

## **TITLE 12C. LAND USE - ZONING**

### **CHAPTER 12C-100. GENERAL ZONING PROVISIONS.**

**12C-101. Effect of Chapter.** The regulations hereinafter set forth in this chapter qualify or supplement, as the case may be, the zone regulations appearing elsewhere in this ordinance

**12C-102. Lots in Separate Ownership.** The requirements of this ordinance as to minimum lot area, minimum lot width, or frontage on a public street shall not be construed to prevent the use for a single family dwelling of any lot or parcel of land provided the following conditions are both met:

- (1) Such lot or parcel of land was held in separate ownership at the time of the effective date of the City's original zoning ordinance (31 July, 1970), and the lot remains as that same separate lot until the present when the application for building upon said lot is submitted to the city, and
- (2) Such lot or parcel of land either has at least sixteen (16) feet of frontage on a public street or the lot or parcel of land meets the requirements prescribed in Section 12C-104 below.

(Ord. 00-02)

**12C-103. Yard Space of One Building Only.** No required yard or other open space around an existing building, or which is hereafter provided around any building for the purpose of complying with the provisions of this ordinance, shall be considered as providing a yard or open space for any other building; nor shall any yard or other required open space on an adjoining lot be considered as providing a yard or open space on a lot whereon a building is to be erected or established.

**12C-104. Every Dwelling to be on a "Lot".** Every dwelling shall be located and maintained on a "lot" as defined in this ordinance or on a "flag lot" in accordance with section 12D-307. (Ord. 02-14) Parcels of land which otherwise satisfy the definition of a "lot" in this ordinance, but do not have adequate frontage on a public street, may also be considered a lot for the purpose of locating and maintaining a dwelling thereon, if the City Council determines that the requirements of either Condition One or Condition Two in Subsection (A) are met; and all of the conditions in Subsections (B), (C) and (D) are met:

- (A) Condition One - It is shown that the lot will have frontage on a public street at some future time for either of the following situations:
  - It can be shown that the lot would have adequate frontage on a road shown on the City's General Transportation Plan if said public street were to be built; or
  - It can be shown that future development of the area, such as a subdivision of the property in question and/or surrounding property, will provide the required frontage

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on a public street. To adequately show this, a concept plan must be presented to and approved by the Planning and Zoning Commission and must show

- (1) how the proposed dwelling will eventually have adequate frontage on a public street if the concept plan is developed and
- (2) how, in the meantime, the dwelling will be provided access to a public street by an adequate private lane (as defined in paragraph 12C-118 below).

or

Condition Two - It is shown to the satisfaction of the City Council that it is unlikely that the lot would ever be able to have frontage at some future time if either planned roads were built or surrounding undeveloped lands were developed.

- (B) Once either Condition One or Two is satisfied, in order to build on the lot the property owner must enter into an agreement with the City, and the provisions of the agreement shall run with the land and shall be recorded with the County Recorder. The agreement must set forth any conditions deemed appropriate by the City Council to ensure the conditions and requirements set forth in this section are met.
- (C) In addition, in order for a single family dwelling to be built on a lot not currently having adequate frontage on a public street, as allowed herein, the following conditions must be met:
  - (1) The dwelling must be within 600 feet of a fire hydrant as measured along the logical fire access route and the dwelling must be hooked up to city water and sewer systems. If a water and/or sewer main extension is necessary to meet city construction standards, those will be put in at the property owner's expense.
  - (2) Pick-up points for mail delivery and trash collection must be at a location agreeable to the postal and trash collection service providers. The property owner must show, on a diagram of the area, where the pick up points are to be and must obtain a letter signed by those service providers agreeing to the pick-up points.
  - (3) Any private lane serving the lot is to be maintained in good condition and accessible. It must be kept clear of snow, independent of any city maintenance, entirely at the expense of the private lane owner(s). The developer of the dwelling must provide a letter to the City stating how the private lane is to be maintained including how it is to be kept clear of snow. The private lane must also be maintained such that a thirteen-foot, six-inch (13'6") vertical-distance clearance is maintained along the course of the lane.
  - (4) The dwelling must be located on the property to meet, any appropriate set-back requirements for the zone in which it is located as if the private lane were a public

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street. The location of the dwelling must also be such that any planned street or proposed street in the concept plan, approved under “Condition One” above, would also provide the required setback in the zone. The owner must show, by surveyor’s report, that the dwelling’s setback is and will be sufficient.

- (5) The dwelling must be accessible by emergency vehicles. The property owner must provide a paved, private lane into the property that meets the requirements of Section 12C-118. The private lane and any additionally needed driveway must be of such combined length and configuration as to allow fire equipment access to within fifty feet of the dwelling.
  - (6) The building permit application for the proposed dwelling must include a drainage and water control plan from a licensed engineer to ensure any surface and subsurface water on the lot is properly managed.
- (D). Restrictions – The provisions of this section to allow building on a lot or parcel that does not have sufficient frontage on a public street may not be utilized to allow a re-division of a lot (or lots) within a subdivision which has been approved since the effective date of the City’s original zoning ordinance (31 July, 1970). This must instead be done as an amendment or revision of the subdivision plat and adequate frontage must be provided by that means.

(Ord. 97-02, 00-02)

**12C-105. Separately Owned Lots - Reduced Yards.** In any lot under a separate ownership from adjacent lots and of record at the time of passage of the zoning ordinance and such lot having a smaller width than required for the zone in which it is located, the width which is not less than the same percentage of the width of the lot as the required side yard would be of the required lot width, provided that on interior lots, the smaller of the two yards shall be in no case less than five (5) feet, or the larger less than eight (8) feet, and for corner lots the side yard on the side street shall be in no case less than fifteen (15) feet or the other side yard be less than five (5) feet.

**12C-106. Private Garage With Side Yard - Reduced Yards.** On any interior lot where a private garage, containing a sufficient number of parking spaces to meet the requirements of this ordinance, has a side yard equal to the minimum side yard required for a dwelling in the same zone, the width of the other side yard for the dwelling may be reduced to equal that of the minimum required side yard, except in R-A and R-E zones; and on any lot where such garage has such side yard, the rear yard of the dwelling may be reduced to fifteen (15) feet, provided the garage also has a rear yard of at least fifteen (15) feet.

**12C-107. Yards to be Unobstructed - Exceptions.** Every part of a required yard shall be open to the sky unobstructed except for accessory buildings in a rear yard, the ordinary projections of skylights, sills, belt courses, cornices, roof overhang, chimneys, flues and other ornamental

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features which project into a yard not more than four (4) feet and open or lattice enclosed fire escapes, fireproof outside stairways and balconies upon fire towers projecting into a yard, not more than five (5) feet.

**12C-108. Wall, Fence or Hedge.** Height of fences, hedges, or shrubs.

No fence or wall or similar structure shall be erected in any required front, rear or side yard to a height in excess of six (6) feet except for accessory buildings and structures permitted herein. Where there is a difference in the grade of the properties on either side of a fence or wall, the height of the fence or wall shall be measured from the average elevation of finished grades of the adjoining properties in question at the fence line, except that no fence need be less than forty-two (42) inches in height.

Where a retaining wall protects a cut below the natural grade and is located on the line separating lots, such retaining wall may be topped by a fence, wall, or hedge of the same height that would otherwise be permitted at the location if no retaining wall existed. Where a retaining wall contains a fill, the height of the retaining wall built to retain the fill shall be considered as contributing to the permissible height of a fence, solid wall or hedge, providing that in any event a protective fence or wall not more than forty-two (42) inches in height may be erected at the top of the retaining wall.

**12C-109. Area of Accessory Buildings.** No accessory building, detached accessory dwelling, nor group of accessory buildings in any residential zone shall cover more than twenty-five (25) percent of the rear yard. (Ord. 10-01)

**12C-110. Exceptions to Height Limitations.** Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain the building, and parapet walls, skylights, towers, steeples, flagpoles, chimneys, smoke stacks, water tanks, wireless or television masts, theater lofts, silos, or similar structures may be erected above the height limits herein prescribed, but no space above the height limit shall be allowed for the purpose of providing additional floor space.

**12C-111. Minimum Height of Main Buildings.** No dwelling shall be erected to a height less than one (1) story above grade.

**12C-112. Clear View of Intersecting Streets.** In all zones which require a front yard, no obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the two lines along a public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street fifty feet from the intersection and connected across the property on the corner to form a triangle except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers. (Ord. 03-11)

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**12C-113. Sale or Lease of Required Space.** No space needed to meet the width, yard, area, coverage, parking or other requirements of this ordinance for a lot or building may be sold or leased away from such lot or building.

**12C-114. Group dwellings.** Group dwelling developments are permitted in any R-2 or RM zone subject to the following conditions:

- (A) **Purpose.** The purpose of this ordinance is to ensure that Group Dwellings do not have an adverse impact on the character of adjacent neighborhoods and to ensure that issues of public safety, traffic and parking are mitigated. Permitting of these facilities is governed by the zoning ordinance in general and this chapter specifically. The intent of these regulations is to avoid discrimination in housing against any person regardless of age or disability in compliance with the Utah Fair Housing Act and the Federal Fair Housing Act. It is intended that these municipal regulations locate group dwellings where the site can accommodate traffic needs of the facility and have adequate off-street parking, where the facility is designed to be compatible with the character of the neighborhood, and where these types of facilities are consistent with the activities otherwise permitted in the zone.
- (B) **Group Dwellings Regulated By Zoning Ordinance:** North Logan City's Zoning Ordinance allows for a variety of different Group Dwellings but in most cases such dwellings are regulated differently from a single family dwelling unit. A Group Dwelling is a residential facility where a group of unrelated individuals live together. The various types of group dwellings are either permitted, not permitted, or allowed by conditional use permit in accordance with the zoning matrix in 12C-1001. North Logan City defines several types of Group Dwellings namely: 1) Boarding or Rooming House; 2) Residential Facility for Elderly; 3) Residential Facility for Persons with a Disability; 4) Dormitory, Fraternity, or Sorority; 5) Assisted Living Facility; 6) Nursing Care Facility; 7) Small Residential Health Care Facility; 8) Home Providing Residential Care for Minors; and 9) Group Home for Homeless or Transients.
- (C) **Zoning Clearance and Certification:** No Group Dwelling may operate in North Logan City without first obtaining zoning clearance to do so. Zoning clearance shall be required prior to the issuance of a building permit for any new construction or building modifications for a Group Dwelling and if a conditional use permit (CUP) is required, prior to, or concurrently with the CUP application being submitted. For existing structures, zoning clearance shall be required prior to, or concurrently with the business license application being submitted if operating as a business or prior to occupying the facility as a group dwelling if not operating as a business. To be issued zoning clearance for the Group Dwelling by the Planning Commission the person or entity operating the Group Dwelling Zoning Clearance shall:
  - (1) Comply with all applicable state and local land-use and zoning ordinances and Americans with Disabilities Act (ADA) as applicable.

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- (2) Provide a certified copy of any licenses or the filed application for a license issued by the Department of Human Services, the Department of Health, or the City (including a business license) if a license is required for the type of Group Dwelling being authorized.
- (3) If the facility is for treating substance abuse patients, provide a security plan satisfactory to local law enforcement authorities and provide an emergency response/fire escape plan satisfactory to the local fire marshal for the facility being authorized.
- (4) Certify in a sworn affidavit submitted with the Application for Zoning Clearance, that no person will be placed or remain in the facility whose prior or current behavior, actions and/or criminal incidents or convictions, have demonstrated that such person is or may be a substantial risk or direct threat to the health or safety of other individuals, or whose said behavior, actions and/or incidents or convictions have resulted in or may result in substantial physical damage to the property of others. Such affidavit shall be supplemented and updated not fewer than one hundred fifty (150) days nor more than one hundred ninety (190) days from the date of issuance of the initial business license and at the time of each application for renewal of the business license, or no later than the 1<sup>st</sup> day of each January after the Zoning Clearance was issued in the event no business license is required for the facility.
- (5) For a Residential Facility for Persons with a Disability, the person or entity operating the facility shall certify in a sworn affidavit submitted with the application for zoning clearance that all current residents/clients qualify and that all future residents/clients will each qualify prior to admission to the facility as a person with a disability as defined within the Americans with Disabilities Act. The affidavit shall also include a certification that placement in the facility must be on a voluntary basis, and not a part of, or in lieu of, confinement, rehabilitation, or treatment in a correctional facility, and that proof of adequate public liability insurance coverage be provided. Voluntary placement of a minor in the facility by a parent or parents, or by the state in its capacity as guardian for minor children who are not subject to criminal penalties, shall be considered placement on a voluntary basis for the purposes of this section.
- (6) For a Residential Facility for Elderly Persons, the person or entity operating the facility shall certify in a sworn affidavit submitted with the application for a zoning clearance that all current residents/clients qualify and that all future residents/clients will qualify prior to admission to the facility as persons sixty (60) years of age or older.

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- (D) Reasonable Accommodations: None of the conditions in this ordinance shall be interpreted to limit reasonable accommodations necessary to the establishment or occupancy of a residential facility for person(s) with a disability.
- (1) Application: Any person or entity who wishes to request a reasonable accommodation shall make application to the Planning Commission. Said application shall require, in writing, the name, mailing address, and phone number of the applicant; the nature and extent of the disability; an exact statement of the ordinance or policy from which the applicant needs a reasonable accommodation; the applicant's proposed reasonable accommodation(s); a statement detailing why the requested accommodation is reasonable and necessary; the physical address of the property where the applicant intends on living; and the current use of the residence using the definitions in this ordinance.
  - (2) Decision: The Planning Commission shall render a decision on each application for a reasonable accommodation within ninety (90) days. The decision shall be based on evidence of record demonstrating all of the following:
    - (i) The requested accommodation will not undermine the legitimate purposes of existing zoning regulations notwithstanding the benefit that the accommodation would provide to a person with disability.
    - (ii) That but for the accommodation, one (1) or more persons with a disability will be denied an equal opportunity to enjoy housing within the community.
    - (iii) That equal results will be achieved as between the person with a disability requesting the accommodation and a non-disabled person.
  - (3) Appeal: Any person adversely affected by a final decision of the Planning Commission regarding a request for reasonable accommodation may appeal that decision to the North Logan City Appeal Authority as provided in 12B-603 of this Code.

(Ord. 09-08)

**12C-115. Coverage Regulations.** In no zone shall a building or group of buildings with their accessory buildings cover more than sixty (60) percent of the area of the lot.

**12C-116. Location of Gasoline Pumps.** The regulations in the National Fire Code shall set the standard for locating all gasoline pumps. (Ord. 98-03)

**12C-117. Setback Requirements.** Notwithstanding the setback requirements provided by this ordinance for specific zones, any building on property abutting or adjacent to any street, whether the property abuts and is adjacent to the street at the rear, on either side, or at the front, shall be

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set back a minimum of twenty (20) feet from any property line abutting or adjacent to any street. An exception to allow for not less than ten (10) feet when abutting or adjacent to any street in the General Commercial (CG) Zone may be allowed by the City Council in accordance with Chapter 12C-1003, Area, Width, and Yard Regulations, Table and the accompanying Note #3. (Ord. 99-10)

**12C-118 Setback Requirements Along Irrigation Canals.** All subdivisions adjacent to canals and occurring after February 18, 2005 shall establish, and identify on the Subdivision Plat, a fifteen-foot (15') Irrigation Canal Setback from the top edge of canal banks on the west side of each canal in the city. An Irrigation Canal Setback shall prohibit buildings, fences, trees, accessory structures, or installed equipment, other than equipment required for the operation of irrigation systems. The Setback required by this Paragraph may overlap (in whole or in part) but shall not supplant, replace, increase, or reduce the rights of any canal company with regard to any previously established canal maintenance easement/right-of-way. (Ord. 08-12)

**12C-119. Private Lane Requirements.** Any private lane providing access to a single family dwelling shall meet the following standards:

- (A) Width – The private lane for one lot shall have a minimum right-of-way or ingress-egress easement width of sixteen (16) feet with at least twelve (12) feet being paved. The private lane for more than one lot shall have a minimum right-of-way or ingress-egress easement width of twenty-four (24) feet with at least twenty (20) feet being paved.
- (B) Length – In no case shall the length of a dead-end private lane exceed 600 feet as measured from the right-of-way line parallel to the public road accessed to the center of the radius of the turn around provided at the interior end of the lane. If the private lane is a through road, with a second point of ingress-egress to a public street, the private lane may be any length. If a dead-end private lane is longer than 150 feet, a paved turnaround area shall be provided with at least a minimum of at least a forty-two foot (42') paved radius with a fifty-foot (50') unobstructed area radius.
- (C) Access – Private lanes, for the purposes outlined in this section, shall be open to public access. No signs restricting or implying restrictions to public access shall be posted and no signs shall be erected without approval from the City Council.
- (D) Construction Standards – The paved surface shall be constructed in accordance with the North Logan Design Standards Technical Manual with the subsurface construction elements described therein. No curb and gutter will be required but if constructed, they too will be built to city standards at the owner(s)' expense.
- (E) Exceptions - Private lanes or other access ways that existed prior to 31 July, 1970 that do not otherwise meet the width standards stated in in paragraph (A), may be considered adequate for purposes of constructing single family residences on private lanes, as

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provided for in Paragraph 12C-104(C)(5), if it can be shown to the satisfaction of the City Council that the following conditions are met:

- (1) The private lane must have been used historically as a private lane, having provided access to at least one single family dwelling, prior to 31 July 1970.
- (2) The City Council, with advice from the Fire Chief, must determine that the existing width will provide adequate access for public safety vehicles.
- (3) If the existing width is determined not to be adequate, additional width may be constructed to meet the requirements imposed but where the private lane cannot be constructed to provide the required width along the full length of the lane, those portions which can be built to meet the required standard must be so built, provided it is determined that such partial additions will provide adequate access. A minimum of at least twelve (12) feet of paved access and sixteen (16) feet of right-of-way must be provided in any case. If the entire length of the private lane cannot be built to full width, at least the property on which the dwelling is to be built must provide the required access width along the property to be developed.

(Ord. 00-02)

**12C-120. Development of Residential Parcels.** Any lot or parcel that is not part of an approved subdivision for the purposes of this section shall be interpreted as a parcel. All development of residential parcels, including those that existed as a parcel prior to the time when the city initially implemented zoning or subdivision ordinances, or parcels divided since that time, whether through the subdivision process or not, shall be required to complete and provide for certain improvements. The required improvements are as follows:

- (1) Street right-of-way dedication to the City along all parcel frontage, side and rear yards where there are existing streets or where the City's Transportation Section of the General Plan requires streets.
- (2) Utility easements along the front, rear and side parcel lines as is typical of a subdivided lot.
- (3) A survey performed by a licensed surveyor, approved by the City Engineer, and filed with the County Recorder's office that defines the parcel boundaries, shows dedication of any rights-of-way required by part 1, and shows all easements required in part 2.
- (4) Underground power is required from the nearest existing source to all facilities on the parcel. The only exception to this is where overhead lines currently exist and no new pole is required to be set to service the home or other facilities.

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Such improvements shall be in accordance with the City's General Plan, Subdivision Ordinance, and the City's Design Standards Technical Manual (DSTM).

(Ord. 01-04)

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### **CHAPTER 12C-200. NONCONFORMING USE OR NONCOMPLYING STRUCTURES.**

**12C-201. Maintenance Permitted.** A nonconforming use or noncomplying structure may be continued by the present or a future owner. (Ord. 06-19)

**12C-202. Repairs and Alterations.** Repairs and structural alterations may be made to a noncomplying structure or to a structure housing a nonconforming use. (Ord. 06-19)

#### **12C-203. Additions, Enlargements and Moving.**

- (A) A noncomplying structure shall not be added to or enlarged in any manner, unless such building or structure, including such additions and enlargements, is made to conform to all the regulations of the zone in which it is located, except as permitted by the Board of Adjustment. (Ord. 06-19)
- (B) A noncomplying structure as to height, areas or yard regulations shall not be added to or enlarged in any manner unless such addition or enlargement conforms to all the regulations of the zone in which it is located. (Ord. 06-19)

**12C-204. Alteration Where Parking Insufficient.** A structure lacking sufficient automobile parking space in connection therewith as required by this ordinance may be altered or enlarged provided additional automobile parking space is supplied to meet the requirements of this ordinance for such alteration or enlargement. (Ord. 06-19)

**12C-205. Restoration of Damaged Buildings.** A noncomplying structure or a structure occupied by a nonconforming use, which is involuntarily destroyed in whole or part due to fire or other calamity may be reconstructed or restored unless the structure or use has been abandoned. (Ord. 06-19)

**12C-206. One Year Vacancy.** Deleted by Ord. 06-19.

**12C-207. Continuation of Use.** The occupancy of a structure by a nonconforming use, existing at the time this ordinance became effective, may be continued. (Ord. 06-19)

**12C-208. Occupation Within One Year.** A vacant structure may be occupied by a use for which the structure was designed or intended if so occupied within a period of one (1) year after the use became nonconforming. (Ord. 06-19)

**12C-209. Change of Use.** The nonconforming use of a structure may not be changed except to a conforming use; but where such change is made, the use shall not thereafter be changed back to a nonconforming use. (Ord. 06-19)

**12C-210. Nonconforming Use of Land.** The nonconforming use of land, existing at the time this ordinance became effective, may be continued, provided that no such nonconforming use of land shall in any way be expanded or extended either on the same or adjoining property, and

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provided that if such nonconforming use of land, or any portion thereof, is abandoned or changed for a period of one (1) year or more, any future use of such land shall be in conformity with the provisions of this ordinance. Provided further, that the nonconforming use of land for the keeping of animals for all property owners who were in compliance with the city code in effect at the time Animal Rights Ordinance 97-12 became effective on October 16, 1997, may be continued, provided those property owners can prove the current use is consistent with their previously established pattern of use. For example, a property owner responding to fluctuations in livestock prices might, over the period of several years, have a pattern of use in which he expands and contracts the number of animals kept or even eliminates the animals kept for a year or two. In such a case he could continue this pattern of use but could not exceed the previously established highest number of animals kept or alter the types of animals kept. Nonconforming use, in the case of animal rights, means the keeping of animals in a manner inconsistent with the Animal Rights Ordinance 97-12, effective October 16, 1997. (Ord. 97-14, 06-19)

**12C-211. Termination of a Nonconforming Use Due to its Abandonment.** A nonconforming use shall not be allowed to continue if it has been abandoned. Abandonment shall be presumed to have occurred if:

- (A) A majority of the primary structure associated with the nonconforming use has been voluntarily demolished without prior written agreement with the City regarding an extension of the nonconforming use;
- (B) The use has been discontinued for a minimum of one year; or
- (C) The primary structure associated with the nonconforming use remains vacant for a period of one year.

