

38 **8-503 Application**

39 **8-504 Revocation Or Staff Review**

40 **8-505 Special Requirements For Some Home - Based Businesses**

41 ...

42 **8-501 Purpose**

43 North Logan City recognizes that there are many residents who wish to pursue business endeavors at
44 their homes. The City further recognizes the need and value of home-based businesses in enabling the
45 expression of creative talents and abilities of residents. The City therefore encourages home-based
46 businesses that are compatible with the ordinances of the City ~~and do not compromise the residential~~
47 ~~character of the neighborhood where they exist.~~

48 A. Applicability. Home-based businesses must comply with zoning regulations, business licensing
49 requirements, sign regulations and other applicable municipal ordinances. The use of a
50 residence in the municipality for the purposes of a home-based business shall be clearly and
51 obviously subordinate to the main purpose of the property as a residence. With exception to
52 short-term rentals and daycares, Hhome-based businesses shall involve only a minor portion of
53 the residence. When the operation of the business uses portions of the residential property
54 other than the residence itself, appropriate regulations shall be established by the city to
55 minimize the impact of the business upon the residential character of the neighborhood.

56 B. Exempt Status.

57 1. Home-based businesses subject to this chapter shall be limited to those with
58 occupational activities performed on a regular basis (for example, daily, weekly or
59 monthly). Home-based business activities that occur only on a sporadic basis (for
60 example, once a year or the sale of agricultural products that are for sale for two (2) or
61 less consecutive months per year) are not considered home-based businesses for
62 purposes of this chapter and are exempt from the requirement to license with the city as
63 a home-based business.

64 2. Home-based businesses that do not require a license or permit for a business include
65 those that are operated:

66 a. only occasionally; and

67 b. by an individual who is under 18 years of age; or

68 c. the combined offsite impact of the home based business and the primary
69 residential use does not materially exceed the offsite impact of the primary
70 residential use alone.

71 **8-502 Guidelines**

72 The pursuit of home-based businesses in a residential zone shall meet the following guidelines:

73 A. Except as provided herein or as otherwise provided by specific agreement between the home-
74 based business and the City Council, home-based businesses shall be conducted completely
75 within the walls of the residence and/or accessory building(s). There shall be no display outside

76 the home or accessory building(s) other than a sign in conformance with the city's sign
77 ordinance. Outside display of merchandise or advertising displays are prohibited. Outside
78 storage of material or equipment used in the conduct of the business are prohibited. This
79 includes for example the prohibition of outdoor storage of vehicles to be worked on by a home-
80 based business or the outdoor storage of construction equipment at the residence of a
81 contractor. Vehicles used by the employees to conduct the business or transport themselves to
82 and from the place of business may be stored outside but off-street parking must be provided
83 [and used at all times](#) for all such vehicles.

84 B. ~~Home-based businesses shall be conducted primarily by residents of the home.~~ [With exception](#)
85 [to short-term rentals,](#) it is not permissible to use a residence and/or an accessory building(s) for
86 a home-based business where at least one of the residents of the property is not an employee or
87 owner or operator of the business. Outside employees (non-residents of the home) working at a
88 home-based business (meaning those who have their work location at the residence) shall be
89 limited to two (2) at any one time (meaning two per shift). An unlimited number of employees
90 may work for a home-based business if their work location is some place other than the
91 residence or the property associated with the residence. Other non-resident persons working in
92 the home assisting with the care of the property, the residence, or family of the resident(s) of
93 the home, are excluded from consideration when determining employees for the home-based
94 business.

95 C. Any home-based business must comply with all local, state, and federal employment laws, fire
96 codes, and other applicable business and safety laws and standards when such laws apply to
97 their place or type of business and/or to the employees.

98 D. Home-based businesses shall be operated with regard to minimizing traffic impact and problems
99 for the neighborhood. Any home-based business shall provide to at least two (2) off-street
100 parking spaces for the use of the residents and at least one (1) off-street parking space for each
101 non-resident employee who has his/her work location at the residence. Businesses that have
102 clients that come to the place of business by appointment must have sufficient off-street parking
103 for the largest number of possible clients that would normally be expected to come to the
104 business at any time. Businesses that have clients that come to the place of business on a walk-in
105 basis must have at least two (2) off-street parking spaces for their customers in addition to the
106 spaces required for employees and the residents. Parking spaces must be provided and located
107 such that the residence retains the appearance and character of a residence, i.e. the front lawn
108 of a home may not be turned into a parking lot. Parking may be placed [along one side and](#)
109 [behind the residence to avoid such a problem.](#) [All parking associated with a home-based](#)
110 [business shall be kept on-site and off-street at all times.](#)

111 E. Home-based businesses shall not create safety problems for the neighborhood, nor shall they
112 [unreasonably](#) detract from the integrity and character of the neighborhood. [Unreasonable](#)
113 [detractions shall be determined utilizing the provisions of NLMC Section 10-400 \(Nuisances\).](#) All
114 equipment, machinery, materials, waste products, etc. must be stored either within the
115 residence or in an accessory building(s). Any hazardous materials associated with a home-based
116 business shall require an inspection of the premises by the city to ensure compliance with
117 building code requirements and applicable state and federal requirements.

- 118 F. The home-based business shall be conducted to minimize disturbance to neighbors (i.e., noise,
119 odors, noxious fumes, electrical interference or other distractions). All outside lighting shall
120 conform with city ordinances. Conducting a home-based business and licensing as such does not
121 exempt the business from compliance with the city's nuisance ordinance.
- 122 G. Written approval for any home-based business shall be required from the property owner when
123 a tenant of the property makes application for a home-based business license.

124 **8-503 Application**

125 Home-based business licenses are obtained by making application for the licenses and any applicable
126 conditional use permit and paying the required fee(s) at the North Logan City Office. A license is granted
127 for a one-year period and must be renewed annually. Compliance with the stated conditions for any
128 conditional use permit is generally reviewed at the time the license is originally granted and annually
129 upon renewal of the license and may also be reviewed for compliance at any time.

130 **8-504 Revocation Or Staff Review**

131 Complaints regarding the home-based business or a finding of non-compliance with law or a conditional
132 use permit may cause a review and possible revocation of the license and/or conditional use permit.

- 133 A. ~~Revocation. Revocation of a conditional use permit alone is subject to the action of the Planning~~
134 ~~Commission and may be appealed to the City Council.~~ Revocation of a home-based business
135 license is subject to the action of the City Council and includes the revocation of any conditional
136 use permit. The decision of the City Council [to revoke a home-based business license](#) is final.
- 137 B. Reinstatement. Anyone having had a home-based business license or conditional use permit
138 revoked, who wishes to have that license and/or permit reinstated must ~~petition~~[apply to](#) the City
139 Council for permission to apply for such. With the permission of the City Council, the applicant
140 may apply for a new license and/or conditional use permit. All such conditional use permits are
141 subject to action by the Planning Commission.
- 142 C. Staff ~~Intervention~~[Review](#). ~~The licenses of h~~[At the discretion of city staff, h](#)ome-based businesses
143 ~~that are not being considered for revocation but~~ are operating in such a manner that generates
144 complaints from neighbors, or is otherwise disruptive or detracting from the integrity and
145 character of the neighborhood as determined by the city staff, ~~are also~~[may be](#) subject to [staff](#)
146 ~~intervention~~[review](#) ~~but city staff~~. If the city staff cannot resolve such issues by having changes
147 made to the operation of the business, which changes are agreeable to the business operator,
148 the city staff shall refer the matter to the Planning Commission. The Planning Commission shall
149 have the authority to establish reasonable conditions for home-based businesses to resolve such
150 issues and minimize the impact on the specific neighborhood in which the home-based business
151 is located. Any such decisions may be appealed to the City Council. The decision of the City
152 Council is final.

153 **8-505 Special Requirements For Some Home - Based Businesses**

154 Some home-based businesses, as specified below, ~~are prohibited or~~ will require ~~conditional use permits,~~
155 special inspections, or other special licensing requirements. Any special requirements listed below must
156 be complied with prior to the issuance of a home-based business license. The Planning Commission may

157 place conditions on these types of home-based businesses in order to minimize disruptions to the
158 specific neighborhood in which a home-based business is located.

159 A. Child-care, day-care, pre-school/short term child day care for more than eight (8) children at one
160 time shall require an inspection of the premises by the city to ensure compliance with building
161 code requirements and any applicable state and federal regulations. A conditional use permit
162 shall be required from the Planning Commission.

163 B. Licensed proctor care for one child or up to three (3) children if they are siblings or foster care or
164 a host home for up to four (4) children shall require an inspection of the premises by the city to
165 ensure compliance with building code requirements and any applicable state and federal
166 regulations. A conditional use permit shall be required from the Planning Commission.

167 C. A beauty or barber-shop home-based business with more than three (3) beauticians and/or
168 barbers shall require a conditional use permit from the Planning Commission

169 D. A home-based business that includes providing instructions to a group of more than four
170 students per class (such as dancing or martial arts classes; and educational class offerings with
171 more than four students per class shall be required to obtain a conditional use permit from the
172 Planning Commission

173 E. Home-based businesses that would also be defined as an adult oriented business or any home-
174 based business that sells alcoholic beverages (both as defined in the city's zoning ordinance) are
175 prohibited as home-based businesses because of those business type's inherent incompatibility
176 with a residential area.

177 ~~F.—Short-Term Rentals. "Short-term rental" The use, occupancy, rent or lease, for direct or indirect~~
178 ~~remuneration, of a structure or any portion thereof constructed for single household or multi-~~
179 ~~household occupancy or of any other residential property for an effective term of thirty~~
180 ~~consecutive calendar days or less. All short-term rental units must [first obtain a Conditional Use](#)~~
181 ~~[Permit per the requirements of NLMC Section 12C-517.](#) be inspected by the Building~~
182 ~~Department and issued a Home-Based Business license before being offered for rent. Each Short~~
183 ~~Term Rental must be inspected annually by the fire department for license renewal. All short-~~
184 ~~term rentals shall meet the following requirements.~~

185 ~~1.—Application. Applications for a short-term rental shall contain the location of the short term~~
186 ~~rental, the number of rooms available for rent, and the maximum number of persons the short-~~
187 ~~term rental will accommodate.~~

188 ~~2.—Parking. A minimum of one (1) off-street parking space shall be provided for each short term~~
189 ~~rental in addition to any required spaces for the existing residential use. If the maximum number~~
190 ~~of persons that the short-term rental will accommodate is over three (3) persons, one (1)~~
191 ~~additional space shall be provided for every additional three (3) persons. The parking area and~~
192 ~~access to parking areas shall be maintained and available for use at all times. All parking~~
193 ~~intended to accommodate a short-term rental shall be paved with surfacing material of asphalt~~
194 ~~or concrete composition.~~

195

- 196 ~~3.—Noise and Occupancy Violations. The owner of any short term rental is responsible for regulating~~
197 ~~the occupancy of the short term rental unit and noise created by the occupants. Violation of the~~
198 ~~North Logan City Noise Control Ordinance, violation of occupancy loads, failure to use~~
199 ~~designated off street parking, illegal conduct, or any other abuse, which violates any law~~
200 ~~regarding use or occupancy of the premises, is grounds for revocation.~~
- 201 ~~4.—Each Short Term Rental shall be inspected every other year by the fire department for license~~
202 ~~renewal. A copy of the current Fire Department Self-Inspection Worksheet for Home-Based~~
203 ~~Businesses and contact information for North Logan City and the Fire Department must be~~
204 ~~posted in a highly visible place within the dwelling or STR area.~~
- 205 ~~5.—Each applicant for a license under this Section is solely responsible for determining the~~
206 ~~applicability of any private covenants, conditions, and restrictions that may be applicable to~~
207 ~~short term rentals, and granting of a license under this Section is not an indication of the~~
208 ~~absence of private covenants, conditions, and restrictions that may restrict or prohibit short-~~
209 ~~term rentals on the applicant's property.~~
- 210 ~~6.—Short Term Rental owners shall pay all taxes and fees relating to the STR, including without~~
211 ~~limitation the business license fees, property tax, sales tax, and the Utah transient room tax.~~
- 212 ~~a.—Proof of payment of all required taxes and fees shall be submitted by the applicant and verified~~
213 ~~by the Business License Official upon request and upon yearly renewal of the license.~~
- 214 ~~b.—Copy of the appropriate sales tax license issued by the State of Utah shall be submitted and~~
215 ~~verified with the initial application for any Short Term Rental.~~
- 216

217 SECTION II: Amend Section 12A-200 – Definitions (blue underlined text added, red stricken text
218 deleted):

219 **12 Land Use**

220 **12A General Provisions**

221 **12B Land Use - Administration**

222 **12C Land Use - Zoning**

223 **12D Land Use - Subdivisions**

224 **12E Reserved**

225 **12F Deleted**

226 **12G Land Use - Building Permits**

227 **12H Reserved**

228 **12I Dedication Of Water System Shares Or Water Rights**

229 ...

230 **12A General Provisions**

231 12A-100 General

232 12A-200 Definitions

233 12A-300 Changes And Amendments

234 12A-400 Limits And Penalties

235 12A-500 Notice Requirements

236 12A-600 Enforcement

237 ...

238 **12A-200 Definitions**

239 For the purpose of this ordinance, certain words and terms are defined as follows: (Words used in the
240 present tense include the future: words in the singular number include the plural and the plural the
241 singular; words not included herein but defined in the Uniform Building Code shall be construed as
242 defined herein.) Listed references to the Utah Code within definitions are for reference only. Definitions
243 are not necessarily always the same between the North Logan Code and the Utah Code.

244 1. Accessory Building, Residential. See Residential Accessory Building.

245 2. Accessory Buildings, Agriculture. An un-occupied building used for storage or to house farm
246 vehicles/equipment or animals. May include but not limited to: barn, shed, tack room, corral,
247 pen, shop, green house, or other use normally associated with agriculture.

248 3. Accessory Dwelling Unit. Also referred to as an "ADU", means a dwelling, as defined by this
249 section, that is incidental and accessory to the primary single-family dwelling of a lot or parcel,
250 and which is established for the purpose of providing an additional dwelling for occupancy by
251 the property owner or an unrelated family.~~A designation associated with a single-family dwelling~~
252 ~~and any conditionally approved accessory or detached accessory dwelling that provides for a~~
253 ~~second family to live in the single-family dwelling in addition to the family who are the owners~~
254 ~~occupying the single-family dwelling or in a conditionally approved detached accessory dwelling~~

255 ~~located on the same lot as the single-family dwelling which single-family dwelling is occupied by~~
256 ~~the owners. For the purposes of this definition "Owners" shall mean the individuals, or at least~~
257 ~~one of the principles in the case of a trust, corporation, limited liability company, partnership, or~~
258 ~~other entity that owns the single-family dwelling, any detached accessory dwelling and the~~
259 ~~associated lot on which the single-family dwelling and any detached accessory dwelling are~~
260 ~~located.~~

261 4. Accessory Dwelling Unit, Detached. Any Residential Accessory Building that meets the definition
262 of a Single-Family Residence ("Residence, Single-Family" as defined herein). Being subordinate
263 and detached from the primary single-family dwelling to which it is accessory.

264 ~~3.5.~~ Accessory Dwelling Unit, Attached. An Accessory Dwelling Unit that is attached to the primary
265 single-family dwelling to which it is accessory. An attached accessory dwelling unit may be added
266 onto, share exterior walls with, or be enclosed within the structure envelope of the primary
267 single-family dwelling.

268 4.6. Accessory Storage for Multiple Family Residences. Storage units associated with multiple family
269 housing which are used only by the occupants of the housing units.

270 5.7. Adult Oriented Business or Adult Business. An adult motion picture theater, adult theater, adult
271 bookstore, adult video store, or adult novelty store as defined in Section 8-603 of this Code. Also
272 includes other businesses licensed and regulated under Title 8, Chapter 600, Adult Oriented
273 Businesses. See that chapter for more specific definitions and regulations relating to adult
274 oriented businesses.

