

FARMINGTON CITY, UTAH
ORDINANCE NO. 2023- 45

AN ORDINANCE AMENDING CHAPTERS 30 AND SECTION 11-2-020, FOOTHILL DEVELOPMENT STANDARDS AND DEFINITIONS OF WORDS AND TERMS, OF THE FARMINGTON CITY ZONING ORDINANCE IMPROVING THE ORGANIZATION, IMPLEMENTATION AND WORDING OF EXISTING STANDARDS AND DEFINITIONS, AND MAKING THE TEXT THEREOF CONSISTENT WITH UNDERLYING ZONES, STATE LAW, AND OTHER SECTIONS OF THE FARMINGTON CITY CODE. (ZT-14-23)

WHEREAS, the Planning Commission has held a public hearing in which the text for Chapter 30, and a definition set forth in Section 11-2-020, of the Zoning Ordinance was thoroughly reviewed and has recommended that this ordinance be approved by the City Council; and

WHEREAS, the Farmington City Council has also held a public meeting 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. Chapter 30 of the Farmington City Zoning Ordinance is hereby amended as set forth in **Exhibit “A”** attached hereto and by this reference made a part hereof.

Section 2. Amendment. The term “Accessory Building or Use” set forth in Section 11-2-020 of the Farmington City Zoning Ordinance is amended as follows:

~~ACCESSORY BUILDING, STRUCTURE, OR USE:~~ A building, **structure**, or use ~~clearly~~ incidental, customarily appropriate, and subordinate to the main use of the building or property.

Section 3. Severability. If any provision of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. 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.

FARMINGTON CITY



Brett Anderson, Mayor

ATTEST:

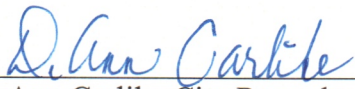

DeAnn Carlile, City Recorder



Exhibit A

CHAPTER 30 FOOTHILL DEVELOPMENT STANDARDS

SECTION:

11-30-010: Purpose

11-30-020: Definitions

11-30-030: Scope And Application

11-30-040: Density, Lot Size, ~~Set Back, Width~~ And Characteristics

11-30-050: Review And Approval Procedures, And Required Reports and Plans

~~11-30-0560: Required Plans And Development Standards~~

11-30-070: Architectural Design

~~11-30-0680: Bonding Requirements~~

~~11-30-070: Review And Approval Procedure~~

11-30-010: PURPOSE:

A. The city council of Farmington City, Utah, deems that in order to preserve the peace, health, safety and welfare, and promote the best interest of the inhabitants of Farmington City, that this chapter be enacted to provide standards, guidelines and criteria for minimizing flooding, erosion and other environmental hazards in designated foothill areas of the city. In addition, these standards are intended to protect the natural scenic character of the foothills, and those areas of the foothills which are not suitable for development, while ensuring the efficient expenditure of public funds.

B. The standards, guidelines and criteria established by this chapter are further intended to:

1. Minimize grading and earthwork and ensure grading which will eliminate sharp angles at the top and at the toe of cut and fill slopes, both with respect to building sites and to road cross-sections.

2. Protect the public from natural hazards of stormwater runoff and erosion.

3. Minimize the threat and consequential damage of fire in foothill areas.

4. Preserve natural features, wildlife habitat and open space.

5. Retain trees and other native vegetation (except in those cases where a high fire hazard results) which stabilizes steep hillsides, retains moisture, prevents erosion and enhances the beauty of the natural landscape.

6. Implement early temporary or permanent planting of vegetation, or both, wherever appropriate to maintain necessary cut and fill slopes, stabilizing them by plant roots and concealing the raw soil from view.

7. Preserve public access to mountain areas and natural drainage channels.
8. Retain natural features, such as drainage channels, streams, ridgelines, rock outcroppings and vegetation.
9. Preserve and enhance visual and environmental quality; **place greater regard for the view of the foothills as well as the view from the foothills.**
10. Ensure an adequate transportation system for the total foothill area in compliance with the approved street plans of the city. Street design should, insofar as possible, be compatible with existing topography by minimizing cuts, fills or other visible scars.
11. Encourage a variety of development, designs and concepts compatible with the natural terrain of the foothill areas which will preserve open space and the natural landscape.
12. **Enable lot layouts and structure designs which will aid the objective of reducing excavation and natural topographic disturbance.**
13. Establish land use management criteria that will encourage protection of natural elements while allowing a harmonious and satisfying residential environment.

C. To achieve the intent of this chapter, it is recommended that professionals, qualified in each of the disciplines addressed herein, be utilized to stimulate creative and appropriate designs in the foothill area. (Ord. 1993-17, 4-21-1993)

11-30-020: DEFINITIONS:

Terms used in this chapter are defined as set forth below and are in addition to those defined in chapter 2 of this title. Unless a contrary intention clearly appears, words used in the present tense include the future, the singular includes the plural, the term "shall" is mandatory and the term "may" is permissive.

