



**Project #21-051
Urban Agriculture
Land Development Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Urban Agriculture (Updated)
<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>	September 23, 2021
<i>Submitted By:</i>	Mike DeSimone, Director

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of the proposed amendments to Chapters 17.08, 17.11, 17.37 and 17.62 of the Land Development Code.

REQUEST

This is a proposed amendment to the Land Development Code (LDC) permitting Community Agriculture and Urban Agriculture throughout the City. More specifically, the proposed language defines the minimum standards for keeping chickens, domestic fowl, bees, miniature and larger livestock on residential properties. This amendment also clarifies the distinction in types of Agriculture, namely the differences between Community Agriculture and general Agriculture. Moreover, the purpose is to enable residents to keep animals and bees on their property while minimizing the negative impacts on adjoining properties.

This amendment is in response to inquiries we regularly receive about keeping chickens on residential lots and a lack of clear guidance in the City's current code structure.

BACKGROUND

There is a disconnect between the City's animal regulations (Chapter 6A) and the Land Development Code on keeping animals or bees.

Logan Municipal Code 6A.06.030 – Limits on Animals for Family Food Production states:

The type and number of animals for family food production that may be kept is limited and governed exclusively by the city's land use ordinances and regulations set forth in city ordinance. It is presumed that if a type of animal is not expressly allowed as either a permitted or conditional use in a specific land use zone as determined by city ordinances then that animal is deemed prohibited.

Land Development Code Chapter 17.62: Definitions states:

"Agriculture" means the production, keeping, or maintenance, for sale, lease or personal use, of plants and animals useful to society, including and not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary

products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Chapter 6A of the Logan Municipal Code defers the keeping of animals for family food production to the Land Development Code. The definition of agriculture in the LDC is relatively broad as it includes a wide range of ag uses from large scale commercial operations down to individual scaled agriculture. Under the current use tables, agriculture is a permitted use in the NR-2, NR-4, RC, GW, CS, IP and AP zones. Under this definition and with our current use charts, hypothetically, a property owner could put in a commercial dairy in the Cliffside area yet a property owner living in the NR-6 zone cannot raise chickens for family food production.

Contrary to some of the comments you received for the September 9, 2021 public hearing, the purpose of these regulations is to clarify where and how various types of agriculture uses should be permitted throughout the City.

The first element of this proposal are the proposed changes to the applicable definitions in 17.62: Definitions where the definition of Agriculture is modified to referenced commercial, and a definition of Community Agriculture and Urban Agriculture are included to reference smaller scaled agricultural related activities for food coops, personal use, etc.

“Agriculture” means the production, keeping, or maintenance, for commercial purposes, of plants and animals useful to society, including and not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

Community Agriculture means crop production, horticulture, floriculture, or viticulture and which may include facilities for the sale of produce, plants, and/or flowers produced or grown on- site. The phrase "agriculture, community" is lower in scale than "agriculture" and more restricted in its operations. Community Agriculture includes composting (of agricultural byproducts produced on-site for use on-site) and seasonal produce stands as accessory uses. Community Agriculture is separated into three categories:

- A. **Community Gardens** are gardens that are maintained and cultivated by non-profit entities or groups of individuals who engage in the activity for their own benefit;
- B. **Small community-supported Farms** are farms that are less than two acres in area, in which produce, plants, and/or flowers are grown and harvested on behalf of a community of members ("shareholders") who pledge financial support in advance of the growing season; and
- C. **Market Gardens** are gardens up to one-half acre in area in which produce, plants, and/or flowers are grown for off-site distribution and sale.

Urban Agriculture means the production of food within an urban area on a scale that is for personal use and consumption. Urban agriculture can also include animal husbandry (e.g., breeding and raising livestock), beekeeping, aquaculture (e.g., fish farming), aquaponics (e.g., integrating fish farming and agriculture), and non-food products such as producing seeds, cultivating seedlings, and growing flowers.

