

FARMINGTON, UTAH

ORDINANCE NO. 2023 - 42

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF CHAPTERS 10, 11, 13, 17, 21, AND 22 OF THE FARMINGTON CITY ZONING ORDINANCES MODIFYING PROVISIONS REGARDING WHERE AN ACCESSORY BUILDING MAY BE CONSTRUCTED (ZT-1-23).

WHEREAS, the Planning Commission has held a public hearing in which the proposed amendments to the Zoning Ordinance were thoroughly reviewed and the Planning Commission recommended that these changes be approved by the City Council; and

WHEREAS, the Farmington City Council has also held a public hearing pursuant to notice and as required by law and deems it to be in the best interest of the health, safety, and general welfare of the citizens of Farmington to make the changes proposed;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FARMINGTON CITY, STATE OF UTAH:


Section 1. Amendment. The specifically listed sections of Title 11 are hereby amended as set forth in Exhibit "A" attached hereto and by this reference made a part hereof. Any part of these sections currently existing in code which are not part of Exhibit A with an included addition or strikeout are otherwise left intact.

Section 2. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 3. Effective Date. This ordinance shall take effect immediately upon publication or posting or 30 days after passage by the City Council, whichever comes first.

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 18th day of July, 2023.

FARMINGTON CITY


Brett Anderson, Mayor

ATTEST:


DeAnn Carlile, City Recorder



Exhibit “A”

11-10-040: LOT AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in agricultural zones:

Zone	Lot Area	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
AA	10 acre	150'	160'	40'	minimum, total	30'	40'
A	2 acre	100'	110'	30'	minimum, total	25'	30'
AE	1 acre	100'	110'	30'	minimum, total	25'	30'

- Buildings shall not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other applicable utility providers in writing.

H. Accessory Buildings And Structures:

1. Accessory buildings, except those listed in subsection H2 of this section, shall be located in the rear yard, shall be separated from the main building by a distance in compliance with applicable Building Codes, shall be at least five feet (5') from all property lines, shall not encroach on any recorded easement, ~~and shall be fifteen feet (15') from a dwelling on an adjacent lot.~~

Notwithstanding the foregoing, the City may approve accessory buildings with standards for the same as set forth in Chapter 11 of this Title so long as such buildings are subordinate in height and area to the main building, are no taller than fifteen feet (15') in height (except as allowed in chapter 11), and comply with lot coverage standards herein.

11-11-050: MINIMUM LOT AREA, WIDTH AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks for conventional layout subdivision development in single-family residential zones:

Zone	Conventional Lot Area In Square Feet	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
R	16,000	75'	85'	25'	8' minimum, total	20'	30'
LR	20,000	85'	95'	25'	minimum, total	20'	30'
S	30,000	95'	100'	25'	minimum, total	20'	30'
LS	40,000	100'	110'	30'	minimum, total	25'	30'

- Buildings shall not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other applicable utility providers in writing.

11-11-060: ACCESSORY BUILDINGS AND STRUCTURES:

A. Location: Accessory buildings, except those listed in subsection B of this section:

3. An accessory building shall not be located closer than 5 feet from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045; Must be located at least fifteen feet (15') from any dwelling on an adjacent lot;

a. Exception. An accessory building which is less than 10 feet in height and under 200 sq. ft. in ground floor area may be located within a side and/or rear yard closer than 5 feet to a side property line so long as it complies with the other provisions of this Section. (11-11-060).

7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is an architectural and integral part of the main building is of the same general design or style as and comparable in excellence of quality and construction to the main building, and in no event shall the accessory building encroach into the required front yard or required side corner yard.