ALL WEATHER SURFACE: A concrete or asphalt surface.

AVERAGE SLOPE: Means and is determined by the use of the following formula:

$$S = \frac{.00229(I) (L)}{A}$$

S = Average slope of the site before development or construction.

.00229 = The conversion factor of square feet to acres.

I = Contour interval in feet of the topographic mapping.

L = Summation of the length of all contour lines in feet.

A = Total number of acres in the slope district.

A. The average slope may be calculated by other means which are acceptable to the city engineer and planning commission.

B. In the determination of the average slope of a slope district, the area (A) in the formula above ~~need~~ **shall** not include the area of lands having a greater slope than thirty percent (30%). ~~If such areas are excluded, their acreage shall not be included as part of the total area of the development site for~~

~~purposes of determining the number of dwelling sites allowed, but may be included with individual building lots.~~

DEVELOPMENT ACRES, GROSS: The **entire** total area of the development, to include all transportation land or other nonresidential uses.

DEVELOPMENT ACRES, NET: The gross acreage less transportation land and open space.

DEVELOPMENT SITE: The total perimeters of:

- A. A subdivision, as defined in the Farmington City subdivision ordinance.
- B. A planned unit development, as defined in this title.
- C. A tract, lot, or parcel of land intended to be used as a **residential**, commercial, public, quasi-public, utility or other building site.

IMPERVIOUS MATERIALS: Matter which is impenetrable by moisture.

INSTITUTIONAL BUILDINGS: Means and shall include churches, schools, hospitals, public and quasi-public buildings.

OFF SITE: Any area or improvement within public rights of way ~~or public utility easements~~, or outside the boundaries of the development.

ON SITE: Any area or improvement on private property.

OPEN SPACE: That space designated as undevelopable or as common open space areas used for visual relief or recreational purposes.

SLOPE DISTRICT: An area of at least three (3) acres where the area that is the development site is ten (10) acres or more and a minimum of one acre if the development site is less than ten (10) acres. The term "slope district" describes areas within a development site (or the entire development site if it qualifies under the definition) which are distinguishable as areas of consistent topography. Slope districts are classified by the following breakdown:

- 0 - 12.0 percent
- 12.1 - 20.0 percent
- 20.1 - 30.0 percent
- Over 30 percent

TRANSPORTATION LAND: Land used for automobile, bicycle or pedestrian circulation.

UNDERLYING ZONE: The zone in which the parcel lies on the Farmington City zoning map.

USABLE LAND: Land included within a lot, no part of which has a slope exceeding thirty percent (30%). **This space may be no less than fifty feet (50') in width at any given point. This usable area must be undisturbed or virgin slope. Certain limited foothill areas may be considered man-made "anomalies" such as gravel pit operations, fire break roads, secondary water pipelines, culinary water facilities, public service provider improvements and related roads, or other artificial disturbances based upon size, location, and history of slope having previously been permitted by the federal government, the State, Davis County, Farmington City, or other public entity, and may be included within the usable area as may be determined by the City. All main buildings, and accessory buildings and structures (including retaining walls, fences and walls), shall be built on useable land only.**

VEGETATION: Orchards, trees, shrubs, lawn, grass and perennial growth, and those plants native to the site. (Ord. 1993-17, 4-21-1993)

11-30-030: SCOPE AND APPLICATION:

A. The provisions of this chapter shall apply to all lands in Farmington City that lie within the area designated with zones having a suffix "F" on the official zoning map of Farmington City.

B. This chapter makes additional provisions to those set forth in the subdivision ordinance and other chapters of this title (**the zoning ordinance**). In the event of conflict, the more restrictive provisions shall apply.

C. Detailed reports and plans are required in the following sections of this chapter which must be approved by the city before any construction, **excavation, and grading** will be permitted in foothill zones.

D. Development of individual **un-platted lots and parcels, or platted residential lots and parcels** located in an approved subdivision, shall comply with conditions, standards and requirements established through the **site plan and/or** subdivision approval process. ~~Site specific plans, necessary to achieve the purpose of this chapter, may also be required for residential lots which are not located in a recorded subdivision.~~ (Ord. 1993-17, 4-21-1993)

11-30-040: DENSITY, LOT SIZE, **SET BACK, WIDTH** AND CHARACTERISTICS:

A. Scope: The ~~City planning commission and city council~~ shall approve the overall density of any development site based on the **subdivision plans and/or** site plans as provided for in this chapter.

B. Residential Density: The maximum density for each gross development acre in residential subdivisions or planned unit developments shall be determined by reference to the following table and the underlying zone:

Slope District Average Slope (%)	Maximum Density Dwelling Units/Gross Acre
0 - 12.0	4.0
12.1 - 20.0	2.8
20.1 - 30.0	1.6
More than 30.0	No development allowed.

C. Planned Unit Developments: The maximum density with respect to dwelling units per gross acre shall be the same in a PUD as in any other single-family subdivision. However, at the discretion of the city, density bonuses may still be approved as outlined in the PUD chapter of this title.

