

12A General Provisions

12A-101 Short Title; Authority

- A. This ordinance shall be known as the "Land Use Ordinance" of North Logan City, Utah, and may be referred to herein as the "Zoning Ordinance" or "Subdivision Ordinance" and may be so cited and pleaded.
- B. The City Council of North Logan City, Utah, adopts this ordinance pursuant to and with the Municipal Land Use Development and Management Act, §10-20, of Utah State Code (as amended) and such other authorities and provisions of Utah statutory and common law.

12A-102 Purpose

This ordinance is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of North Logan City, Utah, including amongst other things the lessening of congestion in the streets or road, securing safety from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the City's commercial and industrial growth, and the protection of both residential and nonresidential development.

12A-103 Effect Of Adopted Master And General Plans

- A. All master or general plans adopted by the City or for an area within the incorporated boundaries of the City shall serve as an advisory guide for land use decisions.
- B. Amendments to the text of this ordinance shall be consistent with the purposes, goals, objectives, and policies of the applicable adopted master or general plans of the City.

12A-104 Enactment Of Ordinances, Resolutions, And Development Agreements

To accomplish the purposes of this ordinance, the City may enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that the City considers necessary or appropriate for the use and development of land within the City, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing: uses; density; open spaces; structures; buildings; energy efficiency; light and air; transportation and public or alternative transportation; infrastructure; street and building orientation; width requirements; public facilities; fundamental fairness in land use regulation; and considerations of surrounding land uses to balance the foregoing purposes with a landowner's private property interests and associated statutory and constitutional protections.

12A-105 Interpretation

In interpreting and applying the provisions of this ordinance, the requirements contained herein are declared to be the minimum requirements for the purposes set forth.

12A-106 Conflict

- A. The provisions of this ordinance shall be in addition to all other adopted City ordinances, the laws of the State of Utah, and the laws of the United States. This ordinance shall not nullify the more restrictive provisions of covenants, agreements, other ordinances or laws, but shall prevail notwithstanding such provisions which are less restrictive.

- B. Whenever a conflict exists, the more restrictive provision(s) shall apply to the extent allowed by law.

12A-107 Effect Upon Previous Ordinances And Map

The existing zoning, subdivision, flood plain management, planning and zoning, and other land use ordinances of the City, including maps, are hereby consolidated into this ordinance and are hereby superseded and amended to read as set forth herein; provided, however, that this ordinance shall be deemed a continuation of the previous ordinances, and not a new enactment, insofar as the substance of revisions of the previous ordinance is included, whether in the same or in different language; and this ordinance shall be so interpreted upon all questions of construction, including but not limited to questions of construction relating to tenure of officers and boards established by previous ordinances and to questions of conforming or non-conforming uses, buildings, or structures, and to questions as to dates upon which such uses, buildings, or structures became conforming or non-conforming.

12A-108 Guidelines And Checklists

- A. The City is hereby authorized and empowered to promulgate certain guidelines and/or checklists relative to this ordinance.
- B. These materials shall be provided to any interested person upon request and upon payment of a fee if specified by the City's fee schedule.
- C. These materials shall be for instructional purposes only and represent an attempt to aid those seeking to comply with the requirements of this Title. In the event any conflict arises between such guidelines and this Title or other regulations, resolutions, or policies of the City, said ordinances, resolutions, or policies shall be deemed controlling and all questions shall be resolved in their favor.
- D. Failure of an applicant(s) to follow guidelines or checklists may be cause for delay of approval.

12A-109 Issuance Of Licenses And Permits

- A. All departments, officials, and employees of the City who are vested with the duty or authority to issue permits or licenses shall ensure conformance to the provisions of this ordinance. They shall issue no such permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this ordinance.
- B. Any such permit or license, if issued in conflict with the provisions of this ordinance shall be null and void.

12A-200 Definitions

- A. For the purpose of this ordinance, certain words and terms are defined as follows: (Note: Words used in the present tense include the future; words in the singular number include the plural and the plural the singular; words not included herein but defined in Utah State Code (as amended) shall be construed as defined herein. Listed references to Utah State Code (as amended) within definitions are for reference only. Definitions are not necessarily always the same between this ordinance and Utah State Code (as amended). Shall is mandatory and not directory, may is permissive.) Any definitions not listed herein which are defined elsewhere in the City's Code or in the City's Design Standards Technical Manual may be construed to apply herein.
1. **Accessory Building, Residential.** See Residential Accessory Building.
 2. **Accessory Buildings, Agriculture.** An un-occupied building used for storage or to house farm vehicles/equipment or animals. May include but not limited to: barn, shed, tack room, corral, pen, shop, green house, or other use normally associated with agriculture.
 3. **Accessory Dwelling Unit.** Also referred to as an "ADU", means a habitable living unit added to, created within, or detached from a primary single-family dwelling and contained on one (1) lot or parcel.
 4. **Accessory Dwelling Unit, Detached.** Any Residential Accessory Building that meets the definition of a Single-Family Residence ("Residence, Single-Family" as defined herein). Being subordinate and detached from the primary single-family dwelling to which it is accessory.
 5. **Accessory Dwelling Unit, Attached Or Internal.** An ADU created within a primary dwelling; within the footprint of the primary dwelling at the time the attached accessory dwelling unit or internal accessory dwelling unit is created.
 6. **Accessory Storage For Multiple Family Residences.** Storage units associated with multiple family housing which are used only by the occupants of the housing units.
 7. **Acreage, Net Developable.** The phrase "net developable acreage" means the total acreage within a project boundary, subtracting Non-Buildable Acreage, as defined by this Section or as otherwise provided in this ordinance. When calculating net developable acreage, the area encumbered or proposed to be encumbered by a street right-of-way or other required right-of-way providing access to a lot is considered Non-Buildable Acreage.
 8. **Acreage, Non-Buildable.** The phrase "non-buildable acreage," means the area within a project that has extraordinary circumstances that under existing city, state, or federal laws render development on it very unlikely. The applicant bears the burden to prove an area does not meet this definition. This term shall be considered synonymous with "non-buildable areas."
 9. **Administrative Land Use Authority.** An individual, board, or commission, appointed or employed by the City, including City Staff or the City's Planning Commission. Administrative Land Use Authority does not include the City Council or an individual member of the City Council.

10. **Adversely Affected Party.** A person other than a land use applicant who owns real property adjoining the property that is the subject of a land use application or land use decision; or will suffer a damage different in kind than, or an injury distinct from, that of the general community as a result of the land use decision.
11. **Adult Oriented Business, Adult Business, Or Sexually Oriented Business.** A business at which any nude or partially denuded individual, regardless of whether the nude or partially denuded individual is an employee of the business or an independent contractor, performs any service for compensation. Includes an escort service or an adult service as those terms are defined in §10-8-41.5 of Utah State Code (as amended). See Title 8, Chapter 600 (Adult Oriented Businesses) for more specific definitions and regulations relating to adult oriented businesses.
12. **Adults-Only Product Or Service Business.** A business dealing primarily in products or services that are restricted by law for purchase only by adults or by a minor with parent/adult permission. Includes but is not limited to tattoo/body piercing parlors and retail tobacco specialty businesses. As used in this definition, the word ‘primarily’ is defined to mean an ‘Adult-Only Product or Service Business’ whose monthly gross sales of adults-only product or service equal thirty five percent (35%) or more of the total gross sales of all products or services at such business, or whose display(s) of adults-only product(s) or service(s) or locations where adults-only service(s) are provided, occupy thirty five percent (35%) or more of the total square footage of the floor space at the location of such business. Not intended to mean such businesses that are otherwise specifically herein licensed and regulated because of their prohibitions against minors such as: Adult Oriented Businesses or businesses regulated under Title 8, Chapter 600 (Adult Oriented Businesses); businesses regulated because of the sale of alcoholic beverages; or businesses selling fireworks. See those separate regulations as they apply.
13. **Advertising Copy Area.** The advertising copy area is the area within a “sign, supergraphic” containing any logos, words, and product representations or brand identification shown on the product. If there is a logo, name, or brand identification shown on the product, the entire product’s area shall be counted as a part of the advertising copy area.
14. **Affected Entity.** A county, municipality, special district, special service district, school district, interlocal cooperation entity, specified public utility, property owner, property owner’s association, or the Utah Department of Transportation (UDOT) if:
 - a. The entity’s services or facilities are likely to require expansion or significant modification because of an intended use of land;
 - b. The entity has filed with the City a copy of the entity’s general or long-range plan; or
 - c. The entity has filed with the City a request for notice during the same calendar year and before the City provides notice to an affected entity in compliance with a requirement imposed under §10-20 of Utah State Code (as amended).
15. **Agricultural Production.** The growing, producing and/or selling of agricultural products produced on-site. May include, but is not limited to the selling of: garden or orchard produce; trees, shrubs, plants/flowers, and sod; or field crops. Does not mean the import

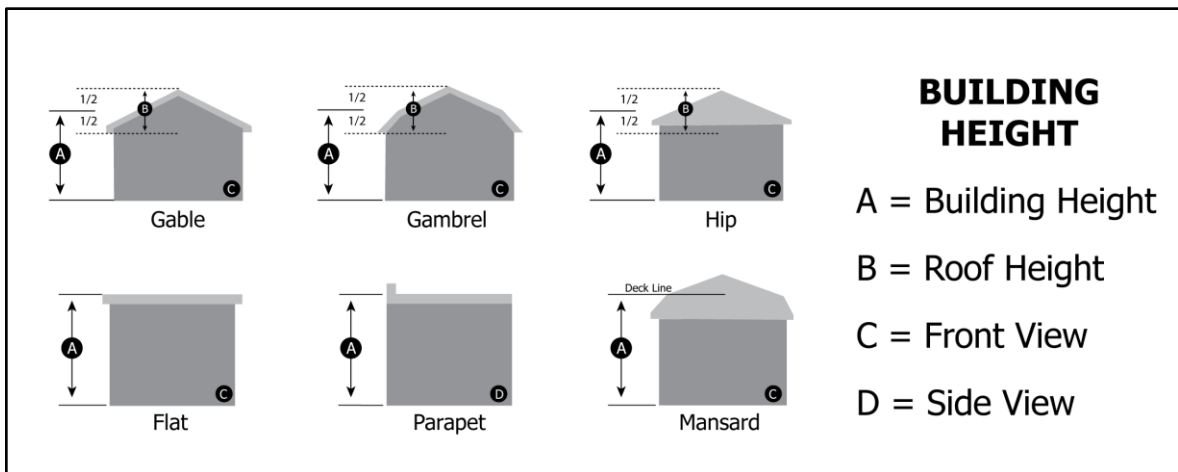
of agricultural products for re-sell nor any agricultural industry or business such as produce or meat packing plants, fur farms, animal hospitals or similar uses.

16. **Agriculture Protection Area.** A geographic area created under the authority of §17-41 of Utah State Code (as amended) that is granted specific legal protections.
17. **Airport.** Any land which is used, or intended for use for the landing and taking off of aircraft together with adjacent areas for other buildings or right-of-way associated with the airport.
18. **Alley.** A public thorough fare twenty six feet (26') or less width which affords a secondary means of access to abutting property.
19. **Animal Clinic.** See Veterinarian / Animal Clinic / Pet Hospital.
20. **Animal Rights.** The keeping, maintaining, or boarding of typical farm animals for family food production, commercial agriculture, or recreational use. May include but is not limited to keeping the following: household pets (see definition) horses, cattle, llamas, donkeys, mules, sheep, goats, chickens, turkeys, ducks, geese, rabbits, pheasants, pigeons, or peacocks.
21. **Apartment Court.** Any building or group of buildings which contain dwelling units.
22. **Apartment Hotel/Motel.** Any building which contains dwelling units and also satisfies the definition of a hotel/motel, as defined in this ordinance. Must meet zoning requirements as a Hotel.
23. **Apartment, Multiple Family.** A building which contains living facilities or units, including provisions for sleeping, eating, cooking and sanitation for more than two (2) families (three (3) or more units). A single family (or similar group of individuals as outlined in the definition of "Family") may occupy each separate living unit in a multi-family apartment.
24. **Appeal Authority.** The person, board, commission, agency, or other body designated by ordinance to decide an appeal of a decision of a land use application or a variance.
25. **Assisted Living Facility. (§26B-2-201)**
 - a. **Type I:** A residential facility that provides assistance with activities of daily living and social care to two (2) or more residents who require protected living arrangements and are capable of achieving mobility sufficient to exit the facility without the assistance of another person.
 - b. **Type II:** A residential facility with a home-like setting that provides an array of coordinated supportive personal and health care services available twenty four (24) hours per day to residents who have been assessed under department rule to need any of these services.
 - c. See related definitions: Nursing Home, Residential Facility for Elderly, and Residential Health Care Facility (Small).
26. **Auto Recycling.** Acquiring vehicles for the benefit of their usable parts. This does not entail destroying, scrapping, or crushing vehicles in any way as this would be related to the operation of a junk or salvage yard, which use is not permitted in the City. All vehicles that

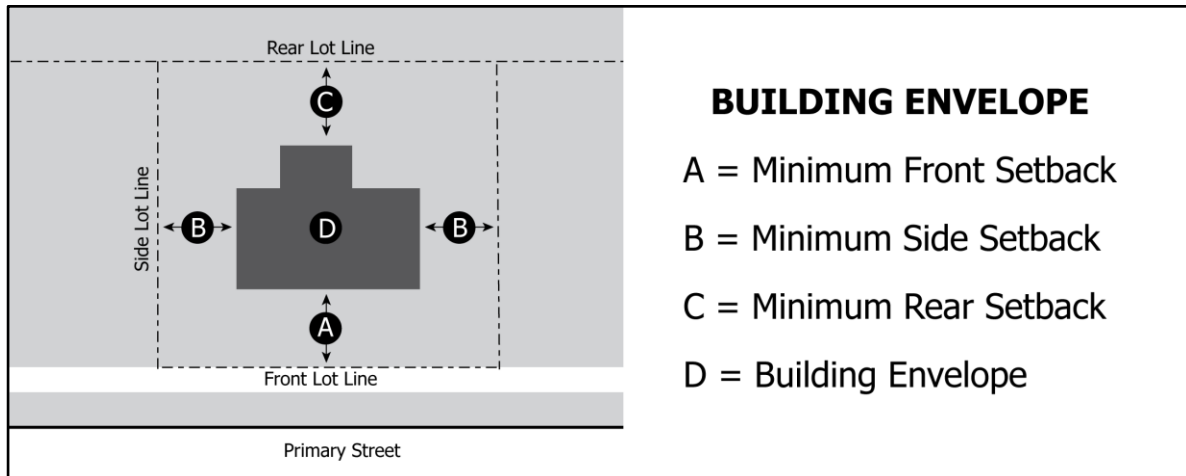
are part of a licensed auto recycling business must be located inside an enclosed building (See Title 10, Section 10-403 Junked, Wrecked, Abandoned, and Inoperable Motor Vehicles).

