



LOGAN CITY COUNCIL AGENDA December 6, 2011

4:30-5:30 p.m. OPEN HOUSE: The public is invited to an open house in honor of Council Member Laraine Swenson and Jay Monson. The open house will be held from 4:30 to 5:30 p.m. in the Logan City Hall Public Conference Room, 290 North 100 West, Logan, Utah

Notice is hereby given that the Logan Municipal Council will hold its regular meeting beginning at **5:30 p.m. on Tuesday, December 6, 2011**, in the Logan Municipal Council Chambers located at 290 North 100 West, Logan, Utah.

5:30 p.m.

REGULAR MEETING AGENDA

1. Call to Order – Chairman Herm Olsen
2. Opening Ceremony
3. Acceptance of Minutes; Approval of Agenda
4. 2011 regular meeting schedule, 1st & 3rd Tuesdays, 5:30 p.m.: Next meeting: January 3, 2012
*****NOTE: There will not be a Council Meeting on December 20, 2011*****
5. **QUESTIONS AND COMMENTS FOR MAYOR AND COUNCIL:** Any person wishing to comment on any item not otherwise on the Agenda may address the City Council at this point by stepping to the microphone and giving his or her name and address for the record. Comments should be limited to not more than three (3) minutes, unless additional time is authorized by the Council Chair. Citizen groups will be asked to appoint a spokesperson. This is the time and place for any person who wishes to comment on non-hearing, non-agenda items. Some items brought forward to the attention of the City Council will be turned over to staff to provide a response outside of the City Council meeting.

ESTIMATED time
of consideration
5:35

6. **MAYOR/STAFF REPORTS:**
A. Board Reappointments – Mayor Randy Watts

5:40

7. **COUNCIL BUSINESS:**
A. Presentation – Herm Olsen
B. New Council Chair and Vice-Chair for 2012 – Herm Olsen
C. Update: Landlord Licensing – James Geier

5:45

8. **ACTION ITEM:**
A. **PUBLIC HEARING - Budget Adjustment FY 2011-12 appropriating:** \$6,600 for the K9 Training Program provided by the Police Department; \$50,000 to transfer budget from Public Works improvements to fire buildings within the capital project fund to address storm water management issues and provide engineered fill under footings of Fire Station 72; \$28,000 of Police Capital Equipment fund reserve for the purchase of police patrol vehicles for Fiscal Year 2012; \$170,000 for the purchase of a Track Loader for the Landfill – **Resolution 11-87**

6:00

9. **WORKSHOP ITEMS:**
A. **Budget Adjustment FY 2011-12 appropriating:** \$9,975 for the Youth Alcohol Prevention Grant (#62) to assist the police in addressing the problem of underage drinking; \$364,817 to transfer restricted sewer treatment impact fees from the Water Fund where the fees are collected to the Sewer Treatment Fund where the funds were used; \$63,674 for donations received for the improvement of the Bridgerland baseball fields; \$150,000 for electrical work for UDOT 10th West North Section; \$21,691 for fund reimbursement to the fire department for training and standby – **Resolution 11-90** – Richard Anderson

AGENDA CONTINUED ON OPPOSITE SIDE



- B. Consideration of a resolution authorizing Natural Gas transactions and approving Natural Gas Master Agreement – **Resolution 11-88 – Yuqi Zhao and Chris Niemann**
- C. Consideration of an ordinance amending Sections of the Logan Land Development Code regarding Definitions, amending Logan Municipal Code Chapter 17.62 – **Ordinance 11-89 – Russ Holley**
- D. Consideration of a property sale to Cache Valley Transit District (CVTD) located on the Southwest corner of 500 North 200 East – **Kymber Housley**

10. OTHER CONSIDERATIONS:

7:00

11. ADJOURN

On Friday December 2, 2011, at 5:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of Logan City Hall, Logan, Utah. A copy of this notice was faxed to the Herald Journal. The Agenda was also posted on the Logan City website at www.loganutah.org and the State Public Meeting Notice website at <http://pmn.utah.gov>.

DATED THIS 2nd OF DECEMBER 2011

Teresa Harris, City Recorder

Council Member's may participate in the meeting via telephonic communication. If a Council Member does participate via telephonic communication, the Council Member will be on speakerphone. The speakerphone will be amplified so that the other Council Members and all other persons present in the Council Chambers will be able to hear all discussions.

In compliance with the American with Disabilities Act, individuals needing special accommodations or assistance during this meeting shall notify Teresa Harris, City Recorder, at 435-716-9002, at least 24 hours prior to the meeting.

Logan Municipal Council Meetings are televised live as a public service by Channel 17

Council--In Progress:

Time of Day Electric Power Rates (Laraine Swenson 5/2008)

Anti-Idling Ordinance (Herm Olsen 7/07/09)

Council--Budget Issues

Impact Fees (Laraine Swenson – 2/10/10)

Future Council Agenda Item

(List revised 01/11)

Randy Watts, Mayor
Holly H. Daines, Council Member
Jay A. Monson, Council Member
Herm Olsen, Council Member
Dean W. Quayle, Council Member
Laraine Swenson, Council Member



**CITY OF LOGAN, UTAH
RESOLUTION NO. 11-87**

**BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL THAT THE
FOLLOWING ADJUSTMENTS BE MADE TO THE 2011-12 BUDGET:**

1. To appropriate funds for the K9 Training Program provided by the Police Department.

GENERAL FUND – POLICE DEPARTMENT

Revenue		
Police Department	100-000000-342100	\$6,600
Fees		

Expense		
Police Patrol	100-135110-423000	\$6,600
Travel & Training		

2. To transfer budget from public works improvements to fire buildings within the capital project fund to address storm water management issues and provide engineered fill under footings of fire station 72.

CAPITAL FUND- FIRE DEPARTMENT

Expense		
Public Works	300-145700-473000	(\$50,000)
Improvements		

Expense		
Fire Capital	300-140700-472000	\$50,000
Buildings		

3. Use of Police Capital Equipment fund reserve for the purchase of police patrol vehicles for Fiscal Year 2012.

CAPITAL FUND-POLICE DEPARTMENT

Revenue		
Capital Equipment	310-000000-395000	\$28,000
Fund Reserve		

Expense		
Police Capital	310-135700-474050	\$28,000
Other Equipment-Rolling Stock		

4. To appropriate funds for the purchase of a Track Loader for the Landfill.

ENTERPRISE FUND-ENVIRONMENTAL DEPARTMENT

Revenue

Environmental Health	570-000000-395000	\$170,000
Fund Reserve		

Expense

Environmental Health	570-570100-474050	\$170,000
Other Equipment-Rolling Stock		

THIS RESOLUTION duly adopted upon this _____ day of _____, 2011 by the following vote:

Ayes:

Nays:

Absent:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

**CITY OF LOGAN, UTAH
RESOLUTION NO. 11-90**

**BE IT RESOLVED BY THE LOGAN MUNICIPAL COUNCIL THAT THE
FOLLOWING ADJUSTMENTS BE MADE TO THE 2011-12 BUDGET:**

1. To appropriate funds for the Youth Alcohol Grant (#62). This grant will assist the police in addressing the problem of underage drinking in Logan.

GENERAL FUND – POLICE DEPARTMENT

Revenue

Non Departmental	100-000000-331000	\$9,975.00
Federal Government Grants		

Expense

Police Youth Alcohol	100-135615-415000	\$4,375.00
Other Pay		

Expense

Police Youth Alcohol	100-135615-431000	\$5,600.00
Professional & Technical		

2. To transfer restricted sewer treatment impact fees from the Water Fund where the fees are collected to the Sewer Treatment Fund where the funds were used.

WATER FUND

Revenue

Sewer Treatment	520-000000-391000	\$364,817
General Transfers		

Expense

Sewer Treatment	520-520900-495000	\$364,817
Reserve		

Revenue

Water & Sewer	510-000000-395000	\$364,817
Fund Reserve		

Expense

Water & Sewer	510-510900-491000	\$364,817
Transfers		

3. To appropriate donations received for the improvement of the Bridgerland baseball fields.

GENERAL FUND-PARKS & RECREATION

Revenue

Nondepartmental	100-000000-364000	\$63,674
Contributions & Donations		

Expense

Parks & Recreation	100-150115-473000	\$63,674
Improvements		

4. To appropriate funds for electrical work for UDOT for the 10th West North Section.

ELECTRIC FUND

Revenue

Nondepartmental	530-000000-332000	\$150,000
Other Intergovernmental Revenue		

Expense

Electric Distribution	530-530110-476000	\$150,000
Construction in Progress		

5. To appropriate funds for reimbursement to the fire department for training and standby.

GENERAL FUND- FIRE DEPARTMENT

Revenue

Miscellaneous Revenue	100-000000-369000	\$21,691
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Expense

Fire Suppression	100-140105-414000	\$3,485
Overtime		

Expense

Travel and Training	100-140115-423000	\$18,206
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THIS RESOLUTION duly adopted upon this _____ day of _____, 2011 by the following vote:

Ayes:

Nays:

Absent:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

CITY OF LOGAN
RESOLUTION NO 11-88
AUTHORIZING NATURAL GAS TRANSACTIONS

WHEREAS, City of Logan ("City") desires to purchase and sell natural gas in connection with the operation of its electric distribution system (the "System"); and

WHEREAS, the City desires the flexibility to engage in a program to store or hedge natural gas for the purpose of managing the cost of natural gas for the System; and

WHEREAS, the City is a Member of the Utah Associated Municipal Power Systems ("UAMPS"), a political subdivision of the State of Utah; and

WHEREAS, the City desires to become a Participating Member in UAMPS Natural Gas Project for the purpose of efficiently acquiring, selling, transporting, storing, and hedging natural gas;

WHEREAS, the City desires to enter into a Natural Gas Project Master Agreement, including, without limitation, related confirmations and credit support annexes or any necessary amendments thereto (the "Agreement") with UAMPS which will provide for (i) long term purchases or sales of natural gas which may be sourced from gas prepaid with the proceeds of tax-exempt bonds, (ii) short term purchases or sales of natural gas, including remarketing of prepaid gas, (iii) transportation or storage of natural gas, and (iv) hedging of the rate to be paid by the City with respect to a notional amount of natural gas during a stated period (each a "UAMPS Gas Transaction"); and

WHEREAS, each UAMPS Gas Transaction will be evidenced by a written confirmation issued under the Natural Gas Project Master Agreement between UAMPS and the City or other electronic means setting forth the terms and conditions of such UAMPS Gas Transaction (a "Confirmation" and collectively, the "Confirmations"); and

WHEREAS, the payments to be made by the City to UAMPS under the Natural Gas Project Master Agreement constitute a cost of natural gas and constitute operation and maintenance expenses of the System;

NOW THEREFORE, BE IT RESOLVED:

1. The entry by the City into the Natural Gas Project Master Agreement or subsequent amendments thereto including one or more Confirmations is hereby approved. The payments to be made by the City thereunder constitute operation and maintenance expenses of the System.

2. The Mayor, and the City Recorder (collectively, the "Primary Authorized Officers") are hereby authorized to execute and deliver the Natural Gas Project Master Agreement, on behalf of the City, in such form as the Primary Authorized Officer executing it may approve, such approval to be conclusively evidenced by the execution thereof.

3. The Primary Authorized Officers, and the UAMPS Representative (collectively, the "Participant Gas Representatives") are hereby authorized to enter into, from time to time, one or more Confirmations in such form as the Officer executing it may approve, issued under an Agreement in accordance with the following parameters:

(a) The notional amount of gas purchased under all Confirmations may not exceed 808,000 MMBtu in any calendar year;

(b) The term of any transaction under a Confirmation may not exceed ten years, unless such Confirmation is for the purchase of Prepaid Gas in which case the term may not exceed [thirty] years.

(c) At the time of execution, the expected price for gas purchases in a calendar year shall not exceed \$10 per MMBtu. For purposes of this limitation, a forward curve as of the date of any Confirmation shall be used to approximate the price of any index based transaction.

ADOPTED by the City Council of the City on the _____ day of _____, 2011.

CITY OF LOGAN

By: _____
Mayor

Attest and Countersign:

By: _____
City Recorder

NATURAL GAS PROJECT MASTER AGREEMENT

BETWEEN

UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS

AND

CITY OF LOGAN

This Natural Gas Project Master Agreement is made and entered into as of December 1, 2011, between Utah Associated Municipal Power Systems, a political subdivision of the State of Utah ("*UAMPS*"), and City of Logan, a political subdivision and a member of UAMPS ("*Participant*"). UAMPS and Participant are sometimes hereafter referred to collectively as the "*Parties*" and individually as "*Party*."

RECITALS:

WHEREAS, UAMPS is organized as an Energy Services Interlocal Entity under the Utah Interlocal Cooperation Act, Utah Code Ann. §§ 11-13-101 *et seq.*, and pursuant to its Amended and Restated Agreement for Joint and Cooperative Action, as amended from time to time (the "*Joint Action Agreement*") for certain purposes, including acquiring reliable and economic supplies of energy for the benefit of the public agencies that are parties to the Joint Action Agreement (the "*Member(s)*"); and

WHEREAS, UAMPS, through its Board of Directors, has approved the formation of a separate Project of UAMPS that will possess all the rights, powers, privileges, exemptions, and obligations afforded UAMPS' Projects under the Joint Action Agreement and that will be known as the Natural Gas Project (the "*Project*"); and

WHEREAS, UAMPS and Participant now enter into this Natural Gas Project Master Agreement to set forth terms and conditions upon which UAMPS and the Participant will purchase, sell, transport, hedge or store natural gas ("*Gas*") as provided herein.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

Section 1. Definition and Explanations of Terms. Capitalized terms used in this Natural Gas Project Master Agreement shall have the meanings assigned to such terms in the recitals set out above, in the Joint Action Agreement, in any Transaction Confirmation, in any Credit Support Document, and the following terms shall have the following meanings:

"Additional Contract Charges" means a pro-rata share of the following costs: (i) the costs to develop or execute a Related Gas Agreement that have not been capitalized; (ii) the costs to terminate a Related Gas Agreement that are not payable from the proceeds of such termination; (iii) any extraordinary costs incurred in connection with a Related Gas Agreement; (iv) any charges specified in Section 3(h) incurred in connection with a Related Gas Agreement; and (v) any other specific charges that may be set forth in a Transaction Confirmation.

"Agreement" means this Natural Gas Project Master Agreement and all Transaction Confirmations or Credit Support Documents entered into by UAMPS and the Participant and any amendments thereto.

"Annual Budget" means the annual budget prepared for the Project as recommended by UAMPS and approved by the Project Management Committee and the Board. The Annual Budget shall coincide with the Fiscal Year.

"Board" means the Board of Directors of UAMPS or such other governing body of UAMPS as may be established from time to time pursuant to the Joint Action Agreement.

"Business Day" means any day except (i) Saturday, Sunday, and any day on which banks located in the State of Utah or the State of New York are required or authorized by law or other governmental action to close and (ii) any day on which the New York Mercantile Exchange or the trustee for any revenue bonds sold by UAMPS to acquire Prepaid Gas is closed.

"Buyer" means the Party that has agreed to receive Gas at the Delivery Point.

"Buyer Receipt Failure" means Buyer's failure on any day, for any reason other than Force Majeure, to meet its obligation to take delivery from Seller at the applicable Delivery Point of the quantity of Gas delivered, tendered for delivery, or deemed delivered to such Delivery Point on such day.

"Contract Price" means the amount expressed in U.S. Dollars per MMBtu to be paid by Buyer to Seller for (i) the purchase of Gas, which shall include all applicable delivery charges, or (ii) capacity to store or transport Gas, as agreed to by the Parties in a Transaction Confirmation.

"Cover Standard" means that if there is a Seller Delivery Failure pursuant to this Agreement, then the Buyer shall use commercially reasonable efforts to obtain Gas at a price reasonable for the delivery or production area, as applicable, consistent with: the amount of notice provided by the Seller; the immediacy of the Buyer's Gas consumption needs; the quantities involved; and the anticipated length of failure by the Seller.

"Credit Support Document" means any document between the Parties that describes the arrangements for meeting any Credit Support Obligation, such as an

irrevocable standby letter of credit, a margin agreement, a security interest in an asset, a performance bond, guaranty, or other good and sufficient security of a continuing nature.

"Credit Support Obligation(s)" shall mean any obligation(s) to provide or establish credit support for or on behalf of a Party to this Agreement that may be required pursuant to a Transaction Confirmation or by UAMPS pursuant to Section 15(b).

"Daily Contract Quantity" shall mean the quantity of Gas to be delivered and taken as agreed to by the Parties in a Transaction.

"Delivery Point" means, with respect to each Transaction, the point of delivery for Gas delivered by Seller to Buyer, as specified as either a primary delivery point or an alternate delivery point in each Transaction Confirmation or the point of delivery specified in a Spot Transaction.

"Firm" shall mean that either Party may interrupt its performance without liability only to the extent that such performance is prevented for reasons of Force Majeure.

"Fiscal Year" means the fiscal year of UAMPS, which at the time of execution begins on the first day of April and end on the last day of March.

"Fixed Administrative Fee" means the fixed amount payable monthly by each Participating Member as determined in the Annual Budget.

"Force Majeure" shall have the meaning ascribed in Section 16.

"Gas" shall mean natural gas, specifically, any mixture of hydrocarbons and noncombustible gases in a gaseous state consisting primarily of methane.

"Gas Purchase Agreement" means an agreement entered into by UAMPS and either a Participating Member or a third party for the purchase of Gas for a period of one month or longer. For purposes of this definition, each transaction confirmation for a period of one month or longer executed by UAMPS under industry standard master agreements shall be considered a separate Gas Purchase Agreement.

"Hedge Payment" means any payment due to or from Participant pursuant to a Transaction Confirmation that is related to a Hedge Transaction.

"Hedge Transaction" means any transaction related to managing the price of Gas using an industry standard financial contract. Hedge transactions may include, but are not limited to, Gas swaps, basis swaps, caps, floors or collars.

"Imbalance Charges" shall mean any fees, penalties, costs or charges (in cash or in kind) assessed by a transporter for failure to satisfy the transporter's balance and/or nomination requirements.

"Interruptible" shall mean that either Party may interrupt its performance at any time for any reason, whether or not caused by an event of Force Majeure, with no liability.

"Market Disruption Event" means with respect to an index, any of the following events: (i) the failure of the index to announce or publish information necessary for determining the applicable index price; (ii) the failure of trading to commence or the permanent discontinuation or material suspension of trading in the relevant options contract or commodity on the exchange or market acting as the index; (iii) the temporary or permanent discontinuance or unavailability of the index; (iv) the temporary or permanent closing of any exchange acting as the index; or (v) a material change in the formula for or the method of determining the applicable index price.

"MMBtu" means one million British thermal units, which is equivalent to one dekatherm.

"Monthly Gas Charges" means the aggregate of the product of (i) the quantity of Gas sold by UAMPS to Participant pursuant to a Spot Sale, and (ii) the relevant price in accordance with Section 3(d), for each day of a month.

"Monthly Gas Proceeds" means the aggregate of the product of (i) the quantity of Gas purchased by UAMPS from Participant pursuant to a Spot Purchase that is not a Remarketing Purchase; and (ii) the relevant price in accordance with Section 3(c), for each day of a month.

"Other Gas Agreement" means an agreement entered into by UAMPS to acquire Gas storage or transportation capacity, or Gas reserves, for a period of one month or longer.

"Participant Gas Representative(s)" means the officer, employee or other agent of the Participant authorized by the Participant to transact for purposes of this Agreement.

"Participating Member(s)" means all Members of UAMPS who have executed a Natural Gas Project Master Agreement in a form substantially similar to this Agreement.

"Prepaid Gas" means Gas acquired by UAMPS, pursuant to a Gas Purchase Agreement, an Other Gas Agreement for the acquisition of Gas reserves, or through any other means, which was purchased with the proceeds of revenue bonds.

"Prime Rate" means, as of any time, the then current interest rate published in The Wall Street Journal as the prime rate of interest, as it may be adjusted from time to time.

"Proceeds Subject to Remediation" means the proceeds of a sale in which UAMPS sells Gas acquired by UAMPS in a Remarketing Purchase for other than a

Qualified Use, together with all interest and other investment income on such proceeds which are not to be rebated to the United States of America as required by any bond indenture or Gas Purchase Agreement executed by UAMPS in connection with the acquisition of Prepaid Gas.

“Project Management Committee” means the Natural Gas Project Management Committee of UAMPS, which is to provide for the coordinated management of the Project in accordance with the Joint Action Agreement.

“Qualified Use” means (i) a use that does not give rise to “private business use” as defined in Section 141 of the Internal Revenue Code and regulations promulgated thereunder; and (ii) a use which, in the opinion of a nationally recognized bond counsel, does not adversely affect the tax-exempt status of any bonds sold to acquire Prepaid Gas.

“Related Gas Agreement” means a Gas Purchase Agreement, an agreement related to a Hedge Transaction, or an Other Gas Agreement as specified in a Transaction Confirmation.

“Remarketing Price” means the price at which UAMPS resells Gas acquired through a Remarketing Purchase.

“Remarketing Proceeds” means for each Remarketing Purchase, the product of (i) the Remarketing Price, and (ii) the quantity of Gas subject to such Remarketing Purchase.

“Remarketing Purchase” means a Spot Purchase that involves Prepaid Gas that cannot be used by a Participating Member as more fully described in Section 7(b)(iii).

“Remediation Fund” means a certain fund so designated and held by UAMPS and into which UAMPS shall deposit all Proceeds Subject to Remediation.

“Remediation Use” means, with respect to Proceeds Subject to Remediation, any of the following: (a) the purchase of Gas with such Proceeds Subject to Remediation and the sale of such Gas for a Qualified Use; or; (c) the application of Proceeds Subject to Remediation to the purchase of electricity in compliance with Treasury Regulation Section 1.148-1(e)(2)(iii)B(2).

“Seller” means the Party that has agreed to deliver Gas to the Delivery Point.

“Seller Delivery Failure” means the Seller’s failure, for reasons other than Force Majeure, on any day to deliver to the applicable Delivery Point the quantities of Gas required to be delivered to such Delivery Point on such day pursuant to this Agreement.

“Spot Price” means unless otherwise determined by the Project Management Committee, the price listed in *Gas Daily*, under the listing applicable to the geographic location closest in proximity to the Delivery Point for the relevant day; provided, if there is no single price published for such location for such day, but there is published a range

of prices, then the Spot Price shall be the average of such high and low prices. If no price or range of prices is published for such day, then the Spot Price shall be the average of the following: (i) the price (determined as stated above) for the first day for which a price or range of prices is published that next precedes the relevant day; and (ii) the price (determined as stated above) for the first day for which a price or range of prices is published that next follows the relevant day.

"Spot Purchase" means a purchase of Gas by UAMPS from a Participating Member for a period of less than one month.

"Spot Sale" means a sale of Gas by UAMPS to a Participating Member for a period of less than one month.

"Spot Transaction" shall mean either a Spot Sale or a Spot Purchase.

"Taxes" shall mean any taxes, fees, levies, penalties, licenses or charges imposed by any government authority on or with respect to Gas.

"Transaction" means a Gas purchase, sale, storage, transport, or hedge transaction for a specific period in excess of one month between UAMPS and the Participant pursuant to this Agreement and as set forth on a Transaction Confirmation.

"Transaction Confirmation" means a written schedule setting forth the specific terms of a Transaction, and the specific Related Gas Agreement to which it relates, which upon execution by the Parties shall be incorporated into this Agreement.

"Transaction Fee" means the fee to be paid by each Participating Member for each MMBtu of Gas purchased, sold, transported, stored or hedged by UAMPS as set forth in the Annual Budget.

"Uniform System of Accounts" means generally accepted accounting principles in accordance with the FERC Uniform System of Accounts Prescribed for Natural Gas Companies Subject to the Provisions of the Natural Gas Act, as codified in 18 C.F. R. § 201 *et seq.*, as amended or modified from time to time, together with any pronouncements of the Financial Accounting Standards Board or successor agency or body setting forth financial accounting and reporting standards.

Section 2. Term and Termination. (a) This Agreement shall be effective on the date first written above and shall remain in full force and effect through the later of (i) the termination date as determined pursuant to Section 2(b); or (ii) the termination date of UAMPS under the Joint Action Agreement.

(b) In the event that no Transaction Confirmation is in then in effect, either Party may terminate its purchase or sale obligations under this Agreement by giving written notice to the other Party at least sixty (60) days prior to the end of UAMPS' Fiscal Year. Such notice shall specify a termination date which, unless otherwise

determined by the Project Management Committee, shall be the last day of the Fiscal Year in which the notice is given. Such termination shall not relieve Participant from any Additional Contract Charges attributable to a Transaction that may arise after such termination. The rights of the Parties under Section 11 and Section 15 and the obligations to make payment hereunder shall survive the termination of the Agreement.

(c) Upon termination by either Party as described in Section 2(b) above, Participant shall withdraw from the Project pursuant to the terms and conditions of the Joint Action Agreement.

(d) The Parties may provide for the early termination of a Transaction Confirmation. A Transaction Confirmation containing an early termination provision will designate the terms under which UAMPS or Participant may terminate a Transaction and the procedures for such termination, including but not limited to any payments to be made in connection with such termination. Such provisions may enable UAMPS to immediately terminate any Transaction Confirmation for failure of Participant to meet its obligations under Section 9(c) hereunder.

