

ORDINANCE NO. 16-05

AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL
MODIFYING MISCELLANEOUS REGULATIONS WITHIN THE CITY CENTER ORDINANCE
RELATIVE TO MIXED RESIDENTIAL DEVELOPMENT IN CERTAIN CITY CENTER ZONES

WHEREAS, the City Council of the City of North Logan, Utah, adopted and passed the Code of Revised Ordinances of the City of North Logan on March 16, 1989, which Code was published and effective on March 20, 1989; and

WHEREAS, said Code included Title 12, which is the City's Land Use Ordinance; and

WHEREAS the City Council and the City's Planning and Zoning Commission have determined there is need and good cause to amend the City's land use ordinance to modify certain regulations and zone designations for Mixed Residential (MR) zones.

NOW, THEREFORE, pursuant to Section 12A-301 of Title 12 of North Logan City code and Section 10-9a-205 of the Utah Code, and after ten (10) days' notice and a public hearing as required therein, the City Council of the City of North Logan, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED by the City Council of the City of North Logan, Utah as follows:

SECTION I: Make the following changes to definition 147 - Seniors Housing and add a new definition "Qualifying Senior Community" within 12A-200:

- (147) Seniors Housing. Any facility or group of facilities in a project intended and operated as a Qualifying Senior Community. ~~which contains living quarters and provisions for sleeping, eating, cooking and sanitation to persons over the age of fifty five (55).~~ Also see related definitions: Nursing Home, Residential Facility for Elderly, Assisted Living Facility, and Residential Health Care Facility (Small). (Ord. 01-03)
- (#) 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:
1. At least one person living as a permanent resident in each dwelling (100% of the units) must be a Senior Resident, i.e. a resident at least 55 years of age; and
 2. Each other, non-Senior Resident in the same dwelling must be a Qualified Permanent Resident. A Qualified Permanent Resident must satisfy at least one of the following requirements:
 - a. Of 45 years of age or older; or
 - b. The spouse of the Qualifying Senior Resident; or
 - c. A cohabitant providing physical or economic support to the Qualifying Permanent Resident.
 3. 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

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- transitional care, rehabilitative care, assisted living, nursing home facility or other similar situations.
4. The development agreement must include provisions for verification of occupancy by reliable surveys and/or affidavits available for auditing by the City.
 5. The total occupancy within each dwelling unit must also comply with the definition of Family in 12A-200.

SECTION II: Make the following changes to sections within 12C-1001:

12C-1001 Permitted And Conditional Uses In Zone

Land Use Description - Zone	R/S	A	RE	R1	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Residential Dwelling Units																			
Single Family Residence		P	P	P	P				P	P	M	P							P
Two Family Residence					P		P		P	P (L)	M	P							
Seniors Housing										M (L)									

Add the following Paragraph "L" after the zoning matrix.

L. Two Family Residences, (Duplexes) that are designated as Seniors Housing are allowed in lieu of Single Family Residences in providing for the required mix of housing types in the MR7 Zone. For the purposes of computing densities, one two-family residence (ie. two units) shall equal two single-family residences. Land uses for developments that include Senior Housing must comply with the definitions in 12A-200 for Senior Housing and Qualifying Senior Communities.

SECTION III: Make the following changes to sections within 12C-1063 through 12C-1066:

Modify Section 12C-1063 as follows:

12C-1063.12 Mixed Residential 7 and 8 (MR7 and MR8) - Specific Requirements

Paragraphs (A.) through (E.) - no changes

- (F) Residential Density and Mixture:
- (1) See Section 12C-1063.08 for Residential Density Table.
 - (2) Residential Density shall include a blend of a housing types within the development plan. The variety of housing types will provide NLC citizens with

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options and establish neighborhoods with various architecture styles and Building Types.

- (3) In the MR Zones developments shall have a minimum of two building or housing types. The housing types shall come from the two lists (below) with a minimum of one (1) housing type coming from each list. Building Types are defined in Section 12C - 1066.
- (4) The Development Plan within the MR 7 zones shall have a minimum of two (2) Building Types split as equally as possible between two housing types selected from each of the following Lists 1 and 2. Provided that if an odd number of units can be allowed, one building type may be include one more dwelling unit than the other type.
- (5) Qualifying Senior Communities shall have a minimum percentage of forty percent (40%) units from each of the following Building Type Lists, both List 1 and List 2; or they may be all Two-Family Senior Homes. Furthermore, all Senior Housing dwelling units shall also have a height limit of no more than twenty-four feet (24') measured from the midpoint of the roof to finished grade.