27. **Automobile Sales And Service, New.** Facility providing for sales of new automobiles and/or light trucks, and/or used vehicles which comprise less than thirty percent (30%) of the overall onsite inventory. Normally also includes the capability to provide service of automobiles/small trucks, and/or parts sales for the same. The related definition of Automobile Service does not include the sale of the vehicles.
28. **Automobile Sales And Service, Used.** Facility providing for sales of used automobiles and/or light trucks, and/or new vehicles which comprise less than thirty percent (30%) of the overall onsite inventory. Normally also includes the capability to provide service of automobiles/small trucks, and/or parts sales for the same. The related definition of Automobile Service does not include the sales of vehicles.
29. **Automobile Service.** Facility which includes retail sale of gasoline/diesel; convenience store with gasoline sales; vehicle washing facility; automobile repair/maintenance shops; automotive body shop including painting.
30. **Bar, Saloon, Tavern.** A facility selling beer for consumption on the premises as the major part of the business and licensed as such (Class “C” License (Tavern License)). Includes restaurants which serve beer but exceed the established limits on percent of sales from beer, which limits are set forth in the Alcoholic Beverage Control Act. Not intended to mean a “Restaurant With Liquor License” or “Restaurant With On-Premise Beer License”. See related Chapter 8-400 (Businesses Engaged In The Sale Of Alcoholic Beverages) which regulates businesses engaged in the sale of alcoholic beverages.
31. **Base Density.** The term "base density" means the number of residential development rights allowed within a described area. The base density shall be calculated as the Net Developable Acreage, divided by the minimum lot area of the zone. This calculation can be observed by this formula: $((\text{net developable acreage}) / (\text{minimum lot area})) = \text{base density}$. The result shall be rounded to the nearest whole number. Results ending in exactly 0.5 may be rounded up.
32. **Base Zone.** Refers to the particular zone and/or zoning district as defined by this Title.
33. **Basement.** A story partly underground. A basement shall be counted as a story for purposes of height measurement if its height is one-half (1/2) or more above grade.
34. **Bed And Breakfast Lodging.** A private residence, several rooms of which are set aside for overnight guests whose paid accommodations include food service, normally breakfast. The owner must live in the residence.
35. **Bench Mark.** A mark affixed to a permanent or semi-permanent object which designates a line of survey to furnish a datum level.
36. **Boarding House.** Any building which contains living facilities, including provisions for sleeping and sanitation with the following characteristics:
 - a. On-site manager;

- b. Designed to accommodate two or more unrelated individuals/tenants, in addition to the on-site manager;
 - c. Term of stay by tenants generally longer than a month (as opposed to a hotel/motel);
 - d. Eating and cooking area may be in common or in individual rooms; and
 - e. Usually accommodates individuals rather than families.
37. **Building.** Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, or chattels.
38. **Building, Accessory.** A detached subordinate building clearly incidental to and located upon the same lot or parcel occupied by the main or principal building. See also Residential Accessories or Accessory Buildings for Agriculture.
39. **Building, Height Of.** The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between ridge and eaves of a gable, hip or gambrel roof.

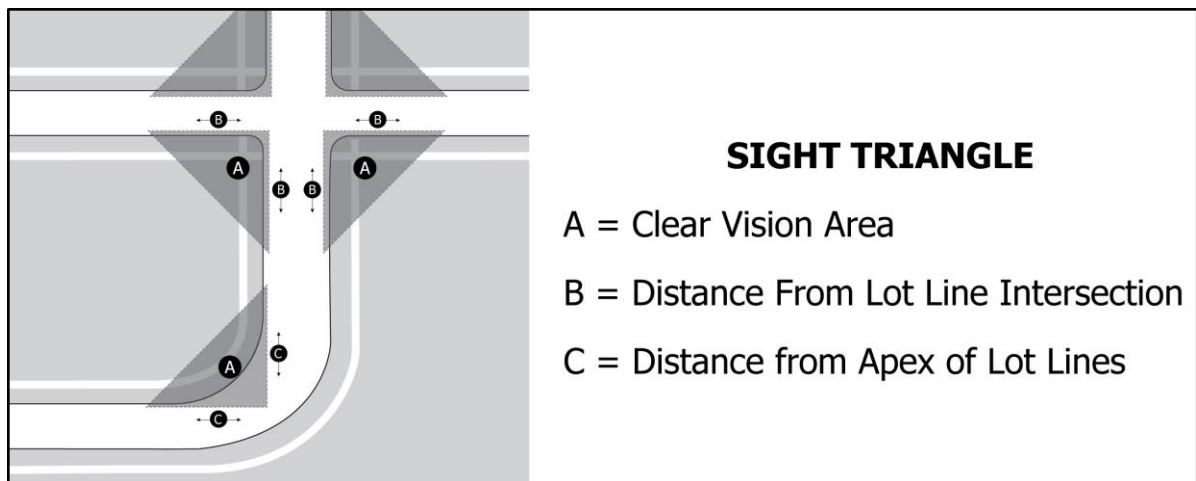


40. **Building, Main.** The principal building or one (1) of the principal buildings upon a lot or parcel, or the building or one of the principal buildings housing the principal use upon a lot or parcel.
41. **Building, Public.** A building owned and operated or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.
42. **Building Envelope.** The space remaining on a site for structures after all building setbacks, height limit, and bulk requirements have been met.



43. **Building Permit.** An official document or certificate issued by a governmental authority having jurisdiction, authorizing the construction of any building. Building permit includes a tie-down permit for a structure or building that does not require a building permit, such as a mobile home, in order to be occupied.
44. **Cabin.** A single family residence occupied on only a seasonal or occasional basis, not year-round use. (Less than two hundred (200) days per year).
45. **Canals.** Waterways used for the transporting of water throughout the community to allow for secondary water use, crop irrigation, and storm drain runoff where possible.
46. **Cannabis Production Establishment.** A cannabis cultivation facility, a cannabis processing facility, or an independent cannabis testing laboratory as those terms are defined in §4-41A-102 of Utah State Code (as amended).
47. **Carport.** A private garage not completely enclosed by walls or doors. For the purposes of this ordinance, a carport shall be subject to all of the regulations prescribed for a private garage.
48. **Cemetery, Mausoleum.** Grounds for burials, graveyard. May also include associated facilities.
49. **Child Care Services Or Child Pre-School.** The continuous care and supervision of five (5) or more qualifying children, as defined in the Utah Child Care Licensing Act, in lieu of care ordinarily provided by a parent in the parent's home for less than twenty four (24) hours a day and for direct or indirect compensation. Care for five to eight (5-8) qualifying children requires obtaining a state Residential Child Care Certificate. Care for nine (9) or more qualifying children requires state licensing as a child care provider, and requires the obtaining of a group child day care permit which may be approved, restricted, or denied based upon site inspection(s), Fire Codes, and residential impact.
50. **Church Or Other Religious Facility.** A facility used for religious worship or other meetings by members of a religious organization. May also include an on-site, single family residence for clergy.
51. **City.** Shall mean North Logan City, Utah, and those acting on its behalf.

52. **City Engineer.** The individual duly appointed and acting as the City’s Engineer.
53. **City’s General Plan.** A comprehensive plan, or parts thereof, providing for the future growth and improvement of the City and for the general location and coordination of streets and highways, schools, recreational areas, trails, public building sites and other physical development, as well as planning elements which protect sensitive lands, which shall have been duly adopted by the City Council.
54. **City Planning Commission.** The North Logan City Planning Commission, sometimes referred to herein as the Planning Commission or Commission.
55. **City Staff.** For the purposes of this Title, the duly appointed and acting City Administrator, City Engineer, and City Planner or their authorized designees.
56. **Clear Vision Area, Clear View Area, Or Sight Triangle.** An area formed by the curb lines or edges of the roadway and a straight line from the driver’s eye on one street to an object on the other street.



57. **Club, Private.** See Private Club or related definitions - Private Lodge, Fraternal Beneficial Societies.
58. **Collector Street.** A street which carries traffic from minor streets to a major street system, including the principal entrance streets of residence development and the primary circulating streets within such a development.
59. **Community Location.** A public or private kindergarten, elementary, middle, junior high, or high school; a licensed child-care facility or preschool; a trade or technical school; a church; a public library; a public playground; a public park; a youth center or other space used primarily for youth oriented activities; a public recreational facility; a public arcade; or a homeless shelter. The “Town Square” planned for the Mixed Used - City Center (MX - CC) zone shall not be considered a community location as referred to in the State Alcoholic Beverage Control Act which places limitations on the sale of alcoholic beverages within a certain distance of it. It is intended that the “Town Square” could be adjacent to, or within the proximity distance restriction for businesses that could be licensed to sell alcoholic beverages.

60. **Complete Application.** The submission of a land use application which includes all of the required information requested by the City on/in the appropriate forms, including full payment of all applicable fees as outlined in the City's fee schedule.
61. **Concept Plan.** A sketch or rough drawing that may be submitted to the City for informal review prior to the submission of a preliminary subdivision plat. The purpose of the concept plan is to enable an applicant to discuss with relevant representatives of the City the form of the subdivision plans or plat and the objectives of applicable regulations and requirements for subdivisions within the City.
62. **Conditional Approval.** An affirmative action by the City's relevant Land Use Authority, indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.
63. **Conditional Use.** A land use that, because of unique characteristics or potential impact of the land on the City, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts. A land use for which a conditional use permit is required pursuant to Section 12B-712 (Conditional (C-CC, C-PC, C-ZA) Uses Including Expansion And Modification) and Chapter 12C-600 (Regulations Pertaining To Specific Conditional Uses) of this ordinance.
64. **Construction Trade Shops.** Facilities used by those trades involved in the construction industry. Facilities may include but not limited to shops, storage, or sales areas for plumbers, window and glass contractors, electricians, carpenters (rough, finish, or cabinets), floor covering providers, painters, or drywall or siding contractors, or masons. Does not include heavy equipment, earth moving, asphalt paving or concrete contractors.
65. **Constitutional Taking.** A governmental action that results in a taking of private property so that compensation to the owner of the property is required by the Fifth or Fourteenth Amendment of the Constitution of the United States or Utah Constitution Article 1, Section 22.
66. **Consumer Lender.** A person that advertises to make or procure, solicit or hold itself out to make or procure, or makes or procures consumer lender loans to consumers. For the purpose of this definition, consumer lender loans may include:
- a. Consumer loans (i.e., the direct closed end loan of money, whether unsecured or secured by personal or real property that is subject to a finance charge in which only the principal amount of the loan is considered);
 - b. Consumer revolving loans (i.e., an open end revolving loan that is established pursuant to an agreement with an agreed on credit limit that the consumer may pay in full at any time, but has the privilege of paying in installments and that contemplates or provides that advances may be obtained from time to time by the consumer, through checks, drafts, items, credit access devices, orders for the payment of money, evidences of debt or similar means, whether or not negotiable); and

- c. Home equity revolving loans (i.e., an open end revolving loan that is made pursuant to an agreement with an agreed on credit limit that is secured by the consumer's principal residence and that provides that advances may be obtained from time to time by the consumer through checks, drafts, items, credit access devices, orders for the payment of money, evidences of debt or similar means, whether or not negotiable.
67. **Correctional Facility.** (Utah Code §64-13-1) Any facility operated or licensed by a government entity to house offenders, either in a secure or non-secure setting. A facility associated with a municipal police station which is used to temporarily house an offender is not considered a correctional facility.
68. **Council.** "Council" and "City Council" are used interchangeably and mean the governing body of the City.
69. **Court.** An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings, and which is bounded on two (2) or more sides by such building or buildings. The width of a court is its least horizontal dimension, measured between opposite sides in the same general direction as the yard or lot line on which the court opens. The length of a court is its least horizontal dimension measured at right angles to its width.
70. **Critical Infrastructure Materials.** Sand, gravel, or rock aggregate.
71. **Critical Infrastructure Materials Operations.** Extraction, excavation, processing or reprocessing of critical infrastructure materials.
72. **Critical Infrastructure Materials Operations, Vested.** Critical infrastructure materials operations operating in accordance with a legal nonconforming use or a permit issued by the City that existed or was conducted or otherwise engaged in before the City prohibits, restricts, or otherwise limits the critical infrastructure materials operations and January 1, 2019.
73. **Critical Infrastructure Materials Protection Area.** A geographic area created under §17-41 of Utah State Code (as amended) on or after May 14, 2019, that is granted specific legal protections.
74. **Cul-de-sac.** A minor street having one open end and being terminated at the other by a vehicular turnaround.
75. **Culinary Water Authority.** The department, agency, or public entity with responsibility to review and approve the feasibility of the culinary water system and sources for the subject property. For the purposes of this Chapter shall be the City.
76. **Dairy.** A commercial establishment for manufacture or processing of dairy products.
77. **Day Care/Nursery.** See Child Day Care Services or Child Pre-school/Nursery School.
78. **Deferred Deposit Lender.** A person that engages in the business of deferred deposit lending (i.e., extending a deferred deposit loan) as defined in §7-23-102 of Utah State Code (as amended).

