

**CITY OF LOGAN, UTAH**  
**ORDINANCE NO. 15-16**

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

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

**SECTION 1:** That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.40: "Signs" is hereby amended as attached hereto as Exhibit A, respectively:

**SECTION 3:** This ordinance shall become effective upon publication.

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

AYES:  
NAYS:  
ABSENT:

\_\_\_\_\_  
Jeannie F. Simmonds, Chair

ATTEST:

\_\_\_\_\_  
Teresa Harris, City Recorder

**PRESENTATION TO MAYOR**

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Jeannie Simmonds, Chair

**MAYOR'S APPROVAL OR DISAPPROVAL**

The foregoing ordinance is hereby \_\_\_\_\_ this \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Craig Petersen, Mayor

# EXHIBIT A



## MEMORANDUM TO MUNICIPAL COUNCIL

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

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### **Summary of Planning Commission Proceedings**

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

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

### **Planning Commissioners vote (6 - 0):**

Motion for Recommendation: T. Jensen

Second: T. Nielson

Yea: R. Price, S. Sinclair, A. Davis, T. Jensen, T. Nielson, R. Croshaw

Nay: none

### **Attachments:**

*Staff Report*

*Ordinance 15-015*

*PC Meeting Minutes*



**Project #15-037  
Side Yard Setback Modification  
Code Amendment**

**REPORT SUMMARY...**

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

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**RECOMMENDATION**

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

**REQUEST**

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

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

**GENERAL PLAN**

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

**STAFF RECOMMENDATION AND SUMMARY**

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

**PUBLIC COMMENTS**

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

**PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on July 23, 2015, posted on the City's website and the Utah Public Meeting website on July 14, 2015, and noticed in a quarter page ad on July 26, 2015.

## AGENCY AND CITY DEPARTMENT COMMENTS

No comments have been received.

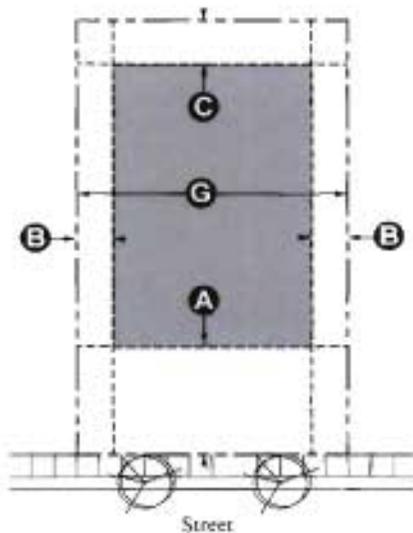
## RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings:

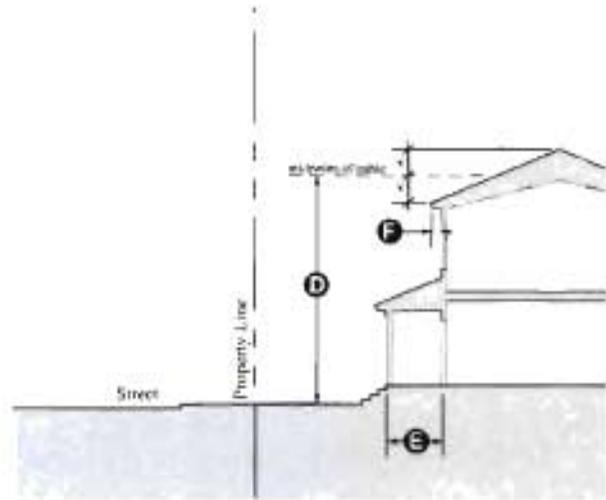
1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments clarify side yard setbacks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

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

§17.15.080 Mixed Residential (MR-9) Development Standards



Site Plan Diagram



Site Plan Diagram

**Residential Density**

Units/Acre (max) 9

**Site**

Min. Lot Size 4,000 sq ft

Ⓒ Lot Width (min. average/block) 40'  
 (Lot width average does not apply to flag lots and courtyard homes).

Lot Coverage (max bldg. footprint) 70%

**Setbacks**

- Ⓐ Front 15'
- Corner 15'
- Ⓑ Side – Common Wall 8'
- Side – Non Common Wall (Min) 8'
- Ⓓ Rear 10'
- Canal (recognized top bank) 15'

**Parking**

Required Stalls 2.0 / Unit

**Land Set Asides (17.35.020)**

- Open Space 20 %
- Useable Outdoor Space 10%

**Attached Garage**

Garages with street facing garage door(s) shall not extend more than 10' beyond the front plane of the primary structure (side entry garages-15' setback).

