

**FARMINGTON CITY  
PLANNING COMMISSION**

June 20, 2024

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**WORK SESSION Present:** Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Tyler Tuner, Kristen Sherlock, George “Tony” Kalakis; Alternate Commissioners Brian Shepherd and Spencer Klein. *Staff:* Community Development Director David Petersen; Assistant Director/City Planner Lyle Gibson; and Planning Secretary Carly Rowe. **Excused:** Commissioners Samuel Barlow and Joey Hansen. *Staff:* City Planner/GIS Specialist Shannon Hansell.

**6:30 PM WORK SESSION** – Community Development Director **David Petersen** discussed the Detached Accessory Dwelling Unit (DADU) ordinance (Agenda Item #1) that has been talked about in a subcommittee consisting of three planning commissioners and two city councilmembers. A single-family dwelling requires two parking spaces, while an ADU requires one, for a total of three. While considering this change, there is some domino effects to consider, where other things need to be changed. Parking in the current ordinance (without changes) could include a pad to the side of the home. It is common to use pads to park RVs, four wheelers, and other toys. Corner lots have two separate frontages. The goal is to not have more parking in a front yard than is necessary. The proposed language is for clarification purposes before more ADUs come into the City. The minimum lot size for a DADU is 10,000 square feet, no matter the underlying zone. A Subordinate Single Family (SSF) dwelling would be on its own lot.

The subcommittee considered three ownership options. First was a land lease where they own the structure to be put on a permanent foundation, but they don't own the land. The land owner would charge for the land. This is similar to a mobile home park. The second option was like a condominium situation where the owner owns the paint on the walls, but not the walls, and still didn't own the land. The third included owning the actual land.

The subcommittee had help from individuals in Real Estate as well as mortgage financing. Land lease has a lot of pitfalls because it can't get financing, as banks consider it a depreciating asset. A lot of investors have sunk money into mobile home parks in the last few years, and are now jacking up the lease rates. Land lease rates in mobile home parks are now about \$900 a month, making it so they are now out of reach for many individuals who need affordable housing.

Commissioner **Kristen Sherlock** said Option 1 is not preferred, and the structure would have to stay on wheels to remain movable. If the structure is registered with the Department of Motor Vehicles (DMV), it can be purchased with a vehicular loan, not a mortgage. Farmington doesn't want to keep things on wheels and would rather have permanent structures.

**Petersen** said the subcommittee thought the condo situation is doable, but the process to set one up for one person and a single-family home is complicated and arduous. A Homeowner's Association (HOA) with dues etc. would have to be made for the one unit. If it was included in City ordinance, it is likely no one would use it. For the third option, Staff came up with a new term: DADU parcel. Farmington likes to see ownership. Sometimes it is up to the Covenants, Conditions, and Restrictions (CC&Rs), and sometimes it is up to the lender. Standards change all the time, even month to month depending on the market and economy.

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**REGULAR SESSION Present: Present:** Chair John David Mortensen; Vice Chair Frank Adams; Commissioners Tyler Tuner, Kristen Sherlock, George “Tony” Kalakis; Alternate Commissioners Brian Shepherd and Spencer Klein. *Staff:* Community Development Director David Petersen; Assistant Director/City Planner Lyle Gibson; and Planning Secretary Carly Rowe. **Excused:** Commissioners Samuel Barlow and Joey Hansen. *Staff:* City Planner/GIS Specialist Shannon Hansell.

Chair **John David Mortensen** opened the meeting at 7:00 pm.

**ZONE TEXT APPLICATIONS APPLICATION** – public hearings (2)

**Item #1 Farmington City – Applicant is requesting a recommendation for consideration to add additional text and changes to multiple sections of Title 11 allowing separate ownership of accessory dwelling units (ZT-8-24).**

Community Development Director **David Petersen** presented this item. On January 4, 2024, the Planning Commission discussed the possibility of code text changes to allow ownership of an Accessory Dwelling Units (ADUs) separate from the ownership of the related single-family dwelling. ADUs have been possible in Farmington since 2002. On May, 9, 2024, the Commission established a subcommittee to review and draft such amendments, and this working group included City Staff and two members of the City Council. Commissioners **John David Mortensen, Kristen Sherlock,**

and **Frank Adams** were on the subcommittee. The subcommittee also met on May 20 and June 10, 2024. The recommended amendments incorporate the proposed changes by the subcommittee.

Currently, an owner must live on-site and the lot size must be larger than 6,000 square feet to allow an Internal ADU (IADU). Tandem parking was considered, and proposed language more clearly defines tandem parking. The goal is that the average passerby won't know which properties have an ADU. Currently, an owner must live on-site and the lot size must be larger than 10,000 square feet for a Detached ADU (DADU) parcel. Current language says property can either have an IADU or a DADU, not both. It is implied that an applicant can increase the footprint of the single-family home, which becomes an IADU. In this case, the owner must live on site and the lot size must be greater than 6,000 square feet. Farmington has always allowed this.

Staff created a new term: a Subordinate Single-Family (SSF) dwelling, which is defined as a DADU held in separate ownership from the single-family dwelling, which ownership includes separate land for the DADU.

A DADU parcel is defined as a defined area of ground which contains only two lots, each with a dwelling, and which, if combined together as one lot, including the structures thereon, meets the building lot, building placement, building height, parking standards, or other requirements of the underlying zone. The building code and City subdivision process must be followed. Separate utilities and metering are required in order for the SSF to be a for-sale unit; otherwise it is a DADU. It is a DADU until it is on its own property and sold off, which is when it becomes an SSF.

Currently, an IADU is defined as an attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood and which has an exclusive entrance separate and apart from the related single-family dwelling.

Proposed is that an SSF can only have an absentee owner after three to five years of ownership, and that a single-family home can have an absentee owner (as soon as the lot is divided), if the lot is larger than 10,000 square feet and there is proper access, utility, and parking. The subcommittee debated how long the SSF parcel should be owner occupied before it could become a rental.

Farmington will not be addressing tiny houses, which are 400 square feet or less. **Petersen** said DADUs are all 600 square feet or more. Once the SSF is on its own lot, they will be required to pay impact fees prior to issuance of a building permit if it did not exist previously.

Proposed is also a scenario that includes a single-family home with an IADU, as well as an SSF parcel on lots that are larger than 10,000 square feet. This would be three units. In this case, the single-family home with an IADU must be on a lot that is at least 6,000 square feet, and the homeowner must live on-site. Access, utilities, and parking must be considered. The SSF could only have one dwelling unit (no IADU). **Petersen** said this could be a good option to increase housing stock in Farmington. The subcommittee seemed to be fine with this option. The minimum lot size for the SSF will be imposed by the building code. In this scenario, the single-family home with an IADU cannot also have a DADU.

**Petersen** asked the Commission to consider another possibility. If the total beginning lot size is 12,000 square feet, and each lot is more than 6,000 square feet—both the single-family home and the SSF can have IADUs, as long as the owners of both live on site.

**Mortensen** said according to the state, an IADU is prohibited from having separate utilities, but must have its own address with the Post Office, and no more than two bedrooms. IADUs are housed within single-family homes. It is not a legal duplex. For lending purposes, the IADU is included with the single-family home; it is not multifamily.

Yet another proposal includes a single-family home sharing a common vertical firewall with an SSF, much like how townhomes are built. The common wall would become the property line. The single-family home would need to have a lot of at least 6,000 square feet, and absentee owners would be allowed in the single-family home, with the SSF being allowed to have an absentee owner after three to five years. The SSF would require separate utilities. **Adams** doesn't like this option, as he can see it a recipe for litigation. The subcommittee didn't consider this option.

As a Realtor, **Sherlock** has seen a lot of messy things with probate sales. She is worried this scenario could be a nightmare. What would start out as two family members living near each other morphs if one unit is sold off as an SSF to a non-family member. However, she does see a need for IADUs to not be in a basement because they are usually inhabited by the elderly who have hip and knee problems. Twin homes don't create issues for lending purposes.

The review by the subcommittee also triggered minor “tweaks” to other parts of the Zoning Ordinance. These amendments are also included in the Staff report for Planning Commission consideration. A slideshow has been prepared and will be attached to the minutes.

**Chair John David Mortensen** opened and closed the public hearing at 7:55 PM due to no comments received. *One email was received and will be attached to the back of the meeting minutes.*

**John David Mortensen** opened a discussion between Planning Commissioners, who need to decide on length of DADU ownership (three to five years); allowing an SSF to have an IADU; and allowing a for-sale IADU. These are the deliverables.

**Brian Shepard** said there are too many options and moving parts right now. There is a lot to digest, with options A through I. **George Kalakis** said he has no comments right now besides the resident would essentially be creating a new lot on which to build another house, no matter what option or configuration is used.

**Kristen Sherlock** said she has only seen IADUs, whether if they are in the basement or attached, with shared utilities. SSFs should have separate utilities and a firewall if they are attached. **Petersen** said the chances of having four separate units (a single-family home with an IADU, plus an SSF with its own IADU) are slim because the side yard has to be big enough for water and sewer laterals (a total of two sets of laterals). Those lines are not cheap and would take significant investment. He does not anticipate a lot of SSF applications in the future. **Sherlock** feels three to five years for owner occupation is too long. She is fine with allowing an SSF to have an IADU and an IADU to be for-sale. She personally wouldn't want to do it, but doesn't want to hold anyone back.

**Tyler Turner** asked about the fixing of items and inquired if that is justification to table this item at this point. **Petersen** said there are not too many changes, and he still needs to verify impact fees. He is concerned about insurance and litigation issues. Would the owner need both Homeowner's Association (HOA) and renter's/homeowner's insurance? He wants to know the County's stipulations on changing parcels. He only predicts applicants will use these things for family situations or for extra monthly income from renting. He doesn't see this as new building situations.