275 6.8. Adults-Only Product or Service Business. A business dealing primarily in products or services
276 that are restricted by law for purchase only by adults or by a minor with parent/adult
277 permission. Includes but is not limited to tattoo/body piercing parlors and retail tobacco
278 specialty businesses. As used in this definition, the word 'primarily' is defined to mean an 'Adult-
279 Only Product or Service Business' whose monthly gross sales of adults-only product or service
280 equal thirty-five-percent (35%) or more of the total gross sales of all products or services at such
281 business, or whose display(s) of adults-only product(s) or service(s) or locations where adults-
282 only service(s) are provided, occupy thirty-five-percent (35%) or more of the total square footage
283 of the floor space at the location of such business. Not intended to mean such businesses that
284 are otherwise specifically herein licensed and regulated because of their prohibitions against
285 minors such as: Adult Oriented Businesses or businesses regulated under NLC Code, Title 8,
286 Chapter 600; businesses regulated because of the sale of alcoholic beverages; or businesses
287 selling fireworks. See those separate regulations as they apply.

288 7.9. Agricultural Production. The growing, producing and/or selling of agricultural products produced
289 on-site. May include, but is not limited to the selling of: garden or orchard produce; trees,
290 shrubs, plants/flowers, and sod; or field crops. Does not mean the import of agricultural
291 products for re-sell nor any agricultural industry or business such as produce or meat packing
292 plants, fur farms, animal hospitals or similar uses.

293 ~~8.~~10. Airport. Any land which is used, or intended for use for the landing and taking off of
294 aircraft together with adjacent areas for other buildings or right-of-way associated with the
295 airport.

296 ~~9.~~11. Alley. A public thorough fare twenty six (26) feet or less width which affords a secondary
297 means of access to abutting property.

298 ~~10.~~12. Animal Clinic. See Veterinarian / Animal Clinic / Pet Hospital.

299 ~~11.~~13. Animal Rights. The keeping, maintaining, or boarding of typical farm animals for family
300 food production, commercial agriculture, or recreational use. May include but is not limited to
301 keeping the following: household pets (see definition) horses, cattle, llamas, donkeys, mules,
302 sheep, goats, chickens, turkeys, ducks, geese, rabbits, pheasants, pigeons, or peacocks.

303 ~~12.~~14. Apartment Court. Any building or group of buildings which contain dwelling units.

304 ~~13.~~15. Apartment Hotel/Motel. Any building which contains dwelling units and also satisfies the
305 definition of a hotel/motel, as defined in this ordinance. Must meet zoning requirements as a
306 Hotel.

307 ~~14.~~16. Apartment, Multiple Family. A building which contains living facilities or units, including
308 provisions for sleeping, eating, cooking and sanitation for more than two families (three or more
309 units). A single family (or similar group of individuals as outlined in the definition of "Family")
310 may occupy each separate living unit in a multi-family apartment.

311 ~~15.~~17. Assisted Living Facility. (From Utah Code 26-21-2) A residential facility with a home-like
312 setting that provides an array of coordinated supportive personal and health care services,
313 available 24 hours per day, to residents who have been assessed, according to Bureau of Health
314 Facility Licensure rules, to need any of these services. Each resident shall have a service plan
315 based on the assessment, which may include

316 a. specified services of intermittent nursing care;

317 b. administration of medication; or

318 c. support services promoting residents' independence and self sufficiency. Also see
319 related definitions: Nursing Home, Residential Facility for Elderly, and Residential Health
320 Care Facility (Small).

321 ~~16. Internal Accessory Dwelling Unit. An Accessory Dwelling Unit that is attached to the primary~~
322 ~~Single Family Residence to which it is accessory, sharing exterior walls with, and enclosed within~~
323 ~~the structure envelope of, the primary Single Family Residence.~~

324 ~~17.~~18. Auto Recycling. Acquiring vehicles for the benefit of their usable parts. This does not
325 entail destroying, scrapping, or crushing vehicles in any way as this would be related to the
326 operation of a junk or salvage yard, which use is not permitted in North Logan City. All vehicles
327 that are part of a licensed auto recycling business must be located inside an enclosed building
328 (See Title 10, Section 10-403 Junked, Wrecked, Abandoned, and Inoperable Motor Vehicles).

329 ~~18-19.~~ 19. Automobile Service. Facility which includes retail sale of gasoline/diesel; convenience
330 store with gasoline sales; vehicle washing facility; automobile repair/maintenance shops;
331 automotive body shop including painting.

332 ~~19-20.~~ 20. Bar, Saloon, Tavern. A facility selling beer for consumption on the premises as the major
333 part of the business and licensed as such (Class "C" License (Tavern License)). Includes
334 restaurants which serve beer but exceed the established limits on percent of sales from beer,
335 which limits are set forth in the Alcoholic Beverage Control Act.. Not intended to mean a
336 "Restaurant With Liquor License" or "Restaurant With On-Premise Beer License". See related
337 chapter 8-400 which regulates businesses engaged in the sale of alcoholic beverages.

338 ~~20-21.~~ 21. Basement. A story partly underground. A basement shall be counted as a story for
339 purposes of height measurement if its height is one-half (1/2) or more above grade.

340 ~~21-22.~~ 22. Bench Mark. A mark affixed to a permanent or semi-permanent object which designates
341 a line of survey to furnish a datum level.

342 ~~22-23.~~ 23. Boarding House. Any building which contains living facilities, including provisions for
343 sleeping and sanitation with the following characteristics:

344 a. on-site manager;

345 b. designed to accommodate two or more unrelated individuals/tenants, in addition to the
346 on-site manager;

347 c. term of stay by tenants generally longer than a month (as opposed to a hotel/motel);

348 d. eating and cooking area may be in common or in individual rooms;

349 e. usually accommodates individuals rather than families.

350 ~~23-24.~~ 24. Building, Accessory. A detached subordinate building clearly incidental to and located
351 upon the same lot occupied by the main building. See also Residential Accessories or Accessory
352 Buildings for Agriculture.

353 ~~24-25.~~ 25. Building, Height of. The vertical distance from the grade to the highest point of the
354 coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between
355 ridge and eaves of a gable, hip or gambrel roof.

356 ~~25-26.~~ 26. Building, Main. The principal building or one of the principal buildings upon a lot, or the
357 building or one of the principal buildings housing the principal use upon a lot.

358 [27. Building Permit. A building permit is an official approval to construct a new building or expand or](#)
359 [remodel an existing one.](#)

360 ~~26-28.~~ 28. Building, Public. A building owned and operated or owned and intended to be operated
361 by a public agency of the United States of America, of the State of Utah, or any of its
362 subdivisions.

363 ~~27-29.~~ 29. Building. Any structure having a roof supported by columns or walls, for the housing or
364 enclosure of persons, animals, or chattels.

365 ~~28-30.~~ 28-30. Cabin. A single-family residence occupied on only a seasonal or occasional basis, not
366 year-round use. (Less than 200 days per year).

367 ~~29-31.~~ 29-31. Carport. A private garage not completely enclosed by walls or doors. For the purposes of
368 this ordinance, a carport shall be subject to all of the regulations prescribed for a private garage.

369 ~~30-32.~~ 30-32. Cemetery, Mausoleum. Grounds for burials, graveyard. May also include associated
370 facilities.

371 ~~31-33.~~ 31-33. Child Care Services or Child Pre-School. The continuous care and supervision of five or
372 more qualifying children, as defined in the Utah Child Care Licensing Act, in lieu of care ordinarily
373 provided by a parent in the parent's home for less than 24 hours a day and for direct or indirect
374 compensation. Care for five to eight qualifying children requires obtaining a state Residential
375 Child Care Certificate. Care for nine or more qualifying children requires state licensing as a child
376 care provider, and requires the obtaining of a group child day care permit which may be
377 approved, restricted, or denied based upon site inspection(s), Fire Codes, and residential impact.

378 ~~32-34.~~ 32-34. Deleted by Ord. 10-03.

379 ~~33-35.~~ 33-35. Church or Other Religious Facility. A facility used for religious worship or other meetings
380 by members of a religious organization. May also include an on-site, single-family residence for
381 clergy.

382 ~~34-36.~~ 34-36. Club, Private. See Private Club or related definitions-Private Lodge, Fraternal Beneficial
383 Societies.

384 ~~35-37.~~ 35-37. Collector Street. A street which carries traffic from minor streets to a major street
385 system, including the principal entrance streets of residence development and the primary
386 circulating streets within such a development.

387 ~~36-38.~~ 36-38. Concept Plan. A map, plan, or other drawing of a proposed land use or subdivision
388 intended to be used to explain or discuss the proposal. Usually of less detail than a preliminary
389 plat but of sufficient detail to convey the intent of the proposal. A concept plan is intended to
390 show how the proposed project fits into a "macro" scheme with surrounding properties rather
391 than the "micro" details of the proposal itself.

392 ~~37-39.~~ 37-39. Conditional Use. A use of land for which a conditional use permit is required pursuant to
393 Chapter 12C-500 of this ordinance.

394 ~~38-40.~~ 38-40. Construction Trade Shops. Facilities used by those trades involved in the construction
395 industry. Facilities may include but not limited to shops, storage, or sales areas for plumbers,
396 window and glass contractors, electricians, carpenters (rough, finish, or cabinets), floor covering
397 providers, painters, or drywall or siding contractors, or masons. Does not include heavy
398 equipment, earth moving, asphalt paving or concrete contractors.

399 ~~39-41.~~ 39-41. Correctional Facility. (Utah Code 64-13-1) Any facility operated or licensed by a
400 government entity to house offenders, either in a secure or non-secure setting. A facility
401 associated with a municipal police station which is used to temporarily house an offender is not
402 considered a correctional facility.

- 403 ~~40.42.~~ Court. An open, unoccupied space, other than a yard, on the same lot with a building or
404 group of buildings. and which is bounded on two (2) or more sides by such building or buildings.
405 The width of a court is its least horizontal dimension, measured between opposite sides in the
406 same general direction as the yard or lot line on which the court opens. The length of a court is
407 its least horizontal dimension measured at right angles to its width.
- 408 ~~41.43.~~ Cul-de-sac. A minor street having one open end and being terminated at the other by a
409 vehicular turnaround.
- 410 ~~42.44.~~ Dairy. A commercial establishment for manufacture or processing of dairy products.
- 411 ~~43.45.~~ Day Care/Nursery. See Child Day Care Services or Child Pre-school/Nursery School.
- 412 ~~44. Detached Accessory Dwelling Unit. Any Residential Accessory Building that meets the definition~~
413 ~~of a Single Family Residence (“Residence, Single Family” as defined herein). A subordinate~~
414 ~~residential dwelling, detached from the primary dwelling unit, not sharing exterior walls with the~~
415 ~~primary structure, or not enclosed within the primary structure envelope,~~
- 416 ~~45.46.~~ District. A portion of the area of North Logan, Utah shown on a map attached to this
417 zoning ordinance and given a district name.
- 418 ~~46.47.~~ Dog Kennel-See Kennel/Cattery or Fixed Dog Run.
- 419 ~~47.48.~~ Dormitory, Fraternity or Sorority. Any boarding or rooming house sponsored by and
420 associated with a school, university or a legitimate fraternity or sorority.
- 421 ~~48.49.~~ Dude Ranch. A recreational facility where patrons participate in equestrian related
422 activities. May include facilities for the temporary boarding of patrons. Also see related
423 definitions - Riding Stables, Equestrian Park.
- 424 ~~50.~~ Dwelling. Any building or portion thereof that contains living facilities, including provisions for
425 sleeping, eating, cooking and sanitation, for not more than one family. For the purposes of this
426 ordinance, a dwelling unit is synonymous with a~~means the same as~~ residence.
- 427 ~~49.51.~~ Dwelling, Single-Family. Any building which contains living facilities, including provisions
428 for sleeping, eating, cooking and sanitation for not more than one family. (“Family” as defined
429 herein)
- 430 ~~50.52.~~ Easement. The quantity of land set aside or over which a liberty, privilege or advantage
431 in land without profit, existing distinct from the ownership of the land, is granted to the public or
432 some particular person or part of the public.
- 433 ~~51.53.~~ Equestrian Park. See Riding Stables, Equestrian Park.
- 434 ~~52.54.~~ Family Food Production. The raising, keeping or maintaining of animals for use as food
435 by the family residing on the premises. See related definitions: Animal Rights, Household Pets.
- 436 ~~53.55.~~ Family. A single person or a group of persons related by blood, marriage or adoption.
437 (See associated definition herein of “Related”.) The following groups of individuals are also
438 designated as being permitted to occupy a single-family residence or each unit within a two-
439 family or multiple-family dwelling unit as if it was a family:

- 440 a. A family as defined above plus one (1) additional unrelated individual living with the
441 family;
- 442 b. A family as defined above plus up to four (4) children living with the family in a licensed
443 foster care or host home;
- 444 c. A family as defined above plus or one (1) additional child (three (3) if siblings) living in a
445 proctor care home; or
- 446 d. A group of no more than four persons regardless of their familial relationship.
- 447 ~~54~~.56. Final Plat. A map or chart of a subdivision which has been accurately surveyed, and such
448 survey marked on the ground so that streets, alleys, blocks, lots and other divisions thereof can
449 be identified.
- 450 ~~55~~.57. Fireworks Stands. A temporary structure used exclusively for the sale of fireworks. Must
451 be done in accordance with applicable city ordinances.
- 452 ~~56~~.58. Fixed Dog Run-a fenced in and/or covered structure with or without an impervious floor
453 surface used to house or contain a dog(s) in a relatively limited area. Not meant to include
454 merely keeping a dog attached to a line or keeping a dog in a fenced in yard. See CHAPTER 12C-
455 1004. Modifying Regulations, Paragraph O for regulations on setbacks for fixed dog runs.
- 456 ~~57~~.59. Flag lot. An irregularly shaped lot in which the buildable section of the lot(s) is(are)
457 connected by a narrow strip of real property that provides the access to a public street and in
458 which the width of the arm does not meet the minimum lot width standards in the zone in
459 which it is located; and meets the requirements in Chapter 12D-307.
- 460 ~~58~~.60. Food Service. Businesses which prepare food for sale, ready to eat, either take-out or to
461 be eaten on the premises. Includes such businesses as a cafeteria, restaurant, caterer, fast food
462 facility (incl. drive-in), or cafe. Not intended to mean any type of restaurant which serves
463 alcoholic beverages (see related definitions under "Restaurant ...")
- 464 ~~59~~.61. Foster Care. Foster care is temporary care given in a home to a child or children who are
465 in state custody under the Division of Child and Family Services (DCFS). A foster care home is
466 under contract with the DCFS and can have no more than four foster children in the home; and
467 the total number of children in the home under age eighteen (18), including the children of the
468 host parents, cannot exceed six (6). That number of children can only be exceeded under special
469 circumstances when directed by court order (for example where the children in a family are
470 ordered not to be split up). The home must be licensed with the Office of Licensing, Department
471 of Human Services and a municipal home occupation license is required from the City. Children
472 being adopted by the parents with whom they are living but who are technically foster children
473 and wards of the state pending the adoption, are considered as being adopted for the purposes
474 of this ordinance. See related definitions—Proctor Care and Host Home.
- 475 ~~60~~.62. Fraternal Beneficial Societies. See Private Club or related definitions-Private Lodge,
476 Fraternal Beneficial Societies.
- 477 ~~61~~.63. Fraternity. See Dormitory, Fraternity or Sorority.

478 ~~62-64.~~ 64. Frontage. All property fronting on one side of the street between intersecting or
479 intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street,
480 or political subdivision boundary, measured along the street line. And intercepting street shall
481 determine only the boundary of the frontage on the side of the street which it intercepts.

482 ~~63-65.~~ 65. Garage, Private. An accessory building designed or used for the storage of not more than
483 four (4) automobiles owned and used by the occupants of the building to which it is accessory,
484 provided that on a lot occupied by a multiple dwelling, the private garage may be designed and
485 used for the storage of two (2) times as many automobiles as there are dwelling units in the
486 multiple dwelling. A garage shall be considered part of a dwelling if the garage and dwelling have
487 roof or wall in common.