Maximum width of street facing garage doors shall not exceed 50% percent of the overall width of the primary structure.

**Accessory Structures/Detached Garages**

Building footprint shall not exceed 100% of the primary structure footprint.

Maximum width of street facing garage doors shall not exceed 50% percent of the overall width of the primary structure.

**Detached Garage Setback**

From front plane of Primary Structure (side-entry garage - 15' setback) 10'

Detached garage distance from rear or side of primary structure 6'

**Side/Rear Setbacks (accessory structure)** 5'

Structures less than 120 ft<sup>2</sup> 1'

**Driveway**

**Driveway Width (min-max)** (max width within 15' of street ROW) 12'-22'

**Driveway Setback from side property line** (shared driveway exempt) 2'

**Driveway Access Curb Cut Width (max)** (driveways shall lead to parking stalls located outside of building setbacks) 24'

**Building Height**

Ⓒ Primary Building (Max) 35'

Accessory Building (Max) 15'

**Building Form**

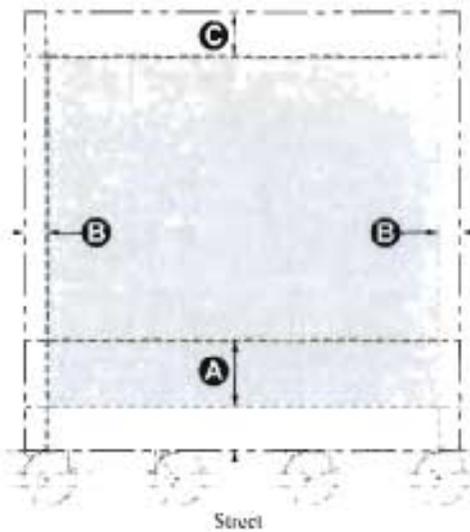
Ⓒ Covered Front Stoop/Porch (min-max depth) 4'

Primary Roof Pitch 5:12

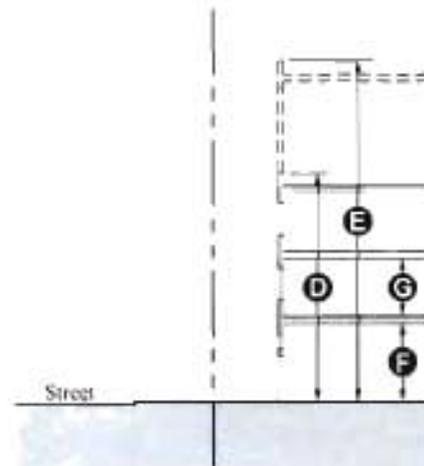
Ⓓ Roof Overhang (min) 1'

# **EXHIBIT B**

**17.19.070: Commercial (COM) Development Standards**



Site Plan Diagram



Site Section Diagram

**Residential Density**

Units/acre (max) 30

**Site**

Lot coverage (max) 60%

**Building Frontage**

% at front setback (min) 50%

**Setbacks**

- A** Front (min) 10'
- B** Side – Common Wall (min) 0.5'
- Side – Non Common Wall (min) 8'
- C** Rear (min) 10'
- Parking (min) 15'

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

**Parking**

Residential (min-max) 1/Unit - 2/Unit  
 Commercial (min) Varies by use  
 See §17.38.040  
 Commercial (max) See §17.38.050  
 Location Rear or Side

**Land Set Asides (17.35.020)**

Open Space 10%  
 Useable Outdoor Space 10%

**Building Form**

**Building Heights**

- Stories (min) NA
- D** Height (max) 38'
- F** Floor Heights (floor to ceiling)
- F** Ground Floor (min) 12'
- G** Upper Floors (min) 9'

**Transparency (Fenestration)**

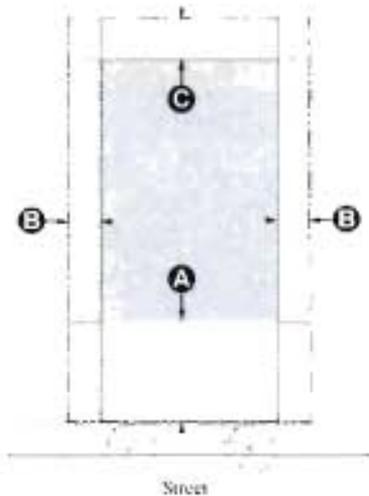
Ground Floor (frontage) 30%  
 Ground Floor (exposed sides) 30%  
 Upper Floors (frontage) 20%