79. **Design Standards Technical Manual (DSTM).** Public improvement standards and regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of certain public improvements in the City formulated by the City's Public Works Director, the appropriate health authority, and other City departments.
80. **Development Activity.** Any construction or expansion of a building, structure, or use that creates additional demand and need for public facilities; any change in use of a building or structure that creates additional demand and need for public facilities; or any change in the use of land that creates additional demand and need for public facilities.
81. **Development Agreement.** A written agreement or amendment to a written agreement between the City and one (1) or more parties that regulates or controls the use or development of a specific area of land. Development agreement does not include an improvement completion assurance.
82. **Development Review Committee (DRC).** An individual, board, or commission appointed or employed by the City, including City Staff. The DRC does not include the City Council, Planning Commission, or an individual member of the City Council or Planning Commission. The DRC is created and established to review land use applications and ensure that the proposed use, activity, building or structure is consistent with the City's General Plan and complies with the requirements of the City's land use regulations.
83. **Development Master Plan (DMP).** A preliminary master plan for the development of a large, unusual or complicated land area, the platting of which is expected in progressive stages. A DMP may be designed by the subdivider, planner and engineer and shall be subject to approval of the City's relevant Land Use Authority.
84. **Developer.** Any person, firm, partnership, corporation, or association who causes improvements to be constructed and uses to be changed, or land to be subdivided for themselves or others. This includes a land use applicant for subdivision approval.
85. **Disability.** A physical or mental impairment that substantially limits one (1) or more of a person's major life activities, including a person having a record of such an impairment or being regarded as having such an impairment. Disability does not include current illegal use of, or addiction to, any federally controlled substance, as defined in Section 102 of the Controlled Substances Act, 21 U.S.C. 802.
86. **District.** A portion of the area of North Logan, Utah shown on a map attached to this zoning ordinance and given a district name.
87. **Dog Kennel.** See Kennel/Cattery or Fixed Dog Run.
88. **Dormitory, Fraternity Or Sorority.** Any boarding or rooming house sponsored by and associated with a school, university or a legitimate fraternity or sorority.
89. **Drainage Systems.** Natural channels and gullies created by historic storm water runoff, or manmade channels and gullies created for future storm water runoff.

90. **Dude Ranch.** A recreational facility where patrons participate in equestrian related activities. May include facilities for the temporary boarding of patrons. Also see related definitions - Riding Stables, Equestrian Park.
91. **Dwelling.** Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family. For the purposes of this ordinance, a dwelling unit is synonymous with a residence.
92. **Dwelling, Single-Family.** Any building which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one (1) family. ("Family" as defined herein)
93. **Easement.** The quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public. A grant by the owner of the use of a parcel of land by the public, a corporation, or other entity, or persons for specified uses and purposes so designated on a plat.
94. **Educational Facility.** A school district's building at which pupils assemble to receive instruction in a program for any combination of grades from preschool through grade 12, including kindergarten and a program for children with disabilities; a structure or facility located on the same property as a building described above and used in support of the use of that building; and a building to provide office and related space to a school district's administrative personnel. Educational facility does not include land or a structure, including land or a structure for inventory storage, equipment storage, food processing or preparing, vehicle storage or maintenance, or similar use that is not located on the same property as a building described above and used in support of the purposes of a building described above. Educational facility does not include a therapeutic school.
95. **Engineering/Engineered Plans.** "Engineering/Engineered Plans" means plans, profiles, cross-sections and other required details for the construction of public improvements, prepared by a registered engineer in accordance with the approved preliminary subdivision plat and in compliance with existing standards of design and construction.
96. **Equestrian Park.** See Riding Stables, Equestrian Park.
97. **Family Food Production.** The raising, keeping or maintaining of animals for use as food by the family residing on the premises. See related definitions: Animal Rights, Household Pets.
98. **Family.** A single person or a group of persons related by blood, marriage or adoption. (See associated definition herein of "Related".) The following groups of individuals are also designated as being permitted to occupy a single-family residence or each unit within a two-family or multiple-family dwelling unit as if it was a family:
- a. A family as defined above plus one (1) additional unrelated individual living with the family;
 - b. A family as defined above plus up to four (4) children living with the family in a licensed foster care or host home;

- c. A family as defined above plus or one (1) additional child (three (3) if siblings) living in a proctor care home; or
 - d. A group of no more than four persons regardless of their familial relationship.
- 99. **Farmlands.** “Farmlands” are those lands that could be used for agricultural purposes. There are three (3) designations of “farmlands” within the City. They are: Prime Farmlands, Statewide Important Farmlands (Irrigated), and Statewide Important Farmlands (non-irrigated).
- 100. **Fee Schedule.** The schedule or any appendix of fees adopted periodically by resolution of the City Council setting forth various fees charged by the City.
- 101. **Final Approval.** "Final approval" means the unconditional approval of the subdivision by the Land Use Authority, as evidenced by certification on the Final Subdivision Plat by the City.
- 102. **Final Subdivision Plat.** "Final Subdivision Plat" means a map of all or part of a subdivision providing substantial conformance to an approved preliminary subdivision plat, prepared by a registered professional engineer or a registered land surveyor in accordance with the City's subdivision ordinance.
- 103. **Fire Authority.** The department, agency, or public entity with responsibility to review and approve the feasibility of fire protection and suppression services for the subject property. For the purposes of this Title, means the Logan City Fire Department.
- 104. **Fireworks Stands.** A temporary structure used exclusively for the sale of fireworks. Must be done in accordance with applicable City ordinances.
- 105. **Fixed Dog Run.** A fenced in and/or covered structure with or without an impervious floor surface used to house or contain a dog(s) in a relatively limited area. Not meant to include merely keeping a dog attached to a line or keeping a dog in a fenced in yard. See Section 12C-209 (Fixed Dog Runs/Dog Kennel) for regulations on setbacks for fixed dog runs.
- 106. **Flag Lot.** An irregularly shaped lot in which the buildable section of the lot(s) is (are) connected by a narrow strip of real property that provides the access to a public street and in which the width of the arm does not meet the minimum lot width standards in the zone in which it is located; and meets the requirements in Chapter 12D-206 (Approval Procedures Flag Lots In Subdivisions).
- 107. **Flood Plain.** Land that is within the one hundred (100) year flood plain described by the Federal Emergency Management Agency (FEMA), or has not been studied or designated by FEMA but presents a likelihood of experiencing chronic flooding or a catastrophic flood event because the land has characteristics that are similar to those of a one hundred (100) year flood plain designated by FEMA.
- 108. **Food Cart.** A cart that is not motorized and that a vendor, standing outside the frame of the cart, uses to prepare, sell, or serve food or beverages for immediate human consumption. Food cart does not include an enclosed mobile business, a food truck, or an ice cream truck as those terms are defined in §11-56-102 of Utah State Code (as amended).

109. **Food Truck.** A fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport and from which a food truck vendor, standing within the frame of the vehicle, prepares, cooks, sells, or serves food or beverages for immediate human consumption. Food truck does not include an enclosed mobile business, a food cart, or an ice cream truck as those terms are defined in §11-56-102 of Utah State Code (as amended).
110. **Food Service.** Businesses which prepare food for sale, ready to eat, either take-out or to be eaten on the premises. Includes such businesses as a cafeteria, restaurant, caterer, fast food facility (incl. drive-in), or cafe. Not intended to mean any type of restaurant which serves alcoholic beverages (see related definitions under “Restaurant”).
111. **Foster Care.** Foster care is temporary care given in a home to a child or children who are in state custody under the Division of Child and Family Services (DCFS). A foster care home is under contract with the DCFS and can have no more than four (4) foster children in the home; and the total number of children in the home under age eighteen (18), including the children of the host parents, cannot exceed six (6). That number of children can only be exceeded under special circumstances when directed by court order (for example where the children in a family are ordered not to be split up). The home must be licensed with the Office of Licensing, Department of Human Services and a municipal home occupation license is required from the City. Children being adopted by the parents with whom they are living but who are technically foster children and wards of the state pending the adoption, are considered as being adopted for the purposes of this ordinance. See related definitions – Proctor Care and Host Home.
112. **Fraternal Beneficial Societies.** See Private Club or related definitions - Private Lodge, Fraternal Beneficial Societies.
113. **Fraternity.** See Dormitory, Fraternity or Sorority.
114. **Frontage.** All property fronting on one (1) side of the street between intersecting or intercepting streets, or between a street and a right-of-way, waterway, end of dead-end street, or political subdivision boundary, measured along the street line. An intercepting street shall determine only the boundary of the frontage on the side of the street which it intercepts.
115. **Full Boundary Adjustment.** A boundary adjustment that is not a simple boundary adjustment.
116. **Garage, Private.** An accessory building designed or used for the storage of not more than four (4) automobiles owned and used by the occupants of the building to which it is accessory, provided that on a lot occupied by a multiple dwelling, the private garage may be designed and used for the storage of two (2) times as many automobiles as there are dwelling units in the multiple dwelling. A garage shall be considered part of a dwelling if the garage and dwelling have a roof or wall in common.
117. **Garage, Public.** A building or portion thereof, other than a private garage, designed or used for servicing, repairing, equipping, hiring, selling or storing motor driven vehicles.

118. **Gateways.** Principal entry-ways into the City which have design controls for access management and cooperative landscaping as designated by the City’s General Plan.
119. **General Plan.** A document that the City adopts that sets forth general guidelines for proposed future development of the land within the City.
120. **Geologic Hazard.** Includes hazards such as, but not limited to, a surface fault rupture, shallow groundwater, liquefaction, a landslide, a debris flow, unstable soil, a rock fall, or any other geologic condition that presents a risk to life, of substantial loss of or damage to real property. May also be referred to in this Title as “sensitive lands”. See Title 12F (Geologic Hazard Mitigation) for additional information.
121. **Go-Kart Track.** A commercial recreational facility where patrons ride motorized go-karts on premises.
122. **Golf Course.** Self explanatory. May include a club house and other accessory buildings.
123. **Government (Federal, State, Local) Administrative Office.** Any administrative business office used by either the federal, state or local government.
124. **Grade.**
- a. For buildings adjoining one (1) street only, the elevation of the sidewalk at the center of that wall adjoining the street.
 - b. For buildings adjoining more than one (1) street, the average of the elevations of the sidewalks at the centers of all walls adjoining the streets.
 - c. For buildings having no wall adjoining the street, the average level of the ground (finished surface) adjacent to the exterior walls of the building. All walls approximately parallel to and not more than five feet (5’) from a street line are to be considered as adjoining a street.
125. **Gravel Pit.** See Mines, Quarries, and Gravel Pits.
126. **Gross Area.** The sum of all areas on all floors of a building included within the outside faces of its exterior walls, including any garage space with stairwells counted only once, not including basement space.
127. **Group Home For Homeless Or Transients.** A residence for two (2) families or more on a short term basis for those persons determined to need temporary housing due to inability to pay or to ensure the health and/or safety of the individual(s). Residence would normally be operated by a governmental, religious, non-profit or philanthropic organization.
128. **Health Care Facility.** (As per Utah Code §26-21-2 except for those health care facilities otherwise listed herein.) Includes general acute hospitals, specialty hospitals, home health agencies, hospices, birthing centers, ambulatory surgical facilities, facilities owned or operated by health maintenance organizations, end-stage renal disease facilities and any other health care facility which the State of Utah’s Health Facility Committee designates by rule. Does not include the offices of private physicians or dentists whether for individual or group practice.

