

ORDINANCE NO. 13-01

AN ORDINANCE OF THE NORTH LOGAN CITY COUNCIL  
MODIFYING MIXED-USE REGULATIONS WITHIN THE LAND-USE ORDINANCE  
AND RE-ZONING CERTAIN AREAS ADJACENT TO THE 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 the regulations governing the Mixed-Use Zones, and modify the current zoning map.

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:** The following Section 12C-1050 – Mixed-Use Ordinance is modified as follows:

**12C-1050 - MIXED USE ORDINANCE**

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

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

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

- \* The North Logan City General Plan and other applicable city plans including but not limited to the city's parks and recreation plan or the stormwater plan
- \* The North Logan City Center Plan

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- \* The purpose and characteristics of the Mixed Use Zones
- \* Sound planning practices
- \* Surrounding land-uses
- \* All other City-approved studies
- \* Regulations in the City Center Adjacent (CCA) Zone (NLC Code 12C-1063.11)

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

12C-1055 - DEVELOPMENT PLAN / AGREEMENT

1. A Mixed Use Development Concept Plan shall be submitted as part of the application to develop any Mixed Use Project. A Public Hearing, to receive public input regarding the Mixed-Use Concept Plan, shall be held by both the Planning Commission and the City Council prior to any decision being made to approve/deny said Mixed Use Development Concept Plan.
2. A Mixed Use Development Plan shall be submitted as part of the application to develop following approval of the Mixed Use Development Concept Plan by the City Council for any Mixed Use Project, and must be reviewed by the Planning Commission and approved by the City Council prior to development occurring. Each Mixed Use Project will have its own Development Agreement, which guides all development within that property. The Development Plan shall include a site plan, a pedestrian connection/trails plan, conceptual building elevations and design schemes, streetscape and building setback illustrations, a county recorder's property plat and aerial photograph (if available) graphic illustrations/presentations, and any other information typically required for a change in zoning.
3. The Development Plan must demonstrate the relationship between the uses in the proposed development and the uses on the surrounding properties and how the proposed uses are consistent with applicable city plans. Development in mixed use zones should be done in such a way as to be sensitive to existing residential uses adjacent to the mixed use zone. Development plans must include buffering between residential development and commercial development when the new development is adjacent to existing residential uses. Development Plans must show conformance to the intent of the City Center Zoning Regulations (NLC Code 12C-1060).

Paragraphs 4 and 5 – no changes.

12C-1056 - DEVELOPMENT CHARACTERISTICS

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

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3. Developments within ~~an either MX~~ the MX-G zone shall conform to applicable city plans including but not limited to the city's general plan, the parks and recreation plan, the stormwater plan, and the city center plan.
4. All mixed use developments in the MX-G Zones shall provide at least twenty percent (20%) of the gross site area as landscaping and/or open space. ~~The landscaping requirements in mixed-use developments in the MX-CC Zone shall be approved on a case-by-case basis by the City Council by determining how the development meets the objectives of the city center plan.~~ Open space shall typically include the following elements: cultivated landscaping, plazas, parks, urban trails/sidewalks, wetlands/indigenous landscaping, and community recreation space. A maximum of fifty percent (50%) of all open space may be hard surfaced. Streets, parking lots, driveways and private yards are not considered open space.

Paragraphs 5 – 8 – no changes

12C-1057 - DEVELOPMENT PROCEDURES - no changes

**SECTION II:** The following Section 12C-1100 – Site Development Requirement is modified as follows:

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

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

**SECTION III:** The Zoning Map for the City of North Logan is modified as follows:

*The paragraphs below correspond to the letters on the attached zoning map to help show the areas being re-zoned.*

