



**UPDATED  
Project #22-038  
Mixed Use  
Land Development Code Amendment**

**REPORT SUMMARY...**

<i>Project Name:</i>	Mixed Use
<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>	August 25, 2022
<i>Submitted By:</i>	Mike DeSimone, Director

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**UPDATE**

Based on the direction from the August 11, 2022 Planning Commission hearing, the following changes were made to the draft Chapters 17.10 and 17.34 of the Land Development Code:

- Added a “Commercial Proximity in Lieu of Commercial Space” provision:

The Planning Commission may permit a reduction of up to 50% of the required minimum commercial area for a mixed use project if the proposal is located within 1,000 feet of an off-site commercial area containing at least the minimum amount of required commercial square footage based on the mixed use project size, and the proposed project includes bike & pedestrian connections to the adjacent commercial areas.

- Changed the minimum sidewalk width in front of a commercial area from 10’ to 15’.
- Increased the Useable Outdoor Space density bonus provision from 100% to 150% in 17.34 to help account for providing additional Useable Outdoor Space as a way to reduce minimum commercial areas and to obtain a residential density bonus:

A. Residential Density Bonus.

2. Useable Outdoor Space. A residential density bonus of up to 20 additional units per acre may be granted if the required amount of useable outdoor space is increased by at least 150% and is provided as public gathering areas and/or useable outdoor space. Public Gathering Areas are generally defined as shared public spaces where people can comfortably congregate and socialize and include plazas, parks, public squares, sidewalks in front of small businesses, courtyards with seating, or any other area that provides outdoor seating (chairs or benches), are visually prominent, and are easily accessible.

**ATTACHMENTS TO THIS MEMO**

- Proposed (updated) Chapter 17.10.100 without redlines and dated August 25, 2022
- Proposed (updated) Chapter 17.34 with redlines and dated August 25, 2022

**STAFF RECOMMENDATION AND SUMMARY**

This is a proposal to modify the City’s approach to Mixed Use Development by clarifying the intent and expected outcomes in the Mixed Use zone, modifying the base density, adding performance based density bonuses, encouraging additional open space, useable outdoor

space and public gathering areas, increasing the proportionate amount of commercial building area, requiring commercial uses along major street frontages, requiring a variety of residential structure types, modifying the allowable building height, and allowing for a reduction in minimum parking requirements.

The General Plan and LDC both describe a Mixed-Use Center as a dense, compact, walkable environment containing a mixture of uses, including a commercial base that serves the project's resident population. The inherent difficulty with any regulatory approach to Mixed Use is in trying to prescribe a set of qualitative & design based standards to a unique project in a diverse neighborhood with the recognition that one size does not fit all. These proposed changes to the Mixed Use Development Standards reflect an evolution of thinking and are reasonable and appropriate.

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council of a Land Development Code amendment modifying the Mixed Use Zoning District and the Residential Density Bonus provisions.

### **RECOMMENDED FINDINGS FOR APPROVAL**

The Planning Commission bases its decisions on the following findings:

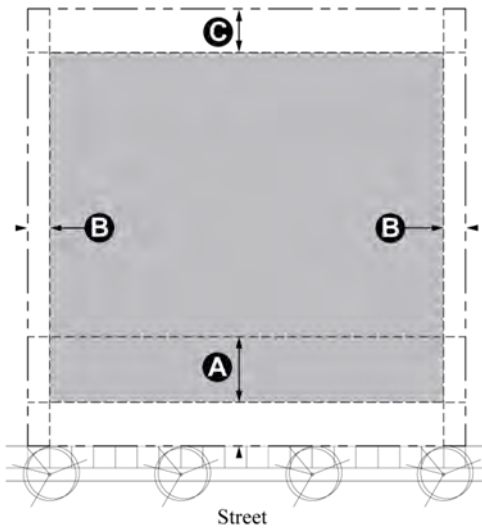
1. Utah State Law authorizes local Planning Commission to recommend ordinance changes to the legislative body (Municipal Council).
2. The Code Amendments are done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments are consistent with the Logan City General Plan.
4. The proposed Code Amendments to the Mixed Use Development Standards and the Residential Density Bonus Standards will further refine the City's approach to mixed use projects and ensure integration into existing neighborhoods.
5. The proposed Code Amendment defines the base residential density and includes provisions for a performance based residential density program.
6. The proposed language in the Code Amendment provides sufficient guidance and flexibility for both project proponents and the Planning Commission in designing and evaluating projects within the Mixed Use Zoning District to ensure that the stated intent of the Mixed Use Zone is being met and implemented.
7. Public comments and testimony regarding this proposed Code Amendment have been received and were considered by the Planning Commission in their deliberations on this matter.

