FARMINGTON CITY, UTAH
ORDINANCE NO. 2024 - 40

AN ORDINANCE AMENDING TITLE 11-12, SUBDIVISIONS, UPDATING THE PROCESS BY WHICH SUBDIVISION PLAT AMENDMENTS ARE CONSIDERED. (ZT-9-24)

WHEREAS, the Planning Commission has held a public hearing in which the text changes proposed for Title 12 were 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, 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;

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

Section 1. Amendment. Section Chapter 12-7 of the Farmington City Zoning Ordinance is amended in as shown in Exhibit "A"

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

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

PASSED AND ADOPTED by the City Council of Farmington City, State of Utah, on this 10th day of July, 2024.

FARMINGTON CITY

Brett Anderson, Mayor

ATTEST:

DeAnn Carlile, City Recorder

EXHIBIT A

CHAPTER 7
LOT CONSOLIDATION, BOUNDARY ADJUSTMENT, AND PLAT AMENDMENTS

12-7-010: PURPOSE:

This chapter is intended to outline the process by which ~~allow~~ the consolidation of lots or adjustments of boundaries ~~on~~ between lots within the city ~~through~~ is permitted ~~an administrative process approved by the zoning administrator~~.

12-7-020: WHEN PERMITTED:

A. Lot Consolidation: Two (2) abutting lots located within the same platted subdivision may be consolidated into a single lot if they share a common boundary and a common owner. Likewise, two (2) abutting metes and bounds parcels may be consolidated into a single lot if they share a common boundary and a common owner. The zoning administrator shall act as the Land Use Authority when considering a Lot Consolidation.

B. Boundary Adjustment: Two (2) abutting lots or parcels within the city may have their boundary adjusted if they share a common boundary and consent of both property owners is established by the applicant. The zoning administrator shall act as the Land Use Authority when considering a Boundary Adjustment.

C. Plat Amendment: The shared common boundary between two (2) or more abutting lots on one or more recorded plats may be adjusted on the records of the county.

Land use approvals established in section 12-7-090 are required for all plat amendments. A Plat amendment may involve lots in adjacent subdivisions, or parcels outside of a platted subdivision as part of the amendment.

12-7-030: PROPERTY BOUNDARY UNAFFECTED:

A. Unless otherwise provided by Utah or Davis County law, lot consolidation and boundary adjustments under this chapter that are made to platted lots shall not have the effect of adjusting any property boundary in the records of the county.

B. The application shall provide a notice to an applicant that property boundaries for platted lots are not affected by lot consolidation or boundary adjustments, which may impact the owner's ability to construct improvements on the adjusted lots.

12-7-040: APPLICATIONS:

A. An applicant wishing to either combine two (2) lots, or to adjust a boundary between two lots or parcels, shall submit an application to the city planner on a form approved by the city. The application shall provide proof of ownership of both lots. At the time the application is submitted, the applicant shall pay the required application fee, as set forth in the city's consolidated fee schedule.

B. For boundary adjustments, the application must be accompanied by a survey and legal descriptions of the parcels with adjusted boundaries. The applicant shall also present proof of ownership for properties, with an executed and notarized consent to the boundary adjustment for each property.

12-7-050: REVIEW:

The city planner shall review the application for completeness, which review shall not exceed thirty (30) days. The applicant shall be notified as soon as practicable if the application is not accompanied by the required documentation. At the conclusion of the review period, the zoning administrator shall render a decision on the application.

12-7-060: LOT CONSOLIDATION RESTRICTIONS:

A lot consolidation under this chapter shall not:

A. Combine two (2) lots that do not share a common boundary line;

B. Combine two (2) lots that are platted on different subdivision plats;

C. Extinguish or modify any easements of record; or

D. Create any new lots.

12-7-070: BOUNDARY ADJUSTMENT RESTRICTIONS:

A boundary adjustment under this chapter shall not:

A. Completely eliminate a lot;

B. Result in a lot that does not conform to zoning or lot regulations of the city;

C. Extinguish or modify any easements of record; or

D. Create any new lots.

12-7-080: STATEMENT OF APPROVAL:

A. Upon approval of the application, the applicant shall submit to the city such proposed deeds or records that will accomplish the lot combination or boundary adjustment.

B. The Ce~~c~~ity p~~P~~lanner shall review such submissions to assure they conform to the representations made in the application, and submit it to the zoning administrator for approval.

C. Upon approval, the zoning administrator shall sign a statement to be attached to the deeds reflecting the city's approval of the L~~l~~ot ~~combination~~ Consolidation or ~~boundary~~ Boundary ~~adjustment~~Adjustment.

12-7-090: PLAT AMENDMENTS:

Process: Applications for an amendment to a Subdivision Plat under Part B of this Section shall be considered as outlined by Utah State Code Sections 10-9a-608 and 10-9a-609, and are subject to the following land use authority designations~~:~~:

A. Administrative Review: The zoning administrator shall act as the Land Use Authority for applications seeking only to consolidate lots or adjust common lot boundaries.

   a. ~~Process: Applications for an amendment to a Subdivision Plat shall be considered as outlined by Utah State Code Sections 10-9a-608 and 10-9a-609.~~

B. ~~Land Use Authority~~Planning Commission Review: The ~~City Council~~Planning Commission shall act as the Land Use Authority for applications that include the creation of a new lot, if the lot meets current standards identified in the ordinance or a previously approved agreement, but in which no change is proposed to a common area, existing easement, or

right-of-way, whether public or private.

~~B.~~C. Council Review: The City Council shall act as the Land Use Authority for applications that include any proposed modifications to a common area, existing easement, or right-of-way, whether public or private. The City Council shall also review applications that involve the creation of lots with standards which vary from prior agreements or current land use regulations.