**Entrances**

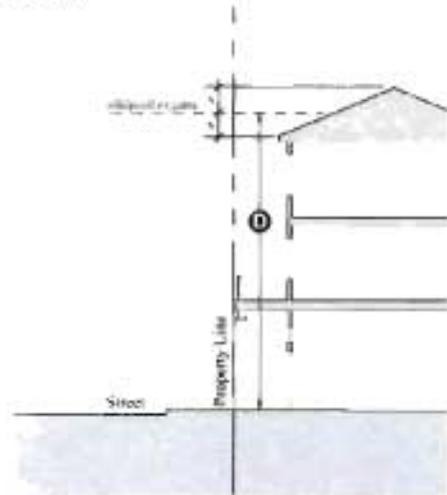
A functioning entrance, open during business hours, is required along each frontage. Buildings with two frontages may substitute an angled entrance at the corner. See also Section 17.18.030, Building Orientation and Entries.

17.19: Specific Development Standards: District and Corridor Zones

§17.19.090 Community Commercial (CC) Development Standards



Site Plan Diagram



Site Section Diagram

**Residential Density**

Units/Acre 12

**Commercial Footprint Area**

Per Parcel 10,000 SF

**Site**

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

**Setbacks**

- A** Front (min-max) 10'-25'
- Corner 10'-25'
- B** Side Common Wall (min) 80'
- Side - Non Common Wall (min) 8'
- C** Rear (min) 10'

**Parking**

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

**Landscaping (17.35.020)**

Open Space 10%  
 Useable Outdoor Space 10%

**Building Form**

Heights

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

Roofs

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

Transparency

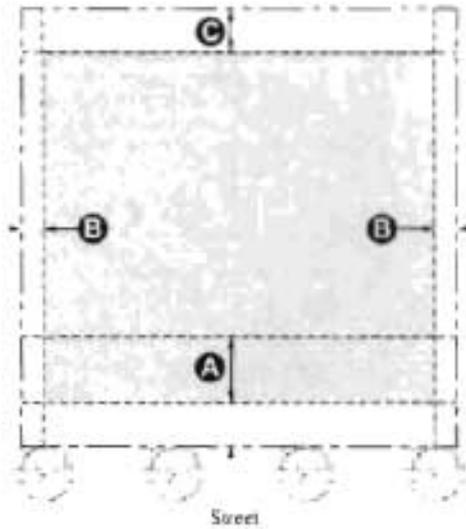
Ground Floor Frontages (street facing min) 30%

Elevations

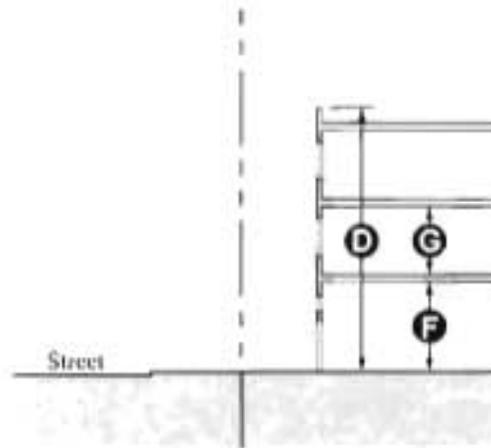
Front, side and rear elevations shall be divided into distinct planes of 500 sq. ft. or less. Changes in wall plane shall project or recess at least 1 ft for a length of at least 6 ft.