**Spencer Klein** asked how property taxes would be determined. **Petersen** said if it is a separate lot, the owner will pay their own property taxes. A DADU cannot be bigger (when measured by square footage, not footprint) than the single-family home associated with it. He wants to know of any grammar and spelling mistakes Commissioners find.

**Frank Adams** said he worries about Murphy's Law and the Law of Unintended Consequences. He anticipates a lot of weird things happening. He wants to start out small and thinks the market will not let a lot of the options happen. People likely won't do things to diminish the value of their property. Realistically, many of the proposed options are not possibilities. He likes the SSF definition. He is not in favor of offering an IADU for sale, and he doesn't like the common wall option. He would like a small subdivision where another unit could be offered for sale, and it may have an IADU in it. He wants to go a little at a time and see how people end up using it. Special exceptions should be allowed. **Petersen** said these are all corner lots or internal lots that are not wide.

**John David Mortensen** said simplicity is needed. This is a density concern for existing neighbors. The current ordinance calls for minimal impacts as well as prohibiting the proliferation of rentals, absentee ownership, and declining quality. ADUs were trying to bring about affordable rent while protecting the rights and impacts of surrounding neighbors. The way to fix it was to require the owner to live in one of the two units. The three- and four-unit options are in conflict with minimizing the impact and congestion on surrounding residential neighbors. Option C is questionable. Before, the goal was affordable rent. Now it is affordable purchase. He likes option C because it gives young adults options to build equity. This option only has two families and doesn't have a lot of impact on surrounding neighborhoods. Farmington is breaking ground and trailblazing with this ownership idea, and they shouldn't move forward too quickly. Option C breaks ground and allows the building of equity, but doesn't infringe on the rights of neighbors. He doesn't love that eventually there can be two absentee landowners in this scenario. However, he is willing to live with that risk. He would advocate for five years of initial ownership, with the option to revisit that in case things go gang busters in the future. Five years allows the City to ease into it to see if it works.

Assistant Community Development Director/City Planner **Lyle Gibson** clarified that actual familial ties matter and can currently be accommodated. The proposed changes are to allow non-related owners options. The Subdivision Ordinance has a lot of access, setback, and other elements to consider, so it doesn't apply to the ADU situation. He noted that if there was an existing DADU that was being converted into an SSF, impact fees may not be owed.

**Petersen** said in some ways, cities are becoming less dense. The average number of children in each 1,100 square foot home when he was growing up was four to six. Since, household sizes have been plummeting drastically. **Petersen** is

defining density as number of people per household while **Mortensen** is defining density as number of households in a given area.

**Mortensen** said it might be beneficial to down-select the pictured options that are palatable to the Commission, and then have Staff prepare the language associated with those options. That would lead to tabling the agenda item. Commissioners liked options A, B, C, and D. However, **Adams** said he would make some modifications to Option D to make it not less than a 6,000 square foot lot. He would like a more equal lot split. **Petersen** said Option F is what is already being done and what has been done for years. **Mortensen** said Option D goes against density, as it now allows three families. He does, however, like that Option D requires a landowner to be onsite. He would like modifications to lot sizes for Option D as well. He doesn't like that with Option C, within a certain amount of time, both units would not be owner occupied.

Commissioners liked ownership being changed to one to two years instead of three to five years. **Sherlock** doesn't like the idea of limiting someone to having to live in their new SSF for three to five years. She has clients with four-bedroom townhomes and two children who are ready to move into a single-family home within two years. She would change the three to five years to one to two years instead. **Klein** brought up life changes such as military, schooling, job out-of-state, etc. **Mortensen** would rather have three years. **Adams** said it may be a good option to have landowners approach the Commission if they need to shorten the time for a legitimate reason, using an exception process. Ownership should be encouraged.

**Shepard** asked if fire engines could access the newly created lots as proposed. **Petersen** said the Fire Department would look at those sorts of things prior to a building permit being issued. **Mortensen** wants non-owner occupied to be a defined term in addition to absentee ownership.

#### **MOTION**

**Frank Adams** made a motion that the Planning Commission **table** this matter while the subcommittee and Planning Department has a chance to go back and draft language that would conform to Options A, B, C, or D, and bring those options back to the Commission for a vote.

**Tyler Turner** seconded the motion, which was unanimously approved.

Chair John David Mortensen	<b>X</b> Aye ____ Nay
Vice Chair Frank Adams	<b>X</b> Aye ____ Nay
Commissioner George Kalakis	<b>X</b> Aye ____ Nay
Commissioner Tyler Turner	<b>X</b> Aye ____ Nay
Alt. Commissioner Brian Shepard	<b>X</b> Aye ____ Nay
Alt. Commissioner Spencer Klein	<b>X</b> Aye ____ Nay
Commissioner Kristen Sherlock	<b>X</b> Aye ____ Nay

#### **Item #2 Farlington City – Applicant is requesting a recommendation for consideration to add additional text and changes to Title 12, Subdivision Regulations, designating the Planning Commission as the land use authority over Subdivision Plat Amendments (ZT-9-24).**

**Gibson** presented this item. In consideration of a new ordinance which would allow for potential ownership of DADUs also being considered at this meeting, Staff is proposing that the Planning Commission be enabled to approve plat amendments that divide the accessory dwelling from the main home. The ordinance also clarified which amendments would be done by Staff and which remain under the purview of the City Council. This is not for typical lot splits, as it is just amending a plat for an SFF. Staff is already authorized to handle lot adjustments, and the City Council reviews any changes with common areas, easements, or street changes.

**Chair John David Mortensen** opened and closed the public hearing at 8:57 PM due to no comments received.

**Mortensen** said this would streamline things that come before the Commission, which is a good thing.

#### **MOTION**

**Kristen Sherlock** made a motion that the Planning Commission **recommend** that the City Council approve the proposed changes to Title 12, Subdivision Regulations.

#### **Findings 1 a-c:**

1. The following findings are restated within the enabling ordinance:

- a. The proposed changes clarify which responsibilities remain with City Staff within the Chapter that originally stated within its purpose that the processes within were administrative processes which would be approved by the Zoning Administrator.
- b. Enabling the Planning Commission to review subdivision plat amendments will allow for additional oversight in a public format for the separation of ownership of detached accessory dwellings or other simple conventional lots splits which comply with ordinance requirements.
- c. The City Council will remain the authority over amendment proposals where changes to easements or rights of way which are generally owned by the City are considered.

#### **Supplemental Information 1:**

1. Proposed enabling ordinance amending Title 12.

**George Kalakis** seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____ Nay
Vice Chair Frank Adams	X Aye ____ Nay
Commissioner George Kalakis	X Aye ____ Nay
Commissioner Tyler Turner	X Aye ____ Nay
Alt. Commissioner Brian Shepard	X Aye ____ Nay
Alt. Commissioner Spencer Klein	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay

#### **OTHER BUSINESS**

##### **Item #4 – Miscellaneous, correspondence, etc.**

- a) **Minutes from Planning Commission, May 23, 2024:** **Frank Adams** made a motion to approve the minutes from the date above; **Spencer Klein** seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____ Nay
Vice Chair Frank Adams	X Aye ____ Nay
Commissioner George Kalakis	X Aye ____ Nay
Commissioner Tyler Turner	X Aye ____ Nay
Alt. Commissioner Brian Shepard	X Aye ____ Nay
Alt. Commissioner Spencer Klein	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay

- b) **Minutes from Planning Commission, June 6, 2024:** **Frank Adams** made a motion to approve the minutes from the date above; **Spencer Klein** seconded the motion, which was unanimously approved.

Chair John David Mortensen	X Aye ____ Nay
Vice Chair Frank Adams	X Aye ____ Nay
Commissioner George Kalakis	X Aye ____ Nay
Commissioner Tyler Turner	X Aye ____ Nay
Alt. Commissioner Brian Shepard	X Aye ____ Nay
Alt. Commissioner Spencer Klein	X Aye ____ Nay
Commissioner Kristen Sherlock	X Aye ____ Nay

- c) **City Council Report from June 18, 2024 – Gibson** provided the report, saying the Council worked on the budget that begins July 1, 2024.

- d) **Planning Commission Meeting Date Change** – The Commission will change the next meeting date from July 18 to July 11, 2024, since the Commission only meets once within the month of July. It will be noticed appropriately online.

- e) **Other – Gibson** said neither of the items (fast food drive-through and car dealership) heard at the last Planning Commission meeting have yet moved forward to the City Council. The applicant with the car business is deciding if they want to move forward to the Council after the Commission recommended denial. The drive-through facility is looking at other options available under their Development Agreement after the Commission recommended denial.

#### **ADJOURNMENT**

**Frank Adams** motioned to adjourn at 9:02 pm.

Chair John David Mortensen	X Aye ____ Nay
Vice Chair Frank Adams	X Aye ____ Nay
Commissioner George Kalakis	X Aye ____ Nay

Commissioner Tyler Turner  
Alt. Commissioner Brian Shepard  
Alt. Commissioner Spencer Klein  
Commissioner Kristen Sherlock

X Aye \_\_\_\_ Nay  
X Aye \_\_\_\_ Nay  
X Aye \_\_\_\_ Nay  
X Aye \_\_\_\_ Nay



John David Mortensen, Chair



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## DADU

Charity Rowberry <chrowberry@gmail.com>  
To: crowe@farmington.utah.gov

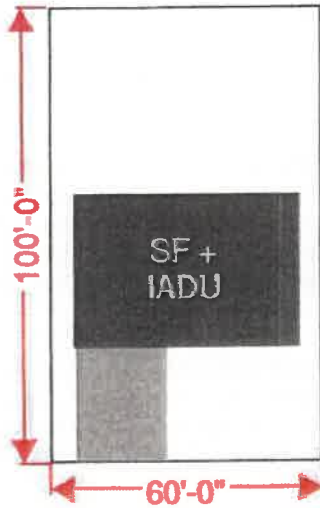
Thu, Jun 20, 2024 at 2:31 PM

I am writing in regards to the possible change in Farmington code for Detached Accessory Units. While I am not necessarily opposed to different ownership of the DADU versus the primary residence, some of the requirements are concerning. As someone whos home has had a DADU since it was built in the 1950's, having an established DADU separate the sewer into a completely separate sewer lateral can be very difficult for older units, and impossible for some units. Certainly separating gas and electric, water and secondary would be needed, but many sewers are deep, or require digging into parking lots and adjoining properties for access. I feel a change in the language for sewer lines is needed for older properties.