D. Lot Size Conditions: When lot lines cross slope district boundaries, the lot size will be determined by the average slope of the usable land within the building lot. The ~~City planning commission~~ may require larger lots than the minimum depending upon the natural conditions (slope, vegetation, soils, etc.) of the site to assure each lot contains a suitable building site.

F. **Front Yard Setback.** The minimum front yard setback in the Foothill Overlay Zone may be reduced by the Zoning Administrator during the site plan review process to not less than 20 feet, provided the average slope of the lot exceeds 20% and as recommended by the City Engineer.

E. **Maximum Impervious Material Coverage:** The maximum impervious material coverage that shall be allowable on residential lots shall be thirty five percent (35%) of the total lot area or five thousand (5,000) square feet, whichever is smaller, including the main building, accessory buildings, patios and driveways, ~~but the maximum impervious material coverage may exceed thirty five percent (35%) or five thousand (5,000) square feet if the city council approves it after receiving the recommendation and approval of the planning commission.~~

G. **Maximum Impervious Material Exception.** The maximum allowable impervious material coverage of a lot may be allowed to exceed 5, 000 square feet as a special exception subject to the process set forth in Chapter 3 of this Title and upon a recommendation of the City Engineer and the approval of the applicable land use authority for the subject application (i.e. subdivision, site plan, or building permit).

Any applicant seeking a special exception to exceed 5, 000 square feet of impervious material coverage per lot shall be required to provide on-site detention/retention as required by local or state statutes and appropriately sized outflow orifice plates for the additional impervious area (over 5, 000 square feet) in accordance with City Engineer recommended detention/retention volume calculations for a 100-year storm event. The applicant shall be required to provide engineered drawings and specifications for the proposed detention/retention and drainage to qualify for the exception. Upon acceptance and approval of the engineering documents, the applicant shall enter into a maintenance agreement, as deemed acceptable by the City. Such maintenance agreement shall be recorded against the subject property as a condition of granting an increase impervious material allowance. For purposes of calculating the permissible lot coverage percentage, lot areas that exceed 30% slope shall be excluded and shall not be used in calculating the allowable impervious coverage area.

H. **Usable Land:**

1. ~~Single-family dwellings~~, other buildings and structures, including retaining walls, fences, and walls, shall be located only upon areas constituting usable land, which area shall be fully contiguous and shall be at least five thousand (5,000) square feet in size. The ~~City planning commission~~ may require usable areas larger than five thousand (5,000) square feet to ensure that dwellings, other buildings and structures, including retaining walls, fences, and walls, can be located acceptable distances from geological hazards.

2. All accessory buildings, structures, and uses, including retaining walls, shall be located upon usable land.

3. All fences and walls shall be located on useable land and in areas less than twenty percent (20%) slope before and after grading and excavation [note: grading and excavation is not allowed in areas with slopes over 30%]. Fences may be approved in areas with slopes between twenty and thirty percent (20% to 30%) if approved as a special exception.

4. As defined above, the slope of usable land shall be thirty percent (30%) or less. Areas with slopes ~~districts of~~ over thirty percent (30%) shall be:

a. Placed in permanent open space, maintained by a responsible legal entity, such as a homeowners' association; ~~or~~

b. Platted with adjacent approved building lots with an open space easement, or platted into building lots with an open space easement, each of which contains adequate usable land.

c. Subject to such other proposals that may be prepared by the developer and approved by the ~~City planning commission~~. (Ord. 1993-17, 4-21-1993)

5. Grading, land disturbance and/or excavation of an area with slopes less than thirty percent (30%) is allowed, but only upon, or after, the issuance of a building permit by the City for a main building. Grading, land disturbance and/or excavation of areas with slopes thirty percent (30%) or greater is prohibited unless it is for streets and ways provided herein, and in the case of private driveways may only be allowed upon the issuance of a building permit by the City for a main building.

11-30-050 REVIEW AND APPROVAL PROCEDURES, AND REQUIRED REPORTS AND PLANS

A. Subdivisions, Planned Unit Developments (PUD's), building permits, and site plan proposals for subdivision, PUDs, or site plan development within the Foothill Overlay Zone shall comply with all provisions regarding the same as set forth in the Subdivision Ordinance and the Zoning Ordinance.

B. Schematic Approval. In addition to the requirements set forth in the Subdivision Ordinance and the Zoning Ordinance, proposals for schematic approval of a subdivision, PUD, or Site Plan within the Foothill Overlay Zone shall include the following:

1. Location of the proposed Planned Unit Development, Subdivision, or Site Plan, with identification of abutting streets.

2. A slope district map reflecting existing slope conditions prior to development at a scale of 1" = 100' and an estimate of the average slope of the proposed development.

3. A topographic contour map, tied to a land base survey, delineating areas within the development site with slopes of less than 10%, areas between 10% and 20%, areas between 21% and 30%, and areas greater than 30%, shall be designated topographic contours at two-foot intervals for slopes up to 20%- and five-foot intervals for slopes greater than 20%.