17.19. Specific Development Standards: District and Corridor Zones

**17.19.110: Commercial Services (CS) Development Standards**



Site Plan Diagram

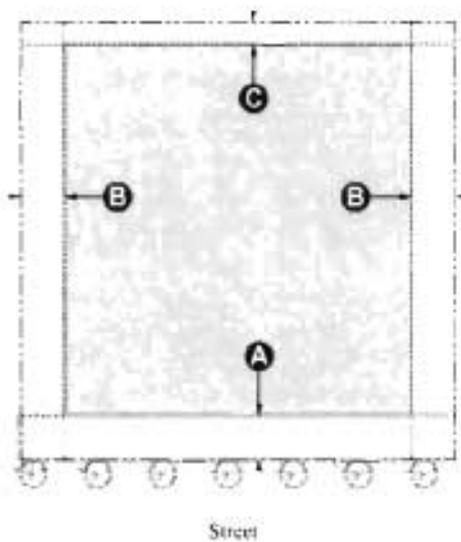


Site Section Diagram

|   |                              |                                 |
|---|------------------------------|---------------------------------|
| <b>Site</b>   | Lot coverage (max)           | 60%                             |
| <b>Setbacks</b>   |                              |                                 |
| <b>A</b>  | Front (min)                  | 10'                             |
| <b>B</b>  | Side - Common Wall (min)     | 50'                             |
|   | Side - Non Common Wall (min) | 5'                              |
| <b>C</b>  | Rear (min)                   | 10'                             |
|   | Parking (min)                | 15'                             |
| See §17.14.050 for additional setback requirements if adjacent to a residential zone. |                              |                                 |
| <b>Parking</b>  |                              |                                 |
|   | Commercial (min)             | Varies by use<br>See §17.38.040 |
|   | Commercial (max)             | See §17.38.050                  |

|   |                                  |
|---|----------------------------------|
| <b>Land Set Asides (17.35.020)</b>      |                                  |
|   | Open Space 10%                   |
|   | Useable Outdoor Space 10%        |
| <b>Building Form</b>                    |                                  |
| <b>Building Heights</b>                 |                                  |
|   | Stories (min) NA                 |
| <b>D</b>                                | Height (max) 38'                 |
| <b>Floor Heights (floor to ceiling)</b> |                                  |
|   | Ground Floor (min) 12'           |
| <b>E</b>                                | Upper Floors (min) 9'            |
| <b>Transparency (Fenestration)</b>      |                                  |
|   | Ground Floor (frontage) 30%      |
|   | Ground Floor (exposed sides) 30% |
|   | Upper Floors (frontage) 20%      |

**17.19.120: Industrial (I) Development Standards**



Site Plan Diagram



Site Section Diagram

**Site**

Lot coverage (max) 50%

**Setbacks**

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

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

**Parking**

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

**Land Set Asides (17.35.020)**

- Open Space 10%
- Useable Outdoor Space 10%

**Building Form**

**Building Heights**

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

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

**Floor Heights**

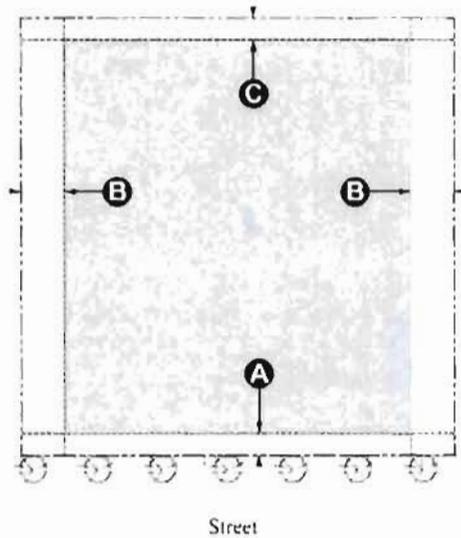
- Ground Floor (min) NA
- Upper Floors (min) NA

**Transparency (Fenestration)**

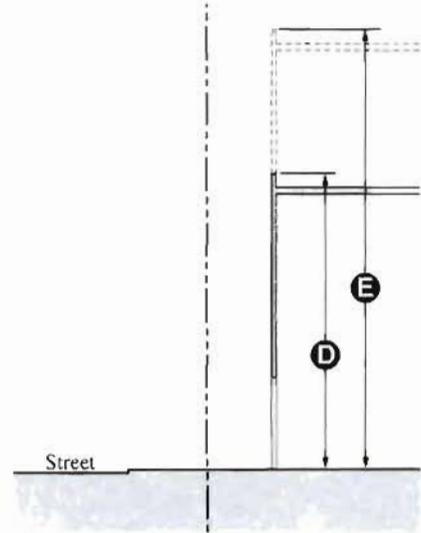
- Ground Floor (street facing elevations) 30%
- Other Elevations NA

17.19: Specific Development Standards: District and Corridor Zones

**17.19.130: Airport (AP) Development Standards**



Site Plan Diagram



Site Section Diagram

**Site**

Lot coverage (max) 60%

**Building Frontage**

% at front setback (min) 50%

**Setbacks**

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

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

**Parking**

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

**Land Set Asides (17.35.020)**

- Open Space 10%
- Useable Outdoor Space 10%

**Building Form**

**Building Heights**

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

Heights must comply with the Airport Master Plan

**Floor Heights**

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

**Transparency (Fenestration)**

- Ground Floor (street facing elevations) 30%
- Other Elevations NA