Under current section 9 & 10 (changed to section 10 & 11 in the paperwork) Occupancy/ Absentee Owner: I am opposed to these two sections completely and feel that if the commission is making changes to the wording for ADU's that these two sections be completely removed. The city allowing someone to rent an ADU in their home only if they live in either the primary residence or the ADU is city over-reach. Home owners spend a lot of money turning their basements into ADU's or building a brand new ADU unit on their property. Having a set timeframe that they are allowed to move away from their home and still rent the ADU will force the homeowner to sell their hard earned asset or not be fully honest with the city. Many people move to another home within the city or county and hold onto their homes for income or because it is a family homestead. These owners should be allowed to continue renting the ADU until and also rent the primary residence. The city should stay out of the way of home owners unless there are complaints or serious landlord issues. The better way to handle horrible landlords and property owners is to govern the landlords, not to punish all homeowners who are trying to utilize their homes to provide a rental units or wish to hold onto their family home for financial support or for family reasons.

Thank you  
Charity Rowberry  
170 South 300 east Farmington

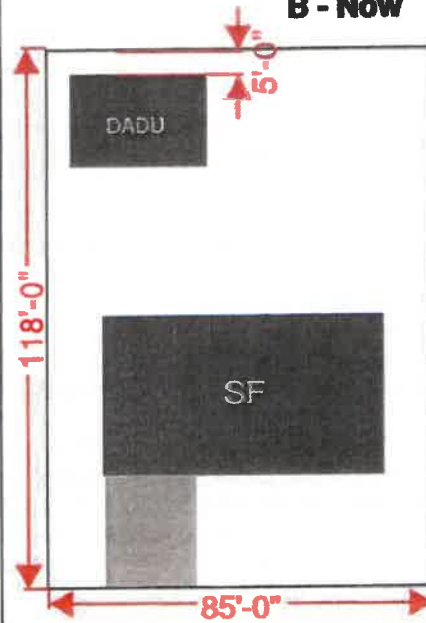
### A - Now



- Owner must live on-site.

- Lot size  $\geq 6,000$  sq. ft.

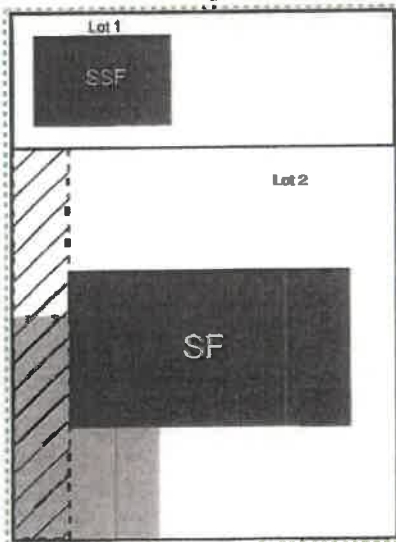
### B - Now



- Owner must live on-site.

- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



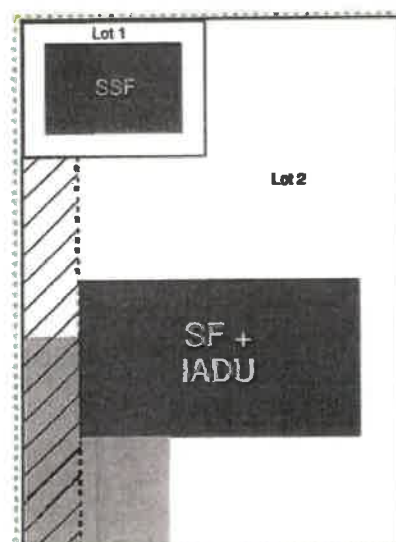
- Lot 1: Absentee owner after 3/5 years

- Lot 2: Absentee owner allowed

- DADU parcel  $\geq 10,000$  sq. ft.

- Access, Utility, and Parking Easement

### D - Proposed



- Lot 1: Absentee owner after 3/5 years

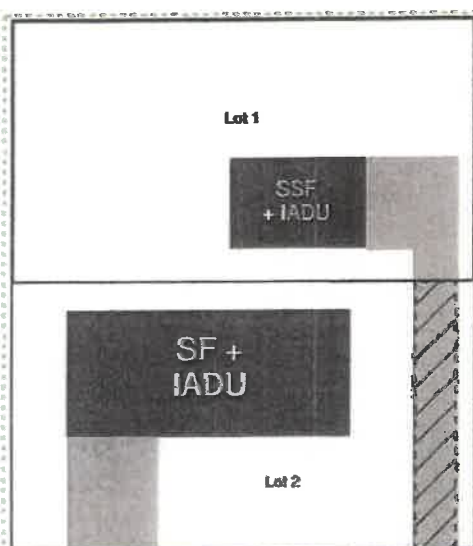
- Lot 2: Owner must live on-site.

- DADU parcel  $\geq 10,000$  sq. ft.

- Lot 2 must be  $\geq 6,000$  sq. ft.

- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2

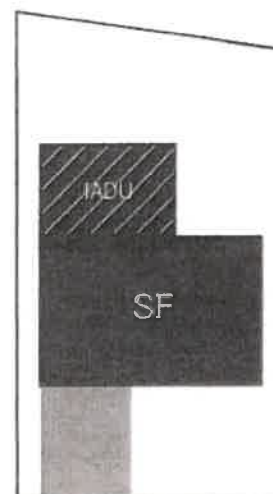
- DADU Parcel  $\geq 12,000$  sq. ft.

- Lot 1  $\geq 6,000$  sq. ft.

- Lot 2  $\geq 6,000$  sq. ft.

- Access and Utility Easement

### F - Implied



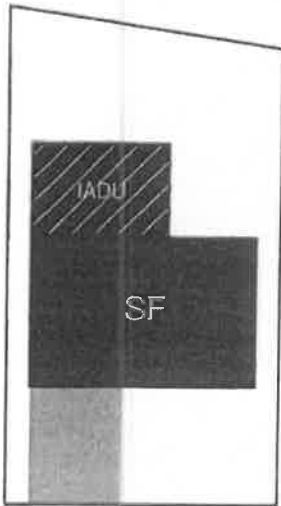
- Addition Permitted

- Owner must live on-site.

- Lot size  $\geq 6,000$  sq. ft.

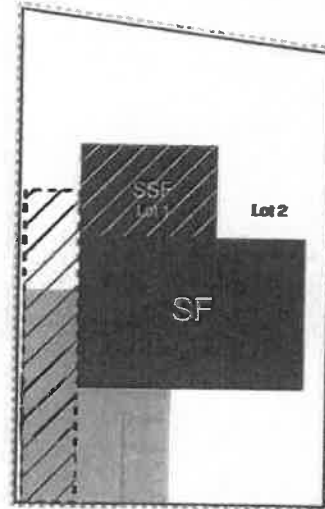


**F**



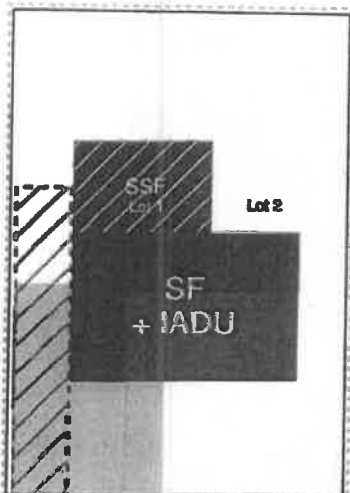
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**G**



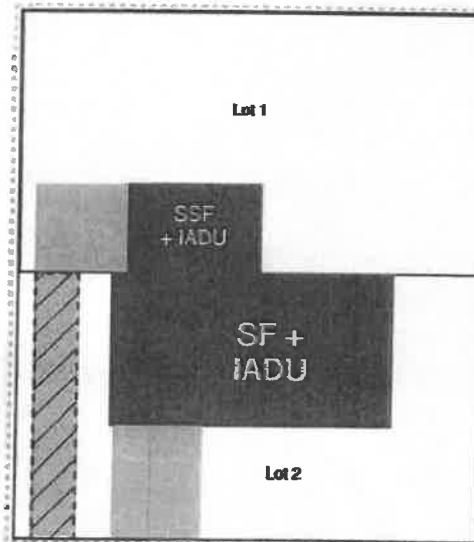
- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Absentee owner allowed
- ADU Parcel  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement

**H**



- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Owner must live on site
- ADU Parcel  $> 6,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement

**I**



- Owner must live on-site in both Lot 1 and Lot 2
- ADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

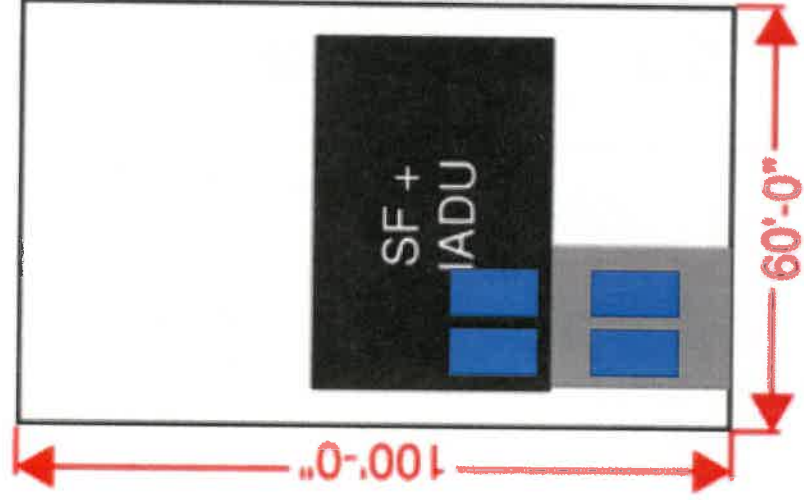


# Detached ADU Ownership

Presentation to Planning Commission

6/20/2024

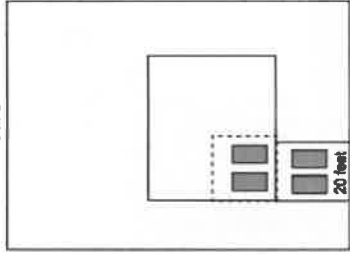
## A - Now



-Owner must live on-site.