488 ~~64-66.~~ 66. Garage, Public. A building or portion thereof, other than a private garage, designed or
489 used for servicing, repairing, equipping, hiring, selling or storing motor driven vehicles.

490 ~~65-67.~~ 67. Go-Kart Track. A commercial recreational facility where patrons ride motorized go-karts
491 on premises.

492 ~~66-68.~~ 68. Golf Course. Self explanatory. May include club house and other accessory buildings.

493 ~~67-69.~~ 69. Government (Fed., State, Local) Administrative Office. Any administrative business office
494 used by either the federal, state or local government.

495 ~~68-70.~~ 70. Grade.

496 a. For buildings adjoining one street only, the elevation of the sidewalk at the center of
497 that wall adjoining the street.

498 b. For buildings adjoining more than one street, the average of the elevations of the
499 sidewalks at the centers of all walls adjoining the streets.

500 c. For buildings having no wall adjoining the street, the average level of the ground
501 (finished surface) adjacent to the exterior walls of the building. All walls approximately
502 parallel to and not more than five (5) feet from a street line are to be considered as
503 adjoining a street.

504 ~~69-71.~~ 71. Gravel Pit. See Mines, Quarries, and Gravel Pits.

505 ~~70-72.~~ 72. Gross Area. The sum of all areas on all floors of a building included within the outside
506 faces of its exterior walls, including any garage space with stairwells counted only once, not
507 including basement space.

508 ~~71-73.~~ 73. Group Home for Homeless or Transients. A residence for two families or more on a short
509 term basis for those persons determined to need temporary housing due to inability to pay or to
510 ensure the health and/or safety of the individual(s). Residence would normally be operated by a
511 governmental, religious, non-profit or philanthropic organization.

512 ~~72-74.~~ 74. Health Care Facility. (as per Utah Code 26-21-2 except for those health care facilities
513 otherwise listed herein) Includes general acute hospitals, specialty hospitals, home health
514 agencies, hospices, birthing centers, ambulatory surgical facilities, facilities owned or operated

515 by health maintenance organizations, end-stage renal disease facilities and any other health care
516 facility which the State of Utah's Health Facility Committee designates by rule. Does not include
517 the offices of private physicians or dentists whether for individual or group practice.

518 ~~73:~~75. Heavy Construction Shops/Yards. Facilities used by those in the construction industry
519 and using heavy equipment for earth moving.

520 ~~74:~~76. Heliport. Any land which is used, or intended for use for the landing and taking off of
521 helicopters when such land is associated with another facility which requires the use of the
522 heliport such as a hospital.

523 ~~75:~~77. High Tech. Manufacturing & Research. Any use consistent with the "Declaration of
524 Covenants, Conditions and Restrictions of the Utah State University Research and Technology
525 Park" as filed with the Cache County Recorder 26 October, 1987.

526 ~~76:~~78. Home Occupation. Businesses operated in a residence/home in compliance with
527 Chapter 8-500. Home occupations are further defined as Non-Disruptive or Potentially-
528 Disruptive to describe their potential for conflicting with the residential character of the
529 neighborhood.

530 ~~77:~~79. Home Providing Residential Care for Minors. A group care facility providing "substitute
531 care" (as defined in Utah Code 62A-4a-101) for no more than sixteen minors who are in State
532 custody through the Utah Department of Human Services (DHS includes Division of Family
533 Services and Division of Youth Corrections). The facility must be licensed as such by the Utah
534 Department of Human Services.

535 ~~78:~~80. Host Home. A host home is a home that provides temporary care to a child or children in
536 a home like setting. The children are not in state custody but for some reason their parents place
537 them in the care of the host home. A host home is under contract with a placement agency that
538 is licensed by the Office of Licensing, Department of Human Services. The host home can have
539 no more than four hosted children in the home and the total number of children in the home
540 under age eighteen (18), including the children of the host parents, cannot exceed six (6). The
541 host home must be licensed as a home occupation with the City. See related definitions – Foster
542 Care and Proctor Care.

543 ~~79:~~81. Hotel or Motel. An establishment with the primary purpose of providing, for a fee,
544 sleeping accommodations and customary lodging services, including maid service, the furnishing
545 and upkeep of furniture and bed linens, telephone and desk service. Related ancillary uses may
546 include, but not be limited to, conference and meeting rooms, restaurants, lounge, and
547 recreational facilities.

548 ~~80:~~82. Household Pets. Animals or fowl ordinarily permitted in the house and kept for company
549 or pleasure. May include but is not limited to dogs (one or two), cats, birds, fish, monkeys,
550 rodents, and non-venomous reptiles. Not intended to include wild animals, or animals which are
551 dangerous or pose a threat to health and safety. Also not intended to mean otherwise permitted
552 animals in such excessive numbers that they pose a threat to health and safety. See related
553 definitions: Animal Rights, Dog Kennel, and Family Food Production.

554 ~~81-83.~~ 83. Junk. Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste
555 or junked, dismantled or wrecked automobiles or part(s) thereof, iron, steel and other old scrap
556 ferrous or nonferrous material.

557 ~~82-84.~~ 84. Junkyard. Any place, establishment or business maintained, used or operated for storing,
558 keeping, buying or selling junk, or for the maintenance or operation of an automobile salvage
559 yard. The term also includes garbage and sanitary land fills.

560 ~~83-85.~~ 85. Kennel/Cattery-An establishment of three (3) or more dogs or five (5) or more cats and
561 regulated by zoning and a "conditional use permit".

562 86. Land Use Permit. A Land Use Permit means a permit issued by a land use authority or designee
563 including, but not limited to, a land use permit, conditional use permit, license, zoning approval,
564 or any other final written approval that is authorized by this Land Use Code

565 ~~84-87.~~ 87. Library. Public or Private. A facility where books and educational resources are loaned or
566 made available to the public. Intended to also included discovery centers and science or other
567 types of learning centers.

568 ~~85-88.~~ 88. Livestock Feedyard. A commercial operation on a parcel of land where livestock are kept
569 in corrals or yards for extended periods of time at a density which permits little movement, and
570 where all feed is provided for the purpose of fattening or maintaining the condition of livestock
571 prior to their shipment to a stockyard for sale or otherwise.

572 ~~86-89.~~ 89. Lodge. See Private Club or related definitions - Private Lodge, Fraternal Beneficial
573 Societies.

574 ~~87-90.~~ 90. Lot, Corner. A lot abutting on two intersections or intercepting streets, where the
575 interior angle or intersection or interception does not exceed one hundred thirty five (135)
576 degrees.

577 ~~88-91.~~ 91. Lot, Interior. A lot other than a corner lot.

578 ~~89-92.~~ 92. Lot. A parcel of land occupied or to be occupied by a main building, or group of buildings
579 (main and accessory) together with such yards, open spaces, lot width and lot area as are
580 required by this ordinance and having frontage upon a street.

581 a. Except for group dwellings and accessory dwelling units (both attached and detached),
582 not more than one (1) dwelling structure shall occupy any one (1) lot.

583 b. A fee simple parcel of a lot which complies with the requirements of this ordinance for
584 subdivisions or planned unit developments shall be deemed a "lot" for the purposes of
585 this ordinance.

586 ~~b.c. (c)~~ A lot shall also mean a portion of a subdivision intended as a unit for development or
587 transfer of ownership.

588 ~~90-93.~~ 93. Manufacturing, High Impact. Manufacturing process which may emit higher amounts of
589 detectable dust, odor, smoke, gas or fumes beyond the property lines of the lot upon which the
590 use is located and which may generate higher levels of noise or vibrations above the ambient

591 level. May include but not limited to: tire recapping / retreading shop, ready-mix concrete or
592 asphalt plants, the production of petroleum products.

593 ~~91-94.~~ 94. Manufacturing, Light Impact. Manufacturing process which do not emit detectable dust,
594 odor, smoke, gas or fumes beyond the property lines of the lot upon which the use is located
595 and which do not generate noises or vibrations above the ambient level of noise. As an example
596 it may include but is not limited to manufacturing normally associated with health care such as
597 that done in medical/dental laboratories or optical product production. May also include sales of
598 the products on-site.

599 ~~92-95.~~ 95. Manufacturing, Moderate Impact. Manufacturing process which may emit limited
600 amounts of detectable dust, odor, smoke, gas or fumes beyond the property lines of the lot upon
601 which the use is located and which may generate moderate levels of noise or vibrations above
602 the ambient level. May include but not limited to: automotive parts rebuilding (including sales of
603 same); furniture repair, refinishing, re-upholstering and furniture construction; clothing/textile
604 manufacturing; and manufacturing and/or assembling of electronic products. May also include
605 sales of the products on-site.

606 ~~93-96.~~ 96. Mines, Quarries, and Gravel Pits. Self explanatory. May include use of equipment and
607 operations incidental to these uses such as crushing, screening and hauling.

608 ~~94-97.~~ 97. Mobile Home or Trailer Park. A tract of land under single ownership or management on
609 which two or more mobile home spaces are leased, rented or used; or offered for lease, rent or
610 use to accommodate mobile homes for residential purposes.

611 ~~95-98.~~ 98. Mobile Home Space. A specific area of land within a mobile home park designed to
612 accommodate one mobile home.

613 ~~96-99.~~ 99. Mobile Home. A vehicular transportable structure built on a chassis in one or more
614 sections with plumbing, heating, and/or electrical systems contained within the structure which,
615 when erected on site and with or with-out a permanent foundation, is used or could upon
616 connection to utilities be used, as a single-family dwelling or for family purposes.

617 ~~97-100.~~ 100. Mortuary or Crematorium. Business dealing with care of the dead and their preparation
618 for burial or cremation. May include chapel or other facilities for funerals.

619 ~~98-101.~~ 101. Motel. See Hotel.

620 ~~99-102.~~ 102. Municipal Fire or Police Station. Self explanatory.

621 ~~100-103.~~ 103. Museum. An institution devoted to the procurement, care and display of objects of
622 lasting interest or value.

623 ~~101-104.~~ 104. Natural Waterways. Those areas, varying in width, along streams, creeks, springs, gullies,
624 or washes which are natural drainage channels as identified in the city's Master Plan or Sensitive
625 Lands Map, the Federal Emergency Management Agency's Flood Insurance Rate Map, or as
626 otherwise determined by the City Engineer.

627 ~~102-105.~~ 105. Noncomplying Structure. A structure that: (a) legally existed before its current land use
628 designation; and (b) because of one or more subsequent land use ordinance changes, does not

629 conform to the setback, height restrictions, or other regulations, excluding those regulations,
630 which govern the use of land.

631

632 a. Nonconforming Use. A use of land that: (a) legally existed before its current land use
633 designation; (b) has been maintained continuously since the time the land use ordinance
634 governing the land changed; and (c) because of one or more subsequent land use
635 ordinance changes, does not conform to the regulations that now govern the use of the
636 land.

637 ~~103.106.~~ Nursery School. See Child Day Care Services or Child Pre-school/Short term Child Day
638 Care.

639 ~~104.107.~~ Nursing Home. (Utah Code 26-21-2) A health care facility, other than a general acute or
640 specialty hospital, constructed, licensed, and operated to provide patient living
641 accommodations, 24-hour staff availability, and at least two of the following services:

642 a. a selection of patient care services, under the direction and supervision of a registered
643 nurse, ranging from continuous medical, skilled nursing, psychological, or other
644 professional therapies to intermittent health-related or paraprofessional personal care
645 services;

646 b. a structured, supportive social living environment based on a professionally designed
647 and supervised treatment plan, oriented to the individual's habilitation of rehabilitation
648 needs; or

649 c. a supervised living environment that provides support training, or assistance with
650 individual activities of daily living. Also see related definitions: Assisted Living Facility,
651 Residential Facility for Elderly, and Residential Health Care Facility (Small).

652 ~~105.108.~~ Office/Service, Professional. Businesses with traditionally low impact on residential
653 zones, in an office-type facility generally providing services to customers by the herein listed
654 professionals. Offices/clinics for any of the following: architect, interior designer, artist, CPA,
655 lawyers/attorneys, engineer, land surveyor, appraisers, chiropractor, dentist, doctors/physicians,
656 nurse, psychiatrist/psychologist, physical therapist, optometrist, pharmacist, or other Utah state-
657 licensed health care provider. Also may include offices for insurance, advertising/marketing,
658 property management, and real estate. Not intended to mean the same as related definition-
659 Health Care Facility.

660 ~~106.109.~~ Offices, City Administrative. Any administrative business office used by the North Logan
661 City government.

662 ~~107.110.~~ Official Map. Any map adopted by the commission under the provisions of Title 10,
663 Chapter 9, Utah Code Annotated, 1953 as amended.

664 ~~108.111.~~ Owner. Includes the plural as well as the singular, and may mean either a natural person,
665 firm, association, partnership, private corporation, public or quasi-public corporation, or any
666 combination thereof.

667 ~~109.112.~~ Parcel of Land. A contiguous quantity of land, in the possession of, or owned by, or
668 recorded as the property of, the same claimant or person.

669 ~~110.113.~~ Parking Facility, Commercial. Automobile parking for a fee, a facility for commercial truck
670 and/or trailer parking or storage, or a facility for parking/storage of recreational vehicles, travel
671 trailers, or other similar items.

672 ~~111.114.~~ Parking Lot. An open area, other than a street, used for the temporary parking of more
673 than four (4) automobiles and available for public use, whether free, for compensation, or as
674 accommodation for clients and customers.

675 ~~112.115.~~ Parking Space. Space within a building, lot or parking lot for the parking or storage of
676 one (1) automobile.

677 ~~113.116.~~ Pet Boarding. A business and facility in which pets stay and are cared for during the day
678 and/or overnight.

679 ~~114.117.~~ Pet Day Care. A business and facility in which a number of pets are supervised and cared
680 for during the day. This care does not include overnight stay for pets.

681 ~~115.118.~~ Pet Hospital. See Veterinarian / Animal Clinic / Pet Hospital.

682 ~~116.119.~~ Pets. See Household Pets.

683 ~~117.120.~~ Planning Commission. The North Logan Planning and Zoning Commission unless another
684 planning commission is specifically named.

685 ~~118.121.~~ Post Office. A postal service center operated by the U.S. Postal Service

686 ~~119.122.~~ Pre-School. See Child Day Care Services or Child Pre-school/Nursery School.

687 ~~120.123.~~ Preliminary Approval. An approval, with or without recommended alterations, given to a
688 preliminary plat by the Planning Commission and City Council, if required, and provides the
689 necessary authority to proceed with the preparation and presentation of the final plat.

690 ~~121.124.~~ Preliminary Plat. A map or plan of a proposed land division or subdivision.

691 ~~122.125.~~ Private Club. Any facility operating as a private club licensed under Utah Code 32A
692 Chapter 5 "Private Club Liquor Licenses".

693 ~~123.126.~~ Private Lodge, Fraternal Beneficial Societies. Facilities used for the meetings place of a
694 fraternal as defined by Utah code 31A-9-101. Not intended to mean a private club which serves
695 alcoholic beverages.

696 ~~124.127.~~ Private Day Nursery or Kindergarten. See Child Day Care Services or Child Pre-
697 school/Short term Child Day Care.

698 ~~125.128.~~ Proctor Care. Proctor care is temporary care given in a home to a child who is in state
699 custody under the Division of Youth Corrections (DYC). A proctor care home is under contract
700 with the DYC and can have no more than one (1) proctor child in the home or up to three (3) if
701 they are siblings, and the total number of children in the home under age eighteen (18),

702 including the children of the proctor parents, cannot exceed six (6). That number of children can
703 only be exceeded under special circumstances when directed by court order (for example where
704 the children in a family are ordered not to be split up). The home must be licensed with the
705 Office of Licensing, Department of Human Services and a municipal home occupation license is
706 required from the City. See related definitions – Foster Care and Host Home.