The change to the definition of agriculture moves it in the direction of referencing commercial agriculture while the others are new definitions recognizing a smaller scale, more urban agriculture for various groups or individual use. There is also a difference in scale between community agriculture and urban agriculture as community ag is centered around a larger involvement by more people in raising plants or food whereas the urban ag is generally a private individual raising plants, animals and vegetables for their own consumption with some secondary distribution. There are currently a number of community gardens in Logan providing food for residents unable to grow it at their own residence. Both types of agriculture are important and encourage residents to raise their own food provided impacts to adjacent owners are minimized.

The second element of this proposed approach includes proposed changes to the Residential Use Table (17.08) and the District and Corridor Use Table (17.11):

17.08: Neighborhood Residential Uses - Added Community Agriculture and Urban Agriculture to the Residential Use Table in 17.08.040 as permitted in all zones.

17.11: District and Corridor Uses - Added Community Agriculture and Urban Agriculture to the Commercial/Industrial Use Table in 17.11.030 as permitted in all zones.

The third element is the proposed language in 17.37 regulating types of livestock and their operational standards. In preparing the revised language, I surveyed a number of jurisdictions for precedent examples on regulating chickens, animals & bees including Brigham City, Murray, Providence, North Logan, Roy, American Fork, Millcreek, Cedar City, Farmington, Clearfield, Springville, Spanish Fork, Draper, Smithfield, Provo, Orem, West Valley and Bountiful. Generally, the common threads in most approaches include a statement of purpose, what zones they are permitted, numbers/densities, location on property, types of enclosures, setbacks from property lines and structures, sanitation, roosters, slaughtering, and permitting. The revised draft language being presented to the Planning Commission on 9/23/21 addresses these areas of concern except for permitting. We do not want to require a permit to keep animals. In regards to beekeeping, I also reached out to the local individuals who commented on the first draft and expressed their levels of experience and expertise in beekeeping. Their comments have been incorporated into the revised draft.

Proposed changes to Land Development Code – summarized below and attached.

17.37.080 (chickens) – standards for permitting domestic fowl on residential lots based on lot sizes, existing residential development, lot requirements (setbacks), chicken coop/run requirements, and nuisance elements. The one area that remains a point of discussion is determining the appropriate number of chickens to be located on a residential property. The average among most similarly sized jurisdictions is six (6) chickens per residential lot. Some of the smaller cities permit greater numbers while some of the larger cities permit fewer numbers. I also modified the language permitting roosters, peacocks or similar animals on larger lots to prohibited on residential lots.

17.37.090 (beekeeping) – standards for permitting beekeeping on residential lots based on lot sizes, registration with the State, lot requirements, existing residential development, and setbacks from adjoining parcels.

17.37.100 (miniature livestock) – standards for permitting miniature livestock on residential lots based on lot sizes and minimum lot area available for animals, health and sanitation requirements, zoning, residential development, and setbacks from adjoining parcels.

17.37.110 (large livestock) – standards for permitting large livestock (horses, cows, goats, sheep) on residential lots based on lot sizes and minimum lot area available for animals, health and sanitation requirements, zoning, residential development, and setbacks from adjoining parcels.

The fourth element is the proposed language in 17.37 addressing community agriculture and the uses associated with it.

17.37.120 (Community Agriculture) – operational standards for community gardens, community supported gardens and market gardens to help minimize or reduce potential impacts to neighboring properties.

STAFF RECOMMENDATION AND SUMMARY

The proposed changes to the Land Development Code are in response to requests we have received from residents regarding raising chickens in residential areas. We have also responded to issues or complaints regarding livestock with limited standards to fall back on. There are many areas of Logan that are suitable for raising many types of animals or livestock and the proposed language provides minimum operational standards to help minimize nuisance problems with adjacent property owners. Generally, complaints come down to how well an owner maintains their property and manages their animals by controlling noise, odors, feed, manure and rodents. Staff would recommend that the Planning Commission forward a recommendation of approval to the Council for their consideration.

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 8/28/21, posted on the City's website and the Utah Public Meeting website on 8/30/21, and noticed in a quarter page ad on 8/21/21.

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 are minor in nature.

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.