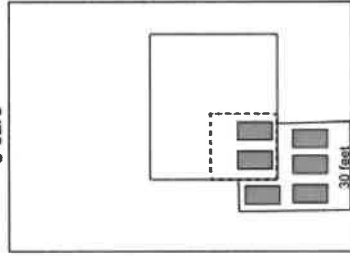
- Lot size  $\geq$  6,000 sq. ft.

4 cars

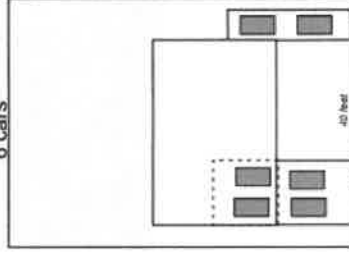


Lot size:  
10,000 sf  
22'x22'  
garage

6 cars

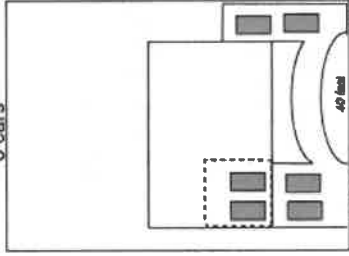


6 cars

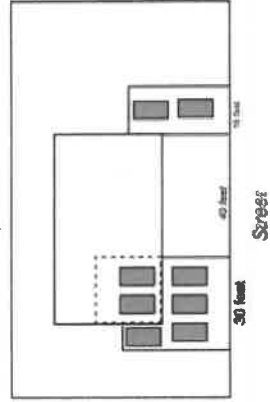


Lot size:  
10,000 sf  
22'x22'  
garage

6 cars

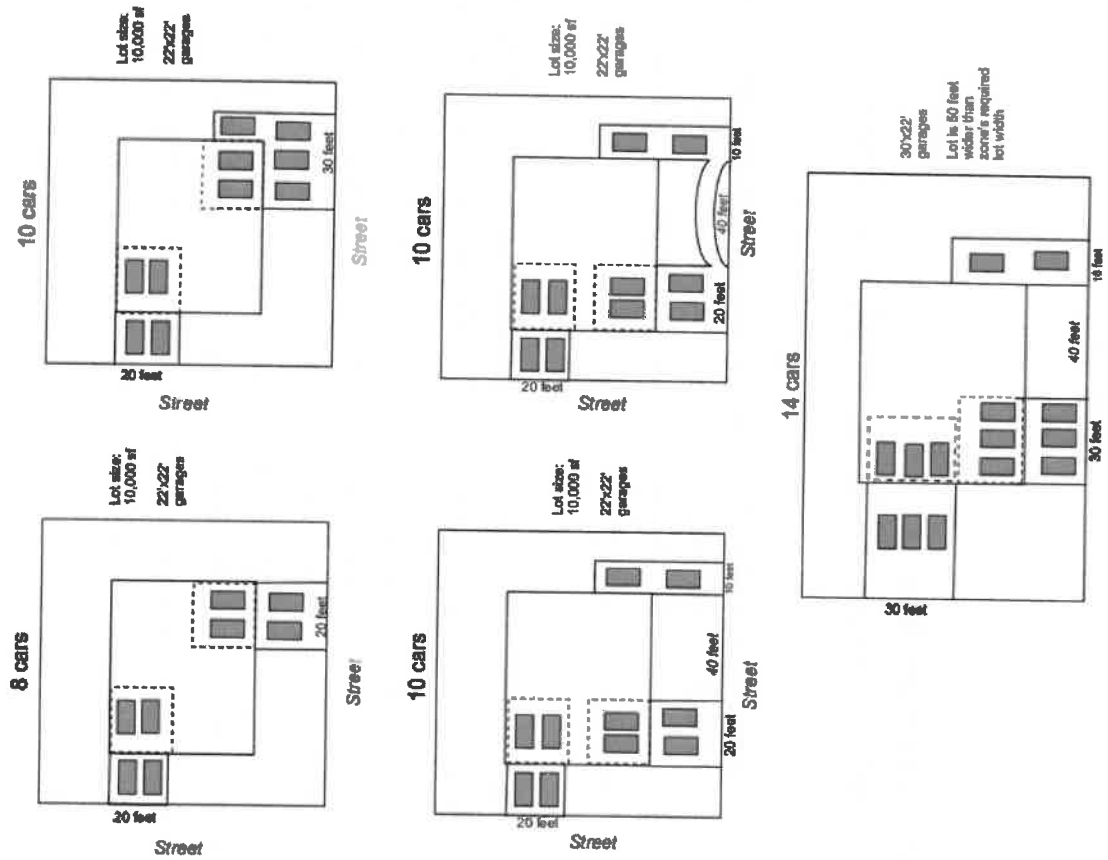


8 cars



Lot size:  
10,000 sf  
22'x22' garage  
Lot is 50 feet  
wider than  
zone's required  
lot width

# Corner Lots



**11-32-030: GENERAL PROVISIONS:**

D. Tandem Parking: Tandem parking shall not be allowed, except for single-family and two-family dwellings.

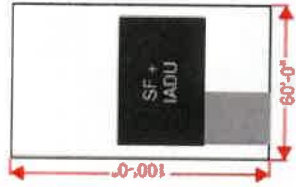
E. Parking In Front Yard or Side Corner Yard: No portion of a front yard or side corner yard shall be used for parking, except for the paved or gravel driveway area. No portion of a front yard or side corner yard, other than driveways leading to a garage or properly designated parking space, shall be paved or graveled to encourage or make possible the parking of vehicles thereon.

**11-32-060: ACCESS TO OFF STREET PARKING AND LOADING SPACES:**

A. Ingress And Egress: Adequate ingress and egress to all uses shall be provided as follows:

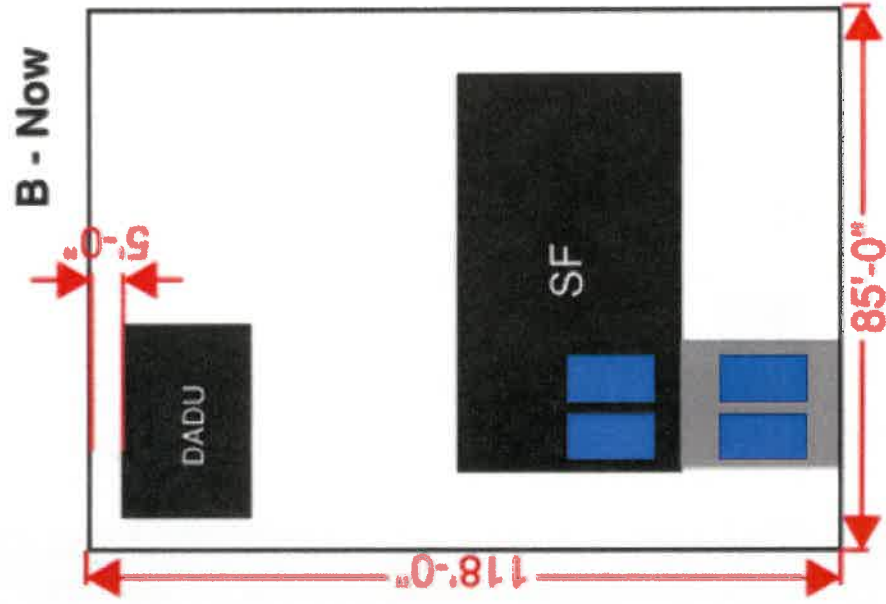
Residential driveways shall be not more than twenty feet (20') in width when serving as access to two (2) properly designated spaces, or thirty feet (30') in width when serving as access to three (3) properly designated parking spaces as measured at the front or side corner property line. "Properly designated parking spaces" shall include spaces in a garage, carport or on a parking pad located to the side of a dwelling and not located within the front yard or required side corner yard. **Tandem parking on a residential driveway leading to a properly designated parking space contributes to the number of parking spaces required for a single- or two-family dwelling.**

**A - Now**



-Owner must live  
on-site.

- Lot size  $\geq$  6,000  
sq. ft.



-Owner must live on-site.

- Lot size  $\geq$  10,000 sq. ft.