707 ~~126-129.~~ 129. Qualifying Senior Community. To qualify as a Qualifying Senior Community a project
708 must include, as part of its development agreement with the City, some method to ensure the
709 enforcement of the required restrictions on occupancy based on age, such as CC&Rs or other
710 similar land-use restriction or regulations, which shall include, at a minimum, the following
711 requirements:

712 a. At least one person living as a permanent resident in each dwelling (100% of the units)
713 must be a Senior Resident, i.e. a resident at least 55 years of age; and

714 b. Each other, non-Senior Resident in the same dwelling must be a Qualified Permanent
715 Resident. A Qualified Permanent Resident must satisfy at least one of the following
716 requirements:

717 1. Of 45 years of age or older; or

718 2. The spouse of the Qualifying Senior Resident; or

719 3. A cohabitant providing physical or economic support to the Qualifying
720 Permanent Resident.

721 c. A Qualified Permanent Resident who is the spouse of the Senior Resident may continue
722 to reside alone or with other Qualified Permanent Residents in a dwelling upon the
723 death of the Senior Resident's spouse or dissolution of their marriage, or upon the
724 Senior Resident's hospitalization or because of illness resulting in the Senior Resident
725 Spouse residing in transitional care, rehabilitative care, assisted living, nursing home
726 facility or other similar situations.

727 d. The development agreement must include provisions for verification of occupancy by
728 reliable surveys and/or affidavits available for auditing by the City.

729 e. The total occupancy within each dwelling unit must also comply with the definition of
730 Family in 12A-200.

731 ~~127-130.~~ 130. Quarries. See Mines, Quarries, and Gravel Pits

732 ~~128-131.~~ 131. Reception centers. See Wedding Chapels, Reception centers

733 ~~129-132.~~ 132. Recreation Facility, Private/Commercial. A commercial recreation facility where patrons
734 are charged a fee or have a membership in order to participate. May include commercial
735 recreation centers such as, bowling, video/computer, or billiards centers; commercial skating
736 centers (ice, roller or skateboarding); sport climbing facilities; and miniature golf course. Not
737 intended to mean related definition of "Go-Kart Track".

738 ~~130.~~133. Fitness Facility, Private/Commercial. A commercial fitness facility where patrons are
739 charged a fee or have a membership in order to participate. May include, but is not limited to:
740 fitness, swimming, tennis, and/or other type athletic club. May also include facilities for dance,
741 tumbling, martial arts, or other similar instruction.

742 ~~131.~~134. Recreation Facility, Public Access. Park, playground, swimming pool, sports fields and
743 courts, or municipal recreation center. Facilities would normally be operated by or under the
744 control of the county or city or a similar facility operated by a non-profit organization with some
745 oversight and/or joint participation with the county or city. May also include similar facilities
746 with access limited to neighborhood residents. Such limited public access facilities would usually
747 be open only to residents of the neighborhood such as could be found in a PUD or a facility
748 established and maintained by a neighborhood home owners' association. Not intended to
749 mean recreation facilities associated with a residence as defined under "Residential Accessories".

750 ~~132.~~135. Recreational Vehicle (Travel Trailer) Overnight Park. A tract of land under single
751 ownership or management on which two or more recreational vehicle or travel trailer spaces are
752 leased, rented or used; or offered for lease, rent or use to accommodate recreational vehicles or
753 travel trailers on a temporary (generally less than four month) basis.

754 ~~133.~~136. Related. Related by blood, marriage or adoption within the definition of "family" means
755 a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first
756 cousin, mother-in-law, father-in law, brother-in-law, sister-in-law, son-in-law, daughter-in-law,
757 grandparent, or grandchild, to include the half as well as the whole blood.

758 ~~134.~~137. Rental Service Stores. Rental business dealing in rental of products such as: automobiles,
759 trucks, trailers, construction equipment, lawn and garden equipment, or recreation and sporting
760 equipment.

761 ~~135.~~138. Residence, ~~Family~~. Any building or portion thereof, which contains living facilities
762 including provisions for sleeping, eating, cooking and sanitation, which is designed for use for
763 residential purposes specifically to include single-, two-, three- and four-family residences,
764 multiple family apartment, and also cabins. Not intended to include the following: ~~multiple~~
765 ~~family apartments~~, hotels, apartment hotels, boarding or rooming houses, lodging houses,
766 motels, apartment motels, fraternities, sororities, trailers, dormitories, mobile homes,
767 residential facility for the elderly or handicapped persons, or any institutional dwellings as listed
768 in the matrix in Chapter 12C-1001.

769 ~~136. ——— Residence, Single Family. Any building which contains living facilities, including provisions~~
770 ~~for sleeping, eating, cooking and sanitation for not more than one family. ("Family" as defined~~
771 ~~herein)~~

772 ~~137.~~139. Residence, Three or Four Family. Any building which contains living facilities, including
773 provisions for sleeping, eating, cooking and sanitation for more than two but not more than four
774 families. ("Family" as defined herein).

775 ~~138.~~140. Residence, Two Family. Any building which contains living facilities, including provisions
776 for sleeping, eating, cooking and sanitation for not more than two families. ("Family" as defined
777 herein).

778 ~~139-141.~~ 141. Residential Accessory Building. An un-occupied building used for storage or to house a
779 vehicle, shop, green-house, or other uses normally associated with a dwelling. Includes detached
780 garage or shed and buildings used to house permitted animals. Also includes recreation facilities
781 associated with the residence such as, but not limited to tennis courts, swimming pools,
782 playground-type structures.

783 ~~140-142.~~ 142. Residential Facility for Elderly. (Utah Code 10-9a-519 applies) A facility which is not run
784 as a business but a fee may be charged residents for food or for actual and necessary costs of
785 operation and maintenance of the facility. It shall (a) be owned by one of the residents or by an
786 immediate family member of one of the residents or a facility for which the title has been placed
787 in trust for a resident; (b) be consistent with existing zoning, and (c) be occupied on a 24-hour
788 basis by eight or fewer elderly persons (60 years of age or older) in a family-type arrangement.
789 Residents must be capable of independent living. Also see related definitions: Assisted Living
790 Facility, Nursing Home, and Residential Health Care Facility (Small).

791 ~~141-143.~~ 143. Residential Facility for Persons. With a Disability (Utah Code 10-9a-520 applies) A facility
792 for persons with a disability which shall (a) be consistent with existing zoning; (b) be occupied on
793 a 24-hour-per-day basis by eight or fewer handicapped persons with a disability in a family-type
794 arrangement under the supervision of a house family or manager; (c) conform to all applicable
795 standards and requirements of the Utah Department of Human Services; and (d) be licensed as
796 such by the Utah Department of Human Services.

797 ~~142-144.~~ 144. Residential Health Care Facility, Small. (Utah Code 26-21-2) A facility providing assistance
798 with activities of daily living and social care to at least two but no more than sixteen residents
799 who require protected living arrangements. Residents generally do not need continuous nursing
800 care or supervision but do need some limited health care. Also see related definitions: Assisted
801 Living Facility, Nursing Home, and Residential Facility for Elderly.

802 ~~143-145.~~ 145. Restaurant: See Food Service definition plus related definitions for restaurants with
803 alcoholic beverages below.

804 ~~144-146.~~ 146. Restaurant With Liquor License. A Food Service establishment which serves food as its
805 primary function and in addition to serving food also serves alcoholic beverages (beer, wines and
806 liquors). Total sales of alcohol not to exceed thirty percent (30%) of sales. Not intended to mean
807 a "Bar, Saloon, or Tavern" (See that related definition). Must maintain appropriate licenses from
808 the State of Utah and the City. See related chapter 8-400 which regulates businesses engaged in
809 the sale of alcoholic beverages.

810 ~~145-147.~~ 147. Restaurant With On-Premise Beer License. A Food Service establishment which serves
811 food as its primary function and in addition to serving food also serves beer. Sale of beer to
812 patrons is contingent upon ordering food with any beer purchased. Total sales from beer not to
813 exceed fifty percent (50%) of sales. Not intended to mean a "Bar, Saloon, or Tavern" (See that
814 related definition). May include establishments which produce/manufacture limited amounts of
815 the beer on site. Must maintain appropriate licenses from the City (class "B" license
816 (Consumption on-premises beer license)) and from the State of Utah. See related chapter 8-400
817 which regulates businesses engaged in the sale of alcoholic beverages.

818 ~~146.~~148. “Retail Tobacco Specialty Business” is a commercial establishment in which the sale of
819 tobacco products accounts for the more than 35% of the total annual gross receipts for the
820 establishment, and food and beverage proceeds, excluding gasoline sales, is less than 45% of the
821 total annual gross receipts for the establishment, and the establishment is not licensed as a
822 pharmacy under Utah Code Title 58, Chapter 17b. Tobacco is defined as any cigar, cigarette, or
823 electronic cigarette and includes chewing tobacco, tobacco paraphernalia or any substitute for
824 tobacco product, including flavoring or additive to tobacco.

825 ~~147.~~149. Riding Stables, Equestrian Park. Facility providing for recreational horse riding or
826 boarding either as a commercial enterprise or a public facility. See related definition - Dude
827 Ranch.

828 ~~148.~~150. Roomer. One who occupies a hired room in another's house.

829 ~~149.~~151. Rooming House. See Boarding House.

830 ~~150.~~152. Sales & Service, Heavy. Facility providing for mobile home or manufactured home sales;
831 sales, service or repair of recreational vehicles, large trucks, farm equipment, or construction
832 equipment.

833 ~~151.~~153. Sales and Services, General. Facility providing for the sale of retail and consumer goods.
834 Includes but is not necessarily limited to department or discount stores or malls, furniture or
835 appliance sales and service; garden, floral shop, nursery or crafts store, retail lumber/hardware
836 sales, key shop, pawn shop, package liquor store, convenience store without gasoline sales,
837 sporting goods stores, book/stationary store, bakery, art gallery, pet store, shoe or leather goods
838 store, or grocery store. Also intended to include rental of multimedia items such as videos,
839 computer games, etc. and such service businesses as travel agencies and financial institutions
840 (banks, credit unions, and savings and loan offices). Also includes the seasonal sale of Christmas
841 trees. Includes businesses which primarily provide services to customers but also have some
842 product sales. May include but not limited to: laundromat with self service washer, dryers etc.;
843 commercial laundry or dry cleaning shop; printing or lithographic shops; clothing repair,
844 alterations or tailoring; repair shops for appliances or electronic/electric equipment; or
845 commercial postal/mailing service store.

846 ~~152.~~154. School, Private or Public, College or University. An educational institution which meets
847 any of the definitions in Utah Code: 53B-5-105.

848 ~~153.~~155. School, Proprietary. A private educational institution, including business, modeling,
849 paramedical, tax preparation, trade and technical schools, which offers postsecondary education
850 in consideration of the payment of tuition or fees for the attainment of educational,
851 professional, or vocational objectives, other than those schools listed in Utah Code 53B-5-105.

852 ~~154.~~156. Seniors Housing. Any facility or group of facilities in a project intended and operated as a
853 Qualifying Senior Community. Also see related definitions: Nursing Home, Residential Facility for
854 Elderly, Assisted Living Facility, and Residential Health Care Facility (Small).

855 ~~155.~~157. Sexually Oriented Business—See Adult Oriented Business or Adult Business.

856 ~~156.~~158. Short Term Rental. The use, occupancy, rent or lease, for direct or indirect remuneration,
857 of a structure or any portion thereof constructed for single-household or multi-household
858 occupancy or of any other residential property for an effective term of thirty consecutive
859 calendar days or less.

860 ~~157.~~159. Sign. Any device used for visual communication to the general public and displayed out-
861 of-doors, including signs painted on exterior walls, and interior illuminated signs to be viewed
862 from out-of-doors, but not including any flag, badge, or ensign of any governmental agency. The
863 various types of signs are further defined in Chapter 12C-600.

864 ~~158.~~160. Solid Waste Facility. Any solid waste (non-hazardous or hazardous) recycling, sorting,
865 treatment, storage or disposal facility as defined in the Utah Solid and Hazardous Waste Act.

866 ~~159.~~161. Sorority. See Dormitory, Fraternity or Sorority

867 ~~160.~~162. Stable, Private. A detached accessory building for the keeping of a horse(s) owned by the
868 occupants of the premises and not kept for remuneration, hire, or sale.

869 ~~161.~~163. Stable, Public. A stable other than a private stable.

870 ~~162.~~164. Storage, Large, Warehouse-type. A facility under single ownership or management in
871 which storage or warehouse space is made available for rent or lease or the area is used
872 primarily for storage by the owner.

873 ~~163.~~165. Storage, Small, Multi-unit. A facility under single ownership or management in which
874 multiple storage units are leased, rented or used by patrons primarily for storage of property.
875 Individual storage units are typically smaller than 300 square feet in size.

876 ~~164.~~166. Story, Half. A story with at least (2) of its opposite sides situated in a sloping roof, the
877 floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.

878 ~~165.~~167. Story. A space within a building included between surface of any floor and the surface of
879 the ceiling next above.

880 ~~166.~~168. Street Centerline. The center of the street as established by a recorded plat or city
881 survey.

882 ~~167.~~169. Street, Major. A street, existing or proposed, which serves or is intended to serve as a
883 major traffic way and which is designated on the master street plan as a controlled-access
884 highway, major street, parkway or by equivalent terms suitable to identify streets comprising the
885 basic structure of the street plan.

886 ~~168.~~170. Street, Minor. A street, existing or proposed, which is supplementary to a collector or
887 major street and of limited continuity, which serves or is intended to serve the local needs of a
888 neighborhood.

889 ~~169.~~171. Street. A public thoroughfare which affords principal means of access to abutting
890 property, and is more than twenty six (26) feet wide.

891 ~~170.~~172. Structural Alterations. Any change in supporting members of a building, such as bearing
892 walls, columns, beams, or girders.

893 ~~171.~~173. Structure. Anything constructed or erected, which requires location on the ground or
894 attached to something having a location on the ground.

895 ~~172.~~174. Subdivision. The division of a tract, or lot or parcel of land into two or more lots, plots,
896 sites or other divisions of land for the purpose, whether immediate or future, of sale or of
897 building development or redevelopment. Further the above definition shall not apply to the sale
898 or conveyance of any parcel of land which may be shown as one of the lots of a subdivision of
899 which a plat has theretofore been recorded in the office of the North Logan City Recorder. The
900 word subdivide and any derivative thereof shall have reference to the term subdivision as herein
901 defined.

902 ~~173.~~175. "Tattoo/Body Piercing Parlor" means a commercial establishment that creates an
903 opening in the body, excluding the ear, for the purpose of inserting jewelry or other decoration
904 and/or the fixing of an indelible mark or figure upon the body by inserting a pigment under the
905 skin or by producing scars.

906 ~~174.~~176. Telecommunications Facility-An unmanned structure, which consists of antennas,
907 antenna support structures, telecommunications equipment, equipment enclosures as defined
908 herein, that transmits and/or receives voice and/or data communications through radio signals
909 such as, but not limited to "cellular" or "PCS" (Personal Communications System)
910 communications and paging systems, whether commercially or privately operated.

911 ~~175.~~177. Theater/Cinema. Commercial facility for presenting movies and/or on-stage
912 performances for walk-in audiences.

913 ~~176.~~178. Vertically Combined Commercial w/ Residential Building (VCCRB). A building type
914 permitted in some City Center Zones characterized by commercial uses on the ground floor with
915 residential units above on second and/or third floors.

916 ~~177.~~179. Automobile Sales and Service. Facility providing for sales of new and/or used
917 automobiles and/or light trucks. Normally also includes the capability to provide, service of
918 automobiles/small trucks, and/or parts sales for the same. The related definition of Automobile
919 Service does not include the sale of the vehicles.

920 ~~178.~~180. Bed and Breakfast Lodging. A private residence, several rooms of which are set aside for
921 overnight guests whose paid accommodations include food service, normally breakfast. The
922 owner must live in the residence.

923 ~~179.~~181. Trailer or Camper. A vehicle with or without motive power or wheels, designed to be
924 used for human habitation.