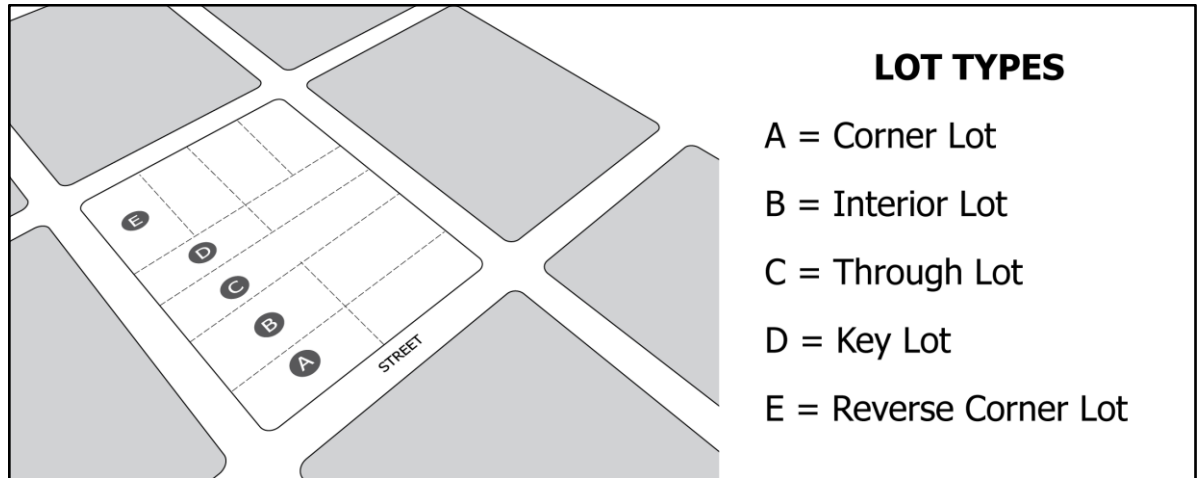
129. **Heavy Construction Shops/Yards.** Facilities used by those in the construction industry and using heavy equipment for earth moving.
130. **Heliport.** Any land which is used, or intended for use for the landing and taking off of helicopters when such land is associated with another facility which requires the use of the heliport such as a hospital.
131. **High Tech, Manufacturing And Research.** Any use consistent with the “Declaration of Covenants, Conditions and Restrictions of the Utah State University Research and Technology Park” as filed with the Cache County Recorder 26 October, 1987.
132. **Home-Based Microschool.** An individual or association of individuals that registers as a business entity in accordance with state and local laws and for compensation, provides kindergarten through grade 12 education services to sixteen (16) or fewer students from an individual’s residential dwelling, accessory dwelling unit, or residential property. Home-based microschool does not include a daycare.
133. **Home Occupation.** Businesses operated in a residence/home in compliance with Chapter 8-500 (Home - Based Businesses). Home occupations are further defined as Non-Disruptive or Potentially-Disruptive to describe their potential for conflicting with the residential character of the neighborhood.
134. **Home Providing Residential Care For Minors.** A group care facility providing “substitute care” (as defined in Utah Code §62A-4a-101) for no more than sixteen (16) minors who are in State custody through the Utah Department of Human Services (DHS includes Division of Family Services and Division of Youth Corrections). The facility must be licensed as such by the Utah Department of Human Services.
135. **Host Home.** A host home is a home that provides temporary care to a child or children in a home-like setting. The children are not in state custody but for some reason their parents place them in the care of the host home. A host home is under contract with a placement agency that is licensed by the Office of Licensing, Department of Human Services. The host home can have no more than four (4) hosted children in the home and the total number of children in the home under age eighteen (18), including the children of the host parents, cannot exceed six (6). The host home must be licensed as a home occupation with the City. See related definitions – Foster Care and Proctor Care.
136. **Hotel Or Motel.** An establishment with the primary purpose of providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, telephone and desk service. Related ancillary uses may include, but not be limited to, conference and meeting rooms, restaurants, lounge, and recreational facilities.
137. **Household Pets.** Animals or fowl ordinarily permitted in the house and kept for company or pleasure. May include but is not limited to dogs (one (1) or two (2)), cats, birds, fish, monkeys, rodents, and non-venomous reptiles. Not intended to include wild animals, or animals which are dangerous or pose a threat to health and safety. Also not intended to mean otherwise permitted animals in such excessive numbers that they pose a threat to

health and safety. See related definitions: Animal Rights, Dog Kennel, and Family Food Production.

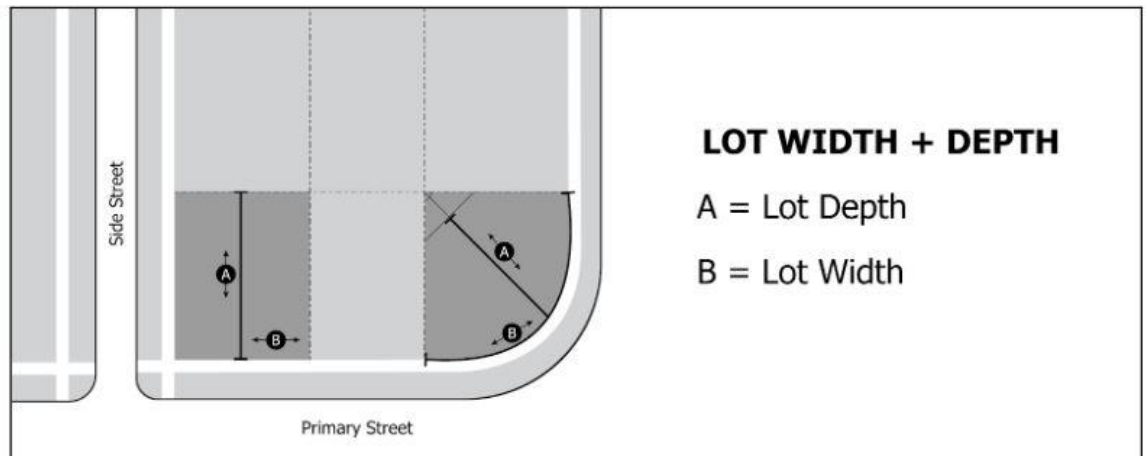
138. **Improved Lot.** A lot which has all the improvements required by the City's subdivision ordinances.
139. **Improvement Completion Assurance.** A surety bond, letter of credit, financial institution bond, cash, assignment of rights, lien, or other equivalent security required by the City to guarantee the proper completion of landscaping or an infrastructure improvement required as a condition precedent to recording a subdivision plat, or development of a commercial, industrial, mixed use, or multi-family project.
140. **Improvement Warranty Period.** A period no later than one (1) year after the City's acceptance of required landscaping; or no later than one (1) year after the City's acceptance of required infrastructure, unless the City determines for good cause that a one (1) year period would be inadequate to protect the public health, safety, and welfare; and has substantial evidence on record of prior poor performance by the applicant or that the area upon which the infrastructure will be constructed contains suspect soil and the City has not otherwise required the applicant to mitigate the suspect soil.
141. **Infrastructure Improvement.** Permanent infrastructure that is essential for the public health and safety or that is required for human occupation; and an applicant must install in accordance with public installation and inspection specifications for public improvements and whether the improvement is public or private, as a condition of recording a subdivision plat, obtaining a building permit, or development of a commercial, industrial, mixed-use, condominium, or multifamily project.
142. **Irrigation Facilities.** Includes canals, laterals, ditches, conduits, gates, pumps, and allied equipment necessary for the supply, delivery and drainage of irrigation water.
143. **Junk.** Old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber, debris, waste or junked, dismantled or wrecked automobiles or part(s) thereof, iron, steel and other old scrap ferrous or nonferrous material.
144. **Junkyard.** Any place, establishment or business maintained, used or operated for storing, keeping, buying or selling junk, or for the maintenance or operation of an automobile salvage yard. The term also includes garbage and sanitary land fills.
145. **Kennel/Cattery.** An establishment of three (3) or more dogs or five (5) or more cats and regulated by zoning and a "conditional use permit".
146. **Land Use Applicant.** A property owner, or the property owner's designee, who submits a land use application regarding the property owner's land. May also be known and referred to in this Title as "applicant(s)".
147. **Land Use Application.** An application that is required by the City and submitted by a land use applicant to obtain a land use decision, and does not mean an application to enact, amend, or repeal a land use regulation. May also be known and referred to in this Title as "application(s)".

148. **Land Use Authority.** A person, board, commission, agency, or body, including the City Council, designated by the City Council to act upon a land use application; or if the City Council has not designated a person, board, commission, agency, or body, the City Council.
149. **Land Use Decision.** An administrative decision of the Land Use Authority or Appeal Authority regarding a land use permit or a land use application. May also be known and referred to in this Chapter as a “decision”.
150. **Land Use Permit.** A permit issued by a Land Use Authority or designee including, but not limited to, a land use permit, conditional use permit, license, zoning approval, or any other final written approval that is authorized by this ordinance.
151. **Land Use Regulation.** A legislative decision enacted by ordinance, law, code, map, resolution, specification, fee, or rule that governs the use or development of land. Includes the adoption or amendment of a zoning map or the text of the zoning code and does not include a land use decision of the City Council acting as the Land Use Authority even if the decision is expressed in a resolution or ordinance; or a temporary revision to an engineering specification that does not materially increase a land use applicant’s cost of development compared to the existing specification or impact a land use applicant’s use of land.
152. **Landscaping.** Any combination of living plants (such as grass, ground cover, shrubs, vines, hedges, or trees) or nonliving landscape material (such as rocks, pebbles, sand, mulch, walls, fences, or decorative paving materials). Landscaping may include the preservation and incorporation of existing trees, vegetation, or ecosystems into site development. Preferred landscaping includes “water wise” principles outlined in §57-8a-231 of Utah State Code (as amended).
153. **Library, Public Or Private.** A facility where books and educational resources are loaned or made available to the public. Intended to also include discovery centers and science or other types of learning centers.
154. **Livestock Feedyard.** A commercial operation on a parcel of land where livestock are kept in corrals or yards for extended periods of time at a density which permits little movement, and where all feed is provided for the purpose of fattening or maintaining the condition of livestock prior to their shipment to a stockyard for sale or otherwise.
155. **Lodge.** See Private Club or related definitions - Private Lodge, Fraternal Beneficial Societies.
156. **Lot.** A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the Office of the County Recorder. A parcel of land occupied or to be occupied by a main building, or group of buildings (main and accessory) together with such yards, open spaces, lot width and lot area as are required by this ordinance and having frontage upon a street.
- a. Except for group dwellings and accessory dwelling units (both attached and detached), not more than one (1) dwelling structure shall occupy any one (1) lot.

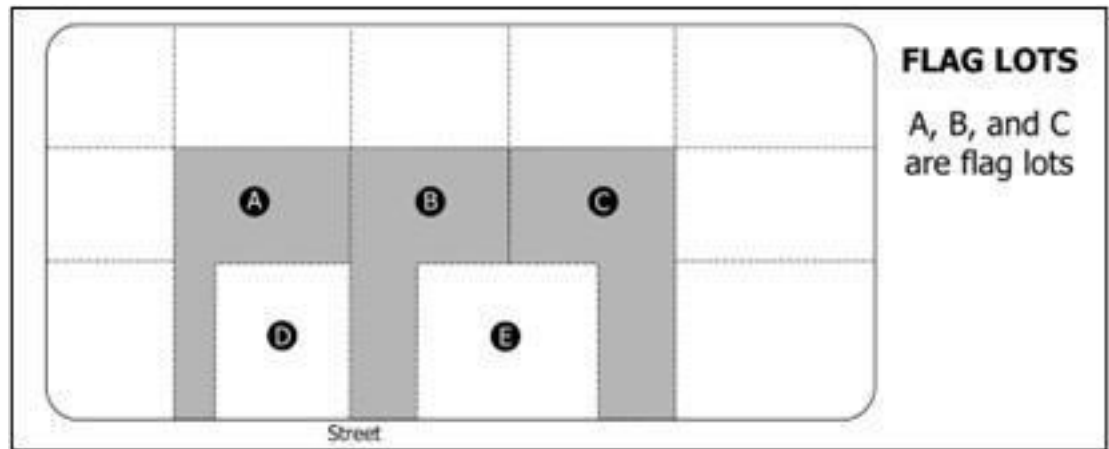
- b. A fee simple parcel of a lot which complies with the requirements of this ordinance for subdivisions or planned unit developments shall be deemed a "lot" for the purposes of this ordinance.
- c. A lot shall also mean a portion of a subdivision intended as a unit for development or transfer of ownership.



157. **Lot, Corner.** A lot abutting on two (2) intersections or intercepting streets, where the interior angle or intersection or interception does not exceed one hundred thirty five (135) degrees.
158. **Lot, Depth.** The horizontal distance between the front and rear lot lines, measured in the main direction of the side lot line.



159. **Lot, Flag.** A lot of irregular configuration in which an access strip (a strip of land of a width less than the required lot width) connects the main body of the lot to the street frontage.