Section 3. Authorized Transactions; Purchase and Sale of Natural Gas; Hedging; Storage and Transport; Liquidity. (a) UAMPS and Participant agree to sell and deliver, or to receive and purchase, the Daily Contract Quantity for a particular Transaction in accordance with the terms of this Agreement and any Transaction Confirmation. Sales and purchases will be on a Firm or Interruptible basis, as agreed to by the Parties in a Transaction Confirmation.

(b) During the term of this Agreement, UAMPS shall enter into one or more Gas Purchase Agreements. Prior to execution of each Gas Purchase Agreement, UAMPS shall notify Participating Members of the negotiation and general terms of all such Gas Purchase Agreements. Participant shall indicate its interest or lack of interest in purchasing Gas obtained by UAMPS pursuant to specific Gas Purchase Agreements as directed by the Project Management Committee. Unless otherwise agreed by UAMPS, prior to execution of a Gas Purchase Agreement, UAMPS shall enter into one or more transaction confirmations as a Seller which in the aggregate (i) have a Daily Contract Quantity that is equal to the Daily Contract Quantity in the Gas Purchase Agreement, and (ii) produce sufficient revenues to enable UAMPS to meet its obligations under the Gas Purchase Agreement.

(c) During the term of this Agreement, UAMPS shall make Spot Purchases of Gas offered by a Participating Member. The price paid by UAMPS for Spot Purchases that are not also Remarketing Purchases shall be the Spot Price, or such other price as may be specified in a transaction confirmation. The price paid by UAMPS for Remarketing Purchases shall be the Remarketing Price.

(d) During the term of this Agreement, UAMPS shall make Spot Sales of Gas requested for delivery to a Participating Member. UAMPS shall acquire additional Gas

as necessary and make all Spot Sales to Participating Members at a price equal to the Spot Price or such other price as may be specified in a transaction confirmation.

(e) During the term of this Agreement, UAMPS may sell revenue bonds to finance the purchase of Prepaid Gas.

(f) During the term of this Agreement, UAMPS may execute one or more Other Gas Agreements. Participant shall indicate its interest or lack of interest in purchasing storage or transportation capacity or reserves obtained by UAMPS pursuant to specific Other Gas Agreements as directed by the Project Management Committee. Unless otherwise agreed by UAMPS, prior to execution of an Other Gas Agreement, UAMPS shall enter into one or more transaction confirmations as a Seller which in the aggregate (i) have a Daily Contract Quantity, or in the case of the acquisition of Gas reserves an expected daily contract quantity, that is equal to the Daily Contract Quantity, or in the case of the acquisition of Gas reserves an expected daily contract quantity, in the Other Gas Agreement, and (ii) produce sufficient revenues to enable UAMPS to meet its obligations under the Other Gas Agreement.

(g) During the term of this Agreement, UAMPS may enter into one or more Hedge Transactions. Participant shall indicate its interest or lack of interest in participating in a Hedge Transaction arranged by UAMPS as directed by the Project Management Committee. Prior to execution of a Hedge Transaction, UAMPS shall enter into one or more transaction confirmations which in the aggregate shall (i) have a Daily Contract Quantity, that is equal to the Daily Contract Quantity, in the Hedge Transaction, and (ii) produce sufficient revenues to enable UAMPS to meet its obligations under the Hedge Transaction.

(h) During the term of this Agreement, UAMPS may arrange one or more lines of credit or other financial liquidity arrangement, including but not limited to bank loans or cash reserves, for the benefit of the Project or a Related Gas Agreement. To the extent such arrangement is for the benefit of all Participating Members, any fees or expenses related to such arrangement shall be included in the administrative and general budget for the Project. To the extent such arrangement is for the benefit of a Related Gas Agreement, any fees or expenses related to such arrangement shall be included in the Additional Contract Charges for such Related Gas Agreement.

(i) During the term of this Agreement, UAMPS may enter into agreements with Participating Members to provide additional services including but not limited to forecasting, scheduling and load balancing.

(j) During the term of this agreement, UAMPS shall use its best efforts to limit Imbalance Charges among Participating Members, by matching Spot Purchases to Spot Sales to the extent possible when scheduling Gas with third parties and/or transporters. UAMPS shall use its discretion in balancing purchases and sales on a daily or monthly basis to minimize Imbalance Charges. Gains and losses from such decisions will accrue to the Project.

(k) The Parties shall enter into a Transaction Confirmation for each Transaction. Notwithstanding anything else to the contrary in this Agreement, to the extent that the terms, definitions or operating and scheduling procedures included in a Transaction Confirmation differ from this Agreement, the Transaction Confirmation shall govern.

Section 4. Operating and Scheduling Procedures. (a) The Parties shall coordinate their nomination activities, giving sufficient time to meet the deadlines of the affected transporter(s). Each Party shall give the other Party timely prior notice, sufficient to meet the requirements of all transporter(s) involved in the transaction, of the quantities of Gas to be delivered and purchased each Day. Unless otherwise agreed in a Transaction Confirmation, the timing for notices regarding nominations and scheduling for Spot Purchases and Spot Sales shall be as determined by the Project Management Committee.

(b) Seller shall have the sole responsibility for transporting the Gas to the Delivery Point(s). Buyer shall have the sole responsibility for transporting the Gas from the Delivery Point(s).

(c) Participant agrees that UAMPS shall have no obligation to provide Gas or make storage or transport capacity available to Participant in the event of any force majeure under a Related Gas Agreement.

(d) The Parties shall use commercially reasonable efforts to avoid imposition of any Imbalance Charges. If UAMPS or Participant receives an invoice from a transporter that includes Imbalance Charges, the Parties shall determine the validity as well as the cause of such Imbalance Charges. If the Imbalance Charges were incurred as a result of Buyer's receipt of quantities of Gas greater than or less than the scheduled Gas, then Buyer shall pay for such Imbalance Charges or reimburse Seller for such Imbalance Charges paid by Seller. If the Imbalance Charges were incurred as a result of Seller's delivery of quantities of Gas greater than or less than the scheduled Gas, then Seller shall pay for such Imbalance Charges or reimburse Buyer for such Imbalance Charges paid by Buyer.

Section 5. Seller Delivery Failure. (a) Upon the occurrence of a Seller Delivery Failure, the Party that first learns of such Seller Delivery Failure shall notify the other Party of such failure promptly by telephone or electronic transmission. Any failure to give such notices, or any delay in giving such notices, shall not affect Buyer's rights under this Section 5. Buyer shall have no obligation to pay for any of the Gas that was not delivered as a result of a Seller Delivery Failure. Unless otherwise specified in a Transaction Confirmation, to the extent that Buyer acquires replacement Gas using the Cover Standard from third parties for Gas not received by Buyer, Seller shall pay Buyer, the positive difference, if any, between the cost of such replacement Gas and either the Contract Price or the applicable price for a Spot Transaction as the case may be.

(b) Except with respect to the payment of Imbalance Charges pursuant to Section 4(d), unless otherwise specified in a Transaction Confirmation, the remedy set

forth in this Section 5 shall be Buyer's sole and exclusive remedy for any Seller Delivery Failure.

Section 6. Buyer Receipt Failure. (a) Upon the occurrence of a Buyer Receipt Failure, the Party that first learns of such Buyer Receipt Failure shall notify the other Party of such failure promptly by telephone or electronic transmission; provided that any failure to give such notice, or any delay in giving such notice, shall not affect Seller's rights under this Section 6. Unless otherwise specified in a Transaction Confirmation, upon a Buyer Receipt Failure with respect to any portion of the Gas the following shall occur:

- (i) Buyer shall pay the Contract Price, or the applicable price for a Spot Transaction, for the portion of Gas as to which there is a Buyer Receipt Failure; and
- (ii) To the extent that Seller receives payments from third parties for Gas not received by Buyer, Seller shall credit Buyer with such payments against the payments due from Buyer in any month in an amount up to the Contract Price or the applicable price of a Spot Transaction.

(b) Except with respect to the payment of Imbalance Charges pursuant to Section 4(d), unless otherwise specified in a Transaction Confirmation, the remedies set forth in this Section 6 shall be the sole and exclusive remedies of the Parties for any Buyer Receipt Failure.

Section 7. Transactions Involving Prepaid Gas. (a) Participant and UAMPS agree to notify the other Party if Gas to be sold by UAMPS to Participant or by Participant to UAMPS is Prepaid Gas prior to confirming such sale.

(b) Participant covenants and agrees with UAMPS with respect to Prepaid Gas as follows:

- (i) Participant will use all Prepaid Gas for a Qualified Use. Participant will provide UAMPS with a certificate as to such use as requested;
- (ii) Participant will use all Prepaid Gas first in its operations. In the event that Participant has acquired Prepaid Gas in more than one Transaction, Gas used by Participant will be allocated among such Transactions on a pro-rata basis;
- (iii) At any time that Participant cannot use Prepaid Gas for its own use, Participant will give notice to UAMPS of the need for a Remarketing Purchase in at least the amount of the Prepaid Gas that cannot be used by Participant in accordance with this Agreement, or as otherwise specified in a Transaction Confirmation;

(iv) Notwithstanding the mandatory remarketing described in Section 7(b)(iii) above, Participant agrees to pay UAMPS the Contract Price for all Prepaid Gas which shall be deemed to have been delivered to Participant, on a timely basis; and

(v) Participant will cooperate with UAMPS to the extent necessary to confirm that Prepaid Gas was used in Participant's operations.

(c) During the term of this agreement, UAMPS shall use its best efforts to sell Prepaid Gas acquired pursuant to a Remarketing Purchase for a Qualified Use by matching Remarketing Purchases to Spot Sales to the extent possible on a daily basis. To the extent UAMPS acquires Gas through a Remarketing Purchase and has not resold such Gas through a Spot Sale, UAMPS shall use its best efforts to sell such Gas to third parties for a Qualified Use. To the extent that UAMPS sells such Gas for a Qualified Use, UAMPS shall pay the Remarketing Proceeds to Participant in accordance with Section 8(b). In the event UAMPS ultimately sells such Gas for other than a Qualified Use, the related Proceeds Subject to Remediation shall be retained by UAMPS in the Remediation Fund for the benefit of the Participating Member who initiated the Remarketing Purchase.

(d) Unless otherwise determined by the Project Management Committee, UAMPS will use its best efforts to utilize Proceeds Subject to Remediation for a Remediation Use by the end of the month that follows the month in which the Remarketing Purchase that resulted in Proceeds Subject to Remediation occurred.

(e) UAMPS shall keep detailed records of all Remarketing Purchases, sales of gas acquired by UAMPS in a Remarketing Purchase, and the Remediation Use to which Proceeds Subject to Remediation are applied.

Section 8. Amounts to be Paid by UAMPS and Participant. (a) Participant shall pay UAMPS (i) the Contract Price for all Gas delivered by, or deemed delivered by, UAMPS, or capacity to store or transport Gas provided by UAMPS, pursuant to a Transaction Confirmation, (ii) Additional Contract Charges, (iii) Monthly Gas Charges, (iv) Imbalance Charges, (v) any charges required to be made by Participant pursuant to Section 5 or Section 6, (vi) any Hedge Payment due from Participant, and (vii) the Fixed Administrative Fee, and (viii) the Transaction Fee.

(b) UAMPS shall pay Participant (i) the Contract Price for all Gas delivered by Participant, pursuant to a Transaction Confirmation in which UAMPS is the Buyer, (ii) Monthly Gas Proceeds, (iii) Imbalance Charges, (iv) any charges required to be made by UAMPS pursuant to Section 5 or Section 6, (v) Remarketing Proceeds that are not Proceeds Subject to Remediation, (vi) amounts released from the Remediation Fund that were held for the benefit of the Participant pursuant to Section 7(c) and have been applied to a Remediation Use pursuant to Section 7(d), and (vii) any Hedge Payment due to Participant.

Section 9. Billing Period, Billing and Payment. (a) Unless otherwise specified in a Transaction Confirmation, the billing period to be used for the preparation, calculation, and billing of the amounts payable hereunder shall be a calendar month. To promote the efficient and economic administration of the Project, or to conform such billing procedures to those utilized in connection with other projects of UAMPS, the Project Management Committee, may, at any time, adopt another standard period of time as the billing period for charges billed under Sections 8(a)(ii), 8(a)(vii), or 8(a)(viii). Any change in the billing period shall be made in the Annual Budget and shall not be effective for at least 15 days after the mailing of notice of such change in the billing period to Participant.

(b) On or before the 25th day of each billing period beginning with the first billing period following the effective date of this Agreement, UAMPS shall render to Participant a billing statement showing (i) the estimated amount payable by Participant pursuant to Section 8(a) for such billing period, (ii) the estimated amount payable by UAMPS pursuant to Section 8(b), and (iii) any, adjustments or reconciliations payable by or credited to Participant. For clarity, the Parties shall pay estimated amounts for all contracted Gas based on the assumption that Gas or transport capacity is scheduled and delivered in accordance with any Transaction Confirmation. UAMPS shall use its best efforts to include the actual amount and price of all Spot Purchases and Spot Sales that occur prior to the 25th day of each billing period in each monthly invoice. UAMPS may estimate, based on Participant's recent activity, the amount and price of Spot Purchases and Spot Sales for the remainder of the billing period.

(c) UAMPS shall reconcile all estimated quantities and prices on each invoice with the actual quantities and prices and the Participant shall receive a bill or credit, as applicable, to reflect such reconciliations pursuant to clause (b) of this paragraph (9).

(d) Unless otherwise specified in a Transaction Confirmation, payments required to be paid pursuant to Section 8 by UAMPS and Participant shall be netted and the net amount shall be due and payable to the Party who is owed at the office of such Party, or such other address as UAMPS or Participant shall designate in writing, on the 15th day following the date on which the billing statement was rendered or at such other time as may be established by UAMPS pursuant to Section 9(a) above. If said due date is not a Business Day, payment shall be due on the next Business Day. If Participant shall fail to make any payment when due, UAMPS shall immediately provide notice of such failure to Participant. The Parties acknowledge that Transactions associated with Prepaid Gas may require separate payments to minimize credit costs.

(e) If payment in full is not made on or before the close of business on the due date, UAMPS or Participant shall pay interest on the unpaid amount due for each day overdue. Unless otherwise specified in a Transaction Confirmation, interest shall accrue at a rate equal to the lesser of (i) the Prime Rate, plus two percent (2%) per annum; or (ii) the maximum rate lawfully payable by UAMPS or the Participant.

(f) In the event of a dispute as to any portion of any billing statement, the Participant shall nevertheless pay the full amount of the invoice when due and shall give written notice of the dispute to UAMPS not later than the 15th day after such billing statement was submitted. Such notice shall identify the disputed billing statement, state the amount in dispute and set forth a full statement of the grounds for such dispute. No adjustment shall be considered or made for disputed charges unless notice is given by the Participant. UAMPS shall give consideration to such dispute and shall advise the Participant with regard to its position relative thereto within thirty (30) days following receipt of such written notice. Upon final determination (whether by agreement or determination by the Board) of the correct amount, any difference between such correct amount and such full amount shall be accounted for in the billing statement next submitted to Participant after such determination. Interest on such overpayment or underpayment shall accrue at the rate for the applicable month published by the Utah Public Treasurer's Investment Fund.

(g) The obligation of Participant to make the payments under this Section 9 for amounts payable by Participant pursuant to Section 8 or this Section 9 is a several obligation and not a joint obligation with those of any other Participating Member. The obligation of Participant to make the payments under this Section 9 shall constitute an obligation of Participant and an operating expense of the Participant's electric system, Gas system, or combined utility system ("Utility") payable solely from the revenues and other available funds of the Utility. The obligations of Participant to make such payments shall not be subject to any reduction, whether by offset, counterclaim, or otherwise, and further shall not be conditioned upon the performance by UAMPS under any other agreement or instrument between UAMPS and the Participant.

(h) The obligation of UAMPS to make the payments under this Section 9 for amounts payable by UAMPS pursuant to Section 8 or this Section 9 shall constitute an obligation of the Project payable solely from the revenues and other available funds of the Project.

Section 10. Annual Budget; Accounting. (a) On or before the beginning of each Fiscal Year, UAMPS shall prepare and mail to Participant the Annual Budget. Unless otherwise directed by the Project Management Committee, in the preparation of the Annual Budget, UAMPS shall apply the net gains and/or losses accrued to the Project as an offset or addition as the case may be to the administrative and general charges included in the Annual Budget. Participant shall, to the extent and in the manner deemed appropriate by the Participant, incorporate the amounts shown on the Annual Budget in its annual budgetary process for Participant's Utility.

(b) At the end of each quarter during each Fiscal Year and at such other times as it shall deem desirable, UAMPS shall review the Annual Budget. In the event such review indicates that the Annual Budget does not or will not substantially correspond with actual receipts or expenditures, or if at any time during such Fiscal Year there are or are expected to be extraordinary receipts, credits or expenditures of costs substantially affecting the Project, UAMPS shall prepare and mail to Participant a revised Annual

Budget, as recommended by the Project Management Committee and approved by the Board, incorporating adjustments to reflect such receipts, credits or expenditures which shall thereupon supersede the previous Annual Budget.

(c) UAMPS will keep accurate records and accounts relating to the Project in accordance with the Uniform System of Accounts, separate and distinct from its other records and accounts; provided that UAMPS may establish revenue and operation and maintenance funds that account for more than one project of UAMPS so long as UAMPS shall maintain books and records adequate to show the amounts in each of such funds allocable to each such project. Said accounts shall be audited annually by a firm of certified public accountants of national reputation, experienced in public finance and electric utility accounting, to be employed by UAMPS. A copy of each annual audit, including all written comments and recommendations of such accountants, approved by the Board shall be furnished by UAMPS to Participant not later than 180 days after the end of each Fiscal Year.

Section 11. Review and Audit. Either Party, at its sole expense, shall have the right, at all reasonable times, to review and audit the books, records and documents of the other Party directly pertaining to the billings required to administer this Agreement and any Related Gas Agreement. All information obtained by either Party's representatives in examining the other Party's applicable records to verify such billings shall not be disclosed to third parties except as required by law. Prior written notice of any such disclosure shall be provided to the audited Party.

Section 12: Quality and Measurement. All Gas delivered by UAMPS or Participant shall meet the pressure, quality, and heat content requirements of the transporter. The unit of quantity measurement for purposes of this Agreement shall be one MMBtu dry. Measurement of Gas quantities hereunder shall be in accordance with the established procedures of the transporter.

Section 13. Taxes. Unless otherwise specified in a Transaction Confirmation, Seller shall pay or cause to be paid any Taxes on or with respect to the Gas prior to the Delivery Point(s). Participant shall pay or cause to be paid any Taxes on or with respect to the Gas at the Delivery Point(s) and all Taxes after the Delivery Point(s). If a Party is required to remit or pay Taxes that are the other Party's responsibility hereunder, the Party responsible for such Taxes shall promptly reimburse the other Party for such Taxes. Any Party entitled to an exemption from any such Taxes or charges shall furnish the other Party any necessary documentation thereof.

Section 14. Title. Unless otherwise specifically agreed, title to the Gas shall pass from Seller to Buyer at the Delivery Point(s). Seller shall have responsibility for and assume any liability with respect to the Gas prior to its delivery to Buyer at the specified Delivery Point(s). Buyer shall have responsibility for and any liability with respect to said Gas after its delivery to Buyer at the Delivery Point(s).

Section 15. Financial Security. (a) To the extent that UAMPS, or a party to a Gas Purchase Agreement with UAMPS, requires financial security, UAMPS may include a Credit Support Obligation in a Transaction Confirmation.

(b) If UAMPS has reasonable grounds based on its own determination for insecurity regarding the performance of any obligation under this Agreement by Participant (including, without limitation, the occurrence of a material change in the creditworthiness of Participant), UAMPS may provide Participant with a written notice imposing a Credit Support Obligation on Participant. The amount of such Credit Support Obligation shall be determined by UAMPS in a commercially reasonable manner. Upon receipt of such notice, Participant shall deliver cash or a Credit Support Document which satisfies such Credit Support Obligation within five (5) Business Days.

Section 16. Force Majeure. (a) Except with regard to a Party's obligation to make payment(s) hereunder, neither Party shall be liable to the other for failure to perform an obligation under this agreement, to the extent such failure was caused by Force Majeure.

(b) The term "Force Majeure" as employed herein means any cause not reasonably within the control of the Party claiming suspension, including, but not be limited to, the following: (i) physical events such as acts of God, landslides, lightning, earthquakes, fires, storms or storm warnings, such as hurricanes, which result in evacuation of the affected area, floods, washouts, explosions, breakage or accident or necessity of repairs to machinery or equipment or lines of pipe; (ii) weather related events affecting an entire geographic region, such as low temperatures which cause freezing or failure of wells or lines of pipe; (iii) interruption and/or curtailment of Firm transportation and/or storage by transporters; (iv) acts of others such as strikes, lockouts or other industrial disturbances, riots, sabotage, insurrections, or wars; and (v) governmental actions such as necessity for compliance with any court order, law, statute, ordinance, regulation, or policy having the effect of law promulgated by a governmental authority having jurisdiction.

(c) Neither Party shall be entitled to the benefit of Force Majeure to the extent performance is affected by any or all of the following circumstances: (i) the curtailment of Interruptible or secondary Firm transportation unless primary, in-path, Firm transportation is also curtailed; (ii) the Party claiming excuse failed to remedy the condition and to resume the performance of such covenants or obligations with reasonable dispatch; or (iii) economic hardship, to include, without limitation, UAMPS' ability to sell Gas at a higher or more advantageous price than the Contract Price, Participant's ability to purchase Gas at a lower or more advantageous price than the Contract Price, or a regulatory agency disallowing, in whole or in part, the pass-through of costs resulting from this Agreement; (iv) the loss of Participant's market(s) or Participant's inability to use or resell Gas purchased hereunder, except, in either case, as provided in Section 16(b); or (v) the loss or failure of UAMPS' Gas supply or depletion of reserves, except, in either case, as provided in Section 16(b). The Party claiming Force Majeure shall not be excused from its responsibility for Imbalance Charges.

(d) Notwithstanding anything to the contrary herein, the Parties agree that the settlement of strikes, lockouts or other industrial disturbances shall be within the sole discretion of the Party experiencing such disturbance.

(e) The Party whose performance is prevented by Force Majeure must provide notice to the other Party. Initial notice may be given orally; however, written notice with reasonably full particulars of the event or occurrence is required as soon as reasonably possible. Upon providing written notice to the other Party, the affected Party will be relieved of its obligation, from the onset of the Force Majeure event, to make or accept delivery of Gas, as applicable, to the extent and for the duration of Force Majeure, and neither Party shall be deemed to have failed in such obligations to the other during such occurrence or event.

(f) Notwithstanding the provisions of this Section 16, the Parties may agree to alternative Force Majeure provisions in a Transaction Confirmation.

(g) Any gains or losses experienced by UAMPS as a result of Force Majeure shall accrue to the Project.

Section 17. Separate Agreement. This Agreement does not modify any existing or future rights, obligations, performances, or procedures of UAMPS or Participant related to Participant's membership in UAMPS except as specifically agreed herein.

Section 18. Representations and Warranties. (a) Each Party represents and warrants to the other that (i) it possesses all legal power and authority necessary on its part to enter into this Agreement, including all Transaction Confirmations and Credit Support Documents and to perform its obligations hereunder and thereunder; and (ii) this Agreement has been duly authorized, executed and delivered and constitutes a legal, valid, and binding obligation, enforceable in accordance with its terms. Upon the request of the other Party, each Party agrees that it will provide such certificates and legal opinions as may be reasonably necessary to confirm the foregoing representations and warranties to third parties.

(b) Participant represents that the attached resolution, executive order or other authorizing document duly authorizes its Participant Gas Representative(s) to enter into each Transaction, Spot Purchase or Spot Sale.

Section 19. Waiver. A waiver at any time by a Party of its rights with respect to a default under or breach of this Agreement, or with respect to any other matter arising in connection with this Agreement, shall not be deemed a waiver with respect to any subsequent default or breach. No delay, short of the statute of limitations, in asserting or enforcing any right hereunder shall be deemed a waiver of such right.

Section 20. Assignment. Participant shall not assign or transfer this Agreement or any of its rights or obligations hereunder without the written consent of UAMPS, which consent may be withheld at UAMPS' sole discretion.

Section 21. Relationship of Parties. (a) This Agreement is not intended to create, nor shall it be deemed to create, any relationship between UAMPS and Participant other than that of independent parties contracting with one another for the purpose of effectuating the provisions of this Agreement.

(b) The covenants, obligations, liabilities, rights and benefits of Participant under this Agreement are individual and not joint and several, or collective, with those of any other Participating Member. This Agreement shall not be construed to create an association, joint venture, trust or partnership, or to impose a trust or partnership covenant, obligation or liability on, between or among Participant and any one or more of the Participating Members. No Participating Member shall be or be deemed to be under the control of, nor shall any Participating Member control or be deemed to control, any or all of the other Participating Members or the Participating Members as a group. No Participating Member shall be bound by the actions of any other Participating Member, nor shall any Participating Member be deemed to be the agent of any other Participating Member or have the right to bind any other Participating Member.

