, including family members of the provider, is conditionally permitted as a home occupation in all residential base zoning districts upon compliance with conditions of the
use permit, issuance of a business license from the City Treasurer, and appropriate State licensing.

B. Home occupations in the historic district

Home occupations listed as conditional uses within the HD combining district are subject to the provisions of Chapter 17.18 and not this Chapter. Home occupations not listed as conditional uses within the HD combining district are subject to the provisions of this Chapter.

C. Group living facilities as a business

1. Assisted living centers
2. Group living facilities for the elderly
3. Group living facilities for the developmentally disabled
4. Group living facilities for the physically disabled

D. Office in the home

A business which is comprised of an office in the home, consulting services, or service activities that are managed from the home and occur away from the residential property are permitted. Client traffic established by appointment only may be permitted.

E. Outside sales

Outside sales activities, such as sales of cosmetics, vacuum cleaners, and similar business operated with the proprietor making the transaction at another residence are permitted. Customer traffic established by appointment only may be permitted.

F. Demonstration sales, sales parties, and periodic group gathering activities

Sales activities that require as a part of the marketing effort a group gathering on a periodic basis in order to sample or display the product may be permitted as a home. While the intent of this code is to accommodate such activities as a use, it is not the intent of the City to allow such activities to occur on a frequent and regular basis in a residential location. If the City receives repeated and legitimate complaints about the number of gathering activities that are commercially related, the City may impose limitations on the number of gatherings per specified time period.

G. Real estate, insurance, accounting, financial services

Service businesses involving customer traffic may be based within a residence, provided that the licensee meets customers at a location away from the residential property or at the home by appointment only.

§17.33.050. Uses not identified

The regulations of this chapter establish performance standards for home occupations. Uses that comply with all of the standards of this chapter may be permitted as home occupations unless specifically prohibited in this Title.
§17.33.060. Prohibited uses and operational characteristics

A. Customer traffic
   Any business which requires walk-in, unrestricted, or impulse customer traffic to regularly go to the residence in order for the business to financially succeed shall be prohibited.

B. Customer traffic by appointment
   The Director of Community Development may impose limitations on the number of customer appointments per day on the basis of available parking, street access, home business location, or other site specific factors.

C. Vehicle and large equipment repair
   Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines) or of large appliances (such as washing machines, dryers, and refrigerators) or any other work related to automobiles and their parts is prohibited.

D. Dispatch Centers
   Dispatch centers, where employees come to the site to be dispatched to other locations, are not allowed as home occupations.

E. Animal treatment, grooming, training, care, or boarding facilities
   Any business requiring the customer to bring an animal to the residential property in which the business is located is prohibited. Animal treatment, grooming, training, care, or boarding facilities are not allowed as home occupations. This includes animal training singly or in groups, animal bathing, animal grooming, animal hospitals, kennels, stables and all other types of animal boarding and care facilities.

§17.33.070. Signs
   Signs shall comply with the sign regulations of Chapter 17.31.

§17.33.080. Business Licenses
   Business licenses shall be required for home occupations issued in conformance with the provisions and penalties of the Logan Municipal Code.

§17.33.090. Outdoor Activities
   All activities shall be conducted in completely enclosed structures. Exterior storage or display of goods or equipment is prohibited.

77/Stables may be permitted or conditionally permitted within zoning districts as identified on the use chart for the appropriate zoning districts.
§17.33.100. Exterior Appearance

There shall be no change in the exterior appearance of the dwelling unit that houses the home occupation or the site upon which is conducted that will make the dwelling appear less residential in nature or function. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, or adding commercial-like exterior lighting. There may be no visible evidence of the conduct of a home occupation when viewed from the street right-of-way or from an adjacent lot.

§17.33.110. Operational Impacts

No home occupation or equipment used in conjunction with a home occupation may cause odor, vibration, noise, electrical interference or fluctuation in voltage that is perceptible beyond the lot line of the lot upon which the home occupation is conducted. Hazardous substances may be subject to additional restrictions based on proposed quantities, available storage, use, or disposal. Home occupations shall comply with the home occupation performance standards of §17.33.140. No exterior storage shall be permitted, although storage may occur in an accessory building, provided that the accessory building shall not be larger than twenty-five percent of the residence footprint, not including garage.

§17.33.120. Trucks and Vehicles

No truck larger than a passenger 1½ ton pick-up truck may be parked overnight at the site of a home occupation. The Director of Community Development may impose limitations of the parking of fleet vehicles at a residential lot when a home occupation permit has been issued. The intent of this section is that recognizing that some businesses may own, lease, or operate more than one vehicle, the residential lot shall not become the parking lot and storage area.

§17.33.130. Deliveries

Vehicles used for delivery and pick-up are limited to those normally servicing residential neighborhoods. A home occupation shall not require more than two trips per week by a commercial tractor-trailer vehicle.

§17.33.140. Home occupations performance standards

A. Employees

One nonresident employee may be permitted for Home Occupation.