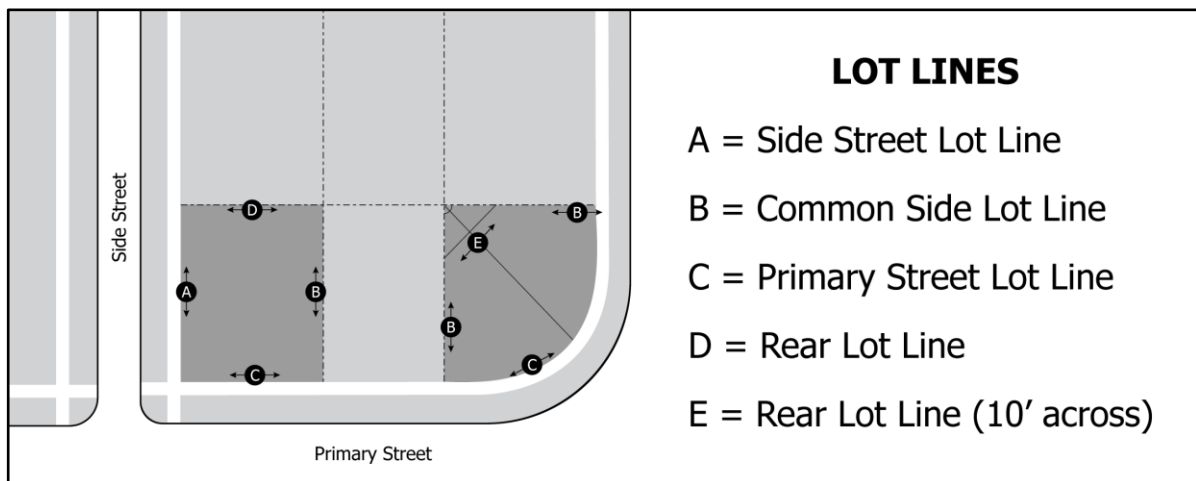


160. **Lot, Interior.** A lot other than a corner lot.

161. **Lot, Width.** "Lot Width" means the width of a lot which shall be:

- a. The shortest distance between the side lot lines, if the side property lines are parallel;
- b. The width of the lot shall be the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the zone in which the lot is located. The axis of the lot shall be a line joining the midpoints of the front and rear property lines, if the side property lines are not parallel.
- c. See figure for "Lot, Depth."

162. **Lot Line.** The property lines bounding a lot or parcel.



163. **Lot Line, Front.** For an interior lot, the lot line adjoining the street; for a corner lot or through lot, the lot line adjoining either street, as elected by the lot owner.

164. **Lot Line, Rear.** That line of a lot that is opposite and most distant from the front line of the lot. In the case of a triangular or gore-shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line.

165. **Lot Line, Side.** Any lot boundary line not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line.
166. **Manufactured Home.** A transportable factory built housing unit constructed on or after June 15, 1976, according to the National Manufactured Housing Construction and Safety Standards Act, 42 U.S.C. Sec. 5401, et. seq. (HUD Code), in one (1) or more sections that:
- a. In the traveling mode, is eight body feet (8') or more in width or forty body feet (40') or more in length, or when erected on site, is four hundred (400) or more square feet; and
 - b. Is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.
167. **Manufacturing, High Impact.** Manufacturing process which may emit higher amounts of detectable dust, odor, smoke, gas or fumes beyond the property lines of the lot upon which the use is located and which may generate higher levels of noise or vibrations above the ambient level. May include but not limited to: tire recapping / retreading shop, ready-mix concrete or asphalt plants, the production of petroleum products.
168. **Manufacturing, Light Impact.** Manufacturing process which do not emit detectable dust, odor, smoke, gas or fumes beyond the property lines of the lot upon which the use is located and which do not generate noises or vibrations above the ambient level of noise. As an example it may include but is not limited to manufacturing normally associated with health care such as that done in medical/dental laboratories or optical product production. May also include sales of the products on-site.
169. **Manufacturing, Moderate Impact.** Manufacturing process which may emit limited amounts of detectable dust, odor, smoke, gas or fumes beyond the property lines of the lot upon which the use is located and which may generate moderate levels of noise or vibrations above the ambient level. May include but not limited to: automotive parts rebuilding (including sales of the same); furniture repair, refinishing, re-upholstering and furniture construction; clothing/textile manufacturing; and manufacturing and/or assembling of electronic products. May also include sales of the products on-site.
170. **Micro-Education Entity.** A person or association of persons that registers as a business entity in accordance with state and local laws and for compensation, provides kindergarten through grade 12 education services to one hundred (100) students or fewer. Micro-education entity does not include a daycare, a home-based microschool, a private school, or a school within the public education system.
171. **Mines, Quarries, And Gravel Pits.** May include use of equipment and operations incidental to these uses such as crushing, screening and hauling.
172. **Mixed Use Building.** A vertical mixed use project which incorporates different land use types within the same building (i.e., residential, office or retail uses).

173. **Mobile Home.** A transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the National Manufactured Housing Construction and Safety Standards Act, 42, U.S.C., Sec. 5401 et. seq. (HUD Code).
174. **Mobile Home Or Trailer Park.** A tract of land under single ownership or management on which two (2) or more mobile home spaces are leased, rented or used; or offered for lease, rent or use to accommodate mobile homes for residential purposes.
175. **Mobile Home Space.** A specific area of land within a mobile home park designed to accommodate one mobile home.
176. **Moderate Income Housing.** Housing occupied or reserved for occupancy by households with a gross household income equal to or less than eighty percent (80%) of the median gross income for households of the same size in Cache County, Utah.
177. **Modular Unit.** A structure built from sections that are manufactured in accordance with the State Construction Code and transported to a building site for the purpose of which is human habitation, occupancy, or use.
178. **Mortuary Or Crematorium.** Business dealing with care of the dead and their preparation for burial or cremation. May include chapel or other facilities for funerals.
179. **Motel.** See Hotel.
180. **Museum.** An institution devoted to the procurement, care and display of objects of lasting interest or value.
181. **Natural Drainage Ways.** A lineal topographic depression which shows evidence of channeling natural runoff from storms and snowmelt.
182. **Natural Waterways.** Those areas, varying in width, along streams, creeks, springs, gullies, or washes which are natural drainage channels as identified in the City's Master Plan or Sensitive Lands Map, the Federal Emergency Management Agency's Flood Insurance Rate Map, or as otherwise determined by the City Engineer.
183. **Non-Buildable Areas.** Areas designated on a subdivision plat in which construction is prohibited. Areas may be designated as non-buildable due to but not limited to steep slopes, soils types, natural drainage corridors, canal channels, wetlands, or other constraints which create potential hazards to life, limb, or property. Any specific prohibitions in addition to prohibiting construction within a non-buildable area should be clearly specified on a plat or other appropriate document.
184. **Noncomplying Structure.** A structure that: (a) legally existed before its current land use designation; and (b) because of one (1) or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land.
185. **Nonconforming Use.** A use of land that: (a) legally existed before its current land use designation; (b) has been maintained continuously since the time the land use

ordinance governing the land changed; and (c) because of one (1) or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

186. **Notice.** A Class “A” or Class “B” public notice as defined by §63G-28-101 and 102 of Utah State Code (as amended).
187. **Nursery School.** See Child Day Care Services or Child Pre-school/Short term Child Day Care.
188. **Nursing Care Facility Or Nursing Home. (§26B-2-201)** A health care facility, other than a general acute or specialty hospital, constructed, licensed, and operated to provide patient living accommodations, twenty four (24) hour staff availability, and at least two (2) of the following services:
- a. A selection of patient care services, under the direction and supervision of a registered nurse, ranging from continuous medical, skilled nursing, psychological, or other professional therapies to intermittent health-related or paraprofessional personal care services;
 - b. A structured, supportive social living environment based on a professionally designed and supervised treatment plan, oriented to the individual’s habilitation of rehabilitation needs; or
 - c. A supervised living environment that provides support training, or assistance with individual activities of daily living. Also see related definitions: Assisted Living Facility, Residential Facility for Elderly, and Residential Health Care Facility (Small).
189. **Office/Service, Professional.** Businesses with traditionally low impact on residential zones, in an office-type facility generally providing services to customers by the herein listed professionals. Offices/clinics for any of the following: architect, interior designer, artist, CPA, lawyers/attorneys, engineer, land surveyor, appraisers, chiropractor, dentist, doctors/physicians, nurse, psychiatrist/psychologist, physical therapist, optometrist, pharmacist, or other Utah state-licensed health care provider. Also may include offices for insurance, advertising/marketing, property management, and real estate. Not intended to mean the same as related definition-Health Care Facility.
190. **Offices, City Administrative.** Any administrative business office used by the North Logan City government.
191. **Official Map.** A map drawn by City authorities and recorded in the Office of the County Recorder that shows actual and proposed rights-of-way, centerline alignments, and setbacks for highway and other transportation facilities; provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and has been adopted as an element of the City's General Plan.
192. **Open Space.** An area of land or water that is improved or unimproved, and serves the purposes of preservation of natural resources, recreation, or public health and safety. Open space includes land set aside for conservation or recreation purposes including

woodlands, play areas, walking and riding trails, nature center, wetlands and lands in the floodplain, as well as land use for passive or active recreation.

193. **Open Space - Public. Designated.** Consists of parts of subdivisions that have been designated for non-development or constrained development in accordance with Section 12D-204 (Open Space) and which are owned by the public or required to be accessible to the public.
194. **Open Space - Private.** Consists of parts of subdivisions that have been designated for non-development or constrained development in accordance with Section 12D-204 (Open Space) and which are not owned by the public nor are required to be accessible to the public.
195. **Owner.** Includes the plural as well as the singular, and may mean either a natural person, firm, association, partnership, private corporation, public or quasi-public corporation, or any combination thereof. Includes the person, persons, or other legal entity holding title by deed to land, or holding title as vendees under land contract, or holding any other title of record.
196. **Parcel.** Any real property that is not a lot.
197. **Parcel Of Land.** A contiguous quantity of land, in the possession of, or owned by, or recorded as the property of, the same claimant or person.
198. **Park Model Recreational Vehicle.** A unit that:
- a. Is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;
 - b. Is not permanently affixed to real property for use as a permanent dwelling;
 - c. Requires a special highway movement permit for transit; and
 - d. Is built on a single chassis mounted on wheels with a gross trailer area not exceeding four hundred (400) square feet in the setup mode.
199. **Park Space.** Area designated in a development and dedicated to the City that has been reserved for passive or active recreation and should be congruently used for stormwater management and/or open space which may be maintained in a natural, undisturbed, or re-vegetated condition. The boundaries of such designated land (whether it be open space areas, park space areas and/or stormwater management facilities) shall be clearly delineated on plans, including plats, and marked in the field with signage to distinguish these areas from private open space property.
200. **Parking Facility, Commercial.** Automobile parking for a fee, a facility for commercial truck and/or trailer parking or storage, or a facility for parking/storage of recreational vehicles, travel trailers, or other similar items.
201. **Parking Lot.** An open area, other than a street, used for the temporary parking of more than four (4) automobiles and available for public use, whether free, for compensation, or as accommodation for clients and customers. This definition does not include parking or storage for commercial trucks and/or trailers, recreational vehicles,

travel trailers, construction equipment, or other similar items as contemplated under the definition of a “Parking Facility, Commercial”.

202. **Parking Space.** Space within a building, lot or parking lot for the parking or storage of one (1) automobile.
203. **Pawnbroker.** A person whose business engages in a pawn transaction or holds itself out as being in the business of a pawnbroker or pawnshop, regardless of whether the person or business enters into pawn transactions or second hand merchandise transactions as those terms are defined in §13-32a-102 of Utah State Code (as amended).
204. **Payday Loan Business.** An establishment providing loans to individuals in exchange for personal checks or assignments of wages as collateral.
205. **Permanent Cosmetics.** A mark or design made on or under the skin by a process of pricking or engraving an indelible pigment, dye, or ink in the skin for masking discolorations or cosmetically enhancing facial features which shall follow the natural line of the feature. Permanent cosmetics are limited to eyeliner, eyebrows, and lip color procedures.
206. **Permanent Cosmetic Establishment.** An establishment engaging in permanent cosmetics as a secondary use to an establishment employing cosmetologist/barber(s), aestheticians(s), electrologist(s), or nail technician(s) licensed by the State under §58-11A of Utah State Code (as amended), excluding tattoo establishments and individuals operating under the guidelines of a home occupation.
207. **Permitted Use.** A use enumerated for a zoning district.
208. **Person.** An individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.
209. **Pet Boarding.** A business and facility in which pets stay and are cared for during the day and/or overnight.
210. **Pet Day Care.** A business and facility in which a number of pets are supervised and cared for during the day. This care does not include overnight stay for pets.
211. **Pet Hospital.** See Veterinarian / Animal Clinic / Pet Hospital.
212. **Pets.** See Household Pets.
213. **Planning Commission.** The North Logan Planning and Zoning Commission unless another planning commission is specifically named.
214. **Plat.** An instrument subdividing property into lots as depicted on a map or other graphic representation of land that a licensed professional land surveyor makes and prepares in accordance with §10-20-803 or §57-8-13 of Utah State Code (as amended).
215. **Post Office.** A postal service center operated by the U.S. Postal Service
216. **Potential Geological Hazard Area.** An area that is designated by a Utah Geological Survey map, county geologist map, or other relevant map or report as needing further study to determine the area’s potential for geologic hazard; or has not been studied by the Utah

Geological Survey or a county geologist but presents the potential of geologic hazard because the area has characteristics similar to those of a designated geologic hazard area. See Title 12F (Geologic Hazard Mitigation) for additional information.