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.

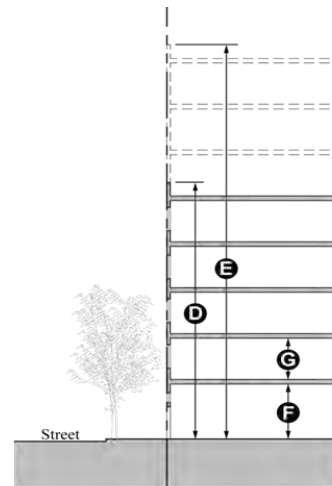
17.10: Specific Development Standards: District and Corridor Zones

**17.10.100: Mixed Use (MU) Development Standards**

The intent of the Mixed-Use Zoning District (MU) is to facilitate the integration of a variety of compatible uses with the goal of creating a community that offers “live, work, and play” opportunities within convenient walking distance of each other as well as with the existing neighborhood. Mixed use developments shall have both residential and commercial elements scaled to ensure compatibility with surrounding neighborhoods while promoting a pedestrian friendly environment and a more compact design. All mixed use developments should be designed at the human scale emphasizing people rather than cars and exhibit the following characteristics: complete streets with an emphasis on bike & pedestrian mobility, wide sidewalks, street trees, thoughtful and integrated landscaping and green areas, urban furniture, community gathering spaces, shared parking, integrated public transit (where available and/or anticipated), innovative and distinctive building architecture, a variety of commercial uses & activities, and a thoughtful and integrated mixture of differing housing types.



Site Plan Diagram



Site Plan Diagram

**Residential Density**

Base Density: Units/acre	20
Minimum Density: Units/acre	5
Density Bonus: Units/acre	30

**Minimum Residential Density Requirements**

A mixed use project shall include at least 5 residential dwelling units per acre.

**Commercial Uses Required on Ground Floor**

All buildings, or portions thereof, fronting onto an existing or planned arterial or collector street as designated on the Logan City Transportation Master Plan, shall have at least 50% of the ground floor designed and built for commercial uses.

**Freestanding Commercial Buildings**

Free standing commercial buildings are permitted along all street facing locations regardless of street classification.

**Freestanding Residential Buildings**

Freestanding residential buildings are not permitted on an existing or planned arterial or collector street.

**Minimum Commercial Building Area Requirements**

A mixed-use project shall include a minimum amount of commercial building area as follows:

<i>Overall Project Size</i>	<i>Minimum Commercial Building Area Required</i>
Up to 3 Acres	3,000 square feet
3 – 5 Acres	6,000 square feet
5 – 7.5 Acres	9,000 square feet
7.5 – 10 Acres	12,000 square feet
10 – 15 Acres	20,000 square feet
15 – 20 Acres	30,000 square feet
	40,000 square feet plus
20+ Acres	1,000 sf/acre for project larger than 20 acres

17.10: Specific Development Standards: District and Corridor Zones

**Residential Uses in Vertical Mixed Use Buildings**

Residential dwelling units and residential accessory uses including, but not limited to, lobby, mail room, bike areas, mechanical, storage, lounge, fitness area, pool, sauna, etc., are permitted on the ground floor of a vertical mixed use building outside of the minimum required ground floor commercial area. Enclosed parking on the ground floor of a mixed use structure, regardless of the intended users, is not considered commercial space and shall not be included in the minimum ground floor commercial area.

**Commercial Proximity in Lieu of Commercial Space**

The Planning Commission may permit a reduction of up to 50% of the required minimum commercial area for a mixed use project if the proposal is located within 1,000 feet of an off-site commercial area containing at least the minimum amount of required commercial square footage based on the mixed use project size, and the proposed project includes bike & pedestrian connections to the adjacent commercial areas.

**Useable Outdoor Space in Lieu of Commercial Space**

The Planning Commission may permit the substitution of useable outdoor space at a ratio of 1/1 for up to 50% of the required commercial area provided the proposed useable outdoor space is integrated into the overall design of the project and provides functional public gathering areas. Public gathering areas include plazas, parks, public squares, sidewalks in front of small businesses, courtyards with seating, or any other area that provides outdoor seating (chairs or benches), are visually prominent, and are easily accessible (See Chapter 17.28).