(Ord. 06-19)

**12C-212. Burden of Proof.** The property owner shall have the burden of establishing the legal existence of a noncomplying structure or nonconforming use. Any third party claiming that a nonconforming use has been abandoned shall have the burden of establishing the abandonment.

(Ord 06-19)

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### **CHAPTER 12C-300. PARKING AND LOADING SPACE.**

**12C-301. Off-street Parking Required.** There shall be provided at the time of erection of any building or at the time any main building is enlarged or increased in capacity, minimum off-street parking space with adequate provisions of ingress and egress by standard-sized automobiles as hereinafter provided.

**12C-302. Parking Space for Dwellings.** In all zones there shall be provided in a private garage, or in an area properly located for a future garage, a hard surfaced space for the parking of one (1) automobile for the first six hundred (600) square feet or fraction thereof of gross floor area in a new dwelling, plus one (1) extra parking stall for each additional eight hundred (800) square feet or fraction thereof, plus one (1) additional parking space for each six hundred (600) square feet of such space added in the case of the enlargement of an existing building. In no case shall there be less than one (1) such parking space for each dwelling unit. There shall be no change of use without the attendant space to accommodate the increased off-street parking needs. A minimum parking space shall be at least nine (9) feet by twenty (20) feet. Provided, however, that any dwelling constructed pursuant to the subdivision chapter of this ordinance shall have at least two (2) off-street parking sites per dwelling unit (per Parcel). (Ord. 98-03)

**12C-303. Parking Space for Buildings or Other Uses Other Than Dwellings.** For a new building, or for any enlargement or increase in seating capacity, floor area or guest rooms of any existing main building, there shall be permanent, off-street parking spaces, of not less than one hundred eighty (180) square feet each, provided as follows:

- (A) For church, school, college and university auditoriums and theaters, general auditoriums, stadiums, and other similar places of assembly, at least one (1) parking space for every five (5) fixed seats provided in said buildings or structures.
- (B) For hospitals, at least (1) parking space for each two (2) beds, including infant cribs and children's beds. For medical and dental clinics, at least fifteen (15) parking spaces for up to three doctors and an additional three (3) parking spaces for each doctor having offices in such clinic in excess of three (3) doctors.
- (C) For tourist courts and apartment motels, at least one (1) parking space for each individual sleeping or living unit. For hotels and apartment hotels, at least one (1) parking space for each two (2) sleeping rooms up to and including the first twenty (20) sleeping rooms, and one (1) parking space for each three (3) sleeping rooms over twenty (20) sleeping rooms.
- (D) For boarding houses, lodging houses, dormitories, fraternities or sororities, at least one (1) parking space for every one and one-half (1 1/2) persons for whose accommodation the building is designed or used.
- (E) For restaurants or other establishments that serve meals either in the establishment or in the patron's cars, at least one (1) parking space for each 200 square feet of floor space in

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the building plus one (1) space for each two (2) employees working on the highest employment shift, or five (5) parking spaces, whichever is greater.

- (F) For retail sales stores selling directly to the public, at least one (1) parking space for each 300 square feet of the building's floor space which is designed for public access (excludes warehouse space), plus one (1) space for each two (2) employees working on the highest employment shift, or five (5) parking spaces, whichever is greater.
- (G) For mortuaries, at least thirty (30) parking spaces; for liquor stores, at least twenty (20) parking spaces.
- (H) For all businesses or other uses not listed above, including multi-use facilities, the proponent is required to produce a proposed or anticipated parking load for their business to include parking for their employees. The parking plan will be approved as a conditional use.
- (I) For all businesses or industrial uses not listed above, not providing customer services on the premises, one (1) parking space for each two (2) employees working on the highest employment shift.
- (J) In no case shall a building be constructed, altered, or increased where, if foregoing parking provisions are inadequate to provide sufficient spaces for all employees and customers combined, the provision of adequate parking spaces shall supersede any and all foregoing formulas.

(Ord. 94-12)

**12C-304. Location of Parking Space.** Parking space as required above shall be on the same lot with the main building, or in the case of buildings other than dwellings, may be located not farther than five hundred (500) feet therefrom.

**12C-305. Parking Lot Regulations.** Every parcel of land hereafter used as a parking lot shall be paved with a surfacing material of oil, asphalt or concrete composition and shall have appropriate bumper guards where needed as determined by the Building Inspector. Any lights used to illuminate the lot shall be so arranged as to reflect the light away from adjoining premises in any residential zone.

**12C-306. Off-street Truck Loading Space.** On the same premises with every building, structure or part thereof, erected and occupied or increased in capacity after the effective date of this ordinance, for manufacturing, storage, warehouse, good display, department store, grocery, hotel, hospital, mortuary, laundry, dry cleaning or other use similarly involving the receipt or distribution by vehicle of materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, loading and unloading services in order to avoid undue interference with public use of streets, or alleys.

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**12C-307 Specific Parking Requirement in the PR and RB zones.** In the Professional zone (PR) and all institutional-residential and non-residential uses in the Residential Business zone (RB) all parking areas shall be screened. The normal and preferred method of screening is for the parking to be located on the opposite side of buildings from main roadways. In all cases parking shall be visually screened from main roadways and adjacent properties by including berms, shrubbery, fencing or other appropriate screening (see Sections 12C-1101, E and G ). (Ord. 97-09)

## **TITLE 12C. LAND USE - ZONING**

### **CHAPTER 12C-400. ACCESS.**

**12C-401. Business Requiring Access.** Service stations, roadside stands, public parking lots, and all other businesses, requiring motor vehicles access shall meet the requirements as hereinafter provided or as prescribed in the Utah State Department of Highways manual entitled "Regulations for the Control and Protection of State Highway Rights-of-Way," (whichever requirements are the greater).

**12C-402. Roadways and Curbs.** Access to the station or other structure or parking lot shall be controlled as follows:

- (A) Access shall be by not more than three (3) roadways for each one hundred (100) feet or fraction thereof of frontage on any street, and in no event shall such roadways exceed in width seventy (70) percent of the entire street frontage.
- (B) No two (2) of said roadways shall be closer to each other than twelve (12) feet, and no roadway shall be closer to a side property line than one and one-half (1 1/2) feet.
- (C) Each roadway shall be not more than thirty-six (36) feet in width, measured at right angles to the center line of the driveway, except as increased by permissible curb return radii. The entire flare of any return radius shall fall within the right-of-way.
- (D) No roadway shall be closer than ten (10) feet to the point of intersection of two property lines at any corner as measured along the property line, and no roadway shall extend across such extended property line.
- (E) In all cases where there is an existing curb and gutter or sidewalk on the street, the applicant for a permit shall provide a safety island along the entire frontage of the property, except for the permitted roadways. On the two ends and street side of each such island shall be constructed a concrete curb, the height, location and structural specifications of which shall be approved by the City Engineer. Maximum and minimum curb return radii permitted and minimum roadway approach angles to the center line of the street are required as shown in the Manual and made by this reference as much a part of this ordinance as if fully described and detailed herein.
- (F) Where there is no existing curb and gutter or sidewalk, the applicant may at his option install such safety island and curb or, in place thereof, shall construct along the entire length of the property line, except in front of the permitted roadways, a curb, fence, or pipe rail not exceeding two (2) feet or less than eight (8) inches in height.

## **TITLE 12C. LAND USE - ZONING**

### **CHAPTER 12C-500. CONDITIONAL USES.**

**12C-501. Permit Required.** An approved conditional use permit shall be required for each conditional use listed in this ordinance.

**12C-502. Building Permit.** No building permit or other permit or license shall be issued for a conditional use by any officer or employee of North Logan City unless a conditional use permit shall have been approved.

**12C-503. Application.** Application for a conditional use permit shall be made at the office of the North Logan City Planning Commission on forms provided for that purpose.

**12C-504. Development Plan.** The applicant for a conditional use permit shall prepare a site plan of the proposed conditional use, drawn to scale and showing all existing and proposed buildings, fences, landscaping, automobile parking and loading areas, and any other information the planning commission may deem necessary.

**12C-505. Fee.** The conditional use permit shall be \$20.00. (Amended by Resolution 88-2. May 20, 1988.)

**12C-506. Hearing.** A Public Hearing need not be held; however, a Public Hearing may be held when the Planning Commission shall deem a hearing to be necessary to serve the public interest.

#### **12C-507. Planning Commission Action.**

- (A) The Planning Commission may approve, modify and approve, or deny the conditional use application.
- (B) In approving any conditional use , the Planning Commission shall impose regulations and conditions as are necessary to protect the public welfare.
- (C) In approving a conditional use, the Planning Commission shall make written findings:
  - (1) That the proposed use is necessary or desirable and will contribute to the general well-being of the community.
  - (2) That the use will not be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity, or injurious to property or improvements in the vicinity.
  - (3) That the proposed use will comply with the regulations of this ordinance.
  - (4) That the proposed use is in harmony with the intent of the master plan.

#### **12C-508. Appeals. Deleted Ord. 06-19**

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**12C-509. Inspection.** The Building Inspector shall inspect the conditional use during the course of construction to insure that it complies with the conditions of the use permit.

**12C-510. Time Limit.** A conditional use permit shall be null and void one (1) year after approval unless substantial work shall have been accomplished toward its completion.

**12C-511. Revocation.** A conditional use permit may be revoked upon failure to comply with the conditions imposed with the original approval of the permit.

### **12C-512. Special Provisions for Conditional Use Permits for a Dog Kennel:**

- (A) Establishing a Conditional Use Permit for a Dog Kennel - The applicant will complete the conditional use form and pay the conditional use permit fee as per any other conditional use permit. Once the conditional use has been granted, the applicant must obtain a dog kennel license and annually renew that license in order to keep more than two dogs. The dog kennel license is in addition to the dog licenses required for each individual dog. Conditions established by the conditional use permit reflect the conditions required to maintain the dog kennel license.
- (B) Special Considerations - In considering each application for a conditional use permit relating to a dog kennel, the Planning Commission shall consider, among other things; the zone in which the conditional use is proposed; the size of lot involved; the proximity to neighbors and the proposed size of any structure used to house the dogs; its placement on the property; the proposed number of dogs, whether less than two (2) months old or two (2) months or older; the breed/size of dogs to be kept; and whether breeding and the selling of puppies will be part of the kennel permit. Together with anything else stated in an approved permit, each permit shall clearly state the maximum number of dogs to be allowed, both for those less than two (2) months and for those two (2) months and older.
- (C) Revocation of a Conditional Use Permit for a Dog Kennel - A conditional use permit granted for the purpose of establishing a dog kennel may be revoked for any reason constituting "good cause." "Good cause" shall include but not be limited to the following within the discretion of the Planning and Zoning Commission: Circumstances which are detrimental to or have a negative impact on the health, safety and welfare concerns of the citizens and residents of North Logan; incompatible zoning or land use; complaints of noise or odor; failure to keep the dogs under proper care and/or control; failure to comply with the conditions imposed at the time the original approval of the permit was given; the creation and existence of a public or private nuisance; failure of the permit holder or his/her agent or employees to comply with the conditions and requirements of applicable local, county, state and/or federal laws, rules, and regulations; unlawful activities conducted or permitted on the premises for which the conditional use permit was issued; and/or other legitimate factors. Complaints received by the City Animal Control Officer, or other law enforcement officers concerning a dog kennel or any other activity or business allowed by a conditional use permit may be cause, as

**TITLE 12C. LAND USE - ZONING**

determined by the Planning and Zoning Commission, for denying, and/or revoking the conditional use permit. A new conditional use permit for a dog kennel must be obtained under this chapter for any revoked conditional use permit.

- (D) A conditional use permit for a dog kennel will be for a particular owner and piece of property and shall therefore not be transferable.

(Ord. 95-10)

**12C-513.** Deleted by Ord. 10-09.

**12C-514. Special Provisions Related to Conditional Use Permits For Mines, Quarries, and Gravel Pits:**

- (A) In addition to complying with the requirements stated in this Chapter 12C-500, each applicant for a Conditional Use Permit to allow Mines, Quarries and Gravel Pit operations shall comply with the requirements and provisions of Chapter 10-1000. Excavation Ordinance, prior to being granted any Conditional Use Permit for a proposed Mines, Quarries and Gravel Pit operation.

(Ord. 00-05)

**12C-515 - Requirements for Accessory dwellings in Single Family Residences.** Accessory dwellings are allowed as a conditional use in residential zones according to the matrix found in 12C-1001. All accessory dwellings shall conform to the regulations specified herein and are only allowed when in total compliance with these regulations. Additionally, all dwellings with accessory dwellings shall also conform to other development regulations for residences in accordance with this ordinance.

**12C-515.1 – Purpose of this Chapter.** The purpose of permitting an accessory dwelling is to:

- (A) Provide homeowners with a means of obtaining, through tenants in an accessory dwelling, rental income, companionship, security and/or services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- (B) Add inexpensive rental units to the housing stock to meet the needs of smaller households, both old and/or young;
- (C) Make housing units available to moderate and/or lower income households who might otherwise have difficulty finding housing within the city;
- (D) Develop housing units in single-family neighborhoods that serve the needs of the residents through a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for services.

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### **12C-515.2 – Conditions for Accessory Dwellings**

- (A) Accessory dwellings are only allowed by conditional use permit. The Planning Commission shall ensure the following conditions are met before granting a conditional use permit for an accessory dwelling:
- (1) There shall be provided at least two off street parking spaces for the dwelling in addition to two spaces required for the home owners (four in all). Parking needed to meet this requirement shall not exceed twenty-five percent (25%) of the area between the front of the residence and the front property line.
  - (2) Because building codes generally do not require modifications to a structure to make it conform to current building codes unless the structure is being remodeled or the classification of the occupancy of the structure is changing and since establishing an accessory dwelling unit is not being considered by North Logan City to be a change in occupancy classification (i.e. the house is still a single family dwelling unit), the requirements for establishing an accessory dwelling unit, with regard to current building codes are clarified in this paragraph.

Any new construction, remodeling or renovation done to accommodate the accessory dwelling unit shall conform to the building code requirements current at the time of application. In addition, the following shall also conform to the building code requirements current at the time of application and shall apply to all the area within the single family dwelling and approved detached accessory dwelling and may affect portions of, or systems within the existing family dwellings.

- a. Emergency rescue and escape openings from all bedrooms and basement areas shall be as required by the building code for new construction;
- b. Smoke and carbon monoxide detectors as required by the building code for new construction;
- c. Arc-fault circuit interrupters as required by the National Electric Code for new construction;
- d. Ground-fault circuit interrupter protection for personnel as required by the National Electric Code for new construction;
- e. The only exit from the accessory dwelling unit may not pass through a garage;

## **TITLE 12C. LAND USE - ZONING**

- f. Combustion air for fuel burning appliances as required by the mechanical and/or fuel gas codes for new construction; and
- g. Equipment grounding for both permanently wired and cord and plug connected equipment shall be as required by the National Electric Code for new construction. As an alternative for receptacle outlets, GFCI protection of receptacle outlets without equipment grounding conductors may be provided in accordance with the National Electric Code.

The residence (single-family dwelling), including the accessory dwelling or detached accessory dwelling shall be considered a single-family residence rather than a “duplex” as defined by the applicable building codes. These requirements are added in order to establish minimal life safety requirements that are appropriate for adding an accessory dwelling unit. The applicant shall have the premises inspected by the North Logan City Building Department and include a copy of the results of that inspection with the application for a conditional use permit. If deficiencies are noted by the Building Department’s inspector, a conditional use permit may be approved by the Planning Commission prior to the work being done to correct the deficiencies, but occupancy of the accessory dwelling unit shall not take place until all deficiencies are corrected and re-inspected by a North Logan City building inspector.

(Ord 04-09)

- (3) The accessory dwelling may be within and a part of the main single-family dwelling or within a detached accessory dwelling, but shall only be allowed in a detached dwelling located on the same owner-occupied lot as the single-family dwelling. Only one accessory dwelling shall be allowed per single-family, owner-occupied lot, whether as an accessory dwelling within the main single-family or within a detached accessory dwelling. Both the single-family dwelling and any detached accessory dwelling shall be owned by the same person(s) or entity.
  - (4) Other appropriate conditions peculiar to the dwelling may be required by the Planning Commission if appropriate to guard the health and welfare of the occupants or the residents in the neighborhood.
- (B) Accessory dwellings shall be approved as such by the North Logan City Planning Commission.
  - (C) An accessory dwelling conditional use permit shall not run with the land but shall be valid only for the home owners to whom it was originally granted.

## **TITLE 12C. LAND USE - ZONING**

Subsequent owners must reapply for a conditional use permit to be allowed an accessory dwelling on the premises. The conditional use permit and the accessory dwelling license shall terminate and shall be void on the sale of the residence.

- (D) Any new entrances or other improvements to the main residence added for the purpose of developing an accessory dwelling shall be located on either the side or back of the residence. The accessory dwelling shall be designed so that the appearance of the buildings remains that of a single-family residence.

(Ord. 10-01)

### **12C- 515.3– Procedures for establishing an Accessory dwelling**

- (A) Application for a conditional use permit for an accessory dwelling shall be made to the Planning Commission in accordance with the conditional use permit procedures given in this title. The application shall include the following:
  - (1) A notarized letter accompanying the application from the owner(s) stating that the owner will occupy the residence on the premises except for bona fide absences;
  - (2) A floor plan and site plan of one-fourth inch to the foot scale showing any proposed changes to the buildings and/or how the accessory dwelling is to be established;
  - (3) A fee as set forth by the then prevailing fee schedule for a conditional use permit application.
- (B) Within thirty (30) days of the receipt of an application, the Planning Commission shall hold a public hearing to receive public input regarding the application. The legal notice of such public hearing shall be published at least once in a newspaper with general circulation within the city at least ten days prior to the public hearing.
- (C) After a conditional use permit has been granted to the owners of the residence for an accessory dwelling the applicant shall pay any fees established for the accessory dwelling and any extraordinary costs to the city not otherwise intended to be covered by the fee for the conditional use permit or the inspection fee. Once the fees have been paid the city shall issue an appropriate accessory dwelling written approval letter to the owners/applicants.

(Ord. 10-01)

**12C- 515.4 – Procedures for Revoking an Accessory Dwelling License or Conditional Use Permit.** An accessory dwelling approval and the associated conditional use permit shall be revocable for the non-compliance with any of the provisions of this ordinance or any other

## **TITLE 12C. LAND USE - ZONING**

ordinance of the city. The city shall notify the owner in writing of its intent to revoke the conditional use permit, and the reasons therefore, at least fourteen (14) days prior to the action being taken. The permittee shall have the opportunity to correct any problems that caused the notice of intent to revoke to be issued during said fourteen-day period and show proof of such correction to have the license remain in force. The permittee shall have the right to appeal, in writing, any decision regarding the permit to the City Council. The City Council shall consider any appeal on a permit revocation within thirty (30) days of receipt of the appeal. In the event of an appeal the permit shall remain in effect until after the appeal is considered by the City Council. (Ord. 10-01)

### **12C- 515.5 – Owners Not Occupying Residence for Prolonged Periods.**

- (A) The city recognizes that people in the community often vacate their residences for longer periods of time than merely vacations. For examples, university professors take sabbatical leaves of absence and/or are gone for extended periods of time; or people serve church missions and/or are gone from their residences for twelve to twenty-four months at a time. In these cases, the homeowners normally return to their homes. It is important that there be some means for properly authorizing the continuance of an Accessory Dwelling Conditional Use Permit for extended periods of time when the owners are not occupying the residence, for the above stated or similar reasons. An accessory dwelling may be continued through the time that the owner is temporarily not living in the residence if the following conditions are met:
- (1) The owner(s) shall apply for a continuance of their accessory dwelling permit during their absence by notifying the City Recorder of their intent in writing. They shall include in that request their anticipated length of absence and estimated return date, a forwarding address where they may be contacted by the city if there are any problems (that address shall be updated as needed through the duration of the absence), and the names of those who will act in their stead as the “surrogate” owners of the property in their absence.
  - (2) The owners shall provide any information relative to any changes in the use of the residence, i.e. any changes that are different from the conditional use permit that established the accessory dwelling.
- (B) If the owners of the residence elect to leave their home in the care of the residents that occupy the home as the second family living in the accessory dwelling; and if they choose not to lease the main part of the residence that the owners are temporarily vacating; then just one family will be living in the residence and there is no longer any need to have the residence licensed as an accessory dwelling. The license can then lapse while the owners are not living in the residence and the

## **TITLE 12C. LAND USE - ZONING**

license may be re-established upon their return using the existing conditional use permit and by renewing the accessory dwelling license.

- (C) If the owners of the residence sell the residence, return from the location that caused their temporary absence and do not occupy the residence upon their return, or otherwise show an intent to not return to the residence in a reasonable amount of time (as determined by the Planning Commission), the status of the residence with an accessory dwelling and the related permit may be terminated by the Planning Commission.

(Ord. 01-07, 10-01)

## **TITLE 12C. LAND USE - ZONING**

### **CHAPTER 12C-600. Signs.**

#### **12C-601 Purpose and Applicability.**

(1) Purpose. The goal of North Logan is to have a unique, uncluttered look by regulating the size, location and number of permanent signs. These regulations help accomplish the desired look, create a safer driving environment, and keep drivers' eyes directed toward the roadway.