217. **Pre-School.** See Child Day Care Services or Child Pre-school/Nursery School.
218. **Preliminary Approval.** An approval, with or without recommended alterations, given to a preliminary plat by the Planning Commission and City Council, if required, and provides the necessary authority to proceed with the preparation and presentation of the final plat.
219. **Preliminary Plat.** A preliminary map or plan of a proposed land division or subdivision prepared in accordance with this Title and Utah State Code (as amended). May also be known as or referred to in this Title as “preliminary subdivision plat”.
220. **Private Club.** Any facility operating as a private club licensed under Utah Code 32A Chapter 5 “Private Club Liquor Licenses”.
221. **Private Lodge, Fraternal Beneficial Societies.** Facilities used for the meeting place of a fraternal or fraternal benefit society as defined by Utah Code §31A-9-101. Not intended to mean a private club which serves alcoholic beverages.
222. **Private Day Nursery Or Kindergarten.** See Child Day Care Services or Child Pre-school/Short term Child Day Care.
223. **Proctor Care.** Proctor care is temporary care given in a home to a child who is in state custody under the Division of Youth Corrections (DYC). A proctor care home is under contract with the DYC and can have no more than one (1) proctor child in the home or up to three (3) if they are siblings, and the total number of children in the home under age eighteen (18), including the children of the proctor parents, cannot exceed six (6). That number of children can only be exceeded under special circumstances when directed by court order (for example where the children in a family are ordered not to be split up). The home must be licensed with the Office of Licensing, Department of Human Services and a municipal home occupation license is required from the City. See related definitions – Foster Care and Host Home.
224. **Public Agency.** The federal government, the state, a county, municipality, school district, special district, special service district, or other political subdivision of the state, or a charter school.
225. **Public Hearing.** A hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.
226. **Public Meeting.** A meeting that is required to be open to the public under Open and Public Meetings Act, §52-4 of Utah State Code (as amended).
227. **Public Street.** A public right-of-way, including a public highway, public avenue, public boulevard, public parkway, public road, public lane, public alley, public viaduct, public subway, public tunnel, public bridge, public byway, other public transportation easement, or other public way.

228. **Qualifying Senior Community.** To qualify as a Qualifying Senior Community a project must include, as part of its development agreement with the City, some method to ensure the enforcement of the required restrictions on occupancy based on age, such as CC&Rs or other similar land-use restriction or regulations, which shall include, at a minimum, the following requirements:
- a. At least one (1) person living as a permanent resident in each dwelling (one hundred percent (100%) of the units) must be a Senior Resident, i.e. a resident at least fifty five (55) years of age; and
 - b. Each other non-Senior Resident in the same dwelling must be a Qualified Permanent Resident. A Qualified Permanent Resident must satisfy at least one (1) of the following requirements:
 - (1) Of forty five (45) years of age or older; or
 - (2) The spouse of the Qualifying Senior Resident; or
 - (3) A cohabitant providing physical or economic support to the Qualifying Permanent Resident.
 - c. A Qualified Permanent Resident who is the spouse of the Senior Resident may continue to reside alone or with other Qualified Permanent Residents in a dwelling upon the death of the Senior Resident's spouse or dissolution of their marriage, or upon the Senior Resident's hospitalization or because of illness resulting in the Senior Resident Spouse residing in transitional care, rehabilitative care, assisted living, nursing home facility or other similar situations.
 - d. The development agreement must include provisions for verification of occupancy by reliable surveys and/or affidavits available for auditing by the City.
 - e. The total occupancy within each dwelling unit must also comply with the definition of Family in Section 12A-200 (Definitions).
229. **Quarries.** See Mines, Quarries, and Gravel Pits.
230. **Reception Centers.** See Wedding Chapels, Reception Centers.
231. **Record Of Survey Map.** A map of a survey of land prepared in accordance with §17-73-504 of Utah State Code (as amended).
232. **Recorded Plat.** A final subdivision plat bearing all of the certificates of approval required in this Title and duly recorded in the County Recorder's Office.
233. **Recreation Facility, Private/Commercial.** A commercial recreation facility where patrons are charged a fee or have a membership in order to participate. May include commercial recreation centers such as, bowling, video/computer, or billiards centers; commercial skating centers (ice, roller or skateboarding); sport climbing facilities; and miniature golf courses. Not intended to mean the related definition of "Go-Kart Track".
234. **Fitness Facility, Private/Commercial.** A commercial fitness facility where patrons are charged a fee or have a membership in order to participate. May include, but is not

limited to: fitness, swimming, tennis, and/or other type athletic club. May also include facilities for dance, tumbling, martial arts, or other similar instruction.

235. **Recreation Facility, Public Access.** Park, playground, swimming pool, sports fields and courts, or municipal recreation center. Facilities would normally be operated by or under the control of the county or city or a similar facility operated by a non-profit organization with some oversight and/or joint participation with the county or city. May also include similar facilities with access limited to neighborhood residents. Such limited public access facilities would usually be open only to residents of the neighborhood such as could be found in a PUD or a facility established and maintained by a neighborhood home owners' association. Not intended to mean recreation facilities associated with a residence as defined under "Residential Accessories".
236. **Recreational Vehicle.** A vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, that is either self-propelled or pulled by another vehicle. Recreational vehicles include a travel trailer, a camping trailer, a motor home, a fifth wheel trailer, and a van.
237. **Recreational Vehicle (Travel Trailer) Overnight Park.** A tract of land under single ownership or management on which two (2) or more recreational vehicle or travel trailer spaces are leased, rented or used; or offered for lease, rent or use to accommodate recreational vehicles or travel trailers on a temporary (generally less than four (4) month) basis.
238. **Recycling Facility.** A center for the collection and/or processing of recyclable materials.
239. **Related.** Related by blood, marriage or adoption within the definition of "family" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, or grandchild, to include the half as well as the whole blood.
240. **Rental Service Stores.** Rental business dealing in rental of products such as: automobiles, trucks, trailers, construction equipment, lawn and garden equipment, or recreation and sporting equipment.
241. **Residence.** Any building or portion thereof, which contains living facilities including provisions for sleeping, eating, cooking and sanitation, which is designed for use for residential purposes specifically to include single-, two-, three-and four-family residences, multiple family apartments, and also cabins. Not intended to include the following: hotels, apartment hotels, boarding or rooming houses, lodging houses, motels, apartment motels, fraternities, sororities, trailers, dormitories, mobile homes, residential facility for the elderly or handicapped persons, or any institutional dwellings as listed in the matrix in Section 12C-006 (Master Land Use Table).
242. **Residence, Three Or Four Family.** Any building which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for more than two (2) but not more than four (4) families. ("Family" as defined herein).

243. **Residence, Two Family.** Any building which contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than two (2) families. (“Family” as defined herein).
244. **Residential Accessory Building.** An un-occupied building used for storage or to house a vehicle, shop, green-house, or other uses normally associated with a dwelling. Includes detached garage or shed and buildings used to house permitted animals. Also includes recreation facilities associated with the residence such as, but not limited to tennis courts, swimming pools, playground-type structures.
245. **Residential Facility For Persons With A Disability. (§10-20-610)** A facility for persons with a disability which shall (a) be consistent with existing zoning; (b) be occupied on a twenty four (24) hour-per-day basis by eight (8) or fewer handicapped persons with a disability in a family-type arrangement under the supervision of a house family or manager; (c) conform to all applicable standards and requirements of the Utah Department of Human Services; and (d) be licensed as such by the Utah Department of Human Services.
246. **Residential Health Care Facility, Small.** (Utah Code §26-21-2) A facility providing assistance with activities of daily living and social care to at least two (2) but no more than sixteen (16) residents who require protected living arrangements. Residents generally do not need continuous nursing care or supervision but do need some limited health care. Also see related definitions: Assisted Living Facility, Nursing Home, and Residential Facility for Elderly.
247. **Restaurant.** See Food Service definition plus related definitions for restaurants with alcoholic beverages below.
248. **Restaurant With Liquor License.** A Food Service establishment which serves food as its primary function and in addition to serving food also serves alcoholic beverages (beer, wines and liquors). Total sales of alcohol not to exceed thirty percent (30%) of sales. Not intended to mean a “Bar, Saloon, or Tavern” (See that related definition). Must maintain appropriate licenses from the State of Utah and the City. See related Chapter 8-400 (Businesses Engaged In The Sale Of Alcoholic Beverages) which regulates businesses engaged in the sale of alcoholic beverages.
249. **Restaurant With On-Premise Beer License.** A Food Service establishment which serves food as its primary function and in addition to serving food also serves beer. Sale of beer to patrons is contingent upon ordering food with any beer purchased. Total sales from beer not to exceed fifty percent (50%) of sales. Not intended to mean a “Bar, Saloon, or Tavern” (See that related definition). May include establishments which produce/manufacture limited amounts of the beer on site. Must maintain appropriate licenses from the City (class “B” license (Consumption on-premises beer license)) and from the State of Utah. See related Chapter 8-400 (Businesses Engaged In The Sale Of Alcoholic Beverages) which regulates businesses engaged in the sale of alcoholic beverages.
250. **Retail Tobacco Specialty Business.** A commercial establishment in which:

- a. Sales of tobacco products, electronic cigarette products, and nicotine products account for more than thirty five percent (35%) of the total quarterly gross receipts for the establishment;
 - b. Twenty percent (20%) or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products;
 - c. Twenty percent (20%) or more of the public retail floor space is allocated to the offer, display, or storage of tobacco products, electronic cigarette products, or nicotine products;
 - d. The commercial establishment holds itself out as a retail tobacco specialty business and causes a reasonable person to believe the commercial establishment is a retail tobacco specialty business;
 - e. Any flavored electronic cigarette product is sold; or
 - f. The retail space features a self-service display for tobacco products, electronic cigarette products, or nicotine products.
251. **Riding Stables, Equestrian Park.** Facility providing for recreational horse riding or boarding either as a commercial enterprise or a public facility. See related definition - Dude Ranch.
252. **Roomer.** One who occupies a hired room in another's house.
253. **Rooming House.** See Boarding House.
254. **Sales And Service, Heavy.** Facility providing for mobile home or manufactured home sales; sales, service or repair of recreational vehicles, large trucks, farm equipment, or construction equipment.
255. **Sales And Services, General.** Facility providing for the sale of retail and consumer goods. Includes but is not necessarily limited to department or discount stores or malls, furniture or appliance sales and service; garden, floral shop, nursery or crafts store, retail lumber/hardware sales, key shop, convenience store without gasoline sales, sporting goods stores, book/stationary store, bakery, art gallery, pet store, shoe or leather goods store, or grocery store. Also intended to include rental of multimedia items such as videos, computer games, etc. and such service businesses as travel agencies and financial institutions (banks, credit unions, and savings and loan offices). Also includes the seasonal sale of Christmas trees. Includes businesses which primarily provide services to customers but also have some product sales. May include but not limited to: laundromat with self service washer, dryers etc.; commercial laundry or dry cleaning shop; printing or lithographic shops; clothing repair, alterations or tailoring; repair shops for appliances or electronic/electric equipment; or commercial postal/mailing service store. Does not include a pawn shop, or package liquor store.
256. **Sanitary Sewer Authority.** The department, agency, or public entity with the responsibility to review and approve the feasibility of sanitary sewer services or on site wastewater systems. For the purpose of this Title means the City.

257. **School, Charter.** An operating charter school; a charter school applicant that a charter school authorizer approves in accordance with §53G-5-3 of Utah State Code (as amended); or an entity that is working on behalf of a charter school or approved charter applicant to develop or construct a charter school building. Charter school does not include a therapeutic school.
258. **School, Private Or Public, College or University.** An educational institution which meets any of the definitions in Utah Code §53B-5-105.
259. **School, Proprietary.** A private educational institution, including business, modeling, paramedical, tax preparation, trade and technical schools, which offers postsecondary education in consideration of the payment of tuition or fees for the attainment of educational, professional, or vocational objectives, other than those schools listed in Utah Code §53B-5-105.
260. **Seniors Housing.** Any facility or group of facilities in a project intended and operated as a Qualifying Senior Community. Also see related definitions: Nursing Home, Residential Facility for Elderly, Assisted Living Facility, and Residential Health Care Facility (Small).
261. **Sensitive Lands.** Means the same as the "geologic hazards" and "potential geological hazard areas" definitions. Sensitive lands shall also include impacted areas as identified and depicted on the Cache County Parcel and Zoning Viewer Map under the Sensitive Layers including, but not limited to, areas within FEMA floodplain, slopes of greater than thirty percent (30%), wetlands, water ways or bodies of water, canals, fault lines, liquefaction potential, agricultural protection areas, conservation easements, and source water protection zones. See Title 12F (Geologic Hazard Mitigation) for additional information.
262. **Setback.** The horizontal distance between any structure and the established lot/parcel line.
263. **Short Term Rental.** The use, occupancy, rent or lease, for direct or indirect remuneration, of a structure or any portion thereof constructed for single-household or multi-household occupancy or of any other residential property for an effective term of thirty (30) consecutive calendar days or less.
264. **Sign.** Any device used for visual communication to the general public and displayed out-of-doors, including signs painted on exterior walls, and interior illuminated signs to be viewed from out-of-doors, but not including any flag, badge, or ensign of any governmental agency. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.
265. **Sign, Animated Or Moving.** Any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such

movement or rotation. Electronic message centers are not classified as animated or moving signs.