**Ratio of Residential Construction to Commercial Construction**

If the project is to be constructed in phases, each phase shall include an amount of commercial area proportionately scaled to the amount of residential development under construction. For example, if phase 1 is approximately 3 acres in size, at least 3,000 square feet of commercial building area shall be constructed during the same phase. No phase shall consist solely of residential, unless at least 50% of the required commercial area has been built in previous phases. The Planning Commission may approve a deviation from this requirement with an approved phasing plan and if the applicant can demonstrate that adherence to this requirement is impractical. In no case shall a project be permitted to build more than 50% of the approved residential units without starting construction on the required commercial buildings.

**Mixture of Residential Structure Types Required**

Mixed use projects shall contain a variety of residential structure types as follows:

<i>Overall Project Size</i>	<i>Number of Required Residential Structure Types</i>
Up to 3 Acres	One
3 – 10 Acres	Two
Over 10 acres	Three

Note: Where more than one residential structure type is required, a single residential structure type shall not comprise less than 10% of the total residential units nor more than 60% of the total residential units (Refer to 17.08.030 & 17.62 for Residential Structure Types).

**Performance Based Residential Density Bonus Options**

A residential density bonus of up to an additional 30 units per acre may be granted by the Planning Commission for the following project enhancements subject to Chapter 17.34:

*Project Enhancements*

Structured Parking	20
Additional Useable Outdoor Space	20
Vertical Mixed Use	15
Complete Streets Design	15
Additional Commercial Area	15
Affordable Housing Units	5

Note: The potential 30 du/ac density bonus is cumulative for a project meaning a project could incorporate a mixture of project enhancements to achieve the maximum density bonus available in the Mixed Use zone.

**Lot Coverage (Maximum)**

Lot Coverage	60%
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**Building Frontage (Minimum)**

% at Front Setback	60%
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**Building Setbacks**

<b>A</b> Commercial Front	0' - 10'
<b>A</b> Residential Front	0' - 20'
<b>B</b> Side (min)	8'
Side Common Wall	0'
<b>C</b> Rear (min)	10'

Note: The maximum setback applies unless the Review Authority finds that a modification within the specified range results in a better design due to design flexibility, building placement, or better compatibility with adjoining structures or features.

**Building Heights (Maximum)**

<b>B</b> Primary Building Height	58' - 70'
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17.10: Specific Development Standards: District and Corridor Zones

The maximum building height along a street frontage is 58'. The maximum building height may be increased up to 70' with the application of a height transition ratio of 2' horizontal/1' vertical.

**Height/Setback Transition**

Projects adjacent to an NR zone shall comply with the height and setback transition standards in Section 17.12.040.

**Ground Floor Height (Minimum)**

Ⓢ	Ground floor height	12'
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**Transparency (Fenestration)**

Ground Floor (frontage)	50%
Ground Floor (exposed sides)	20%
Upper Floors (frontage)	20%

**Residential Design Standards**

Free-standing multi-family residential buildings shall comply with the residential design standards in Section 17.09

**Parking**

Location	Side/Rear
Front Parking Setback	10'
Side/Rear Parking Setback	5'

**Commercial Parking Requirements:** Minimum number of stalls based on use type.

**Residential Parking Requirements:**

Studio/One Bedroom Units – 1.5 parking stalls/unit

Two Bedroom or larger Units – 2 parking stalls/unit

**Parking Reductions:** Parking requirements may be reduced by up to 25% for vertical mixed use projects with the approval of an alternative parking plan demonstrating how the overall project design is able to accommodate its intended uses and how the proposal will not shift the private parking burden onto the public or adjoining property owners. The alternative parking plan shall identify the range of compatible uses intended for the project, the anticipated parking demands of all residential and commercial uses, the specific parking management strategies to be implemented, and adequately demonstrate how pedestrian and alternative methods of transportation will be integrated into overall project design. The approval of a parking reduction is discretionary by the Planning Commission.

**Commercial Sidewalk Requirements**

Sidewalks in front of a commercial area shall be at least 15' in width.

**Land Set Asides**

Open Space	10%
Useable Outdoor Space	10%
Public Gathering Areas shall comprise at least 40% of the minimum Useable Outdoor Space set aside.	

**Note:**

Public Gathering Areas are included in the minimum useable outdoor space set aside calculations (Chapter 17.28) and are generally defined as shared public spaces where people can comfortably congregate and socialize. Public gathering areas generally include plazas, parks, public squares, sidewalks in front of small businesses, courtyards with seating, or any other area that provides outdoor seating (chairs or benches), are visually prominent, and are easily accessible.