Section 22. No Recourse. No member of the governing body, nor any officer or employee of UAMPS or Participant shall be individually or personally liable for any payment under this Agreement or be subject to any personal liability or accountability by reason of the execution of this Agreement; provided, however, that this Section shall not relieve any officer or employee of UAMPS or Participant from the performance of any official duty imposed by law or this Agreement.

Section 23. Applicable Law. Unless otherwise stated in a Transaction Confirmation, this Agreement is made under and shall be governed by the law of the State of Utah.

Section 24. Severability. If any section, paragraph, clause or provision of this Agreement shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this Agreement shall remain in full force and effect as though such section, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not been included herein.

Section 25. Entire Agreement. This Agreement constitutes the entire and complete agreement of UAMPS and Participant in respect of the Project and shall not be nor shall it be deemed to be modified, amended or superseded by any other agreement or contract between UAMPS and Participant.

Section 26. Notices. Any notice or demand by Participant to UAMPS under this Agreement shall be deemed properly given if mailed postage prepaid and addressed to the contact below at its principal office or if faxed to UAMPS with receipt confirmed,

followed by a written copy of such notice or demand mailed to UAMPS postage prepaid. Any notice or demand by UAMPS to Participant under this Agreement shall be deemed properly given if mailed postage prepaid and addressed to the contact specified below or if faxed to Participant's contact with receipt confirmed, followed by a written copy of such notice or demand mailed to Participant's contact postage prepaid. In computing any period of time from such notice, such period shall commence at noon, Salt Lake City time, on the date mailed or faxed, as applicable. The designations of the name and address to which any such notice or demand is directed may be changed at any time and from time to time by either Party giving notice as above provided.

Notices:

UAMPS
General Manager
155 North 400 West, Suite 480
Salt Lake City, UT 84103

City of Logan
Mayor
P.O. Box 527
Logan, UT 84321-0527

Confirmations:

UAMPS
Customer Services Administrator
155 North 400 West, Suite 480
Salt Lake City, Utah 84103

City of Logan
UAMPS Representative
P.O. Box 527
Logan, UT 84321-0527

Invoices and Payments:

UAMPS
155 North 400 West, Suite 480
Salt Lake City, Utah 84103

City of Logan
P.O. Box 527
Logan, UT 84321-0527

Section 27. Default by Participant. (a) Other than a Seller Delivery Failure or a Buyer Receipt Failure for which an express remedy or measure of damages is provided herein, in the event of a failure of Participant to observe, keep, and perform any of the covenants, agreements, or obligations contained herein, UAMPS may bring any suit, action, or proceeding in law or in equity, including mandamus, injunction and action for specific performance, as may be necessary or appropriate to enforce any covenant, agreement or obligation of this Agreement.

(b) In the event of a failure to pay within two (2) Business Days of the day notice is provided by UAMPS pursuant to Section 9(d), any amounts payable by Participant to UAMPS pursuant to this Agreement, UAMPS shall, with written notice to Participant, suspend any further (i) deliveries of Gas to Participant, or (ii) use of any storage or transport capacity by Participant, until all past due amounts are paid in full. During the period of suspension, Participant shall no longer have a vote on the Project Management Committee.

(c) In the event Participant fails to maintain any Credit Support Document or cash deposit delivered to meet the Credit Support Obligation included in any Transaction Confirmation, or fails to satisfy any other Credit Support Obligation imposed by UAMPS pursuant to Section 15(b) within the time specified in Section 15(b), UAMPS shall, with written notice to Participant, suspend any further (i) deliveries of Gas to Participant, or (ii) use of any storage or transport capacity by Participant, until all past due amounts are paid in full. During the period of suspension, Participant shall no longer have a vote on the Project Management Committee.

Section 28. Default by UAMPS. Other than a Seller Delivery Failure or a Buyer Receipt Failure for which an express remedy or measure of damages is provided herein, in the event of any default by UAMPS under any covenant, agreement, or obligation contained herein, other than UAMPS' obligation to deliver or receive Gas, Participant's sole remedy for such default shall be limited to mandamus, injunction, action for specific performance or any other available equitable remedy as may be necessary or appropriate. And in no event shall Participant withhold or offset any payment owed to UAMPS hereunder.

Section 29. Market Disruption Event. If a Market Disruption Event has occurred with respect to a price index that is referenced both in this Agreement and a Related Gas Agreement, the replacement price shall be determined in accordance with the market disruption procedures set forth in the Related Gas Agreement. If a Market Disruption Event has occurred with respect to a price index that is not referenced in a Related Gas Agreement, the Parties shall negotiate in good faith to agree on a replacement price (or a method for determining the price at issue), and if the Parties have not so agreed on or before the 14th business day following the first trading day on which the Market Disruption Event occurred or existed, then the replacement price shall be determined by the majority of a panel of three independent dealers in the Gas market or other recognized experts in the field of pricing Gas. The Parties shall each select one dealer or other expert and the two dealers or other experts selected by the Parties shall mutually agree on the third dealer or expert.

Section 30. Price Correction. For purposes of determining the relevant prices for any day, if, during the term of this Agreement, the Spot Price published is corrected no later than thirty (30) Days after the original publication and the correction is published or announced by the person responsible for that publication or announcement, either Party may notify the other Party of (i) that correction and (ii) the amount (if any) that is payable as a result of that correction. If a Party gives notice that an amount is so payable, the Party that originally either received or retained such amount shall, not later than three (3) business days after the effectiveness of that notice, pay, subject to any applicable conditions precedent, to the other Party that amount, together with interest for the period from and including the day on which payment originally was (or was not) made to but excluding the day of payment of the refund or payment resulting from that correction. Interest shall accrue at the Prime Rate, determined as of the date the obligation to pay interest arises.

Section 31. Amendment. This Agreement shall not be amended, modified, or otherwise altered in any manner that may adversely affect the security for any revenue bonds that UAMPS may have sold to acquire Prepaid Gas. So long as any revenue bonds are outstanding or until adequate provisions for the payment thereof have been made in accordance with the terms of any Gas Purchase Agreement, Other Gas Agreement, or any agreement related to a Hedge Transaction, this Agreement shall not be amended, modified, or otherwise altered in any manner which will reduce the payments pledged as security for such revenue bonds or extend the time of such payments provided herein or which will in any manner impair or adversely affect the rights of the owners from time to time of such revenue bonds.

Section 32. Financial and Utility Information. Participant shall provide audited financial information and such other information about Participant's utility system as UAMPS may request from time to time. Participant agrees to the use of such information by UAMPS in (i) the negotiation of any Gas Purchase Agreement, Hedge Agreement or Other Gas Agreement, or (ii) any offering document or continuing disclosure prepared in connection with Prepaid Gas.

Section 33. Power and Authority of the Project Management Committee: The Project Management Committee shall coordinate all activities of the Project. Representation, and other procedures of the Project Management Committee shall be in accordance with the Joint Action Agreement and UAMPS' Bylaws. Each Participant shall have one vote on the Project Management Committee. For purposes of this Agreement, the Project Management Committee shall have the following specific duties, responsibilities and powers:

(a) The Project Management Committee shall determine the procedures by which a Participating Member shall indicate its interest in purchasing Gas, storage or transportation capacity obtained by UAMPS pursuant to specific Gas Purchase Agreements or Other Gas Agreements. The Project Management Committee shall also determine the procedures by which a Participating Member shall indicate its interest in participating in Hedge Transactions arranged by UAMPS pursuant to Other Gas Agreements.

(b) The Project Management Committee shall determine a process whereby Participating Members can request UAMPS to negotiate Gas Purchase Agreements, Other Gas Agreements or Hedge Transactions for specified quantities of Gas, delivery locations and terms.

(c) The Project Management Committee shall determine a process for the execution and delivery of Transaction Confirmations. Such process may include telephonic or electronic communication confirmed in writing within a specified period.

(d) The Project Management Committee shall determine the timing and process for delivery of notices regarding nominations and scheduling for Spot Purchases and Spot Sales including any special provisions for Spot Purchases that are Remarketing

Purchases. The Project Management Committee shall not have authority to alter operating and scheduling procedures that are specified in a Transaction Confirmation.

(e) The Project Management Committee may designate an alternative daily index for a specific delivery location other than the daily index used in the definition of “Spot Price” which price shall be used for Spot Purchases and Spot Sales. If an index price is specified in a Transaction Confirmation, the Project Management may not designate an alternative daily index for such Transaction.

(f) The Project Management Committee shall approve, and recommend to the Board for approval, the Annual Budget.

(g) The Project Management Committee shall approve, and recommend to the Board for approval, a revised annual budget in the event the review required by Section 10(b) indicates that the Annual Budget will not substantially correspond with actual receipts or expenditures.

(h) The Project Management Committee may direct UAMPS to apply the net gains and/or losses accrued to the Project differently than as provided in Section 10(a).

(i) The Project Management Committee may designate a termination date that is prior to the last day of the Fiscal Year in which a termination notice is given in accordance with Section 2(b).

(j) The Project Management Committee, may, at any time, adopt a standard period of time other than monthly as the billing period for charges billed under Sections 8(a)(ii), 8(a)(vii), or 8(a)(viii).

(k) The Project Management Committee may direct UAMPS to utilize Proceeds Subject to Remediation for a Remediation Use in a timeframe that differs from the direction provided in Section 7(c).

(l) The Project Management Committee shall determine the Four Large Participants for purposes of Board Elections on an Annual basis.

(m) The Project Management Committee shall approve any letter of credit or financial liquidity arrangement put in place for the benefit of all Participating Members.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their authorized officers as of the date first above written.

UTAH ASSOCIATED MUNICIPAL POWER SYSTEMS

By: _____
Chair

Attest and Countersign:

By: _____
Assistant Secretary

CITY OF LOGAN

By: _____
Mayor

Attest and Countersign:

By: _____
City Recorder

**CITY OF LOGAN, UTAH
ORDINANCE NO. 11-89**

**AN ORDINANCE OF THE CITY OF LOGAN AMENDING SECTIONS OF LOGAN
LAND DEVELOPMENT CODE REGARDING DEFINITIONS, AMENDING LOGAN
MUNICIPAL CODE Chapter 17.62**

WHEREAS, Utah State law grants to the City of Logan the authority to regulate and approve development within the city, and in particular, Utah Code Annotated Section 10-8-26 allows cities to regulate or prevent the use of streets, sidewalks, public buildings, and grounds for signs, signposts, or awnings or for posting handbills or advertisements; and

WHEREAS, the City of Logan desires to utilize a balanced and reasonable system that provides for fair, unbiased and content-neutral regulation as a means to minimize visual clutter, protect the health, safety, and general welfare of the community, protect and promote aesthetics and community appearance while providing latitude for variety and design of signs to promote businesses within the community by providing ample alternative means of communication; and

WHEREAS, the provisions regarding the regulation of signs have been narrowly tailored to achieve the significant governmental interest identified within this ordinance and Title 17, Chapter 62 adopted hereby; and

WHEREAS, the City Council of the City of Logan has determined that it is in the best interest of the city and its citizens to amend provisions of Title 17, Chapter 62 of the Logan Land Development Code regarding definitions; and

WHEREAS, the enactment of Title 17, Chapter 62 of the Logan Land Development Code as set forth hereby, is done by the authority granted by Title 10, Chapter 9a of the Utah Code; and

NOW THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF LOGAN, UTAH, AS FOLLOWS:

SECTION 1: That certain code entitled "Land Development Code, City of Logan, Utah" Chapter 17.62 "Definitions" are hereby amended as attached hereto as Exhibits A respectively:

SECTION 2: This ordinance shall become effective upon publication.

PASSED BY THE LOGAN MUNICIPAL COUNCIL, STATE OF UTAH, _____
THIS DAY OF _____, 2011.

AYES:

NAYS:

ABSENT:

Herm Olsen, Chair

ATTEST:

Teresa Harris, City Recorder

PRESENTATION TO MAYOR

The foregoing ordinance was presented by the Logan Municipal Council to the Mayor for approval or disapproval on the ____ day of _____, 2011.

Her Olsen, Chairman

MAYOR'S APPROVAL OR DISAPPROVAL

The foregoing ordinance is hereby _____ this ____ day of _____, 2011.

Randy Watts, Mayor



MEMORANDUM TO MUNICIPAL COUNCIL

DATE: November 29, 2011
FROM: Russ Holley, Senior Planner, Community Development
SUBJECT: LDC Definitions Text Amendment

Summary of Planning Commission Proceedings

<i>Project Name:</i>	Land Development Code Definitions Text Amendment
<i>Project Address:</i>	Citywide
<i>Recommendation of Planning Commission:</i>	Approval

On November 10, 2011, the Planning Commission, by unanimous vote, recommended that the Municipal Council approve a motion for a text amendment to Chapter 17.62 Definitions of the Land Development Code.

Planning Commissioners, unanimous vote (5-0):

Recommend Approval: David Adams, John Kerr, Heather Hall, Konrad Lee, Amanda Davis

I have attached the staff report, meeting minutes and ordinance.

Attachments:

Staff Report
Proposed Code Amendment
Ordinance 11-082
Meeting Minutes



**Project #11-037
Definitions
Code Amendment**

REPORT SUMMARY...

<i>Project Name:</i>	Definitions Code 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>Submitted By:</i>	Russ Holley, Senior Planner

RECOMMENDATION

Staff recommends that the Planning Commission recommend **approval** to the Municipal Council for a Text Amendment to the Land Development Code.

REQUEST

Grammatical adjustments and additional definitions, mainly pertaining to EMD signs, have been proposed for Chapter 17.62. The proposed complete chapters are attached for review. Below is a summary of the request:

Chapter 17.62 Definitions

- Minor changes were made to community services, household, irrigation, landscaping, lands set asides, lot, mineral resources production, mixed use, open space, parking – commercial, recreational vehicle storage, parks, primary structure, sales and service – large footprint, brew restaurant, tennis or swim clubs, shade trees, shed, signs, structure, twin home, tree removal, useable open space, waste related use and wrecking yards definitions
- Sign – Commercial, sign – electronic message display (dissolve, dwell time, fade, foot candle, flashing, frame effect, scroll, transition, travel), sign – off premise, are entirely new terms defined in chapter 17.62
- Sign – holiday decorations, sign – political, storage of sand, gravel, earth or stone (see warehouse, freight movement) are terms eliminated from chapter 17.62
- General grammatical and formatting changes are made to chapter 17.62

PUBLIC COMMENTS

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

AGENCY AND CITY DEPARTMENT COMMENTS

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

RECOMMENDED FINDINGS FOR APPROVAL

The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:

1. Utah state law authorizes local planning commissions to recommend ordinance changes to the legislative body (Municipal Council) that are consistent with the role of the Planning Commission.
2. The Code Amendment is done in conformance with the requirements of Title 17.51 of the Logan Municipal Code.
3. The proposed Code Amendments to chapters 17.62 further clarifies language for the general public and avoids potential future negative impacts to the character of the city.
4. The proposed Code Amendments to chapters 17.62 are consistent with the goals and objectives of the General Plan.

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.



PLANNING COMMISSION

Meeting of November 10, 2011

M I N U T E S

Council Chambers ❖ City Hall ❖ 290 North 100 West ❖ Logan, UT 84321 ❖ www.loganutah.org

Minutes of the meeting for the Logan City Planning Commission convened in regular session Thursday, November 10, 2011. Chairman Simmonds called the meeting to order at 5:30 p.m.

Planning Commissioners Present: Jeannie Simmonds, John Kerr, David Adams, Amanda Davis, Heather Hall, Konrad Lee

Historic Preservation Committee Present: Keith Mott, David Lewis, Amy Hochberg, Viola Goodwin, Tom Graham, Christian Wilson

Planning Commissioners Absent: Allison Hale

Staff Present: Mike DeSimone, Glen Goins, Russ Holley, Kristen Clifford, Paul Taylor, Kymber Housley, Debbie Zilles

Minutes as written and recorded from the October 17, 2011 meeting were reviewed by the Commission. Commissioner Davis moved that the minutes be approved as submitted with a minor change on the last page. Commissioner Hall seconded the motion. The motion was unanimously approved.

Public Hearings

PC 11-037 LDC Text Amendment (*continued from the October 27 meeting*) City of Logan, authorized agent/owner, requests amendments to the *Definitions* Section §17.62 of the Land Development Code (LDC).

STAFF: Mr. Holley provided an overview of the changes being proposed. He informed the Commission because the sections of this project (*Definitions*, *Temporary Signage* and *EMD*) are being reviewed independently, they have the discretion to forward each as a separate ordinance; or after reviewing all the sections, forward to the Council as one ordinance.

PUBLIC: None

COMMISSION: Kymber Housley, the City Attorney, asked Mr. Holley if the definitions were needed for other sections within the Code and would need to be approved soon. The *Definitions* section is independent enough that it could be forwarded to the Council separately. Mr. Holley said that there may be some questions with additional definitions for the Electronic Message Display (EMD) section.

Commissioner Kerr remarked that his preference would be to review the sections separately, however, forward as one complete package to the Municipal Council. Commissioner Lee also favored that approach.

Chairman Simmonds said the challenge would be any definitions being changed that apply to other sections of the Code would not be able to be implemented until passed by the Municipal Council.

Commissioner Hall noted that many of the new definitions apply to the EMD section and asked if any are restrictive. Mr. Holley said that they only define the term(s). Mr. Housley counseled that if any restrictions are found when reviewing this section, they need to be removed, as this section is only for definition of terms.

Commissioner Adams pointed out a couple of grammatical changes; on page 62-43 under Restaurant-Cafeteria, there is an extra "where" in the sentence. Page 62-56 under Amateur Radio Tower, the word typically is misspelled.

Commissioner Hall said it would make sense to break it up into sections for the Council, so that is not so overwhelming.

Commissioner Lee asked about the basis for the definition of Restaurant Brew, page 62-43, and whether it came from a State statute. Mr. Housley explained that it is not a land use State definition; it comes from Utah Code Title 32A – Alcoholic Beverage Control Act.

Commissioner Lee noted that in the Religious Institutions section on page 62-36, the reference "*designed for prayer*" seemed wordy and more inclusive than it needed to be and thought it could be more generic such as "*designed for religious purposes*."

Chairman Simmonds said in this case it does need to specifically reference "*the institution where worship happens*" not just a place where a particular church might hold other types of activities.

Commissioner Lee recommended that it read "*A special purpose building that is architecturally designed and particularly adapted for the primary use of formal religious services*."

Mike DeSimone, the Community Development Director, said that it should also include "*structure or place*" otherwise, questioned whether it would preclude worship services from being able to happen in a retail space built primarily as a commercial space.

Mr. Housley suggested taking the more broad definition of the first sentence excluding the special purpose language. "*A structure or place that primarily provides a meeting area for religious activities*."

Chairman Simmonds advised that she believed the definition should include "*where a particular system of beliefs are held*" if Religious Institutions have special exclusions within the Code. There should be enough definition to preclude someone claiming their private home is a religious institution. Mr. Housley agreed and advised that the operative wording in the first sentence is "*primary purpose*".

Commissioner Lee pointed out that there are a few churches that hold services in retail buildings within the City and this would require that it be "*architecturally designed and particularly adapted*", so they would be nonconforming by this definition. He stated that "*used for prayer*", "*architecturally designed*" and "*like-minded*" all seemed like irrelevant terms.

Commissioner Hall suggested using "*facility that is used for conducting formal religious services on a regular basis*" as it should be something that happens regularly.

It was decided the definition would read "*A structure, place or other facility that is used for formal religious services on a regular basis*".

Commissioner Hall asked if Sign – Off-Premise on page 62-52 was a new definition and if so asked about the basis for the creation since it is prohibited. Mr. Housley explained that off-premise signage has always been prohibited; however, there has never been a formal definition.

Commissioner Adams asked how signs on vehicles are addressed. Mr. Housley explained that it is not defined as a sign because the primary purpose is the vehicle; however that does not mean that a vehicle could not be turned into a billboard when it is parked, in which case it is enforced through the parking regulations. Mr. Holley pointed out that there is a prohibited section in §17.40 that addresses signs that are attached and/or towed behind vehicles.

MOTION: Commissioner Kerr moved that the Planning Commission recommend approval to *Definitions* Section §17.62 as modified and forward a positive recommendation to the Municipal Council. Commissioner Lee seconded the motion.

[Moved: Commissioner Kerr Seconded: Commissioner Lee Passed: 5,0]
Yea: D. Adams, A. Davis, H. Hall, J. Kerr, K. Lee Nay: Abstain:

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:

Accessory Structure means a structure that is subordinate to and serves a primary use or structure; is subordinate to the primary use or structure served; contributes to the comfort, convenience or necessity of occupants of the primary use or structure served; and is located on the same lot and in the same zoning district as the primary use.

~~“Accessory structure” means a structure that is subordinate to and serves a primary use or structure; is subordinate to the primary use or structure served; contributes to the comfort, convenience or necessity of occupants of the primary use or structure served; and is located on the same lot and in the same zoning district as the primary use.~~

Accessory Use means a use or activity that is a subordinate part of a primary use and clearly incidental to a primary use.

~~“Accessory use” means a use or activity that is a subordinate part of a primary use and clearly incidental to a primary use.~~

Accommodations (, Lodging), ~~Bed and Breakfast~~ means facilities offering transient lodging accommodations to the general public and which may include additional facilities, such as restaurants, meeting rooms, entertainment, personal services, and recreation facilities. Typical types of accommodations include Bed and Breakfast establishments, Hotel and Motels.

~~Facilities offering transient lodging accommodations to the general public and which may include additional facilities, such as restaurants, meeting rooms, entertainment, personal services, and recreation facilities.~~

Bed and Breakfast

~~—“Bed and Breakfast” or “Bed and Breakfast Inn” means overnight accommodations of ten or fewer rooms that may also serve one or more meals limited to registered guests.~~

Hotel,

~~—“Hotel” means a facility offering transient sleeping rooms and providing additional services within the same building, such as restaurant(s), conference or meeting rooms, banquet facilities, and full guest services, such as room service or a gift shop.~~

~~**Motel** an establishment providing sleeping accommodations and limited support services, such as no room service, no in facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher.~~

~~—“Motel” means an establishment providing sleeping accommodations and limited support services, such as no room service, no in facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher.~~

Adult-Oriented Business (see Sales and Service)

Aerobic Studio means a business to which a classes of participants attend on a periodic or regular basis for purposes of exercise, weight training, fitness training, and participation in related activities. An aerobic studio may also include the retail sales of products related to its services.

~~“Aerobic studio” means a business to which a class of participants attend on a periodic or regular basis for purposes of exercise, weight training, fitness training, and participation in related activities. An aerobic studio may also include the retail sales of products related to its services.~~

17.62: Definitions

Affordable Housing means safe and decent housing with a sales price or rent that is within income limitations for households defined as low and moderate income by current Federal or State definitions.

~~“Affordable housing” means safe and decent housing with a sales price or rent that is within income limitations for households defined as low and moderate income by current Federal or State definitions.~~

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. Agriculture does not include the processing of agricultural products such as milk into milk products (Manufacturing & Production), livestock auctions (Wholesale Sales and Services) or nurseries oriented to the retail sales market (Sales & Service).

~~“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.~~

Airport means the Logan-Cache County Airport.

~~“Airport” means the Logan-Cache County Airport.~~

Airport Board of Adjustment means the City of Logan Board of Adjustment performing the duties prescribed in Utah Code §2-4-5.

~~“Airport Board of Adjustment” means the City of Logan Board of Adjustment performing the duties prescribed in Utah Code §2-4-5.~~

Airport Hazard means any structure or use of land which actually or potentially obstructs the airspace required for safe flight of air craft in landing or taking off at an airport

~~“Airport hazard” means any structure or use of land which actually or potentially obstructs the airspace required for safe flight of air craft in landing or taking off at an airport.~~

Airport Hazard Area means any area of land upon which an airport hazard might be established.

~~“Airport hazard area” means any area of land upon which an airport hazard might be established.~~

Airport Zoning Commission means the City of Logan Planning Commission serving in the roles prescribed in Utah Code §2-4-5.

~~“Airport Zoning Commission” means the City of Logan Planning Commission serving in the roles prescribed in Utah Code §2-4-5.~~

Alternative or Post Incarceration Facility means halfway houses, work release centers or any other domiciliary facilities for persons released from any penal or correctional facility but still in the custody of the city, county or public agency OR youth care centers or other facilities authorized to accept youth offenders.

~~“Alternative or Post Incarceration Facility” means halfway houses, work release centers or any other domiciliary facilities for persons released from any penal or correctional facility but still in the custody of~~

~~the city, county or public agency OR youth care centers or other facilities authorized to accept youth offenders.~~

Amateur Radio ~~Facility~~ Tower (see Telecommunication Facilities).

~~“Amateur radio facility” means any tower or antenna owned and operated by an amateur radio operator licensed by the Federal Communications Commission.~~

Amusement, commercial indoor (see Sales and Service)

Animal Clinic (see Sales and Service)

Antenna means a transmitting or receiving device used in telecommunications that radiates or receives radio signals.