266. **Sign, Awning Or Canopy.** An awning or canopy that is mounted, painted, or attached to a building that is otherwise permitted by ordinance and which functions as a sign.
267. **Sign, Banner.** A banner is a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.
268. **Sign, Bench.** A sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public place or public or private roadway, driveway or access and intended for use as a sign.
269. **Sign, Billboard.** A freestanding ground sign, located on industrial, commercial, or residential property if the sign is designed or intended to direct attention to a business, product, or service that is not sold, offered, or existing on the property where the sign is located. An off-premise, outdoor advertising sign as permitted and regulated by the Utah Outdoor Advertising Act (§72-7-5 of Utah State Code (as amended)).
270. **Sign, Bulletin Board.** A sign that identifies an institution or organization on the premises on which it is located. Normally contains the name of the institution or organization, the names of individuals connected with it, and/or general announcements of events or activities occurring at the institution or similar messages. May be no larger than twenty square feet (20 sq. ft.) in sign face area to be defined as a bulletin board and thus not be regulated.
271. **Sign, Business, Freestanding.** A sign mounted on the ground as opposed to being mounted on a building that directs attention to businesses or professions conducted, or to commodities or services sold, offered, or manufactured, or to entertainment offered on the premises where the sign is located.
272. **Sign, Community Support Facilities, Freestanding.** A sign mounted on the ground as opposed to being mounted on a building that directs attention to any building or complex of buildings for those land uses listed in the Community Support Services section of the zoning matrix in Section 12C-006 (Master Land Use Table). This includes but is not limited to such facilities as churches, schools, health care and governmental facilities.
273. **Sign, Construction/Project Development.** A temporary sign erected on the premises on which construction is taking place during the period of such construction. Such signs normally indicate the names of the architects, engineers, landscape architects, contractors or similar artisans, or the owners, financial supporters, sponsors, or similar individuals or firms having a role or interest with respect to the structure or project.
274. **Sign, Directional.** Relatively small signs indicating the direction to business, parking areas or other places when such directional information is not otherwise apparent. Directional signs are normally for pedestrian or vehicular traffic and typically may include an arrow, the name of the business for which directions are being given. Directional signs

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

275. **Sign, Directory.** A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities on the premises. May be no larger than twenty square feet (20 sq. ft.) in sign face area to be defined as a directory sign and thus not be regulated.
276. **Sign, Facade.** See “sign, wall”.
277. **Sign, Face.** The area or display surface used for the sign’s message.
278. **Sign, Flashing.** Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. Electronic message centers are not classified as flashing signs.
279. **Sign, Freestanding.** Any non-portable (permanent or temporary) sign not affixed to a building.
280. **Sign, Governmental.** A sign erected and maintained pursuant to and in discharge of any governmental function or a sign required by law, ordinance, or other governmental regulation. A sign merely identifying a governmental building is not necessarily a governmental sign per this definition. Proponent(s) of the sign must show the sign is required by law and meets this definition in order for it not to be regulated by this ordinance.
281. **Sign, Holiday Decoration.** Temporary signs, normally in nature of decorations, clearly incidental to and customarily and commonly associated with a national, state, local, or religious holiday, event or similar celebration.
282. **Sign, Home Occupation.** A sign identifying the home occupation of an appropriately licensed and permitted home occupation conducted on the premises. Normally contains but is not limited to such information as the name of the homeowner, the name or logo of the business, the occupation or type of business conducted in the home.
283. **Sign, Illuminated.** A sign lighted by or exposed to artificial lighting by lights on or in the sign or directed toward the sign.
284. **Sign, Inflatable.** Any display greater than six feet (6') in height, including any tethering material, capable of being expanded by air or other gas and used on a temporary basis to advertise a product or event. An inflatable display of six feet (6') or less in height is defined as a balloon and is not regulated by this ordinance.
285. **Sign, Marquee.** See “sign, manual message center”.
286. **Sign, Memorial.** A sign, tablet, or plaque memorializing a person, event, structure, or site.
287. **Sign, Message Center, Electric.** Signs with alphabetic, pictographic, or symbolic information content that can be changed or altered on a fixed display surface composed of electrically illuminated and changeable segments. Signs with informational content that can be changed or altered by means of computer driven or electronically created impulses.

288. **Sign, Message Center, Manual.** Signs with alphabetic, pictographic, or symbolic information content that can be changed or altered on a fixed display surface changed by manual means, such as and not limited to removing and replacing messages by changing individual letters.
289. **Sign, Monument Style.** Style of freestanding business sign such that it has a base attached to the ground on which the face of the sign is constructed and/or attached and where the advertising portion of the sign is incorporated into the base. Monument style signs do not use poles to hold the advertising face of the sign.
290. **Sign, Nameplate.** A sign, located on the premises, giving the name or address, or both, of the owner or occupant of a building or premises. May be no larger than three square feet (3 sq. ft.) in sign face area to be defined as a nameplate sign and thus not be regulated.
291. **Sign, On-Site Informational.** A sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including signs marking entrances and exits, parking areas, circulation direction, restrooms, and pickup and delivery areas. May be no larger than sixteen square feet (16 sq. ft.) in sign face area to be defined as on on-site informational sign and thus not be regulated.
292. **Sign, Open House.** A temporary directional sign promoting and directing traffic to property for sale where an open house showing is being held.
293. **Sign, Painted Lettering.** A sign that is predominately lettering and painted directly onto the exterior wall of a building with no physical structure or frame. See also the similar definitions of “wall art” or “sign - supergraphic”.
294. **Sign, Pennant, Whirly-Gig, Attention-Getting Device.** Attention-getting devices, including pennants, whirly-gigs, streamers, and other similar devices are broadly defined to include triangular plastic flags attached to wires or ropes and strung between products, poles, light standards, or the ground. Whirly-gigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.
295. **Sign, Political Or Freedom Of Expression.** A temporary sign announcing or supporting political candidates or issues in connection with or being considered for any national, state, or local election.
296. **Sign, Portable.** A sign that is not permanent, affixed to a building, structure, or the ground.
297. **Sign, Private Sale.** A temporary sign advertising private sales of personal property, such as house sales, garage sales, rummage sales, estate sales, or the seasonal sale of agricultural products including Christmas tree sales.

298. **Sign, Private Or Community Event.** A temporary sign advertising or giving notice of a private not-for-profit event, such as picnics, carnivals, bazaars, game nights, art affairs, craft shows, or meetings.
299. **Sign, Projecting Or Perpendicular.** A sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches (12”) from such building.
300. **Sign, Real Estate.** A sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.
301. **Sign, Residential Complex Identification.** A sign identifying a residential subdivision, planned unit development (PUD), multi-family residence complex, assisted living facility, nursing care facility, residential health care facility, mobile home park, dormitory, fraternity, sorority, or boarding house.
302. **Sign, Roof.** A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.
303. **Sight Distance Triangle.** The area within the triangle formed by the two (2) lines along a public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street fifty feet (50’) from the intersection and connected across the property on the corner to form a triangle.
304. **Sign, Supergraphic.** A supergraphic sign is one that is applied/painted directly on the surface of a building and is comprised of a combination of promotional, logo, advertising, or artistic representations directly related to a product or service provided on the premises.
305. **Sign, Temporary.** A sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and/or a sign designed or intended to be displayed for a short and specified period of time.
306. **Sign, Trailer.** Any sign, identification, logo or other information applied to the outside surface of a trailer that is eighteen feet (18’) or more in length. Information may include, but not be limited to, business name, logo, graphics, art, or other information that would attract attention to the trailer and thus cause the trailer to function as a sign. Trailers with such information applied are classified as signs and subject to the regulations herein this Title.
307. **Sign, Vending Machine.** Any sign, display or other graphic attached to or part of a coin-operated machine dispensing food, beverages, or other products. May be no larger than the vending machine to be defined as a vending machine sign and thus not be regulated.
308. **Sign, Wall.** A sign fastened to the wall of a building or other structure that is an integral part of a building in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign. A wall sign is normally or predominately

lettering and attached onto the exterior wall of a building and has some physical structure or frame as opposed to being painted on the wall.

309. **Sign Area.** The area of the sign, usually the face of the sign, whereon are displayed, or could be displayed, those things that define its use as a sign (see “sign”) plus any framing, trim or molding for that display area, but not including parts of the signs that are only the supporting elements of the sign.
310. **Simple Boundary Adjustment.** A boundary adjustment that does not affect a public right-of-way, municipal utility easement, or other public property; affect an existing easement, onsite wastewater system, or an internal lot restriction; or result in a lot or parcel out of conformity with land use regulations.
311. **Soil Erosion.** The loss of or shifting of soil caused by wind, water runoff, natural disasters, the removal of ground cover, steep slopes, liquefaction, etc.
312. **Soil Rating.** A rating for a specific area determined through the Natural Resources Conservation Service’s Soil Survey. Soil types are determined based on composition of the material making up the soils, drainage patterns, slopes, and other criteria. Soil types are then rated with a rating of “not limited”, “somewhat limited”, or “very limited” based on how the soil types might affect various types of construction.
313. **Soils Hazard Mitigation Plan.** A subdivision-specific or lot-specific plan showing what will be done when constructing the infrastructure, dwelling, or other structures to ensure any structures are built adequately with respect to soil limitations in the area.
314. **Solid Waste Facility.** Any solid waste (non-hazardous or hazardous) recycling, sorting, treatment, storage or disposal facility as defined in the Utah Solid and Hazardous Waste Act.
315. **Solid Waste Transfer Station.** A facility intended for collection of hazardous or nonhazardous solid waste from a permanent, fixed, supplemental collection facility for movement to a vehicle for movement to an offsite solid waste storage or disposal facility.
316. **Sorority.** See Dormitory, Fraternity or Sorority.
317. **Stable, Private.** A detached accessory building for the keeping of a horse(s) owned by the occupants of the premises and not kept for remuneration, hire, or sale.
318. **Stable, Public.** A stable other than a private stable.
319. **State.** Includes any department, division, or agency of the State of Utah.
320. **Steep Slope Area.** An area of steep slope is defined as such that when the highest points of any measured slope line for points within the area have a thirty percent (30%) or steeper slope. Such slopes are measured by the steepest slope downhill from such points and measuring the slope from those points over a horizontal distance of sixty feet (60’).
321. **Storage, Large, Warehouse-Type.** A facility under single ownership or management in which storage or warehouse space is made available for rent or lease or the area is used primarily for storage by the owner.

322. **Storage, Small, Multi-Unit.** A facility under single ownership or management in which multiple storage units are leased, rented or used by patrons primarily for storage of property. Individual storage units are typically smaller than three hundred square feet (300 sq. ft.) in size.
323. **Story, Half.** A story with at least (2) of its opposite sides situated in a sloping roof, the floor area of which does not exceed two-thirds (2/3) of the floor immediately below it.
324. **Story.** A space within a building included between the surface of any floor and the surface of the ceiling next above.
325. **Street Centerline.** The center of the street as established by a recorded plat or City survey.
326. **Street.** A public thoroughfare which affords principal means of access to abutting property and is more than twenty six feet (26') wide. Includes any street, avenue, road, lane, parkway, place, viaduct, easement for access or other way which is an existing state, county, or municipal roadway; or a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded in the County Recorder's Office. A street includes the land between the right-of-way lines, whether improved or unimproved and may comprise pavement, shoulder, curbs, gutters, sidewalks, parking areas and lawns.
327. **Street, Arterial.** Arterial route or street is a general term including expressways and major arterial streets and interstate, state or county highways having regional continuity.
328. **Street, Collector.** These streets are so named as they serve to collect traffic from neighborhoods and residential areas and move it to arterials or to destinations and trip generators in the vicinity, such as schools, churches and parks. Access and mobility are equivalent.
329. **Street, Local.** Local roads include all streets that do not fall into any of the preceding categories. Such roads serve few, if any, traffic generating points directly, their primary function being that of providing access. These streets carry traffic from land adjacent to the collector system and from within residential areas and are useful for travel over relatively short distances or areas of low population.
330. **Street Lighting.** Means the electrical service for and the poles and lighting fixtures designed for and intended to light streets, intersections and other similar areas.
331. **Street, Major.** A street, existing or proposed, which serves or is intended to serve as a major traffic way and which is designated on the master street plan as a controlled-access highway, major street, parkway or by equivalent terms suitable to identify streets comprising the basic structure of the street plan.
332. **Street, Minor.** A street, existing or proposed, which is supplementary to a collector or major street and of limited continuity, which serves or is intended to serve the local needs of a neighborhood.