Chapter 17.37: Additional Development Standards

UPDATED DRAFT 9/14/21

§17.37.080. Keeping Chickens in Residential Areas

- A. **Purpose.** The purpose of these requirements is to enable keeping chickens, ducks, or other similarly sized domestic fowl on residential lots while minimizing potential nuisances to neighboring property owners.
- B. General Provisions:
1. **Residential Zones.** Chickens and other domestic fowl may be kept for non-commercial purposes on residential lots in residential zones containing a detached single-family residential dwelling.
 2. **Numbers.** The permitted number of chickens is as follows:

Lot Size	Maximum Permitted
Less than 6,000 square feet	Five (5)
6,000 – 10,000 square feet	Six (6)
10,001 – 12,000 square feet	Eight (8)
12,001 – 20,000 square feet	Ten (10)
20,001 square feet or greater	Fifteen (15)
 3. **Location.** Chickens and coops are permitted in a fenced side or rear yard and are prohibited in a front yard.
 4. **Enclosure.** Chickens shall be maintained within a secure, fenced, outdoor area. The outdoor enclosure shall include a covered chicken coop.
 5. **Setbacks.** Chicken coops shall meet all minimum zoning setbacks and shall be setback at least twenty-five (25) feet from any dwelling on adjacent lots.
 6. **Sanitation.** The outdoor enclosure and coop must be kept in a sanitary condition and free from offensive odors.
 7. **Roosters.** Roosters, crowing hens, geese, turkeys, peacocks, or other similar domestic fowl are prohibited in residential zones.
 8. **Slaughtering.** The slaughtering of chickens is prohibited outdoors.

§17.37.090. Beekeeping in Residential Areas

- A. **Purpose.** The purpose of these requirements is to enable beekeeping on residential lots while minimizing potential nuisances to neighboring property owners.
- B. General Provisions:
1. **Residential Zones.** Beekeeping may only be conducted on residential lots containing a detached single-family residential dwelling and is not permitted on properties containing multiple dwelling units.
 2. **Registration.** Each beekeeper shall be registered with the Utah Department of Agriculture and Food as provided in the Utah Bee Inspection Act set forth in Utah Code.
 3. **Numbers.** An apiary consisting of individual hives shall be permitted as follows:

Lot Size	Maximum Hives Permitted**
Less than 6,000 square feet	One (1)
6,001 – 10,000 square feet	Two (2)
10,001 – 20,000 square feet	Four (4)
20,001 – 30,000 Square feet	Six (6)
30,001 square feet and greater	Eight (8)

**Note: There may unique property or site features that are supportive of a site safely exceeding the maximum number of hives on one site. Such features include where a site is adjacent to large,

17.37: Additional Development Standards (CHICKENS)

undeveloped, open areas, hillsides, pastures, riparian areas, or similar areas, and where potential nuisances or hazards to neighbor property owners are minimal.

4. **Location.** Beehives are permitted in a fenced side or rear yard and are prohibited in the front yard. The fence requirement may be waived if beehives are located at least 50' from any dwelling on adjacent lots.
5. **Setbacks.** Beehives shall be setback at least twenty-five (25) feet from any dwelling on adjacent lots.
6. **Condition & Sanitation.** Beehives shall be kept in sound, sanitary, and usable condition with adequate space and management techniques to minimize overcrowding and swarming. All beehives shall be operated and maintained as provided in the Utah Bee Inspection Act.
7. **Water.** There must be a convenient source of water continuously available to the bees during the months of March through October.
8. **Flyaway Barrier.** A hive shall be located on the property so the general flight pattern of bees is in a direction that will deter bee contact with humans and domesticated animals.
 - a. If any portion of a hive is located within 15 feet of an area providing public access or from a property line, a flyway barrier at least six (6) feet in height may be required to be established and maintained around the hive except as is necessary for access.
 - b. If the flyway barrier is located along the property line or within five (5) feet of the property line, it shall consist of a solid wall, fence, dense vegetation, or combination thereof, which extends at least ten (10) feet beyond the hive in each direction so that bees are forced to fly an elevation of at least six (6) feet above the ground level over property lines in the vicinity of the beehive.