~~“Antenna” means a transmitting or receiving device used in telecommunications that radiates or receives radio signals.~~

Antique Shop (see Sales and Service)

Appeal means an administrative procedure that requests relief from a decision by a designated hearing officer, commission, committee, or board.

~~“Appeal” means an administrative procedure that requests relief from a decision by a designated hearing officer, commission, committee, or board.~~

Appliance Store (see Sales and Service)

Applicant means the person making application for a project review. See also “proponent.”

~~“Applicant” means the person making application for a project review. See also “proponent.”~~

Application means the following:

~~“Application” means:~~

- A. Application in General. A submission of materials that is required to be received by the City prior to commencing any action that results in the issuance of a permit or the granting of an approval or conditional approval. The contents of an application are a combination of the materials that are required by statute, materials that are specified in this title, and materials that may be required as a part of the City’s administrative process. A “petition” is also an application.

~~A submission of materials that is required to be received by the City prior to commencing any action that results in the issuance of a permit or the granting of an approval or conditional approval. The contents of an application are a combination of the materials that are required by statute, materials that are specified in this title, and materials that may be required as a part of the City’s administrative process. A “petition” is also an application.~~

- B. Complete Application. An application shall not be considered complete until all the required materials have been received and verified as to content. A complete application includes the following:

~~An application shall not be considered complete until all the required materials have been received and verified as to content. A complete application includes:~~

1. ~~payment~~ Payment of required application fees and charges; ~~and~~
2. ~~all~~ All maps, drawings, and materials required by statute or ordinance; ~~and~~

3. ~~all~~ All of the maps, drawings, and information specified in the City's administrative _____ procedures prepared in a neat, legible manner.

Architect means an architect licensed by the State of Utah.

~~"Architect" means an architect licensed by the State.~~

Art Object Sales (see Sales and Service)

Art Studio (see Sales and Service)

Art Supply Store (see Sales and Service)

Assisted Living Center (see Group Living)

Back-Out Parking means a parking configuration that requires vehicles to maneuver directly from the parking space onto a public street without a driveway.

~~"Back-out parking" means a parking configuration that requires vehicles to maneuver directly from the parking space onto a public street without a driveway.~~

Bakery (see Sales and Service)

Bank (see Office)

Barber Shop (see Sales and Service)

Base Zone or Base Zoning District (see "Zone, base")

Basement means a portion of a building partly below ground and not having more than half of its height above the level of the adjoining ground.

~~"Basement" means a portion of a building partly below ground and not having more than half of its height above the level of the adjoining ground.~~

Beauty Shop (see Sales and Service)

Bed and Breakfast means overnight accommodations of ten or fewer rooms that may also serve one or more meals limited to registered guests. Also includes "Bed and Breakfast Inn's."

Berm means a linear earthen mound.

~~"Berm" means a linear earthen mound.~~

Billboard means a sign, land use, vehicle, trailer, or structure that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

~~"Billboard" means a sign, land use, vehicle, trailer, or structure that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.~~

Block means a unit of land bounded by streets or a combination of streets, public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.

~~"Block" means a unit of land bounded by streets or a combination of streets, public land, railroad rights-of-way, waterways, or any other barrier to the continuity of development.~~

Block Frontage means all of the property fronting on a street that is between intersecting streets, or that is between a street and a water feature, or end of a dead end street.

~~“Block frontage” means all of the property fronting on a street that is between intersecting streets, or that is between a street and a water feature, or end of a dead end street.~~

Board of Appeals means the three-person Board established in Logan Municipal Code Chapter 2.58.

~~“Board of Appeals” means the three-person Board established in Logan Municipal Code Chapter 2.58.~~

Board of Adjustment means the five-person Board established in Logan Municipal Code Chapter 2.54.

~~“Board of Adjustment” means the five-person Board established in Logan Municipal Code Chapter 2.54.~~

Boarding House, Lodging House means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided. A lodging house is a boarding house in which meals are not provided. The length of stay in a boarding house or lodging house is 30 or more days.

~~“Boarding house, lodging house” means a dwelling unit or part thereof in which, for compensation, lodging and meals are provided. A lodging house is a boarding house in which meals are not provided. The length of stay in a boarding house or lodging house is 30 or more days.~~

Boot Repair (see Sales and Service)

Boundary Line Adjustment means the relocation of the property boundary line between two adjoining lots with the consent of the owners of record. Also referred to as a “Lot line adjustment.”

~~“Boundary line adjustment” or “Lot line adjustment” means the relocation of the property boundary line between two adjoining lots with the consent of the owners of record.~~

Brew Restaurant (see Sales and Service)

Buildable Acre, Gross (See Gross Buildable Acre)

Buildable Area means that portion of an existing or proposed lot that is free of building restrictions. For the purpose of this ordinance, the buildable area does not contain any setback areas, easements, and similar building restrictions, and cannot contain any land specified in §17.31.010.

~~“Buildable area” means that portion of an existing or proposed lot that is free of building restrictions. For the purpose of this ordinance, a buildable area does not contain any setback areas, easements, and similar building restrictions, and cannot contain any land specified in §17.31.010.~~

Building Footprint

See “Building Coverage.”

Building Coverage means the portion of a site covered by buildings or other roofed structures, including eaves. “Building Coverage” also means “Building Footprint.”

~~“Building coverage” means the portion of a site covered by buildings or other roofed structures, including eaves. “Building Coverage” also means “building footprint.”~~

Building means a structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.

~~“Building” means a structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals or chattels.~~

Building Line means a line running parallel to a lot line that is the same distance from the lot line as the closest portion of a building on the site.

~~“Building Line” means a line running parallel to a lot line that is the same distance from the lot line as the closest portion of a building on the site.~~

Bus Passenger Station (see Sales and Service)

Cable Television Facilities means a Any cable television head end or hub towers and antennas used solely for cable television services.

~~Any cable television head end or hub towers and antennas used solely for cable television services.~~

Cafeteria (see Sales and Service)

Camera Shop (see Sales and Service)

Camping Supply Store in RV Park (see Sales and Service)

Caregiver (see Group Living)

Carpet Sales, Retail and Wholesale (see Sales and Service)

Cart Corral means an area designated within a parking lot where persons place shopping carts, dollies, hand trucks, pallet jacks, and other similar equipment.

~~“Cart corral” is an area designated within a parking lot where persons place shopping carts, dollies, hand trucks, pallet jacks, and other similar equipment.~~

Car Wash (see Sales and Service)

Certificate of Approval means certification language as required by this title and Utah Code incorporated onto any deed or instrument creating a new lot by metes and bounds description or other such description.

~~“Certificate of Approval” means certification language as required by this title and Utah Code incorporated onto any deed or instrument creating a new lot by metes and bounds description or other such description.~~

Chief Executive Officer means the elected Mayor of the City of Logan.

~~“Chief Executive Officer” means the elected Mayor of the City of Logan.~~

Clinic (see Office)

Clothing (see Sales and Service)

Clear Trunk means the distance between the top of the root ball along the vertical trunk or trunks of a tree to the point at which lateral branching or fronds begin.

~~“Clear trunk” means the distance between the top of the root ball along the vertical trunk or trunks of a tree to the point at which lateral branching or fronds begin.~~

Club, private (see Sales and Service)

Cluster Development means a cluster or compact subdivision.

~~“Cluster development” means a cluster or compact subdivision.~~

Collectible Shop (see Sales and Service)

Colleges means an independent institution of higher learning offering general studies leading to a degree; a part of a university offering a specialized group of courses; an institution offering instruction usually in a professional, vocational, or technical field.

~~“Colleges” are independent institutions of higher learning offering general studies leading to a degree; a part of a university offering a specialized group of courses; an institution offering instruction usually in a professional, vocational, or technical field.~~

Combining District, Combining Zone (See Zone, combining)

Commercial Day Care (17 or more clients) means dDay Ccare and preschool uses provideing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. (See also Family Day Care and Family Group Day Care).

~~(See also Family Day Care and Family Group Day Care)~~

~~Day Care and preschool uses provide care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day.~~

Commercial School (see School, Vocational)

Commercial Storage Unit (see Storage, Self-Service)

Common Area means lands, structures, infrastructure, or facilities within a project that is owned in undivided interest by the property owners, a condominium association, or other entity in common.

~~“Common area” means lands, structures, infrastructure, or facilities within a project that is owned in undivided interest by the property owners, a condominium association, or other entity in common.~~

Community Center means a building used for recreation, social, educational, or cultural activities, open to the public or a designated part of the public. A community center is usually owned and operated by a public or nonprofit group or agency.

~~“Community center” means a building used for recreation, social, educational, or cultural activities, open to the public or a designated part of the public. A community center is usually owned and operated by a public or nonprofit group or agency.~~

17.62: Definitions

Community Service means a use of a public, a nonprofit, or a charitable nature providing a local service to people of the community. Generally the service is provided onsite or there are employees at the site on a regular basis. The service is always ongoing and not for special events. The use may provide special counseling, education, or training of a public, nonprofit or charitable nature. "Community service" does not include facilities or uses which house or serve adjudicated youth offenders, proctor homes, group homes serving as transitional facilities for criminally convicted persons, or other group homes as defined by State or Federal law or regulations (see "group home"). Examples include libraries, museums, senior centers, community centers, publicly owned swimming pools, youth club facilities, hospices, social service facilities, emergency shelter¹, vocational training for persons with physical or mental disabilities, temporary shelters and services for victims of domestic violence, crematoriums, columbaria and mausoleums. Private lodges, clubs, or commercial athletic/health clubs are classified as Sales and Service.

~~"Community service" means a use of a public, a nonprofit, or a charitable nature providing a local service to people of the community. Generally the service is provided onsite or there are employees at the site on a regular basis. The service is always ongoing and not for special events. The use may provide special counseling, education, or training of a public, nonprofit or charitable nature. "Community service" does not include facilities or uses which house or serve adjudicated youth offenders, proctor homes, group homes serving as transitional facilities for criminally convicted persons, or other group homes as defined by State or Federal law or regulations (see "group home").~~

Condominium means a building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

~~"Condominium" means a building or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.~~

Confectionery Shop (see Sales and Service)

Contractors Storage Yard (see Warehouse, Freight Movement)

Contractor Supply Store (see Industrial Service)

Convalescent Center (see Group Living)

Convenience Market, no gasoline (see Sales and Service)

Copy Center (see Sales and Service)

Credit Union (see Office)

Critical Lands means an area shown on the Official Critical Lands Map and classified under 17.31.040.

~~An area shown on the Official Critical Lands Map and classified under 17.31.040.~~

Dairy Products (see Sales and Service)

¹ Emergency shelters for purposes of relocating persons in the event of a local emergency as determined by the Mayor shall not require permit approvals.

Dancehall (see Sales and Service)

Dance Studio (see Sales and Service)

Day Care (see Family Day Care)

Days means calendar days, unless specifically stated as working days.

~~"Days" means calendar days, unless specifically stated as working days.~~

Decision-Making Body means a person or group authorized in the Land Development Code to conduct land use reviews and take action on the matter under review.

~~"Decision-Making Body" means a person or group authorized in the Land Development Code to conduct land use reviews and take action on the matter under review.~~

Density means the number of dwelling units per acre of land area. Density may also be expressed as the amount of land area per dwelling unit. Unless otherwise stated, any reference to density means "gross" density calculation. Density is calculated as a factor of number of units ÷ acreage. For example, a project containing 20 units located on 5 acres has a gross density of 4 units per acre (20 ÷ 5 = 4). (See also "Gross Buildable Acre").

~~"Density" means the number of dwelling units per acre of land area. Density may also be expressed as the amount of land area per dwelling unit. Unless otherwise stated, any reference to density means "gross" density calculation. Density is calculated as a factor of number of units ÷ acreage. For example, a project containing 20 units located on 5 acres has a gross density of 4 units per acre (20 ÷ 5 = 4) (See also "Gross Buildable Acre")~~

Dental Office (see Office)

Department means the Department of Community Development. Other departments, divisions, or agencies are referenced by name.

~~"Department" means the Department of Community Development. Other departments, divisions, or agencies are referenced by name.~~

Department Store (see Sales and Service)

Detention Facilities means are a facilities designed to detain incarcerated individuals who are awaiting trial but who were not granted the ability to bond out by the court, or who have been unable to meet bond requirements. Detention facilities may also be used for individuals who are ordered to serve certain types of shorter sentences.

~~"Detention facilities" are facilities designed to detain incarcerated individuals who are awaiting trial but who were not granted the ability to bond out by the court, or who have been unable to meet bond requirements. Detention facilities may also be used for individuals who are ordered to serve certain types of shorter sentences.~~

Development means the aAlteration of the land surface by:

- A. Grading, filling, cutting or other earth-moving activity involving more than fifty cubic yards on any lot;
- B. The removal of three or more living trees of over six inch caliper or the removal of five percent of the total number of living (or dead) trees over six inch caliper, whichever is greater, on any lot within any one calendar year;
- C. Construction of a building, road, driveway, parking area or other structure; or
- D. Culverting of any stream.

~~Alteration of the land surface by:~~

17.62: Definitions

- ~~1. Grading, filling, cutting or other earth moving activity involving more than fifty cubic yards on any lot;~~
- ~~2. The removal of three or more living trees of over six inch caliper or the removal of five percent of the total number of living (or dead) trees over six inch caliper, whichever is greater, on any lot within any one calendar year;~~
- ~~3. Construction of a building, road, driveway, parking area, or other structure;~~
- ~~4. Culverting of any stream.~~

Development Review Committee means the committee of members of the City staff and other agencies as invited or convened to review development proposals prior to permits being issued or reports being prepared for decision-making bodies.

~~“Development Review Committee” means the committee of members of the City staff and other agencies as invited or convened to review development proposals prior to permits being issued or reports being prepared for decision-making bodies.~~

Diameter Breast Height (DBH) means the diameter of a tree measured at 4.5 feet above grade.

~~“Diameter at Breast Height” (DBH) means the diameter of a tree measured at 4.5 feet above grade.~~

Director means the Director of Community Development of the City of Logan or the Director’s designee. Directors of other departments are referenced by department, division, or title.

~~“Director” means the Director of Community Development of the City of Logan or the Director’s designee. Directors of other departments are referenced by department, division, or title.~~

Discount Store (see Sales and Service)

Discretionary Approval means an action of the City that may be approved, conditionally approved, or denied at the discretion of the decision-making body upon making appropriate findings or utilizing adopted standards or policies.

~~“Discretionary approval” means an action of the City that may be approved, conditionally approved, or denied at the discretion of the decision-making body upon making appropriate findings or utilizing adopted standards or policies.~~

Discretionary Permit means a permit issued by the City when the City has the discretion to approve the permit as requested, approve it in a modified form with conditions or other changes generated by application review, or to deny the permit on the basis of reasons or findings of fact.

~~“Discretionary permit” means a permit issued by the City when the City has the discretion to approve the permit as requested, approve it in a modified form with conditions or other changes generated by application review, or to deny the permit on the basis of reasons or findings of fact.~~

District (see Zoning District)

~~Same as “Zoning District.”~~

Dormitories (see Group Living)

Drama Studio (see Sales and Service)

Dripline means the natural outside end of the branches of a tree or shrub projected vertically to the ground.

~~“Dripline” means the natural outside end of the branches of a tree or shrub projected vertically to the ground.~~

Drought-Tolerant Vegetation means trees, shrubs, groundcovers and other vegetation, excluding prohibited or controlled species, which is classified as very or moderately drought-tolerant in accepted horticultural or landscaping publications.

~~“Drought-tolerant vegetation” means trees, shrubs, groundcovers and other vegetation, excluding prohibited or controlled species, which is classified as very or moderately drought-tolerant in accepted horticultural or landscaping publications.~~

Drug Store (see Sales and Service)

Dry Cleaner (see Sales and Service)

Dwelling Unit means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of the occupants.

~~“Dwelling Unit” means one or more rooms, designed, occupied, or intended for occupancy as a separate living quarter with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of the occupants.~~

Electric Fueling Facilities (see Vehicle Service)

Engineer means the City Engineer when referring to a City decision-maker. An Engineer also means a registered professional engineer licensed by the State of Utah.

Entertainment Event, Major means those activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature. Typical uses include stadiums, sports arenas, coliseums, auditoriums, reception centers, exhibition halls, and fairgrounds.

~~Activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.~~

Essential Views means the critical visual land forms, including city ridgelines, views of Logan's many unique geologic and agricultural features, and the existing landscape fabric of the city's hillside areas.

~~“Essential views” are critical visual land forms, including city ridgelines and views of Logan's many unique geologic and agricultural features and the existing landscape fabric of the city's hillside areas.~~

~~**Engineer** means the City Engineer when referring to a City decision-maker. An Engineer also means a registered professional engineer licensed by the State of Utah.~~

~~“Engineer”, when referring to a City decision-maker, means the City Engineer. A registered professional engineer licensed by the State of Utah.~~

Exercise Studio (see Sales and Service)

Family means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons,

but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.

Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage. Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.

~~“Family” means one or more persons related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, exclusive of household servants; or a number of unrelated adult persons, but not exceeding two and their children related by blood, adoption, or marriage, living and cooking together as a single housekeeping unit, shall be deemed to constitute a family.~~

~~Students who are visiting a family for the purpose of attending grades kindergarten through high school are considered temporary family members and therefore part of a family even though they may or may not be related by blood, adoption, or marriage. Students must be actively attending a school grade K-12 and living with a family related by blood, adoption, or marriage.~~

Family Daycare (1-8 Clients) means the provision of care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. (Periods of care differing from less than 24 hours per day may be authorized by a Conditional Use Permit).

~~Uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day, unless approved by Conditional Use Permit.~~

Family Group Daycare (9-16 Clients) means the provision of care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day. (Periods of care differing from less than 24 hours per day may be authorized by a Conditional Use Permit).

~~Uses providing care, protection and supervision for children or adults on a regular basis away from their primary residence for less than 24 hours per day, unless approved by Conditional Use Permit.~~

Flood Hazard: Appeal means a request for a review of the City engineer’s interpretation of any provisions of this chapter or a request for a variance.

~~“Appeal” means a request for a review of the City engineer’s interpretation of any provisions of this chapter or a request for a variance.~~

Flood Hazard: Area of Special Flood Hazard means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

~~“Area of special flood hazard” means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.~~

Flood Hazard: Base Flood means the flood having a one percent chance of being equaled or exceeded in any given year.

~~“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year.~~

Flood Hazard: Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

~~“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.~~

Flood Hazard: Existing Manufactured Home Park or Manufactured Home Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of the ordinance codified in this chapter.

~~“Existing manufactured home park” or “manufactured home subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of the ordinance codified in this chapter.~~

Flood Hazard: Expansion to an Existing Manufactured Home Park or Manufactured Home Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

~~“Expansion to an existing manufactured home park” or “manufactured home subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).~~

Flood Hazard: Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- A. The overflow of ponds, lakes, streams, rivers or other watercourses onto adjacent lands.
- B. The unusual and rapid accumulation or runoff of surface waters from any source.

~~“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:~~

- ~~A. The overflow of ponds, lakes, streams, rivers or other watercourses onto adjacent lands.~~
- ~~B. The unusual and rapid accumulation or runoff of surface waters from any source.~~

Flood Hazard: Flood Insurance Rate Map (FIRM/Flood Insurance Study) means the official map on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zoning districts applicable to the community and official report provided by the Federal Emergency Management Agency. It includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.

~~“Flood Insurance Rate Map (FIRM/Flood Insurance Study)” means the official map on which the federal emergency management agency has delineated both the areas of special flood hazards and the risk premium zoning districts applicable to the community and official report provided by the Federal Emergency Management Agency. It includes flood profiles, the flood boundary-floodway map, and the water surface elevation of the base flood.~~

Flood Hazard: Floodway means the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

~~“Floodway” means the channel of a river or other watercourse and the adjacent land areas that shall be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.~~

Flood Hazard: Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

~~"Lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles building access or storage, in an area other than a basement area, is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.~~

Flood Hazard: Manufactured Home means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers unless the same are placed on a site for greater than one hundred eighty consecutive days.

~~"Manufactured home" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers unless the same are placed on a site for greater than one hundred eighty consecutive days.~~

Flood Hazard: New Construction means structures for which the start of construction commences on or after the effective date of the ordinance codified in this chapter.

~~"New construction" means structures for which the start of construction commences on or after the effective date of the ordinance codified in this chapter.~~

Flood Hazard: New Manufactured Home Park or Manufactured Home Subdivision means a parcel (or contiguous parcels of land) divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance codified in this chapter.

~~"New manufactured home park" or "manufactured home subdivision" means a parcel (or contiguous parcels of land) divided into two or more manufactured home lots for rent or sale for which the construction of facilities for servicing the lot (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of the ordinance codified in this chapter.~~

Flood Hazard: Start of Construction means the first placement of permanent construction of a structure (other than a manufactured home) on a site, which as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent construction, such as the pouring of slabs, pilings, footings, etc. For manufactured homes not within a manufactured home park or manufactured home subdivision, "start of construction" means the affixing of the manufactured home to its permanent site.

~~"Start of construction" means the first placement of permanent construction of a structure (other than a manufactured home) on a site, which as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include installation of streets and/or walkways; nor does it include excavation for a~~

17.62: Definitions

~~basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure. For a structure (other than a manufactured home) without a basement or poured footings, the "start of construction" includes the first permanent construction, such as the pouring of slabs, pilings, footings, etc. For manufactured homes not within a manufactured home park or manufactured home subdivision, "start of construction" means the affixing of the manufactured home to its permanent site.~~

Flood Hazard: Structure means a walled and roofed building or manufactured home that is principally above ground.

~~"Structure" means a walled and roofed building or manufactured home that is principally above ground.~~

Flood Hazard: Substantial Improvement means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:

- A. Before the improvement or repair is started; or
- B. If the structure has been damaged and being restored before the flood damage occurred.
For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.;
- C. The term, does not, however, include either:
 - 1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or
 - 2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

~~"Substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent of the market value of the structure either:~~

- ~~A. Before the improvement or repair is started; or~~
- ~~B. If the structure has been damaged and being restored before the flood damage occurred.~~
~~For the purpose of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure;~~
- ~~C. The term, does not, however, include either:~~
 - ~~1. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or~~
 - ~~2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.~~

Flood Hazard: Variance means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. Such variances are to be reported to the Federal Emergency Management Agency upon request.

~~"Flood Hazard Variance" means a grant of relief from the requirements of this chapter which permits construction in a manner that would otherwise be prohibited by this chapter. Such variances are to be reported to the Federal Emergency Management Agency upon request.~~

Floodway Channel means the floodway channel as defined in the Flood Insurance Study for the City, published by the Federal Emergency Management Agency, most current edition.

~~The floodway channel as defined in the Flood Insurance Study for City, published by the Federal Emergency Management Agency, most current edition.~~

Floor Area Ratio (FAR) means the gross floor area of a primary building, divided by the lot area of the lot on which the building is placed.

~~"Floor Area Ratio (FAR)" means the gross floor area of a primary building, divided by the lot area of the lot on which the building is placed.~~

Floor Area, Gross means the total square footage within a structure calculated by using the measurements from the exterior walls.

~~"Floor Area, Gross" means the total square footage within a structure calculated by using the measurements from the exterior walls.~~

Florist Shop (see Sales and Service)

Fraternities (see Group Living)

Freight Movement (see Warehouse, Freight Movement)

Furniture Store (see Sales and Service)

Garden Shop (see Sales and Service)

Garage means a structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents of the residential building and is not a separate commercial enterprise available to the general public. Note: A former garage that has been converted from an accessory building (example: the garage door has been removed or the building has been divided into rooms) is not considered a garage for purposes of this chapter.

~~"Garage" means a structure that is accessory to a residential building and that is used for the parking and storage of vehicles owned and operated by the residents of the residential building and is not a separate commercial enterprise available to the general public. Note: A former garage that has been converted from an accessory building (example: the garage door has been removed or the building has been divided into rooms) is not considered a garage for purposes of this chapter.~~

Gasoline Service Station (see Vehicle Service)

Gasoline (Petroleum Products) Storage (see Vehicle Service)

Gateway means an entrance to the Logan area which transitions from generally rural, agricultural, or undeveloped areas into the urban City limits.

~~"Gateway" means an entrance to the Logan area which transitions from generally rural, agricultural, or undeveloped areas into the urban City limits.~~

General Office (see Office)

General Plan means the document adopted by the Municipal Council meeting the provisions of Utah Code Sections 10-9-301 and 10-9-302.

~~"General Plan" means the document adopted by the Municipal Council meeting the provisions of Utah Code Sections 10-9-301 and 10-9-302.~~

Golf Course (see Recreation and Entertainment Outdoor Facility)

Grade, Average Finished means the average between the highest and lowest elevation of the ground abutting the street walls of a structure, existing, or as shown on the construction plans.

~~“Grade, Average Finished” means the average between the highest and lowest elevation of the ground abutting the street walls of a structure, existing, or as shown on the construction plans.~~

Grandfathering means a colloquial term used to refer to legally existing nonconformities.

~~“Grandfathering” is a colloquial term used to refer to legally existing nonconformities.~~

Grocery Store (see Sales and Service)

Gross Buildable Acre means that portion of property, represented in terms of acreage, which contains no critical lands, building or development encumbrances, or any other natural, regulatory or legal restriction from development or placement of buildings or structures.