(2) Applicability The provisions of this section apply to all types of signs, except the following:

- (a) Official public notice, traffic control, warning, or safety signs as required by law.
- (b) Appropriately displayed official flags of any country, federal agency, state, county, or city government; any university, college, trade school, or public school; service organizations, fraternal organizations; fraternities, sororities, or school clubs.
- (b) Any sign located within a building.
- (c) Merchandise displays within display windows in commercial buildings.
- (d) Any sign, identification, logo or other information applied to the outside surface of a vehicle. This exemption does not include trailers or portable signs. Trailers or portable signs with such information applied are classified as signs and subject to the regulations herein.
- (e) Public or private memorial signs or displays of remembrance of persons or events

(3) Quick Reference Tables for Signs The following tables (Sign Code Summary, Sign Permit Table) are provided for quick reference and informational purposes only. They are not considered to contain regulatory language. Refer to the regulatory code language for applicable standards. In the event of conflict between these tables and the code, the language in the code prevails.

**TITLE 12C. LAND USE - ZONING**

**SIGN CODE SUMMARY**

<b>Regulations on Permanent, Freestanding Signs</b>	
<b>Sign Type or Use</b>	<b>Regulation</b>
Freestanding Business signs	Height and size of sign's face regulated based on the zone in which the sign is to be located. (See Freestanding Business Sign Table in 12C-604). One freestanding business sign allowed per lot or complex or project. Multi-tenant projects are only allowed one business sign for the entire project. Freestanding business signs may be located in the setback area but may not project into or over the public right-of-way. Cannot obstruct view up to five feet high in any corner's sight-distance triangle. If value is over \$500, must be installed by a licensed contractor. Must be monument style.
Off-Premise Directional Signs	Permitted for businesses with no direct street frontage (where access is via an easement or right-of-way). The sign face area is limited to three (3) square feet and no more than three feet (3') width. Maximum total height is four feet (4'). Copy is limited to business name and/or logo, and a directional arrow. Directional signs may be located on a single driveway serving more than one inner block business. May be internally lit.
Residential Complex Identification Sign	Permitted only to identify subdivisions, assisted living facilities, multiple family housing complexes, mobile home parks, and nursing care facilities. Sign face area limited to twenty (20) square feet. Maximum total height shall be five feet (5'). Copy on the signs is limited to the name of the subdivision or complex and/or the business logo. May be illuminated.
Home Occupation Sign (freestanding or attached to the home)	Permitted only to identify home based businesses licensed with North Logan City. Sign face area limited to six (6) square feet. If freestanding, height limited to four feet (4'). Copy on the signs is limited to the name of the residents, the name of the business, and/or the business logo. May be illuminated

**TITLE 12C. LAND USE - ZONING**

<b>Regulations on Permanent Signs on Buildings</b>	
<b>Sign Type or Use</b>	<b>Regulation</b>
Wall Signs (Including Projecting Signs)	One wall sign on the building for each tenant (per building face). If the value of the sign is over \$500, it must be installed by a licensed contractor. Wall signs shall require sign permits and building permits in accordance with Section 12C-609. Any sign displayed on a building shall not exceed the height of the building or roof eave, which ever is lower.
Painted Signs (Supergraphics, Painted Lettering, or Wall Art)	Advertising copy area within a supergraphic shall be limited to a maximum area of two hundred square feet or 20% of the wall facade, whichever is less. Painted lettering or wall art shall have no advertising copy, product representations, logos, or brand identification of any type. Design review required. Painted lettering alone (with no supergraphics or wall art) shall conform to same standards as wall signs.
Awning or Canopy Signs	The advertising copy area limited to a maximum area of sixty (60) square feet or less.  Shall include only words/lettering and/or company logos.

<b>Regulations on Temporary Signs</b>	
<b>Sign Type or Use</b>	<b>Regulation</b>
All Temporary Signs in General	Signs which meet the associated definitions are considered temporary and are permitted but generally only for up to 60 days. Real estate or construction/project development signs are renewable in 120 day increments for up to 360 days.
Real Estate or Construction/Project Development Signs	One sign per parcel. Not to be illuminated. Non-residential limited to 32 sq. ft. & 6 ft. high. Residential limited to 4 sq. ft. and 5 ft. high. Must be removed within 5 days of closing on sale of property.
Open House Signs	Limited to 4 sq. ft. and 4 ft. high. Only three allowed in public right-of-way. No attached balloons, streamers, etc. Must be anchored.  Only permitted between 3 hours before open house to one hour after.

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<b>Regulations on Temporary Signs</b>	
<b>Sign Type or Use</b>	<b>Regulation</b>
Political Signs and Freedom of Information Signs	Limited to 12 sq. ft and 4 ft. high. Not to be illuminated. Political signs permitted in planting strip in public right-of-way with approval of adjacent landowner but not on other public property. Remove within 48 hours following election.
Private or Community Event Sign	Limited to 32 sq. ft. May not be illuminated. Must be secured but not to utility poles or trees. Not permitted in public right-of-way or on other public property.  Remove within 24 hours after conclusion. 14 days max for display.
Private Sale Sign	Limited to 6 sq. ft. Located generally on private property at the location of the sale. May be on private property elsewhere but only dawn to dusk of day of sale. May not be illuminated. Allowed for period of sale only, 60 days max.
Holiday Decorations on non-residential Properties	Only permitted during the holiday period. Remove within 5 days of season end. Nothing audible beyond property line or after 10:00 p.m. No commercial message.
Banners (Temporary or Permanent)	Allowed up to 90 days - More than that they are treated like permanent signs.  Not to be used as a permanent business identification sign.  May not exceed 25% of front façade of building. Must be attached to a building or fence, not on freestanding poles or from building to pole, or attached to freestanding business signs. Not higher than 14 ft. when attached to a building.
Pennants, chevrons, whirly-gigs, streamers, attention getting devices	Not allowed in the public right-of-way or attached to utility poles or streetlights. Must be kept in good condition. No time limit.
Inflatable  (Regulated only if over 6' high)	Only on private property, not in or over public right-of-way.  Must be securely anchored. Generally no banners, pennants, etc. to be attached to the inflatable. 60 days limit.

**TITLE 12C. LAND USE - ZONING**

<b>Other Miscellaneous Sign Regulations</b>	
<b>Sign Type or Use</b>	<b>Regulation</b>
<b>Regulations Based on a Sign's Location:</b>	
Off-Premise Signs	Signs must generally be on the same premises as the building for which the sign is advertising or to which it is intended to draw attention. A billboard is considered an off-premises sign and is prohibited. Existing billboards may be exempt from the regulations in this ordinance if protected by state law.
Signs in public right-of-way or on public property	Signs are generally not allowed in the public right-of-way or on public property without City Council approval. Exceptions are allowed under certain conditions such as directional signs or some temporary signs such as - political signs, open house signs, and private event or sales signs.
Signs Located in the Sight Distance Triangle	Signs in sight distance triangle are generally prohibited. Some are allowed if within certain height restrictions. Signs should not restrict line of sight at intersections.
<b>Regulations Based on a Sign's Type of Construction or a Sign's Features:</b>	
<u>Portable</u> electronic message centers or manual message centers	Electronic message centers or manual message centers may only be a feature on a permanent sign, not on temporary/portable signs.
Roof Signs	Any building sign projecting above the parapet or roof is prohibited.
Sandwich Board Signs	Prohibited except temporary traffic control devices including barricades are not included in this prohibition.
Flashing Signs, Animated or Moving Signs	Prohibited. Electronic message centers might give the appearance of motion but are not prohibited under this definition.
Unsightly or unsafe signs.	Signs that emit sound, odor or visible matter such as smoke or vapor; signs painted on or attached to utility poles or trees; abandoned or dilapidated signs; signs that violate building codes or cause unsafe conditions; and signs that exhibit obscene words or pictures are prohibited.
Trailers Signs	Any trailer having advertising on it and is eighteen feet (18') or longer, and parked for more than 48 hours either off-premises or if on-premises and within the required building set-back(s) for the zone is prohibited.

**TITLE 12C. LAND USE - ZONING**

<b>Un-Regulated Signs</b>		
Bench Signs, Bulletin Boards, Directory Signs, Governmental Signs,	Holiday Decorations on Residential Properties, Nameplate Signs,	On-site Informational Signs, Personal Event Signs, and Vending Machine Signs
The above listed sign types are defined by this ordinance but are un-regulated if they meet the definitions as found in section 12C-602 Definitions.		

**CITY OF NORTH LOGAN - SIGN PERMIT TABLE**

	<b>Sign Permit Needed</b>	<b>Sign Building Permit And Building Inspection Needed</b>
<b>PERMANENT SIGNS</b>		
Freestanding Business Sign	Yes	Yes
Directional Sign	Yes	No
Residential Complex Id	Yes	Yes
Home Occupation Sign	Yes (Free of cost)	No
Wall Signs (& Projecting)	Yes	No*
Awning Sign with copy	Yes	No*
Painted Signs (Supergraphics, Painted Lettering, or Wall Art)	Yes	No

**TITLE 12C. LAND USE - ZONING**

	<b>Sign Permit Needed</b>	<b>Sign Building Permit And Building Inspection Needed</b>
<b>TEMPORARY SIGNS</b>		
Real Estate or Construction/Project Development Signs	Sign permit and tag required only if the sign is over 16 ft <sup>2</sup> .	No
Inflatables over 6 feet high.	Yes (Free of cost)	No
All Other Temporary Signs	No	No

<b>UN-REGULATED SIGNS</b>	No	No
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\* Wall Signs (including Projecting Signs) and Awning Signs would normally be included as part of a regular building permit for new construction. If a Wall Sign or an Awning Sign is added after a building is constructed it would then require its own building permit and inspection for that addition.

**See Section 12C-608 for details on required Sign Permits, Building Permits, and Inspections on Sign Installations**

**12C-602 Definitions**

- (1) Advertising copy area. The advertising copy area is the area within a supergraphic containing any logos, words, and product representations or brand identification shown on the product. If there is a logo, name, or brand identification shown on the product, the entire product’s area shall be counted as a part of the advertising copy area.
- (2) Sight distance triangle. The area within the triangle formed by the two lines along a public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street fifty feet from the intersection and connected across the property on the corner to form a triangle. (Ord. 03-11)
- (3) Sign. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by

## **TITLE 12C. LAND USE - ZONING**

any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.

- (4) Sign - animated or moving. Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. Electronic message centers are not classified as animated or moving signs.
- (5) Sign - awning or canopy. An awning or canopy that is mounted, painted, or attached to a building that is otherwise permitted by ordinance and which functions as a sign.
- (6) Sign - banner. A banner is a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.
- (7) Sign - bench. A sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or public or private roadway, driveway or access and intended for use as a sign.
- (8) Sign - billboard. Off-Premise, outdoor advertising signs as permitted and regulated by the Utah Outdoor Advertising Act (Utah State Code 72 - 7 - Part 5)
- (9) Sign - bulletin board. A sign that identifies an institution or organization on the premises on which it is located. Normally contains the name of the institution or organization, the names of individuals connected with it, and/or general announcements of events or activities occurring at the institution or similar messages. May be no larger than twenty (20) square feet in sign face area to be defined as a bulletin board and thus not be regulated.
- (10) Sign - business, freestanding. A sign mounted on the ground as opposed to being mounted on a building that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.
- (11) Sign - construction/project development. A temporary sign erected on the premises on which construction is taking place during the period of such construction. Such signs normally indicate the names of the architects, engineers, landscape architects, contractors or similar artisans, or the owners, financial supporters, sponsors, or similar individuals or firms having a role or interest with respect to the structure or project.
- (12) Sign - directional. Relatively small signs indicating the direction to businesses, parking areas or other places when such directional information is not otherwise apparent. Directional signs are normally for pedestrian or vehicular traffic and typically may include an arrow, the name of the business for which directions are being given.

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Directional signs with more generic information such as “one-way,” “entrance,” or “exit” would be classified as traffic control signs.

- (13) Sign - directory. A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities on the premises. May be no larger than twenty (20) square feet in sign face area to be defined as a directory sign and thus not be regulated.
- (14) Sign - facade. See “sign-wall.”
- (15) Sign face. The area or display surface used for the sign’s message.
- (16) Sign - flashing. Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. Electronic message centers are not classified as flashing signs.
- (17) Sign - freestanding. Any non-portable (permanent or temporary) sign not affixed to a building.
- (18) Sign - governmental. A sign erected and maintained pursuant to and in discharge of any governmental function or a sign required by law, ordinance, or other governmental regulation. A sign merely identifying a governmental building is not necessarily a governmental sign per this definition. Proponent of the sign must show the sign is required by law and meets this definition in order for it to not be regulated by this ordinance.
- (19) Sign - holiday decoration. Temporary signs, normally in the nature of decorations, clearly incidental to and customarily and commonly associated with a national, state, local, or religious - holiday, event or similar celebration.
- (20) Sign - home occupation. A sign identifying the home occupation of an appropriately licensed and permitted home occupation conducted on the premises. Normally contains but is not limited to such information as the name of the homeowner, the name or logo of the business, the occupation or type of business conducted in the home.
- (21) Sign - illuminated. A sign lighted by or exposed to artificial lighting by lights on or in the sign or directed toward the sign.
- (22) Sign - inflatable. Any display greater than six feet in height, including any tethering material, capable of being expanded by air or other gas and used on a temporary basis to advertise a product or event. An inflatable display of six feet or less in height is defined as a balloon and is not regulated by this ordinance.
- (23) Sign – marquee. – considered the same as the definition for Manual Message Center Sign.

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- (24) Sign - memorial. A sign, tablet, or plaque memorializing a person, event, structure, or site.
- (25) Sign - message center, electronic. Signs with alphabetic, pictographic, or symbolic information content that can be changed or altered on a fixed display surface composed of electrically illuminated and changeable segments. Signs with informational content that can be changed or altered by means of computer driven or electronically created impulses.
- (26) Sign - message center, manual (also referred to as a marquee sign). Signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface changed by manual means, such as and not limited to removing and replacing messages by changing individual letters.
- (27) Sign – Monument Style. Style of freestanding business sign such that it has a base attached to the ground on which the face of the sign is constructed and/or attached and where the advertising portion of the sign is incorporated into the base. Monument style signs do not use poles to hold the advertising face of the sign.
- (28) Sign - nameplate. A sign, located on the premises, giving the name or address, or both, of the owner or occupant of a building or premises. May be no larger than three (3) square feet in sign face area to be defined as a nameplate sign and thus not be regulated.
- (29) Sign - on-site informational. A sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, rest rooms, and pickup and delivery areas. May be no larger than sixteen (16) square feet in sign face area to be defined as an on-site informational sign and thus not be regulated.
- (30) Sign – open house. A temporary directional sign promoting and directing traffic to property for sale where an open house showing is being held.
- (31) Sign – painted lettering. A sign that is predominately lettering and painted directly onto the exterior wall of a building with no physical structure or frame. See also the similar definitions of “wall art” or “supergraphic”.
- (32) Sign - pennant, whirly-gig, attention-getting device. Attention-getting devices, including pennants, whirly-gigs, streamers, and other similar devices are broadly defined to include triangular plastic flags attached to wires, ropes, and strung between products, poles, light standards, or the ground. Whirly-gigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.

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- (33) Sign – political or freedom of expression. A temporary sign announcing or supporting political candidates or issues in connection with or being considered for any national, state, or local election.
- (34) Sign - portable. A sign that is not permanent, affixed to a building, structure, or the ground.
- (35) Sign - private sale. A temporary sign advertising private sales of personal property, such as house sales, garage sales, rummage sales, estate sales, or the seasonal sale of agricultural products including Christmas tree sales.
- (36) Sign – private or community event. A temporary sign advertising or giving notice of a private not-for-profit event, such as picnics, carnivals, bazaars, game nights, art fairs, craft shows, or meetings.
- (37) Sign – projecting (or perpendicular). A sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building.
- (38) Sign - real estate. A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.
- (39) Sign – residential complex identification. A sign identifying a residential subdivision, planned unit development, multi-family residence complex, assisted living facility, nursing care facility, residential health care facility, mobile home park, dormitory, fraternity, sorority, or boarding house.
- (40) Sign - roof. A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.
- (41) Sign - supergraphic. A supergraphic sign is one that is painted directly on the surface of a building and is comprised of a combination of promotional, logo, advertising, or artistic representations directly related to a product or service provided on the premises.
- (42) Sign - temporary. A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and/or a sign designed or intended to be displayed for a short and specified period of time.
- (43) Sign – trailer. Any sign, identification, logo or other information applied to the outside surface of a trailer that is eighteen feet (18') or more in length. Information may include but not be limited to a business name, logo, graphics, art, or other information that would attract attention to the trailer and thus cause the trailer to function as a sign. Trailers with such information applied are classified as signs and subject to the regulations herein.

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- (44) **Sign - vending machine.** Any sign, display, or other graphic attached to or part of a coin-operated machine dispensing food, beverages, or other products. May be no larger than the vending machine to be defined as a vending machine sign and thus not be regulated.
- (45) **Sign - wall.** A sign fastened to the wall of a building or other structure that is an integral part of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign. A wall sign is normally or predominately lettering and attached onto the exterior wall of a building and has some physical structure or frame as opposed to being painted on the wall.
- (46) **Sign area.** The area of the sign, usually the face of the sign, whereon are displayed, or could be displayed, those things that define its use as a sign (see definition of “sign”) plus any framing, trim or molding for that display area but not including parts of the signs that are only the supporting elements of the sign.

**12C-603. Prohibited Signs.** Generally, signs that do not meet the requirements of this sign ordinance shall be prohibited. Non-conforming signs are only allowed to continue in use subject to the provisions of Section 12C-609. The following are specifically prohibited:

- (1). Signs that are located off-premise. The following signs, however, shall be allowed off-premise with the approval of the property owner: directional signs, temporary political signs and freedom of expression signs, open house signs, and temporary private sale or event signs. Billboards are considered off-premises signs and prohibited by this ordinance.
- (2). Signs that are located in the public right-of-way. The following signs, however, shall be allowed in the public right-of-way: directional signs or governmental signs with specific approval of the City Council; and temporary political/freedom of expression signs, temporary open house signs, and temporary private sale or event signs.
- (3). Signs that are located in the sight distance triangle. The following signs, however, shall be allowed in the sight distance triangle if they are less than thirty-six inches (36”) in height: temporary political signs and freedom of expression signs, temporary open house signs, or temporary private sale or event signs.
- (4). Roof signs or other sign attached to a building that extends above the parapet or roof of a building.
- (5). Signs that may be confused with or obstruct the view of a traffic control, warning or safety sign; or signs that otherwise inhibit public safety.
- (6). Portable signs which contain electronic message centers or manual message centers. Intended to mean such signs that are not permanently fixed to the ground.

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- (7). Signs, or portions of signs that rotate, flash, move or give the appearance of motion. Not intended to mean the prohibition of electronic message centers that by their nature might give the appearance of motion as they scroll through messages and/or change.
- (8). Signs that emit sound, odor or visible matter such as smoke or vapor.
- (9). Signs painted on or attached to utility poles, trees or natural features, except signs painted or engraved onto boulders or natural materials as a part of the sign permit may be permitted if otherwise in conformance with this ordinance.
- (10). Signs that are abandoned, dilapidated, or advertise businesses that are no longer on the premises on which the sign is located.
- (11). Signs that exhibit words or pictures of an obscene nature. See Chapter 8-600, Adult Oriented Businesses and Title 15 CRIMINAL CODE for related regulations.
- (12). Trailer signs on trailers that are eighteen feet (18') or more in length, when the trailer is parked for more than 48 hours in a location that is
  - a) off-premises from either the business associated with the trailer or the residence of either the owner or operator of the trailer, or
  - b) within the required building set-back from any public right-of-way.Any such trailer that exceeds this time limit in such a location would be considered a permanent sign and would have to meet the requirements of a permanent sign or would have to be moved.
- (13). Signs that would cause a violation of the Building Code as adopted by the city. For example signs that obstruct any window, door, fire escape, stairway, or opening intended to provide light, air, ingress, or egress for any building
- (14). Use or display of the American flag in a manner not in conformance with federal guidelines for display shall be classified as signage and regulated in accordance with this ordinance

**12C-604 Permanent Signs.** Permanent signs under this paragraph are classified and regulated according to existence prior to passage of this ordinance, their purpose or use, method of construction or placement, or features the sign may have. The following regulations apply to permanent signs.

- (1) Regulations on Existing Permanent Signs:
  - a) Continued Use of Existing Signs. All existing permanent signs that did meet the requirements of the previous sign ordinance and were existing at the time of the

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passage of this ordinance are allowed to continue in use subject to Section 12C-609.

- b) Permits Required for Existing Signs. Every existing permanent sign of the type that requires permitting according to this ordinance, or signs not in compliance with this ordinance, shall be re-permitted within one-year of adoption of this ordinance. The City shall give notice in writing to each sign owner of this re-permitting requirement. Said notice shall also include information regarding the impact of Section 12C-609 on the status of the sign.

(2) Regulations on Permanent Signs based on Type of Construction or Sign Placement.

a) Freestanding Business Signs

- i. Freestanding business signs shall be regulated and limited in accordance with the following table: (Ord. 06-06)

<b>Zone</b>	<b>RM, RE, R1, R2, A, and FR</b>	<b>PR, MX, HOSP and RB</b>	<b>CC, CG, and MC</b>	<b>M2</b>
Maximum Height of Top of Sign Above the Ground and Maximum Width of Sign	Six (6) Feet	Ten (10) Feet	Twelve (12) Feet	In accordance with Note 1.
Maximum Sign-Face Area of Sign	Forty (40) Square Feet	Sixty-Four (64) Square Feet	One-hundred-Twenty (120) Square Feet	

**Freestanding Business Sign Table**

Note 1- Signs in the USU Innovation Campus (Research Park) shall be regulated by the “Declaration of Covenants, Conditions and Restrictions of the Utah State University Research and Technology Park” as filed with the Cache County Recorder 26 October, 1987.