4. The total acreage of the site, number of lots and proposed total density and slope district density for residential developments.

5. The location and approximate size of the proposed lots and/or site.

6. A general street location, width, and grade of all proposed streets and radius of any cul-de-sac.

7. Location of known hazards (i.e., faults, drainage, rock fall, landslide, slump, etc.).

8. Soil type and general description of soil types to a depth of five feet.

9. Existing vegetation-type map.

C. Preliminary Approval. In addition to the information as required for preliminary plat approval under the Subdivision Ordinance, proposals for preliminary approval of a subdivision, Planned Unit Development, or site plan in the Foothill Overlay Zone shall be required to include the reports and plans as set forth in the sub-paragraphs of this section. All reports and plans submitted herein, shall be prepared by persons or firms either licensed to practice their specialty or expertise in the State of Utah, if such

license for practice is required, or by one having demonstrable expertise in such field of practice if such license is not required.

In addition to meeting the standards set forth in this chapter, the Subdivision Ordinance, and Zoning Ordinance, and the reports and plans below, proposals for preliminary approval shall be consistent with remaining development standards in this Chapter. Notwithstanding the results of preliminary consideration, final approval may result in less lots, a revised street configuration, modified usable areas, etc. In the event this occurs, the results of final approval shall prevail over preliminary approval.

1. Soil Characteristics Report: The soil report shall be prepared by a civil engineer specializing in soil mechanics and licensed by the state of Utah and shall be based upon adequate test borings and excavations. This report shall contain data regarding the nature, distribution and strength of soils within the project area to a depth of ten feet (10'). The soil report shall include, but not limited to:

- a. Unified classification of all soils encountered on the site with an estimate of their susceptibility to erosion, liquid limit, shrink-swell potential and general suitability for development.
- b. A statement as to whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered and an estimate of the normal highest elevation of the season high groundwater table.
- c. Flood history and potential.
- d. Proximity to known floodplains and drainage channels.
- e. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements.
- f. Topographic contours.
- g. Soil reports must be current unless approved otherwise by the City Engineer.

2. Vegetation and Revegetation Plan: This plan shall include a slope stabilization and revegetation report which shall include, but not be limited to:

- a. Location and identification of existing vegetation;
- b. The vegetation to be removed and the method of disposal.
- c. The vegetation to be planted.
- d. Maintenance and irrigation plan consistent with landscape plan standards set forth in Chapter 7 of this Title.
- e. Slope stabilization measures to be installed while new vegetation is being established, including, among other things, erosion control blankets;
- f. Analysis of the environmental effects of such operations including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.
- g. Topsoil stockpile areas will be designated.
- ~~e.—Solar orientation is recommended for review.~~

3. **Geology Report:** A geology report shall be prepared by a geotechnical engineer licensed by the state of Utah. A geologic map shall accompany the report. Mapping shall reflect careful attention to the rock composition, structural elements and surface and subsurface distribution of the earth materials exposed or inferred within both bedrock and surficial deposits. A clear distinction shall be made between observed and inferred features and/or relationships. The geology report shall include the following information, including but not limited to:

a. Habitable structures may not be built within a minimum of 50 feet of a center line of a zone of deformation with respect to known active faults. The City may reduce the required setback provided herein from faults that are determined to be secondary, or a lesser significant classified deformation area, upon receiving recommendation from the City Engineer and based upon a geotechnical/geologic report submitted by the applicant. In no event shall the fault line setback be reduced to less than 30 feet from the center line of the fault or zone of deformation. If reduction is approved, a plat note and delineation of the fault line and deformation area shall be provided on the subdivision plat. The City may also require a notice of geologic hazard and/or a waiver of liability agreement to be provided by the applicant in a form acceptable to the City. The zone of deformation is defined as area of variable width adjacent to a fault where it is determined that ground rupture is likely to occur. A greater setback may be required by the City where deemed necessary to protect public health and safety. Off-site improvement design will be reviewed and approved or denied by the City Engineer.

b. Definition of any zones of deformation with respect to active faults and other mass movements of soil and rock.

c. Identification of natural and manmade anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of the site.

d. Location of the depth to bedrock and geological evaluation if bedrock is within ten feet (10') of the surface.

e. Written recommendations for construction of proposed structures or public improvements to minimize or avoid impacts of potential geologic hazards.

f. Flood erosion potential and/or deposition soil material if floodways exist on the property.

g. Determination of ground water characteristics.