B. Customers

Customer traffic shall be by appointment only and may be limited by the Director of Community Development in conformance with the provisions of this Chapter.
C. Retail sales
Retail sales of goods is prohibited from the residential property. Orders may be placed or transactions generated at the subject property, but customer delivery or pickup shall occur elsewhere.

D. Home occupations and residential additions and accessory buildings
No home occupation shall be permitted in an accessory building.
Chapter 17.34: Additional Development Standards

§17.34.010. Purpose
This chapter is intended to provide development standards for specific categories of land uses for which conventional development standards of this Title need to be supplemented.

§17.34.020. Fences and walls
A. Compliance.
All fences, walls, and retaining walls in the City shall conform to the provisions of this Chapter.

B. Fences, walls, and retaining walls for residential zoning districts
Fences, walls, and retaining walls for single family detached dwellings shall comply with the provisions of this section.

1. Fence requirements on the property line(s) facing a single street (lots with only one street frontage):
   a. No fence shall be higher than four feet within the front setback of any lot within a residential zoning district,
   b. Fences shall be on the property line and not within the right-of-way,

2. Fence requirements on the side and rear property lines:
   a. Fences along the rear property line (unless the rear property line fronts a street) shall be a maximum of six feet in height, except for the portion of the rear property line that due to lot configuration may be within a front setback,
   b. Fences along the side property line (unless the side property line fronts a street) shall be a maximum of six feet in height, except for the portion of the side property line within a front setback,
   c. No fence located within the site distance triangle shall be greater than four feet in height.
3. Fence requirements, for lots with more than one street frontage
   a. No fence shall be higher than four feet on the property line or at any point within the front setback except as follows:
      (1) The property owner shall declare one frontage of the lot as the "front," and a fence not more than four feet high may be located within the front setback,
      (2) The property lines fronting any other street or streets that are not declared as the "front" site may be fenced with the following options:
         (a) A four foot fence may be constructed along the property line, or
         (b) A six foot fence may be constructed provided that the fence is set back 12 feet from the property line, or
         (c) With the approval of the Director of Community Development, a six foot fence may be constructed at a setback for three feet from the property line on lots fronting arterial streets, major collector streets, or minor collector streets, provided that landscaping and irrigation are installed between the fence and the property line, and the property
owner maintains the landscaping in vigorous, healthy condition.

§17.34.030. Mini-storage Warehousing (reserved)

§17.34.040. Adult-Oriented Businesses

A. Purpose
The purpose of this Section is to establish reasonable and uniform regulations to prevent the concentration of adult-oriented businesses or their location in areas deleterious to the City, regulate the signage of such businesses, control the adverse affects of such signage, and prevent inappropriate exposure of such businesses to the community. This Chapter is to be construed as a regulation of time, place, and manner of the operation of these businesses, consistent with the United States and Utah Constitutions.

B. Location of Businesses — Restrictions.
1. Adult oriented business shall be conditionally permitted in the Industrial (IND) district subject to the provisions of this Chapter.
2. No adult-oriented business shall be located:
   a. Within 1,000 feet of any school, public park, library, or religious institution.
   b. Within 1,000 feet of any residential use (no matter which zoning district) or residential zoning boundary.
   c. Within 600 feet of any other adult-oriented business.
   d. Within 600 feet of any gateway or gateway corridor as identified in this title and the General Plan. The distance shall be measured from the edge right-of-way.
3. Distance requirements between structures and uses specified in this Section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the perimeter property boundaries of the school, public park, religious or cultural activity, residential use, or other adult-oriented business, or from the edge of right-of-way of a gateway to the structure of the adult-oriented business.
4. Distance requirements from zoning districts for this Section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the closest zoning boundary of a residential or agricultural district to the adult-oriented business structure.

C. Effect on Non-conforming Businesses.
All lawfully established, legally existing, non-conforming adult-oriented businesses, shall comply with the provisions of this Chapter by December 31, 1998, except in the case in which a business is required to be relocated. In such cases where relocation is required for conformance with this Section, the business shall comply by December 31, 2000.
D. Signs

Signs for adult-oriented businesses shall be subject to the limitations of this section regardless of standards within Chapter 17.31 of the Logan Municipal Code.

1. No more than one exterior building-mounted sign shall be permitted,
2. No sign shall exceed 18 square feet in total sign area,
3. No animation shall be permitted on or around any sign or on the exterior walls or roof of such premises,
4. No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be permitted on any sign.
   Signs shall contain alphanumeric copy only
5. Only flat wall signs shall be permitted; awnings shall be permitted only to display the street number in letters or numbers no greater than eight inches in height,
6. Painted wall advertising shall not be allowed,
7. Other than the signs specifically allowed by this Chapter, the adult-oriented business shall not attach, construct, or allow to be attached or constructed any temporary sign, banner, light, or other device designed to draw attention to the business location.
Chapter 17.51: Definitions

The definitions of words with specific meaning in the Land Development Code are as follows:

§17.51.010. Accessory Dwelling Unit
One additional dwelling unit for limited occupancy in an owner-occupied single family home in a single family zoning district that may be rented to a separate household.