- ii. No freestanding business sign shall be placed on a corner or next to a drive entrance access within the forty-foot (40’) sight distance triangle area as defined by this ordinance. For interior entrances the property line may be assumed at the back of the curb or edge of road.
- iii. For single or master-planned projects encompassing more than one legally existing lot, only one freestanding business sign is permitted for the project no matter how many lots exist. For projects of more than 2.5 acres

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with multiple street frontages and a street frontage of more than 300 linear feet, the city may approve a freestanding sign on each street frontage. A corner freestanding sign with two sign faces shall count as a single sign in this setting. If a project is a multi-tenant shopping complex and there are approved pads for development immediately adjoining a street frontage, the pad tenants may have only one freestanding sign each. "Ladder" signs identifying all project tenants shall not be permitted, instead these would supplement by use of individual business signs located on the building(s) or directory signs.

- iv. Electronic message centers are only permitted on freestanding business signs. These message centers shall not exceed one-fourth of the sign's total area.
  - v. Freestanding business signs may be located in the setback area but may not project into or over the public right-of-way nor shall they obstruct the view up to five feet high in any corner's sight-distance triangle.
  - vi. If the value of the sign is over \$500, it must be installed by a licensed contractor. Freestanding business signs shall require sign permits and building permits in accordance with Section 12C-609.
  - vii. Freestanding business signs shall be constructed in a monument style without the use of poles.
- b) Off-Premise Directional Sign shall be permitted in accordance with the following. They shall be permitted only for businesses with no direct street frontage (where access is via an easement or right-of-way) and permission to place such a sign must be obtained from the property owner, they shall not be allowed in public rights-of-way. The sign face area shall be limited to three (3) square feet and no more than three feet (3') width. The maximum total height for directional signs shall be four feet (4'). Copy on the signs is limited to the business name and/or the business logo, and a directional arrow. Directional signs may be located on a single driveway serving more than one inner block business. Directional signs may be internally lit. Directional signs may be used to identify multiple businesses, and if so the sign face area may be increased to a maximum of four and one half (4.5) square feet; the maximum height in this case shall remain limited to four feet (4').
- c) Residential Complex Identification Signs shall be permitted in accordance with the following. They shall be permitted only to identify subdivisions, assisted living facilities, multiple family housing complexes, mobile home parks, and nursing care facilities. The sign face area shall be limited to twenty (20) square feet. The maximum total height for residential complex identification signs shall

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be five feet (5'). Copy on the signs is limited to the name of the subdivision or complex and/or the business logo. Residential complex identification signs may be illuminated.

- d) Home Occupations Signs (freestanding or attached to the home) shall be permitted in accordance with the following. They shall be permitted only to identify home based businesses licensed with North Logan City. The sign face area shall be limited to six (6) square feet. If freestanding, the maximum total height for home occupation signs shall be four feet (4'). Copy on the signs is limited to the name of the residents, the name of the business, and/or the business logo. Home occupation signs may be illuminated.
- e) Wall Signs (Including Projecting Signs) shall be permitted in accordance with the following. If a building is a single tenant business, a single wall sign identifying the tenant shall be permitted on each face of the building. If a building is a multi-tenant shopping complex, wall signs identifying each building tenant shall be permitted per business with its own exterior entrance. If the value of the sign is over \$500, it must be installed by a licensed contractor. Wall signs shall require sign permits and building permits in accordance with Section 12C-609. Any sign displayed on a building shall not exceed the height of the building or roof eave, which ever is lower.
- f) Awning or Canopy Signs shall be permitted on any non-residential building subject to the following standards:
  - i. The advertising copy area on an awning shall be limited to a maximum area of sixty (60) square feet or less.
  - ii. The awning or canopy sign shall include only words/lettering and/or company logos.
- g) Painted Signs on walls include painted lettering signs, supergraphics and wall art. There are opportunities for creativity and expression through the application of painted lettering, wall art and supergraphics to large expanses of walls. All painted signs are subject to the following standards:
  - i. The advertising copy area within a supergraphic shall be limited to a maximum area of two hundred square feet or 20% of the wall facade, whichever is less.
  - ii. Painted lettering or wall art shall have no advertising copy, product representations, logos, or brand identification of any type. If so, the wall painting would be considered a supergraphic and subject to the 20% limit in paragraph i. above.

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- iii. Design review required. All supergraphics and wall art shall be subject to design review and approval through a conditional use permit from the Planning Commission to ensure compliance with the provisions of this chapter. The permit application for design review of the sign shall specify the size, shape, and area to be dedicated as a supergraphic or wall art. In addition to the above standards, the decision makers for the permit shall consider the following:
  - 1. The appropriateness of the supergraphic or wall art in relation to the size, scale, and location of the wall proposed to be painted, and
  - 2. The accepted community standards for content of a supergraphic or wall art by the general public at large, and
  - 3. The visibility of the supergraphic or wall art from the near street,
  - 4. Public health, safety, and general welfare, and
  - 5. The number of supergraphics or wall art that are visible in the general area, and
  - 6. The character of the area in which the art is proposed to be displayed.
- iv. Adult oriented businesses are prohibited from utilizing supergraphics or wall art. Adult oriented businesses have stricter sign standards and are not eligible for use of wall art or supergraphics. Painted lettering is permitted if otherwise in accordance with this ordinance. See Chapter 8-600.
- v. Painted lettering alone (with no supergraphics or wall art) shall conform to the same standards as wall signs.

### **12C-605. Temporary Signs.**

- (1). Purpose. The city understands and promotes that signs are important components of business success and promotion. When a business succeeds, the entire community benefits from the success. Small businesses may have difficulty in marshaling resources to compete and promote products, services, and special events. Temporary signs which are inexpensive but still meet certain standards may help promote businesses. Significant technical data exist to show that promotions must be fresh, timely, and that promotions have specific time values that diminish if the event or its promotional efforts run too long. The City recognizes that when it comes to temporary signs, the vast majority of businesses are conscientious about the types of signs, size display, character and the need for appropriate and fair competition between large and small businesses. Signs, particularly temporary signs and attention-getting devices can generate considerable

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public interest, including negative public interest particularly when those signs or attention-getting devices are not within acceptable community standards. The regulation of signs, in addition to protecting the public health, safety and welfare, also deal with community aesthetics. Signs such as banners, construction signs, holiday decoration signs, temporary inflatable signs, political signs, private sale or event signs, real-estate signs, open house signs, trailer signs, and attention getting devices are regulated by this ordinance to accomplish these goals.

- (2). Regulations for Temporary Signs. The following regulations shall apply to temporary signs. Temporary signs shall be allowed in addition to permanent signs and shall be located on-premise only except as specified below. Temporary generally means any sign to be displayed for less than sixty (60) days unless otherwise specified.
- a) General Temporary Sign Regulations: Any temporary sign (except real estate signs, construction, and project development signs) shall be considered permanent when it has been displayed for sixty (60) or more days and must thereafter conform to all the requirements for permanent signs. Any real estate sign or construction/project development sign shall be considered permanent when it has been displayed for 120 days or more days. Two extensions of 120 days each may also be applied for when necessary but no such sign may remain for longer than 360 days.
- b) Real Estate or Construction/Project Development Signs. Real estate, construction/project development signs shall be permitted for all uses and properties subject to the following regulations. Any real estate, construction/project development sign that is 16 square feet or larger shall require a permit and tag. Such tags shall be provided by those seeking the permit and shall be placed in the lower right corner of the sign. The tag shall give the date of permit approval and list if it is an extension, and when it expires. Tags shall be of a minimum of one-inch (1") lettering. One such sign shall be allowed per parcel. Real estate, construction/project development signs shall be non-illuminated. Real estate, construction/project development signs on nonresidential sites shall not exceed 32 square feet in sign face area and six (6) feet in height. Real estate, construction/project development signs on residential property shall not exceed four (4) square feet in area or be more than five (5) feet in height from the ground. Real estate signs shall be removed within five (5) days from the date of closing or full occupancy, if leasing. Real estate, construction/project development signs over three feet in height must be located outside any sight distance triangle. Signs not located on the subject property for sale, which serve as a directional sign to a sale property shall be prohibited. Such off-premise signs may be removed from the right-of-way by the City and a cost may be assessed or a citation issued for repeated offenses.

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- c) Open house Signs. The City finds and declares that open house signs are “temporary directional signs.” Even though a sign for one house at an intersection may attract traffic to a street, other open houses in the same general area benefit from interested traffic. An over-abundance of open house signs is difficult to read and may contribute to safety hazards. In addition to a sign on the subject property promoting an open house, additional open house signs shall be permitted subject to the following regulations. Open house signs are limited to a maximum size of four (4) square feet in area and four (4) feet in height. No individual open house shall be identified by more than three signs located within the public right-of-way. One open house sign may be permitted within the public right-of-way within the landscape strip at the nearest corner to direct traffic to the open house. Signs over three (3) feet in height must be located outside the sight distance triangle. Not more than one open house sign may be placed on a corner. No balloons, streamers, or attention-getting devices may be attached to an open house sign. Signs shall be on posts that are placed into the ground or otherwise anchored. Sandwich board or freestanding open house signs shall not be permitted due to the potential of winds blowing the signs into the traveled way. Open house signs shall be placed no earlier than three (3) hours before the start of the open house and shall be removed within one (1) hour of the end of the open house. Signs placed on private property shall be required to have the property owner’s permission prior to placement.
- d) Political signs and freedom of expression signs. Political signs for political candidates, ballot issues, or freedom of expression signs are permitted on all properties but for no longer than sixty (60) days subject to the following regulations. Signs over three (3) feet in height must be located outside the sight distance triangle. Signs shall not exceed twelve (12) square feet per facing and a maximum height of four (4) feet. Signs shall not be illuminated. Individual candidate signs are permitted after the candidate has filed the appropriate declaration of candidacy or other required filing documents with the appropriate public official to receive such filings. A registered write-in candidate shall be considered the same as a candidate to be listed on a ballot for the purpose of political signs. Freedom of expression signs associated with an election or signs pertaining to an issue on a ballot are permitted after the issue for which the sign advocates a position has been approved for placement on the next ballot by the County Clerk or City Recorder. Signs shall be removed within 48 hours following the last election in which the candidate or issue is to be on the ballot. Freedom of expression signs not associated with an election or not pertaining to an issue on a ballot are permitted for no longer than thirty (30) days and only on private property. Such signs are not allowed on public property or public rights-of-way. All signs shall include information thereon regarding those responsible for the sign. Political signs pertaining to an issue and freedom of expression signs shall include a notation or certificate on the back of the sign listing the sponsoring

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individual or organization, name of a contact person, the contact person's name, address, and phone number. Any sign without contact information thereon may be removed by the City and disposed of. Signs for candidates will be assumed to be the responsibility of the candidate unless otherwise noted thereon. Signs shall not be placed on public property except within established public rights-of-way. If placed in the right-of-way the sign shall be located in the planting strip between with curb and the sidewalk. If there is no curb or sidewalk the sign shall be placed at least four (4) feet from any traveled surface. Those placing signs on public rights-of-way shall first obtain permission from the property owner adjacent to the area where the sign is to be placed.

- e) Private or Community Event Signs. The City finds and declares that as part of the neighborhood character and community spirit of North Logan, many nonprofit and neighborhood organizations or individuals post signs about upcoming events and activities. Sponsoring organizations shall be nonprofit organizations, schools, or religious institutions. Such event signs shall be permitted subject to the following. Neighborhood and community event signs shall be limited to a maximum size of thirty-two (32) square feet. Signs shall be secured to the ground with posts or otherwise anchored and shall not be attached to utility poles, trees or other vegetation. Signs shall not be located within the sight distance triangle. Signs shall not be illuminated. Signs may be posted on private property not more than fourteen (14) days prior to the event. The name of the sponsoring organization, the contact person, person's address and phone number shall be posted on the back of the sign. Signs shall be removed within 24 hours of the conclusion of the event. Signs shall not be placed on public property or within the public right-of-way; any such signs in the right-of-way may be removed by the City.
- f) Private Sale Signs. Private sale signs such as signs for garage sales, homemade craft sales, home boutiques or signs for the seasonal sale of agricultural products shall be permitted subject to the following. Such signs shall be limited to a maximum size of six (6) square feet and shall be located on private property at the location of the sales activity. Such signs shall not be located within the sight distance triangle. Signs shall not be illuminated. Signs at other locations to attract interest to the event may be posted on private property from dawn until dusk only on the day of the sale. Signs shall be removed at night for sales that occur over more than one day. The name of the sign owner (or some others person(s) responsible for the sale), their address, and phone number shall be written on the back of the sign. Signs shall not be placed on public property or in the public right-of-way.
- g) Holiday Decorations. Decorations on non-residential properties relating to seasonal holiday activities shall be permitted subject to the following. Decorations with a height greater than three feet (3') shall not be located within the sight distance triangle. Such displays may be exhibited only during local, state or

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nationally recognized holiday periods. Such displays shall emit no noise, sound or music that is audible beyond the property lines of the subject property; any audio shall be discontinued at 10:00 p.m. Such displays shall contain no commercial message. Such displays shall be removed within five (5) days after season ends. The Christmas–New Year holiday period ends on January 6. Seasonal decorations on residential properties are exempt from the requirements of this section except that any such decorations with a height greater than three feet (3') shall not be displayed within the sight distance triangle.

- h) Banners. Banners may be permitted subject to the provisions of this paragraph. This section applies to all banners. Banners displayed for less than ninety (90) days are temporary banners; banners displayed for ninety (90) days or more are classified as permanent signs and as such must meet the requirements of Section 12C-604, Permanent Signs, in addition to the following. All banners are subject to the following requirements. If a banner is to be in place for more than one week, the business displaying the banner is to write the date that the banner was erected on the back of the banner; banners shall not be used as permanent identification signs. Banners used as temporary business identification signs shall obtain a sign permit and shall provide proof that the permanent sign has been ordered including a delivery date. Banners shall not exceed 25% of the front facade of the building. Banners shall be securely attached to the primary building or a fence on the premises. Banners shall be located on private property and not within the public right-of-way. Banners shall be held in place only in accordance with the following: Banners shall not be mounted on freestanding poles; Banners shall not be mounted between a building and a pole; Banners mounted on canopies, awnings, or other overhangs shall be secured to the surface and shall not hang below the bottom of the awning, canopy, or other overhang; Banners shall not be mounted on or attached to other freestanding signs; Banners mounted on fences shall be on private property and shall be securely anchored to the fence. The maximum height above ground at which a banner may be mounted on a building shall be 14 feet (measured to the top of the banner).
- i) Pennants, chevrons, whirly-gigs, streamers, and attention-getting devices. The City finds and declares that there are numerous attention-getting devices used by businesses to increase customer awareness and attract attention to the site. The Council finds that such uses are appropriate when displayed in an appropriate manner. The Council further finds that prudent and responsible use of attention-getting devices assures effectiveness, and looks to the business community to guide itself in that manner. Pennants, chevrons, whirly-gigs, streamers, and attention-getting devices shall be permitted subject to the following; No attention-getting devices shall be displayed within the public right-of-way or attached on utility poles or streetlights; Attention-getting devices shall be maintained in safe condition. Damaged, broken, or attention-getting devices

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displayed in such a manner to be a safety hazard shall be subject to immediate removal; Attention-getting devices shall be maintained in such condition to not detract from the aesthetics of the neighborhood or the neighborhood character. Faded, damaged, torn, ripped, or attention-getting devices with missing components shall be replaced or removed by the owner.

- j) **Inflatables.** Inflatable signs may be permitted to be utilized on premises subject to the following standards and conditions; a sign permit, which shall be issued at no charge, shall be required for all inflatables; inflatables shall be displayed only on private property and not within the public right-of-way or within the sight distance triangle; inflatables shall be appropriately anchored and shall not be a hazard to property, pedestrians, or vehicles. Extra care may need to be taken to ensure the inflatable is appropriately anchored overnight. The business owner may be required to deflate an inflatable display at the conclusion of business each day if it is found that the unit is not appropriately secured if unattended or if is a possible threat to public health and safety; banners, pennants, or other attention-getting devices shall not be attached to the inflatables, except for the name of the business or event if the inflatable display is designed to securely hold the banner.

### **12C-606 Sign Measurement.**

- (1) **Sign Face Area** The sign face area of a sign shall be computed as total area of the object, device, display, or structure, or part thereof that meets the definition of a sign. The supporting structure of a freestanding sign shall not be included in the measurement of the sign face area. The area shall encompass the outer limits of the sign cabinet frame for signs within a cabinet. For building or wall signs with individual components, the measurement shall be based on the letters, emblem, or other display, together with any material or color forming an integral part of the background of the area used to differentiate the sign from its backdrop. Signs comprised of individual elements attached to a building wall shall be measured as one unit when the distance between the sign elements is less than two times the dimension of each element. The sign face area of a banner shall be the total area of the banner regardless of how much of the banner contains sign elements.
- (2) **Height.** The height of a freestanding business sign shall be measured as the distance between the highest element of the sign and the height of the top back of the curb. (If no curb is present then it will be measured from the height of the center line of the adjacent road.)

**12C-607. Sign Placement.** The following sign placement standards shall apply to all regulated signs, unless otherwise specifically provided for.

- (1) All signs and sign structures shall be located on premises. For a sign to be considered being on premises it must be either:

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- a) Located within the boundaries of the same property that includes the principal building that the sign is intended to advertise or attract attention to, or
  - b) Located on property of common ownership in a subdivision or planned unit development in such a way that the subdivision or planned unit development includes the principal building that the sign is intended to advertise or attract attention to.
- (2) Freestanding business signs may be placed within required building setback areas provided that no portion of the sign extends into or over the public right-of-way. Freestanding business signs located in public or private easements shall require permission of the easement holder. Freestanding business signs over four feet high shall not be placed within any sight distance triangle unless approved by the City Engineer.
- (3) Building Signs. Signs attached or affixed to buildings may be located on any side of the building. Building signs shall not project beyond the corner of a building. Building signs shall not project more than 24 inches from a building wall unless designed as a perpendicular or projecting sign.

**12C-608. Sign Design Standards, Permits, and Inspections.** Most signs require sign permits and some may also require building permits for their construction in accordance with this section. All signs associated with new construction and development shall be designed as an integral part of the total building or project and shall be included as part of the development plans for the building or project.

- (1) Miscellaneous Design Standards for Signs
  - a) Multi-Tenant Projects. Signs in multi-tenant projects (such as shopping centers or office complexes) shall comply with the following. Freestanding business signs and wall signs shall have a uniform or complimentary background in terms of color, illumination, material and fabrication. All freestanding signs and their supporting structures shall be of the same background color and material unless the background color is a component of a registered trademark. All outdoor or exterior directory signs (except those that are the primary sign for a multi-tenant project) shall be located within fifteen feet (15') of the principal entry to the building.
  - b) Illumination of Signs. All light fixtures for illumination of signs, except incandescent lights equal to or less than 100 watts, shall be downward directed, non-glare, concealed-source types and shielded. Illuminating permanent signs with incandescent lights equal to or less than 100 watts shall not be regulated.
  - c) Minimum clearance for perpendicular or projecting signs. Perpendicular or projecting signs shall have a minimum clearance between the bottom of the sign and the ground in compliance with the Uniform Building Code.

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### (2) Sign Permit Requirements

- a) A permit issued by the City shall be required on all regulated permanent signs, real estate and construction/project development signs with a sign face area of sixteen (16) square feet or more, and inflatables over six (6) feet in height. Failure to obtain a sign permit may result in enforcement actions pursuant to this Title.
- b) The information to be provided for the permit shall include:
  - i. A scale drawing showing the size and construction of the sign, its location on the building or the site, and all applicable utility locations and easements on the site.
  - ii. The name of the business and address at which the sign is to be located,
  - iii. The installation date that the sign will be installed,
  - iv. The date of removal for temporary signs
- c) The business shall note the sign permit number on the sign or maintain it in a location where it can be presented to a representative of the City if so requested.
- d) An encroachment permit shall also be included if needed for any street closures or work to be done in a city right-of-way. (Encroachment permits are obtained through the City Engineer.)

(3) Building Permits for Signs. All sign types or sizes regulated by Uniform Building Code shall also include a building permit application with the sign permit application. Included with such applications shall be plans showing compliance with building code requirements for the construction, installation and mounting of signs. Plans shall be prepared and stamped by or under the supervision of a professional engineer licensed to practice in the State of Utah. Fees for building permits for signs shall be established by resolution.

(4) Inspections. All sign types or sizes regulated by Uniform Building Code shall require inspection by the North Logan Building Department. Mounting brackets, electrical work, and any other structural elements that hold signs require inspection as specified in the Uniform Building Code. Failure to obtain the inspection may result in removal of the sign and rejection of a sign permit when necessary. Any additional costs to the city associated with failure to obtain the required inspections shall be recoverable as a condition of obtaining a sign permit. The following regulations apply for inspections on sign construction and/or installation:

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- a) The contractor or agent must call and schedule an inspection 24 hours in advance of needing the inspection.
  - b) Freestanding business signs require at least two inspections, one before the foundation is poured, the second before any electrical and mechanical is covered.
  - c) Wall signs need to have mounting brackets and electrical inspected before they are covered.
  - d) Approved plans need to be on site at the time of inspection.
  - e) Access to the sign at the time of inspection will need to be provided to the sign by contractor.
  - f) Pedestrian protection needs to be provided while installing signs.
- (5) **Licensed contractor required.** All signs with a value of five hundred dollars or more shall be installed only by a sign contractor licensed by the State of Utah. A copy of the license shall be filed with the Chief Building Official at the time of application for the building permit.

**12C-609. Non-Conforming Signs.** Permanent signs existing at the time this sign ordinance was revised (18 October 2002) and which are not in compliance with the provisions of this sign ordinance, excluding billboards, shall be deemed non-conforming signs. On the happening of any of the events described below, or where any of the following conditions apply, any non-conforming sign or signs shall be brought into compliance and a new permit shall be secured therefore, or the sign(s) shall be removed. (Ord. 06-06)

- (1) The cost of conforming the sign (by modification, or replacement) is valued at less than one hundred dollars or if the cost or value of the sign is less than one hundred dollars. The cost to do so shall be determined based on the actual sales receipt for the sign, bid for work to be done, or a cost estimate by a qualified professional.
- (2) When a non-conforming sign is destroyed or damaged to an extent in excess of fifty (50) percent of the sign value.
- (3) The sign is relocated in any manner.
- (4) The changing of panels in a sign or changeable copy shall not be reason for requiring the removal of non-conforming signs, but a sign shall be required to be made conforming if it is otherwise altered structurally. (Ord. 03-10)
- (5) If the business or service for which the con-conforming sign(s) triggers a conditional use review or other type of development review and approval, as required by the NLC Code as a result of expansion, change of use, or other reason. All improvements to a single

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business or use within any twelve-month period shall be treated cumulatively in the administration of this subsection.