4. **Grading, Drainage, and Erosion Control Plan:** The area of the watershed shall be used to determine the amount of storm water runoff generated before and after construction. A drainage and erosion control plan shall be prepared by a professional engineer licensed by the state of Utah. The plan shall be sufficient to determine the erosion control measures necessary to prevent soil loss during construction and after project completion. The plan shall include a stormwater management, erosion control and grading details describing the methods by which surface water, natural drainages, flooding, erosion and sedimentation loss will be controlled during and after construction. In addition, developments in which the total area is over one acre shall submit a plan for erosion and sediment control which is consistent with current federal NPDES regulations. In a phased development, the area of all phases shall be used to compute the total area and the NPDES plan shall be prepared and submitted with the first phase of development. The plan shall include, but not be limited to, the following information:

a. The "rational method", or other stormwater computation method as approved by the city engineer, shall be used in computing runoff. The basic formula for the "rational method" is:

Q = CIA in which:

Q = Runoff in cubic feet per second (cfs)

C = Coefficient of runoff or the portion of stormwater that runs off a given area. The following are typical examples of land use ranges for C value. The actual C value used shall be approved by the city engineer:

Industrial and commercial .80 - .90

Residential .30 - .40

Parks .15 - .25

Agricultural .10 - .20

I = Average rainfall intensity, based on Davis County data for the Farmington City area, during time of concentration for 100-year return period in inches per hour. The time of concentration shall be defined as the time required for water to flow from the highest to the lowest points of the drainage basin under consideration.

A = Drainage area in acres.

b. Maps of the development site shall be provided by the developer to the City Engineer defining the boundaries of any 100-year flood plain and the limits of the watershed.

c. The grading plan shall show present topography to include elevations, lines and grades including the location and depth of all proposed fills and cuts of the finished earth surfaces using a contour interval of five feet or less. Access or haul road location, treatment and maintenance requirements shall be included. All cuts and fills shall be designed and constructed in such a way that they produce the minimum disturbance to the natural grade and character of the foothill area.

d. An appropriate scale shall be used which most clearly presents the proposed action.

e. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.

f. All calculations and proposed details used for design and construction of debris basins, impoundments, diversions, dikes, waterways, drains, culverts and any other water management or soil erosion control measures shall be shown. Calculations shall employ predictions of soil loss sheet erosion using the Universal Soil Loss Equation or appropriate equivalent. Equations should include factors of:

1. Rainfall intensity and energy
2. Soil erodibility
3. Land slope and length of slope or topography
4. Condition of the soil surface and land management practices in use
5. Surface cover; grass, woodland, crops, pavements, etc.
6. Methods intended to be employed to control increased erosion during construction phase.

g. The plan shall show existing details and contours at two foot (2') contour intervals where terrain will not be modified and proposed details and contours at two foot (2') intervals where terrain modifications are proposed.

h. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.

i. Grading plans shall include slope district maps for the development site. Two (2) maps shall be prepared. The first shall represent the predevelopment slope districts and the second shall represent post development slope districts.

j. Analysis of the environmental effects of such operations, including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.

D. Final Approval. To ensure proper development of subdivisions, PUD's site plans within the Foothill Overlay Zone and compliance with foothill standards, final approval shall be required by the City. Final approval shall include the information required in the Subdivision Ordinance, Zoning Ordinance, and any other requirements imposed by the City as required to meet applicable provisions of this Chapter. Final approval shall include, along with improvement drawings, spot elevations on all site and/or lot corners or contour grading plans of all lot frontages. The City may require the staking of lots, or a site, to ensure compliance with development standards.

E. Building Permits. Proposals for approval of main buildings, accessory buildings and structures, including retaining walls, fences, and walls, upon a lot or parcel within the Foothill Overlay Zone shall be required to file a site plan drawn to a scale of at least 1" to 10' which site plan shall meet the standards of the Zoning Ordinance and show lot lines, existing and proposed contours at two-foot intervals, location of proposed main building, accessory buildings and structures, including retaining walls, etc., walks, driveways, patio areas, and vegetative, drainage, and erosion controls. Site plans shall be reviewed and approved by the Zoning Administrator and City Engineer, and/or their designees. Additional reports as set forth herein may be required by the Zoning Administrator and reviewed by the City for approval when deemed appropriate by the Zoning Administrator.

F. Approval Condition. No grading, construction, or development shall be conducted within the Foothill Overlay Zone and no building permit shall be issued until final plat approval has been granted by the City Council for subdivision or PUD development and/or until final site plan approval has been granted by the City for a main building on a parcel and/or lot within the Foothill Overlay Zone. The approved site plan for a main building on a parcel and/or lot shall be attached to the building permit for the same.