§17.37.100. Miniature Livestock

- A. **Purpose.** The purpose of these requirements is to enable keeping miniature livestock on residential lots while minimizing potential nuisances to neighboring property owners.
- B. General Provisions:
 1. **Rabbits.** The keeping of rabbits are governed by the same requirements for domestic fowl contained in Section 17.37.080.
 2. **Numbers.** Up to three (3) miniature goats, miniature sheep or miniature pigs may be kept on lots greater than 10,000 square feet in size.
 3. **Location.** Miniature goats, sheep & pigs are permitted in a fenced side or rear yard and are prohibited in a front yard.
 4. **Minimum area.** A minimum of 400 square feet of useable shelter or pen area shall be provided for each animal.
 5. **Setbacks.** A shelter or pen shall meet all minimum zoning setbacks and shall be setback at least 50 feet from all dwellings on adjacent lots.
 6. **Sanitation.** The outdoor enclosure and pens must be kept in a sanitary condition and free from offensive odors.
 7. **Water.** Fresh water must be available at all times.
 8. **Slaughtering.** The slaughtering of animals is prohibited outdoors.
 9. **Residential Zones.** Miniature livestock shall only be kept on residential lots containing a detached single-family residential dwelling in the NR-2, NR-4, NR-6 or RC zones. Miniature livestock are not permitted on properties containing multiple residential dwellings or commercial/industrial buildings or uses.

§17.37.110. Large Livestock

- A. **Purpose.** The purpose of these requirements is to enable keeping livestock on residential lots while minimizing potential nuisances to neighboring property owners.
- B. General Provisions:
1. **Numbers:**
 - a. Two (2) standard goats, standard sheep, miniature horses, or other similarly size livestock are allowed on lots 20,000 square feet or greater. One (1) additional animal is allowed for each additional 10,000 square feet of area.
 - b. One (1) horse, cow, llama or similarly sized livestock is allowed on lots 20,000 square feet or greater. One (1) additional animal is allowed for each additional 20,000 square feet of area.
 2. **Location.** Livestock is permitted in a fenced rear yard and is prohibited in a front or side yard.
 3. **Setbacks.** A shelter or pen shall meet all minimum zoning setbacks and shall be setback at least 50 feet from all dwellings on adjacent lots.
 4. **Minimum area.**
 - a. Miniature horses and standard size goats and sheep shall be provided a minimum of 10,000 square feet of usable shelter or pen area per animal.
 - b. Cows, horses and similar large livestock shall be provided a minimum of 15,000 square feet of usable shelter or pen area per animal.
 5. **Sanitation.** The outdoor enclosure and pens must be kept in a sanitary condition and free from offensive odors.
 6. **Water.** Fresh water must be available at all times.
 7. **Slaughtering.** The slaughtering of animals is prohibited outdoors.
 8. **Residential Zones.** Livestock shall only be kept on residential lots containing a detached single-family residential dwelling in the NR-2, NR-4, NR-6 or RC zones. Livestock are not permitted on properties containing multiple residential dwellings or commercial/industrial buildings or uses.

§17.37.120. Community Agriculture

- A. These requirements for Community Agriculture (Community Gardens, Community Supported Gardens, Market Gardens) are intended to minimize potential nuisances to neighboring property owners.
- B. General Provisions:
1. Domestic fowl may be kept on properties designated under Community Agriculture subject to the minimum standards in Section 17.37.080.
 2. Livestock of any type, other than domestic fowl, is not permitted.
 3. All structures shall meet the minimum setbacks established for the underlying zone.
 4. Parking shall be provided on-site at a ratio of one (1) parking stall per employee.
 5. Any proposed fencing shall comply with the fencing standards in Chapter 17.30.
 6. Any proposed signage shall not exceed four (4) square feet in size and shall comply with the minimum signage requirements in Chapter 17.33.
 7. Health and Sanitation Requirements. All compost areas shall be located at least 25' from any residential structure.
 8. Seasonal Produce Stand. A seasonal produce stand is permitted as an accessory use to Community Agricultural uses. A seasonal produce stand shall not exceed 200 square feet, shall meet minimum setbacks for the underlying zone, shall include adequate area for an additional two (2) parking stalls, and shall obtain a separate business license from Logan City in accordance with LMC 5.06.