- (6) Nothing in this section shall be deemed to prohibit the City from requiring the removal of a billboard in accordance with Utah State Code 10-9-408.
- (7) Any non-conforming permanent signs not meeting any of the above criteria that would require the sign to be brought into compliance, shall be deemed legal non-conforming signs and may remain in place as is. (Ord. 06-06)
- (8) Nothing in this section shall be construed to relieve the owner of a non-conforming sign, or owner of the property on which such non-conforming sign is located, from maintaining the sign in a state of good repair; provided, however, that any repainting, cleaning and other normal maintenance or repair of the sign or sign structure shall not modify the sign structure or copy in any way which makes it more non-conforming. Routine maintenance or changing like parts shall not be considered an alteration, provided that such change does not alter the surface dimension, height, message, or otherwise make the sign non-conforming.

**12C-610. Enforcement Provisions for Sign Ordinance.** Any new permanent sign erected since October 18, 2002 or any temporary sign regardless of when it was erected, maintained or modified; that is not in compliance with the provisions of this sign ordinance is an unlawful sign and declared a public nuisance and subject to the following enforcement provisions:

- (1) The city may order the removal of any sign erected, maintained, or modified in violation of this ordinance. The city shall give 24 hours notice in writing to the owners of such sign; or owner of the building structure or premises on which the sign is located; to remove the sign or bring it into compliance.
- (2) Any city employee designated to enforce this ordinance may remove a sign immediately and without notice if, in the city employee's opinion, the condition of the sign is such as to present an immediate threat to the safety of the public; and is hereby authorized to take such steps as may be necessary to remove said sign. Neither the city nor any of its agents shall be liable for any damage to the sign. The employee removing any such sign shall make a record of their findings why the sign was found to be a threat to the public, and the disposition of the sign. The employee removing said sign shall make reasonable efforts to notify the owner of the sign so that the owner of the sign may retrieve the sign.
- (3) Any property owner may remove any sign in violation of this ordinance and placed without permission on the owner's property or in the right-of-way fronting the owner's property. The property owner removing said sign shall make reasonable efforts to notify the owner of the sign so that the owner of the sign may retrieve the sign.
- (4) The violation of or failure to comply with the provisions of this ordinance shall be deemed an infraction and upon conviction, the violator may be punished by a fine of not

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more than \$250 and shall be required to remove such sign or take such other action as shall be required by the court to be necessary to bring such sign into full compliance with the provisions of this ordinance.

- (5) The remedies provided in this section for violations of or failure to comply with provisions of this ordinance shall be cumulative and shall be in addition to any other remedy provided by law.

(Ord. 06-06)

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### **CHAPTER 12C-700. Mobile Home Parks.**

Mobile Home park developments shall comply with the following requirements:

- (A) Restrictions. Mobile home parks may be developed only in those zones providing for mobile home parks as permitted or conditional uses.
- (B) Minimum Area. The minimum area for a mobile home park shall be five (5) acres.
- (C) Streets.
  - (1) Each mobile home space shall front on an improved paved street. Each street within the park shall be within a minimum right-of-way of thirty (30) feet. Within the thirty-foot right-of-way, there shall also be a three (3) foot sidewalk or pedestrian right-of-way.
  - (2) The owner of the mobile home park shall be responsible for all street maintenance within the mobile home park.
- (D) Minimum Home Space Size. Individual mobile home spaces shall have a minimum size of forty (40) feet in width with a minimum area of four thousand (4,000) square feet.
- (E) Access. All mobile home parks shall be designed for safe and convenient movement of traffic into and out of the park, with minimization of marginal friction with free movement of traffic on adjacent streets. All vehicular traffic into and out of the park shall be through such designated entrances and exits.
- (F) Buffer Strip. Each mobile home park shall have a buffer strip around the perimeter of the park of a minimum of four (4) feet in width on those sides of the park bounding upon a public street. The buffer strip shall be fenced with a six-foot masonry wall or solid board fence, except for entrances and exits, as recommended and approved by the Planning Commission in its site plan approval.
- (G) Site Standards.
  - (1) No mobile home nor any other structure shall be placed or erected closer to the mobile home space line than eight (8) feet on the sides, with a total of twenty-six (26) feet in setback requirements for both sides, nor within ten (10) feet of the rear mobile home space line or within fifteen (15) feet of the front mobile home space line with a total of thirty (30) feet in combined setbacks for the front and rear. Awnings or other open structures may extend into the setback areas provided, however, that there will be a minimum of ten (10) feet between such open structures on adjacent lots. Further provided, however, that roof projections, overhangs, rain gutters, and air conditioners may project to the extent of eighteen (18) inches into any required set-back area.

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- (2) Spaces at internal street intersections within the park shall be on appropriately wider lots in order to provide adequate site distance for safety at intersections.
- (H) Utilities. Mobile home park utilities shall be in accordance with the following:
- (1) Street lighting shall be installed which may be overhead or low-level; provided, however, that the source of light shall not be visible beyond the park boundaries and all lights shall be reflected onto the street or pedestrian ways.
  - (2) Each mobile home space shall be provided with an approved type 115-230 volt service.
  - (3) Each mobile home space shall be connected to a central water and sewer system. No individual water or sewage disposal system shall be permitted in any mobile home park.
  - (4) All utility distribution and collection systems including those for water, sewer, electricity, telephone, gas, and television cables shall be underground. There shall be a single meter for the mobile home park for water and sewer lines, and the mobile home park owner shall be responsible to the city for all water and sewer services provided to the park.
  - (5) Common laundry and restroom facilities shall be approved by the Board of Health and City Engineer.
  - (6) The mobile home park owner shall be responsible for the maintenance of all utility lines within the mobile home park including specifically water and sewer lines.
  - (7) The mobile home park owner shall be responsible to install sewer and water lines from the nearest feasible point on the existing city water and sewer lines unless this requirement is specifically waived by the Planning Commission and City Council.
- (I) Driveways and Parking Spaces. Each mobile home space shall have a driveway with a minimum depth of twenty (20) feet. Automobile parking spaces shall be a minimum of nine (9) feet in width and there shall be two automobile parking spaces per mobile home space.
- (J) Foundation and Tie-Down. Each mobile home shall be placed on a foundation or tied down in accordance with Building Code or other regulatory requirements.
- (K) Drainage. Storm drainage facilities shall be so constructed as to protect residents of the mobile home park as well as adjacent property owners. Such facilities must be of

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sufficient capacity to insure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

- (L) Storage. All storage and solid waste receptacles, outside the confines of any mobile home, must be housed in a closed structure compatible in design and the construction to the mobile homes, and to any service buildings within the development.
- (M) Utility Easements. Landscaped utility easements may be provided for each mobile home space. Such easements, where provided, shall not be less than ten (10) feet in width. No permanent structure other than pedestrian ways, benches, recreational facilities, picnic areas, and lighting systems shall be located within such utility easements and permitted structures shall be located so as not to impede maintenance of the underground utilities. All utilities shall be located within such easements, if provided, or in easements adjacent to the street pavements or buffer areas as set out in Paragraph F above.
- (N) Recreation Facilities. In the area equal to the 10% of the mobile home park shall be developed and set aside for recreational purposes. No mobile home space, required buffer strip, street right-of-way, storage area, utility site, or utility easement shall be counted as recreation area in meeting this requirement.
- (O) Business License. It is a prerequisite to the operation of any mobile home park that the owner or owners thereof obtain an annual business license from the City. In the event the mobile home park is not completed or maintained in accordance with the approved site plans and the requirements of this ordinance, the annual business license shall be denied or revoked.
- (P) Approval. All mobile home parks must be approved by the City Planning Commission. Site plans together with an application for approval must be submitted at least two weeks prior to being placed on the agenda for the Planning Commission and before final approval must be reviewed and approved by the City Engineer and Health Department.

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### **CHAPTER 12C-800. Zoning.**

**12C-801. Establishment of Zones.** For the purpose of this ordinance, the following fourteen (14) zones are created to be applied as necessary to regulate the development of the land in North Logan, Utah.

- (A) **Forest-Recreation Zone (FR)** To provide areas for grazing, forestry, mining, recreation, and other activities to the extent compatible with the protection of the natural and scenic resources of the areas for the benefit of present and future generations.
- (B) **Agriculture Zone (A)** To provide areas for agricultural use to include land-trust areas so designated to preserve open space. Generally, uses normally and necessarily related to agriculture are permitted.
- (C) **Residential Estate Zone (RE)** To provide areas for large lot, low density residential estate neighborhoods of a rural character. Provides permanent areas for hobby farms, agricultural estate farms, and limited livestock for profit and/or family food production. The regulations permit with proper controls, the establishment of public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the requirements of the community. The regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood and would detract from the stated purposes.
- (D) **Single-Family Residence Zone (R-1)** To provide appropriate locations where low density residential neighborhoods may be established, maintained and protected. This could include larger lots to provide areas for hobby farms, and/or family food production. The regulations also permit with proper controls, the establishment of public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the requirements of the community. The regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood and would detract from the stated purposes.
- (E) **One and Two Family Residence Zone (R-2)** To provide areas where medium density residential neighborhoods may be established, maintained and protected. The regulations permit with proper controls, the establishment of public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the community. These regulations are intended to prohibit those uses that would be harmful to a single-family neighborhood and would detract from the stated purposes.
- (F) **Multiple Family Residence Zone (RM)** To provide areas for high density neighborhoods where a variety of multiple family dwellings including apartment houses may be established, maintained and protected. The regulations permit with proper controls, the establishment of public and semi-public uses such as churches, schools, libraries, parks and playgrounds, which serve the community. These regulations are

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intended to prohibit those uses that would be harmful to a high density neighborhood and would detract from the stated purposes.

- (G) Professional Zone (PR) To provide areas for various professional services which are in harmony with adjacent residential zones. Specific emphasis is given to harmonious hours of operation, landscaping and design standards. This zone serves as a transition or buffer between residential zones and more intensive commercial zones.
- (H) Community Commercial Zone (CC) To provide areas for light commercial service activities in locations adjacent to or near residential areas. The regulations of this zone are designed to protect and preserve the commercial nature of the zone while being compatible to adjacent zones.
- (I) General Commercial Zone (CG) To provide appropriate areas where most commercial activities may be established, maintained, and protected.
- (J) Manufacturing/Heavy Commercial Zone (MC) To provide areas where manufacturing industries, warehousing, and heavy commercial businesses necessary and beneficial to the local economy may locate and operate. The regulations of the zone are designed to protect and preserve the environment of the zone, adjacent areas, and the entire county.
- (K) High Technology Manufacturing and Research Zone (M-2) To provide areas where limited high-technology testing, research, and prototype production may be conducted. The regulations of the zone are designed to protect and preserve the environment of the zone, adjacent areas, and the county.
- (L) Residential Business Zone (RB) This zone is intended to provide small areas throughout the community which are primarily residential but in addition provide areas where low-impact, residential-type businesses may be provided close to and/or within neighborhoods. For example the zone includes single family residences, some institutional residences which are run as a business, and some land-uses which are typically in harmony with or serve the residents of the neighborhood.
- (M) Hospital Zone. This zone is intended to provide areas within the community for exclusive use by health-related business operations. Includes hospitals and other businesses which are associated with an adjacent hospital. The regulations of the zone are designed to protect the environment of the zone and adjacent areas, especially when adjacent areas are residential.
- (N) Mixed Use Zones – Mixed Use General (MX-G) and Mixed Use City Center (MX-CC). To provide areas for the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers "live, work, and play" opportunities within convenient walking distance of each other. The MX-G zone serves as a transition or buffer between residential zones and more intensive commercial zones or the city center. The MX-CC zone serves as a method to provide for the development

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of a city center or downtown area for North Logan City in accordance with very specific concepts developed by the city. (Ord. 07-06, 04-05)

(Ord. 97-04, 97-03)

**12C-802. Boundaries of Zones** The boundaries of each of the said zones are hereby established as described herein or shown on the map entitled "Zoning Map of North Logan, Utah", which map is attached to this ordinance and all boundaries, notations and other data shown thereon are made by this reference as much a part of this ordinance as if fully described and detailed herein.

**12C-803. Filing of Ordinance and Map** This ordinance and map shall be filed in the custody of the City Recorder of North Logan, Utah, and may be examined by the public subject to any reasonable regulations established by the North Logan City Recorder.

**12C-804. Rules for Locating Boundaries** Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

- (A) Wherever the zone boundary is indicated as being approximately upon the center line of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley, or block or such property line, shall be construed to be the boundary of such zone.
- (B) Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right-of-way, or public park or other public land or any section line, then in such case the center of such stream, canal or waterway, or of such railroad right-of-way or the boundary lines of such public land or such section line shall be deemed to be the boundary of such zone. (Ord. 98-03)
- (C) Where the application of the above rules does not clarify the zone boundary location, the Board of Adjustment shall interpret the map.

### **12C-805. Rezone Petitions and Referrals.**

- (A) In each instance where any person shall desire to have change in zone made, a petition shall be filed setting out such request and particularizing the change desires.
- (B) At the time the petition is filed requesting change with respect to zoning or building or uses of land as contemplated by this part, there shall be paid a filing fee as determined by resolution of the City Council.
- (C) Should a public hearing be required by law or otherwise upon the change so petitioned for, the party petitioning shall pay the costs of advertising such public hearing. The Recorder/ Clerk shall notify such petitioner of such charge for advertising and shall not proceed with the advertising until such charge has been paid.

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- (D) If the City Council initiates a change of zoning, its proposal shall be referred to the Planning Commission for consideration and recommendation. The Planning Commission shall return such petition together with its recommendation to the City no later than thirty days after referral to it.

### **12C-806. Rezones.**

(A) Ordinance No. 70.3 Rezones:

- (1) See Amendment No. 1 to Ordinance No. 70-3 adopted June 1, 1971.
- (2) See Amendment No. 2 to ordinance No. 70-3 adopted September 21, 1971.
- (3) See Amendment No. 3 to Ordinance No. 70-3 adopted May 16, 1972.
- (4) See Amendment No. 4 to Ordinance No. 70-3 adopted November 10, 1972.
- (5) See Amendment No. 5 to Ordinance No. 70-3 adopted May 22, 1973.
- (6) See Amendment No. 6 to Ordinance No. 70-3 adopted May 22, 1983.
- (7) See Amendment No. 7 to Ordinance No. 70-3 adopted July 17, 1973.
- (8) See Amendment No. 10 to Ordinance No. 70-3 adopted November 5, 1974.
- (9) See Amendment No. 11 to Ordinance No. 70-3 adopted December 6, 1974.
- (10) See Amendment No. 14 to Ordinance No. 70-3 adopted September 16, 1975.
- (11) See Amendment No. 15 to Ordinance No. 70-3 adopted December 16, 1975.
- (12) See Amendment No. 17 to Ordinance No. 70-3 adopted December 2, 1976.
- (13) See Amendment No. 18 to Ordinance No. 70-3 adopted March 17, 1977.
- (14) See Amendment No. 19 to Ordinance No. 70-3 adopted April 7, 1977.
- (15) See Amendment No. 20 to Ordinance No. 70-3 adopted April 21, 1977.

(B) Rezones.

- (1) See Ordinance No. 70-3.21 adopted May 18, 1978.
- (2) See Ordinance No. 70-3.22 adopted July 6, 1978.
- (3) See Ordinance No. 78-6 adopted August 31, 1978.
- (4) See Ordinance No. 78-9 adopted December 20, 1978.

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- (5) See Ordinance No. 79-4 adopted May 17, 1979.
- (6) See Ordinance No. 80-3 adopted March 3, 1980.
- (7) See Ordinance No. 80-10 adopted August 21, 1980.
- (8) See Ordinance No. 81-3 adopted June 4, 1981.
- (9) See Ordinance No. 81-6 adopted October 1, 1981.
- (10) See Ordinance No. 83-2 adopted March 31, 1983.
- (11) See Ordinance No. 83-3 adopted April 7, 1983.
- (12) See Ordinance No. 83-5 adopted April 21, 1983.
- (13) See Ordinance No. 83-7 adopted May 19, 1983.
- (14) See Ordinance No. 84-11 adopted October 18, 1984.
- (15) See Ordinance No. 85-2 adopted February 7, 1985.

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### **CHAPTER 12C-900. Annexation.**

**12C-900.1 Master Annexation Policy Declaration.** The municipality adopts the following master annexation policy declaration, pursuant to Section 10-2-414. Utah Code Annotated, 1953 as amended:

- (A) **Map.** Attached to the ordinance codified herein is a master annexation policy declaration map which describes the unincorporated territory into which the municipality anticipates or favors expansion of its boundaries. Where feasible and practical, areas projected for municipal expansion have been drawn along the boundary lines of existing sewer, water, improvement, or special service districts in order to:
- (1) Eliminate islands and peninsulas of unincorporated territory;
  - (2) Facilitate the consolidation of overlapping functions of local government;
  - (3) Promote service delivery efficiencies;
  - (4) Encourage the equitable distribution of community resources and obligations,
- (B) **Statement of Criteria.** The specific criteria pursuant to which the municipality will favor or not favor a petition for annexation includes the following:
- (1) The annexation shall conform to the requirements, procedures, and standards set forth in Chapter 2, Title 10, Utah Code Annotated 1953 as amended, which include, inter alia, in Section 417 thereof, the following standards:
    - (a) The area to be annexed must be contiguous to the boundaries of the municipality at the time the annexation is approved by the City Council.
    - (b) The area to be annexed must lie within the area projected for municipal expansion under this master annexation policy declaration.
    - (c) The area to be annexed must not be included within the boundaries of another incorporated municipality except as otherwise provided in Chapter 2, Title 10, Utah Code Annotated, 1953 as amended.
    - (d) The proposed annexation must not create unincorporated islands within the boundaries of the municipality except that existing islands or peninsulas within the municipality may be annexed in portions, leaving islands, if a public hearing is held and the City Council adopts a resolution to the effect that the creation or leaving of an island is in the interest of the municipality.
    - (e) If the territory proposed for annexation includes urban development, the annexation of which would displace municipal-type services being

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provided at that time by an affected entity which applies for a boundary commission review, then the actual taxes and other revenue which would be lost by the affected entity because of the annexation must not significantly exceed the affected entity's actual delivery costs of services assumed by the municipality.

- (2) The annexation shall be compatible with the character of the municipality which is comprised of commercial, residential, and agricultural areas and the annexation shall conform to the master street, development, sewer, zoning, and other plans as adopted by the municipality at the time the annexation petition, all such master plans being maintained and available for review at the office of the City Recorder.
- (3) The annexation shall not be approved unless and until the need for municipal services in developed and developing unincorporated areas, the plans and time-frame of the municipality for extension of municipal services, the financing of such services, and nature of such services have been duly determined as to the territory proposed to be annexed and the effect of such annexation on the residents and owners of property in the municipality in terms of the foregoing aspects relating to services duly evaluated.

In any event, the following elements as to municipal services shall be considered:

- (a) Description of services needed:
  - (i) Type;
  - (ii) Scope;
  - (iii) Location and area to be served;
  - (iv) Time when needed;
  - (v) Phases of and priorities as to various services;
  - (vi) Phases of intended development.
- (b) Extension of services:
  - (i) Current and anticipated future municipal plans for extension of services within the existing city limits;
  - (ii) Effect on current plans and anticipated plans and timetables for extension of services if proposed area is not annexed.
- (c) Finances:

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- (i) Costs of services to the municipality;
  - (ii) Costs of services to be paid by landowners of area sought to be annexed;
  - (iii) Method of financing and time for payment by owners or developers.
- (4) Prior to and as a condition of the approval of any annexation petition, an estimate of the tax consequences to residents in both the then existing municipality and the area proposed to be annexed would have to be ascertained, considered, and deemed acceptable. In particular, consideration would have to be given as to the impact, if any, upon residents and owners both within the municipality and the new area with or without annexation.

It should be noted that the tax consequences of any proposed annexation should be very little in that the costs of annexation and the extension and maintaining of municipal services to areas to be annexed should be borne by that area. Property taxes for unincorporated areas would increase by the amount of the mill levy of the municipality.

- (5) Because of the requirements of Title 10, Chapter 2, Utah Code Annotated, 1953 as amended, full consideration of the interests of all affected entities, as defined therein, must be taken into account and the procedures of that chapter followed. In particular any annexation would have to be considered in light of the following:
- (a) Identity of any affected entity;
  - (b) Description of geographic proximity of proposed territory to any affected entity;
  - (c) Possible effects upon the affected entity if territory is annexed and if it is not;
  - (d) Nature and extent of anticipated opposition, if any, of any affected entity to the annexation.
- (C) **Amendments.** This policy declaration, including the map, may be amended from time to time by the City Council after at least twenty days' notice and a public hearing.
- (D) **Specific Declaration.** When a policy declaration is prepared in response to a specific petition for annexation, the petitioner shall pay all of the costs for the preparation thereof.
- (E) **Notice.** This master annexation policy declaration is adopted following a public hearing thereon, notice of the time and place of such hearing and the location where the draft policy declaration was available for review having been duly published at least thirty days

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prior to the hearing in a newspaper of general circulation, and notice and a full copy of the proposal having been given to each affected entity at least twenty days prior to the hearing and to the local boundary commission.

(Ord. 80-01)

**12C-901. Assignment of Zone Annexed Territory.**

- (A) The resolution of annexation by which any territory is annexed to the city shall specify the zone to which the annexed property is assigned.
- (B) If the resolution of annexation does not specify the zone to which the annexed property is assigned, the territory annexed shall be zoned the same as the zone of the city with which it has the most common boundary.