11-30-060: DEVELOPMENT STANDARDS:

The development standards and provisions set forth in this Section shall be required in connection with all building and construction in the Foothill Overlay Zone, and schematic, preliminary, and final approval where applicable. ~~The planning commission shall require the following reports and plans to be provided by the applicant. All reports and plans submitted herein, and shall be met-prepared by persons or firms licensed or certified to practice their specialty in the state of Utah, if the required expertise is in their field of practice:~~

A. ~~Drainage And Erosion Control Plan: A drainage and erosion control plan shall be prepared by a professional engineer licensed by the state of Utah. The plan shall be sufficient to determine the erosion control measures necessary to prevent soil loss during construction and after project completion. The plan shall include a stormwater management, erosion control and grading details describing the methods by which surface water, natural drainages, flooding, erosion and sedimentation loss will be controlled during and after construction. In addition, developments in which the total area is over one acre shall submit a plan for erosion and sediment control which is consistent with current federal NPDES~~

regulations. In a phased development, the area of all phases shall be used to compute the total area and the NPDES plan shall be prepared and submitted with the first phase of development. The plan shall include the following information:

~~1. The "rational method", or other stormwater computation method as approved by the city engineer, shall be used in computing runoff. The basic formula for the "rational method" is:~~

~~Q = CIA in which:~~

~~Q = Runoff in cubic feet per second (cfs)~~

~~C = Coefficient of runoff or the portion of stormwater that runs off a given area. The following are typical examples of land use ranges for C value. The actual C value used shall be approved by the city engineer:~~

~~Industrial and commercial .80—.90~~

~~Residential .30—.40~~

~~Parks .15—.25~~

~~Agricultural .10—.20~~

~~I = Average rainfall intensity, based on Davis County data for the Farmington City area, during time of concentration for 10-year return period in inches per hour. The time of concentration shall be defined as the time required for water to flow from the highest to the lowest points of the drainage basin under consideration.~~

~~A = Drainage area in acres.~~

1. Lots shall be arranged so as to ensure adequate setbacks from drainage channels. The flow from a 100-year storm shall be the basis for calculating setbacks. No dwelling shall be allowed within the 100-year floodplain. **All structures shall comply with Chapter 31 Flood Damage Prevention.**

2. Erosion control measures on the development site shall be required to minimize the increased solids loading in runoff from such areas during and after construction. All erosion prevention devices, detention ponds and stormwater facilities shall be constructed ~~as part of the first facility improvements on the development site and~~ according to the following standards:

a. Such facilities shall be designed so as to detain safely and adequately the maximum expected stormwater runoff for a 100-year storm for a sufficient length of time so as to prevent flooding and erosion during stormwater runoff flow periods.

b. The existing natural drainage system shall be utilized to the extent possible in its natural state.

c. Where drainage channels are required, wide shallow swales lined with appropriate vegetation shall be used instead of cutting narrow, deep drainage ditches.

d. Flow retarding devices, such as detention ponds, shall be used where practical to minimize increases in runoff volume and peak flow rate due to development.

3. Water from natural drainage channels shall be allowed to continue through the development site.

B. Grading, **cuts, and fills**: A grading plan shall be prepared by qualified professionals licensed by the state of Utah and shall comply with the following standards:

~~1. The grading plan shall show present topography and proposed modifications to include elevations, lines and grades including the location and depth of all proposed cuts and fills of the finished earth surfaces. All cuts and fills shall be designed and constructed in such a way that they produce the minimum disturbance to the natural grade and character of the foothill area.~~

~~2. The plan shall show existing details and contours at two foot (2') contour intervals where terrain will not be modified and proposed details and contours at two foot (2') intervals where terrain modifications are proposed. The plan shall be drawn at a scale of one inch equals twenty feet (1" = 20').~~

~~3. The proposed area to be graded shall be clearly delineated on the plan and the area amount stated in square feet.~~

~~4. Grading plans shall include slope district maps for the development site. Two (2) maps shall be prepared. The first shall represent the predevelopment slope districts and the second shall represent postdevelopment slope districts.~~

~~5. Topsoil stockpile areas shall be designated.~~

6. The developer is responsible for interim stabilization of all disturbed areas during the period of construction to prevent off site erosion effects, and for final stabilization once construction is completed. Lot owners or homeowners' associations are responsible for stabilization of building sites and lots upon taking possession of such.

7. All ~~permanent~~ fills **slopes** shall be constructed to prevent settlement, sliding or erosion damage to streets, curbs, gutters, sidewalks or buildings.

8. All cuts and fills **and degrees of compaction** shall comply with standards of the international building code **and all applicable Construction Codes**.

9. The top and bottom edges of slopes caused by an excavation or fill up to ten (10) vertical feet shall be at least ~~five (5)~~ **three (3)** horizontal feet from property lines or public right of way lines.

~~10. Grading of the lot or parcel which is related to creation of the primary building site or construction of the structure shall not extend more than thirty feet (30'), horizontally, in front, to the rear, or to the side of the proposed structure, unless a greater distance is approved by the planning commission upon a showing by the developer that a greater distance will not be contrary to the purposes of this chapter.~~

10. All structures except retaining walls or soil stabilization improvements shall have a setback from the crest of the fill or base of the cut of a minimum distance equal to the depth of the fill or the height of the cut, unless a structurally sound retaining wall is built for the cut or fill slope. Retaining walls may be a part of the dwelling unit.

