

FARMINGTON CITY, UTAH
ORDINANCE NO. 2023-54

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 16, STORMWATER REGULATIONS. THIS AMENDMENT APPLIES NEW DEFINITIONS AND CLARIFIES WHEN IT IS NECESSARY TO OBTAIN A LAND DISTURBANCE PERMIT (ZT-15-23)

WHEREAS, to better prevent and manage pollutants from entering the city's storm drain system; and

WHEREAS, to clarify when it is necessary to obtain a Land Disturbance Permit; and

WHEREAS, the Farmington City Planning Commission and City Council have held public hearings 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. Multiple sections of the Title 16, Stormwater Regulations, of the Farmington City Ordinances are hereby amended as set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof

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 19th day of September, 2023.

ATTEST:

DeAnn Carlile
DeAnn Carlile, City Recorder

FARMINGTON CITY

[Signature]
Brett Anderson, Mayor



Exhibit A

16-1-090: DEFINITIONS:

Words not otherwise defined but used in this title or the materials referenced herein are defined in the federal clean water act, and any rules and regulations adopted pursuant thereto, and any applicable state laws, rules and regulations, including, but not limited to, the UPDES and NPDES programs. As used herein, the following terms, phrases and words shall have the following meanings:

...

AQUIFER RECHARGE AREAS: Retention basins, detention basins with retention attributes, or other locations in which a creek, stream, or canal infiltrates the ground.

...

ENVIRONMENTALLY SENSITIVE AREAS: Those areas with fragile biophysical characteristics or with significant environmental resources as identified by the city. Environmentally sensitive areas include but are not limited to: aquifer recharge areas, frequently flooded areas, steep slopes, delineated wetlands, streams, creeks, canals, and lake floodplain areas.

...

FREQUENTLY FLOODED AREAS: Areas flooded at least annually for three of the past five years.

...

STEEP SLOPE: A slope greater than an eighteen-inch vertical rise in a ten-foot horizontal plane. (i.e. >15% slope)

16-3-010: CITY STORMWATER PERMIT REQUIRED:

Except as otherwise exempted under section [16-3-020](#) of this chapter, any person or entity proposing to disturb one acre or more of ground in connection with any development, land disturbance or construction activity within the city or any person or entity proposing to disturb less than one acre of ground which is part of a larger common plan of development that disturbs one acre or more of ground shall be required to obtain a stormwater permit from the **state of Utah and the city of Farmington**. Such a permit is required to be obtained prior to or in conjunction with the issuance of any demolition, excavation, land disturbance, building, site plan, land use or subdivision permit or approval, or any development or construction activity within the city. ~~A stormwater~~ **A city Land Disturbance** permit shall also be required for any building permit for a structure requiring earthmoving, **or any earthmoving activity in an environmentally sensitive area** unless otherwise waived by the stormwater official. In determining whether to grant a waiver, the stormwater official shall consider the following with respect to the property and circumstances associated with the same: topography, vegetation, wetlands, steep slopes, sensitive areas, high water table, proximity to water channels, creeks, wells or riparian areas. (Ord. 2008-03, 1-8-2003)