925 ~~180.~~182. Trailer Park. See Mobile Home or Trailer Park

926 ~~181.~~183. Transportation Systems. See Utility or Transportation Systems

927 ~~182.~~184. Use, Accessory. A subordinate use customarily incidental to and located upon the same
928 lot occupied by a main use.

929 ~~183.~~185. Utility or Transportation Systems, Support Facilities for. Shops; storage facilities/yards;
930 water or wastewater treatment facilities; facilities for repair and/or storage of associated

931 equipment, vehicles or supplies; electricity production plant; and transportation/transit service
932 storage areas, shops or garages.

933 ~~184.~~186. Utility Systems, Distribution Elements For. Telephone, television, or radio switching,
934 relay, or transmitting equipment; water pumping, water pressure reduction or sewage stations
935 and lines; irrigation canals and associated distribution lines/ditches; natural gas metering and
936 transmission stations and lines; and electrical distribution lines (7,200-12, 470 volts not including
937 high voltage). The height of these types of facilities are limited in accordance with section 12C-
938 1004, Modifying Regulations, paragraph R. Includes power poles and lines used for electrical
939 distribution but not intended to include high voltage electrical transmission lines or electrical
940 substations, telecommunications facilities or telecommunications towers.

941 ~~185.~~187. Utility Systems - High Voltage Electrical Transmission Lines and Electrical Substations.
942 High voltage (46,000 - 138,000 volts) electrical transmission lines whether above ground on
943 poles or towers or buried underground. Also includes electrical substations. The placement and
944 approval of these types of facilities are limited in accordance with section 12C-1004, Modifying
945 Regulations, paragraph R. Includes high voltage power poles and towers but is not intended to
946 include lower voltage electrical distribution lines, telecommunications facilities,
947 telecommunications towers.

948 ~~186.~~188. Utility or Transportation Systems, Business Offices for. Radio or television
949 offices/stations; natural gas, telephone, cable TV, and other utility system business offices; and
950 transportation/transit business offices or stations.

951 ~~187.~~189. Telecommunications Tower. A structure typically higher than thirty-five feet (35') and
952 high relative to its surroundings that supports telecommunications facilities including;
953 telephone, telegraph, fiber optic signals, cellular services for both analog and digital signals,
954 radio and television signals to name a few. This list is not intended to be all-inclusive. The height
955 of these types of facilities are limited in accordance with section 12C-1004, Modifying
956 Regulations, paragraph Q.

957 ~~188.~~190. Transportation Systems, Distribution Elements For. Railroad tracks and right-of-way; and
958 public transit access points and bus stops.

959 ~~189.~~191. Veterinarian/Animal Clinic/Pet Hospital. A facility used by a licensed veterinarian to
960 diagnose or treat any disease, defect, deformity, wound, injury or physical condition of any
961 animal. May also include facilities to temporarily board animals.

962 ~~190.~~192. Wedding chapels, Reception centers. Facility which can be rented for weddings,
963 receptions or other similar uses.

964 ~~191.~~193. Wholesale Sales. Facility providing for the sale of wholesale goods. May include but is
965 not limited to: wholesale petroleum bulk storage & sales, storage and sale of items to stock
966 typical retail sales outlets, or storage and sale of goods to construction or manufacturing
967 businesses.

968 ~~192.~~194. Width of Lot. The distance between the side lot lines at the distance back from the front
969 lot line required for the depth of the front yard.

970 ~~193.~~195. Yard, Front. A space on the same lot with a building, between the front line of the
971 building (exclusive of steps) and the front lot line, and extending across the full width of the lot.

972 ~~194.~~196. Yard, Rear. A space on the same lot with a building, between the rear line of the building
973 (exclusive of steps and chimneys) and the rear line of the lot and extending the full width of the
974 lot.

975 ~~195.~~197. Yard, Side. A space on the same lot with a building, between the side line of the building
976 (exclusive of steps or open stairways) and the side line of the lot and extending from the front
977 yard line to the rear yard line.

978 ~~196.~~198. Yard. A space on a lot, other than a court, unoccupied and unobstructed from the
979 ground upward, by buildings, except as otherwise provided herein.

980

981 SECTION III: Amend Section 12A-500 – Notice Requirements (blue underlined text added, red stricken
982 text deleted):

983 12 Land Use

984 12A General Provisions

985 12B Land Use - Administration

986 12C Land Use - Zoning

987 12D Land Use - Subdivisions

988 12E ~~Reserved~~ Standards and Requirements For Single-Family Dwellings

989 12F Deleted

990 12G Land Use - Building Permits

991 12H Reserved

992 12I Dedication Of Water System Shares Or Water Rights

993 ...

994 12A General Provisions

995 12A-100 General

996 12A-200 Definitions

997 12A-300 Changes And Amendments

998 12A-400 Limits And Penalties

999 12A-500 Notice Requirements

1000 12A-600 Enforcement

1001 ...

1002 12A-500 Notice Requirements

1003 12A-501 Required Notice

1004 12A-502 Applicant Notice - Waiver Of Requirements

1005 12A-503 ~~Notice Of Public Hearings And Public Meetings To Consider General Plan Or~~

1006 ~~Modifications~~ Affected Areas Requiring Notice

1007 12A-504 ~~Notice Of Public Hearings And Public Meetings On Adoption Or Modification Of Any Land Use~~

1008 ~~Ordinance Other Than The General Plan~~ Reserved

1009 12A-505 ~~Adjacent Property Owners Notice Under Subsection 12A-504B(3)(b)~~ Reserved

1010 12A-506 ~~Notice For An Amendment To A Subdivision – Notice For Vacation Of Or Change To~~

1011 ~~Street~~ Reserved

1012 12A-507 ~~Hearing And Notice For Proposal To Vacate, Alter, Or Amend A Public Street Or Right Of~~

1013 ~~Way~~ Reserved

1014 12A-508 ~~Names And Address Of Third Party Persons~~ Reserved

1015 12A-509 ~~Property Owner Whose Land Is Directly Affected~~ Reserved

1016 12A-510 ~~Notice Challenge~~ Reserved

1017 12A-511 ~~Notice For An Amendment To Public Improvements In A Subdivision Or~~

1018 ~~Development~~ Reserved

1019

1020 **12A-501 Required Notice**

1021 At a minimum, the City shall provide ~~actual notice or the notice required by this part.~~ public notice of
1022 public hearings or public meetings scheduled to consider land use decisions and land use regulations,
1023 both new and amended, per the requirements detailed in Utah state code.

1024 **12A-502 Applicant Notice - Waiver Of Requirements**

- 1025 A. For each land use application, the City shall:
- 1026 1. Notify the applicant of the date, time, and place of each public hearing and public
1027 meeting to consider the application;
- 1028 2. Provide to each applicant a copy of each staff report regarding the applicant or the
1029 pending application at least three business days before the public hearing or public
1030 meeting; and
- 1031 3. Notify the applicant of any final action on a pending application.
- 1032 B. If the City fails to comply with the requirements of Subsection A(1) or (2) or both, an applicant
1033 may waive the failure so that the application may stay on the public hearing or public meeting
1034 agenda and be considered as if the requirements had been met.

1035 ~~**12A-503 Notice Of Public Hearings And Public Meetings To Consider General Plan Or Modifications**~~
1036 ~~**Affected Areas Requiring Notice**~~

- 1037 ~~A. For purposes of this section, "affected area" as defined by state code, shall be determined as~~
1038 ~~follows:~~
- 1039 ~~1. For general plan amendments, the affected area shall be the municipality.~~
1040 ~~2. For rezone petitions, the affected area shall be the property(s) included in the rezone~~
1041 ~~petition in addition to all property owners located immediately adjacent the property(s)~~
1042 ~~included in the rezone petition.~~

1043 ~~A. The City shall provide:~~

- 1044 ~~1. Notice of the date, time, and place of the first public hearing to consider the original~~
1045 ~~adoption or any modification of all or any portion of a general plan; and~~
- 1046 ~~2. Notice of each public meeting on the subject.~~

1047 ~~B. Each notice of a public hearing under Subsection A(1) shall be at least ten calendar days before~~
1048 ~~the public hearing and shall be:~~

- 1049 ~~1. Published in a newspaper of general circulation in the area;~~
1050 ~~2. Mailed to each affected entity;~~
1051 ~~3. Published on the Utah Public Notice Website; and~~
1052 ~~4. Posted:~~
- 1053 ~~a. In at least three public locations within North Logan City; or~~

- 1054 b.— On the City's official website.
- 1055 C.— Each notice of a public meeting under Subsection A(2) shall be at least 24 hours before the
1056 meeting and shall be:
- 1057 1.— Submitted to a newspaper of general circulation in the area;
- 1058 2.— Published on the Utah Public Notice Website; and
- 1059 3.— Posted:
- 1060 a.— In at least three public locations within North Logan City; or
- 1061 b.— On the City's official website.

1062 **12A-504 Notice Of Public Hearings And Public Meetings On Adoption Or Modification Of Any Land Use**
1063 **Ordinance Other Than The General Plan Reserved**

- 1064 A.— The City shall give:
- 1065 1.— Notice of the date, time, and place of the first public hearing to consider the adoption or
1066 any modification of a land use ordinance; and
- 1067 2.— Notice of each public meeting on the subject.
- 1068 B.— Each notice of a public hearing under Subsection A(1) shall be:
- 1069 1.— Mailed to each affected entity at least ten calendar days before the public hearing;
- 1070 2.— Posted:
- 1071 a.— In at least three public locations within North Logan City; or
- 1072 b.— On the City's official website; and
- 1073 3.—
- 1074 a.— Published in a newspaper of general circulation in the area at least ten calendar
1075 days before the public hearing; or
- 1076 b.— Mailed at least three days before the public hearing to: Each property owner
1077 whose land is directly affected by the land use ordinance change; and each
1078 adjacent property owner.
- 1079 C.— Each notice of a public meeting under Subsection A(2) shall be at least 24 hours before the
1080 meeting and shall be posted:
- 1081 1.— In at least three public locations within North Logan City; or
- 1082 2.— On the City's official website.
- 1083 D.— If the City plans to hold a public hearing to adopt a zoning map or map amendment, the City
1084 shall send a courtesy notice to each owner of private real property whose property is located

1085 entirely or partially within the proposed map at least 10 days prior to the scheduled day of the
1086 public hearing.

1087 E.— The notice shall:

1088 1.— Identify with specificity each owner of record of real property that will be affected by the
1089 proposed zoning map or map amendments;

1090 2.— State the current zone in which the real property is located;

1091 3.— State the proposed new zone for the real property;

1092 4.— Provide information regarding or a reference to the proposed regulations, prohibitions,
1093 and permitted uses that the property will be subject to if the zoning map or map
1094 amendment is adopted;

1095 5.— State that the owner of real property may no later than 10 days after the day of the first
1096 public hearing file a written objection to the inclusion of the owner's property in the
1097 proposed zoning map or map amendment;

1098 6.— State the address where the property owner should file the protest;

1099 7.— Notify the property owner that each written objection filed with the City will be
1100 provided to the City's legislative body; and

1101 8.— State the location, date, and time of the public hearing.

1102 F.— If a municipality mails notice to a property owner in accordance with Subsection (B)(3)(b) for a
1103 public hearing on a zoning map or map amendment, the notice required in this Subsection (D)
1104 may be included in or part of the notice described in Subsection (B)(3)(b) rather than sent
1105 separately.

1106 **12A-505 Adjacent Property Owners Notice Under Subsection 12A-504B(3)(b) Reserved**

1107 A.— If the City elects to provide notice to adjacent property owners, under subsection 12A-
1108 504B(3)(b) the City shall:

1109 1.— Mail notice to the record owner of each parcel; or

1110 2.— Post notice on the property with a sign of sufficient size, durability, print quality, and
1111 location that is reasonably calculated to give notice to passers-by.

1112 B.— If the City mails notice to adjacent property owners, it shall mail equivalent notice to property
1113 owners within an adjacent jurisdiction.

1114 C.— For purposes of this section "Adjacent Property Owners" includes owners of those properties
1115 contiguous to the subject property and owners of properties that are not contiguous only
1116 because a canal or public right of way separates the same from the subject property.

1117 **12A-506 Notice For An Amendment To A Subdivision— Notice For Vacation Of Or Change To**
1118 **Street Reserved**

- 1119 A. ~~(A) For an amendment to a subdivision, the City shall provide notice of the date, time, and place~~
 1120 ~~of at least one public meeting, as provided in Subsection (B).~~
- 1121 B. ~~At least 10 calendar days before the public meeting, the notice required under Subsection (A)~~
 1122 ~~shall be:~~
- 1123 ~~1. Mailed and addressed to the record owner of each parcel within specified parameters of~~
 1124 ~~that property; or~~
- 1125 ~~2. Posted on the property proposed for subdivision, in a visible location, with a sign of~~
 1126 ~~sufficient size, durability, and print quality that is reasonably calculated to give notice to~~
 1127 ~~passers-by.~~
- 1128 ~~3. The City shall provide notice as required by Section 12A-507 for a subdivision that~~
 1129 ~~involves a vacation, alteration, or amendment of a street.~~
- 1130 C. ~~Except for an exempt subdivision under U.C.A Section 10-9a-605, for a proposed subdivision or~~
 1131 ~~an amendment to a subdivision, the City shall provide notice of the date, time, and place of a~~
 1132 ~~public hearing that is:~~
- 1133 D. ~~Mailed not less than three calendar days before the public hearing and addressed to the record~~
 1134 ~~owner of each parcel within the subdivision and adjacent to the subdivision; or~~
- 1135 E. ~~Posted not less than three calendar days before the public hearing, on the property proposed for~~
 1136 ~~subdivision, in a visible location, with a sign of sufficient size, durability, and print quality that is~~
 1137 ~~reasonably calculated to give notice to passers-by.~~
- 1138 ~~1. The City shall mail notice to each affected entity of a public hearing to consider a~~
 1139 ~~preliminary plat describing a multiple-unit residential subdivision or a commercial or~~
 1140 ~~industrial subdivision.~~
- 1141 ~~2. The City shall provide notice as required by Section 12A-507 for a subdivision that~~
 1142 ~~involves a vacation, alteration, or amendment of a street.~~

1143 **12A-507 Hearing And Notice For Proposal To Vacate, Alter, Or Amend A Public Street Or Right-Of-**
 1144 **WayReserved**

1145 For any proposal to vacate, alter, or amend a public street or right-of-way, the land use authority shall
 1146 hold a public hearing and shall give notice of the date, place, and time of the hearing by:

- 1147 A. ~~Mailing notice as required in Subsection 12A-506;~~
- 1148 B. ~~Mailing notice to each affected entity;~~
- 1149 C. ~~Posted on or near the street, right of way, or easement in a manner that is calculated to alert the~~
 1150 ~~public; and~~
- 1151 D. ~~Publishing:~~
- 1152 ~~1. In a newspaper of general circulation in the City in which the land subject to the petition~~
 1153 ~~is located; and~~

1154 2.— Published on the Utah Public Notice Website

1155 ~~12A-508 Names And Address Of Third Party Persons~~Reserved

1156 In addition to any other information required from an applicant or petitioner under the provisions of the
1157 Land Use Ordinance, each applicant or petitioner shall submit to the municipality, with the required
1158 application or petition, a list stating the names and addresses of all owners of all relevant real property in
1159 order for the City to mail notice as set forth in this Ordinance. The cost of forwarding the notices may be
1160 charged to and collected from applicant or petitioner.

1161 ~~12A-509 Property Owner Whose Land Is Directly Affected~~Reserved

1162 For purposes of this section, a property owner whose land is directly affected shall be any person who
1163 will suffer some prejudice or harm that is different from the public as a whole.

1164 ~~12A-510 Notice Challenge~~Reserved

1165 If notice given under authority of this part is not challenged within 30 days after the meeting or action
1166 for which notice is given, the notice is considered adequate and proper.

1167 ~~12A-511 Notice For An Amendment To Public Improvements In A Subdivision Or~~
1168 ~~Development~~Reserved

1169 Prior to implementing an amendment to adopted specifications for public improvements that apply to
1170 subdivision or development, the City shall give 30 days mailed notice and an opportunity to comment to
1171 anyone who has requested the notice in writing.