**12C-902. Annexations:**

- (1) Ord. 71-1 Cache Co. School District.
- (2) Ord. 72-4 18th North 4th East
- (3) Ord. 73-3 Hwy. 91-217 Sec. 15, 16, 21,22
- (4) Ord. 77-1 Thiokol
- (5) Ord. 77-2 Hwy. 91 Pt. of Lot 34, Sec. 16
- (6) Ord. 83-1 Sec. 16 Township 12 N
- (7) Ord. 84-16 2850 North 800 East
- (8) Ord. 85-5 2850 North 800 East R-1-12
- (9) Ord. 88-4 Parcels Numbers: 05-004-0002, 05-004-0004, 05-004-0005, 05-004-0006, 05-004-0008, 05-007-0001
- (10) Ord. 88-7 Parcels Numbers: 04-051-0042, 04-051-0037, 04-051-0009, 04-051-0010, 04-051-0029, 05-051-0031
- (11) Ord. 90-2 Sec. 15 Township 12 N Range 1 E.
- (12) Ord. 91-1 Parcel No. 04-050-0025
- (13) Ord. 92-2 Meadow View Park
- (14) Ord. 92-7 Amends Master Annexation Policy Declaration Map

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- (15) Ord. 93-2      Parcels Numbers: 04-048-0015, 04-048-0031, 04-048-0026, 04-048-0027, 04-048-0028, 04-048-0016, 04-048-0014, 04-048-0013, 04-048-0011, 04-048-0012.
- (16) Ord. 96-4      2900 North 800 East
- (17) Res 98-06      Boundary Change with Hyde Park 400 East 2900 North
- (18) Ord 00-03      Changed Boundary Line with Logan City annexing area for parking lot for Wal-Mart, Deannexing land west of 100 West around 2200 North,
- (19) Ord 02-18      Changed boundary for parcels 04-85-0030, 04-082-0029, and 04-082-0054
- (20) Ord 04-19      Changed boundary with Hyde Park for parcels 04-37-0028, 04-037-0016, 04-037-0030.

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**CHAPTER 12C-1001. Permitted and Conditional Uses in Zones.**

The following listed land uses are permitted (P) or allowed by conditional use (C) in the various zones in accordance with the following matrix. Land uses listed as (M or X) are only allowed by the City Council – (M) as part of a Mixed Use Development Plan and (X) by special permit from the City Council. Home-based businesses (noted on the Matrix with a P/C) are generally allowed as permitted uses in those zones indicated, but where certain conditions exist, a specific home-based business would be allowed only by conditional use permit in accordance with Chapter 8-500 Home-Based Businesses. Land uses listed with no notation (blank box) are not allowed in that zone. If more than one land-use is being considered, the more restrictive regulations apply. (Ord 09-08, 04-05)

Land Use Description - Zone	FR	A	RE	R1	R2	MX -G	MX -CC	RM	PR	CC	CG	MC	M2	RB	HOSP
<b>Residential Dwelling Units</b>															
Single Family Residence		P	P	P	P	M		P						P	
Two Family Residence					P	M		P							
Three or Four Family Residence						M	M	P							
Boarding or Rooming House						M	M	P							
Multiple Family Apartment (More than Two)						M	M	C							
Accessory Dwelling Unit		C	C	C	C	C								C	
Residential Facility for Elderly		P	P	P	P	M	M	P						P	C(b)
Residential Facility for Persons with a Disability ( <i>Note (f) below applies</i> )		P	P	P	P	M	M	P						P	C(b)
Cabins (Seasonal, Single Family Res.)	C														
Seniors Housing	C					M									P(d)
<b>Land Uses Related to Dwellings</b>															
Accessory Storage for Multiple Family Residences						C		P							
Residential Accessory Building	C	P	P	P	P	P		P						P	
Home-based Business		P/C	P/C	P/C	P/C	P/C	P/C	P/C						P/C	
<b>Institutional/Commercial Dwellings</b>															
Dormitory, Fraternity or Sorority								C							

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Land Use Description - Zone	FR	A	RE	R1	R2	MX -G	MX -CC	RM	PR	CC	CG	MC	M2	RB	HOSP
Mobile Home or Trailer Park								C							
Assisted Living Facility			C	C	C	C		P	C	P				P	C(b)
Nursing Care Facility						M		C	C	P				P	C(b)
Small Residential Health Care Facility						M			C	P				C	C(b)
Home Providing Residential Care for Minors															
Group Home for Homeless or Transients															
<b>Community Support Services</b>															
Church or Other Religious Facility		C	C	C	C	P		C	P	P	P			C	
Health Care Facility (Other than those listed above)						M			C	P	C				C(a)
Post Office		C				M	M		P	P	P	C	P		
Public/Private Library, or Museum		C	C	C	C	C	M	C	C	P	P	C	P	C	
Private or Public School, College or University		C	C	C	C	C		C	C	C	C	C	P	C	
Proprietary School						M			C	C	C	C	P		
Cemetery, Mausoleum		C	C	C	C	C		C		C	C				
Private Club (Alcohol may be served)															
Lodge, Fraternal Societies (No alcohol served)										C	C				
Private Day Nursery / Kindergarten (not home)						M	M	C	C	P	P		P	C	
Government Admin. Office						M	M			P	P	P	P		
Municipal Fire or Police Station	C	C	C	C	C	C	M	C	C	P	P	P	C	C	
Airport												C			
Heliport															C(b)
Correctional Facility															
Solid Waste Facility		C									C	C			
City Administrative Office						M	M							C	

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Land Use Description - Zone	FR	A	RE	R1	R2	MX -G	MX -CC	RM	PR	CC	CG	MC	M2	RB	HOSP
<b>Public/Private Utility &amp; Trans. Systems</b>															
Distribution Elements for Utility Systems	C	C	C	C	C	C		C	C	C	C	C	C	C	C
Distribution Elements for Transportation Systems	C	C	C	C	C	C	M	C	C	C	C	C	C	C	C
High Voltage Electrical Transmission Lines	X(e)	X(e)	X(e)	X(e)	X(e)	X(e)		X(e)	X(e)	X(e)	X(e)	X(e)	X(e)	X(e)	X(e)
Electrical Substations	X(e)	X(e)	X(e)	X(e)	X(e)			X(e)		X(e)	X(e)	X(e)	X(e)		X(e)
Support Facilities for Utility/Trans. Systems										C	P	P	C		
Business Offices for Utility/Trans. Systems						M	M			P	P	P	P		
Telecommunications Facilities	C	C	C	C	C	C	M	C	C	P	P	P	P	C	C
Telecommunications Tower											C	C	C		
<b>Sports and Recreation Facilities</b>															
Public Access Recreation Facility	C	C	C	C	C	C	M(g)	C	C	P	P			C	C
Private/Commercial Recreation Facility						M				C	P	P			
Go-Kart Track												C			
Golf Course	C	C	C	C	C	C		C	C	C	C	C	C	C	
Rec. Vehicle (Travel Trailer) Overnight Park															
Riding Stable, Equestrian Park	C	C	C								C	C	C		
Dude Ranch	C	C													
Theater						M	M			C	P				
<b>Manufacturing &amp; Construction</b>															
Light Impact Manufacturing						M				C	P	P	P		
Moderate Impact Manufacturing											C	P			
High Impact Manufacturing												C			
Mines, Quarries, and Gravel Pits	C											C			
Construction Trade Shops											P	P			
Heavy Construction Shops/Yards											C	C			

**TITLE 12.C. LAND USE - ZONING**

Land Use Description - Zone	FR	A	RE	R1	R2	MX -G	MX -CC	RM	PR	CC	CG	MC	M2	RB	HOSP
High Tech. Manufacturing & Research						M						P	P		
<b>Wholesale and Storage Business</b>															
Small, Multi-unit Storage						M				C	C	C			
Large, Warehouse-type Storage											C	C	P		
Wholesale Sales											C	C			
<b>Commercial Services, Retail, &amp; Related Uses</b>															
Automobile Service						M					P	P			
General Sales and Services (Building less than or equal to 50,000 square feet)						M	M			P	P	P			
General Sales and Services (Building in excess of 50,000 square feet)										P	P	P			
Heavy Sales & Service											C	P			
Rental Service Stores											P	P			
Commercial Parking Facility						M	M			C	C	P			
Mortuary or Crematorium						M			P	P	P	P		P	
Professional Office/Service						M	M		P	P	P	P	P	C	C(b)
Wedding Chapels, Reception Centers						M	M				P				
Hotel or Motel						M	M				P	P	C		
Food Service						M	M				P	P	C		
Restaurant With Liquor License						M	M				P				
Restaurant With On-Premise Beer Retailer License						M	M				P				
Facility with On Premise Banquet License							M								
Restaurant with Limited Restaurant License for Alcoholic Beverages						M	M				P				
Fireworks Stands											P	P			
Adult Oriented Businesses or Adult Business												C(c)			

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Land Use Description - Zone	FR	A	RE	R1	R2	MX -G	MX -CC	RM	PR	CC	CG	MC	M2	RB	HOSP
<b>Agricultural, Animal/Related Uses</b>															
Household Pets		P	P	P	P	P	P	P						P	
Kennel or Cattery		C	C							C	C	C			
Animal Rights	P	P	P	P	P	P		P		P	P	P	P	P	
Accessory Buildings for Agriculture	P	P	P	P	P	P		P	P	P	P	P	P	P	
Veterinarian/Animal Clinic/Pet Hospital						M			C	P	P	P	C		
Agricultural Production	P	P	P	P	P	P		P	P	P	P	P	P	P	P

- (a) The conditional use of a Health Care Facility in the HOSP zone as marked with one asterisk is only allowed if the facility conforms with the agreements set forth in the “guidelines for development” found in North Logan City Ordinance 96-02.
- (b) The conditional uses in the HOSP zone marked with two asterisks are only allowed if associated with a hospital within the zone.
- (c) The restriction applicable to the conditional use for Adult Oriented Business or Adult Business include, but are not necessarily limited to the restrictions contained in Title 8, Chapter 8-600 Adult Oriented Businesses. (Ord. 98-04)
- (d) Development of Senior Housing in the RB Zone shall comply with Section 12C-1103, Site Development and Restrictions for Senior Housing. (Ord 01-03).
- (e) High Voltage Electrical Transmission lines and Electrical Substations in these zones are regulated in accordance with Modifying Regulations, (Section 12C-1004, Paragraph (R)). (Ord. 04-20).
- (f) Residential Facilities for Persons with a Disability, that are substance abuse facilities shall not be located within 500 feet of a school in accordance with rules established by the State of Utah Department of Human Services. (Ord. 09-08).
- (g) The “Village Green” planned for the City Center area shall not be considered a “park” as referred to in State Alcoholic Beverage Control Act which places limitations on the sale of alcoholic beverage within a certain distance of it. It is intended that the Village Green could be adjacent to businesses that could be licensed to sale alcoholic beverages. (Ord. 07-06)

## **TITLE 12.C. LAND USE - ZONING**

### Uses Not Listed

Should the applicable city official determine that a type or form of land use which an applicant is seeking to locate in the city does not appear as a listed permitted or conditional use in the above table, he/she shall refer the matter to the City Council. Any non-listed use determined by the City Council to be of the same general character as any other listed use may be allowed as if it were that other similar use. Any non-listed use which is determined to be not of the same general character as any other listed use may only be allowed following a public hearing and a change adding that land use to the appropriate category by ordinance.

(Ord. 97-03, 97-04, 97-05, 98-04, 99-04, 00-04, 00-09, 01-03, 01-07, 02-09, 02-16, 03-02, 03-06, 04-01, 04-05, 04-07, 04-08, 04-18, 04-20, 05-06, 07-06, 10-06, 10-10)

## **TITLE 12.C. LAND USE - ZONING**

### **CHAPTER 12C-1002. Height Regulations**

1. In zones FR, A, RE, PR, RB, R-1, and R-2 no main building shall be erected to a height greater than 35 feet and no residential accessory building shall be erected to a height greater than 35 feet. (Ord. 05-02, 10-10)
2. In zones CC, RM and CG no main building shall be erected to a height in excess of 35 feet, provided, however, that building heights in excess of 35 feet may be allowed, subject to the requirement that for each two feet by which the building exceeds 35 feet in height the requirements for side yards shall be increased by one additional foot on each side of the building. (Ord. 05-02, 10-10)
3. In the MC zone there are no general height restrictions except that within one hundred (100) feet of the boundary of any adjoining zone, no building shall exceed the height limit established for main buildings in such adjoining zone. An additional restriction on height may be required in this zone due to a building's proximity to the airport.
4. In the M-2 zone no main building shall be erected to a height in excess of fifty (50) feet. Additionally, within one hundred (100) feet of the boundary of any adjoining zone, no building shall exceed the height limit established for main buildings in such adjoining zone.
5. In the MX zones, no main building shall be erected to a height greater than 35 feet unless approved by the City Council through a Mixed Use Development Plan.  
  
(Ord. 97-03, 04-05, 07-06, 10-01)

**TITLE 12.C. LAND USE - ZONING**

**CHAPTER 12C-1003. Area, Width, and Yard Regulations.**

				Setbacks				
				Front	Side Setbacks			Rear
Zone		Min Res. Lot Size Standard Sub-division	Width	Front	One Side Minimum	Mimumum Sum of Both Sides	Side Set-Back On Side Adjoining a Street	Rear
Forest Recreation (FR)	FR-0.5	0.5 Acres	100'	50'	20'	40'	20'	30'
Agriculture	A-10	10 Acres	250'	30'	12'	24'	20'	30'
	A-20	20 Acres	250'	30'	12'	24'	20'	30'
Residential Estate	RE-1	1 Acre	100'	50' (30')	15'	35'	20'	30'
	RE-2	2 Acres	250' (100')	50'	15'	35'	20'	30'
	RE-5	5 Acres	100'	50'	15'	35'	20'	30'
Single-Family Residential	R-1-10	10,000 sf	80' (60')	25'	10' (8')	24' (18')	20'	25'
	R-1-12	12,000 sf	90' (80')	30'	10'	25' (24')	20'	30'
	R-1-15	15,000 sf	95' (80')	30'	10'	25' (24')	20'	30'
	R-1-20	20,000 sf	100' (80')	30'	10'	25' (24')	20'	30'
	R-1-30	30,000 sf	100' (90')	30'	10'	25'	20'	30'
One and Two Family Residential	R-2-12	12,000 sf	95'	30'	10'	25'	20'	30'
	R-2-15	15,000 sf	100'	40'	10'	25'	20'	30'
Multiple Family Residential	RM – Single Family Res.	10,000 sf	80'	30'	10'	25'	20'	30'
	RM – SFR Zero lot line	6,000 sf	60'	30'	0'	14'	20'	30'
	RM – Two Family Res.	12,000 sf	95'	30'	10'	25'	20'	30'
	RM – Three Family Res.	14,000 sf	100'	30'	10'	25'	20'	30'
	RM – Four Family Res.	16,000 sf	100'	100'	30'	10'	25'	20'

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	RM – Other	Note #2	Note #2	30’	10’	25’	20’	30’
Residential Business – (Residential and Non-Residential Uses)		Note #4	Note #4	Note #4	Note #4	Note #4	20’	Note #4
Mixed Use (MX-G or MX-CC)	Single Family Residential	12,000 sf	90’	30’	10’	25’	20’	30’
	Other Permitted or Conditional Uses	No. Min.	No. Min.	50’	20’	40’	20’	Note #3
	Mixed Uses	Note #8	Note #8	Note #8	Note #8	Note #8	Note #8	Note #8
Professional (PR)		No. Min.	No. Min.	50’	Note #3			Note #3
Community Commercial (CC)		No. Min.	No. Min.	50’	Note #3			Note #3
Hospital (HOSP)		No. Min.	No. Min.	50’	Note #7	Note #7	Note #7	Note #7
General Commercial (CG)		No. Min.	No. Min.	50’	Note #3	Note #3	Note #3	Note #3
Manufacturing, Heavy Commercial (MC)		No. Min.	No. Min.	50’	Note #5			Note #5
High Tech., Manufacturing, And Research (M2)		Note #6	Note #6	Note #6	Note #6	Note #6	Note #6	Note #6

Note, the second number, in parenthesis, is the width/set-back requirement when using methods two or three for subdivision development.

(Ord 07-03, 00-06, 10-04)

Note #1 - (Applies throughout) For use of a lot for group dwellings, multiple family dwelling, or other conditional uses as specified in this ordinance, the lot area and width of the particular property would have to be approved by the proper municipal authorities before such uses could be allowed.

Note #2 - As Determined by the City Council following a review by the Planning Commission.

Note #3 - Ten feet minimum side/rear setback is required where the side or rear yard abuts an agricultural or residential zone, or where the yard abuts a current residential use. Twenty feet minimum is required where the side yard is adjacent to a street. Any applicable modifying regulations may also require side setbacks. No minimum side/rear setback is required when abutting other commercial zones. An exception may be granted by the City Council to allow for not less than a ten-foot (10’) side yard where said side yard is adjacent to a street if it can be shown that at least one hundred (100) feet of minimum sight distance will be maintained past any structure(s) on the property and between intersecting right-of-way lines (or a line twenty-five feet (25’) from the center

## **TITLE 12.C. LAND USE - ZONING**

line in the case of an intersecting private driveway or alley) for any intersecting roadways, streets, alleys, or driveways. (Ord. 99-10)

Note #4 - Minimum set backs, lot width and size of lots in this zone are to conform to the adjacent zone (see modifying regulations).

Note #5 - None, except that for any parcel in the MC zone having a lot line in common with a lot in an adjoining zone or lying across the street or alley from such adjoining zone, the side and rear yards prescribed for such adjoining zone shall be maintained in the MC zone.

Note #6 - The minimum lot size; lot width; front, rear and side yard requirements for the M-2 Zone accepted and approved by the city are the same standards as set forth in the “Declaration of Covenants, Conditions and Restrictions of the Utah State University Research and Technology Park” as filed with the Cache County Recorder 26 October, 1987.

Note #7 - Setback requirements are as specified in Modifying Regulations.

Note #8 – Setbacks, lot sizes including lot widths for uses designated by “M” in the zoning matrix for both Mixed Use Zones are established by the Mixed Use Development Plan as reviewed by the Planning Commission and approved of the City Council (See Sections 12C-1050 through 12C-1057.)

(Ord 97-09, 97-04, 97-03, 99-10, 04-05, 07-06)

## **TITLE 12.C. LAND USE - ZONING**

### **CHAPTER 12C-1004. Modifying Regulations.**

#### (A) Forest-Recreation Zone (FR)

(1) Side Yards - Main buildings other than dwellings shall have a minimum side yard of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwellings and other accessory buildings located at least 10 feet behind the main building street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. (Ord. 10-01)

(2) Rear Yards - Private garages, detached accessory dwellings and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Front yards - All buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line which ever is greater.

#### (B) Agriculture Zone (A)

(1) Side yards - main buildings other than dwelling shall have minimum side yard of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwellings and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. (Ord. 10-01)

(2) Rear yards. private garages, detached accessory dwellings and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Distance between buildings - no building, structure, or enclosure housing animals or fowl shall be constructed closer to a dwelling on the same or adjacent lot than 100 feet.

(4) Front yards - all buildings shall be located at least 60 feet from the centerline of the street, or 30 feet from the front property line whichever distance is greater.

#### (C) Residential Estate Zone (RE)

(1) Side Yards - main buildings other than dwellings shall have a minimum side of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet

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behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. (Ord. 10-01)

(2) Rear Yards - private garages, detached accessory dwelling and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Distance between Buildings - no building structure, or enclosure housing animals or fowl shall be constructed closer to a dwelling on the same or adjacent lot than 100 feet.

(4) Front Yards - all buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line whichever distance is greater.

### **(D) Single-Family Residence Zone (R-1)**

(1) Side Yards - main buildings other than dwellings shall have a minimum side of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. (Ord. 10-01)

(2) Rear Yards - private garages, detached accessory dwelling and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Front Yards - all buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line whichever distance is greater.

### **(E) One and Two Family Residence Zone (R-2)**

(1) Side Yards - main buildings other than dwelling shall have a minimum side of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. (Ord. 10-01)

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(2) Rear Yards - private garages and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Front Yards - all buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line whichever distance is greater.

### **(F) Multiple Family Residence Zone (RM)**

(1) Side Yards - main buildings other than dwellings shall have a minimum side of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings. The main building may have a minimum side yard of 10 feet and the total of the two side yards shall be 25 feet, except that the street side yard of a corner lot shall be 20 feet. (Ord. 10-01)

(2) Rear Yards - private garages, detached accessory dwelling and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Front Yards - all buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line whichever distance is greater.

(4) Group Dwellings - These buildings shall be considered as one building for the purpose of front, side and rear yard requirements, the entire group as a unit requiring one front, one rear and two side yards as specified for single dwelling structures. Group dwellings shall be not more than two and one-half stories or 35 feet in height. Each two and one-half story group dwelling development, shall have a minimum court of 30 feet in width and 40 feet in length, in addition to its required yards. Each one story group dwelling development shall have a minimum court of 20 feet in width and 30 feet in length in addition to its required yards. In a group dwelling development, no two separate dwelling structures shall be closer to each other along the sides or ends of a court than 10 feet.

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(5) Single Family Dwellings - These buildings shall have minimum regulations of 10,000 square foot lots, 30 foot front yards, 10 foot and 14 foot side yards, and height and modifying regulations as provided for in Section 12C-1005. Those single family dwellings with zero-lot lines shall have minimum regulations of 6,000 square foot lots, 30 foot front yards, zero foot and 14 foot side yards, and height and modifying regulations as provided for in Section 12C-1003.

(G) Residential Business Zone (RB) - The area, width, yard regulations and any other applicable modifying regulations for main and accessory buildings for residential, institutional-residential and non-residential uses for any lot in this zone shall be the same as provided for in this chapter and in the table in Chapter 12C-1003 for the adjacent zone(s). If the property has more than one adjacent zone the Planning and Zoning Commission will determine the applicable area, width, and yard regulations based on the lot's adjacent zones. (Ord. 97-09)

(H) Community Commercial Zone (CC)

Front yards - all buildings shall be located at least 90 feet from the center line of the street, or 50 feet from the front property line, whichever distance is greater.