- A. ~~04-060-0004 – 2500 North 50 to 75 East, the west half of 6.13 acres currently owned by Lewiston State Bank is hereby re-zoned General Commercial (CG). (Note for the record - A proposed medical office building was started on this property but the building was never completed. No current plan is on the books for what will go here. This west half of the parcel will be re-zoned to General Commercial along with the land on the Main Street corner.)~~
- B. ~~04-060-0046 – 2200 to 2300 North 175 East, the 5.19 acres currently owned by the LDS Church is hereby re-zoned City Center Commercial (CCC). (Note for the record - The front half has the Bishop's Storehouse on it. This property, even though zoned Mixed-Use General, was not originally developed as a mixed-use development so there is no specific plan for developing the rear part of the building. This land will be re-zoned to City Center Commercial (CCC) like the parcel to the west of it.)~~
- C. ~~04-191-0117 – NW Corner of 2200 North and 400 East, is not recommended for re-zoning. (Note for the record - the undeveloped 99,000 square foot lot 117 of the Towne Center Villas, according to the development agreement must be developed with a commercial use. The development of this property is regulated by the mixed-use development plan and agreement for Towne Center Villas. The undeveloped part of the land will stay zoned Mixed-Use General.)~~

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- D. 04-083-0040 & 0054 – These two parcels located at Main and about 2150, combine to about one acre, and are hereby re-zoned General Commercial (CG). *(Note for the record – these parcels are owned by North Cache Properties (Tony Loosle) and currently have two older, commercial buildings on them. These properties have no specific approved plan for their use. This property will be re-zoned General Commercial like all the other properties along Main Street.)*
- E. 04-083-0067 & 0012– These parcels located east of 100 East at about 1900 North are currently owned by Wursten Properties LLC.
  - a. Parcel 0067, 3.84 acres is hereby re-zoned General Commercial (CG). *(Note for the record – This parcel was previously owned by the Spendlove Research Foundation. It is currently undeveloped but part of Wursten’s long range plan for this area. This parcel will be re-zoned General Commercial (CG) and developed along with the rest of the Wursten property to the south.)*
  - b. Parcels 0012 and 0031, 5.55 acres are hereby re-zoned General Commercial (CG). *(Note for the record – These parcels are already, for the most part, developed and are part of Wursten’s machining business and will be re-zoned CG.)*
  - c. Parcel 0064, 0.83 acres is hereby re-zoned General Commercial (CG). *This parcel is the fourth of four lots in the Homestead Plaza Subdivision and is developed with a building on it which building extends into the adjacent lots 04-083-0031 & 0012 stretching to 200 East. This parcel will be re-zoned General Commercial.)*
- F. 04-202-0021 & 0022 – These two parcels make up the Wasatch Pointe Subdivision. Parcel 0022 is where the current Wasatch Pointe Apartment building is being constructed. Neither are recommended for re-zoning. *(Note for the record – Parcel 0021 is the 1.3 acre pad fronting 200 East and according to the development plan for this property is supposed to be developed as a commercial enterprise of some kind (non-residential).)*

**SECTION IV:** The following paragraphs and the matrix in TITLE 12C, Chapter 12C-1001. Accessory Storage for Multiple Family Residences shall be added within the zoning matrix as a conditional use in the CCC as follows: (Note – only those land uses in the matrix that are to be changed are listed. All others remain unchanged)