§17.51.020. Accessory Structure
A structure that is subordinate to and serves a primary use or structure; is subordinate to the primary use or structure served; contributes to the comfort, convenience or necessity of occupants of the primary use or structure served; and is located on the same lot and in the same zoning district as the primary use:

§17.51.030. Accessory Use
A use or activity that is a subordinate part of a primary use and clearly incidental to a primary use.

§17.51.040. Adult-Oriented Business
Adult-oriented business means any or all of the following or any portions of the following:

A. Adult Bookstore, Adult Video Store, Adult Novelty Store
   1. A business which excludes minors from more than fifteen percent of the retail floor or shelf space of the premises; or
   2. A business which, as one of its principal purposes, offers for sale, exhibition, or rental, for any form of consideration, any one or more of the following: books, magazines, novelties, periodicals, or other printed matter; or photographs, films, motion pictures, video cassettes, or video reproductions, slides, or other visual representations, the central theme of which depicts or describes "specified sexual activities" or "specified anatomical areas"; or instruments, devices, or paraphernalia which are designated for use in connection with "specified sexual activities," except for legitimate medically recognized contraceptives.

B. Adult business, or Adult-oriented Business
   An adult motion picture theater, adult theater, adult bookstore, adult video store, or adult novelty store.

C. Adult Motion Picture Theater
   "Adult motion picture theater" means a commercial establishment which:
1. Excludes minors from the showing of two consecutive exhibitions (repeated showings of any single presentation shall not be considered a consecutive exhibition); or

2. As its principal business, shows, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions which are primarily characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

D. Adult Theater

"Adult theater" means a theater, concert hall, auditorium, or similar commercial establishment which:

1. Holds itself out as an adult theatre; or

2. Excludes minors from the showing of two consecutive exhibitions (repeated performance of the same presentation shall not be considered a consecutive exhibition); or

3. As its principal purpose or business, features persons who appear in live performances in a state of semi-nudity or which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

E. Principal purpose

A component of a business which generates fifteen percent or more of gross sales or utilizes ten percent or more of retail display area.

F. Semi-nude

A state of dress in which opaque clothing covers no more than the areola of the female breast; and the male or female genitals, pubic region, and anus shall be fully covered by an opaque covering no narrower than four inches wide in the front and five inches wide in the back, which shall not taper to less than one inch wide at the narrowest point.

G. Specified Anatomical Areas

The human male or female pubic area or anus with less than a full opaque covering, or the human female breast below a point immediately above the top of the areola, with less than full opaque covering.

H. Specified Sexual Activities

Specified sexual activities means:

1. Acts of:
   a. Masturbation,
   b. Human sexual intercourse,
   c. Sexual copulation between a person and a beast,
   d. Fellatio,
   e. Cunnilingus,
   f. Bestiality,
   g. Pederasty,
   h. Buggery, or
   i. Any anal copulation between a human male and another human male, human female, or beast;
2. Manipulating, caressing or fondling by any person of:
   a. The genitals of a human,  
   b. The pubic area of a human,  
   c. The breast or breasts of a human female;  
   d. Flagellation or torture by or upon a person clad in undergarments,  
      a mask or bizarre costume, or the condition of being fettered,  
      bound or otherwise physically restrained on the part of the one so  
      clothed.

§17.51.050. Affordable Housing
Safe and decent housing with a sales price or rent that is within income  
limitations for households defined as low and moderate income by current  
Federal or State definitions.

§17.51.060. Appeal
An administrative procedure that requests relief from a decision by a  
designated hearing officer or board.

§17.51.070. Applicant
Same as "Proponent."

§17.51.080. Application
A. Application in general.
   A submission of materials that is required to be received by the City prior  
to commencing any action that results in the issuance of a permit or the  
granting of an approval or conditional approval. The contents of an  
application are a combination of the materials that are required by statute,  
materials that are specified in this title, and materials that may be required  
as a part of the City's administrative process. A "petition" is also an  
application.

   B. Complete application.
   An application shall not be considered complete until all the required  
materials have been received and verified as to content. A complete  
application includes:
   1. payment of required application fees and charges, and  
   2. all maps, drawings, and materials required by statute or ordinance,  
      and
   3. all of the maps, drawings, and information specified in the City's  
      administrative procedures prepared in a neat, legible manner; and

§17.51.090. Assisted living center
Residences for the elderly that provide for semi-independent living. Such  
facilities are (1) equipped with studio or one bedroom apartments with
STATE OF UTAH
COUNTY OF Cache.

On this 1st day of July, 1998, personally appeared before me Felicia Tepedino, 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

above written.

Subscribed and sworn to before me, the day and year

above written.

Signed

Felicia Tepedino

Notary Public.