~~“Gross buildable acre” means that portion of property, represented in terms of acreage, which contains no critical lands, building or development encumbrances, or any other natural, regulatory or legal restriction from development or placement of buildings or structures.~~

Groundcover means plants generally not exceeding an average maximum height of 24 inches at maturity.

~~“Groundcover” means plants, generally not exceeding an average maximum height of 24 inches at maturity.~~

Group Living means the residential occupancy of a structure by a group of people who exceed the maximum occupancy allowed by the base zoning district. Tenancy is arranged on a monthly or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Sales and Service and Community Service categories).

Assisted Living Center means residences that provide for semi-independent living. Such facilities may be: (1) equipped with studio or one bedroom apartments with limited kitchen facilities, generally designed for single occupancy; (2) contain central dining facilities where prepared meals are served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents.

~~“Assisted living center” means residences that provide for semi independent living. Such facilities may be: (1) equipped with studio or one bedroom apartments with limited kitchen facilities, generally designed for single occupancy; (2) contain central dining facilities where prepared meals are served to the residents; (3) employ full time nursing or medical assistance and supervision; and (4) may provide other additional services to residents.~~

Nursing Home, Convalescent Home means a long-term facility or a distinct part of a facility licensed or approved as a nursing home or convalescent home, infirmary unit of a home for the aged, or a governmental medical institution.

~~“Nursing Home, Convalescent Home” means a long term facility or a distinct part of a facility licensed or approved as a nursing home or convalescent home, infirmary unit of a home for the aged, or a governmental medical institution.~~

Caregiver means a person, either paid or voluntary, who helps the elderly, disabled or otherwise incapacitated with the functions of daily living, health care, financial matters, guidance, companionship and social interaction. A caregiver can provide more than one aspect of care.

~~“Caregiver” means a person, either paid or voluntary, who helps the elderly, disabled or otherwise incapacitated with the functions of daily living, health care, financial matters, guidance, companionship and social interaction. A caregiver can provide more than one aspect of care.~~

Other Types of Occupancy Where Care IS Provided means any situation involving occupancy in a group home where medical, therapeutic, or other treatment is given on a regular basis.

~~“Other Types of Occupancy Where Care IS Provided” means any situation involving occupancy in a group home where medical, therapeutic, or other treatment is given on a regular basis.~~

Other Types of Occupancy Where Care IS NOT Provided means any situation involving occupancy in a group home where NO medical, therapeutic, or other treatment is given.

~~“Other Types of Occupancy Where Care IS NOT Provided” means any situation involving occupancy in a group home where NO medical, therapeutic, or other treatment is given.~~

Dormitories, Fraternities, Sororities means a building used as group living quarters for a student body or religious order as an accessory use to a college, university, boarding school, convent, monastery or similar institutional use.

~~“Dormitories, Fraternities, Sororities” means a building used as group living quarters for a student body or religious order as an accessory use to a college, university, boarding school, convent, monastery or similar institutional use.~~

Gully means a drainage incision, commonly caused by erosion, which does not experience regular or seasonal stream flow, but does act as a channel for runoff during periods of high rainfall.

~~“Gully” means a drainage incision, commonly caused by erosion, which does not experience regular or seasonal stream flow, but does act as a channel for runoff during periods of high rainfall.~~

Handicraft Sales (see Sales and Service)

Hardware Store (see Sales and Service)

Health Studio (see Sales and Service)

Hedge means a landscape barrier consisting of a continuous, dense planting of shrubs.

~~“Hedge” means a landscape barrier consisting of a continuous, dense planting of shrubs.~~

Height, Building means the height of a building height of building is determined by measuring the vertical distance above the reference datum or “grade plane” of the ground to a point ½ the distance between the roof ridge (ridgeline) and the roof eave (See Figure 17.62.A), and is - This is shown in Figure 17.62.A. The height of a building is calculated utilizing the current version of the International Uniform Building Code, as amended. “Average Grade Plane” is also equivalent to “Average Finished Grade.” The height of a building containing a flat roof shall include parapet walls.

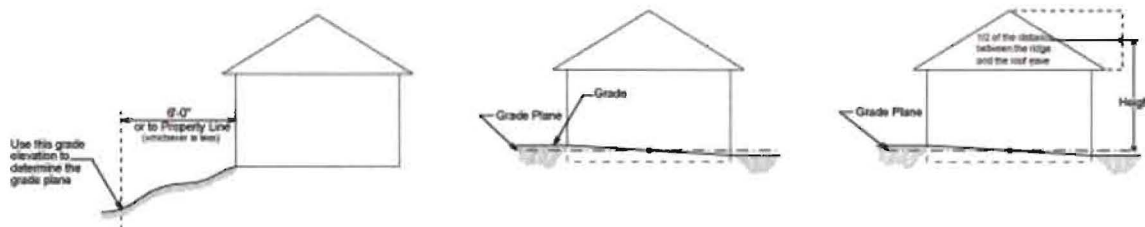
~~“Height, Building” means the height of building is the vertical distance above the reference datum of the ground. This is shown in Figure 17.62.A. The height of a building is calculated utilizing the current version of the Uniform Building Code as amended. The height of a building containing a flat roof shall include parapet walls.~~

Height, Floor means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall mean that portion of a building included between the upper surface of the topmost floor and the ceiling above.

~~“Floor height” means that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall mean that portion of a building included between the upper surface of the topmost floor and the ceiling above.~~

Figure 17.62.A: Determining Building Height

To measure height, a "grade plane" must be established. A grade plane is established by determining the average grade between the highest and lowest natural grades, at a distance six (6) feet from the structure (or to the property line, whichever is less). Height is measured from the grade plane to a point 1/2 of the distance between the roof ridge and the roof eave (for sloped roofs).



Height, Structure (other than building) means the vertical distance measured from "Average Finished Grade" to the highest point of the structure.

~~"Height, Structure (other than building)" means the vertical distance measured from "Average Finished Grade" to the highest point of the structure.~~

Historic Preservation Committee means the committee appointed by the Mayor for duties specified in Logan Municipal Code Chapter 2.32.

~~"Historic Preservation Committee" means the committee appointed by the Mayor for duties specified in Logan Municipal Code Chapter 2.32.~~

Hobby Shop (see Sales and Service)

Home Occupation means any activity carried out for gain or requiring a business license by a resident and which is conducted as a customary, incidental, and accessory use in the resident's dwelling unit. A home occupation is owned and run by a resident of the dwelling in which the business takes place.

~~"Home occupation" means any activity carried out for gain or requiring a business license by a resident and which is conducted as a customary, incidental, and accessory use in the resident's dwelling unit. A home occupation is owned and run by a resident of the dwelling in which the business takes place.~~

Home Occupation—Professional Office means a home occupation consisting of the office of a practitioner of a recognized profession.

~~"Home occupation—professional office" means a home occupation consisting of the office of a practitioner of a recognized profession.~~

Homeless Person means a person without permanent housing.

~~"Homeless person" means a person without permanent housing.~~

Hotel means a facility offering transient sleeping rooms and providing additional services within the same building, such as restaurant(s), conference or meeting rooms, banquet facilities, and full guest services, such as room service or a gift shop.

~~“Hotel” means a facility offering transient sleeping rooms and providing additional services within the same building, such as restaurant(s), conference or meeting rooms, banquet facilities, and full guest services, such as room service or a gift shop.~~

Hospital means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.

~~“Hospital” means an institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including as an integral part of the institution related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences.~~

Household means a housekeeping unit living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit. Tenancy is either owner occupied or arranged on a month-to-month or longer basis. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see the Sales and Service and Community Service categories).

~~“Household” means a housekeeping unit living together in a single dwelling unit, with common access to and common use of all living and eating areas and all areas and facilities for the preparation and serving of food within the dwelling unit.~~

Housing Types

Courtyard House, attached means a group of attached dwelling units arranged to share one or more common courtyards. The dwelling units may be accessed from the street and/or the courtyard.

~~A group of attached dwelling units arranged to share one or more common courtyards. The dwelling units may be accessed from the street and/or the courtyard.~~

Courtyard House, detached means More than one detached house arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard and/or street. Courtyard houses may be on individual lots or all units on the same lot.

~~More than one detached house arranged around a shared courtyard, with pedestrian access to the building entrances from the courtyard and/or street. Courtyard houses may be on individual lots or all units on the same lot.~~

Duplex, Triplex or Fourplex means a structure that contains two, three, or four dwelling units on one lot. The units may share common walls or common floor/ceilings.

~~“Duplex,” “Triplex,” or “Fourplex” means a structure that contains two, three, or four dwelling units on one lot. The units may share common walls or common floor/ceilings.~~

Front Yard House, attached means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units, and is accessed through a front yard. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a “townhouse” or “townhome.”

~~“Front Yard House, Attached” means a dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units, and is accessed through a front yard. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a “townhouse” or “townhome.”~~

Front Yard House, detached means a dwelling unit located on its own lot that is not attached to any other dwelling unit. A front yard house is accessed through the front yard.

~~“Front Yard House, Detached” means a dwelling unit located on its own lot that is not attached to any other dwelling unit. A front yard house is accessed through the front yard.~~

Live-Work means an integrated dwelling unit and working space, occupied and utilized by a single household in a structure, either single or multi-dwelling that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.

~~“Live Work” means an integrated dwelling unit and working space, occupied and utilized by a single household in a structure, either single or multi-dwelling that has been designed or structurally modified to accommodate joint residential occupancy and work activity at the ground floor.~~

Manufactured Housing Unit means a dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.

~~“Manufactured Housing Unit” means a dwelling unit constructed in accordance with federal manufactured housing construction and safety standards (HUD code) in effect after June 15, 1976.~~

Multi-Dwelling, stacked means a structure that contains five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwellings include structures commonly called apartments and condominiums.

~~“Multi-Dwelling Structure” means a structure that contains five or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwellings include structures commonly called apartments and condominiums.~~

Neighborhood Center means a building designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors also configured for those uses or for dwelling units.

~~A building designed for occupancy by retail, service, and/or office uses on the ground floor, with upper floors also configured for those uses or for dwelling units.~~

Twinhome means a structure that contains two dwelling units with common walls or abutting walls, each located on its own lot. Twinhomes are often created by subdividing a single duplex into two separate lots, each of which contains one dwelling unit. A Twinhome is an “Attached house.”

~~“Twinhome” means a structure that contains two dwelling units with common walls or abutting walls, each located on its own lot. Twinhomes are often created by subdividing a single duplex into two separate lots, each of which contains one dwelling unit. A Twinhome is an “Attached house.”~~

Ice Cream Shop (see Sales and Service)

Industrial Machinery Storage, Sales or Repair (see Industrial Service)

Industrial Service means a ~~Service~~ firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Contractors, ~~and building maintenance services and similar uses generally perform the bulk of their services off-site. In addition to the uses defined below, the typical industrial service use includes, but is not limited to, machine shops, heavy truck repair, truck stops, print/publishing, fuel distributors, laboratories, and cleaning plants. Few customers, especially the general public, come to the site.~~

~~Industrial Service firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment, products or by products. Firms that service consumer goods do so by mainly~~

~~providing centralized services for separate retail outlets. Contractors and building maintenance services and similar uses perform services off site. Few customers, especially the general public, come to the site.~~

Contractor Supply Store means the retail or wholesale sale and distribution of goods supporting the contractor, construction or similar trade, with no outdoor storage, either temporary or permanent.

~~“Contractor supply store” means the retail or wholesale sale and distribution of goods supporting the contractor, construction or similar trade, with no outdoor storage, either temporary or permanent.~~

Contractor Supply Store with Outdoor Storage means the retail or wholesale sale and distribution of goods supporting the contractor, construction or similar trade, with limited outdoor storage, either temporary or permanent

~~“Contractor supply store with outdoor storage” means the retail or wholesale sale and distribution of goods supporting the contractor, construction or similar trade, with limited outdoor storage, either temporary or permanent.~~

Industrial Machinery Storage, Sales and Repair means the repair or servicing of business or consumer machinery, equipment, products or by-products.

~~Repair or servicing of business or consumer machinery, equipment, products or by products.~~

Infill Lot means an undeveloped parcel located within an area where most of the surrounding parcels are already development.

~~“Infill lot” means an undeveloped parcel located within an area where most of the surrounding parcels are already development.~~

Inner Block Development means development located in the interior portion of a block.

~~“Inner block development” means development located in the interior portion of a block.~~

Irrigation means a system of canals, ditches and/or pipes to convey water to all landscaped or agricultural areas.

~~“Irrigation” means a system of to convey water to all landscaped or agricultural areas.~~

Institutions of Higher Learning means those facilities providing a level of education at the collegiate-level such as academies, universities, colleges, seminaries, institutes of technology, vocational schools, career colleges, and certain other collegiate-level institutes.

~~Facilities providing a level of education at the collegiate level such as academies, universities, colleges, seminaries, institutes of technology, vocational schools, career colleges, and certain other collegiate level institutes.~~

Kennel (see Sales and Service)

Key Shop (see Sales and Service)

Laboratory, scientific or research (see Office)

Land Area” means the total area of a lot lying within the lot lines, not including any portion of a street or right-of-way.

~~“Land area” means the total area of a lot lying within the lot lines, not including any portion of a street or right of way.~~

A. Land Area, Gross:

“Gross land area” means the size of a lot or parcel of land prior to subdivision or dedication of road rights-of-way, or other rights-of-way.

B. Land Area, Net

"Net land area" means that land available for development after the area allocated for roads or rights-of-way is deducted from the gross land area.

Land, Critical means any land that is mapped and recognized by the City to have physical, environmental, or aesthetic characteristics that provide a public benefit or health or safety hazard that overrides the right to develop that portion of property.

~~"Land, Critical" means any land that is mapped and recognized, by the City, to have physical, environmental, or aesthetic characteristics that provide a public benefit or health or safety hazard that overrides the right to develop that portion of property.~~

Lands Set Aside means an area of land, exclusive of critical land, that is intended for the use and enjoyment of the occupants of the property or if publicly owned, for the enjoyment and use by the citizens of Logan. Set Asides are required as condition of approval on all development specified herein and are intended to further the health, safety, and welfare of the citizens of Logan, its visitors, and workers.

~~An area of land, exclusive of critical land, that is intended for the use and enjoyment of the occupants of the property or if publicly owned, for the enjoyment and use by the citizens of Logan. Set Asides are required as condition of approval on all development specified herein and are intended to further the health, safety, welfare of the citizens of Logan, its visitors, and workers.~~

Landscape Strip means that area between the property line and the edge of curbing located within the public street or right-of-way and upon which landscaping, including groundcover and trees, is planted.

~~"Landscape strip" means the area between the property side of the curb and the property line that is within the public street or right-of-way upon which landscaping, including groundcover and trees, is planted.~~

Landscaping means an expanse of natural or manmade scenery consisting of any combination of the materials such as grass, groundcover, shrubs, vines, hedges, or trees; but excluding sand, gravel, pavers, or pavement, unless the latter are approved as a component of the landscaping plan by the Planning Commission.

~~"Landscaping" means consisting of any of the following or a combination thereof; material such as, but not limited to grass, groundcover, shrubs, vines, hedges, or trees; but excluding sand, gravel, pavers, or pavement, unless the latter are approved as a component of the landscaping plan by the Planning Commission.~~

Laundromat (see Sales and Service)

Lawn means an area of maintained turf or grass.

~~"Lawn" means an area of maintained turf or grass.~~

Leather Goods Sales and Repair (see Sales and Service)

Light Manufacturing (see Manufacturing, Assembly, or Production)

Liquor Store (see Package Liquor Store)

Loading Area means the area available for the maneuvering and standing of vehicles engaged in delivering and loading of passengers, freight, or other articles.

~~"Loading Area" means the area available for the maneuvering and standing of vehicles engaged in delivering and loading of passengers, freight, or other articles.~~

Locksmith (see Sales and Service)

Lodging means a generic term for accommodations, such as motel or hotel (see "Accommodations").

~~"Lodging" means a generic term for accommodations, such as motel or hotel (See "accommodations").~~

Lodging House (~~See see~~ **"Boarding houseHouse"**)

Lot means property that has been legally subdivided with appropriate City approvals on which development may occur.

~~"Lot" means lot means property that has been legally subdivided with appropriate City approvals on which development may occur.~~

- A. Lot, Corner means ~~Aa~~ lot abutting two or more streets at their intersection.

~~A lot abutting two or more streets at their intersection.~~

- B. Lot, Interior means ~~aA~~ lot other than a corner lot.

~~A lot other than a corner lot.~~

- C. Lot, Through means a lot, other than a corner lot, having frontage on two parallel or approximately parallel streets.

~~A lot, other than a corner lot, having frontage on two parallel or approximately parallel streets.~~

Lot Coverage means the percentage of a lot covered by all building footprints.

~~"Lot coverage" means the percentage of a lot covered by all building footprints.~~

Lot Depth means ~~t~~The horizontal distance between front and rear lot lines measured at the mid-point between the two side lot lines.

~~The horizontal distance between front and rear lot lines measured at the mid-point between the two side lot lines.~~

Lot Lines means the property lines delineating the boundaries of a lot.

~~"Lot Lines" means the property lines delineating the boundaries of a lot.~~

- A. Lot Line, Corner means ~~Aany~~ lot lines that abut a street on a corner lot. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and street side lot lines.

~~Any lot lines that abut a street on a corner lot. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and street side lot lines.~~

- B. Lot Line, Front means a lot line that abuts a street. On a corner lot, the front line is the property line from which the main entrance to the structure is located. If two or more street lot lines are of equal length, then the applicant or property owner may choose which lot line is to be the front. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.

~~A lot line that abuts a street. On a corner lot, the front line is the property line from which the main entrance to the structure is located. If two or more street lot lines are of equal length, then the applicant or property owner may choose which lot line is to be the front. However, a through lot has two front lot lines regardless of whether the street lot lines are of equal or unequal length.~~

- C. Lot Line, Interior Side means ~~Aany~~ lot line except a front or rear lot line. On a corner lot, the longer lot line that abuts a street, is a street side lot line.

~~Any lot line except a front or rear lot line. On a corner lot, the longer lot line that abuts a street, is a street side lot line.~~

- D. Lot Line, Rear means a lot line that is opposite a front lot line. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.
~~A lot line that is opposite a front lot line. A triangular lot has two side lot lines but no rear lot line. For other irregularly shaped lots, the rear lot line is all lot lines that are most nearly opposite the front lot line.~~
- E. Lot Line, Street Side means a lot line that is both a side lot line and a street lot line.
~~A lot line that is both a side lot line and a street lot line.~~
- F. Lot Line, Street means any lot lines that abut a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and side lot lines.
~~Any lot lines that abut a street. Street lot line does not include lot lines that abut an alley. On a corner lot, there are two (or more) street lot lines. Street lot line may include front lot lines and side lot lines.~~

Lot of Record means a lot that was legally created before any amendment to the Land Development Code.

~~"Lot of Record" means a lot that was legally created before any amendment to the Land Development Code.~~

Lot Width means the distance between two side lot lines as measured at the midpoint between the front and rear lot lines.

~~A. Lot Width~~

~~—The distance between two side lot lines as measured at the midpoint between the front and rear lot lines.~~

A.B. Average Lot Width means the average horizontal distance between side lot lines.

~~—The average horizontal distance between side lot lines~~

C.B. Minimum Lot Width means the narrowest point between side lot lines.

~~—The narrowest point between side lot lines.~~

Lumber Yard (see Warehouse, Freight Movement)

Machine Shop (see Sales and Service)

Maintenance for Buildings (see Sales and Service)

Manufacturing, Assembly or Production means those manufacturing and production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, manmade, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.

~~Manufacturing and Production firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, manmade, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales. Relatively few customers come to the manufacturing site.~~

Light Manufacturing means those manufacturing processes that do not emit detectable dust, odor, fumes, or gas or noises above ambient levels beyond the property boundary of the property of noises above the ambient level.

~~Manufacturing processes that do not emit detectable dust, odor, fumes, or gas beyond the boundary of the property of noises above the ambient level.~~

Massage Studio (see Sales and Service)

Medical Appliance Fitting or Sales (see Sales and Service)

Medical Office (see Office)

Microwave Tower (see Telecommunication Facilities)

Milliner (see Personal Custom Services)

Mineral Resource Production, Processing & Storage (Mining) means The extraction of minerals, including solids, such as coal, and ores, gravels, rock and sand; liquids, such as crude petroleum; and gases, such as natural gases.

~~The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases.~~

Miniature Golf Course (see Recreation and Entertainment Outdoor Facility)

Mixed-Use means the development of a site or building with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, commercial, retail, public, and recreation in a compact urban form.

~~"Mixed-Use" means the combination on a site of residential uses with commercial or industrial uses.~~

Mobile Home Sales (see Sales and Service)

Monopole means a single, self-supporting, cylindrical pole, constructed without guy wires or ground anchors that acts as the support structure for antennas.

~~"Monopole" means a single, self-supporting, cylindrical pole, constructed without guy wires or ground anchors that acts as the support structure for antennas.~~

Mortuary (see Sales and Service)

Motel means an establishment providing sleeping accommodations and limited support services, such as no room service, no in-facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher (See also §17.62 "Accommodations" and §17.62 "Hotel").

~~"Motel" means an establishment providing sleeping accommodations and limited support services, such as no room service, no in-facility eating establishment, and limited amenities. Motels tend to be no more than three stories high, but may be higher (See also §17.62 "Accommodations" and §17.62 "Hotel").~~

Mulch means nonliving organic material customarily used in landscape design to retard erosion and retain moisture.

~~"Mulch" means nonliving organic material customarily used in landscape design to retard erosion and retain moisture.~~

Multi-Family means two or more attached residential dwelling units on a single parcel of land.

~~"Multi-Family" means two or more attached residential dwelling units on a single parcel of land.~~

Music Store (see Sales and Service)

Music Studio (see Sales and Service)

Neighborhood Character means an area of the community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as a river or canal.

~~“Neighborhood character” means an area of the community with characteristics that distinguish it from other areas and that may include distinct ethnic or economic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as a river or canal.~~

Nightclub (see Sales and Service)**Nonconforming Lot**

- A. Legally Existing Nonconforming Lot means a lot or parcel that was lawful and conforming to regulations prior to the adoption, revision, or amendment of Logan Municipal Code Titles 16 and 17 and prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment of this Title, does not comply with the regulations of the zoning district in which it is located. A legally existing lot shall also have been divided or subdivided in conformance with the provisions of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code.

~~A lot or parcel that was lawful and conforming to regulations prior to the adoption, revision, or amendment of Logan Municipal Code Titles 16 and 17 prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the regulations of the zoning district in which it is located. A legally existing lot shall also have been divided or subdivided in conformance with the provisions of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code.~~

- B. Illegally Existing Lot means Aa lot or parcel that was created without compliance with requirements of the Utah Municipal Land Management and Development Act, or Title 16 of the Logan Municipal Code, or lots created without compliance with Title 17 of the Logan Municipal Code.

~~A lot or parcel that was created without compliance with requirements of the Utah Municipal Land Management and Development Act or Title 16 of the Logan Municipal Code, or lots created without compliance with Title 17 of the Logan Municipal Code.~~

Nonconforming Sign

- A. Legally Existing Nonconforming Sign means Aa sign that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

~~A sign that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption, revision, or amendment does not comply with the use regulations of the zoning district in which it is located.~~

- B. Illegally Existing Sign means Aa sign that was established without compliance with regulations in effect at the time it was erected, or was erected without a permit.

~~A sign that was established without compliance with regulations in effect at the time it was erected or was erected without a permit.~~

Nonconforming Structure

- A. Legally Existing Nonconforming Structure or Building means a building or structure, the size, dimensions, or location of which was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

~~A building or structure, the size, dimensions, or location of which was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.~~

- B. Illegally Existing Building or Structure means a building, structure, or sign that was not in compliance with zoning, building, or planning regulations in effect at the time it was constructed or erected.

~~A building, structure, or sign that was not in compliance with zoning, building, or planning regulations in effect at the time it was constructed or erected.~~

Nonconforming Use

- A. Legally Existing Nonconforming Use means an activity located on any land, or within a building or structure that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.

~~An activity located on any land, or within building or structure that was lawful and conforming to regulations prior to the adoption, revision, or amendment of this Title, and by reason of the adoption revision, or amendment does not comply with the use regulations of the zoning district in which it is located.~~

- B. Illegally Existing Use means the use of any land, building, or structure for which no permit was obtained, which has not complied with the use regulations of the zoning district in which it is located, or was not established in conformance with regulations of the City at the time the use was established.

~~The use of any land, building, or structure for which no permit was obtained, which has not complied with the use regulations of the zoning district in which it is located, or was not established in conformance with regulations of the City at the time the use was established.~~

Nonconformity means a use, sign, structure, lot, or other situation that does not comply with currently applicable regulations of Title 17 of the Logan Municipal Code. A nonconformity may be legally existing or illegally existing as further defined in this section.