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

*No change in the introductory paragraph to the matrix.*

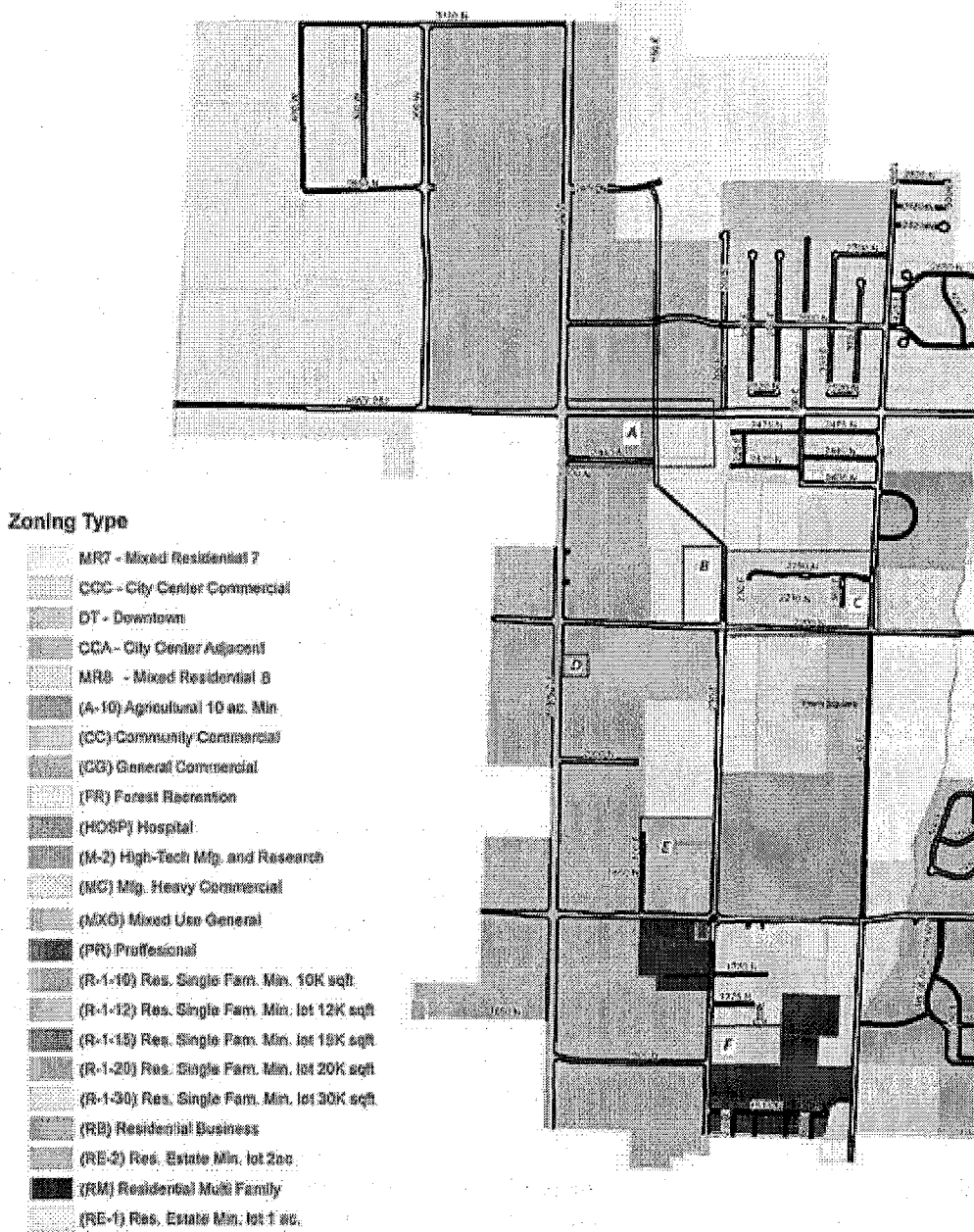
Land Use Description - Zone	FR	A	RE	RI	R2	DT	CCA	CCC	MR8	MR7	MXG	RM	PR	CC	CG	MC	M2	RB	HOSP
Land Uses Related to Dwellings																			
Accessory Storage for Multiple Family Residences							P	C(h)			C	P							

**Add paragraph (h) to the bottom of the matrix in 12C-1001**

**(h) Any Accessory Storage building for Multiple Family Residences in the CCC zone is conditioned upon such accessory storage building(s) being associated with and adjacent to a multiple family residence and part of a development plan approved by the City Council. Furthermore any storage buildings shall be available for persons to use only in accordance with the definition for Accessory Storage for Multiple Family Residences as found in Chapter 12A-200 (4) (namely – “Storage units associated with multiple family housing which are used only by the occupants of the housing units.”)**

# North Logan City Zoning

## City Center Zoning Change





**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 3<sup>rd</sup> day of April, 2013.

NORTH LOGAN CITY

By: \_\_\_\_\_

Lloyd Berentzen, Mayor

ATTEST:

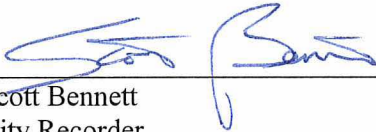
  
\_\_\_\_\_  
Scott Bennett, City Recorder

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. 13 - 01 on the 3<sup>rd</sup> day of April, 2013, 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 4<sup>th</sup> day of April, 2013.

  
\_\_\_\_\_  
Scott Bennett  
City Recorder