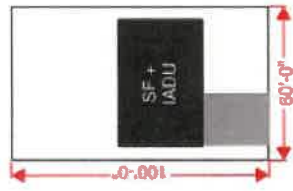


11-2-020: DEFINITIONS OF WORDS AND TERMS:

**DETACHED ACCESSORY DWELLING UNIT (DADU):** A detached dwelling unit consisting of all or any part of ~~within an accessory~~ a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling which is architecturally compatible to the ~~and integral part of a~~ neighborhood and single-family dwelling and located on the same lot, or DADU parcel.

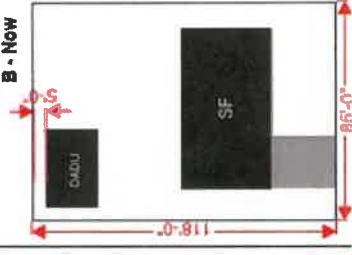
**INTERNAL ACCESSORY DWELLING UNIT (IADU):** An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood ~~an architectural and integral part thereof~~ and which has an exclusive entrance separate and apart from the related single-family dwelling.

**A - New**



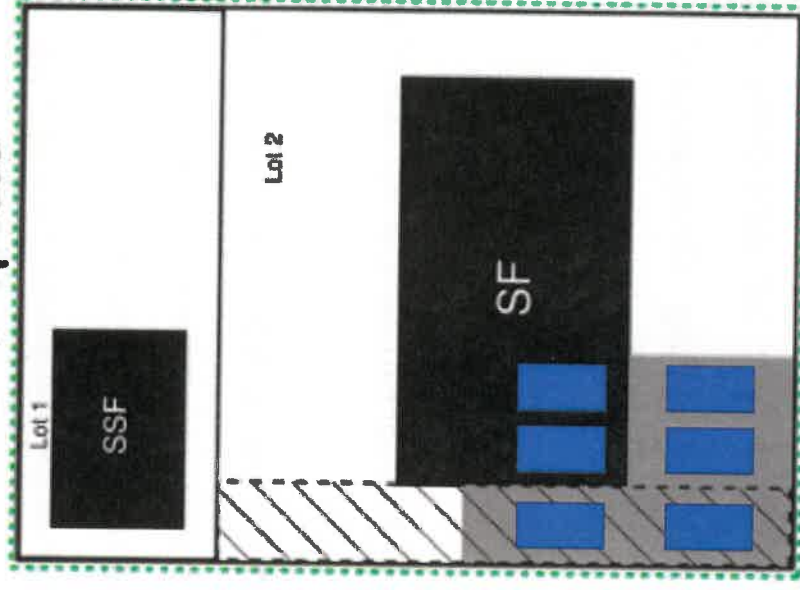
- Owner must live on-site.
- Lot size  $\geq$  6,000 sq. ft.

**B - New**



- Owner must live on-site.
- Lot size  $\geq$  10,000 sq. ft.

## C - Proposed



- Lot 1: Absentee owner after 3/5 years

- Lot 2: Absentee owner allowed

- DADU parcel  $\geq 10,000$  sq. ft.

- Access, Utility, and Parking Easement

**11-28-200 E:**

1. SSF: A Subordinate Single-Family dwelling (SSF) is a DADU held in separate ownership from the single-family dwelling, which ownership includes separate land for the DADU.

**11-2-020: DEFINITIONS OF WORDS AND TERMS:**

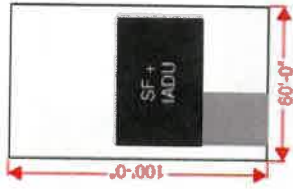
**DADU Parcel:** A defined area of ground which contains only two lots, each with a dwelling, and which, if combined together as one lot, including the structures thereon, meets the building lot, building placement, building height, parking standards, or other requirements of the underlying zone.

E. DADU Ownership: The DADU owner may be different or the same as the owner of the single-family dwelling, including but not limited to a lot split. The DADU owner may own or acquire an interest in the DADU where such interest is memorialized in writing, that it is a legally enforceable and binding instrument fully describing the legal obligations between the owner of the single-family dwelling and the owner/proposed owner or interest holder as well as their respective successors in interest in the DADU in such a form and manner as will run with the land. Such instrument shall be in recordable form and shall be recorded with the office of the county recorder as a condition of issuance of any building permit or occupancy by the city. Ownership may include transfers to successors in interest to the original owner where the original owner retains ultimate control of the DADU such as to a wholly owned corporation living trust where the owner is both grantor and trustee and the like. All such instruments must be approved by the city attorney as to form and content prior to recordation. Standards for any such DADU created under this Section are as follows:

1. SSF: A Subordinate Single-Family Dwelling (SSF) is a DADU held in separate ownership from the single-family dwelling, which ownership includes separate land for the DADU.
2. DADU Parcel: An SSF and a single-family dwelling shall comply with the definition of a DADU parcel.
3. Land Use Approvals/Permits: Any subdivision and building permit necessary to enable an SSF must follow the building code, the city's subdivision process, and other rules and regulations of the Farmington City Code.
4. Separate Utilities Required: As part of the subdivision and building permit process, the owner of an DADU shall provide separate culinary water and sewer laterals, and other utilities (and if necessary a separate connection for secondary water), as well as customary metering, prior to occupancy of the SSF, and shall provide easements acceptable to the City for the same prior to or concurrent with the recordation of the subdivision. In the event separate utilities for the DADU are not installed, or approved by any or all respective service providers, the owner of the single-family dwelling shall not offer the DADU as an SSF as an SSF and the city shall not approve the subdivision of the property.

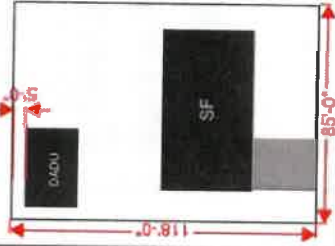
5. **Parking and Access Easements:** If an SSF lot frontage on public or private right-of-way is not wide enough to accommodate parking or pedestrian access, of if an SSF lot has no frontage, the owner of the single-family dwelling lot shall provide parking and pedestrian access easements acceptable to the city to the owner of the SSF prior to or concurrent with the recordation of the subdivision.
6. **Impact Fees:** The city shall require payment of impact fees prior to the issuance of the building permit if the SFF did not previously exist on the single-family dwelling lot as a DADU.
7. **Certificate of Occupancy:** A property owner, or the City, shall not record a subdivision to enable a SSF until the City has issued a certificate of occupancy for the SSF.
8. **SSF Occupancy:** An SSF must be owner occupied for **5 three (3) years upon initial** separation of ownership from the single-family dwelling, and all instruments recorded against the property to implement the separation shall require the same standard. Initial separation shall mean for purposes of this part the date upon which the initial owner of the single-family dwelling divests or sells a fee simple interest in the DADU creating the SSF.

**A - Now**



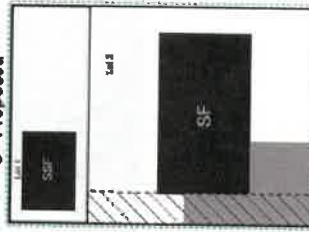
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**B - Now**



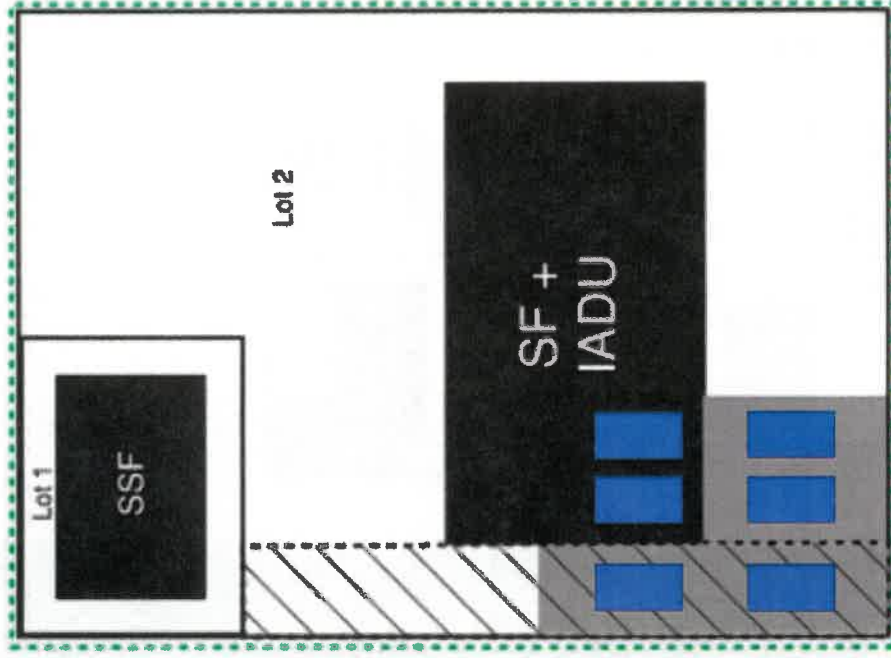
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

**C - Proposed**



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- ADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

## D - Proposed



- Lot 1: Absentee owner after 3/5 years

- Lot 2: Owner must live on-site.

- DADU parcel  $\geq 10,000$  sq. ft.

- Lot 2 must be  $\geq 6,000$  sq. ft.

- Access, Utility, and Parking Easement

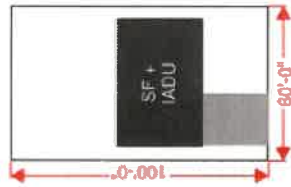


9. Number of Permissible Dwelling Units: An SSF shall contain no more than one dwelling unit, and shall not have a DADU.

The related single-family dwelling to an SSF may have

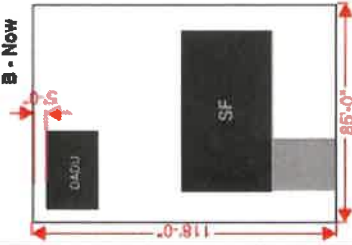
an ADU, but not a DADU.

