



**Project #21-027**  
**Commercial/Industrial Use Table**  
**Land Development Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Commercial/Industrial Use Table Amendment
<i>Proponent/Owner:</i>	Community Development Department
<i>Project Address:</i>	Citywide
<i>Request:</i>	Code Amendment
<i>Type of Action:</i>	Legislative
<i>Date of Hearing:</i>	May 27, 2021
<i>Submitted By:</i>	Mike DeSimone, Director

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**RECOMMENDATION**

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of these minor amendments to the Land Development Code.

**REQUEST**

This is a proposal for a minor amendment to the Land Development Code (LDC) modifying the Commercial & Industrial Use Table (17.11.030) in Chapter 17.11 by expanding the range of uses conditionally permitted in the Industrial zone. The proposed amendment to LDC Chapter 17.11 is attached and summarized below:

**Allowed Uses in District and Corridor Zones - 17.11.030:** Amend the Commercial & Industrial Use Table by changing "Banks, Savings & Loans, Credit Unions", "General Sales/Service" and "Sales and Service, Footprint Greater than 100,000 sq. ft. (Big Box)" from not permitted to conditionally permitted in the Industrial zone.

The purpose of these changes is to encourage the transition of "big box" retailers from Main Street locations to the westside of Logan where large, undeveloped tracts are available. The proposed amendment would expand the range of uses permitted in the Industrial zone by including financial institutions as well as other general sales & services similar to the range of uses permitted in the Commercial Services zone. The purpose for considering these as conditional uses (C) rather than permitted uses (P) is to utilize the conditional use review and permitting criteria to adequately evaluate the compatibility of land uses while also mitigating for any potential impacts to the site, surrounding properties, uses, or adjacent roadways.

The nature of big box types of construction and uses are very similar to industrial warehouses in their sizing, scale, uses, and functionality, while also being very land consumptive with large parking areas that sit vacant for a significant portion of the day/night. The one primary difference will be volumes of traffic. These types of uses have a need for clear and accessible semi-truck loading/unloading areas, wide drive aisles, outdoor storage and significant amounts of shipping (both in/out). They are not conducive to pedestrian or bike traffic and create very large "void" areas that are difficult and/or uncomfortable to move through unless in a vehicle. Other than the amount of retail traffic, the typical big box establishment is a large warehouse. In addition, the transportation system of Logan's west side has seen significant improvements in the road network, and by pushing new big box types of activities further west, it will be possible to shift and disperse some of the traffic demand off Main Street.

## **STAFF RECOMMENDATION AND SUMMARY**

The proposed changes to the Land Development Code would expand the range of uses in the Industrial zone to include financial institutions, general sales/service, and big box types of sales & service. The nature of these amendments provides additional flexibility in locating additional land uses on the west side of Logan in order to move large, warehouse types of projects off Main Street along with the traffic generated by it. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

## **GENERAL PLAN**

The Land Development Code was prepared and adopted to implement the vision expressed in the General Plan. The proposed amendments are minor in nature and are consistent with the General Plan.

## **PUBLIC COMMENTS**

As of the time the staff report was prepared, no public comments had been received.

## **PUBLIC NOTIFICATION**

Legal notices were published in the Herald Journal on 5/15/21, posted on the City's website and the Utah Public Meeting website on 5/20/21, and noticed in a quarter page ad on 5/8/21.

## **AGENCY AND CITY DEPARTMENT COMMENTS**

As of the time the staff report was prepared, no comments have been received.

