

FARMINGTON CITY, UTAH
ORDINANCE NO. 2023- 47

AN ORDINANCE AMENDING MULTIPLE SECTIONS OF TITLE 11, PLANNING AND ZONING, TO REMOVE FINANCIAL INSTITUTIONS AS AN ALLOWED USE IN FARMINGTON CITY. (ZT-19-23)

WHEREAS, recent development has seen the proliferation of multiple new financial institutions on key properties; and

WHEREAS, the City is desirous to see a variety of other uses and buildings which better fit the vision and community offering a variety of services and amenities; and

WHEREAS, the City Council has 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:

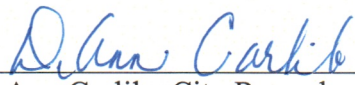
Section 1. Amendment. Multiple Sections of Title 11, Planning and Zoning, of the Farmington City Ordinance are hereby amended as set forth in **Exhibit "A"** attached hereto and by this reference made a part hereof

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 14th day of November, 2023.

ATTEST:


DeAnn Carlile, City Recorder

FARMINGTON CITY

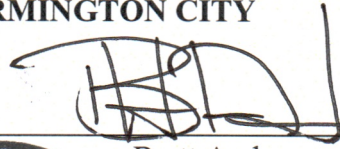

Brett Anderson, Mayor



Exhibit A

Chapter 14 – Business Park Zone (BP)

11-14-030: CONDITIONAL USES:

The following are conditional uses in the BP zone. No other conditional uses are allowed, except as provided by subsection 11-4-050F of this title:

- Any development which includes multiple buildings or is proposed on a site which is over one acre in size.
- Athletic or tennis club.
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- ~~Financial institutions.~~
- Light manufacturing uses (fabrication, assembly, treatment or packaging operations conducted in a totally enclosed building using previously prepared materials).
- Outside storage.
- Public and quasi-public uses, other than administrative offices, developed on an undeveloped site (excluding those not specifically listed as a permitted or conditional use) and material additions or modifications on a developed site.
- Public utility substations, wireless transmission towers, except as specified in section 11-28-190 of this title, generating plants, pumping stations and buildings.
- Restaurants (traditional sit down only).
- Storage/warehousing, as an accessory use, as necessary to maintain a principal use.
- Temporary uses.
- Uses customarily accessory to a listed conditional use.

Business/Residential Zone (BR)

11-15-030: CONDITIONAL USES:

The following are conditional uses in the BR Zone. No other conditional uses are allowed, except as provided by subsection 11-4-050F of this title:

- Athletic/fitness center.
- Business and professional offices.
- Convenience store (sale of grocery items, nonprescription drugs and/or gasoline from building with less than 5,000 square feet gross floor area).
- Daycare, preschool, that are not home occupations.
- Fast food establishments, attached (walk in service only, no exterior walk up or vehicle drive-through service).
- ~~Financial institutions, excluding nonchartered financial institutions, as defined in section 11-2-020 of this title.~~
- Funeral home.
- Greenhouse/garden center (retail or wholesale).
- Hotels, motels and bed and breakfasts, all not to exceed five thousand (5,000) square feet in size.
- Mixed use development, as defined in section 11-18-030 of this title.
- Museums.
- Neighborhood grocery (grocery store not exceeding 15,000 square feet in gross floor area).
- Neighborhood service establishments (low impact retail and service uses, such as bakery, bookstore, dry cleaning, hairstyling, pharmacy, art supply/gallery, craft store, photocopy center, etc.).

- Pet store or pet grooming establishment.
- Public and quasi-public uses, except the following prohibited uses: correctional/detention facilities, halfway houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities, including those which may allow or require that clients stay overnight or longer.
- Reception center.
- Residential facility for the elderly.
- Restaurant (traditional sit down).
- Small auto dealership.
- Temporary uses as set forth in subsection 11-28-120H1 of this title.

General Commercial Zone (C)

11-16-020: PERMITTED USES:

The following are permitted uses in the C zone. No other permitted uses are allowed, except as provided by subsection 11-4-050F of this title:

- Agriculture.
- Business and professional offices.
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- Commercial testing laboratories.
- Data processing services.
- Fast food establishments, attached (walk in service only, no exterior walk up or vehicle drive-through service).
- ~~Financial institutions.~~
- Funeral home.
- Neighborhood service establishments (low impact retail and service uses, such as bakery, bookstore, dry cleaning, hairstyling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).
- Printing/publishing services.
- Public or quasi-public administrative offices in an existing building (excluding portable/temporary buildings).
- Public park.
- Public utility lines and rights of way.
- Research and development activities.
- Research services.
- Seasonal fruit/produce vendor stands.
- Signs complying with provisions of the sign ordinance.
- Uses customarily accessory to a listed permitted use.