(I) General Commercial Zone (CG)

Front yards - all buildings shall be located at least 90 feet from the center line of the street, or 50 feet from the front property line when abutting an "R" zone, whichever distance is greater.

(J) Manufacturing/Heavy Commercial Zone (MC)

Front yards--all buildings shall be located at least 100 feet from the center line of the street.

(K) High Technology Manufacturing and Research Zone (M-2)

Modifying regulations for the high technology, manufacturing and research zone shall be the same as for the manufacturing (MC) zone

(L) Professional Zone (PR) -

(1) Side Yards - Other accessory buildings shall be located at least ten feet behind the main building and shall have a side yard of at least six feet, except the street side yard of a corner lot shall be a minimum of twenty feet for main and accessory buildings. (Ord. 10-01)

(2) Front yards - all buildings shall be located at least ninety feet from the center line of the street, or fifty feet from the front property line, whichever distance is greater.

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### (M) Hospital Zone (HOSP) -

(1) Height Regulations. No building within the zone, other than the main hospital, shall be erected to a height greater than thirty-five feet. The main hospital building shall be not be erected to a height in excess of fifty feet. For each foot by which the main hospital building exceeds thirty-five feet in height, the requirement for side yards shall be increased by one additional foot on each side of the building. The design of the building and height thereof shall be sensitive to the surrounding buildings and provide transition from lower surrounding structures. The building shall not restrict opportunities for sunlight on adjacent properties with regard to solar panels nor antenna reception.  
(Ord. 10-01)

(2) Side Yards - All buildings shall maintain a minimum side and rear setback of forty feet from other properties. Buildings other than the main hospital building shall be located at least forty feet from the main hospital building and twenty feet from other buildings.

### (N) Mixed Use Zone (MX) -

For all uses listed in the MX-G Zone as permitted (P) or conditional uses (C) the following modifying regulations shall apply:

(1) Side Yards - main buildings other than dwellings shall have a minimum side of 20 feet and the total of the two side yards shall be 40 feet. Private garages, detached accessory dwelling and other accessory buildings located at least 10 feet behind the main building may have a side yard of six feet, except the street side yard of a corner lot shall be a minimum of 20 feet for main and accessory buildings.

(2) Rear Yards - private garages, detached accessory dwelling and accessory buildings located at least 10 feet behind the main building may have a rear yard of six feet provided that on corner lots rearing on the side yard of another lot, the minimum rear yard for all buildings shall be 10 feet. (Ord. 10-01)

(3) Front Yards - all buildings shall be located at least 60 feet from the center line of the street, or 30 feet from the front property line whichever distance is greater.

For all uses allowed in the MX-G and MX-CC Zones and designated by "M" in the Zoning Matrix, appropriate modifying regulations shall be approved by the City Council through the Mixed Use Development Plan.

(Ord 04-05, 07-06)

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(O) Specific Modifying Regulations for Service Stations - The regulations in the National Fire Code shall set the standard for locating all gasoline pumps. (Ord. 98-03)

(P) Specific Modifying Regulations for Fixed Dog Runs. Fixed dog runs, whether or not they are “structures” that would otherwise require a building permit, shall have setbacks from property lines and residences in accordance with the following table.

Zone	Front	Side	Side Setback on Side Adjoining a Street	Rear	Setback from other Neighboring Residences – (any residence on adjacent property(s))
All Zones	30’	10’	20’	10’	30’

(Ord 97-09, 97-03, 03-01)

(Q) Specific Modifying Regulations for Telecommunications Towers. Telecommunications Towers, whether or not they are “structures” that would otherwise require a building permit, shall have height restrictions and setbacks from property lines and existing residential uses in accordance with the following tables.

**Setback Requirements:** (Ord. 08-02)

Zone	Front	Side	Side Setback on Side Adjoining a Street	Rear	Setback from adjacent property line of any residential zone/use
CG, MC, M2	50’	50’	50’	50’	1’ for ever foot of height (100’ lower requires 100’ setbacks on all sides)

**Height Restrictions:** (Ord. 08-02)

Zone	Maximum Height of Telecommunications Tower within Zone*
MC, M2	50’ *125’ if stealth design and co-location is used)
CG, A, FR	50’ (100’ if stealth design and co-location is used)

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\* Height may also be restricted by Airport Limitation Overlay Zone regulations (See Chapter 12C-1200).

(Ord. 03-06, 04-20)

(R) Specific Modifying Regulations for High Voltage Electrical Transmission Lines and Electrical Substations. Electric power companies are granted certain rights by state law to place power lines and substations in locations that best serve their customers. Any city zoning regulations that may force a power company to deviate from those locations may cause the city to incur costs for any changes. Therefore applications for the installation of high voltage electrical transmission lines and electrical substations must be submitted to the city council for approval. Such applications shall show how the electric company determined the preferred location for lines and substations, the relative impact of the selected location relative to other alternatives selected. The city council may also require the power company to submit information on the cost differential for other alternatives that the council may want to implement. (Ord. 04-20)

**Chapter 12C-1016.** Deleted by Ord. 99-06

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**12C-1050 - MIXED USE ORDINANCE** (Ord. 04- 05, 07-06)

12C-1051 - DEVELOPMENT REQUIREMENTS FOR MIXED USE ZONE. Properties in the zone designated as Mixed Use (either MX-G or MX-CC) may be developed as permitted or through the conditional use process for those land uses designated with a “P” or a “C” in the Zoning Matrix in 12C-1001 in accordance with the zoning ordinance. Development of any properties zoned MX-G or MX-CC for a use that includes a land-use designated with an “M” in the Zoning Matrix shall be referred to herein as a Mixed Use Project and shall be subject to the regulations in this Mixed Use Ordinance (Sections 12C-1050 through 12C-1057.) Also, development of any properties zoned A, RE, R1 and R2 for a use that includes a land-use designated with an “C(h)” in the Zoning Matrix shall be treated herein as a Mixed Use Project and shall be subject to the regulations in this Mixed Use Ordinance (Sections 12C-1050 through 12C-1057.)

(Ord. 07-06, 10-01)

12C-1052 - PURPOSE. The purpose of the Mixed-Use (MX) Ordinance and the associated zoning classifications is to facilitate the integration of diverse but compatible uses into a single development, with the goal of creating a community that offers "live, work, and play" opportunities within convenient walking distance of each other.

12C-1053 - PROJECT EVALUATION All development proposals for the Mixed Use Projects shall be evaluated based on their compatibility with:

- \* The North Logan City General Plan and other applicable city plans including but not limited to the city’s parks and recreation plan or the stormwater plan
- \* The North Logan City Center Plan
- \* The purpose and characteristics of the Mixed Use Zones
- \* Sound planning practices
- \* Surrounding land-uses
- \* All other City-approved studies

12C-1054 - SITE CHARACTERISTICS The typical site developed as a Mixed Use Project should encompass at least five (5) acres; however, smaller projects that demonstrate outstanding characteristics may also be considered, by exception, when compatible with applicable city plans and when approved by the City Council. Sites developed with the Mixed Use Ordinance should be adjacent to major automobile and public transit corridors, and should have direct access to both.

**12C-1055 - DEVELOPMENT PLAN / AGREEMENT**

1. A Mixed Use Development Plan shall be submitted as part of the application to develop any Mixed Use Project, and must be reviewed by the Planning Commisison and approved by the City Council prior to development occurring. Each Mixed Use Project will have its

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own Development Agreement, which guides all development within that property. The Development Plan shall include a site plan, a pedestrian connection/trails plan, conceptual building elevations and design schemes, streetscape and building setback illustrations, a county recorder's property plat and aerial photograph (if available) graphic illustrations/presentations, and any other information typically required for a change in zoning.

2. The Development Plan must demonstrate the relationship between the uses in the proposed development and the uses on the surrounding properties and how the proposed uses are consistent with applicable city plans. Development in mixed use zones should be done in such a way as to be sensitive to existing residential uses adjacent to the mixed use zone. Development plans must include buffering between residential development and commercial development when the new development is adjacent to existing residential uses.
3. The general categories and uses to be established within a Mixed Use Project shall be specified and enumerated in the Development Agreement, which must be approved by the City Council prior to any development. The approved Development Plan shall be considered an integral part of the zoning regulations for the area represented. Substantial variation between the Development Plan and the Final Site Plan would require review and recommendation from the Planning Commission and approval from the City Council. A substantial variation is any addition, modification, or alteration to a building or site plan that cumulatively, as determined by the originally approved Development Plan, exceeds twenty percent (20%) of the gross floor area, site acreage, or exterior building surface or any change in use. All reductions in landscaping that total more than 600 square feet shall require approval from the City Council .
4. The City Council shall adopt findings prior to the approval or denial of any Mixed Use Project Development Plan.

### **12C-1056 - DEVELOPMENT CHARACTERISTICS**

1. The land uses that could be considered for developments within the MX-G or MX-CC zones are designated in the Zoning Matrix (12C-1001). Some of these uses are not appropriate in some areas, and/or are not compatible with other uses. Also, some of these uses may not be compatible in certain configurations or in certain locations, while they may be compatible in a different layout. It is the responsibility of the developer to show that the mix of uses, the overall project design, and the location are appropriate and desirable.
2. Uses may be mixed within a building or within an overall development, or both. However, the City encourages mixing uses within a building whenever possible.

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3. Developments within an either MX zone shall conform to applicable city plans including but not limited to the city's general plan, the parks and recreation plan, the stormwater plan, and the city center plan.
4. All mixed use developments in the MX-G Zone shall provide at least twenty percent (20%) of the gross site area as landscaping and/or open space. The landscaping requirements in mixed use developments in the MX-CC Zone shall be approved on a case-by-case basis by the City Council by determining how the development meets the objectives of the city center plan. Open space shall typically include the following elements: cultivated landscaping, plazas, parks, urban trails/sidewalks, wetlands/indigenous landscaping, and community recreation space. A maximum of fifty percent (50%) of all open space may be hard surfaced. Streets, parking lots, driveways and private yards are not considered open space.
5. All lighting and signs shall be pedestrian scale. Lights or signs on building faces shall conform to the existing City sign standards (Section 12C-600). The City Council may approve larger scale lighting and/or signs if it can be shown that they are necessary for improved design, public safety or security purposes.
6. Parking requirements shall be determined per existing City standards for each use. However, parking requirements may be reduced if it can be shown that shared parking is a viable alternative. The City prefers shared parking, and reserves the right to limit the amount of parking within a project to promote the mixing of uses that would allow for shared parking.
7. Site plans shall clearly indicate the mixture of land uses within the project area and the percentage of the overall site that each use occupies. Furthermore, site plans shall indicate the amount of parking prorated to each use and shall illustrate how public transit is to be integrated into the site.
8. An additional site plan shall illustrate pedestrian movement throughout the project area, with trail hierarchies established based on levels of pedestrian use. The purpose of this plan is to demonstrate how effectively uses are mixed, and to determine the efficiency of the site layout. The plan shall provide convenient and attractive pedestrian connections through the mixing of land uses and quality design practices.

12C-1057 - DEVELOPMENT PROCEDURES Upon approval of the Mixed Use Development Plan/Agreement uses in the development shall be processed as permitted uses.

(Ord 04-05)

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### **12C-1100 - SITE DEVELOPMENT REQUIREMENTS.**

12C-1101 - General Site Development Requirements in Commercial Zones; and Institutional-Residential and Non-residential Development in Residential Zones All development in the CC, CG, MC, M2, PR, MX-G, MX-CC and HOSP zones shall conform to the development regulations specified herein. Additionally, all institutional-residential, senior housing and non-residential uses in the FR, A, RB, RE, RM, R-1 and R-2 zones shall also conform to the development regulations specified herein. (Ord 01-03, 01-06, 04-05))

- A. Proposal Submittal: Applicants for building permits within any commercial zones shall, with the appropriate application, include three copies of the following: site layout plans which include elevation drawings (including exterior finish plans), site plans, signage locations with detailed sign designs, including demesions; parking, landscape plans and lighting plans; location of any existing wetlands, water courses, irrigation system elements, and flood plains; right-of-ways and easements; soil boundaries, types and descriptions as shown on Natural Resources, Conservation Service (NRCS) soil surveys; and the location of any significant features such as existing trees, open fields or meadows, fences, roads, and trails. Proposal must also show adjacent landowners and existing or anticipated uses on adjacent properties and detail any opportunities to cooperate on common-use parking, landscaping, storm-water retention, access, etc. In addition, development which requires Planning and Zoning Commission or City Council approval; such as subdivision development, conditional use permits or other anticipated development requiring approval by either of these boards; shall submit the above listed information at least two weeks prior to the meeting in which the issue is to be discussed and the proponent shall submit seven copies of this information rather than the three required for a building permit only. All plans submitted shall be prepared to scale and contain enough detailed information for proper evaluation.
- B. Definitions:
1. “Planner” (planning department) shall mean the City Planner as designated by the City Council. If no such designation is made, then Planner shall refer to a member of the Planning and Zoning Commission designated by the Commission to function as the Planner or, in the absence of such appointment, Planner shall refer to the Chairperson of the Planning and Zoning Commission
  2. “Landscaping” means vegetative plantings such as grass, trees, shrubs, vines and related improvements such as pools, walkways, rock work and sculpture which is of a design that will beautify and enhance a property, control erosion and reduce glare.

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3. "Screening" means a masonry wall, fence, hedge, berm, or vegetative planting or combination thereof which is of a design (height, width, material, etc.) that will provide a visual and audible barrier between land uses having different intensities of use.
- C. Lighting - Exterior lighting for all non-residential development in all zones shall conform to the regulations in this paragraph. All outdoor light fixtures except incandescent lights equal to or less than 100 watts shall be non-glare, concealed-source types and shielded. Outdoor light fixtures shall be shielded and constructed so that no light rays are emitted by the installed fixtures at angles above the horizontal plane. This means that the shield is such that it covers to a point flush or parallel with the light source or bulb. This is normally referred to a cut-off-fixture. This shall include any lighting for parking areas and lighting for signs. Lighting shall be provided by the developer at all access points to streets, parking areas, building entrances and elsewhere where required for safety of vehicular or pedestrian traffic. (Ord. 01-06)
- D. Architectural Style - All development in the CC, CG, MC, M2, PR, MX and HOSP zones and all institutional-residential, senior housing and non-residential uses in the FR, A, RB, RE, RM, R-1 and R-2 zones shall conform to the architectural and design guidelines specified in Chapter 600 of the city's Design Standards Technical Manual as interpreted and approved by the city's Design Review Board in accordance with the following intent and procedures: (Ord. 05-04, 07-07)
- (1) **Intent:** North Logan City is a community of businesses involved in setting the standards for a viable economic environment that promotes the innovative and technology base of our unique business district area. The design and construction of the physical facilities of our businesses should reflect the high level of commitment to excellence and value. Each building should attempt to show a high quality and professionalism rather than a temporary or industrial appearance. Individual identities are encouraged to be creative but with a complementary innovative scheme and context. Overall architecture character should be one of a well designed structure of lasting quality, detailed to accommodate Cache Valley's weather extremes.
  - (2) **Process:** An "Application and Review Procedure" shall be developed by the Planning Department to provide, as a minimum, for both the Design Review Board and the prospective firms to efficiently arrive at building designs consistent with the needs of both parties. Consistent with this, the city staff requires a meeting with the owner's representative and their architect early in the design process to provide design directions consistent with the overall intent. By meeting early in the design process the North Logan City staff will be able to be supportive in encouraging quality design without arbitrarily limiting the options available to North Logan businesses. The Planning staff shall schedule a meeting of the

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Design Review Board to consider the proposed design. A majority vote of the board is required for approval of the design.

(3) **Additional Review with the Design Review Board:** If additional interface is desired following approval of the design, the city staff should be contacted to arrange for the appropriate members of the staff and/or the Design Review Board to be available for consultation.

(4) **Appeals:** Appeals of the Design Review Board's decisions may be made in writing to the North Logan City Planning Commission, stating in a concise manner the issues to be considered. If the Planning Commission finds it appropriate, a personal appearance may be scheduled. The decision of this appeal to the Planning Commission shall be final.

E. **Screening:** Screening shall be provided between activities having a different intensity of use and when needed to mitigate the impacts of noise and light. Screening shall be provided for storage of equipment or materials to limit visibility from the public right-of-way and adjacent residential uses. Loading docks, refuse collection areas and service areas shall also be screened from view from the public right-of-way. Parking areas which abut residential uses shall be screened. No storage areas may be maintained within any required setback areas. The following standards apply where screening is required:

1. Except where a greater height is required by the Planning and Zoning Commission fences and walls shall not exceed a height of six feet.
2. Walls shall be constructed in conformance with uniform building code requirements.
3. Fence covering shall be masonry; vinyl; wood boards of not less than one-inch width (width is defined as the larger of the two cross sectional dimensions of the board and in the plane of the fence); or chain link type fence with slats, vegetative or other durable screening.
4. Fences or walls shall be maintained in good repair, including painting if required. No signs or advertising thereon is allowed.
5. An earth berm may be used in combination with any of the other types of screening, but not more than two-thirds of the required height of such screening may be provided by the berm.
6. All screening shall follow the lot line of the lot to be screened, or the inside edge of the sidewalks or shall be so arranged within the boundaries of the lot as to substantially screen, from adjoining properties, the building, facilities or activity required to be screened. Screening shall not be required along a

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lot line where a building wall, solid fence or freestanding wall of required height exists immediately abutting on the other side of the lot line.

7. Screening shall be appropriately modified or not be required when screening would constitute a danger to traffic by reason of impairment of vision at a street intersection or driveway or otherwise cause an unsafe condition. No obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty (40) feet from the intersection of the street lines, except a reasonable number of trees or shrubs pruned high enough to permit unobstructed vision to automobile drivers.
  8. See para. *G.1.(i)* below for specific requirements when using landscaping as a screening method.
- F. Curb, Gutter and Sidewalk - Curb, gutter and sidewalk shall be required along the entire frontage of the lot and shall be installed to engineering department specification. The specifications detailed for residential subdivisions will also apply for commercial areas. Exceptions may be granted by the Planning and Zoning Commission for drainage purposes or pedestrian access. The Planning and Zoning Commission may allow curb, gutter, and/or sidewalk to be installed at some time in the future if the need for such is not existing at the time of initial development. In such a case the developer shall either post a bond to the city in the amount of the construction costs of said curb, gutter, and/or sidewalk or the developer may enter into a binding agreement with the city for the work to be done in the future.
- G. Connection of Interior Parking Lots - Private parking lots within any development, shall provide interior access to adjacent parking lots and interior private roadways. When new developments are being constructed adjacent to existing businesses the project shall join existing drives and parking lots at property lines. When new developments are proposed adjacent to undeveloped land or underdeveloped areas, the new developments shall construct connections which will allow joining of future roads or parking lots. All access between interior lots and roads shall be open to the public for customer parking and access.
- H. Utilities - All service lines serving the development shall be underground. All irrigation elements on the property, including existing ditches, which need to remain for continued service shall be replaced with underground pipes.
- I. Landscaping:
1. Landscaping Requirements in Commercial Zones: The purpose of the landscaping regulations including screening is to provide for the general welfare and convenience of the public by:

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- Increasing the compatibility between different intensities of land uses, by providing visual barriers, visually interrupting the barren expanse of paved parking lots, screening undesirable views which have a blighting impact on surrounding properties; and providing a visual separation and physical buffer between varying intensities of abutting land uses;
  - Encouraging the retention of significant existing vegetation to the extent feasible;
  - reducing erosion and water runoff
  - Conserving energy
  - Preserving and promoting wildlife habitat;
  - Minimizing impacts of noise, light, odors and glare.
- a) Enforcement : Failure to maintain required landscaping, including screening, shall constitute a violation of the zoning ordinance and enforcement shall be pursuant thereto.
- b) Landscaping of Area Next to Buildings - A ten-foot minimum landscaped area shall be provided along any side of the building where public/customer access is provided with the exception of where loading docks, ramps, etc. are located and except where a zero-lot line is permitted and established. The City Engineer, in consultation with the Planning and Zoning Commission, may provide for an exception to this requirement if soil types make it inadvisable to have irrigation near the building. In such a case, the required amount of landscaping shall be provided elsewhere on the property. (Ord. 97-11, 04-15)
- c) Landscaping Within Parking Areas - A landscaped median running the length of the aisle shall be provided for at least one side of any aisle that functions as a major access through the parking area. These planted medians shall be a minimum of ten feet wide. A curb shall be provided along all interior roadways and parking areas to prevent vehicular intrusion. (Ord 04-15)
- d) Required Trees - The minimum number of trees to be installed on commercial development parcels is two (2) tree per one thousand (1000) square feet of required landscape area. In addition to the minimum number of trees, tree sizes, as shall conform to the

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following distribution. (Larger numbers and/or sizes of trees may be substituted.)

- (1) Twenty percent (20%) large trees in a combination of deciduous trees with a trunk caliper greater than two inches (2") and evergreen trees with a height greater than six (6) feet
  - (2) Fifty percent (50%) medium trees in a combination of deciduous trees with a trunk caliper from one and a half inches (1 1/2") to two inches (2") and evergreen trees with a height from four (4) to six (6) feet
  - (3) Thirty percent (30%) small trees in a combination of deciduous trees with a trunk caliper from one inch (1") to one and a half inches (1 1/2") and evergreen trees with a height greater than three (3) feet.
- e) Maintenance of Landscaped Areas - All area required to be landscaped under this chapter shall be maintained in perpetuity except for normal replacement of plant stock and in good growing condition to ensure continued compliance with landscaping requirements. Maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing and regular watering. Grounds and exterior areas shall be clean, neat and properly maintained at regular intervals. Landscaped areas shall be watered by an automatic irrigation system approved by the City Engineer and designed to maximize water conservation.
- f) Undeveloped Area - All area of the parcel on which development is taking place shall be regulated by this chapter. Land which is not covered by the building(s), parking lots, roads, landscaping or otherwise improved shall, as a minimum, be restored with natural vegetation and maintained so as not to create a weed nuisance (see NLC Code, Chapter 10-400), or the area may be maintained in agricultural production.
- g) Stormwater Drainage - The developer shall provide a means for drainage of storm water from all impervious surfaces in the development. Site development and landscaping shall be used to optimize retention of water "on-site" as much as reasonably possible as determined by the Planner. Any plans for "off-site" transfer of stormwater run-off must be approved by written agreement with the entity accepting the run-off.