MR7 Building Type List 1

Small-Single Family

Medium-Single

Two-Family Senior Home*

MR7 Building Type List 2

Townhome

Family Two-Family Home

*Two-Family Senior Homes are the same design type as Two-Family Homes but must be designated as Senior Housing. Two-Family Senior Homes may be counted as qualifying within the Type List 1 if the homes are designated Senior Housing and comply with the definitions of Senior Housing and Qualifying Senior Community in 12A-200 and with the requirements in the Zoning Matrix, Paragraph 12C-1001 (L).

- (6) The Development Plan within the MR 8 zones shall have a minimum of two (2) Building Types with a minimum percentage of thirty percent (30%) units from each of the following Lists 1 and 2.

MR8 Building Type List 1

Small-Single Family

Medium-Single Family

MR8 Building Type List 2

Townhome

Multi-unit Home

Two-Family Home

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(7) The variation of Building Types as required in Section 12C-1063.11 F (3) (above) shall be mixed throughout the project. The project shall not have a continuous use of one single Building Type on a Block Face.

(8) The construction of Garages are regulated in each Zone as shown in Section 12C-1066.

(G) In the MR7 Zone, a Buffer Area is identified on the Regulating Plan in 12C-1062. This buffer is a 70- foot wide area running along the west of the Logan North Fields Canal. All lots extending into the Buffer Area shall contain only Small Single Family, ~~or~~ Medium Single Family Houses, or designated Senior Housing Two-Family homes.

(H) Streets and Blocks. Streets and blocks shall conform to Section 12C-1064.

Modify Section 12C-1065 as follows:

12C-1065.01. Minimum Required Open Space requirements. (Note - There is not a no Maximum):

<u>Percentage of gross land as open space</u>	<u>Minimum</u>
Downtown (DT)	10%
City Center Adjacent (CCA)	20%
City Center Commercial (CCC)	15%
Mixed Residential 8 (MR8)	20% 15%
Mixed Residential 7 (MR7)	20% 15%

Modify Section 12C-1066 as follows:

12C-1066.00. BUILDING FORM REQUIREMENTS.

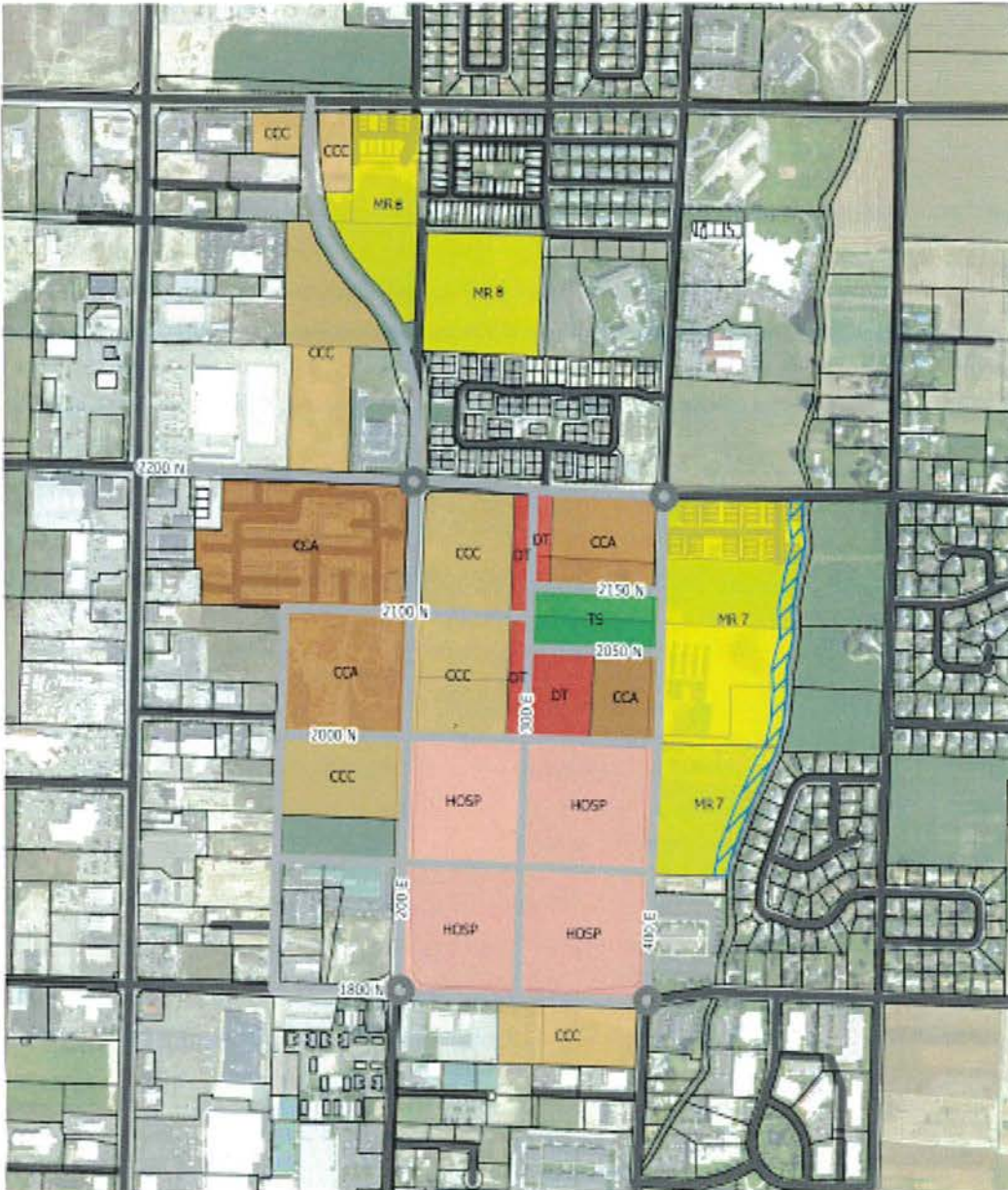
Change the Permitted Building Types Table to Read as Follows:

	Zones				
	DT	CCC	CCA	MR7	MR8
Small Single Family (SSF)				X	X
Medium Single Family (MSF)				X	X
Two Family Home (TFH)			X	X	X
Townhome (TH)			X	X	X
Multi Unit House (MUH)			X		X
Multi Unit Building (MUB)			X		
Classic Commercial (CC)	X	X	X		
City Commercial (CCB)	X	X	X		
Residential Garage (G)			X	X	X

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SECTION IV: The City's Zoning Map is hereby modified as follows: *NOTE: MR7 and MR8 Remains the same, only the buffer area is added.*

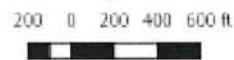
Zoning Map as Modified by this Ordinance: *(Note, this map also includes changes being proposed in the other commercial area ordinance as well. Staff recommends showing a dash line designating the 70 ft. buffer area.)*



REGULATING CODE

- CCA - CITY CENTER ADJACENT
- CCC - CITY CENTER COMMERCIAL
- DT - DOWNTOWN
- H - HOSPITAL

- MR - MIXED RESIDENTIAL (7 & 8)
- TS - TOWN SQUARE
- 70' BUFFER OVERLAY
- EXISTING STREETS
- PROPOSED STREETS
- PARCELS



SECTION V: CONFLICT. To the extent of any conflict between this ordinance and any other North Logan City ordinance(s) or regulation(s), the provisions of this Ordinance shall be controlling.

SECTION VI: SEVERABILITY. The sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any such section, paragraph, sentence, clause, or phrase shall be declared invalid or unconstitutional by the valid judgment or decree of a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any of the remaining sections, paragraphs, sentences, clauses, or phrases of this Ordinance.

SECTION VII: EFFECTIVE DATE. In the opinion of the City Council of North Logan, it is necessary that this ordinance take effect immediately; therefore, this Ordinance shall take effect immediately upon its passage and first posting as provided by law.

ADOPTED AND PASSED by the City Council of the City of North Logan, Utah, this 7th day of September, 2016.

NORTH LOGAN CITY

By:


Lloyd Berentzen, Mayor

ATTEST:


Scott Bennett, City Recorder

CERTIFICATE OF DUE POSTING

I, Scott Bennett, City Recorder of North Logan, Utah, hereby certify that I caused to be posted the foregoing Ordinance No. 16 - 05 on the 27th day of September, 2016, in the City of North Logan, Cache County, State of Utah, a copy of which is hereto attached, in each of three public places in the said City of North Logan, to-wit:

1. North Logan City Offices, 2076 North 1200 East
2. North Logan City Library, 475 East 2500 North
3. North Park Police Department, 42 East 2200 North

WITNESS my hand this 27th day of September, 2016.



Scott Bennett
City Recorder