~~“Nonconformity” means a use, sign, structure, lot, or other situation that does not comply with currently applicable regulations of Title 17 of the Logan Municipal Code. A nonconformity may be legally existing or illegally existing as further defined in this section.~~

Non-Vehicle Camping (tents) in RV Park (see Recreation and Entertainment Outdoor Facility)

Nursery – trees, plants, vegetation (see Sales and Service)

Official Map

- A. Official Transportation Map means the map of proposed streets that has the legal effect of prohibiting development of the property until the municipality develops the proposed street. The "official transportation map" includes the street and transportation maps within the General Plan, the street maps within the City of Logan "Transportation Master Plan," and the street maps within any plans prepared by the Cache Metropolitan Transportation Organization.
~~The map of proposed streets that has the legal effect of prohibiting development of the property until the municipality develops the proposed street. The "official transportation map" includes the street and transportation maps within the General Plan, the street maps within the City of Logan "Transportation Master Plan," and the street maps within any plans prepared by the Cache Metropolitan Transportation Organization.~~
- B. Official Zoning Map means the map enacted by the Municipal Council identifying the location of all zoning districts as applied to lands within the City of Logan.
~~The map enacted by the Municipal Council identifying the location of all zoning districts as applied to lands within the City of Logan.~~

Office means a building, or portion of a building, used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment.

General business, government, professional medical or financial services means a building, or portion of a building, used for conducting the affairs of a business, profession, service, industry, or government.

~~A building, or portion of a building, used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment. The following are specific types of office uses:~~

Bank, savings and loans, or credit union means a financial institution that accepts deposits and channels money into lending activities.

~~A financial institution that accepts deposits and channels money into lending activities.~~

Clinic, medical dental, or optical means a business wherein services are performed for the diagnosis and treatment of human and animal patients, with a moderate to high level of client interaction and traffic generated by employees and/ or clients. A medical office does not include overnight care facilities.

~~A business wherein services are performed for the diagnosis and treatment of human and animal patients, with a moderate to high level of client interaction and traffic generated by employees and/ or clients. A medical office does not include an overnight care facility for humans.~~

Laboratory, scientific or research means a workplace for the conduct of scientific research which offers opportunities for observation, practice, and experimentation.

~~A workplace for the conduct of scientific research which offers opportunities for observation, practice, and experimentation.~~

Wholesale office means aAn area used for conducting the affairs of a business in the sale of goods in large quantities, as for resale by a retailer. (See Wholesale, Sales and Service)

~~An area used for conducting the affairs of a business in the sale of goods in large quantities, as for resale by a retailer. (See Wholesale, Sales and Service)~~

Off-Site Improvements means the construction or installation of public facilities or public improvements that are not located on the parcel under development.

~~"Off-site improvements" means construction of public facilities or public improvements that are not located on the parcel under development.~~

On-Site Improvements means the construction or installation of public facilities, public improvements and access within the boundaries of a lot proposed for development.

~~"On-site improvements" means construction of public facilities or public improvements and access within the boundaries of a lot proposed for development.~~

Open Areas (see Parks)

Open Space means an area of land or water that may be used for passive or active recreation, agriculture, conservation, landscaped areas, preserves of the natural environment, scenic land, and/or other uses that are of a suitable size, topography, location, and shape to permit the activities for which it is intended as determined by the Planning Commission.

~~"Open Space" is an area of land or water that may be used for passive or active recreation, agriculture, conservation, landscaped areas, preserves of the natural environment, scenic land, and/or other use that is of a suitable size, topography, location, and shape to permit the activities for which it is intended as determined by the Planning Commission, but shall not include critical lands as defined in this section.~~

Optical Office (see Office)

Package Liquor Store (see Sales and Service)

Paint Sales (see Sales and Service)

Passenger Terminals means a designated area where transfers between modes of transportation take place.

~~A designated area where transfers between modes of transportation take place.~~

Air Passenger Terminal means those facilities used for the landing and takeoff of flying equipment, arrival and departure of vehicles, and including loading and unloading areas for passengers, cargo, or freight.

~~Facilities for the landing and takeoff of flying equipment, arrival and departure of vehicles, including loading and unloading areas for passengers, cargo, or freight.~~

Parcel (see Lot)

~~Same as "Lot."~~

Parking Area means any public or private area, under, above, or outside a building or structure, designed and used for parking motor vehicles. Driveways, private garages, parking lots, private driveways may be part of parking areas.

~~"Parking Area" means any public or private area, under, above, or outside a building or structure, designed and used for parking motor vehicles. Driveways, private garages, parking lots, private driveways may be part of parking areas.~~

Parking Bridge means a structure typically spanning an irrigation gutter or similar feature allowing vehicles to travel from the pavement of a street onto a parking area or private property.

~~"Parking Bridge" means a structure typically spanning an irrigation gutter or similar feature allowing vehicles to travel from the pavement of a street onto a parking area or private property.~~

Parking, Commercial means an area, privately owned, that provides temporary storage of motor vehicles where a fee is charged. Private parking is provided off-street and the primary use of the property is commercial parking not accessory to a primary use. The surface of a commercial parking facility is paved with a bituminous or concrete surface. Commercial parking may be at ground level or within a multi-level structure.

~~An area, privately owned, that provides temporary storage of motor vehicles where a fee is charged. Private parking is provided off street and the primary use of the property is commercial parking not accessory to a primary use. The surface of a commercial parking facility is paved with a bituminous or concrete surface. Commercial parking may be at ground level or within a multi-level structure.~~

Recreational vehicle and vehicle storage means any lot or parcel of land upon which a site is located, established, or maintained for the storage of recreational vehicles, and excluding the occupancy and/or use of recreational vehicles.

~~“Recreational vehicle” means a vehicular type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed for recreational and camping purposes.~~

~~“Vehicle storage” means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles.~~

Truck storage, outdoor means aAny lot or parcel of land upon which an outdoor site is located, established, or maintained for occupancy by an automotive vehicle suitable for hauling.

~~Any lot or parcel of land upon which an outdoor site is located, established, or maintained for occupancy by an automotive vehicle suitable for hauling.~~

Parking Space means a hard surfaced area for short-term storage of vehicles.

~~“Parking Space” means a hard surfaced area for short-term storage of vehicles.~~

Parks means a tract of land available for active or passive recreational purposes and may include Uses of land focusing on natural areas, community gardens, public squares, and large areas consisting of mostly of vegetative landscaping or outdoor recreation. Parks can be publicly or privately owned, managed and maintained, and may include clubhouses, maintenance facilities, courts, ball fields, concessions, parking areas, and caretaker’s quarters. ~~, community gardens, or public squares. Lands tend to have few structures.~~

~~Uses of land focusing on natural areas, large areas consisting of mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures.~~

Paved Area means an uncovered hard surfaced area or an area covered with a perforated hard surfaces (such as “grasscrete”) able that may to withstand vehicular traffic or other heavy impact uses. Gravel covered areas are not considered paved areas.

~~“Paved area” means an uncovered hard surfaced area or an area covered with a perforated hard surface (such as “grasscrete”) that may withstand vehicular traffic or other heavy impact uses. Gravel covered areas are not considered paved areas.~~

Pawn Shop (see Sales and Service)

Performance Standard means a regulation, quantity, timing requirement, or other requirement of this Title for which the code identifies an objective or measure to be achieved or accomplished but allows the decision-makers or project applicant the flexibility to propose the means by which the requirement will be successfully achieved.

~~“Performance standard” means a regulation, quantity, timing requirement, or other requirement of this Title for which the code identifies an objective or measure to be achieved or accomplished but allows the decision-makers or project applicant the flexibility to propose the means by which the requirement will be successfully achieved.~~

Person means any person, partnership, association, limited liability corporation, or corporation.

~~“Person” means any person, partnership, association, limited liability corporation, or corporation.~~

Personal Custom Services (see Sales and Service)

Pet Hospital (see Sales and Service)

Pet Shop (see Sales and Service)

Pharmacy (see Sales and Service)

Photography Studio (see Sales and Service)

Planning Commission means the seven member body appointed by the Mayor as authorized in Logan Municipal Code Chapter 2.40.

~~“Planning Commission” means the seven member body appointed by the Mayor as authorized in Logan Municipal Code Chapter 2.40.~~

Plant Sales (see Sales and Service)

Plant Unit means a numeric measurement to establish planting requirements which can be expressed in optional plant types. Units provide equivalency values for each plant type as described elsewhere in this chapter.

~~“Plant Unit” means a numeric measurement to establish planting requirements which can be expressed in optional plant types. Units provide equivalency values for each plant type as described elsewhere in this chapter.~~

Plat means the official map approved by the City, prepared for recordation showing the boundaries of the subdivision, the location of lots, easements, streets, common areas, and upon which are affixed required signatures, notes, and other such inscriptions as required by conditions of project approval.

~~“Plat” means the official map approved by the City, prepared for recordation showing the boundaries of the subdivision, the location of lots, easements, streets, common areas, and upon which are affixed required signatures, notes, and other such inscriptions as required by conditions of project approval.~~

Plumbing Shop (see Sales and Service)

Post Incarceration Facilities (see Alternative or Post Incarceration Facilities)

Preliminary Plat means a draft or proposed map of a subdivision presented to the City for review and action.

~~“Preliminary plat” means a draft or proposed map of a subdivision presented to the City for review and action.~~

Prescriptive Standards means a regulation, quantity, timing requirement, or other requirement of this Title for which the code specifies or prescribes what must be accomplished or achieved.

~~“Prescriptive standards” means a regulation, quantity, timing requirement, or other requirement of this Title for which the code specifies or prescribes what must be accomplished or achieved.~~

Primary Structure means a structure or combination of structures of chief importance or function on a site. Usually, the primary use of the site is carried out in a primary structure. The difference between a primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on a site. Detached Garages are considered an accessory structure.

~~“Primary Structure” means a structure or combination of structures of chief importance or function on a site. Usually, the primary use of the site is carried out in a primary structure. The difference between a~~

~~primary and accessory structure is determined by comparing the size, placement, similarity of design, use of common building materials and the orientation of the structures on a site. Garages are an accessory use.~~

Primary Use means an activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use

~~“Primary Use” means an activity or combination of activities of chief importance on the site. One of the main purposes for which the land or structures are intended, designed, or ordinarily used. A site may have more than one primary use.~~

Project means any application, petition, or request for an action by the City that results in the issuance of a permit, approval or conditional approval of a development entitlement, or authorization by a City official, board, commission, committee, or council. A “project” also means the development of a particular area of land.

~~A. “Project” means any application, petition, or request for an action by the City that results in the issuance of a permit, approval or conditional approval of a development entitlement, or authorization by a City official, board, commission, committee, or council.~~

~~B. “Project” means development on a particular area of land.~~

Proponent means a person who advocates on behalf of a project. A proponent may be the owner of the property or someone who is representing the owner such as a builder, developer, optional purchaser, consultant, or architect.

~~“Proponent” means a person who advocates on behalf of a project. A proponent may be the owner of the property or someone who is representing the owner such as a builder, developer, optional purchaser, consultant, or architect.~~

Property Owner for Purposes of Mailed Notice

~~“Property owner for purposes of mailed notice” means the person who is shown on the County’s rolls as the record owner of a lot or parcel in the City of Logan. The “record property owner on the latest County rolls” means the person shown as an owner of record as of the time the property rolls were finalized for setting property tax bills. Generally, this means the property owner as of January first of a calendar year.~~

Provisioning Sales (see Sales and Service)

Radio Tower (see Telecommunication Facilities)

Radio Transmitting Station (see Sales and Service)

Rail Lines means railroad tracks and lines for the movement of trains or light-rail passenger cars.
~~Railroad tracks and lines for the movement of trains or light-rail passenger cars.~~

Railroad Station (see Sales and Service)

Recreation and Entertainment (Outdoor Facility) means those outdoor Recreational and Entertainment Outdoor Facilities that provide continuous recreation or entertainment-oriented activities designed and equipped for the conduct of sports and leisure-time activities. y uses are large, generally commercial, uses that provide continuous recreation or entertainment-oriented activities. Generally located outdoors, the uses are designed and equipped for the conduct of sports and leisure-time activities.
~~Recreation and Entertainment Outdoor Facility uses are large, generally commercial, uses that provide continuous recreation or entertainment-oriented activities. Generally located outdoors, the uses are designed and equipped for the conduct of sports and leisure-time activities.~~

Golf Course means a tract of land laid out and designed for the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.

~~A tract of land laid out and designed for the game of golf that may include a clubhouse, dining and snack bars, pro shop, and practice facilities.~~

RV Park, Short-Term means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period not to exceed seven days.

~~Any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period not to exceed seven days.~~

RV Park, Long-Term means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period longer than seven days. (see Parking, Recreational Vehicle Park)

~~Any lot or parcel of land upon which a site is located, established, or maintained for occupancy by recreational vehicles for a fee as temporary living quarters for recreation or vacation purposes, for a period longer than seven days.~~

Non-vehicle Camping (Tents) in RV Park means a designated area within a Recreational Vehicle Park specifically established for occupancy by people with tents for sleeping and vacation purposes.

~~A designated area within a Recreational Vehicle Park specifically established for occupancy by people with tents for sleeping and vacation purposes.~~

Tent Campground means any lot or parcel of land upon which a site is located, established, or maintained for occupancy by people with tents for a fee for temporary vacation and recreational purposes.

~~Any lot or parcel of land upon which a site is located, established, or maintained for occupancy by people with tents for a fee for temporary vacation and recreational purposes.~~

Miniature Golf Course and Accessory Recreation means a facility or tract of land laid out and designed for a miniature version of the sport of golf. This may include a dining establishment, and snack bars or other subordinate features.

~~A facility or tract of land laid out and designed for a miniature version of the sport of golf. This may include a dining establishment and snack bars or other subordinate features.~~

Recreational Sporting Goods Sales (see Sales and Service)

Recreational Vehicle means a vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed for recreational and camping purposes.

Reducing Studio (see Sales and Service)

Religious Institutions means a structure or place that primarily provides a meeting area for religious activities and where worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held; a church, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs; a special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.

~~A structure or place that primarily provides a meeting area for religious activities and where worship, ceremonies, rituals, and education pertaining to a particular system of beliefs are held; a church, synagogue, temple, mosque, or other facility that is used for prayer by persons of similar beliefs; a special purpose building that is architecturally designed and particularly adapted for the primary use of conducting formal religious services on a regular basis.~~

Repair Service for Buildings (see Sales and Service)

Residential Facilities for the Elderly means the City adopts the standards and definitions within the Utah Code.

~~“Residential Facilities for the Elderly” means the City adopts the standards and definitions within the Utah Code.~~

Residential Facilities for people with disabilities means the City adopts the standards and definitions within the Utah Code.

~~“Residential Facilities for people with disabilities” means the City adopts the standards and definitions within the Utah Code.~~

Residential Programs for Drug & Alcohol Treatment means A nonprofit or for-profit group home for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or mental health counseling services, and transportation.

~~A nonprofit or for-profit group home for the sheltered care of persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation.~~

Restaurant (see Sales and Service)

Retail Food Establishment (—Mobile) means a vehicle, normally but not limited to, a van, truck, towed trailer, or push cart from which food or beverages are sold.

~~“Retail food establishment—mobile” means a vehicle, normally and not limited to, a van, truck, towed trailer, or push cart from which food or beverages are sold.~~

Retail Sales means a business or other establishment engaged in selling goods of merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

~~“Retail sales” means businesses or other establishments engaged in selling goods of merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.~~

Retail Sales Establishment means a business location engaged in retail sales which results in activities intended to attract the general public to buy merchandise and products, and includes receiving and reselling goods, and the processing or manufacturing of products, such as baked goods or jewelry, for resell on premise, provided that more than two-thirds of the sales volume of the processed or manufactured goods are sold on premises.

~~“Retail sales establishment” means a business location engaged in retail sales which result in activities intended to attract the general public to buy including receiving and reselling goods, including process or manufacture of products, such as baked goods or jewelry, provided that the two thirds or more of the sales volume of the process or manufacture goods is sold on premises.~~

Retail Sales (—Outdoor) means the display and sales of products or services primarily outside of a building or structure including vehicles, building materials, garden supplies, gas, food and beverages, boats and aircraft, farm equipment, recreation vehicles, building and landscape materials, and lumber yards.

~~“Retail sales—outdoor” means the display and sales or products or services primarily outside of a building or structure including vehicles, building materials, garden supplies, gas, food and beverages,~~

~~boats and aircraft, farm equipment, recreation vehicles, building and landscape materials, and lumber yards.~~

Retail Services means an establishment providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate, insurance, personal service, motion pictures or video, amusement and recreation services, health, educational, and special services, museums, and galleries.

~~“Retail services” means an establishment providing services or entertainment, as opposed to products, to the general public for personal or household use, including eating and drinking places, hotels and motels, finance, real estate, insurance, personal service, motion pictures or video, amusement and recreation services, health, educational, and special services, museums, and galleries.~~

Review Body means a person or group authorized in the Land Development Code to conduct land use reviews and to act in an advisory capacity.

~~“Review Body” means a person or group authorized in the Land Development Code to conduct land use reviews and to act in an advisory capacity.~~

Right-of-Way Access Permit means a permit issued by the Department of Public Works to allow a private party revocable permission to work within or access from private property into the public right-of-way.

~~“Right-of-Way Access Permit” means a permit issued by the Department of Public Works to allow a private party revocable permission to work within or access from private property into the public right-of-way.~~

Right-of-Way Parking Permit means a permit issued by the Department of Public Works to allow a private party revocable permission to maintain parking spaces within the public right-of-way.

~~“Right-of-Way Parking Permit” means a permit issued by the Department of Public Works to allow a private party revocable permission to maintain parking spaces within the public right-of-way.~~

Riparian Area means An area associated with a natural water course including its wildlife and vegetation.

~~An area associated with a natural water course including its wildlife and vegetation.~~

Roof Line means on buildings with a pitched roof the ridgeline of the roof. On buildings without a pitched roof, the roof line shall mean the top of the exterior wall elevation. On buildings with a pitched roof, roof line shall mean the ridgeline of the roof. The Roof Line is also referred to as the ridgeline.

~~“Roof line” means on buildings without a pitched roof, the roof line shall mean the top of the exterior wall elevation. On buildings with a pitched roof, roof line shall mean the ridgeline of the roof.~~

RV Park, Long-Term (see Recreation and Entertainment Outdoor Facility)

RV Park, Short-Term (see Recreation and Entertainment Outdoor Facility)

Safety Service means those uses that provide public safety and emergency response services. They often need to be located in or near the area where the service is provided. Employees are regularly present on-site.

~~Uses that provide public safety and emergency response services. They often need to be located in or near the area where the service is provided. Employees are regularly present on-site.~~

Sales and Service — means those firms involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods. The various sale and service types of establishments are defined as followed:

~~Sales and Service firms are involved in the sale, lease or rent of new or used products to the general public. They may also provide personal services or entertainment, or provide product repair or services for consumer and business goods.~~

~~**Large Footprint** Retail sales establishments in freestanding industrial style buildings, typically one story, with floor areas of greater than 100,000 square feet.~~

~~Retail sales establishments in freestanding industrial style buildings, typically one story, with floor areas of greater than 100,000 square feet.~~

Adult-Oriented Business – *See Section 5.29 of the Logan Municipal Code for definition*

Amusement, Commercial Indoor “Amusement, Commercial Indoor” means a recreational facility conducted entirely indoors for commercial purposes, with or without seating for spectators, and providing accommodations for a variety or individual, organized or franchised sports, including wrestling, soccer, tennis, volleyball, racquetball, handball, bowling, skating, and ice skating. Such facilities may also provide other regular organized or franchised events, such as children’s amusements, skateboard facilities, trampoline or gymnastics facilities, swimming pools, snack bar, restaurant, retail sales or related sports, health, or fitness items, entertainment events and other support facilities.

~~“Amusement, Commercial Indoor” means a recreational facility conducted entirely indoors for commercial purposes, with or without seating for spectators, and providing accommodations for a variety or individual, organized or franchised sports, including wrestling, soccer, tennis, volleyball, racquetball, handball, bowling, skating, and ice skating. Such facility may also provide other regular organized or franchised events, such as children’s amusements, skateboard facilities, trampoline or gymnastics facilities, swimming pools, snack bar, restaurant, retail sales or related sports, health, or fitness items, and other support facilities.~~

Animal Clinic or Pet Hospital (, no outdoor pens) means aA facility where animals receive medical care while and the indoor boarding of animals is limited to short-term care incidental to the hospital use.

~~A facility where animals receive medical care and the indoor boarding of animals is limited to short-term care incidental to the hospital use.~~

Animal Clinic or Pet Hospital (, with outdoor pens) means aA facility where animals receive medical care andwhile the indoor and/or outdoor boarding of animals is limited to short-term care incidental to the hospital use.

~~A facility where animals receive medical care and the indoor and/or outdoor boarding of animals is limited to short-term care incidental to the hospital use.~~

Antique or Collectible Shop means a rRetail establishments engaged in the selling or rental of antiquated goods or merchandise.

~~Retail establishments engaged in the selling or rental of antiquated goods or merchandise.~~

Art Supply Store means a rRetail or wholesale establishments engaged in the selling or rental of art supplies.

~~Retail or wholesale establishments engaged in the selling or rental of art supplies.~~

Barber or Beauty Shop means aAn establishment providing cosmetic treatment services for men and women. Other variations of this type of business include hair salons and spas.

~~An establishment providing cosmetic treatment services for men and women. Other variations of this type of business include hair salons and spas.~~

Bakery or Confectionary Shop, retail sales means aAn establishment where products such as bread, cake, and pastries are baked or sold.

~~An establishment where products such as bread, cake, and pastries are baked or sold.~~

~~**Brew Restaurant** A business licensed to sell beer for on-premises consumption in connection with a bona fide restaurant where the revenue from the sale of beer is less than 50 percent of the gross dollar volume. A Brew Restaurant is also licensed to brew beer in batch sizes that provide enough beer for the sale and consumption on site in connection with the restaurant and has any licenses subject to the applicable provisions of DABC.~~

~~A business licensed to sell beer for on-premises consumption in connection with a bona fide restaurant where the revenue from the sale of beer is less than 50 percent of the gross dollar volume. A Brew Restaurant is also licensed to brew beer in batch sizes that provide enough beer for the sale and consumption on site in connection with the restaurant and has any licenses subject to the applicable provisions of DABC.~~

Camera Shop means a ~~retail or wholesale establishments engaged in the selling or renting of photography products.~~

~~Retail or wholesale establishments engaged in the selling or renting of photography products.~~

Camping Supply Store in RV Park means a ~~An establishment engaged in in the business of offering sales of recreational vehicle and camping supplies located inside an RV Park.~~

~~An establishment in the business of offering sales of recreational vehicle and camping supplies located inside an RV Park.~~

Carpet Sales, Retail and Wholesale means a ~~An establishment in the business of engaged in selling and/ or installing carpet and carpet supplies at a retail or wholesale value. The carpets have been manufactured at a different location than where they are sold.~~

~~An establishment in the business of selling and/ or installing carpet and carpet supplies at a retail or wholesale value. The carpets have been manufactured at a different location than where they are sold.~~

Carwash means a ~~Any building or premises used for washing motor vehicles.~~

~~Any building or premises used for washing motor vehicles.~~

Clothing means a ~~retail or wholesale establishments engaged in the selling of clothing apparel.~~

~~Retail or wholesale establishments engaged in the selling of clothing apparel.~~

Club, Private means a ~~A building, or portion thereof, used by a group of people organized for recreational activities or to pursue common goals, interests, or other similar activities, usually characterized by certain membership qualifications and entry payment and/ or fees.~~

~~A building, or portion thereof, used by a group of people organized for recreational activities or to pursue common goals, interests, or other similar activities, usually characterized by certain membership qualifications and entry payment and/ or fees.~~

Convenience Market (no gasoline) means a ~~A retail establishment of up to 5,000 square feet selling primarily food products, household items, newspapers, and magazines, candy, and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.~~

~~A retail establishment of up to 5,000 square feet selling primarily food products, household items, newspapers and magazines, candy, and beverages, and limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.~~

Copy Center means a ~~A facility established for the use of copying and/ or scanning devices, typically for profit.~~

~~A facility established for the use of copying and/ or scanning devices, typically for profit.~~

Dairy Products means a facility established for the sale of ~~“Diary products” are derived from milk, the secretion of the mammary glands of mammals, usually cows, sheep, goats, buffalo, mare, camel, or yak.~~

~~“Diary products” are derived from milk, the secretion of the mammary glands of mammals, usually cows, sheep, goats, buffalo, mare, camel, or yak.~~

Dance Hall or Nightclub means a ~~An establishment selling vending liquor and meals and in which music, dancing, or entertainment is conducted.~~

~~An establishment vending liquor and meals and in which music, dancing, or entertainment is conducted.~~

Department or Discount Store means aA single store, or group of stores, selling merchandise at lower-than-usual prices.

~~A single store, or group of stores, selling merchandise at lower-than-usual prices.~~

Drug Store or Pharmacy means aA store where the primary business is the preparation and dispensing of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines, but where nonmedical products may be sold as well.

~~A store where the primary business is the preparation and dispensing of medical prescriptions and the sale of drugs, medical devices and supplies, and nonprescription medicines, but where nonmedical products may be sold as well.~~

Dry Cleaner means aAn establishment in the business of providing dry-cleaning services on the premises. Customers typically drop off their items to be dry-cleaned by the employees of the business.