11-13-040: MINIMUM LOT AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in multiple-family residential zones:

<i>Zone</i>	<i>Lot Area</i>	<i>Lot Width</i>		<i>Front</i>	<i>Side</i>	<i>Side Corner</i>	<i>Rear</i>
		<i>Interior</i>	<i>Corner</i>				
R-2	10,000 square feet for each single-family or two-family dwelling. Maximum of 2 dwelling units per building per lot.	85'	95'	30'	minimum, total	20'	30'
R-4	10,000 square feet for each single-family or two-family dwelling, plus 4,000 square feet for each additional dwelling unit to a maximum of 4 dwelling units per building per lot.	90'	100'	30'	minimum, total	20'	30'
R-8	10,000 square feet for each single-family or two-family dwelling, plus 4,000 square feet for each additional dwelling unit with a maximum of 4 dwelling units per building and not more than 2 buildings per lot, unless a greater number of dwelling units or buildings are approved as specified in section 11-	100'	110'	30'	minimum, total	30'	30'

	13-030 of this chapter, "Dwellings, five- to eight- family...".						
<ul style="list-style-type: none"> <u>Buildings shall not be built over utility easements that may run along the side and rear property lines, unless an exception provided from the zoning administrator with the consent of the City's Development Review Committee and other applicable utility providers in writing.</u> 							

11-13-050: ACCESSORY BUILDINGS AND STRUCTURES:

A. Location: Accessory buildings, except those listed in subsection B of this section:

3. An accessory building shall not be located closer than 5 feet from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045; Must be located at least fifteen feet (15') from any dwelling on an adjacent lot;

a. Exception. An accessory building which is less than 10 feet in height and under 200 sq. ft. in ground floor area may be located within a side and/or rear yard closer than 5 feet to a side property line so long as it complies with the other provisions of this Section. (11-11-060).

7. An accessory building may be located in a side corner yard or front yard of a lot; providing, that the building is an architectural and integral part of the main building is of the same general design or style as and comparable in excellence of quality and construction to the main building, and in no event shall the accessory building encroach into the required front yard or required side corner yard.

11-17-040: MINIMUM LOT AND SETBACK STANDARDS:

A. Minimum Standards: The following shall be the minimum lot areas, widths and main building setbacks in the OTR Zone: (Ord. 2007-18, 3-6-2007)

Zone	Lot Area	Lot Width		Front	Side	Side Corner	Rear
		Interior	Corner				
OTR	10,000 square feet for each single-family	85'	95'	30'	10'	20'	30'

- Buildings may not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other applicable utility providers in writing.

11-17-050: ACCESSORY BUILDINGS AND STRUCTURES (INCLUDING ATTACHED OR DETACHED GARAGES):

A. Location: Accessory buildings, except for those listed in subsection B of this section, may be located within one foot (1') of the side or rear property line, provided they are at least six feet (6') to the rear of the dwelling, do not encroach on any recorded easements, occupy not more than twenty five percent (25%) of the rear yard, are located at least fifteen feet (15') from any dwelling on an adjacent lot, and accessory buildings shall, without exception, be subordinate in height and area to the main building and shall not encroach into the front yard and required side corner yard. An accessory building which contains an ADU shall be located a minimum of 5 feet

from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045

11-21-040: SINGLE-FAMILY AND TWO-FAMILY DWELLINGS:

5. Side Yard Setback: Eight feet (8') one side and a total of eighteen feet (18') for both sides (main building only); buildings shall not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other utility providers in writing.

7. Accessory Buildings: ~~Located to the rear of the main building~~ An accessory building shall be located in the rear yard and must be at least one foot (1') from all property lines ~~and shall be fifteen feet (15') from dwellings on adjacent lots.~~ Accessory buildings shall not be built over easements without the consent of the easement holder and must be subordinated in height and area to the main building. Accessory buildings over 200 square feet in size shall be at least 5 feet from a side or rear property line unless a special exception is approved by the Planning Commission to reduce these setbacks in accordance with 11-3-045

11-22-040: SINGLE-FAMILY AND TWO-FAMILY DWELLINGS:

5. Side Yard: Ten feet (10'), one side and a total of twenty four feet (24') for both sides, main building only; Buildings shall not be built over utility easements that may run along the side and rear property lines, unless an exception is provided from the zoning administrator with the consent of the City's Development Review Committee and other utility providers in writing.

7. Accessory Buildings: Accessory buildings shall be located in the rear yard ~~six feet (6') in the rear of the main building~~ and at least five feet (5') from all property lines; ~~and shall be fifteen feet (15') from dwellings on adjacent lots.~~ Accessory buildings shall not be built over utility easements that may run along the side and rear property lines.