Chapter 17.08: Neighborhood Residential Zone Uses

§17.08.010 Purpose

Chapter 17.08 sets forth the types of land uses permitted and conditionally permitted within Logan's Neighborhoods.

§17.08.020 Neighborhood Residential Land Use: Classification

- A. Primary Uses. Land use shall conform to the designations in Tables 17.08.030 (Structure Type) and Table 17.08.040 (Land Use). 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 and is subject to review and approval under the provisions of Chapter 17.42, Conditional Use Permits, and the Procedures for Processing Applications contained in Chapter 17.48.
 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. Additional regulations apply to Home Occupations (See Chapter 17.36).
- 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 17.53. 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.

§17.13.030 Neighborhood Residential Structure Types

Table 17.08.030 lists the residential structure types allowed in Neighborhood Residential zones. The structure types listed in the table are defined in Chapter 17.55. A "P" means the structure type is permitted, "C" means the structure type is permitted with a conditional use permit, and "N" means the structure type is not permitted.

Table 17.08.030: Residential Structure Types Allowed in Residential Districts

Type of Residential Structure	Residential Zoning Districts									
	NR-2	NR-2	NR-6	MR-9	MR-12	MR-20	MR-30	CR	NC	RC
Courtyard house, attached	N	N	N	P	P	P	P	P	N	N
Courtyard house, detached	N	N	P	P	P	P	P	P	N	N
Front yard house, attached	N	N	N	P	P	P	P	P	N	N
Front yard house, detached	P	P	P	P	P	P	P	P	N	P
Live work	N	N	N	N	N	N	C	C	C	N
Multi-dwelling, attached	N	N	N	P	P	P	P	P	N	N
Multi-dwelling, stacked	N	N	N	N	N	P	P	P	N	N
Manufactured housing unit	C	C	C	C	C	C	C	C	N	C
Twinhome (Duplex)	N	N	N	P	P	P	P	P	N	N
Town House	N	N	N	P	P	P	P	P	N	N

§17.08.040 Neighborhood Residential Land Uses

The following regulations are intended to accommodate a variety of housing choices and neighborhood-oriented services. With the exception of the Manufactured Home (MH) district, Table 17.08.040 lists the land uses allowed in all neighborhood residential zones.

Table 17.08.040: Allowed Uses in Neighborhood Residential Zones

LAND USE	Neighborhood Zones									
	NR-2	NR-4	NR-6	MR-9	MR-12	MR-20	MR-30	CR-40	NC	RC
Residential Uses										
Assisted Living Center	N ¹	N ¹	N ¹	N ¹	P	P	P	N ¹	N ¹	N ¹
Dormitories, Fraternities, Sororities	N	N	N	N	N	N	N	C	N	N
Nursing Home, Convalescent Home	N ¹	N ¹	N ¹	N ¹	P	P	P	N ¹	N ¹	N ¹
Residential Group Homes for individuals with disabilities	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹	C ¹
Residential Group Homes (communal living exceeding occupancy limits)	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²	N ²
Residential Treatment Programs where care, training, or treatment is provided on site	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential occupancy of a dwelling unit by a family, or no more than three (3) unrelated individuals	P	P	P	P	P	P	P	P	P	P
Residential occupancy of a dwelling unit by no more than six (6) unrelated individuals and not to exceed two (2) persons per bedroom	N	N	N	N	N	N	N	P	N	N
Public/Institutional Uses										
Cemetery, Mausoleum	C	C	C	C	C	C	C	C	N	C
Clubs, Lodges, similar uses	N	N	N	N	C	C	C	C	N	N
Day Care/ Preschool (1-8 Clients)	P	P	P	P	P	P	P	P	N	C
Day Care/ Preschool (9-16 clients)	C	C	C	C	C	C	C	C	N	N
Day Care/ Preschool (Commercial) (17 or more clients)	N	N	N	N	N	N	N	C	N	N
Libraries, Museums, Community Centers	N	N	C	C	C	C	C	C	N	N
Parks, Neighborhood	P	P	P	P	P	P	P	P	N	P
Parks, Community/Regional	C	C	C	C	C	C	C	C	N	C
Public Safety Services (Police, Fire)	C	C	C	C	C	P	P	P	N	P
Religious Institutions	P	P	P	P	P	P	P	P	N	N
Schools, Public (K-12)	State law supersedes local zoning regulations.									
Schools, Private (K-12)	C	C	C	C	C	C	C	C	N	C
Uses of a public, nonprofit, or charitable nature generally providing a local service to people of the community	N	N	N	N	C	C	C	C	N	N