11. Retaining walls shall be used to retain existing slope or graded slope as may be approved by the City Engineer. The height of necessary and approved retaining walls shall be a maximum of eight feet. Extensive "rear yard" retaining walls built for the purpose of leveling a yard by backfilling, are expressly prohibited. The maximum vertical height of all cuts or fills shall be 10 feet. Fills for slumps or other natural depressions may exceed 10 feet with City approval. A series of wall retaining the same hillside within thirty (30) horizontal feet of each other shall be considered one (1) wall.

12. Excess cut material resulting from road construction or utility installation shall be removed from the site. Access or haul road location, treatment and maintenance requirements shall be designated on the grading plan. Where permanent roads or roadbeds are to be used during construction and stormwater inlets have already been installed, they shall be protected to prevent sediment from entering the stormwater system. If temporary haul roads are proposed, the plan shall include a description of the method for controlling erosion and dust during the period of the road's operation and restoration of the area once hauling is completed.

~~13. Analysis of the environmental effects of such operations, including effects on slope stability, soil erosion, water quality, fish and wildlife, and fire hazard.~~

13. All repair measures for disturbed areas shall be made not later than thirty (30) days after the disturbance is made, except revegetation which shall take place at the earliest planting season thereafter.

C. **Vegetation and** ~~Revegetation Plan: The revegetation plan shall include a slope stabilization and revegetation report which shall include:~~

~~1. Location and identification of existing vegetation;~~

1. ~~The vegetation to be removed and the method of disposal.~~ **Vegetation shall be removed only when absolutely necessary (e.g., for the construction of buildings, roads and filled areas), as approved by the City Engineer.**

2. All areas of the development site cleared of natural vegetation in the course of construction shall be replanted with vegetation possessing erosion control characteristics at least equal to the natural vegetation which was removed;

3. The vegetation to be planted, **or** new plantings, shall be protected with mulch material and fertilized in conjunction with a planting and watering schedule.

4. Persons or firms having expertise in the practice of revegetation (i.e., licensed landscape architects or nurserymen) shall supervise the planning and installation of revegetation cover for the total development site; **and**

~~6. Slope stabilization measures to be installed while new vegetation is being established; and~~

5. All revegetation of disturbed areas shall be made not later than thirty (30) days after the disturbance is made or at the earliest planting season thereafter.

D. ~~Geology: A geology report shall be prepared by a geotechnical engineer licensed by the state of Utah. A geologic map shall accompany the report. Mapping shall reflect careful attention to the rock composition, structural elements and surface and subsurface distribution of the earth materials exposed or inferred within both bedrock and surficial deposits. A clear distinction shall be made between observed and inferred features and/or relationships. The geology report shall include the following information:~~

~~1. Definition of any zones of deformation with respect to active faults and other mass movements of soil and rock.~~

12. No habitable structures or off-site improvements shall be built on any identified major or minor secondary faults.

~~3. Identification of anomalies of the terrain or characteristics of the geological materials which would have any potential impact upon the use of the site.~~

24. No structures or off-site improvements shall be allowed on any area known to be an active landslide area, verified by the City Engineer or State Geologist.

35. Problems associated with development on or near perched groundwater and shallow groundwater must be mitigated.

46. No structures shall be allowed in any rockfall zone. Off site improvements may be allowed through special exception approval by the planning commission, if the danger is mitigated.

~~7. Location of the depth to bedrock if bedrock is within ten feet (10') of the surface.~~

~~8. Written recommendations for construction of proposed structures or public improvements to minimize or avoid impacts of potential geologic hazards.~~

~~9. Flood erosion and/or deposition potential if floodways exist on the property.~~

~~E. Soil Characteristics Report: The soil report shall be prepared by a civil engineer specializing in soil mechanics and licensed by the state of Utah and shall be based upon adequate test borings and excavations. This report shall contain data regarding the nature, distribution and strength of soils within the project area to a depth of ten feet (10'). The soil report shall include:~~

~~1. Unified classification of all soils encountered on the site with an estimate of their susceptibility to erosion, liquid limit, shrink-swell potential and general suitability for development.~~

~~2. A statement as to whether or not groundwater was encountered in any of the test borings and at what elevation it was encountered and an estimate of the normal highest elevation of the season high groundwater table.~~

~~3. Flood history and potential proximity to known floodplains and drainage channels.~~

~~4. The soil investigation shall recommend corrective actions intended to prevent damage to proposed structures and/or public improvements.~~

F. Fire Protection:

1. All developed areas, including individual lots and parcels, shall have an approved water supply which meets minimum firefighting requirements.

2. All water, sewer and utilities must be installed in accordance with the Subdivision Ordinance.

3. Each development site proposal and building permit for private lots, flag lots, and where the front setback is greater than fifty feet (50'), shall be reviewed by the Farmington City fire department to determine whether it complies with the international fire code and applicable Construction codes, but not limited to, provisions regarding Access Roadways for Fire Apparatus in reference to, among other things, required vertical driveway clearance. Developments which do not, will be disapproved.

G. Streets And Ways:

1. The street standards and specifications of Farmington City shall apply to all developments, except where conditions related to proper development of foothill areas necessitate altering these standards as described below and elsewhere in this chapter.