1172

1173 **SECTION IV: Amend Section 12C-121 – Requirements For Accessory Dwelling Units (blue underlined**
1174 **text added, red stricken text deleted):**

1175 **12C Land Use - Zoning**

1176 **12C-100 General Zoning Provisions**

1177 **12C-200 Nonconforming Use Or Noncomplying Structures**

1178 **12C-300 Parking And Loading Space**

1179 **12C-400 Access**

1180 **12C-500 Conditional Uses**

1181 **12C-600 Signs**

1182 **12C-700 Mobile Home Parks**

1183 **12C-800 Zoning**

1184 **12C-900 Annexation**

1185 **12C-1001 Permitted And Conditional Uses In Zone**

1186 **12C-1002 Height Regulations**

1187 **12C-1003 Area, Width, And Yard Regulations**

1188 **12C-1004 Modifying Regulations**

1189 **12C-1016 Deleted**

1190 **12C-1050 Mixed Use Ordinance**

1191 **12C-1060 North Logan City - City Center Code**

1192 **12C-1100 Site Development Requirements**

1193 **12C-1200 Airport Limitation Overlay Zones**

1194 ...

1195 **12C-100 General Zoning Provisions**

1196 **12C-101 Effect Of Chapter**

1197 **12C-102 Lots In Separate Ownership**

1198 **12C-103 Yard Space Of One Building Only**

1199 **12C-104 Every Dwelling To Be On A "Lot"**

1200 **12C-105 Separately Owned Lots - Reduced Yards**

1201 **12C-106 Private Garage With Side Yard - Reduced Yards**

1202 **12C-107 Yards To Be Unobstructed - Exceptions**

1203 **12C-108 Wall, Fence Or Hedge**

1204 **12C-109 Area Of Accessory Buildings**

1205 **12C-110 Exceptions To Height Limitations**

1206 **12C-111 Minimum Height Of Main Buildings**

1207 **12C-112 Clear View Of Intersecting Streets**

1208 **12C-113 Sale Or Lease Of Required Space**

1209 **12C-114 Group Dwellings**

1210 **12C-115 Coverage Regulations**

1211 **12C-116 Location Of Gasoline Pumps**

1212 **12C-117 Setback Requirements**

1213 **12C-118 Setback/Easement Requirements Along Irrigation Canals**

1214 **12C-119 Private Lane Requirements**

1215 **12C-120 Development Of Residential Parcels**

1216 **12C-121 Requirements For ~~Internal~~ Accessory Dwelling Units ~~In Single Family Residence, To Establish~~**
1217 **Requirements For Internal Accessory Dwelling Units As Permitted By Utah State Code.**

1218

1219 ...

1220 **12C-121 Requirements For ~~Internal~~ Accessory Dwelling Units ~~In Single Family Residence, To Establish~~**
1221 **Requirements For Internal Accessory Dwelling Units As Permitted By Utah State Code.**

1222 ~~A. Only one Internal Accessory Dwelling Unit shall be allowed per single family residence. Both the~~
1223 ~~single family dwelling and Internal Accessory Dwelling Unit shall be owned by the same person(s)~~
1224 ~~or entity and they must share a single water meter, and sewer lateral. An Internal Accessory~~
1225 ~~Dwelling Unit may not be established if the primary dwelling is served by a failing septic tank. A~~
1226 ~~single family dwelling and accessory dwelling unit shall receive one monthly bill from the City for~~
1227 ~~municipal services that shall be sent to the owner of the Lot on which the primary Single Family~~
1228 ~~Residence and Accessory Dwelling Unit are located.~~

1229 ~~B. The Internal Accessory Dwelling Unit must be designed in a manner that does not change the~~
1230 ~~appearance of the primary dwelling as a single family dwelling.~~

1231 ~~C. There shall be provided at least one off street parking space for the Internal Accessory Dwelling~~
1232 ~~Unit in addition to two spaces required for the homeowners (three in all). Any existing parking~~
1233 ~~spaces contained within a garage or carport must be replaced if the Internal Accessory Dwelling~~
1234 ~~Unit is created within the garage or carport. All parking intended to accommodate an internal~~
1235 ~~accessory dwelling unit shall be paved with surfacing material of asphalt or concrete composition.~~
1236 ~~Any additional vehicular access to public roads must conform to North Logan Design Standards~~
1237 ~~Technical Manual Standards.~~

1238 **12C-121.1 Purpose Of This Section**

1239 **12C-121.2 Standards For Attached and Detached Accessory Dwelling Units**

1240 **12C-121.3 Procedures For Establishing An Accessory Dwelling Unit**

1241

1242 Attached and detached Accessory dwelling units are allowed in residential zones according to the matrix
1243 found in 12C-1001. All attached and detached accessory dwelling units shall conform to the regulations
1244 specified herein.

1245 **12C-122.1 Purpose Of This Section**

1246 The purpose of this chapter is to provide regulations for accessory dwelling units that are incidental and
1247 accessory to a single-family dwelling. Accessory dwelling units are intended to assist in providing
1248 housing types that meet the needs of populations of various income levels, ages, and stages of life.

1249 **12C-122.2 Standards For Attached and Detached Accessory Dwelling Units**

1250 A. City staff shall ensure the following standards are met before granting a building permit and land
1251 use permit for an attached or detached accessory dwelling unit:

1252 1. Parking.

- 1253 a. For a detached accessory dwelling unit, there shall be provided at least two
1254 paved asphalt or concrete off-street parking spaces for the detached accessory
1255 dwelling unit in addition to two off-street spaces required for the primary single-
1256 family dwelling (four in all).
- 1257 b. For an attached accessory dwelling unit, there shall be provided at least one
1258 paved asphalt or concrete off-street parking space for the attached accessory
1259 dwelling unit in addition to two off-street spaces required for the primary single-
1260 family dwelling (three in all).
- 1261 c. Parking needed to meet these requirements shall not exceed twenty-five
1262 percent (25%) of the area between the front of the residence and the front
1263 property line. Any additional vehicular access to public roads must conform to
1264 North Logan Design Standards Technical Manual Standards.
- 1265 d. All parking associated with either an attached or detached accessory dwelling
1266 unit shall be on-site and off-street at all times.
- 1267 2. Building code compliance. Any new construction, remodeling, renovation, or conversion
1268 needed to accommodate an attached or detached accessory dwelling unit shall be
1269 reviewed through the issuance of a building permit and shall conform to the building
1270 code requirements current at the time of application.
- 1271 3. Single-family residential. The primary single-family dwelling, including the attached or
1272 detached accessory dwelling unit shall be considered a single-family residential use upon
1273 the lot or parcel rather than a “duplex” or a “Multi-Family Apartment”, as defined by this
1274 land use code.
- 1275 a. A detached accessory dwelling unit shall only be allowed as a detached
1276 accessory structure located on the same owner-occupied lot or parcel as the
1277 primary single-family dwelling. The owner will occupy the primary single-family
1278 dwelling or accessory dwelling unit on the premises except for bona fide
1279 absences;
- 1280 b. Only one accessory dwelling unit, whether attached or detached, shall be
1281 allowed per primary single-family dwelling and residential lot or parcel.
- 1282 c. Both the primary single-family dwelling and any accessory dwelling unit shall be
1283 owned by the same person(s) or entity and they must share a single water
1284 meter, and sewer lateral.
- 1285 d. A primary single-family dwelling and accessory dwelling unit shall receive one
1286 monthly bill from the City for municipal services that shall be sent to the owner
1287 of the lot or parcel on which the primary single-family dwelling and accessory
1288 dwelling unit are located.
- 1289 4. Size.

- 1290 a. With exception to internal/basement ADUs, a proposed attached accessory
1291 dwelling unit shall not exceed 50% of the building footprint (excluding attached
1292 garage) of the primary single-family dwelling. Basement ADUs are allowed to
1293 utilize the full basement area of a primary single-family dwelling.
- 1294 b. A proposed detached accessory dwelling unit shall not exceed 50% of the
1295 building footprint (including attached garage) of the primary single-family
1296 dwelling, up to a maximum Gross Area of 1,250 square feet. If the conditioned
1297 dwelling area associated with a detached accessory dwelling unit is entirely
1298 contained above a garage space, then the entire detached structure (garage and
1299 detached accessory dwelling unit above) shall not exceed a maximum gross area
1300 of 2,500 square feet.
- 1301 5. Prohibited structures. Trailers, mobile homes, and other portable structures shall not be
1302 permitted as a detached accessory dwelling unit. The city’s building official shall make
1303 the determination of whether or not a structure is permanent.
- 1304 6. Aesthetics. The improvements or construction of any attached or detached accessory
1305 dwelling unit shall be designed in a manner that the architectural appearance
1306 (architecture, colors, and materials) of any addition, expansion, or new accessory
1307 building, matches the existing primary single-family dwelling and fits within the
1308 surrounding neighborhood’s character.
- 1309 7. Septic tanks. No accessory dwelling unit, whether attached or detached, shall be allowed
1310 on a lot or parcel serviced by an on-site wastewater system (septic) unless prior approval
1311 has been provided through the Bear River Health Department.
- 1312 8. Placement on the lot or parcel.
- 1313 a. Attached accessory dwelling units that include expansion of the existing primary
1314 single-family dwelling footprint shall abide by the primary structure setbacks
1315 established in NLMC Section 12C-1003 for the applicable zone.
- 1316 b. Detached accessory dwelling units shall abide by the setback requirements
1317 established in NLMC Section 12C-1004 for the applicable zone.

1318 **12C-122.3 Procedures For Establishing An Accessory Dwelling Unit**

- 1319 A. All accessory dwelling units, whether attached or detached, shall be approved through the
1320 issuance of a building permit and a land use permit. The following items will need to be
1321 submitted along with a building and land use permit application:
- 1322 1. A notarized letter accompanying the application from the owner(s) stating that the
1323 owner will occupy the primary single-family dwelling or accessory dwelling unit on the
1324 premises except for bona fide absences;
- 1325 2. A floor plan and site plan (to scale) showing any proposed changes to any existing
1326 primary single-family dwelling or accessory building and/or how a new accessory
1327 structure would be established for a detached accessory dwelling unit.

1328 [3. Architectural renderings communicating the material and design intent of the proposed](#)
1329 [improvements to the existing single-family dwelling or the construction or conversion of](#)
1330 [a detached accessory dwelling unit.](#)

1331 ...

1332 **SECTION V:** Amend Section 12C-500 – Conditional Uses (blue underlined text added, red stricken text
1333 deleted):

1334 **12C-500 Conditional Uses**

1335 **12C-501 Permit Required**

1336 **12C-502 Building Permit**

1337 **12C-503 Application**

1338 **12C-504 Development Plan**

1339 **12C-505 Fee**

1340 **12C-506 ~~Reserved~~Hearing**

1341 **12C-507 Planning Commission Action**

1342 **12C-508 Appeals**

1343 **12C-509 Inspection**

1344 **12C-510 Time Limit**

1345 **12C-511 Revocation**

1346 **12C-512 Special Provisions For Conditional Use Permits For A Dog Kennel**

1347 **12C-513 Deleted**

1348 **12C-514 Special Provisions Related To Conditional Use Permits For Mines, Quarries, And Gravel Pits**

1349 **12C-515 ~~Requirements For Accessory Dwelling Units In Single Family Residence~~Reserved**

1350 **12C-516 Requirements For Large Warehouse Type Storage**

1351 **12C-517 Requirements For Short-Term Rentals**

1352

1353 **12C-501 Permit Required**

1354 An approved conditional use permit shall be required for each conditional use listed in this ordinance.

1355 **12C-502 Building Permit**

1356 No building permit or other permit or license shall be issued for a conditional use by any officer or
1357 employee of North Logan City unless a conditional use permit shall have been approved.

1358 **12C-503 Application**

1359 Application for a conditional use permit shall be made at the office of the North Logan City Planning
1360 Commission on forms provided for that purpose.

1361 **12C-504 Development Plan**

1362 The applicant for a conditional use permit shall prepare a site plan of the proposed conditional use,
1363 drawn to scale and showing all existing and proposed buildings, fences, landscaping, automobile parking
1364 and loading areas, and any other information the planning commission may deem necessary.

1365 **12C-505 Fee**

1366 The applicant shall submit an application and review fee in the amount established within the North
1367 Logan City Master Fee Schedule.~~The conditional use permit shall be \$20.00.~~

1368 **12C-506 Reserved Hearing**

1369 ~~A Public Hearing need not be held; however, a Public Hearing may be held when the Planning~~
1370 ~~Commission shall deem a hearing to be necessary to serve the public interest.~~

1371 **12C-507 Planning Commission Action**

1372 A. The Planning Commission may approve, modify and approve, or deny the conditional use
1373 application.

1374 ~~B. In approving any conditional use, the Planning Commission shall impose regulations and~~
1375 ~~conditions as are necessary to protect the public welfare.~~

1376 ~~C.~~B. In approving a conditional use, at minimum the Planning Commission shall make the following
1377 written findings:

1378 1. Reasonable conditions are proposed, or can be imposed, to mitigate (not eliminate) the
1379 reasonably anticipated detrimental effects of the proposed use in accordance with
1380 applicable standards.~~That the proposed use is necessary or desirable and will contribute~~
1381 ~~to the general well-being of the community.~~

1382 2. ~~That~~ the use will not be unreasonably detrimental to the health, safety, or general
1383 welfare of persons residing or working in the vicinity, or injurious to property or
1384 improvements in the vicinity.

1385 3. ~~That~~ the proposed use will comply with the ~~regulations~~standards of this ordinance.

1386 4. ~~That~~ the proposed use is in harmony with the intent of the ~~master~~general plan.

1387 **12C-508 Appeals Transferability**

1388 A conditional use is transferable with the title of the underlying property so that an applicant may
1389 convey or assign an approved use without losing the approval. Subsequent owners of the underlying
1390 property may continue the conditional use under the originally approved permit and associated
1391 conditions. Any change to the use or operations that would be outside the parameters of the original
1392 permit would require a permit amendment. An amendment in this situation could only be considered if
1393 such amendments are permissible or conditionally permissible under the applicable land use regulations
1394 at the time of application.

1395 The recipient of a conditional use permit may not transfer the use from the property for which the
1396 approval was granted. If the applicant changes the use on the property, the existing conditional use shall
1397 be deemed a voluntary termination thereof.

1398 **12C-509 Inspection**

1399 The Building Inspector shall inspect the conditional use during the course of construction to insure that it
1400 complies with the conditions of the use permit.

1401 **12C-510 Time Limit Expiration & Extension**

- 1402 A. Expiration. A conditional use permit is valid for 12 months from the Planning Commission
1403 approval. If a building permit is required, it shall be obtained within 12 months of Planning
1404 Commission approval. If no building permit is required, the use or occupancy of the project for
1405 which the permit has been issued shall be initiated and business licenses obtained within one
1406 year from the date of the Planning Commission approval.
- 1407 B. Extension. Subject to subsection (1) below, a 6-month extension may be granted by the
1408 Community Development Director upon prior written request by the applicant submitted no
1409 later than 30 days prior to the expiration date.
- 1410 1. In order to approve an extension of time, the Community Development Director shall
1411 find, based on substantial evidence, that:
- 1412 a. The conditional use permit has not been utilized due to reasons beyond the
1413 control of the applicant; or
- 1414 b. Substantial progress has been made toward obtaining a building permit, as
1415 evidenced by the city's acceptance of a submitted building permit application, or
1416 business license application, or both, as the case may be;
- 1417 c. Conditions originally approved with the conditional use permit are still viable
1418 based on the current applicable requirements of the NLMC; and
- 1419 d. No ordinance changes have occurred that may affect the activity or project
1420 authorized by the permit.

1421 ~~A conditional use permit shall be null and void one (1) year after approval unless substantial work shall~~
1422 ~~have been accomplished toward its completion.~~

1423 **12C-511 Revocation**

1424 A conditional use permit may be revoked upon failure to comply with the conditions imposed with the
1425 original approval of the permit.