17.08: Neighborhood Residential Zone Uses Chickens

LAND USE	Neighborhood Zones									
	NR-2	NR-4	NR-6	MR-9	MR-12	MR-20	MR-30	CR-40	NC	RC
Utility Uses										
Amateur radio towers	C	C	C	C	C	C	C	C	C	C
Municipal water well, reservoir, or storage tank	C	C	C	C	C	C	C	C	C	C
Radio, television, microwave towers	C	C	C	C	C	C	C	C	C	C
Utilities, basic service delivery and laterals	P	P	P	P	P	P	P	P	P	P
Utilities, distribution network	C	C	C	C	C	C	C	C	C	C
Utilities, structures, physical facilities, (Regional Facilities)	C	C	C	C	C	C	C	C	C	C
Wireless Telecommunication Facilities	C	C	C	C	C	C	C	C	C	C
Neighborhood Serving Commercial Uses										
Bed & Breakfast	N	N	N	N	N	C	C	C	N	N
Food Services less than 3,000 square feet in size & no auto drive-through ³	N	N	N	N	N	N	N	C	P	N
Food Services less than 5,000 square feet in size & no auto drive-through ³	N	N	N	N	N	N	N	C	C	N
Food Service & Sales and Service comprising no more than 25% of the first floor area	N	N	N	N	N	N	N	C	N	N
Office – General business, government, professional, medical, or financial and less than 3,000 square feet in size	N	N	N	N	N	N	N	C	P	N
Office – General business, government, professional, medical, or financial and less than 5,000 square feet in size	N	N	N	N	N	N	N	C	C	N
Sales and Service less than 3,000 square feet in size ³	N	N	N	N	N	N	N	C	P	N
Sales and Service less than 5,000 square feet in size ³	N	N	N	N	N	N	N	C	C	N
Other Uses										
<u>Agriculture</u> Real Uses	<u>P</u> N	<u>P</u> N	N	N	N	N	N	N	N	P
<u>Agriculture, Community</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Urban</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Alternative or Post Incarceration Facilities	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Parking, Commercial	N	N	N	N	N	N	N	C	N	N

¹ Indicates use may be allowed where State or Federal law preempts local zoning. A Conditional Use Permit is required for a Group Home for Disabilities if the proposal exceeds the base occupancy of the underlying residential zone.

² Indicates use may be allowed where State or Federal law preempts local zoning. A Group Home for non-disabled individuals is only allowed where they do not exceed the base occupancy of the underlying residential zone unless otherwise allowed where State or Federal law preempts local zoning.

³ In the Campus Residential Zone, the total square footages of a proposed non-residential use may exceed the amounts listed in the use chart provided the total square footage of the proposed non-residential uses do not exceed 25% of the total first floor area and may only be located on the ground level floor.

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.

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
Residential Uses									
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 ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Residential Group Homes for individuals with disabilities.	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
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 ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Public/Institutional Uses									
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
Utility Uses									
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
Commercial Uses									
Bank, savings and loans, or credit union	P	P	P	P	C	P	P	C	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 Chickens

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
Sales and Service									
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	C	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 Chickens

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	C	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
Industrial Uses									
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
Other Uses									
Agriculture	N	N	N	N	N	P	P	P	P
<u>Agriculture, Community</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Agriculture, Urban</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Air Passenger Terminals or Hangers	N	N	N	N	N	N	N	N	P
Alternative or Post Incarceration Facilities	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Detention Facilities	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹	N ¹
Mining or extraction of mineral or aggregate resources from the ground for off-site use	N	N	N	N	N	N	N	N	N

¹ Indicates use may be allowed where State or Federal law preempts local zoning.