## **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments will provide additional flexibility in siting new land uses in Logan.
5. No public comment has been received regarding the proposed amendments.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

5/27 MEETING

XX Planning Commission ☐ Land Use Appeal Board ☐ Administrative Review

Date Received 4/22/21	Received By	Receipt Number	Zone	Application Number PC 21-027
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Zone Change <input type="checkbox"/> Administrative Design Review <input checked="" type="checkbox"/> XX Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Variance <input type="checkbox"/> 4950' Design Review <input type="checkbox"/> Other _____				
<b>PROJECT NAME</b>				
LAND DEVELOPMENT CODE AMENDMENTS – CHAPTER 17.11				
PROJECT ADDRESS				COUNTY PLAT TAX ID #
CITYWIDE				-- --
AUTHORIZED AGENT FOR PROPERTY OWNER (Must be accurate and complete)				MAIN PHONE #
MIKE DESIMONE				435 716 9022
MAILING ADDRESS		CITY	STATE	ZIP
LOGAN CITY HALL 290 NORTH 100 WEST LOGAN UTAH 84321				
EMAIL ADDRESS				
MIKE.DESIMONE@LOGANUTAH.ORG				
PROPERTY OWNER OF RECORD (Must be listed)				MAIN PHONE #
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE PRESENTED (Include as much detail as possible - attach a separate sheet if needed)				Total Lot Size (acres)
MINOR AMENDMENTS TO TABLE 17.11.030 IN CHAPTER 17.11 "DISTRICT AND CORRIDOR ZONE USES" TO PERMIT FINANCIAL INSTITUTIONS, GENERAL SALES & SERVICES, AND SALES & SERVICES IN BUILDINGS WITH A FOOTPRINT EXCEEDING 100,000 SQUARE FEET AS A CONDITIONAL USE IN THE INDUSTRIAL ZONE.				Size of Proposed New Building (square feet)
				Number of Proposed New Units/Lots
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permits on behalf of the property owner.			Signature of Property Owner's Authorized Agent	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.			Signature of Property Owner	

\* CITY COUNCIL

6/15/21 WORKSHOP

7/6/21 HEARING

7/20/21



## Chapter 17.11: District and Corridor Zone Uses

### §17.11.010. Purpose

This Chapter sets forth the types of land uses permitted and conditionally permitted within Logan's Districts and Corridors.

### §17.11.020. Districts & Corridors Land Use: Classification

- A. Primary Uses. Land use shall conform to the designations in Table 17.11.030 (Use Table). Land uses are designated as follows:
  1. Permitted Uses. A "P" indicates that a use is allowed in the respective zoning district. Permitted uses must conform to the applicable requirements of the Land Development Code. Permitted uses requiring a public hearing are subject to the Procedures for Processing Applications contained in Chapter 17.48.
  2. Conditional Uses. A "C" indicates that a use is allowed as a Conditional Use in the respective zoning district. Conditional uses are subject to review and approval under the provisions of Chapter 17.49, Conditional Use Permits, and following the Procedures for Processing Applications contained in Chapter 17.48. Conditional uses must conform to the applicable requirements of Chapter 17.42.
  3. Uses Not Allowed. An "N" indicates that a use is not allowed in the respective zoning district, except where State or Federal law otherwise preempts local land use regulation.
- B. Accessory Uses and Structures. An accessory use or structure may be permitted in compliance with the applicable provisions of the zone in which it is located. An accessory use shall not commence, and no accessory structure shall be constructed, without a primary use first being lawfully established on the subject site.
- C. Temporary Uses. Temporary uses may be permitted for a period not to exceed twelve (12) calendar months in compliance with the provisions of the zone in which it is located and the provisions of Chapter 17.60. The procedures for review and approval of a temporary use are the same as for a permanent use; however, the reviewing authority may waive certain Land Development Code standards, and impose conditions of approval on the temporary use, as it deems necessary, to promote compatibility between the proposed use and adjacent permitted uses.
- D. Non-Conforming Uses. Non-conforming uses and development are subject to the provisions of Chapter 17.52.