**A - Now**



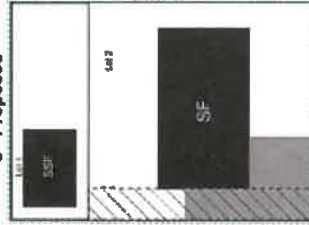
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**B - Now**



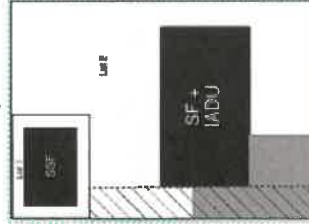
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

**C - Proposed**



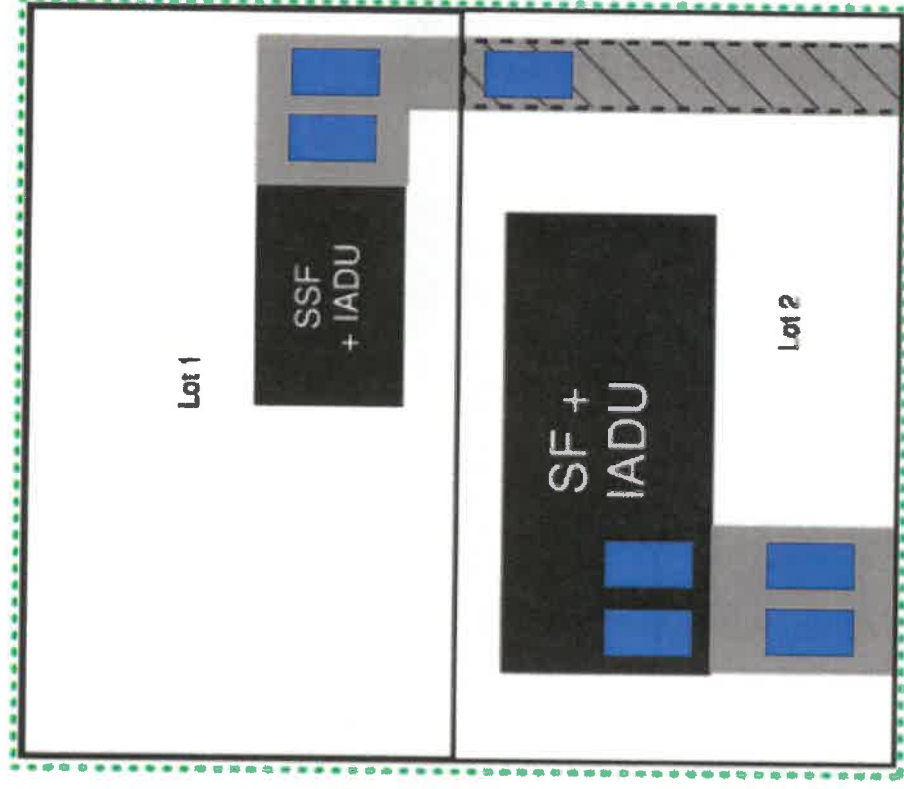
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- IADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

**D - Proposed**



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- IADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

## E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2

- DADU Parcel  $\geq 12,000$  sq. ft.

- Lot 1  $\geq 6,000$  sq. ft.

- Lot 2  $\geq 6,000$  sq. ft.

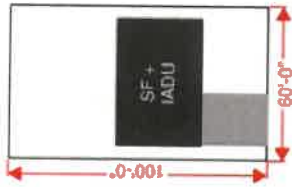
- Access and Utility Easement

9. Number of Permissible Dwelling Units: An SSF shall contain no more than one dwelling unit, and shall not have a DADU.

The related single-family dwelling to an SSF may have

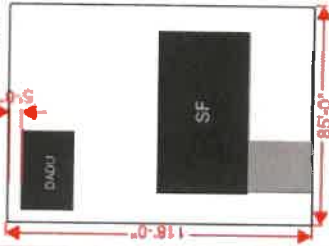
or DADU, but not a DADU.

### A - Now



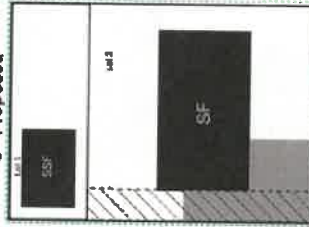
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### B - Now



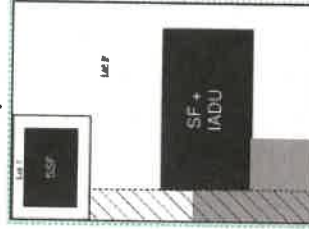
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



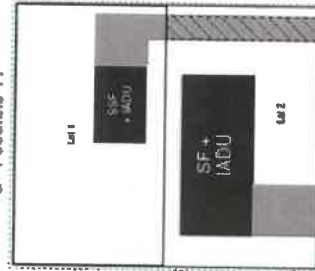
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- DADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

### D - Proposed



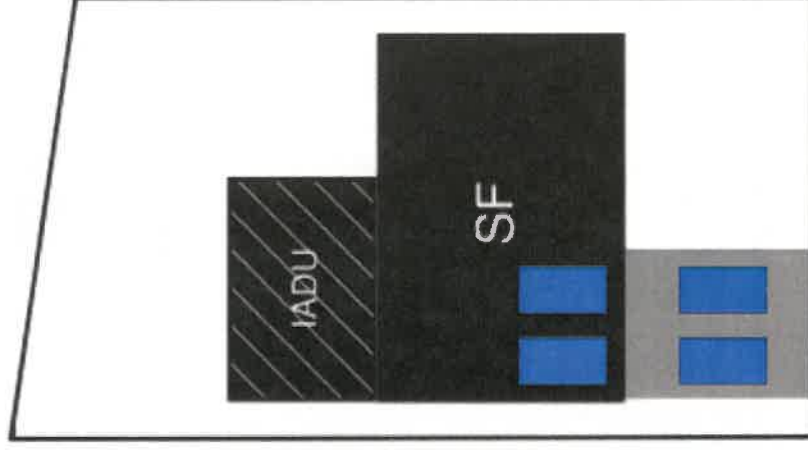
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- DADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- DADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

## F - Implied



- Addition Permitted

- Owner must live on-site.

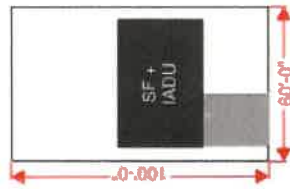
- Lot size  $\geq$  6,000 sq. ft.

**INTERNAL ACCESSORY DWELLING UNIT (IADU):** An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and **neighborhood-an architectural and integral part thereof and which has an exclusive entrance separate and apart from the related single-family dwelling.**

**C. Standards:**

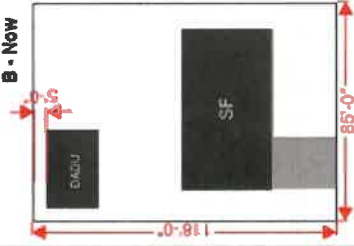
4. Design And Character: The **D**ADU or IADU shall be clearly incidental to the single-family dwelling, ~~there should be no significant alteration to the exterior of the single-family dwelling to accommodate the ADU or IADU and such ADU or IADU~~ **and** shall not adversely affect the residential character of the surrounding neighborhood. A **D**ADU or IADU shall be designed in such a way that neighbors or passersby would not, under normal circumstances, be aware of its existence.

### A - Now



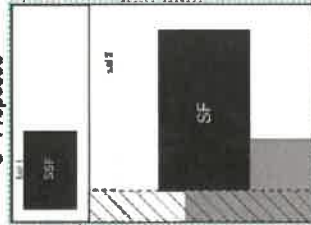
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### B - Now



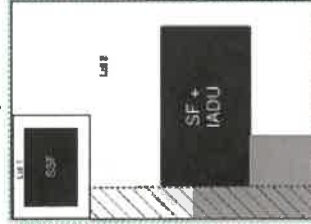
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



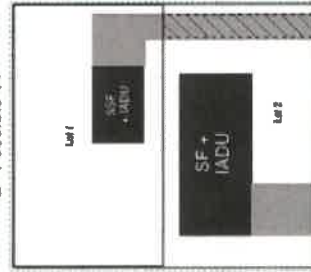
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- DADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

### D - Proposed



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- DADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 8,000$  sq. ft.
- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- DADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

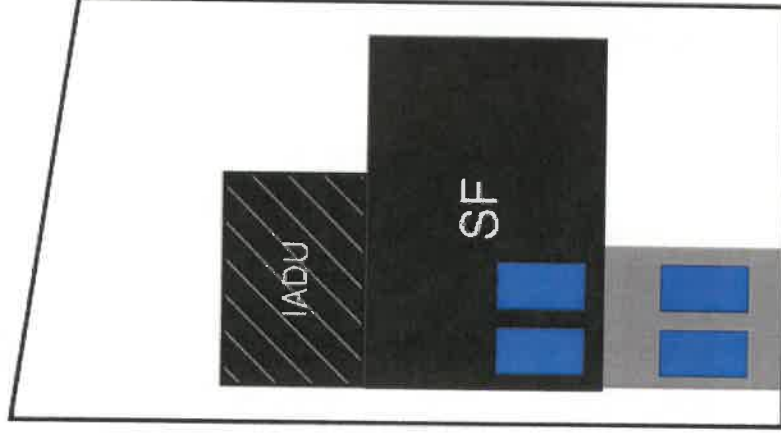
### F - Implied



- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 8,000$  sq. ft.



**F**

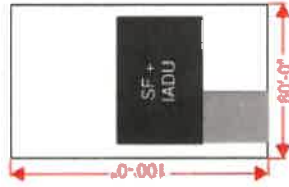


- Addition  
Permitted

- Owner must live  
on-site.