Chapter 17.62: Definitions

The definitions of words in this chapter are established as specific meanings for this Title only. Words with specific meaning in the Land Development Code are as follows:

“Agriculture” means the production, keeping, or maintenance, for commercial purposes, sale, lease or personal use, of plants and animals useful to society, including and not limited to: forages and sod crops; grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef, cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts, and berries; vegetables; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

“Agriculture, Community” means crop production, horticulture, floriculture, or viticulture and which may include facilities for the sale of produce, plants, and/or flowers produced or grown on-site. The phrase "agriculture, community" is lower in scale than "agriculture" and more restricted in its operations. The phrase "agriculture, community" includes:

- A. **Community Gardens** are gardens that are maintained and cultivated by non-profit entities or groups of individuals who engage in the activity for their own benefit;
- B. **Small community-supported Farms** are farms that are less than two acres in area, in which produce, plants, and/or flowers are grown and harvested on behalf of a community of members ("shareholders") who pledge financial support in advance of the growing season; and
- C. **Market Gardens** are gardens up to one-half acre in area in which produce, plants, and/or flowers are grown for off-site distribution and sale.

The phrase "agriculture, community" includes composting (of agricultural byproducts produced on-site for use on-site) and seasonal produce stands as accessory uses. The phrase "agriculture, community" does not include the phrase “agriculture” as defined above.

“Agriculture, Urban” means the production of food within an urban area on a scale that is for personal use and consumption. Urban agriculture can also include animal husbandry (e.g., breeding and raising livestock), beekeeping, aquaculture (e.g., fish farming), aquaponics (e.g., integrating fish farming and agriculture), and non-food products such as producing seeds, cultivating seedlings, and growing flowers.

“Beekeeper” means a person who owns or has charge of one or more colonies of bees.

“Beekeeping Equipment” means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards, and extractors.



APPLICATION FOR PROJECT REVIEW

For Staff Only				
<input type="checkbox"/> Planning Commission		<input type="checkbox"/> Land Use Appeal Board		<input type="checkbox"/> Administrative Review
Date Received 7/30/21	Received By	Scheduled Meeting Date Sept. 9	Zone	Application Number PC 21-051
Type of Application (Check all that apply): <input type="checkbox"/> Design Review <input type="checkbox"/> Conditional Use <input type="checkbox"/> Subdivision <input type="checkbox"/> Administrative Design Review <input checked="" type="checkbox"/> XX Code Amendment <input type="checkbox"/> Appeal <input type="checkbox"/> Zone Change <input type="checkbox"/> Other				
PROJECT NAME Land Development Code Amendments – 17.08, 17.11, 17.37, 17.62				
PROJECT ADDRESS			COUNTY PLAT TAX ID #	
AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER Mike DeSimone			PHONE # 435 716 9022	
MAILING ADDRESS LOGAN CITY HALL 290 NORTH 100 WEST LOGAN UTAH 84321		CITY	STATE	ZIP
EMAIL ADDRESS MIKE.DESIMONE@LOGANUTAH.ORG				
PROPERTY OWNER OF RECORD			PHONE #	
MAILING ADDRESS		CITY	STATE	ZIP
EMAIL ADDRESS				
DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED (Include as much detail as possible - attach a separate sheet if needed) AMEND CHAPTER 17.08 "NEIGHBORHOOD RESIDENTIAL USES"; CHAPTER 17.11 "DISTRICT AND CORRIDOR ZONE USES"; CHAPTER 17.37 "ADDITIONAL DEVELOPMENT STANDARDS"; AND CHAPTER 17.62 "DEFINITIONS" TO INCLUDE STANDARDS FOR COMMUNITY AGRICULTURAL USES, URBAN AGRICULTURAL USES, AND THE KEEPING OF DOMESTIC FOWL, BEES, AND LIVESTOCK IN URBAN AREAS.			Total Lot Size (acres) 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 permit on behalf of the property owner.		Signature of Property Owner's Authorized Project Representative		
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 : WORKSHOP 9/21/21
HEARING 10/5/21