Mixed Use Districts:

11-18-050: USES:

A. Uses allowed in the TOD area are identified in table 18.3, "Allowable Land Uses", of this section. A development parcel may have more than one main building or dwelling, however each main building shall have its own zone lot.

B. More than one permitted use may be located on a development parcel and within a building (refer to "mixed use" and "development parcel", as defined herein).

TABLE 18.3

ALLOWABLE LAND USES

Key to allowable uses:

P - Permitted

N - Not permitted

Mixed Use Districts								
OS	RMU	OMU	GMU	TMU				
				Mixed Use Districts				
				OS	RMU	OMU	GMU	TMU
Commercial:								
	Financial institutions (with the exception of nondepository institutions)			N	N	P ¹	P ¹	P

Restrictions:

1. Drive up window/drop off lane (including a porte-cochere) allowed only with special exception review by the Planning Commission as set forth in section 11-3-045 of this title, as to use, and not fixed dimensional standards; however, in the case of a lodging, the planning commission may approve variations from the standards of 11-18-160 including permission to allow off-street parking between the building and a secondary street by review of a special exception. For any use not listed as P¹, drive-up windows are expressly prohibited. No additional curb cut shall be added to accommodate the drive up/drop off lane.

Commercial Mixed Use zone (CMU)

11-19-040: ALLOWABLE USES:

The CMU zone provides for a broad variety of land uses. The purpose of the CMU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in a CMU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses, and will be determined through the review and approval of either a planned unit development pursuant to chapter 27 of this title, or as a planned center development pursuant to the conditional use permit process. Among the uses that may be considered for approval in the CMU zone as part of a planned center development are the following:

- Agriculture.
- Athletic or tennis club.
- Bed and breakfasts.
- Business and professional offices.
- Class A auto sales.
- Class A self-storage.
- Commercial complex (commercial center), with a maximum floor area of eighty thousand (80,000) square feet for any single tenant.
- Commercial indoor recreation (movie theater, video arcade, bowling alley, etc.).
- Commercial outdoor recreation, minor (family reunion center, outdoor reception facilities, picnic grounds, tennis courts, etc.).
- Commercial testing laboratories.
- Convenience store (sale of grocery items, nonprescription drugs and/or gasoline from building with less than 5,000 square feet gross floor area).
- Data processing services.
- Daycare/preschool center.
- Department store.
- Dwelling, multiple-family (minimum density: 5 units per acre; maximum density: 14 units per acre).
- Fast food, detached, with drive-through.
- ~~Financial institutions.~~
- Funeral home.
- Greenhouse/garden center (retail or wholesale).
- Hotels and motels.
- Medical clinics, offices and outpatient surgical facilities.
- Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry cleaning, hair styling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).
- Printing/publishing services.
- Private school or hospital.
- Public and quasi-public uses, except the following prohibited uses: correctional/detention facilities, halfway houses, drug or alcohol rehabilitation facilities, facilities for the treatment or confinement of the mentally ill, homeless shelters, domestic violence shelters, and other similar facilities including those which may allow or require that clients stay overnight or longer.
- Public park.
- Reception center.
- Research services and development activities.
- Restaurants (traditional sit down).
- Specialty retail stores.

- Temporary uses.
- Uses customarily accessory to a listed allowable use.
- Veterinary hospital (no outdoor kennels).

Neighborhood Mixed Use zone (NMU)

11-20-040: ALLOWED USES:

The NMU zone provides for a broad variety of land uses. The purpose of the NMU zone is to provide for a mix of uses rather than a single type of use. The specific uses that will be allowed in an NMU zoned area will depend on the location and character of the property to be zoned, the mix and intensities of the uses proposed, and on the character of the surrounding neighborhoods and land uses, and will be determined through the review and approval of either a planned unit development pursuant to chapter 27 of this title, or as a planned center development pursuant to the conditional use permit process.

A. Specified: Among the uses that may be considered for approval as part of a planned center development are the following:

Agriculture.

Athletic or tennis club.

Bed and breakfasts.

Business and professional offices.

Church, temple, synagogue or other place of worship.

Convenience store (sale of grocery items, nonprescription drugs, no gasoline sales).

Daycare, preschool.

Dwellings, multiple-family with no more than four (4) units.

~~Financial institutions.~~

Fitness center.

Funeral home.

Home occupations as identified in section 11-35-040 of this title.

Medical or dental clinic.

Neighborhood grocery.

Neighborhood service establishments (low impact retail and service uses such as bakery, bookstore, dry cleaning, hairstyling, coin laundry, pharmacy, art supply/gallery, craft store, photocopy center, etc.).

Nursing home, convalescent center.

Pet store or pet grooming establishment.

Private school.

Public or quasi-public uses, material additions or modifications on a developed site.

Reception center.

Research services.

Residential facilities for the disabled.

Residential facilities for the elderly.

Restaurant.

Single-family dwellings.

Temporary uses.

Two-family dwellings.

Uses customarily accessory to a listed conditional use.