~~An establishment in the business of providing dry cleaning services on the premises. Customers typically drop off their items to be dry-cleaned by the employees of the business.~~

Florist Shop means aAn establishment providing the arrangement and sale of flowers and similar accessory products.

~~An establishment providing the arrangement and sale of flowers and similar accessory products.~~

Furniture or Appliance Store means aAn establishment engaged in the selling of furniture and home-good appliances at retail price and, open to the general public.

~~An establishment engaged in the selling of furniture and home-good appliances at retail price, open to the general public.~~

Garden Shop, Plant Sales, Nursery means tThe growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and subsidiary products to the general public.

~~The growing, cultivation, storage, and sale of garden plants, flowers, trees, shrubs, and fertilizers, as well as the sale of garden tools and similar accessory and subsidiary products to the general public.~~

Grocery Store means aAn establishment engaged primarily in for the selling of retailing of food at retail price and for consumption off-site.

~~An establishment primarily for the retailing of food.~~

Handicraft and Art Object Sale means aAn event for the display and sale of handmade goods and art pieces.

~~An event for the display and sale of handmade goods and art pieces.~~

Hardware Store means aAn establishment in the business of selling metal goods and utensils such as locks, hinges, latches, handles, wire, plumbing supplies, tools, and cutlery.

~~An establishment in the business of selling metal goods and utensils such as locks, hinges, latches, handles, wire, plumbing supplies, tools, and cutlery.~~

Hobby Shop means an establishment A place where recreational modeling, and craft supplies, collectibles, games and other small items -are sold at retail price, in addition to collectibles, games, and other small items for the interest or activity to be not a main occupation.

~~A place where recreational modeling and craft supplies are sold, in addition to collectibles, games, and other small items for the interest or activity to be not a main occupation.~~

Kennel means a A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation. A business license may be required.

~~A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation. A business license may be required.~~

Large Footprint means those retail sales establishments in freestanding industrial-style buildings with floor areas of greater than 100,000 square feet and typically one story.

17.62: Definitions

Laundromat means aAn establishment providing washing, drying, or dry-cleaning machines on the premises for a charged use to the general public.

~~An establishment providing washing, drying, or dry-cleaning machines on the premises for a charged use to the general public.~~

Locksmith or Key Shop means an establishment where locks and/ or keys are made or repaired.

~~A place where locks and/ or keys are made or repaired.~~

Maintenance or Repair Service for Buildings means tThe practice of fixing mechanical, structural, or electrical problems and performing routine actions which keep a building in good condition and working order. Grounds keeping and maintenance may be included as secondary to this service.

~~The practice of fixing mechanical, structural, or electrical problems and performing routine actions which keep a building in good condition and working order. Grounds keeping and maintenance may be included as secondary to this service.~~

Medical Appliance Fitting or Sales means tThe business of selling or installing medical equipment.

~~The business of selling or installing medical equipment.~~

Mortuary means an establishment A place for the storage of human bodies prior to autopsy, burial, or release to survivors.

~~A place for the storage of human bodies prior to autopsy, burial, or release to survivors.~~

Music Store means an Retail establishments engaged in the selling or rental of music records and/or supplies.

~~Retail establishments engaged in the selling or rental of music records and/or supplies.~~

Package Liquor Store means an establishment A store that sells alcoholic beverages for the consumption off-site.to take place elsewhere.

~~A store that sells alcoholic beverages for the consumption to take place elsewhere.~~

Paint Sales means a Retail or wholesale establishments engaged in the selling or rental of paint supplies.

~~Retail or wholesale establishments engaged in the selling or rental of paint supplies.~~

Pawn Shop means anAn establishment in the business of that offering secured loans to people using , with items of personal property used as collateral. The business may also sell items that have been sold outright by customers to the pawnbroker or secondhand dealer.

~~An establishment in the business of offering secured loans to people, with items of personal property used as collateral. The business may also sell items that have been sold outright by customers to the pawnbroker or secondhand dealer.~~

Personal Custom Services, such as milliner, tailor, etc. means aAn establishment providing services such as the altering and repairing of clothing, made-to-measure clothing, dresses, coats, hats, and other garments.

~~An establishment providing services such as to alter and repair made-to-measure clothing, dresses, coats, hats, and other garments.~~

Pet Shop (Small Animals) means anAn establishment in the business of offering display and sales of small domesticated animals including dogs, cats, birds, reptiles, rodents or similarly sized animals for the purpose of being household pets, and includes the sale of pet supplies and pet food.

~~An establishment in the business of offering display and sales of small domesticated animals including dogs, cats, birds, reptiles, rodents or similarly sized animals for the purpose of being household pets.~~

Plumbing Shop means Aan establishment in the business of ooffering the sales and service of products relating to residential and commercial plumbing equipment.

~~An establishment in the business of offering sales and service of products relating to residential and commercial plumbing equipment.~~

Provisioning and Recreational Sporting Goods Sales means ~~an~~ An establishment providing sale, rental or repair of sporting goods and products for the purpose of outdoor/indoor recreation.

~~An establishment providing sale, rental or repair of sporting goods and products for the purpose of outdoor/indoor recreation.~~

Radio or Television Transmitting Stations, commercial means ~~a~~ An establishment engaged in transmitting oral and visual programs to the public and which may consist of a studio, transmitter, tower, and antenna(s).

~~An establishment engaged in transmitting oral and visual programs to the public and which may consist of a studio, transmitter, tower, and antenna(s).~~

Railroad or Bus Passenger Station means ~~(~~ Facilities at selected points along transit routes for passenger pickup, drop-off, and waiting.

~~Facilities at selected points along transit routes for passenger pickup, drop-off, and waiting.~~

Repair of Appliances, TVs, Radios means an establishment engaged in the service and repair of ~~The service of improving or correcting deficiencies, resulting from normal wear and tear or a manufactured error, in electrical appliances such as televisions, radios, vacuums, or other personal and/or household items. Also may include limited retail sales.~~

~~The service of improving or correcting deficiencies, resulting from normal wear and tear or a manufactured error, in electrical appliances such as televisions, radios, vacuums, or other personal and/or household items.~~

Restaurant, Cafeteria means an establishment where food and drinks are prepared and consumed, mostly within the principal building. A restaurant ~~and is characterized as a restaurant where~~ ~~where n~~ in which patrons wait on themselves, food is displayed and served from counters, where it is then taken to their tables.

~~A restaurant in which patrons wait on themselves, food is displayed and served from counters, where it is then taken to their tables.~~

Restaurant, Brew ~~(see "Brew Restaurant" in Sales and Service)~~ means a business licensed to sell beer for on-premises consumption in connection with a bona fide restaurant where the revenue from the sale of beer is less than 50 percent of the gross dollar volume. A Brew Restaurant is also licensed to brew beer in batch sizes that provide enough beer for the sale and consumption on site in connection with the restaurant and has any licenses subject to the applicable provisions of the Utah Department of Alcohol Beverage Control (DABC).

Restaurant, Fast Food means ~~a~~ A quick service restaurant characterized by its inexpensive food and minimal table service.

~~A quick service restaurant characterized by its inexpensive food and minimal table service.~~

Restaurant, General means Aan establishment where food and drinks are prepared, served, and consumed, mostly within the principal building.

~~An establishment where food and drinks are prepared, served, and consumed, mostly within the principal building.~~

Shoe, Boot or Other Leather Goods Sale and Repair means ~~a~~ An establishment or workshop where footwear or other leather goods are sold, rented, serviced or repaired.

~~An establishment or workshop where footwear or other leather goods are sold, rented, serviced or repaired.~~

Storage Warehouse means ~~a~~ A building that is primarily used for the storage of goods or merchandise.

~~A building that is primarily used for the storage of goods or merchandise.~~

Studio – Health, Exercise, Massage, Reducing or Similar Service means aAn establishment providing space for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, and saunas, showers, massage rooms, and lockers.

~~An establishment providing space for aerobic exercises, running and jogging, exercise equipment, game courts, swimming facilities, and saunas, showers, massage rooms, and lockers.~~

Studio – Photographer, Artist, Music, Dance, and Drama means tThe workshop of an artist, sculptor, photographer, or craftsman or a workplace where film production takes place.

~~The workshop of an artist, sculptor, photographer, or craftsman or a workplace where film production takes place.~~

Tavern means aAn establishment in which alcoholic beverages are served, primarily by the drink, and where food or packaged liquors may also be served or sold.

~~An establishment in which alcoholic beverages are served, primarily by the drink, and where food or packaged liquors may also be served or sold.~~

Tennis or Swim Club, Private Indoor means Aa facility which requires a membership or fee to enter the premises, primarily for the game of tennis or swimming, and other ancillary activities or services.

~~A facility which requires a membership or fee to enter the premises, primarily for the game of tennis or swimming, and other ancillary activities or services.~~

Theaters means aA building or part of a building used to show motion pictures or live performances in drama, dance, musical, or other similar entertainments.

~~A building or part of a building used to show motion pictures or live performances in drama, dance, musical, or other similar entertainments.~~

Trailer and Mobile Home Sales means Aan area, other than the right-of-way or public parking areas, used for display, sale, or rental of new or used trailers or recreation vehicles in operable condition.

~~An area, other than the right of way or public parking areas, used for display, sale, or rental of new or used trailers or recreation vehicles in operable condition.~~

Vehicle Parts Sales, new or reconditioned (,indoor) means aAn indoor area enclosed within a structure by walls and a roof overhead used for storage, display or sale of new or used vehicle parts.

~~An indoor area enclosed within a structure by walls and a roof overhead used for storage, display or sale of new or used vehicle parts.~~

Vehicle Parts Sales, new or reconditioned (,outdoor) means aAn outdoor area on private property larger than 1,000 square feet used for storage, display or sale of new or used vehicles parts.

~~An outdoor area on private property larger than 1,000 square feet used for storage, display or sale of new or used vehicles parts.~~

Vehicle and Equipment Sales means aAn area, other than the right-of-way or public parking areas, used for display, sale, or rental of new or used vehicles and equipment in operable condition.

~~An area, other than the right of way or public parking areas, used for display, sale, or rental of new or used vehicles and equipment in operable condition.~~

Welding or Machine Shop means aA workshop where tools are used to for making, finishing, cutting, and connecting products or parts.

~~A workshop where tools are used to for making, finishing, cutting, and connecting products or parts.~~

Satellite Facilities means any device designed for over-the-air reception of television broadcast signals, multi-channel multipoint distribution service or direct satellite service.

~~“Satellite facilities” means any device designed for over-the-air reception of television broadcast signals, multi-channel multipoint distribution service or direct satellite service.~~

Savings and Loan (see Office)

School means any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge. This definition includes all types of schools, whether public, private, parochial, nonprofit, or for-profit. Schools are characterized as follows:

~~“School” means any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge [This component of the definition is all encompassing and includes all types of schools, whether public, private, parochial, nonprofit, or for-profit].~~

School, Elementary means any school licensed by the State that meets the state requirements for elementary education.

~~“Elementary school” means any school licensed by the State that meets the state requirements for elementary education.~~

School, Parochial means a school supported and controlled by a church or religious organization.

~~“Parochial school” means a school supported and controlled by a church or religious organization.~~

School, Private means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.

~~“Private school” means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does not secure the major part of its funding from any governmental agency.~~

School, Public means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does secure the major part of its funding from taxes or any governmental agency.

~~“Public school” means any building or group of buildings, the use of which meets state requirements for elementary, secondary, or higher education and which does secure the major part of its funding from taxes or any governmental agency.~~

School, Secondary means any school licensed by the State and that is authorized to award diplomas for secondary education.

~~“Secondary school” means any school licensed by the state and that is authorized to award diplomas for secondary education.~~

School, Vocational means a secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility.

~~“Vocational school” means a secondary or higher education facility primarily teaching usable skills that prepare students for jobs in a trade and meeting the state requirements as a vocational facility.~~

Service to motor vehicles where driver/passenger generally waits in car (see Vehicle Service)

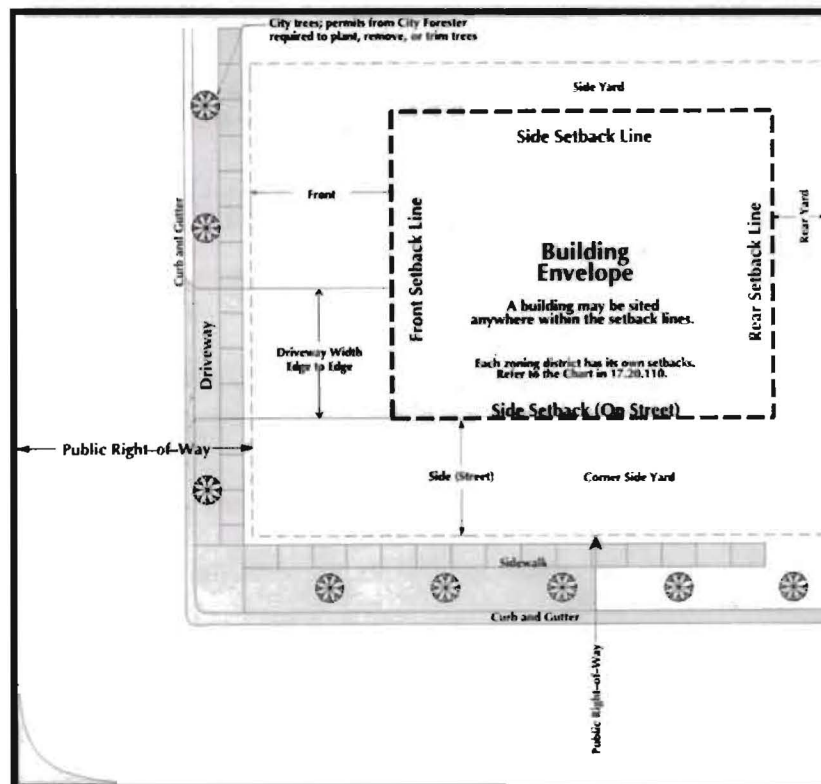
17.62: Definitions

Setback means the distance that is required by the Land Development Code to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term “setback” refers to a required minimum distance while the term “yard” refers to the actual open area. Refer to Figures 17.62.B and 17.62.C.

~~“Setback” means the distance that is required by the Land Development Code to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term “setback” refers to a required minimum distance while the term “yard” refers to the actual open area. Refer to Figures 17.62.B and 17.62.C.~~

- A. Setback, Corner means the distance from the street side property line not designated as a “front setback” to the closest distance a structure may be located from the property line.
~~The distance from the street side property line not designated as a “front setback” to the closest distance a structure may be located from the property line.~~

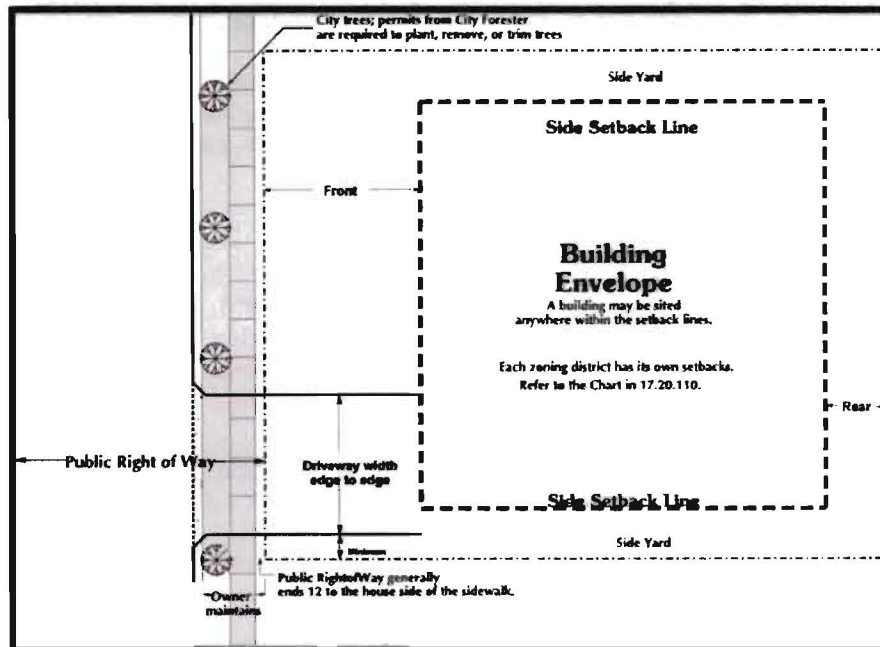
Figure 17.62.B: Location of Building Setbacks on Corner Lots



- B. Setback, Front means the distance from the front property line to the closest point a structure can be constructed to the front property line.
~~The distance from the front property line to the closest point a structure can be constructed to the front property line.~~
- C. Setback, Side Interior means the distance from the interior side property lines to the closest distance a structure may be located from the side property line.
~~The distance from the interior side property lines to the closest distance a structure may be located from the property line.~~

- D. Setback, Rear means The distance from the rear property to the closest distance a structure may be located from the rear property line.
~~The distance from the rear property to the closest distance a structure may be located from the property line.~~

Figure 17.62.C: Location of Building Setbacks and Examples, Traditionally Situated Lot



Shade tree means a hardwood tree that reaches a mature height of at least 15 feet at maturity, provides relief from direct sunlight and is included in the permitted species list as maintained by the City.

~~"Shade tree" means a hardwood tree that reaches a mature height of at least 15 feet at maturity, provides relief from direct sunlight and is included in the permitted species list.~~

Shed means a permanent or temporary structure that is less than one hundred and twenty square feet in gross floor area, has no electricity or plumbing, and does not require a building permit. (Any structure with electricity or plumbing or any structure larger than 120 square feet requires a building permit, and is defined as a "structure." Any shed over 120 square feet is a "structure").

~~"Shed" means a permanent or temporary structure that is less than one hundred and twenty square feet in gross floor area, has no electricity or plumbing, and does not require a building permit (Any structure with electricity or plumbing requires a building permit, and is defined as a "structure." Any shed over 120 square feet is a "structure").~~

Shelter means a building serving as a residence for designated persons or special classes of persons; or a building serving as a temporary refuge.

~~"Shelter" means a building serving as a residence for designated persons or special classes of persons; or a building serving as a temporary refuge.~~

- A. Emergency Shelter means a building serving as a temporary residence for persons, other than homeless persons, while temporarily awaiting permanent housing or a return to permanent housing.

~~"Emergency shelter" means a building serving as a temporary residence for persons, other than homeless persons, while temporarily awaiting permanent housing or a return to permanent housing.~~

- B. Homeless Shelter means a building serving as a permanent dwelling unit for homeless persons without limitation on the length of stay.
~~“Homeless Shelter” means a building serving as a permanent dwelling unit for homeless persons without limitation on the length of stay.~~
- C. Transitional shelter for the homeless means a building serving as a residence for homeless persons on an interim basis while more permanent shelter or housing facilities are being prepared for their occupancy. A “transitional shelter for the homeless” can also be an emergency shelter for homeless persons.
~~“Transitional shelter for the homeless” means a building serving as a residence for homeless persons on an interim basis while more permanent shelter or housing facilities are being prepared for their occupancy. A “transitional shelter for the homeless” can also be an emergency shelter for homeless persons.~~

Shoe Repair (see Sales and Service)

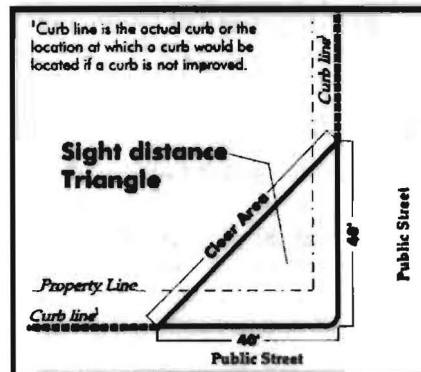
Shrub means a bushy, woody plant usually with several permanent stems, and usually not over ten (10) feet high at maturity and not less than eighteen (18) inches upon installation.

~~“Shrub” means a bushy, woody plant usually with several permanent stems, and usually not over ten (10) feet high at maturity and not less than eighteen (18) inches upon installation.~~

Sight Distance Triangle means the distance along public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street forty feet from the intersection.

~~“Sight distance triangle” means the distance along public or private right-of-way as measured from the intersection of the curb (or where a curb would be located if there were a curb) to a distance along each street forty feet from the intersection.~~

Figure 17.62.D: Sight Distance Triangle



Sign - means any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images. A sign does not include holiday decorations.

~~“Sign” means any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images.~~

Sign – Animated or Moving means any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. Electronic message centers and visual broadcast centers are not classified as animated or moving signs.

~~“Sign — animated or moving” means any sign or part of a sign that changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation. Electronic message centers and visual broadcast centers are not classified as animated or moving signs.~~

Sign – Attention-Getting Device means attention-getting devices, including pennants, whirly-gigs, streamers, and other similar devices broadly defined to include triangular plastic flags attached to wires, ropes and strung between products, poles, light standards, or the ground. Whirly-gigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.

~~“Sign — attention getting device” means attention getting devices, including pennants, whirly gigs, streamers, and other similar devices broadly defined to include triangular plastic flags attached to wires, ropes and strung between products, poles, light standards, or the ground. Whirly gigs are generally plastic or wood devices that move in the wind or air currents. Other attention getting devices include streamers or colorful materials attached to buildings, vehicles, vehicle antennas, furniture, large products, light standards, or other supports.~~

Sign – Awning, Canopy, or Marquee means a sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance.

~~“Sign — awning, canopy, or marquee” means a sign that is mounted, painted, or attached to an awning, canopy, or marquee that is otherwise permitted by ordinance.~~

Sign – Banner means a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally, banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.

A. Sign — Banner Means Banner, Generally

~~— “Banner” means a sign constructed on a soft, pliable, or flexible fabric or other material, generally cloth or vinyl, upon which the sign message is applied. Generally banners are mounted by means of temporary supports, such as ropes or wires, through grommets or holes in the fabric material.~~

B. Commercial Banner

~~— “Commercial banner” means a banner that is erected by a business for purposes of attracting attention to products, services, activities, promotions, or events occurring on or at the location of the business.~~

C. Noncommercial Banner

~~— “Noncommercial banner” means a banner that is erected by the City, a nonprofit organization, bona fide service club, school, religious institution, or bona fide club for purposes of promoting a specific event or activity open to the public.~~

Sign – Bench means a sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a Public place or roadway.

~~“Sign — bench” means a sign painted, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a Public place or roadway.~~

Sign – Billboard See “Billboard.”

~~See “Billboard.”~~

17.62: Definitions

Sign – ~~Bulletin Board~~ Building means a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve inches from such building or structure.

~~“Sign – Building” means a sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve inches from such building or structure.~~

Sign – Bulletin Board means a sign that identifies an institution or organization on the premises of which it is located and that contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.

~~“Sign – bulletin board” means a sign that identifies an institution or organization on the premises of which it is located and that contains the name of the institution or organization, the names of individuals connected with it, and general announcements of events or activities occurring at the institution or similar messages.~~

Sign – Business means a sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.

~~“Sign – business” means a sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured, or to an entertainment offered on the premises where the sign is located.~~

Sign – Cabinet means a sign enclosed and supported by a frame that is attached to a wall.

~~“Sign – cabinet” means a sign enclosed and supported by a frame that is attached to a wall.~~

Sign – Commercial means any sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered at the premise on which the sign is located

Sign – Construction means a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.

~~“Sign – construction” means a temporary sign erected on the premises on which construction is taking place, during the period of such construction, indicating the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project.~~

Sign – Directional means signs limited to directional messages, principally for pedestrian or vehicular traffic, such as “one-way,” “entrance,” and “exit” or a sign commonly associated with, but not limited to, information and directions necessary or convenient for visitors coming on the property, including parking areas, circulation direction, rest rooms, and pickup and delivery areas.

~~“Sign – directional” means signs limited to directional messages, principally for pedestrian or vehicular traffic, such as “one-way,” “entrance,” and “exit” or a sign commonly associated with, and not limited to, information and directions necessary or convenient for visitors coming on the property, including parking areas, circulation direction, rest rooms, and pickup and delivery areas.~~

Sign – Directory means a sign listing the tenants or occupants of a building or group of buildings or project and that may indicate their respective professions or business activities.

~~“Sign – directory” means a sign listing the tenants or occupants of a building or group of buildings or project and that may indicate their respective professions or business activities.~~

Sign – Electronic Message Display (EMD) means a sign capable of displaying words, symbols, figures or images that can be electronically changed on a display surface composed of electrically illuminated components by remote or computer programming means.

Dissolve – means a frame effect accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Dwell Time (Message Hold Time) - means ~~t~~The time interval a static message must remain on the display before transitioning to another message.;

Fade - means ~~a~~ a frame effect accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible (i.e. fading to black) and the subsequent message gradually increases intensity to the point of legibility.

Foot Candle – means ~~is~~ a unit of light intensity defined as the amount of illumination the inside surface of a one-foot radius sphere would be receiving if there were a uniform point source of one candle (candle) in the exact center of the sphere.