1426 **12C-512 Special Provisions For Conditional Use Permits For A Dog Kennel**

- 1427 A. Establishing a Conditional Use Permit for a Dog Kennel - The applicant will complete the
1428 conditional use form and pay the conditional use permit fee as per any other conditional use
1429 permit. Once the conditional use has been granted, the applicant must obtain a dog kennel
1430 license and annually renew that license in order to keep more than two dogs. The maximum
1431 number of dogs allowed by a Kennel Permit is 4. The dog kennel license is in addition to the dog
1432 licenses required for each individual dog. Conditions established by the conditional use permit
1433 reflect the conditions required to maintain the dog kennel license.
- 1434 B. Special Considerations - In considering each application for a conditional use permit relating to a
1435 dog kennel, the Planning Commission shall consider, among other things; the zone in which the
1436 conditional use is proposed; the size of lot involved; the proximity to neighbors and the
1437 proposed size of any structure used to house the dogs; its placement on the property; the
1438 proposed number of dogs, whether less than two (2) months old or two (2) months or older; the
1439 breed/size of dogs to be kept; and whether breeding and the selling of puppies will be part of
1440 the kennel permit. Together with anything else stated in an approved permit, each permit shall
1441 clearly state the maximum number of dogs to be allowed, both for those less than two (2)
1442 months and for those two (2) months and older.

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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. Dog Kennel Permit holder must allow scheduled and unscheduled inspection by the City Animal Control Officer. Refusal to allow inspection constitutes "good cause" for revocation. 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 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.

12C-513 Deleted

Deleted by Ord. 10-09

12C-514 Special Provisions Related To Conditional Use Permits For Mines, Quarries, And Gravel Pits

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.

~~**12C-515 Requirements For Accessory Dwelling Units In Single Family Residence**~~

~~**12C-515.1 Purpose Of This Chapter**~~

~~**12C-515.2 Conditions For Detached Accessory Dwelling Units**~~

~~**12C-515.3 Procedures For Establishing A Detached Accessory Dwelling Unit**~~

~~**12C-515.4 Procedures For Revoking A Detached Accessory Dwelling Unit License Or Conditional Use Permit**~~

~~**12C-515.5 Owners Not Occupying Residence For Prolonged Periods**~~

~~Detached Accessory dwelling units are allowed as a conditional use in residential zones according to the matrix found in 12C-1001. All Detached Accessory Dwelling Units shall conform to the regulations specified herein and are only allowed when in total compliance with these regulations. Additionally, all~~

1483 dwellings with Detached Accessory Dwelling Units shall also conform to other development regulations
1484 for residences in accordance with this ordinance.

1485 12C-515.1 Purpose Of This Chapter

1486 The purpose of permitting an accessory dwelling unit is to:

- 1487 A. Provide homeowners with a means of obtaining, through tenants in an accessory dwelling unit,
1488 rental income, companionship, security and/or services, and thereby to enable them to stay
1489 more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- 1490 B. Add inexpensive rental units to the housing stock to meet the needs of smaller households, both
1491 old and/or young;
- 1492 C. Make housing units available to moderate and/or lower income households who might
1493 otherwise have difficulty finding housing within the city;
- 1494 D. Develop housing units in single family neighborhoods that serve the needs of the residents
1495 through a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood
1496 demand for services.

1497 12C-515.2 Conditions For Detached Accessory Dwelling Units

1498 A. Detached accessory dwelling units are only allowed by conditional use permit. The Planning
1499 Commission shall ensure the following conditions are met before granting a conditional use
1500 permit for a detached accessory dwelling unit:

- 1501 1. There shall be provided at least two paved asphalt or concrete off-street parking spaces
1502 for the detached accessory dwelling unit in addition to two spaces required for the
1503 homeowners (four in all). Parking needed to meet this requirement shall not exceed
1504 twenty five percent (25%) of the area between the front of the residence and the front
1505 property line. Any additional vehicular access to public roads must conform to North
1506 Logan Design Standards Technical Manual Standards.
- 1507 2. Because building codes generally do not require modifications to a structure to make it
1508 conform to current building codes unless the structure is being remodeled or the
1509 classification of the occupancy of the structure is changing and since establishing a
1510 detached accessory dwelling unit is not being considered by North Logan City to be a
1511 change in occupancy classification (i.e. the house is still a single family dwelling unit), the
1512 requirements for establishing a detached accessory dwelling unit, with regard to current
1513 building codes are clarified in this paragraph.

1514
1515 Any new construction, remodeling or renovation done to accommodate the detached
1516 accessory dwelling unit shall conform to the building code requirements current at the
1517 time of application. In addition, the following shall also conform to the building code
1518 requirements current at the time of application and shall apply to the approved
1519 detached accessory dwelling unit.

- 1520 a. Emergency rescue and escape openings from all bedrooms and basement areas
1521 shall be as required by the building code for new construction;

- 1522 b. ~~Smoke and carbon monoxide detectors as required by the building code for new~~
1523 ~~construction;~~
- 1524 c. ~~Arc fault circuit interrupters as required by the National Electric Code for new~~
1525 ~~construction;~~
- 1526 d. ~~Ground fault circuit interrupter protection for personnel as required by the~~
1527 ~~National Electric Code for new construction;~~
- 1528 e. ~~The only exit from the accessory dwelling unit may not pass through a garage;~~
- 1529 f. ~~Combustion air for fuel burning appliances as required by the mechanical and/or~~
1530 ~~fuel gas codes for new construction; and~~
- 1531 g. ~~Equipment grounding for both permanently wired and cord and plug connected~~
1532 ~~equipment shall be as required by the National Electric Code for new~~
1533 ~~construction. As an alternative for receptacle outlets, GFCI protection of~~
1534 ~~receptacle outlets without equipment grounding conductors may be provided in~~
1535 ~~accordance with the National Electric Code.~~

1536

1537 ~~The residence (single family dwelling), including the detached accessory~~
1538 ~~dwelling unit shall be considered a single family residence rather than a~~
1539 ~~“duplex” as defined by the applicable building codes. These requirements are~~
1540 ~~added in order to establish minimal life safety requirements that are appropriate~~
1541 ~~for adding a detached accessory dwelling unit. The applicant shall have the~~
1542 ~~premises inspected by the North Logan City Building Department and include a~~
1543 ~~copy of the results of that inspection with the application for a conditional use~~
1544 ~~permit. If deficiencies are noted by the Building Department’s inspector, a~~
1545 ~~conditional use permit may be approved by the Planning Commission prior to~~
1546 ~~the work being done to correct the deficiencies, but occupancy of the detached~~
1547 ~~accessory dwelling unit shall not take place until all deficiencies are corrected~~
1548 ~~and re-inspected by a North Logan City building inspector.~~

1549 ~~3. The Detached Accessory Dwelling Unit shall only be allowed in a detached dwelling~~
1550 ~~located on the same owner-occupied lot as the single family dwelling. Only one~~
1551 ~~detached accessory dwelling unit shall be allowed per single family residence. Both the~~
1552 ~~single family dwelling and any detached accessory dwelling unit shall be owned by the~~
1553 ~~same person(s) or entity and they must share a single water meter, and sewer lateral. A~~
1554 ~~single family dwelling and accessory dwelling unit shall receive one monthly bill from the~~
1555 ~~City for municipal services that shall be sent to the owner of the Lot on which the~~
1556 ~~primary Single Family Residence and Accessory Dwelling Unit are located. The proposed~~
1557 ~~detached accessory dwelling unit shall not exceed 50% of the building footprint~~
1558 ~~(including garage) of the single family dwelling, up to a maximum Gross Area of 1,000~~
1559 ~~square feet. If the Accessory Dwelling Unit is built entirely over a garage for the primary~~
1560 ~~structure, the entire structure shall not exceed a maximum Gross Area of 1,500 square~~
1561 ~~feet.~~

1562 4.— Other appropriate conditions peculiar to the dwelling may be required by the Planning
1563 Commission if appropriate to guard the health and welfare of the occupants or the
1564 residents in the neighborhood.

1565 B.— Detached accessory dwelling units shall be approved as such by the North Logan City Planning
1566 Commission.

1567 C.— A detached accessory dwelling unit conditional use permit shall not run with the land but shall
1568 be valid only for the home owners to whom it was originally granted. Subsequent owners must
1569 reapply for a conditional use permit to be allowed a detached accessory dwelling unit on the
1570 premises. The conditional use permit shall terminate and shall be void on the sale of the
1571 residence.

1572 D.— Any detached accessory dwelling unit shall be a permanent structure. Trailers, mobile homes,
1573 and other portable structures shall not be permitted as a detached accessory dwelling unit. The
1574 city's building official shall make the determination of whether or not a structure is permanent.

1575 E.— The improvements or construction of any detached accessory dwelling unit shall be designed so
1576 that the appearance of the buildings fits with the surrounding neighborhood.

1577 **12C-515.3 Procedures For Establishing A Detached Accessory Dwelling Unit**

1578 A.— Application for a conditional use permit for a detached accessory dwelling unit shall be made to
1579 the Planning Commission in accordance with the conditional use permit procedures given in this
1580 title. The application shall include the following:

1581 1.— A notarized letter accompanying the application from the owner(s) stating that the
1582 owner will occupy the primary single family residence or Detached Accessory Dwelling
1583 Unit on the premises except for bona fide absences;

1584 2.— A floor plan and site plan (to scale) showing any proposed changes to the buildings
1585 and/or how the accessory dwelling unit is to be established;

1586 3.— A fee as set forth by the then prevailing fee schedule for a conditional use permit
1587 application.

1588 B.— Within thirty (30) days of the receipt of an application, the Planning Commission shall hold a
1589 public hearing to receive public input regarding the application. The legal notice of such public
1590 hearing shall be published according to State guidelines, and shall be posted on the City's official
1591 website. The applicant is also required to provide a list of property owners within a 300-foot
1592 radius of the exterior boundary of the proposed accessory dwelling property and a 600-foot
1593 distance on both sides of the street on which the residence is located. The City will use this list to
1594 send out a copy of the public notice for the accessory dwelling hearing to all property owners
1595 within ten (10) days of the public hearing.

1596 C.— After a conditional use permit has been granted to the owners of the residence for a detached
1597 accessory dwelling unit the applicant shall pay any fees established for the accessory dwelling
1598 unit and any extraordinary costs to the city not otherwise intended to be covered by the fee for
1599 the conditional use permit or the inspection fee. Once the fees have been paid the city shall

1600 issue an appropriate detached accessory dwelling unit written approval letter to the
1601 owners/applicants.

1602 12C-515.4 Procedures For Revoking A Detached Accessory Dwelling Unit License Or Conditional Use
1603 Permit

1604 A detached accessory dwelling unit approval and the associated conditional use permit shall be
1605 revocable for the non-compliance with any of the provisions of this ordinance or any other ordinance of
1606 the city. The city shall notify the owner in writing of its intent to revoke the conditional use permit, and
1607 the reasons therefore, at least fourteen (14) days prior to the action being taken. The owner shall have
1608 the opportunity to correct any problems that caused the notice of intent to revoke to be issued during
1609 said fourteen-day period and show proof of such correction to have the license remain in force. The
1610 owner shall have the right to appeal, in writing, any decision regarding the permit to the City Council.
1611 The City Council shall consider any appeal on a permit revocation within thirty (30) days of receipt of the
1612 appeal. In the event of an appeal the permit shall remain in effect until after the appeal is considered by
1613 the City Council.

1614 12C-515.5 Owners Not Occupying Residence For Prolonged Periods

1615 A. The city recognizes that people in the community often vacate their residences for longer
1616 periods of time than merely vacations. For examples, university professors take sabbatical leaves
1617 of absence and/or are gone for extended periods of time; or people serve church missions
1618 and/or are gone from their residences for twelve to twenty-four months at a time. In these
1619 cases, the homeowners normally return to their homes. It is important that there be some
1620 means for properly authorizing the continuance of a Detached Accessory Dwelling Unit
1621 Conditional Use Permit for extended periods of time when the owners are not occupying the
1622 residence, for the above-stated or similar reasons. A detached accessory dwelling unit may be
1623 continued through the time that the owner is temporarily not living in the residence if the
1624 following conditions are met:

1625 1. The owner(s) shall apply for a continuance of their accessory dwelling unit permit during
1626 their absence by notifying the City Treasurer of their intent in writing. They shall include
1627 in that request their anticipated length of absence and estimated return date, a
1628 forwarding address, phone number and email address where they may be contacted by
1629 the city if there are any problems (that address shall be updated as needed through the
1630 duration of the absence), and the names, phone numbers and email addresses of those
1631 who will act in their stead as the "surrogate" owners of the property in their absence.

1632 2. The owners shall provide any information relative to any changes in the use of the
1633 residence, i.e. any changes that are different from the conditional use permit that
1634 established the accessory dwelling unit.

1635 B. If the owners of the residence elect to leave their home in the care of the residents that occupy
1636 the home as the second family living in the detached accessory dwelling unit; and if they choose
1637 not to lease the main part of the residence that the owners are temporarily vacating; then just
1638 one family will be living in the residence and there is no longer any need to have the residence
1639 licensed as a detached accessory dwelling unit. The license can then lapse while the owners are

1640 ~~not living in the residence and the license may be re-established upon their return using the~~
1641 ~~existing conditional use permit and by renewing the detached accessory dwelling unit license.~~

1642 ~~C. If the owners of the residence sell the residence, return from the location that caused their~~
1643 ~~temporary absence and do not occupy the residence upon their return, or otherwise show an~~
1644 ~~intent to not return to the residence within forty (40) months, the status of the residence with a~~
1645 ~~detached accessory dwelling unit and the related permit shall be terminated by the Planning~~
1646 ~~Commission.~~

1647 ...

1648 **SECTION VI:** Add Section 12C-517 – Requirements For Short-Term Rentals (blue underlined text added,
1649 red stricken text deleted):

1650 **12C-517 Requirements For Short-Term Rentals**

1651 A. All short-term rentals shall meet the following requirements in addition to any conditions of
1652 approval imposed by the Planning Commission.

1653 1. Application. Applications for a short-term rental shall contain the location of the short-
1654 term rental, the number of rooms available for rent, and the maximum number of
1655 people the short-term rental will accommodate.

1656 2. Parking. A minimum of one (1) off-street parking space shall be provided for each short-
1657 term rental in addition to any required spaces for the existing residential use. If the
1658 maximum number of people that the short-term rental will accommodate is over three
1659 (3) persons, one (1) additional off-street parking space shall be provided for every
1660 additional two (2) persons. All parking intended to accommodate a short-term rental
1661 shall be paved with surfacing material of asphalt or concrete composition. All parking
1662 associated with the short-term rental shall be kept on-site and off-street at all times.
1663

1664 3. Noise. The owner of any short-term rental is responsible for regulating the noise created
1665 by the occupants. Repeated violation of the North Logan City Noise Control Ordinance is
1666 grounds for license revocation.

1667 4. Occupancy. The maximum occupancy for a short-term rental property shall be no more
1668 than two people per bedroom, plus four people. A property's maximum occupancy may
1669 be reduced due to a property's parking constraints. Repeated violation of the maximum
1670 occupancy is grounds for license revocation.

1671 5. Each short-term rental shall be inspected as follows:

1672 a. Building department inspection. Each short-term rental shall be inspected as a
1673 condition of initial permit issuance. Any discrepancies found during inspection
1674 shall be remedied to the fire department's satisfaction prior to permit issuance.

1675 b. Fire department inspection. Each short-term rental shall be inspected as a
1676 condition of initial permit issuance and every other year thereafter prior to
1677 business license renewal. Any discrepancies found during inspection shall be

1678 remedied to the fire department's satisfaction prior to permit issuance or
1679 business license renewal.

1680 6. Each applicant for a license under this Section is solely responsible for determining the
1681 applicability of any private covenants, conditions, and restrictions that may be applicable
1682 to short-term rentals, and granting of a license under this Section is not an indication of
1683 the absence of private covenants, conditions, and restrictions that may restrict or
1684 prohibit short-term rentals on the applicant's property.