2. Streets, roadways and private accessways shall follow as nearly as possible the natural terrain. Roads and other vehicular routes shall not cross property having a slope greater than thirty percent (30%) unless, after review by the ~~City planning commission~~, it is determined that:

a. Appropriate engineering measures, consistent with the purpose of this chapter, can be taken to minimize the impact of cuts and fills; and

b. The environment and aesthetics of the area will not be significantly affected.

3. The following table lists standard improvements with established standards. The exceptions listed may be specifically approved by the city council only after careful review of each individual application ~~and after receiving a recommendation from the planning commission:~~

Improvement	Established Standard	Maximum Exception
Collector road width	66 60 foot right of way	50 foot right of way
Cul-de-sac right of way	50 foot radius	46 foot radius
Horizontal curve	250 foot minimum radius for 30 miles per hour design speed	125 foot minimum radius for 25 miles per hour design speed
Local Minor road width	56 50 foot right of way	42 foot right of way
Road grade	10% on collector streets 12% on local streets	12% on collector streets 14% on local streets (maximum length of street segments at increased grades shall be specifically approved by the city council)

4. The developer shall dedicate to the city a slope easement for any cut or fill slope created by construction of a street in the foothill overlay zone which is not contained within the public right of way.

5. Points of access shall be provided to all developed and nondeveloped areas for emergency firefighting equipment. Driveways shall not exceed a slope of fourteen percent (14%) and shall have direct access to a public street, ~~unless such direct access (not the slope) is approved otherwise as set forth in Chapter 32 of the Zoning Ordinance.~~

6. Development sites which are located near canyon trails will provide reasonable access to those trails. Parking areas may be required by the ~~City planning commission~~ at trailheads.

7. The impervious surface for streets and ways within the gross development site shall not exceed twenty percent (20%).

8. Variations of the street design standards developed to solve special foothill visual and functional problems may be presented to the ~~City planning commission~~ for consideration. Examples of such variations may be the use of split roadways or one-way streets for short sections in steeply sloped areas without intersections to avoid deep cuts, also, modifications of surface drainage for curb, gutter and sidewalk design and other innovative designs may be considered in foothill developments.

H. On Site Development: The developer, or in the case of single- family and two-family dwellings, the owner, shall be fully responsible for making all improvements in accordance with the approved plans. The property owner shall be responsible for maintaining all improvements made in accordance

with the site development approval. (Ord. 1993-17, 4-21-1993; amd. Ord. 2005-11, 4-6-2005; 2016 Code; Ord. 2022-8, 1-18-2022)

11-30-070: ARCHITECTURAL DESIGN:

For non-conventional subdivisions, the City may require the following:

A. The design of buildings proposed for construction in the Foothill Overlay Zone is encouraged to be visually compatible with the natural beauty of the foothills and canyon areas. The use of building materials in colors that will blend harmoniously with the natural settings is suggested.

B. The City may review the design and comment on the specified exterior materials and colors for all structures other than single-family dwellings. Prohibition of cedar shake roofing materials, the installation of chimney screens and sprinkling systems, as well as other fire protection measures may be required by the City as may be recommended by the Farmington City Fire Department.

11-30-0860: BONDING REQUIREMENTS:

The developer or lot owner may be required to guarantee the completion of revegetation projects, the stabilization of grading sites, construction of stormwater runoff facilities, and other requirements of this section by submitting to the city a bond in a form acceptable to the city attorney. If such bond is required, it shall be calculated and administered as set forth in section 12-6-160 of this code. (Ord. 1993-17, 4-21-1993)

~~11-30-070: REVIEW AND APPROVAL PROCEDURE:~~

~~—A. Subdivision Applications: Subdivision applications in designated foothill areas shall be reviewed according to procedures established in the Farmington City subdivision ordinance.~~

~~—B. Planned Unit Developments: Planned unit development (PUD) applications in designated foothill areas shall be reviewed according to procedures established in the Farmington City subdivision ordinance and shall also comply with additional standards contained in the PUD chapter of this title.~~

~~—C. Conditional Use Applications: Conditional use applications in designated foothill areas shall be reviewed according to procedures and standards established in the conditional use and/or site development chapters of this title.~~

~~—D. Permitted Uses: Permitted uses in designated foothill areas shall be reviewed according to procedures and standards established in the site development chapter of this title. (Ord. 1993-17, 4-21-1993)~~

FARMINGTON CITY CERTIFICATE OF POSTING

I the duly appointed and acting Recorder for the City of Farmington, Utah, hereby certify that copies of the **Farmington City Ordinance 2023-68** were posted at three places.

1. Farmington City Municipal Building, 160 South Main, Farmington.
2. Farmington City Website farmington.utah.gov.
3. Public Notice Website utah.gov/pmn/.

DATED this 17th day of November 2023.

FARMINGTON CITY

By: /s/ DeAnn Carlile

DeAnn Carlile
City Recorder