Flashing — means ~~a~~ a pattern of sudden alternation between a fully-illuminated message and a message without illumination, or a frame where the copy color and the background color alternate or reverse color schemes rapidly (less than every three seconds).

Frame Effect — means a ~~a~~ visual effect applied during a message's dwell time that may include varying the light intensity or pattern typically to attract attention (i.e. flashing, animation etc...).

Scroll — means ~~a~~ a frame effect where the ~~F~~ frame appears to move vertically across the display surface.

Transition — means ~~a~~ a visual effect to transition from one message to the next.

Travel — means ~~a~~ a frame effect where the message appears to move horizontally across the display surface.

Sign – Face means the area or display surface used for the message.

~~“Sign – face” means the area or display surface used for the message.~~

Sign – Freestanding means any permanent, immovable sign not affixed to a building.

~~“Sign – freestanding” means any permanent, immovable sign not affixed to a building.~~

Sign – Governmental means a sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.

~~“Sign – governmental” means a sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance, or other governmental regulation.~~

Sign – Holiday Decoration

~~“Sign – holiday decoration” means temporary signs, in the nature of decorations, clearly incidental to and customarily and commonly associated with a national, local, or religious holiday.~~

Sign – Home Occupation means a sign containing only the name and occupation of an appropriately licensed permitted home occupation.

~~“Sign – home occupation” means a sign containing only the name and occupation of an appropriately licensed permitted home occupation.~~

Sign – Illuminated means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.

~~“Sign – illuminated” means a sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed toward the sign.~~

Sign – Inflatable means any display greater than six feet in height, including any tethering material, capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event. A display of six feet or less in height is defined as a balloon.

~~“Sign – inflatable” means any display greater than six feet in height, including any tethering material, capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event. A display of six feet or less in height is defined as a balloon.~~

Sign – Memorial means a sign, tablet, or plaque memorializing a person, event, structure, or site.

~~“Sign – memorial” means a sign, tablet, or plaque memorializing a person, event, structure, or site.~~

Sign – Menu Board means a sign that displays items for sale at a drive-through window.

~~“Sign – menu board” means a sign that displays items for sale at a drive-through window.~~

Sign – Message Center, Electronic means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated and changeable segments. Signs with informational content that can be changed or altered by means of computer driven or electronically created impulses.

~~“Sign – message center, electronic” means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated and changeable segments. Signs with informational content that can be changed or altered by means of computer driven or electronically created impulses.~~

Sign – Message Center, Manual means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface changed by manual means, such as and not limited to removing and replacing messages by changing individual letters.

~~“Sign – message center, manual” means signs with alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface changed by manual means, such as and not limited to removing and replacing messages by changing individual letters.~~

Sign – Monument means any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

~~“Sign – monument” means any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.~~

Sign – Off-Premise means any sign that directs attention to a business, commodity, service or entertainment conducted, sold, or offered at a location other than the premise on which the sign is located.

Sign – Painted means a sign that is painted directly onto the wall of a building or structure without a physical structure or frame and does not meet the definition of “wall art” (Refer to “Wall Art”).

~~“Sign – painted” means a sign that is painted directly onto the wall of a building or structure without a physical structure or frame and does not meet the definition of “wall art” (Refer to “Wall Art”).~~

Sign – Pole means a sign that is mounted on a freestanding pole or other support.

~~“Sign – pole” means a sign that is mounted on a freestanding pole or other support.~~

Sign – Political

~~“Sign – political” means a temporary sign announcing or supporting political candidates or issues in connection with any national, state, or local election.~~

Sign – Portable means a sign that is not permanent, affixed to a building, structure, or the ground.

~~“Sign – portable” means a sign that is not permanent, affixed to a building, structure, or the ground.~~

Sign – Perpendicular means a sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building.

~~“Sign – perpendicular” means a sign that is wholly or partly dependent upon a building for support and that projects more than twelve inches from such building.~~

Sign – Reader Board See “~~s~~Sign – ~~M~~essage ~~e~~Center, ~~m~~Manual.”

~~See “sign – message center, manual.”~~

Sign – Real Estate means a sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.

~~“Sign – real estate” means a sign pertaining to the sale or lease of the premises, or a portion of the premises, on which the sign is located.~~

Sign – Roof means a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.

~~“Sign – roof” means a sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof.~~

Sign – Temporary means a sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material not permanently attached to the ground, wall, building or other structure and designed or intended to be displayed for a short period of time.

~~“Sign – temporary” means a sign or advertising display constructed of cloth, canvas, fabric, plywood, or other light material and designed or intended to be displayed for a short period of time.~~

Sign – Vehicle means a sign on a vehicle not customarily and regularly used to transport persons or properties.

~~“Sign – vehicle” means a sign on a vehicle not customarily and regularly used to transport persons or properties.~~

Sign – Wall See “~~S~~ign – ~~B~~uilding.”

~~See “sign – building.”~~

Sign – Window means logos, graphics, or advertising copy attached to or painted on a window.

~~“Sign – window” means logos, graphics, or advertising copy attached to or painted on a window.~~

Sign Area means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure (see also §17.40).

~~“Sign area” means the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure (see also §17.40).~~

Single Family means one family as defined in this chapter (See "Family").

~~"Single family" means one family as defined in this chapter (Refer to §17.62 "Family").~~

Site Plan means a development plan or drawing which contains information required by the City intended to show existing and proposed site conditions, and other information necessary to obtain a permit or other approval.

~~"Site Plan" means a development plan or drawing which contains information required by the City intended to show existing and proposed site conditions, and other information necessary to obtain a permit or other approval.~~

Sketch Plan means a draft ~~rough~~, or conceptual drawing that expresses the general location of site development features, buildings, or other changes to the site that is prepared in order to obtain preliminary comments or address issues associated with the proposed development of a site. Sketch plans are prepared in advance of the expense required to prepare a full site plan.

~~"Sketch plan" means a draft, rough, or conceptual drawing that expresses the general location of site development features, buildings, or other changes to the site that is prepared in order to obtain preliminary comments or address issues associated with the proposed development of a site. Sketch plans are prepared in advance of the expense required to prepare a full site plan.~~

Sororities (see Group Living)

Stealth Telecommunications Facilities means antennas, antenna support structures, and equipment facilities camouflaged or designed to blend with surrounding land uses, features, and architecture, thereby minimizing the aesthetic impact on adjacent uses, and concealing the intended use and appearance of the telecommunications facility.

~~"Stealth telecommunications facilities" means antennas, antenna support structures and equipment facilities camouflaged or designed to blend with surrounding land uses, features, and architecture, thereby minimizing the aesthetic impact on adjacent uses, and concealing the intended use and appearance of the telecommunications facility.~~

Storage of Sand, Gravel, Earth or Stone (see Warehouse, Freight Movement)

Storage, Outdoor means tThe use of open areas of the lot (except the front yard) for storage of items used for non-retail or industrial trade, the storage of merchandise inventory, and the storage of bulk materials such as sand, gravel, and other building materials. Outdoor storage shall also include contractors' yards or recycling areas.

~~The use of open areas of the lot (except the front yard) for storage of items used for non-retail or industrial trade, the storage of merchandise inventory, and the storage of bulk materials such as sand, gravel, and other building materials. Outdoor storage shall also include contractors' yards or recycling areas.~~

Storage, Self-Service means a site used to provide Self-Service Storage uses provide separate storage areas for individual or business uses and ~~The storage areas are designed to allow private access by the tenant for storing or removing personal property.~~ Living quarters for a resident manager or security and leasing offices are considered typical accessory uses.

~~Self-Service Storage uses provide separate storage areas for individual or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.~~

Commercial Storage Unit —means a site Uses providing storage areas for individual or business uses.

~~_____ Uses providing storage areas for individual or business uses~~

Storage Warehouse (see Sales and Service) ~~A building used primarily for the storage of goods and materials.~~

~~A building used primarily for the storage of goods and materials.~~

Story, Half means a story under a gable or hip or gambrel roof the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.

~~"Story, Half" means a story under a gable or hip or gambrel roof the wall plates of which, on at least two opposite exterior walls, are not more than two feet above the floor of such story.~~

Story means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between such floor and the ceiling next above it; not including cellar or basement.

~~"Story" means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it then the space between such floor and the ceiling next above it; not including cellar or basement.~~

Street means public right-of-way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements, and other ways. The public right-of-way shall also include the planting strip, sidewalk, curb, and gutter.

~~"Street" means public right of way, including highways, avenues, boulevards, parkways, roads, lanes, walks, alleys, viaducts, subways, tunnels, bridges, public easements, and other ways. The public right of way shall also include the planting strip, sidewalk, curb, and gutter.~~

Structure is as defined in the current adopted edition of the International Building Code.

~~"Structure" has the meaning as defined in the current adopted edition of the Uniform Building Code.~~

Studio (see Sales and Service)

Subdivision means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purposes, whether immediately or future, for offer, sale, ground lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including for purposes of securing financing.

~~A. "Subdivision" means any land that is divided, re-subdivided, or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purposes, whether immediately or future, for offer, sale, ground lease, or development either on the installment plan or upon any and all other plans, terms, and conditions, including for purposes of securing financing.~~

BA. Subdivision Includes:

1. ~~T~~the division or development of land whether by deed, metes and bounds description, devise and testacy, lease, map, plat, or other recorded instrument; or
2. ~~The d~~ivisions of land for all residential and nonresidential uses, including land used or to be used for commercial, agricultural, and industrial purposes, or
3. ~~T~~he creation of condominiums, townhomes, planned developments, and any other project that results in individual ownership in fee title, airspace, or cooperatively; or
4. ~~S~~tock cooperatives.

CB. "Simple Subdivision" means "subdivision".

DC. "Major Subdivision" means "subdivision".

~~D~~E. “Minor Subdivision” means “subdivision”.

~~E~~F. “Lot Split” means “subdivision”.

~~F~~G. When counting lots in a subdivision, the lot that exists prior to subdivision counts as one lot.

Subdivision Ordinance means the ~~The~~ “subdivision ordinance” ~~asis~~ incorporated within the City of Logan Land Development Code in the Logan Municipal Code.

~~The “subdivision ordinance” is incorporated within the City of Logan Land Development Code in the Logan Municipal Code.~~

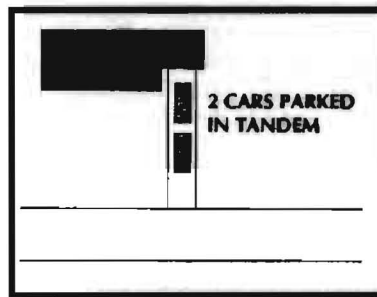
Swim Club (see Sales and Service)

Tailor (see Personal Custom Services)

Tandem Parking means a parking design in which one car parks behind another car in a single width driveway lane or single width parking space.

~~“Tandem parking” means a parking design in which one car parks behind another car in a single width driveway lane or single width parking space.~~

Figure 17.62.E: Tandem Parking



Tavern (see Sales and Service)

Technical Advisory Committee means a committee that may be established as needed at the discretion of the Mayor to provide technical support or recommendations to the Mayor or other Commissions or Boards.

~~“Technical Advisory Committee” means a committee that may be established as needed at the discretion of the Mayor to provide technical support or recommendations to the Mayor or other Commissions or Boards.~~

Telecommunication Facilities (see Monopole, Wireless Telecommunications Facility)

Amateur Radio Tower means a v~~Vertical~~ structure(s) designed and engineered to support antennas for telecommunications and broadcasting ~~—and which is typical~~ typically owned and operated by an amateur radio operator licensed by the Federal Communications Commission

~~Vertical structure(s) designed and engineered to support antennas for telecommunications and broadcasting.~~

Microwave Tower means a v~~Vertical~~ structure(s) designed and engineered to transmit information by the use of radio waves.

~~Vertical structure(s) designed and engineered to transmit information by the use of radio waves.~~

Television Tower means a v~~Vertical~~ structure(s) designed and engineered to transmit information by the use of radio waves.

~~Vertical structure(s) designed and engineered to transmit information by the use of radio waves.~~

Radio Tower means a vertical structure(s) designed and engineered to transmit information by the use of radio waves.

~~Vertical structure(s) designed and engineered to transmit information by the use of radio waves.~~

Wireless Telecommunications Tower (see Wireless Telecommunications Facility)

Television Tower (see Telecommunication Facilities)

Television Transmitting Station (see Sales and Service)

Tennis Club (see Sales and Service)

Tent Campground (see Recreation and Entertainment Outdoor Facility)

Theaters (see Sales and Service)

Townhome means a dwelling unit that is attached to an adjoining dwelling unit, in which the ground and building are owned in fee title. A townhome is a part of a cluster or planned unit development.

~~"Townhome" means a dwelling unit that is attached to an adjoining dwelling unit, in which the ground and building are owned in fee title. A townhome is a part of a cluster or planned unit development.~~

Trade School (see School, Vocational)

Trailer Sales (see Sales and Service)

Tree means any self-supporting woody perennial plant which has a trunk diameter of 3 inches or more when measured at a point 4.5 feet above grade and which normally attains an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches. Trees may appear to have several stems or trunks, as in several varieties of oaks.

~~"Tree" means any self-supporting woody perennial plant which has a trunk diameter of 3 inches or more when measured at a point 4.5 feet above grade and which normally attains an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches. Trees may appear to have several stems or trunks, as in several varieties of oaks.~~

Tree Canopy means the upper portion of a tree consisting of limbs, branches and leaves.

~~"Tree Canopy" means the upper portion of a tree consisting of limbs, branches and leaves.~~

~~**Tree Removal** means to change the location of, or any action or inaction which will cause a tree to die within a period of 9 months. Tree removal also includes any action to any part of a tree which will cause a tree to become so undesirable as to warrant the total removal of the tree, e.g., improper pruning so as to destroy the natural shape or which causes infection, infestation, rot or decay; application of herbicidal or other lethal chemicals; paving over the root system, etc.~~

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Triplex means a residence consisting of three attached dwelling units.

~~"Triplex" means a residence consisting of three attached dwelling units.~~

Twin Home means a residence consisting of two attached units that are individually owned and occupied. Also commonly referred to as a “duplex”.

~~“Twin home” means a residence consisting of two attached units that are individually owned and occupied.~~

Useable Outdoor Space means land areas within a lot or parcel that is used in conjunction with a primary use, and designed and intended for the use or enjoyment of the residents and their guests of the development and shall include improvements as necessary and appropriate for use as useable outdoor space. ~~Open space may include accessory structures that enhance its use and enjoyment.~~ Useable outdoor space shall be generally landscaped and may include accessory structures that enhance its use and enjoyment such as patios, decks, shade structures, play equipment, play courts, walkways, and landscaped plazas. Useable outdoor space shall not be located within the include-required setbacks nor shall it include parking areas, and/or driveways. Stormwater facilities may qualify as useable outdoor space if the physical characteristics are functional as useable areas for the intended purpose of useable outdoor space.

~~Land areas within a lot or parcel that is used in conjunction with a primary use designed and intended for the use or enjoyment of the residents and their guests of the development and shall include improvements as necessary and appropriate for use as useable outdoor space. Open space may include accessory structures that enhance its use and enjoyment. Useable outdoor space shall be generally landscaped and may include patios, decks, shade structures, play equipment, play courts, walkways, and landscaped plazas. Useable outdoor space shall not include required setbacks, parking, and/or driveways. Stormwater facilities qualify as useable outdoor space if the physical characteristics are functional as useable areas for the intended purpose of useable outdoor space.~~

Utilities,

Basic service delivery and laterals means infrastructure services that need to be located in or near the area where the service is provided, and typically include physical facilities or structures that are more than thirty-six inches in height above ground surface or more than a four square feet footprint.

~~Infrastructure services that need to be located in or near the area where the service is provided; physical facilities or structures that are more than thirty-six inches in height above ground surface or more than a four square feet footprint.~~

Distribution network means neighborhood or area distribution networks, including above ground power lines of less than 120 kilovolts.

~~Neighborhood or area distribution network, above ground power lines of less than 120 kilovolts.~~

Structures, physical facilities means regional, intracity, intercity, or interstate distribution lines; above ground power lines of 120 kilovolts or more; power distribution by a non-franchised power company; physical facilities or structures that are more than thirty-six inches in height above ground surface or more than a four square feet footprint; and municipal water well, reservoir, or storage tank.

~~Regional, intracity, intercity, or interstate distribution lines; above ground power of 120 kilovolts or more; power distribution by a non-franchised power company; physical facilities or structures that are more than thirty-six inches in height above ground surface or more than a four square feet footprint; municipal water well, reservoir, or storage tank.~~

Use means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

~~“Use” means the purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.~~

Vegetation, Native means any plant species which is indigenous to all or a part of northern Utah or the northern Rocky Mountain and Great Basin ecosystems. Plant species which have been introduced by humans are not classified as native species.

~~“Vegetation, native” means any plant species which is indigenous to all or a part of northern Utah or the northern Rocky Mountain and Great Basin ecosystems. Plant species which have been introduced by humans are not classified as native species.~~

Vehicle Parts Sales (see Sales and Service)

Vehicle Repair means rRepair to passenger vehicles, light and medium trucks and other motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.

~~Repair to passenger vehicles, light and medium trucks and other motor vehicles such as motoreyes, boats and recreational vehicles. Generally, the customer does not wait at the site while the service or repair is being performed.~~

Vehicle and Equipment Sales (see Sales and Service)

Vehicle Service means sService to passenger vehicles, light and medium trucks and other motor vehicles such as motorcycles, boats and recreational vehicles. Generally, the customer waits inside the vehicle or on-site while the service is being performed.

~~Service to passenger vehicles, light and medium trucks and other motor vehicles such as motoreyes, boats and recreational vehicles. Generally, the customer waits inside the vehicle or on-site while the service is being performed.~~

Electric Fueling Facilities (no petroleum) means the provision of commercial electrical charging capabilities for electrical vehicles and conducted in conjunction with a primary use (see Sales and Service - Convenience Market, no gasoline).

Gasoline Petroleum Products Storage (home heating exempt) means sStorage facilities either above or below ground containing one-hundred (100) gallons or more of petroleum product(s).

~~Storage facilities either above or below ground containing one-hundred (100) gallons or more of petroleum product(s).~~

Gasoline Service Station means aA retail establishment of up to 5,000 square feet selling primarily petroleum products, vehicle related products and services, food products, household items, newspapers and magazines, candy, and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.

~~A retail establishment of up to 5,000 square feet selling primarily petroleum products, vehicle related products and services, food products, household items, newspapers and magazines, candy, and beverages, and limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.~~

Truck Stop means aA retail establishment with larger site development areas compared to gasoline service stations and of up to 7,000 square feet selling primarily petroleum products, vehicle related products and services, food products, household items, newspapers and magazines, candy, and beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.

~~A retail establishment with larger site development areas compared to gasoline service stations and of up to 7,000 square feet selling primarily petroleum products, vehicle related products and services, food products, household items, newspapers and magazines, candy, and beverages, and limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.~~

Vehicle Use Area means an area used for the loading, circulation, access, storage or display of motor vehicles. Designated off-street parking spaces or spaces on public or private streets shall not be considered vehicular use areas.

~~“Vehicular Use Area” means an area used for the loading, circulation, access, storage or display of motor vehicles. Designated off-street parking spaces or spaces on public or private streets shall not be considered vehicular use areas.~~

Vocational School (see School, Vocational)

Vines means plants which normally require support to reach mature form.

~~“Vines” means plants which normally require support to reach mature form.~~

Wall Art means a graphic representation that has no advertising or promotional content, no signage, no logos, or other commercial content or graphics.

~~“Wall art” means a graphic representation that has no advertising or promotional content, no signage, no logos, or other commercial content or graphics.~~

Warehouse, Freight Movement means firms involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. Typically there is minimal here is little on-site retail sales activity with the customer present.

~~Firms involved in the storage, or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer, except for some will-call pickups. There is little on-site sales activity with the customer present.~~

Contractors Storage Yard (See Storage, Outdoor)

Lumberyard (See Storage, Outdoor)

Storage of Sand, Gravel, Earth or Stone (See Storage, Outdoor)

Waste Related Use means uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, i.e., landfill or transfer station, uses that collect sanitary wastes, i.e., sewage collection and treatment plant, or uses that manufacture or produce goods or energy from the composting of organic material, or uses that recycle materials for remanufacturing elsewhere.

~~Uses that receive solid or liquid wastes from others for disposal on the site or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material.~~

~~Wrecking or Salvage Yard, Enclosed~~

~~“Wrecking or Salvage Facilities, Enclosed” means any completely enclosed, roofed, building for storing, collection, processing, selling, dismantling, shredding, compressing, or salvaging scrap, discarded material, vehicles, or equipment.~~

~~Wrecking or Salvage Yard, Open~~

~~“Wrecking or Salvage Yard, Open” means any lot, land, parcel, or area for storing, collection, processing, selling, dismantling, shredding, compressing, or salvaging scrap, discarded material, vehicles, or equipment.~~

Welding Shop (see Sales and Service)

When Feasible means when all attendant circumstances are considered, the benefit to the community outweighs the cost and burden to the proponent or developer.

~~“When feasible” means when all attendant circumstances are considered, the benefit to the community outweighs the cost and burden to the proponent or developer.~~

Wholesale office (see Office)

Wholesale Sales and Service means Firms involved in the sale, lease, or rent of products primarily intended for retailers, industrial, institutional, commercial, or professional business users. The uses emphasize on-site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on-site or delivered to the customer.

~~Firms involved in the sale, lease, or rent of products primarily intended for retailers, industrial, institutional, commercial, or professional business users. The uses emphasize on site sales or order taking and often include display areas. Businesses may or may not be open to the general public, but sales to the general public are limited. Products may be picked up on site or delivered to the customer.~~

Wildfire means aAn area subject to potential damage from fire cause by combustion of native vegetation, commonly referred to as forest fire or brush fire.

~~An area subject to potential damage from fire cause by combustion of native vegetation, commonly referred to as forest fire or brush fire.~~

Wireless Telecommunications Facility means tTelecommunications facilities includesing all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self-supporting, guyed, co-located with existing facilities, or mounted on rooftops, poles, light posts, power poles, buildings or other structures. Facilities may also include interconnection translators, connections from over-the-air to cable, fiber-optic, or other landline transmission system.

~~Telecommunications facilities includes all devices, equipment, machinery, structures or supporting elements necessary to produce non ionizing electromagnetic radiation within the range of frequencies from 100 KHz to 300 GHz and operating as a discrete unit to produce a signal or message. Facilities may be self supporting, guyed, co located with existing facilities, or mounted on rooftops, poles, light posts, power poles, buildings or other structures. Facilities may also include interconnection translators, connections from over the air to cable, fiber optic, or other landline transmission system.~~

~~Wrecking or Salvage Facilities, Enclosed (see Waste Related Use)~~

Wrecking or Salvage Yard (Enclosed) means any completely enclosed, roofed, building for storing, collecting, processing, selling, dismantling, shredding, compressing, or salvaging scrap, discarded material, vehicles, or equipment.

Wrecking or Salvage Yard (Open) means any lot, land, parcel, or area for storing, collecting, processing, selling, dismantling, shredding, compressing, or salvaging scrap, discarded material, vehicles, or equipment.

Yard means the actual undeveloped open space that exists or that is proposed between a structure and the lot lines of the lot on which the structure is located. See “Setback.”

~~“Yard” means the actual undeveloped open space that exists or that is proposed between a structure and the lot lines of the lot on which the structure is located. See “Setback.”~~

Wrecking or Salvage Yard, Open (see Waste Related Use)

Yard, Vehicle Impound means any lot, land, parcel, or area for temporary storage (less than 90 days) of impounded vehicles where no work is conducted on these vehicles unless required for safe transport or storage purposes.

~~“Vehicle Impound Yard” means any lot, land, parcel, or area for temporary storage (less than 90 days) of impounded vehicles where no work is conducted on these vehicles unless required for safe transport or storage purposes.~~

Zoning Amendment means an application or petition to change either the Official Zoning Map or the regulations, provisions, standards, specifications, or text of the Land Development Code.

~~“Zoning amendment” means an application or petition to change either the Official Zoning Map or the regulations, provisions, standards, specifications, or text of the Land Development Code.~~

Zoning District means the separate areas defined within the City to which a specific zoning district or land use classification is assigned.

~~“Zoning district” means the separate areas defined within the City to which a specific zoning district or land use classification is assigned.~~

A. **Base Zoning District** means a zoning district that establishes the primary permitted uses, conditional uses, and development standards for a parcel of land.

~~—“Base zoning district” means a zoning district that establishes the primary permitted uses, conditional uses, and development standards for a parcel of land.~~

B. **Combining Zoning District** means a zoning district in the Land Development Code which is applied to a parcel of land to add special or additional development requirements in addition to or in place of the requirements of the base zoning district.

~~—“Combining Zoning district” means a zoning district in the Land Development Code which is applied to a parcel of land to add special or additional development requirements in addition to or in place of the requirements of the base zoning district.~~

Zoning Ordinance means all those ordinances enacted by the Municipal Council for the City of Logan codified in Title 17 of the Logan Municipal Code or within the Land Development Code.

~~“Zoning ordinance” means all those ordinances enacted by the Municipal Council for the City of Logan codified in Title 17 of the Logan Municipal Code or within the Land Development Code.~~

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