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- h) Time for Completion of Landscaping - Landscaping and site development in accordance with the plans submitted shall be installed within thirty days following occupancy of the building. If occupancy occurs such that the thirty days for completion is during the dormancy season (October through March), landscape completion may be postponed until the following Spring, the last day of April. If the completion is impossible due to adverse weather conditions a mutually agreed upon completion date shall be determined by the planner and applicant, but in no case shall the completion date be more than one hundred twenty days from the date of occupancy. In such a case where the time for landscaping completion date is extended beyond thirty days a bond or other surety shall be required to ensure compliance. The required bond shall be equal to 125% of the estimated cost to complete the required landscaping as shown by an already hired contractor's contract or by the lowest of three independent bids obtained by the developer.
  
- i) Landscaping in Public Right-of-way - The area within the public right-of-way between the curb and sidewalk shall be landscaped by the developer. The landscaping shall be according to planning department specifications. The public right-of way area must remain accessible to utilities and may not be paved over except for access roads. (Ord 04-15)
  
- j) Use of Landscaping for Screening -
  - (1) Vegetative screening may include an evergreen hedge and/or a mix of evergreen shrubs and trees of a type, density and spacing so that sight and illumination will be obscured year-round through the screening within three years of planting.
  - (2) Vegetative screening shall be maintained at a height of not less than six feet.
  
- k) Misc. Landscaping Requirements -
  - (1) Paved and graveled walkways and the use of gravel or similar materials as a landscape feature shall not exceed twenty percent of the required landscaped area.
  - (2) Vegetative materials shall be selected from among those known to be suitable to the climate of the city. In order to foster water conservation programs the use of native plants

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or other plant material proven to require minimal watering shall be permitted and encouraged.

(3) Within overhead utility line easements, trees shall be of a type that customarily grows to a height not exceeding fifteen feet.

1) Amount of Area Required to Be Landscaped - Provisions shall be made to accommodate landscaped area within the developed lot in accordance with the following table. The amount to be landscaped as listed below includes the area within the setback area which is landscaped, medians and islands which are part of the parking areas, and any landscaping done in the city right-of-way. Trees or any plantings in movable planters do not qualify as part of this requirement. As a minimum, twenty (20) feet of the frontage setback area shall be landscaped except access driveways. (Ord 04-15)

Zone	Percent of Lot to be Landscaped
CC	25%
CG	10%
PR	35%
MX-G or MX-CC	Note #1
RB	35%
HOSP	35%
MC	20%

Note #1 – Specific Landscaping requirements for land uses listed as M (Mixed Use) in the Zoning Matrix for the MX-G or the MX-CC Zone shall be established in the Development Plan for the proposed development. All institutional-residential, senior housing and non-residential uses listed as P (Permitted) or C (Conditional Uses) in the Zoning Matrix shall provide 20% landscaping. (Ord 04-05)

(Ord. 97-09, 92-3, 03-13)

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12C-1102 - Site development and landscaping in manufacturing zone. All commercial development including landscaping requirements in the M-2 zone shall conform to the minimum regulations specified in the “Declaration of Covenants, Conditions and Restrictions of the Utah State University Research and Technology Park” as filed with the Cache County Recorder 26 October, 1987.

12C-1103, Site Development and Restrictions for Senior Housing.

1. This section does not apply to single detached dwelling units, multiple family apartments, residential facilities for the elderly, nor residential facilities for the handicapped. Those uses shall not be required to or allowed to use the requirements of this section.
2. There is no specified number of unrelated persons who may occupy a separate living facility or unit in a senior housing complex; however, no persons and or families are allowed to occupy a separate living facility or unit that are not over the age of 55. The only exception shall be for occasional visits of family and friends. Senior Housing shall apply only in zones where it is permitted by the zoning matrix.
3. The applicant shall submit to the city a document that explains what methods will be used to ensure the age restriction of 55 years or older is conformed with and adhered to. Such document shall be filed with the City Recorder. If a problem ever arises with the facility, the city may require enforcement of the provisions submitted for the facility.
4. Landscaped areas shall be provided in accordance with 12C-1101. In addition to the landscaping requirements of 12C-1101, all perimeter lot lines shall be landscaped to a depth of at least 15 feet, except access driveways. Absolutely no parking shall be allowed within this 15-foot boundary area. This landscaping shall count towards the required percentages. The percentages of landscaping shall always be calculated on the gross acreage of the site, including where any buildings reside.
5. The number of units allowed for a Seniors’ housing facility shall be 15 Units/Acre. A unit shall be defined as separate living quarters. If the required amount of landscaping does not allow for 15 Units/Acre, then the density must be reduced to provide for the required landscaping amounts. There shall be no allowance for the density to exceed 15 Units/Acre.
6. Buildings or groups of buildings shall be considered as one building for the purpose of front, side and rear yard requirements. The entire group of buildings as a unit shall require one front, one rear and two side yards as specified for single dwelling structures. When a group of units are constructed, no two separate dwelling structures shall be closer to each other along the sides or ends of a building than 15 feet. The

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- back and front of group units shall be no closer than 40 feet. Breezeways shall be allowed between buildings to maintain an interior covered environment.
7. All Accessory buildings including carports, garages, storage facilities, etc. shall not be allowed within 15 feet of any parcel boundary line.
  8. Buildings heights shall be in accordance with 12C-1002.
  9. Parking spaces shall be in accordance with 12C-303 and 12C-307. An applicant may submit a traffic analysis study where the requirements of these sections are excessive. Such studies will be evaluated and the number of stalls may be modified when deemed appropriate for the facility.

(Ord. 97-09, 92-3, 01-03)

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### **CHAPTER 12C-1200 AIRPORT LIMITATION OVERLAY ZONES** (Ord. 02-13)

12C-1201 Purpose The Airport Limitation Overlay Zones are intended to establish standards assuring the long-range, safe, and beneficial use of the Logan-Cache County Airport as it relates to the North Logan Code of Revised Ordinances.

#### 12C-1202 General Provisions

- (1) These regulations reinforce specific provisions in the Logan-Cache Airport Master Plan (August 11, 1992) and Cache Countywide Comprehensive Plan (January 27, 1998), and the North Logan City General Plan, each plan as amended.
- (2) The boundary of any officially recognized Airport Limitation Overlay Zones shall be as it appears on a map and/or other documents approved by the North Logan City Council.

12C-1203 Definitions as used in this Ordinance, unless the context otherwise requires:

- (1) **Airport:** The Logan-Cache Airport or any area of land designated and used for the landing and taking off of aircraft.
- (2) **Airport Elevation:** The highest point of an airport's usable landing area measured in feet from mean sea level. This elevation is 4,457 feet MSL as of the date of this ordinance.
- (3) **Airport Hazard:** Any structure or use of land which actually or potentially obstructs the airspace required for the safe flight of air craft in landing or taking off at an airport.
- (4) **Approach Surface:** A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 12C-1209 of this Ordinance. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.
- (5) **Approach, Transitional, Horizontal, and Conical Zones:** These zones are set forth in 12C-1208 of this Ordinance.
- (6) **Conical Surface:** A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.
- (7) **F.A.R. Part 77:** Federal Aviation Administration regulations pertaining to height and obstruction criteria within prescribed distances from an airport as these regulations currently exist and as may be amended from time to time. Part 77 Regulations may also affect lands located outside the boundaries of the defined Airport Influence Area.
- (8) **Hazard to Air Navigation:** An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

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- (9) Height: For the purpose of determining the height limits in all zones set forth in Section 12C-1209(D) and shown on the zoning map, the datum shall be the mean sea level (MSL) elevation unless otherwise specified.
- (10) Heliport Primary Surface: The primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.
- (11) Horizontal Surface: A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.
- (12) Larger than Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
- (13) Ldn: Yearly day-night average sound level.
- (14) MSL: Mean Sea Level.
- (15) Nonconforming Use: Any pre-existing structure, object of natural growth, or use which is inconsistent with the provisions of this Ordinance or an amendment thereto.
- (16) Non-precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned. It also means a runway for which a non-precision approach system is planned and is so indicated on an approved Airport Layout Plan or any other planning document.
- (17) Obstruction: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 12C-1209(D) of this Ordinance.
- (18) Person: An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.
- (19) Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), a Precision Approach Radar (PAR), a Global Positioning System (GPS), a Transponder Landing System (TLS), or other systems providing both horizontal and vertical guidance. It also means a runway for which a precision approach system is planned and is so indicated on an approved Airport Layout Plan or any other planning document.
- (20) Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of

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that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 12C-1208(E) of this Ordinance. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

- (21) Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.
- (22) Structure: An object, including a mobile object, constructed or installed by man, including but not limited to, buildings, towers, cranes, smokestacks, earth formation, and overhead transmission lines.
- (23) Transitional Surfaces: These surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.
- (24) Tree: Any object of natural growth.
- (25) Utility Runway: A runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.
- (26) Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures.

### **12C-1204 Airport Zoning Commission**

- (1) Commission established. The North Logan City Planning Commission is designated as the "North Logan Airport Zoning Commission" as prescribed in Utah Code 72-10-405. In this Title and State law, any references to the "Airport Zoning Commission" shall also mean the North Logan City Planning Commission. If the Planning Commission is empowered in this Title to take actions that are duties of the Airport Zoning Commission as prescribed in Utah law, the Planning Commission shall be presumed to be functioning as the Airport Zoning Commission.
- (2) Duties. The Airport Zoning Commission shall recommend boundaries of the various zones to be established and the regulations to be adopted pertaining to any airport hazard area and to perform such other duties as may be assigned to it by the North Logan City Council or Utah law.

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12C-1205 Airport Board of Adjustment. The North Logan Administrative Appeals Hearing Officer is designated as the "Airport Board of Adjustment" as prescribed in Utah Code 72-10-408. In this Title and State law, any references to the "Airport Board of Adjustment" shall mean the North Logan Administrative Appeals Hearing Officer. If the Appeals Hearing Officer is empowered in this Title to take actions that are duties of the Airport Board of Adjustment as prescribed in Utah law, the Appeals Hearing Officer shall be presumed to be functioning as the Airport Board of Adjustment. (Ord. 06-19)

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12C-1206. Uses The following table indicates the uses and conditions required of those uses within the five designated zones for the airport. (Ord. 08-02)

<b>Airport Overlay Zone</b>	<b>Airport Influence Area (AIA)</b>	<b>Traffic Pattern Zone (TPZ)</b>	<b>Approach Zone (AZ)</b>	<b>Inner Approach Zone (IAZ)</b>	<b>65 Ldn Noise Area (NA)</b>
<b>Land Use Description</b>					
<b>Dwellings &amp; Accessories to Dwellings</b>					
Single Family Residence	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Two Family Residence	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Three or Four Family Residence	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Boarding or Rooming House	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Multiple Family Apartment (More than Two)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Accessory Storage for Multiple Family Residences	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Accessory Dwelling	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Hotel or Motel	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Dormitory, Fraternity or Sorority	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Mobile Home or Trailer Park	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Residential Accessory Building	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Cabins (Seasonal, Single Family Res.)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Residential Facility for Elderly	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Residential Facility for Handicapped Persons	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Non-Disruptive Home Occupation	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Potentially-Disruptive Home Occupation	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Seniors Housing	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X

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<b>Airport Overlay Zone</b>	Airport Influence Area (AIA)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)	65 Ldn Noise Area (NA)
<b>Land Use Description</b>					
<b>Institutional Dwellings</b>					
Assisted Living Facility	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Nursing Care Facility	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Small Residential Health Care Facility	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Home Providing Residential Care for Minors	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Group Home for Homeless or Transients	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
<b>Community Support Services</b>					
Church or Other Religious Facility	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Health Care Facility (Other than those listed above)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Post Office	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Public/Private Library, or Museum	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Private or Public School, College or University	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Proprietary School	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Cemetery, Mausoleum	P	P	P	C <sup>(5)</sup>	C <sup>(2,5)</sup>
Private Club (Alcohol may be served)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Lodge, Fraternal Societies (No alcohol served)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Private Day Nursery / Kindergarten (not home)	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Government Admin. Office	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>

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<b>Airport Overlay Zone</b>	Airport Influence Area (AIA)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)	65 Ldn Noise Area (NA)
<b>Land Use Description</b>					
Municipal Fire or Police Station	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Airport	P	P	P	P	P
Heliport	P	P	P	P	P
Correctional Facility	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Solid Waste Facility	X	X	X	X	X
City Administrative Office	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Public/Private Utility &amp; Trans. Systems</b>					
Distribution Elements for Utility/Trans. Systems	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Support Facilities for Utility/Trans. Systems	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Business Offices for Utility/Trans. Systems	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Telecommunications Facilities	P	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Utility Tower	P	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Sports and Recreation Facilities</b>					
Public Access Recreation Facility	P	P	P	P	C <sup>(2)</sup>
Private/Commercial Recreation Facility	P	P	P	P	C <sup>(2)</sup>
Go-Kart Track	P	P	P	P	C <sup>(2)</sup>
Golf Course	P	P	P	P	C <sup>(2)</sup>
Rec. Vehicle (Travel Trailer) Overnight Park	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Riding Stable, Equestrian Park	P	P	P	P	C <sup>(2)</sup>
Dude Ranch	P	P	P	P	C <sup>(2)</sup>

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<b>Airport Overlay Zone</b>	Airport Influence Area (AIA)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)	65 Ldn Noise Area (NA)
<b>Land Use Description</b>					
Theater	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Manufacturing &amp; Construction</b>					
Light Impact Manufacturing	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Moderate Impact Manufacturing	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
High Impact Manufacturing	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Mines, Quarries, and Gravel Pits	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Construction Trade Shops	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Heavy Construction Shops/Yards	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
High Tech. Manufacturing & Research	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Wholesale and Storage Business</b>					
Small, Multi-unit Storage	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Large, Warehouse-type Storage	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Wholesale Sales	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Commercial Services, Retail, &amp; Related Uses</b>					
Automobile Service	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
General Sales and Services	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Heavy Sales & Service	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Rental Service Stores	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Commercial Parking Facility	P	P	P	C <sup>(5)</sup>	C <sup>(2,5)</sup>
Mortuary or Crematorium	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X

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<b>Airport Overlay Zone</b>	Airport Influence Area (AIA)	Traffic Pattern Zone (TPZ)	Approach Zone (AZ)	Inner Approach Zone (IAZ)	65 Ldn Noise Area (NA)
<b>Land Use Description</b>					
Professional Office/Service	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Wedding Chapels, Reception Centers	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Food Service	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Restaurant With Liquor License	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Restaurant With On-Premise Beer License	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Fireworks Stands	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Adult Oriented Businesses or Adult Business	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
<b>Agricultural, Animal/Related Uses</b>					
Household Pets	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Kennel or Cattery	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Animal Rights	C <sup>(6)</sup>	C <sup>(4)</sup>	C <sup>(3,4)</sup>	X	X
Accessory Buildings for Agriculture	P	P	P	P	P
Veterinarian/Animal Clinic/Pet Hospital	P	C <sup>(2,5)</sup>	C <sup>(4)</sup>	C <sup>(1)</sup>	C <sup>(1)</sup>
Agricultural Production	P	P	P	P	P

- (1) If allowed, aviation easements and disclosure must be required as a condition of development.
- (2) Any structures associated with uses allowed in the 65 Ldn Noise Contour must be located outside the 65 Ldn Noise Contour.
- (3) If no reasonable alternative exists, use should be located as far from extended centerline as possible.
- (4) If allowed, disclosure of airport proximity must be required as a condition of development. An aviation easement should be considered based on proximity to runway centerline.

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- (5) Transportation facilities in the 65 Ldn Noise Contour (i.e. roads, railroads, waterways) must be configured to comply with part 77 requirements.
- (6) Disclosure

12C-1207. Airport Master Plan. All uses and regulations pertaining to the Airport Limitation Overlay Zone shall be in compliance with and subject to the provisions of the Airport Master Plan, Airport Layout Plan, and Noise Contour Map as adopted by the Logan-Cache Airport Authority Board or as amended and is incorporated into this chapter by reference as it pertains to airport land uses.

12C-1208. Airport Zones. In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones which include all of the land lying beneath the Approach Surfaces, Transitional Surfaces, Horizontal Surfaces, and Conical Surfaces as they apply to the Logan-Cache Airport. Such zones are shown on the Logan-Cache Airport-Part 77" Airspace Drawing consisting of two sheets, prepared by Armstrong Consultants, and dated March, 1997, which are attached to this Ordinance and made a part hereof. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (1) Airport Influence Area (AIA): An area within the incorporated portions of North Logan City proximate to an airport, which is recognized by the North Logan City Council as containing lands which might be affected by noise and/or safety hazards associated with aircraft operations associated with Logan-Cache Airport. The AIA extends from the airport to the outer edge of the conical surface.
- (2) Traffic Pattern Zone (TPZ): This zone extends from the airport to the outer edge of the horizontal surface.
- (3) 65Ldn Noise Area (NA): The area within the 65 decibal yearly day-night average sound level.
- (4) Inner Approach Zone (IAZ): The inner edge of this zone coincides with the width of the primary surface of Runway 17/35 and is 1,000 feet wide. It extends at a uniform width of 1,000 feet to a horizontal distance of 5,000 feet from the primary surface. The centerline of the Inner Approach Zone is a continuation of the centerline of Runway 17/35.
- (5) Approach Zone (AZ): The area within the FAR Part 77" Approach Surface for each Runway.
  - (A) Runway Precision Instrument Approach Zone - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach surface expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. The centerline of the approach zone is the

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continuation of the centerline of the runway. This is the planned condition at the approach end to Runway 17.

- (B) Runway Non-precision Instrument Approach Zone (Larger than Utility Aircraft) - The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway. This is the condition at the approach end to Runway 35.
  - (C) Visual Runway Approach Zone (Larger than Utility Aircraft) - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach surface expands uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the approach zone is a continuation of the centerline of the runway. This is the condition at the approach end to Runway 10 and 28.
- (6) Transitional Zones - The transitional zones are the areas beneath the transitional surfaces.
  - (7) Horizontal Zones - The horizontal zone is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of Runway 17/35 and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
  - (8) Conical Zone - The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

### **12C-1209. Regulations**

- (1) Conforming uses only. All uses in the Airport Limitation Overlay zones shall be subject to the regulations of this Chapter and prescribed development standards within the Airport Master Plan as amended.
- (2) Creation of airport hazards prohibited. No variance, permit, or use shall be allowed in the airport hazard area that would create or enhance an airport hazard.
- (3) Use and operational limitations within the Airport Limitation Overlay zones. No use shall be permitted which:
  - (A) Creates or tends to create electrical interference to navigational devices and communication between aircraft and airports.
  - (B) Creates or tends to create gas, smoke, dust, glare, or other visual hazards in the atmosphere around airports or in the airport hazard area.

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- (C) Creates or tends to create structures that interfere with aircraft safety.
  - (D) Creates or tends to create any type of hazard for the airport that would inhibit or constrain safe and acceptable airport operations.
- (4) Height limitation. Except as exempted in Paragraph (5) of this Section or otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this Ordinance to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:
- (A) Runway Precision Instrument Approach Zone - Slopes fifty (50) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet and continues on for a distance of 40,000 feet at a slope of forty (40) feet outward for each foot upward along the extended runway centerline. (Approach to Runway 17.)
  - (B) Runway Non-precision Instrument Approach Zone (Larger than Utility Aircraft) - Slopes thirty-four (34) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline. (Approach to Runway 35.)
  - (C) Visual Runway Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline. (Approach to Runway 10 and 28.)
  - (D) Transitional Zones - Slope seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
  - (E) Horizontal Zone - Established at 150 feet above the airport elevation or at a height of 4,607 feet above mean sea level (MSL).
  - (F) Conical Zone - Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation (4,607 ft. MSL) and extending to a height of 350 (4,807 ft. MSL) feet above the airport

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elevation.

### (5) Exemptions to height limitation:

- (A) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
- (B) Structures up to and including 35 feet in height above the ground level at its site where the ground elevation at its site is less than or equal to 35 feet below the height limitations defined in Section D of this Ordinance, and is beyond all reasonable doubt that the structure will not adversely affect safety in air navigation. If in doubt, submission of FAA Form 7460-1, Notice of Proposed Construction (as described in Section 12C-1210 of this Ordinance) shall be used to determine its effect on safety in air navigation.

### 12C-1210 Notification.

- (1) Except as provided in Paragraph (2), and in addition to all other local notification and permitting requirements, each person who proposes any of the following construction or alteration shall complete and submit an FAA Form 7460-1, Notice of Proposed Construction, to the local jurisdiction and to the Federal Aviation Administration in accordance Federal Aviation Regulation Part 77, Object Affecting Navigable Airspace.
  - (A) Any construction or alteration of more than 200 feet in height above the ground level at its site.
  - (B) Any construction or alteration of greater height than an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway at the Logan-Cache Airport.
- (2) Exemptions from notification.
  - (A) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation.
  - (B) Any antenna structure of 20 feet or less in height except one that would increase the height of any antenna structure.
- (3) Time of notice. The notice required under Paragraph (1) must be submitted at least 30

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days before the earlier of the following dates:

- (A) The date the proposed construction or alteration is to begin.
- (B) The date an application for a construction permit is to be filed.

### **12C-1211. Development Standards for Property Within the Airport**

It is recognized by the North Logan City Council that The Cache County Council may adopt by resolution or enact by ordinance uniform development standards and procedures for facilities within the airport property itself because the airport is not located within the corporate limits of North Logan City. If that changes and any airport property is within the corporate limits of North Logan City, the North Logan City Council shall adopt appropriate ordinances for construction in that area.