1685 7. Short-term rental owners shall pay all taxes and fees relating to the short-term rental,
1686 including without limitation the business license fees, property tax, sales tax, and the
1687 Utah Transient Room Tax.

1688 a. Proof of payment of all required taxes and fees shall be submitted by the
1689 applicant and verified by the Business License Official upon request and upon
1690 yearly renewal of the license.

1691 b. Copy of the appropriate sales tax license issued by the State of Utah shall be
1692 submitted and verified with the initial application for any short-term rental.

1693 B. Revocation of a conditional use permit for a short-term rental. A conditional use permit granted
1694 for the purpose of establishing a short-term rental may be revoked for any reason constituting
1695 "good cause." "Good cause" shall include but not be limited to the following within the
1696 discretion of the Planning Commission:

1697 1. Circumstances which are detrimental to or have a negative impact on the health, safety
1698 and welfare concerns of the citizens and residents of North Logan.

1699 2. Repeated complaints of noise or odor.

1700 3. Failure to comply with the conditions imposed at the time the original approval of the
1701 permit was given.

1702 4. The creation and existence of a public or private nuisance.

1703 5. Failure of the permit holder or his/her agent or employees to comply with the
1704 conditions and requirements of applicable local, county, state and/or federal laws, rules,
1705 and regulations.

1706 6. Unlawful activities conducted or permitted on the premises for which the conditional
1707 use permit was issued.

1708 **SECTION VII:** Amend Section 12C-1001 – Permitted And Conditional Uses in Zone (blue underlined text added, red stricken text deleted):

1709 **12C-1001 Permitted And Conditional Uses In Zone**

1710 The following listed land uses are permitted (P) or allowed by conditional use (C) in the various zones in accordance with the following matrix.
 1711 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
 1712 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
 1713 where certain conditions exist, a specific home-based business would be allowed only by conditional use permit in accordance with Chapter 8-
 1714 500 Home-Based Businesses. C/P* Indicates that the building type for an accessory Dwelling Unit is permitted but the use is a conditional use.
 1715 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
 1716 regulations apply. Land uses that are not specifically listed as either Permitted or Conditionally permitted in the table are to be considered Not
 1717 Permitted. Any discrepancy between the uses listed in this table and the uses listed in the “Uses” table of Section 12C-1206 (Airport Limitation
 1718 Overlay Zones), shall be governed by the more restrictive allowance provided between the two tables.

Land Use Description - Zone	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Residential Dwelling Units	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Single-Family Residence		P	P	P	P				P	P	M	P						P	
Two Family Residence					P		P		P	P(I)	M	P							
Three or Four Family Residence or Multiple-Unit House (3-4)							P		P	P	M	P							
Boarding or Rooming House											M	P							
Multiple Family Apartment or Multi-Unit Building (More than Four)						C	P	P			M	C							
Detached Accessory Dwelling Unit		C/P*	C/P*	C/P*	C/P*				C/P*	C/P*	C/P*							C/P*	

Attached Internal Accessory Dwelling Unit		P	P	P	P				P	P	P							P	
Residential Facility for Elderly		P	P	P	P	P	P	P	P	M	P							P	
Residential Facility for Persons with a Disability (Note (f) below applies)		P	P	P	P	P	P	P	P	M	P							P	
Cabins (Seasonal, Single-Family Res.)																			
Seniors Housing										M(I)									
Land Uses Related to Dwellings	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Accessory Storage for Multiple Family Residence							P	C(h)			C	P							
Residential Accessory Building		P	P	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	P/C	P/C	P/C						P/C	
Vertically Combined Commercial and Residential Building (VCCRB)						P(i)	P(i)	P(i)											
Institutional/Commercial Dwellings	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Dormitory, Fraternity or Sorority												C							
Mobile Home or Trailer Park												C							

Assisted Living Facility (16 Bed Maximum)							P					C	P	C	P	P				C(b)
Assisted Living Facility (exceeding 16 Beds)							C					C	P	C	P	P				C(b)
Skilled Nursing Care Facility							C					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																				

1719 ...

Commercial Services, Retail, & Related Uses	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Automobile Services								C			M				P	P			
Automobile Sales and Services								C			M				P	P			
Auto Recycling																C			
General Sales and Services (Building less than or equal to 50,000 square feet)						P	P	P			P			P	P	P			

General Sales and Services (Building in excess of 50,000 square feet)							C	C							P	P	P			
Heavy Sales & Services																C	P			
Rental Service Stores																P	P			
Commercial Parking Facility							C	C			M				C	C	P			
Mortuary or Crematorium							P	P			M		P	P	P	P			P	
Professional Office/Services						P	P	P			M		P	P	P	P	P	P	C	C(b)
Wedding Chapels, Reception Centers						P	P	P			M					P				
Hotel or Motel						P	P	P			M					P	P	C		
Short Term Rental	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>								<u>CP</u>	
Food Service						P	P	P			M					P	P	C		
Restaurant With Liquor License						P	P	P			M					P				
Restaurant with On-Premise Beer Retailer License						P	P	P			M					P				
Facility with On-Premise Banquet						P	P	P												

Restaurant with Limited Restaurant License for Alcohol Beverages						P	P	P			M				P				
Fireworks Stands								P							P	P			
Adults-Only Product or Service Business																P			
Adult Oriented Businesses or Adult Business																C(c)			

1720 ...

1721 SECTION VIII: Amend Section 12C-1004 – Modifying Regulations (blue underlined text added, red
1722 stricken text deleted):

1723 **12C-1004 Modifying Regulations**

1724 A. Agriculture Zone (A)

- 1725 1. Side yards - ~~main buildings other than dwelling shall have minimum side yard of 20 feet~~
1726 ~~and the total of the two side yards shall be 40 feet.~~ Private garages and other accessory
1727 buildings located at least 10 feet behind the main building may have a side yard of six
1728 feet, except the street side yard of a corner lot shall be a minimum of 20 feet ~~for~~
1729 ~~accessory buildings.~~
- 1730 2. Rear yards. private garages and other, ~~detached accessory dwellings and~~ accessory
1731 buildings located at least 10 feet behind the main (primary) building may have a rear
1732 yard of six feet provided that on corner lots rearing on the side yard of another lot, the
1733 minimum rear yard for all accessory buildings shall be 10 feet.
- 1734 3. Distance between buildings - no building, structure, or enclosure housing animals or
1735 fowl shall be constructed closer to a dwelling on the same or adjacent lot than 100 feet.

1736 B. Residential Estate Zone (RE)

- 1737 1. Side Yards - ~~main buildings other than dwellings shall have a minimum side of 20 feet~~
1738 ~~and the total of the two side yards shall be 40 feet.~~ Private garages and other accessory
1739 buildings located at least 10 feet behind the main building may have a side yard of six
1740 feet, except the street side yard of a corner lot shall be a minimum of 20 feet ~~for~~
1741 ~~accessory buildings.~~
- 1742 2. Rear Yards - private garages, ~~detached accessory dwelling and~~ and other accessory
1743 buildings located at least 10 feet behind the main (primary) building may have a rear
1744 yard of six feet provided that on corner lots rearing on the side yard of another lot, the
1745 minimum rear yard for all accessory buildings shall be 10 feet.
- 1746 3. Distance between Buildings - no building structure, or enclosure housing animals or fowl
1747 shall be constructed closer to a dwelling on the same or adjacent lot than 100 feet.

1748 C. Single - Family Residence Zone (R-1)

- 1749 1. Side Yards - ~~main buildings other than dwellings shall have a minimum side of 20 feet~~
1750 ~~and the total of the two side yards shall be 40 feet.~~ Private garages and other accessory
1751 buildings located at least 10 feet behind the main building may have a side yard of six
1752 feet, except the street side yard of a- corner lot shall be a minimum of 20 feet ~~for~~
1753 ~~accessory buildings.~~
- 1754 2. Rear Yards - ~~p~~Private garages, ~~detached accessory dwelling~~ and other accessory
1755 buildings located at least 10 feet behind the main (primary) building may have a rear
1756 yard of six feet provided that on corner lots rearing on the side yard of another lot, the
1757 minimum rear yard for all accessory buildings shall be 10 feet.

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D. One and Two-Family Residence Zone (R-2)

- 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 and other accessory buildings located at least 10 feet behind the main (primary) 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 accessory buildings.~~
- 2. Rear Yards - ~~p~~Private garages, ~~detached accessory dwelling~~ and other accessory buildings located at least 10 feet behind the main (primary) 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 accessory buildings shall be 10 feet.

E. 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 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 (non-primary) and accessory buildings.~~
- 2. Rear Yards - ~~p~~Private garages and other accessory buildings located at least 10 feet behind the main (primary) building may have a rear yard of six feet provided that on corner lot, the minimum rear yard for all accessory buildings shall be 10 feet.

F. Professional Zone (PR)

- 1. Side Yards - Accessory buildings shall be located at least ten feet behind the main (primary) 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~~20 feet ~~for accessory buildings.~~

G. Hospital Zone (HOSP)

- 1. 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.

H. 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 (primary) 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 - ~~p~~Private garages, ~~detached accessory dwelling~~ and other accessory buildings located at least 10 feet behind the main (primary) 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 accessory buildings shall be 10 feet.

1796 ...

1797 **SECTION IX:** Amend Section 12C-1060 North Logan City – City Center Code – (blue underlined text
1798 added, red stricken text deleted):

1799 **12C-1060 North Logan City - City Center Code**

1800 12C-1060.00 Introduction

1801 12C-1060.01 Applicability

1802 12C-1061 The City Center

1803 12C-1062 Regulating Plan

1804 12C-1063 Zones

1805 12C-1064 Complete Streets

1806 12C-1065 Open Space Requirements

1807 12C-1066 Building Form ~~Requirments~~Requirements

1808 12C-1067 Landscaping

1809 12C-1068 Lighting

1810 12C-1069 Retention And Maintenance Guarantees And Covenants

1811 ...

1812 **12C-1063 Zones**

1813 12C-1063.01 Requirements Common To All Zones

1814 12C-1063.02 Thoroughfares/Complete Streets

1815 12C-1063.03 Parking

1816 12C-1063.04 Open Spaces

1817 12C-1063.05 Development Plan And Agreement

1818 12C-1063.06 Building Codes

1819 12C-1063.07 Storm Water Drainage

1820 12C-1063.08 Residential Density Table

1821 12C-1063.09 Buildings And Lot Plat Requirements

1822 12C-1063.10 Downtown (DT) - Specific Requirements

1823 12C-1063.11 City Center Adjacent (CCA) - Specific Requirements

1824 12C-1063.12 Mixed Residential 7 And 8 (MR7 And MR8) And Single--Family Residential 6 (SF6) - Specific
1825 Requirements

1826 12C-1063.13 City Center Commercial (CCC) - Specific Requirements

1827 12C-1063.14 Hospital Zone (HOSP) City-Center - Specific Requirements

1828 ...

1829 **12C-1063.05 Development Plan And Agreement**

1830 A. The Developer/Project Applicant shall be required to comply with the current City Code
1831 provisions for the Development Plan and Agreement, including North Logan City Code
1832 Subsection 12C-1004, Zoning, Modifying Regulations; Chapter 12C-1050, Mixed Use Ordinance;
1833 Chapter 12C-1100, Zoning-Site Development Standards; Title 12D, Land-Use-Subdivisions, and all
1834 other applicable building code, permitting and other provisions of the current City Code, and as

1835 it may be amended, to the extent not repealed or superseded by the provisions of the City
1836 Center Code.

1837 B. In addition to complying with existing City Code and City Center Code requirements, the
1838 Developer/Project Applicant will be required to attend a Public Hearing held by the City Council
1839 when the project is proposed for concept approval. After the Planning Commission has reviewed
1840 the project and provided recommendations, the City Council will hold a public hearing to review
1841 the proposed concept plan of the project. Fourteen (14) days prior to the hearing the
1842 developer/proponent must deliver a digital copy to the City for posting on the City's Official
1843 website and the Developer/Project Applicant shall post and maintain a minimum size 24"x36"
1844 weather resistant print/board of the concept plan on the project property for public notice and
1845 inspection. The print/board must show the proposed conceptual plan of the entire project
1846 proposed. The posted board shall be posted adjacent to the nearest street or road to the project
1847 in a conspicuous place on the project property that is reasonably calculated to give notice to
1848 passers-by. Notice of the Public Hearing shall also be given as required by ~~City Code 12A-504,~~
1849 ~~and as updated by Utah Code 10-9a-205, 12-9a-204.~~

1850 C. The development plan must also show adjacent landowners and existing or anticipated uses on
1851 adjacent properties and detail any opportunities to cooperate on common-use Parking,
1852 landscaping, storm water retention, access, etc.

1853 D. The project shall provide the City with the required documents for HOA and maintenance plan
1854 according to Section 12C-1069.

1855 ...

1856 **SECTION X:** Add Chapter 12E Standards And Requirements For Single-Family Dwellings – (blue
1857 underlined text added, red stricken text deleted):

1858 **12E ~~Reserved~~ Standards And Requirements For Single-Family Dwellings**

1859 **12E-100 Standards And Requirements**

1860

1861 **12E-100 Standards And Requirements**

1862 **The following standards and requirements shall be met for the use of a single-family dwelling:**

1863 **A. A single-family dwelling shall:**

1864 **1. Be attached to a site-built permanent foundation which meets all applicable codes; and**

1865 **2. Have an exterior finish made of wood, engineered wood, masonry, concrete, fiber**
1866 **cement, stucco, Masonite, metal, vinyl, or other similar material; and**

1867 **3. Eaves that project a distance of not less than one foot as measured from the vertical side**
1868 **of the building. Eaves are not required on exterior bay windows, nooks, morning rooms,**
1869 **or other similar architectural cantilevers; and**

1870 4. A width, not including garage area, of at least 20 feet or more. The width of the dwelling
1871 is determined by identifying the lesser of two dimensions when comparing a front
1872 elevation to a side elevation; and

1873 5. Be permanently connected to all required utilities.

1874 B. A single-family dwelling, together with its accessory buildings, shall have only one kitchen except
1875 when the owner has signed and recorded a notarized covenant to run with the land, as
1876 prescribed by North Logan City, which provides that it is prohibited to use the additional kitchen
1877 for an additional dwelling unit to be rented to an unrelated family. The covenant shall be
1878 recorded prior to the issuance of a building permit and land use permit. The owner may be
1879 released from this covenant at a later time by the City upon recordation of a release of covenant,
1880 provided the second kitchen is then used in a manner otherwise allowed by this Land Use Code.

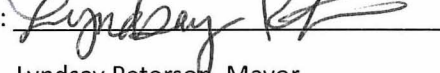
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1883 ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 18th day of
1884 October 2023.

1885 NORTH LOGAN CITY, A Utah Municipal Corporation

1886

1887 By:  _____
1888 Lyndsay Peterson, Mayor

1889 ATTEST:

1890  _____
1891 Scott Bennett, City Recorder

ORDINANCE 23-15

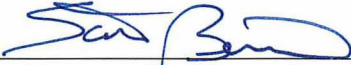
**AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL
AMENDING SECTIONS OF THE NORTH LOGAN MUNICIPAL CODE INTENDED TO ADJUST THE
PERMISSIBILITY AND STANDARDS ASSOCIATED WITH ACCESSORY DWELLING UNITS
(BOTH INTERNAL AND DETACHED), SHORT-TERM RENTALS, CONDITIONAL USE PERMITS,
AND PUBLIC NOTICING REQUIREMENTS.**

CERTIFICATE OF DUE POSTING

I, SCOTT BENNETT, City Recorder of North Logan, Utah, hereby certify that I, on the 18th day of October, 2023, in the City of North Logan, Cache County, State of Utah, posted the foregoing Ordinance No. 23-15 in a likely manner, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 575 East 2500 North

WITNESS my hand this 19th day of October, 2023.



Scott Bennett, City Recorder