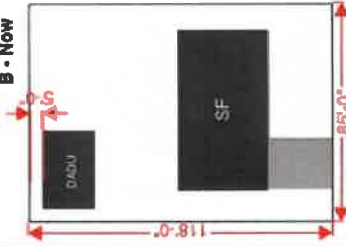
- Lot size  $\geq$  6,000  
sq. ft.

### A - Now



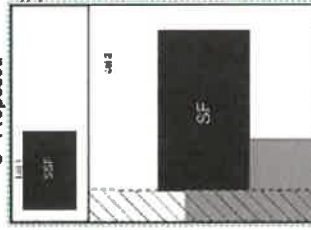
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### B - Now



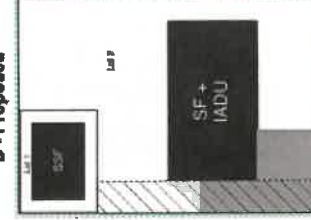
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



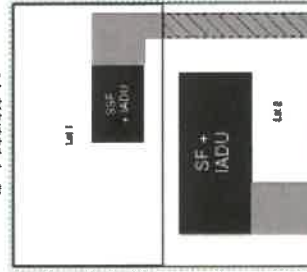
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- DADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

### D - Proposed



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- DADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- DADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

### F - Implied



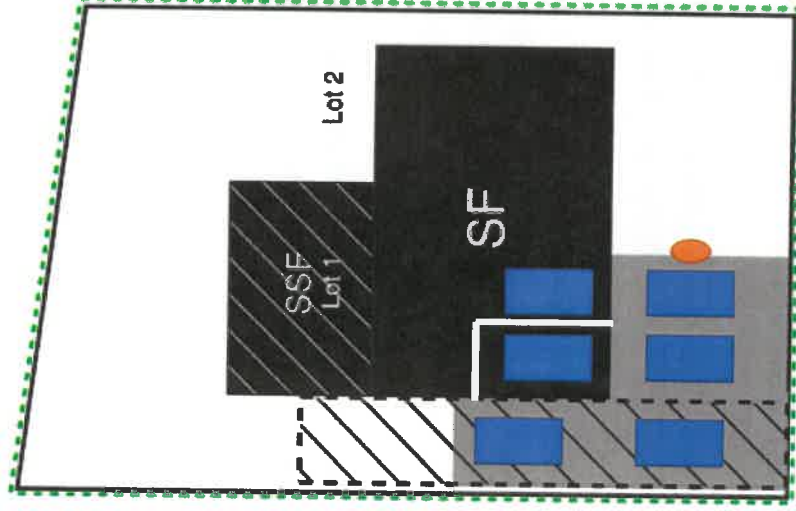
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### F



- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**G**



- Lot 1: Absentee Owner after 3/5 years.

- Lot 2: Absentee owner allowed

- ADU Parcel  $\geq 6,000$  sq. ft.

- Access, utility, and parking easement



1.1-2-020: DEFINITIONS OF WORDS AND TERMS:

**ACCESSORY DWELLING UNIT (ADU):** A Detached Accessory Dwelling Unit (DADU) or an Internal

Accessory Dwelling Unit (IADU) both as defined herein.

**DETACHED ACCESSORY DWELLING UNIT (DADU):** A detached dwelling unit consisting of all or any part of ~~within an accessory~~ a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling which is architecturally compatible to the ~~and integral part of a~~ neighborhood and single-family dwelling and located on the same lot, or DADU parcel.

**INTERNAL ACCESSORY DWELLING UNIT (IADU):** An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood ~~an architectural and integral part thereof~~ and which has an exclusive entrance separate and apart from the related single-family dwelling.

**DADU Parcel:** A defined area of ground which contains only two lots, each with a dwelling, and which, if combined together as one lot, including the structures thereon, meets the building lot, building placement, building height, parking standards, or other requirements of the underlying zone.

E. DADU **[§ 24-223]** Ownership: The DADU **[§ 24-223]** owner may be different or the same as the owner of the single-family dwelling, including but not limited to a lot split. The DADU **[§ 24-223]** owner may own or acquire an interest in the DADU **[§ 24-223]** where such interest is memorialized in writing, that it is a legally enforceable and binding instrument fully describing the legal obligations between the owner of the single-family dwelling and the owner/proposed owner or interest holder as well as their respective successors in interest in the DADU **[§ 24-223]** in such a form and manner as will run with the land. Such instrument shall be in recordable form and shall be recorded with the office of the county recorder as a condition of issuance of any building permit or occupancy by the city. Ownership may include transfers to successors in interest to the original owner where the original owner retains ultimate control of the DADU **[§ 24-223]** such as to a wholly owned corporation living trust where the owner is both grantor and trustee and the like. All such instruments must be approved by the city attorney as to form and content prior to recordation. Standards for any such DADU **[§ 24-223]** created under this Section are as follows:

1. SSF: A Subordinate Single-Family Dwelling (SSF) is a DADU **[§ 24-223]** held in separate ownership from the single-family dwelling, which ownership includes separate land for the DADU **[§ 24-223]**.
2. DADU Parcel: An SSF and a single-family dwelling shall comply with the definition of a DADU parcel.
3. Land Use Approvals/Permits: Any subdivision and building permit necessary to enable an SSF must follow the building code, the city's subdivision process, and other rules and regulations of the Farmington City Code.
4. Separate Utilities Required: As part of the subdivision and building permit process, the owner of an DADU **[§ 24-223]** shall provide separate culinary water and sewer laterals, and other utilities (and if necessary a separate connection for secondary water), as well as customary metering, prior to occupancy of the SSF, and shall provide easements acceptable to the City for the same prior to or concurrent with the recordation of the subdivision. In the event separate utilities for the DADU are not installed, or approved by any or all respective service providers, the owner of the single-family dwelling shall

not offer the DADU [REDACTED] as an SSF and the city shall not approve the subdivision of the property.

5. **Parking and Access Easements:** If an SSF lot frontage on public or private right-of-way is not wide enough to accommodate parking or pedestrian access, of if an SSF lot has no frontage, the owner of the single-family dwelling lot shall provide parking and pedestrian access easements acceptable to the city to the owner of the SSF prior to or concurrent with the recordation of the subdivision.

6. **Impact Fees:** The city shall require payment of impact fees prior to the issuance of the building permit if the SFF did not previously exist on the single-family dwelling lot as a

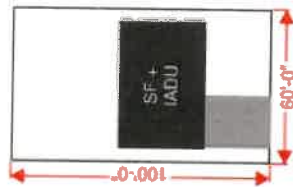
DADU [REDACTED]

7. **Certificate of Occupancy:** A property owner, or the City, shall not record a subdivision to enable a SSF until the City has issued a certificate of occupancy for the SSF.

8. **SSF Occupancy:** An SSF must be owner occupied for 5 three (3) years upon initial separation of ownership from the single-family dwelling, and all instruments recorded against the property to implement the separation shall require the same standard.

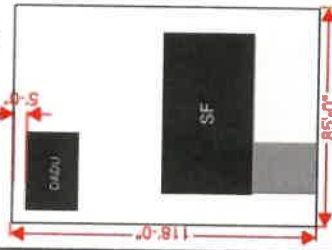
Initial separation shall mean for purposes of this part the date upon which the initial owner of the single-family dwelling divests or sells a fee simple interest in the DADU [REDACTED] creating the SSF.

**A - Now**



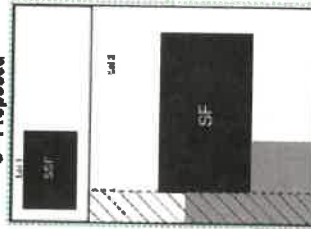
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**B - Now**



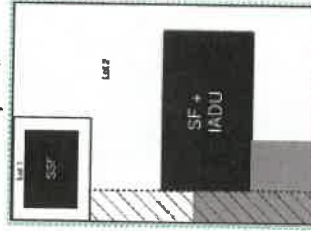
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

**C - Proposed**



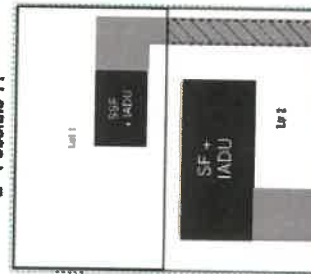
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- ADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

**D - Proposed**



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- ADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

**E - Possible ??**



- Owner must live on-site in both Lot 1 and Lot 2
- ADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

**F - Implied**



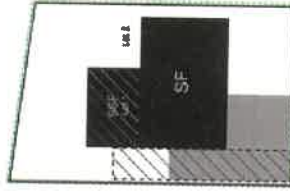
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**F**



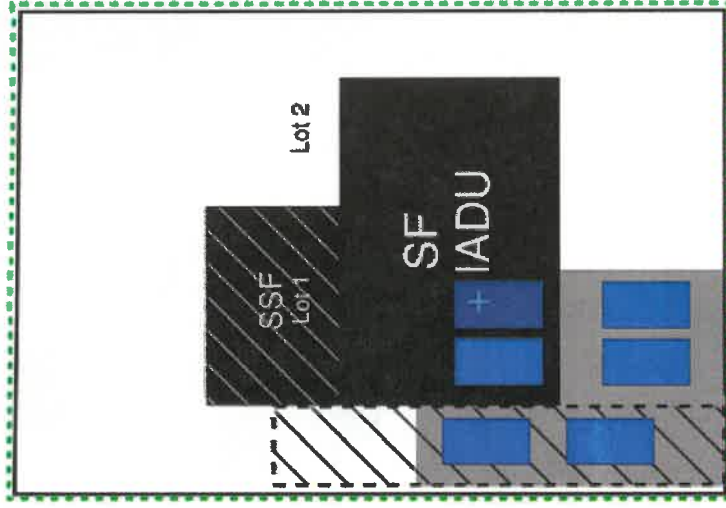
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

**G**



- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Absentee owner allowed
- ADU Parcel  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement

# H



- Lot 1: Absentee Owner after 3/5 years.