Complete streets are streets designed to ensure that the safety, accessibility, and convenience of all transportation users, pedestrians, bicyclists, bus/transit riders, and motorists, is accommodated. The characteristics of a Complete Street include wider sidewalks, narrow travel lanes, bike lanes, crosswalks, refuge medians, bus pullouts, bulb-outs, strategic on-street parking, lower speeds, functional street furniture, additional landscaping, and any other element that increases safety and enhances the environment for those who walk and bike.



## Chapter 17.34: Residential Density and Height Bonuses

### §17.34.010. Purpose and Intent

The purpose of this Chapter is to promote exceptional site and building design in conjunction with the efficient and flexible use of land in the Town Center zones and the Mixed Use zones by encouraging the incorporation of residential density and height bonuses into exceptional projects. The intent of this Chapter for the Town Center Zone is to encourage and incentivize higher quality building design utilizing traditional building materials and historic elements that complement the character of the existing neighborhoods. The intent of this Chapter for the Mixed Use zone is to encourage and incentivize innovative site and building design that emphasizes compact, vertical arranged mixture of compatible uses arranged around creative open areas interwoven with pedestrian connections linking new neighborhoods with existing neighborhoods.

### §17.34.020. Applicability

Residential density and height bonuses apply in the Town Center (TC-1) and Mixed Use (MU) zones only.

### §17.34.030. General Requirements, Limitations and Eligibility for Residential Density and Height Bonuses in the Town Center Zone

- A. All residential density and height bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density or height bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density or height bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density and height bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. The use of traditional building materials refers to the design and construction of a new building utilizing traditional building materials commonly found on



Historic Cache County Courthouse exhibits traditional building materials and design elements common to downtown Logan

## 17.34: Residential Density and Height Bonuses

commercial buildings in downtown Logan, including brick, stone, wood, tile, or metal. Certain building materials that are not common to downtown Logan include stucco, large glass panels, composites, plastics, vinyl's, etc., and would not be appropriate building materials to be used when seeking a density or height bonus for the use of traditional materials.

- G. The integration of historic design characteristics into the design of a new building refers to the utilization of a number of important historic design elements and characteristics such as building orientation, setbacks, scale, height, massing, fenestration (windows & doors), form (base, middle & top), and details such as cornices, moldings, overhangs, reveals, and projections that are commonly found on buildings in downtown Logan. New building designs not incorporating these design elements and characteristics would not be eligible for either a density or a height bonus.



This building façade with its extensive use of stucco and lack of historic design elements are not in character with the traditional building design found in downtown Logan

#### §17.34.040. Specific Standards for Density & Height Bonuses in the Town Center Zone

A project may request a residential density or building height bonus by utilizing one of the bonus paths outlined below. Table 17.37.040.A lists the maximum density bonuses and building height bonuses based on the selected path. A project may qualify for both a density bonus and a height bonus. Density bonuses are cumulative meaning a project could qualify for both a density bonus based on superior design and a density bonus for structured parking. The Height bonuses are not cumulative.

##### A. Residential Density Bonus.

1. **Building Design.** The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A residential density bonus of up to fifteen (15) additional units per acre shall be given where a project demonstrates a superior building design through the use and integration of traditional building materials and design elements.
2. **Structured Parking.** A residential density bonus of up to thirty (30) additional units per acre shall be given if the project design includes a parking structure for at least 75% of the required parking stalls. Structured parking excludes garages, carports, or other similar structures.

##### B. Building Height Bonus.

1. **Building Design.** The use of traditional building materials along with the integration of historic design characteristics are important to Logan City as it reflects the historical character of the community and increases the likelihood of compatibility between new development and existing neighborhoods. A height bonus of up to twelve (12) feet shall be given where a project demonstrates a superior building design through the use and integration of traditional building materials and design elements.

## 17.34: Residential Density and Height Bonuses

2. Structured Parking. A height bonus of up to twenty-four (24) feet shall be given where the project design includes structured parking for at least 75% of the minimum parking.