## 17.11: District and Corridor Zones Uses

Table 17.11.030: Allowed Uses in District and Corridor Zones

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
<b>Residential Uses</b>									
Assisted Living Center	N	C	C	C	C	N	N	N	N
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	N	N
Nursing Home, Convalescent Home	N	C	C	C	C	N	N	N	N
One caretaker or security guard may be permitted to live on-site as an accessory use with a Conditional Use Permit.	N	N	N	N	N	N	C	C	N
Residential Group Homes (communal living exceeding occupancy limits).	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>
Residential Group Homes for individuals with disabilities.	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>
Residential occupancy of a dwelling unit by a family, or no more than three unrelated individuals.	P	P	P	P	P	N	N	N	N
Residential Treatment Programs where care, training, or treatment is provided on site.	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>
<b>Public/Institutional Uses</b>									
Clubs, Lodges, similar uses	C	C	C	C	C	C	N	N	N
Day Care/Preschool, Commercial (17 or more clients)	P	P	C	C	C	C	C	N	N
Day Care/Preschool (1-8 Clients) or (9-16 Clients)	P	P	P	P	P	N	N	N	N
Hospitals	N	N	P	P	N	P	N	N	N
Libraries, Museums, Community Centers	P	P	C	C	C	C	N	N	N
Parks and Open Space	P	P	P	P	C	P	P	P	P
Public Safety Services (Police, Fire)	C	C	P	P	C	P	P	P	P
Religious Institutions	C	C	C	C	C	C	C	N	N
Schools, Colleges, University, Technical College	C	C	C	C	N	C	N	C	C
Schools, Private (K-12)	N	N	C	C	C	C	N	N	N
Schools, Trade, vocational, commercial	C	C	C	C	N	C	N	C	C
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	C	C	P	P	C	P	C	C	C
<b>Utility Uses</b>									
Amateur radio towers	C	C	C	C	N	C	C	C	C
Municipal water well, reservoir, or storage tank	C	C	C	C	N	C	C	C	C
Radio, television, or microwave towers	C	C	C	C	N	C	C	C	C
Utilities, basic service delivery and laterals	P	P	P	P	P	P	P	P	P
Utilities, distribution network	P	P	P	P	P	P	P	P	P
Utilities, structures, physical facilities (Regional Facilities)	C	C	P	C	C	P	P	P	P
Wireless Telecommunication Facilities	C	C	P	P	N	P	P	P	P
<b>Commercial Uses</b>									
Bank, savings and loans, or credit union	P	P	P	P	C	P	P	NC	N
Bed and breakfast	P	P	P	P	C	N	P	N	N
Campground, RV or Tent	N	N	N	N	N	N	C	C	N
Clinic, medical, dental, or optical	P	P	P	P	C	P	P	C	C
Entertainment Event, Major	C	C	C	C	N	C	C	C	C
Entertainment Event, Minor	P	C	P	P	N	C	C	N	N
Golf course	N	N	N	N	N	P	N	N	C

## 17.11: District and Corridor Zones Uses

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Hotel, Motel	P	C	P	P	N	N	P	P	P
Indoor Commercial Shooting Range	N	N	C	N	N	N	C	C	N
Office, General business, government, professional, medical, or financial	P	P	P	P	C	P	P	P	P
Office, Laboratory, scientific or research	P	C	P	C	N	P	P	P	P
Parking, Commercial	C	C	P	C	N	N	P	P	P
Recreation and Entertainment (Outdoor Facility)	N	N	P	N	N	N	P	P	P
Recreational vehicle, vehicle storage (long term)	N	N	N	N	N	N	P	P	P
<b>Sales and Service</b>									
Adult oriented business	N	N	N	N	N	N	N	C	N
Amusement, commercial indoor	N	N	P	C	N	N	P	P	N
Animal clinic or pet hospital, No outdoor pens	N	N	P	C	C	N	P	N	N
Animal clinic or pet hospital, with outdoor pens	N	N	N	N	N	N	C	C	N
ATVs, Motorcycle, and Snowmobile sales, service and rental	N	N	C	N	N	N	C	P	C
Automobile Sales & Rental	N	N	C	N	N	N	P	P	N
Automobile Sales, Small Dealership	C	N	P	N	N	N	P	P	N
Automobile Repair	N	N	N	N	N	N	P	P	N
Automobile Service	N	N	P	N	N	N	P	P	N
Bar/Tavern	P	C	P	C	N	N	P	P	N
Carwash	N	N	P	N	N	N	P	P	N
Dancehall or nightclub	P	C	P	P	N	N	N	N	N
Fitness Center	P	P	P	P	C	N	P	P	N
Garden shop, plant sales, nursery	P	P	P	P	C	C	P	C	N
Gasoline station/convenience store	N	N	P	N	N	N	P	P	N
General Sales/Service. Firms involved in the sale, lease or rent of new or used products to the general public. These firms may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.	P	P	P	P	C	C	C	NC	N
Grocery store	P	P	P	P	C	N	N	N	N
Heavy truck & equipment sales, service, and rental	N	N	N	N	N	N	P	P	C
Kennel	N	N	N	N	N	N	C	C	N
Kennel, daily boarding	C	C	C	C	C	C	C	C	C
Mobile Home & RV sales	N	N	N	N	N	N	C	P	N
Mortuary, funeral home	N	N	P	N	N	N	P	N	N
Package liquor store	State law supersedes local zoning regulations								
Pawn shop	N	N	P	N	N	N	P	N	N
Pet services	C	C	P	P	C	N	N	N	N
Radio or television transmitting stations, commercial	N	N	P	N	N	C	P	P	N
Railroad or bus passenger station	P	P	P	P	N	P	P	P	P
Recreation Club, racquet, swim, or other	N	N	P	N	N	N	P	P	N
Restaurant, Brew	P	C	N	N	N	N	N	N	N