333. **Street Or Street Route, Master Planned.** A future street that is shown in an applicable general plan, small area plan, master streets plan, development agreement, or similar legislatively adopted planning document.
334. **Street Or Street Route, Permanently Terminal.** A street, portion of street, or street route that has a single point of entry from the greater public street network, and is not anticipated to extend and connect back into the greater public street system.
335. **Street Or Street Route, Temporarily Terminal.** The terms "temporarily terminal street" or "temporarily terminal street route" means a street, portion of a street, series of streets, or a street-route that has a single point of entry from the greater public street network, and is only intended to be terminal temporarily until it connects back into the greater public street system through future extension.
336. **Structural Alterations.** Any change in supporting members of a building, such as bearing walls, columns, beams, or girders.
337. **Structure.** Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.
338. **Subdivider.** The individual, firm, corporation, partnership, association, syndication, trust or other legal entity that executes the application and initiates proceedings for the subdivision of land in accordance with the provisions of this Title.
339. **Subdivision.** Any land that is divided, resubdivided, or proposed to be divided into two (2) or more lots or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. Subdivision includes:
- a. The division or development of land, whether by deed, metes and bounds description, devise and testacy, map, plat, or other recorded instrument, regardless of whether the division includes all or a portion of a parcel or lot; and
 - b. Except as provided in this definition, divisions of land for residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes.
 - c. Subdivision does not include:
 - (1) A bona fide division or partition of agricultural land for the purpose of joining one of the resulting separate parcels to a contiguous parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel remaining from the division or partition violates an applicable land use ordinance;
 - (2) A recorded conveyance document consolidating multiple lots or parcels into one (1) legal description encompassing all lots by reference to a recorded plat and all parcels by metes and bounds description; or joining a lot to a parcel;

- (3) A bona fide division of land by deed or other instrument if the deed or other instrument states in writing that the division is in anticipation of future land use approvals on the parcel or parcels; does not confer any land use approvals; and has not been approved by the land use authority;
- (4) A boundary adjustment;
- (5) A boundary establishment;
- (6) A road, street, or highway dedication plat;
- (7) A deed or easement for a road, street, or highway purpose; or
- (8) Any other division of land authorized by law.

340. **Subdivision Amendment.** An amendment to a recorded subdivision in accordance with §10-20-811 of Utah State Code (as amended) that vacates all or a portion of the subdivision; alters the outside boundary of the subdivision; changes the number of lots within the subdivision; alters a public right-of-way, a public easement, or public infrastructure within the subdivision; or alters a common area or other common amenity within the subdivision. Subdivision amendment does not include a simple boundary adjustment.

341. **Suspect Soil.** Soil that has a high susceptibility for volumetric change, typically clay rich, having more than a three percent (3%) swell potential; bedrock units with high shrink or swell susceptibility; or gypsiferous silt and clay, gypsum, or bedrock units containing abundant gypsum commonly associated with dissolution and collapse features.

342. **Tattoo/Body Piercing Parlor.** A commercial establishment that creates an opening in the body, excluding the ear, for the purpose of inserting jewelry or other decoration and/or the fixing of an indelible mark or figure upon the body by inserting a pigment under the skin or by producing scars.

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

344. **Telecommunications Tower.** A structure typically higher than thirty five feet (35') and high relative to its surroundings that supports telecommunications facilities including; telephone, telegraph, fiber optic signals, cellular services for both analog and digital signals, radio and television signals to name a few. This list is not intended to be all-inclusive. The height of these types of facilities are limited in accordance with Section 12C-608 (Restrictions Specific To Telecommunication Towers).

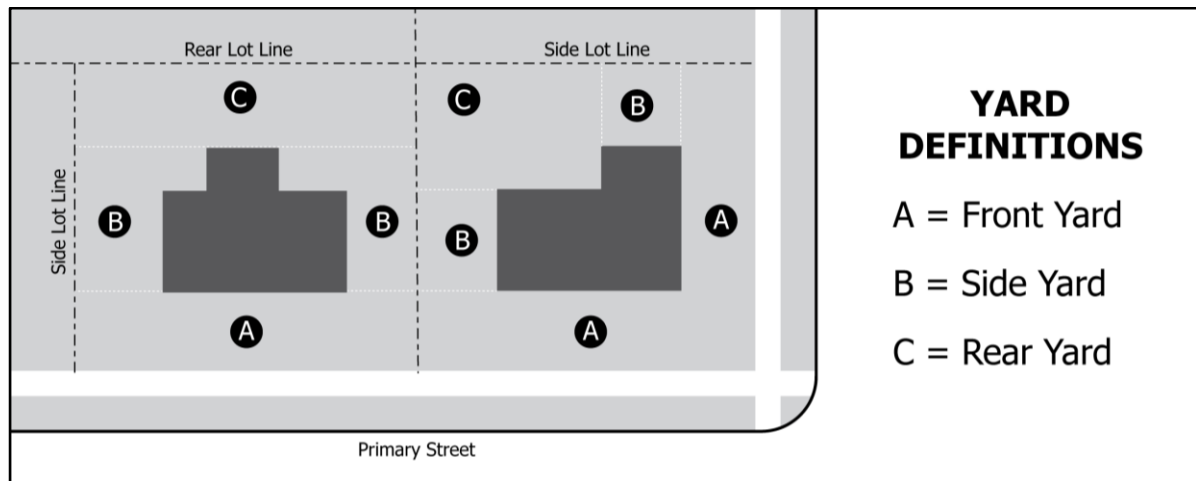
345. **Theater/Cinema.** Commercial facility for presenting movies and/or on-stage performances for walk-in audiences.

346. **Therapeutic School.** A residential group living facility for four (4) or more individuals who are not related to the owner of the facility or the primary service provider of the facility that serves students who have a history of failing to function at home, in a public school, or in a nonresidential private school and that offers room and board and an academic education integrated with specialised structure and supervision or services or treatment related to a disability, an emotional development, a behavior development, a familial development, or a social development.
347. **Title Loan Business.** An establishment providing short term loans to individuals in exchange for the title of a motor vehicle, recreational vehicle or similar as collateral.
348. **Trailer Or Camper.** A vehicle with or without motive power or wheels, designed to be used for human habitation.
349. **Trailer Park.** See Mobile Home or Trailer Park.
350. **Trails.** A trail is a contiguous pathway, separated from roadways and driveways that provides non-motorized transportation and recreation opportunities, and adheres (or connects to) the City's Parks and Trails Master Plan.
351. **Transportation General Plan.** A portion of the City's General Plan or a standalone document adopted by the City which provides for the development of a system of major streets and trails which may include the location and alignment of existing and proposed thoroughfares. May also be known as or referred to as a transportation master plan.
352. **Transportation Systems.** See Utility or Transportation Systems.
353. **Transportation Systems, Distribution Elements For.** Railroad tracks and right-of-way; and public transit access points and bus stops.
354. **Unstable Soils.** Those areas where soil instability would be a hazard to development and cannot be mitigated without massive grading and site modification, as identified in the City's General Plan or other support document of the City.
355. **Urban Interface With Mt. Naomi Wilderness Or Wasatch National Forest.** The "Urban Interface with Mt. Naomi Wilderness or Wasatch National Forest" consists of those areas where private land zoned for development borders the Mt. Naomi Wilderness or Wasatch-Cache National Forest, as identified in the City's General Plan or other support document of the City.
356. **Usable Lot Area.** That portion of a lot which is usable for or adaptable to the normal uses of residential property excluding any areas which may be covered by water, steep slopes, designated as non-buildable for any reason, or included in certain types of easements, or are otherwise not usable for development.
357. **Use, Accessory.** A subordinate use customarily incidental to and located upon the same lot occupied by a main use.
358. **Utilities.** Installations or facilities, underground or overhead, furnishing the public or private electricity, culinary water, gas, communications, water drainage, sewage disposal or flood control, owned and operated by any person, firm, corporation, municipal

department or board duly authorized by state or municipal regulations. Utility or utilities as used herein may also refer to such persons, firms, corporations, departments or boards as applicable herein, which supply such services.

359. **Utility Corridor.** An area where utility easements and obstructions are a limitation to development, as identified in the City’s General Plan or other support documents of the City.
360. **Utility Or Transportation Systems, Support Facilities For.** Shops; storage facilities/yards; water or wastewater treatment facilities; facilities for repair and/or storage of associated equipment, vehicles or supplies; electricity production plant; and transportation/transit service storage areas, shops or garages.
361. **Utility Systems, Distribution Elements For.** Telephone, television, or radio switching, relay, or transmitting equipment; water pumping, water pressure reduction or sewage stations and lines; irrigation canals and associated distribution lines/ditches; natural gas metering and transmission stations and lines; and electrical distribution lines (7,200-12, 470 volts not including high voltage). The height of these types of facilities are limited in accordance with this Title. Includes power poles and lines used for electrical distribution but not intended to include high voltage electrical transmission lines or electrical substations, telecommunications facilities or telecommunications towers.
362. **Utility Systems, High Voltage Electrical Transmission Lines And Electrical Substations.** High voltage (46,000 - 138,000 volts) electrical transmission lines whether above ground on poles or towers or buried underground. Also includes electrical substations. The placement and approval of these types of facilities are limited in accordance with Section 12C-615 (High Voltage Electrical Transmission Lines And Electrical Substations). Includes high voltage power poles and towers but is not intended to include lower voltage electrical distribution lines, telecommunications facilities, telecommunications towers.
363. **Utility Or Transportation Systems, Business Offices For.** Radio or television offices/stations; natural gas, telephone, cable TV, and other utility system business offices; and transportation/transit business offices or stations.
364. **Vegetation.** Native or reclamation grasses, forbs, shrubs and/or trees that protect topsoil from erosion, prevent or slow storm runoff, provide wildlife habitat and beautify the community.
365. **Vertically Combined Commercial W/ Owner-Occupied Residential Building.** A building type characterized by commercial uses on the ground floor with owner-occupied residential units above.
366. **Veterinarian/Animal Clinic/Pet Hospital.** A facility used by a licensed veterinarian to diagnose or treat any disease, defect, deformity, wound, injury or physical condition of any animal. May also include facilities to temporarily board animals.
367. **Water Conservation.** The wise use of the City’s culinary water supply and any secondary water available for outside irrigation

368. **Water Recharge Area.** Those upper bench and mountainous areas of the City's watershed where snow and rainwater enter the ground to recharge the valley's aquifers.
369. **Wedding Chapels, Reception Centers.** Facility which can be rented for weddings, receptions or other similar uses.
370. **Wetlands.** Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar uses and they are classified by three (3) characteristics which are designated by the Army Corps of Engineers.
371. **Wholesale Sales.** Facility providing for the sale of wholesale goods. May include but is not limited to: wholesale petroleum bulk storage and sales, storage and sale of items to stock typical retail sales outlets, or storage and sale of goods to construction or manufacturing businesses.
372. **Wildlife Corridors.** Those areas identified by a qualified authority such as the Utah Division of Wildlife Resources or other competent authority as important, regular routes taken by wildlife that should be left unobstructed.
373. **Wildlife Habitat.** Those areas identified by a qualified authority such as the Utah Division of Wildlife Resources or other competent authority as important, regular locations or places naturally used by wildlife.
374. **Yard.** A space on a lot, other than a court, unoccupied and unobstructed from the ground upward, by buildings, except as otherwise provided herein.



375. **Yard, Front.** A space on the same lot with a building, between the front line of the building (exclusive of steps) and the front lot line, and extending across the full width of the lot.
376. **Yard, Rear.** A space on the same lot with a building, between the rear line of the building (exclusive of steps and chimneys) and the rear line of the lot and extending the full width of the lot.

377. **Yard, Side.** A space on the same lot with a building, between the side line of the building (exclusive of steps or open stairways) and the side line of the lot and extending from the front yard line to the rear yard line.
378. **Zoning Administrator.** Means the City Administrator, or the person designated by the City Administrator who is charged to carry out the administrative responsibilities of this ordinance, ensuring all procedures and other provisions are consistently and equitably applied.
379. **Zoning Map.** A map, adopted as part of a land use ordinance, that depicts land use zones, overlays, or districts.

12A-300 Reserved

12A-301 Reserved

12A-302 Reserved

12A-400 Limits And Penalties

12A-401 Building Permits To Comply

From time of the effective date of this ordinance, the Building Inspector shall not grant a permit for the construction or alteration of any building or structure or the moving of a building or structure onto a lot, if such building or structure would be in violation of any of the provisions of the ordinance nor shall any North Logan City officer grant any permit or license for the use of any building or land if such use would be in violation of this ordinance.

12A-402 Licensing To Comply

All departments, officials and public employees of North Logan City which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this ordinance and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this ordinance, and any such permit or license, if used in conflict with the provisions of the ordinance, shall be null and void.

12A-403 Penalties

Except as provided in Section 12C-710 (Enforcement Provisions For Sign Ordinance), any person, firm or corporation whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this ordinance shall be guilty of a class C misdemeanor. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this ordinance is committed, continued or permitted by such person, firm or corporation.

North Logan Municipal Code
Title 12A – General Provisions

12A-500 Reserved

12A-501 Reserved

12A-502 Reserved

12A-503 Reserved

12A-504 Reserved

12A-505 Reserved

12A-506 Reserved

12A-507 Reserved

12A-508 Reserved

12A-509 Reserved

12A-510 Reserved

12A-511 Reserved

12A-600 Reserved