- Lot 2: Owner must live on site

- ADU Parcel > 6,000 sq. ft.

- Lot 2 must be  $\geq$  6,000 sq. ft.

- Access, utility, and parking easement



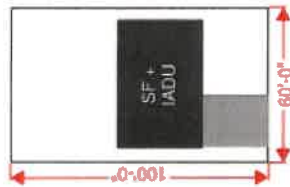


9. **Number of Permissible Dwelling Units:** An SSF shall contain no more than one dwelling unit, and shall not have a DADU.

~~The related single-family dwelling unit SSF may have~~

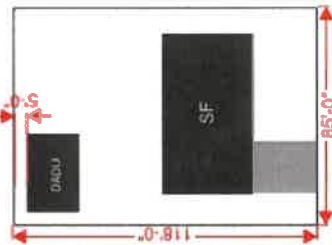
~~an ADU, but not a DADU~~

### A - Now



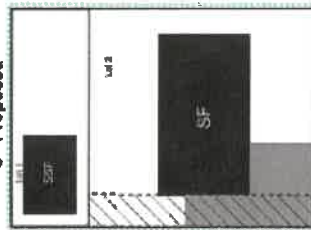
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### B - Now



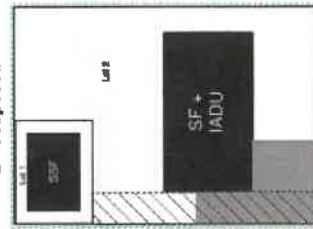
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



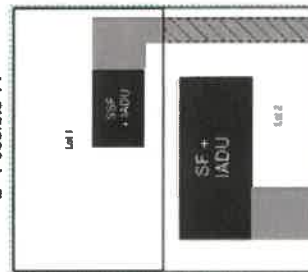
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- ADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

### D - Proposed



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- DADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- DADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

### F - Implied



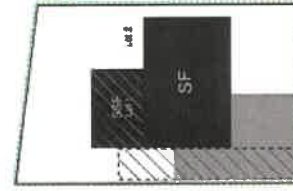
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### F



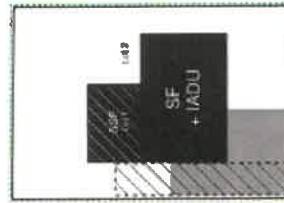
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### G



- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Absentee owner allowed
- ADU Parcel  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement


### H



- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Owner must live on site
- ADU Parcel  $\geq 6,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement


I

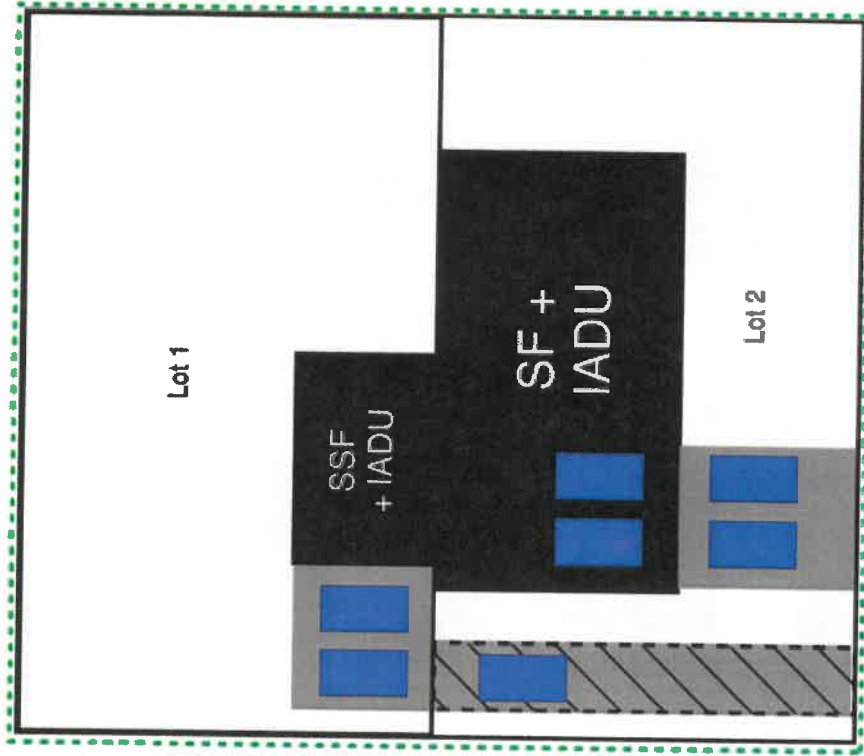
-Owner must live on-site in both Lot 1 and Lot 2

- ADU Parcel   $\geq 12,000$  sq. ft.

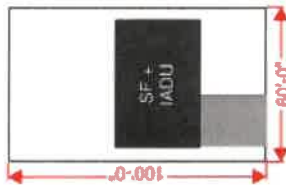
- Lot 1  $\geq 6,000$  sq. ft.

- Lot 2  $\geq 6,000$  sq. ft.

- Access and Utility Easement 

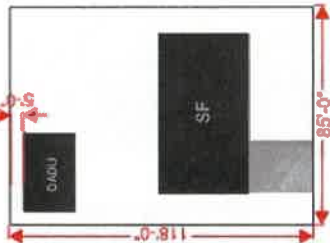


### A - Now



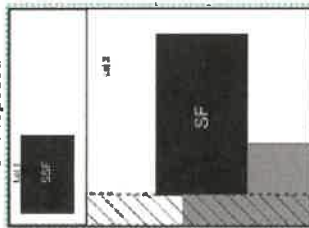
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### B - Now



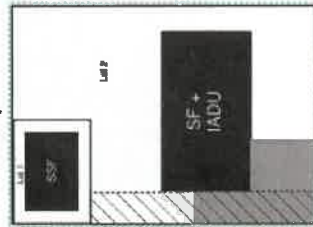
- Owner must live on-site.
- Lot size  $\geq 10,000$  sq. ft.

### C - Proposed



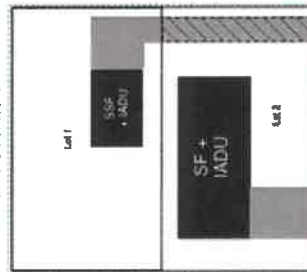
- Lot 1: Absentee owner after 3/5 years
- Lot 2: Absentee owner allowed
- ADU parcel  $\geq 10,000$  sq. ft.
- Access, Utility, and Parking Easement

### D - Proposed



- Lot 1: Absentee owner after 3/5 years
- Lot 2: Owner must live on-site.
- ADU parcel  $\geq 10,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, Utility, and Parking Easement

### E - Possible ??



- Owner must live on-site in both Lot 1 and Lot 2
- ADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

### F - Implied



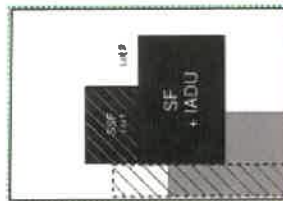
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### F



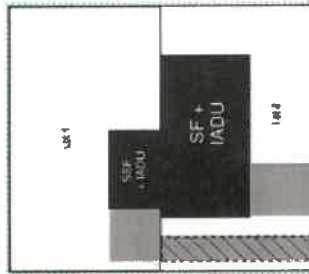
- Addition Permitted
- Owner must live on-site.
- Lot size  $\geq 6,000$  sq. ft.

### H



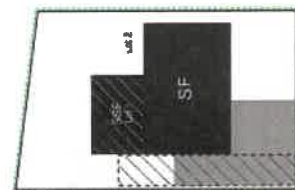
- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Owner must live on site
- ADU Parcel  $> 6,000$  sq. ft.
- Lot 2 must be  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement

### I



- Owner must live on-site in both Lot 1 and Lot 2
- ADU Parcel  $\geq 12,000$  sq. ft.
- Lot 1  $\geq 6,000$  sq. ft.
- Lot 2  $\geq 6,000$  sq. ft.
- Access and Utility Easement

### G



- Lot 1: Absentee Owner after 3/5 years.
- Lot 2: Absentee owner allowed
- ADU Parcel  $\geq 6,000$  sq. ft.
- Access, utility, and parking easement

## 11-2-020: DEFINITIONS OF WORDS AND TERMS:

**ACCESSORY DWELLING UNIT (ADU):** A Detached Accessory Dwelling Unit (DADU) or an Internal Accessory Dwelling Unit (IADU) both as defined herein.

**DETACHED ACCESSORY DWELLING UNIT (DADU):** A detached dwelling unit consisting of all or any part of ~~within an accessory~~ a detached accessory building to a single-family dwelling not physically connected in any way to the single-family dwelling which is architecturally compatible to the ~~and integral part of a~~ neighborhood and single-family dwelling and located on the same lot, or DADU parcel.

**INTERNAL ACCESSORY DWELLING UNIT (IADU):** An attached dwelling unit within, or adding to, the footprint of a single-family dwelling and is architecturally compatible with the single-family dwelling and neighborhood ~~an architectural and integral part thereof~~ and which has an exclusive entrance separate and apart from the related single-family dwelling.

**ADU Parcel:** A defined area of ground which contains only two lots, each with a dwelling, and which, if combined together as one lot, including the structures thereon, meets the building lot, building placement, building height, parking standards, or other requirements of the underlying zone.