## 17.11: District and Corridor Zones Uses

Land Use	Districts & Corridors								
	TC-1	TC-2	COM	MU	CC	GW	CS	IP	AP
Restaurant, Fast Food	P	C	P	P	C	P	P	P	P
Restaurant, General	P	C	P	P	C	P	P	P	P
Sales and service, footprint greater than 100,000 sq. ft. (Big Box)	N	N	P	N	N	N	C	NC	N
Storage, Commercial (Self Storage)	N	N	N	N	N	N	C	C	C
Studio, photographer, artist, music, dance, and drama	P	P	P	P	C	N	P	N	N
Theaters	P	C	P	P	N	N	P	N	N
<b>Industrial Uses</b>									
Contractor supply store	N	N	C	N	N	N	P	P	N
Contractor supply store with outdoor storage	N	N	N	N	N	N	P	P	N
Contractors outdoor storage	N	N	N	N	N	N	C	P	C
Crematorium	N	N	N	N	N	N	P	P	N
Impound and Tow Lot	N	N	N	N	N	N	P	P	N
Industrial Services	N	N	N	N	N	N	P	P	C
Industrial Machinery and equipment sales and service	N	N	N	N	N	N	C	P	C
Lumberyard	N	N	N	N	N	N	P	P	N
Manufacturing, processing, fabrication, packaging, or assembly of goods	N	N	N	N	N	N	C	P	N
Manufacturing, light	N	N	C	N	N	N	P	P	C
Petroleum products storage	N	N	N	N	N	N	C	C	N
Truck Stop	N	N	N	N	N	N	P	P	N
Warehouse, Freight Movement	N	N	N	N	N	N	P	P	P
Waste Related Uses	N	N	N	N	N	N	C	P	N
Welding or machine shop	N	N	N	N	N	N	P	P	P
Wholesale Sales and Service	N	N	C	N	N	N	P	P	N
Wrecking or Salvage Facilities, Enclosed	N	N	N	N	N	N	C	C	N
Wrecking or Salvage Facilities, Open	N	N	N	N	N	N	N	N	N
<b>Other Uses</b>									
Agriculture	N	N	N	N	N	P	P	P	P
Air Passenger Terminals or Hangers	N	N	N	N	N	N	N	N	P
Alternative or Post Incarceration Facilities	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>
Detention Facilities	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>	N <sup>1</sup>
Mining or extraction of mineral or aggregate resources from the ground for off-site use	N	N	N	N	N	N	N	N	N

<sup>1</sup> Indicates use may be allowed where State or Federal law preempts local zoning.