**Table 17.34.040.A: Maximum Residential Densities (Dwelling Units Per Acre) and Maximum Building Height**

Zone	Standard Maximum Density	Density Bonus	Maximum Density w/Bonus	Standard Maximum Height	Height Bonus	Maximum Height w/Bonus
Town Center (TC-1)	70 du/acre		du/acre	55' - 80'		
Superior Design	70	15	85	55' - 80'	12'	55' - 92'
Structured Parking	70	30	100	55' - 80'	24'	55' - 104'
Superior Design & Structure Parking	70	45	115	55' - 80'	24'	55' - 104'

Note: The density bonus is cumulative while the height bonus is not. A project may be eligible for up to a maximum of 115 dwelling units per acre if the City finds that the project is of a superior design and provides structured parking for at least 75% of the units. The same project would only be eligible for a maximum height bonus of 24'.

**§17.34.050. General Requirements, Limitations and Eligibility for Residential Density Bonuses in the Mixed Use Zone**

- A. All residential density bonus considerations require approval through the Track 2 Design Review process.
- B. Projects seeking a density bonus are still subject to the Neighborhood Residential height and setback transition standards.
- C. The application of a density bonus to a project does not eliminate nor vary any other standard applicable to a project, e.g., parking, landscaping, open space, setbacks, design requirements, etc.
- D. An applicant shall provide all necessary graphics, calculations, buildings plans, site plans, vicinity maps, and other materials required to adequately demonstrate compliance with the density bonus standards.
- E. A covenant (development agreement, deed restriction, contract, etc.) shall be submitted in writing and approved by the City to ensure that any systems or features developed and installed to obtain a bonus will be functionally and aesthetically maintained in perpetuity, that the timing of the construction and/or installation of said features is sufficient to guarantee their construction and/or installation at the front end of a project and ultimate completion prior to the issuance of a Certificate of Final Occupancy by the City, and such covenant shall require that any systems or features be replaced or renewed if failure or partial failure occurs for the system or feature considered for a bonus.
- F. Density bonuses are cumulative in that a proponent could propose to incorporate multiple bonus elements into the project design in order to qualify for a density bonus provided the total density bonus does not exceed 30 additional units per acre.
- G. Partial density bonuses can be granted based on the type and amount of the proposed bonus elements being undertaken. For example, a project that includes a parking terrace sized to accommodate 25% of the required parking stalls, could qualify for an additional 10 residential units per acre.



**§17.34.060. Specific Standards for Density Bonuses in the Mixed Use Zone**

A project may request a residential density bonus by utilizing one or more of the project enhancements listed below.

**A. Residential Density Bonus.**

1. Structured Parking. A residential density bonus of up to 20 additional units per acre may be given if the project design includes a parking structure for at least 50% of the required parking stalls. Structured parking excludes individual garages, carports, or other similar structures.
2. Useable Outdoor Space. A residential density bonus of up to 20 additional units per acre may be granted if the required amount of useable outdoor space is increased by at least 150% and is provided as public gathering areas and/or useable outdoor space. Public Gathering Areas are generally defined as shared public spaces where people can comfortably congregate and socialize and include plazas, parks, public squares, sidewalks in front of small businesses, courtyards with seating, or any other area that provides outdoor seating (chairs or benches), are visually prominent, and are easily accessible.
3. Vertical Mixed Use. A residential density bonus of up to 15 additional units per acre may be granted if all buildings fronting onto a public street regardless of street classification have street facing commercial space on at least 50% of the ground floor and residential uses above.
4. Complete Streets. A residential density bonus of up to 15 additional units per acre may be granted if the project incorporates a “Complete Streets” design approach into the overall project. The goal of Complete Streets is to ensure that the safety, accessibility, and convenience of all transportation users, pedestrians, bicyclists, bus/transit riders, and motorists, is accommodated. The characteristics of a Complete Street include wider sidewalks, narrow travel lanes, bike lanes, crosswalks, refuge medians, bus pullouts, bulb-outs, strategic on-street parking, lower speeds, functional street furniture, additional landscaping, and any other element that increases safety and enhances the environment for those who walk and bike.
5. Additional Commercial Areas. A residential density bonus of up to 15 units/acre may be granted if the minimum amount of required commercial space is increased by 100%.
6. Affordable Housing Units. On project sites larger than three acres, a residential density bonus of up to 5 additional units per acre may be granted if at least 5% of the total residential units are designated as affordable units (serving residents who are at or below the 80% AMI income threshold).

**§17.34.050070. Failure to Comply**

Failure to comply with any bonus requirements, covenants and/or conditions of approval shall result in a restriction of the use of bonuses granted, until compliance is achieved.

17.34: Residential Density and Height Bonuses

