

CHAPTER 6

ZONING ORDINANCE AND MAP AMENDMENTS

- 11-6-010** **Amendments Permitted.**
- 11-6-020** **Procedure for Proposed Amendments.**
- 11-6-030** **Fees and Costs.**
- 11-6-040** **Approval Not Affecting Other Requirements.**
- 11-6-050** **Required Commencement of Construction.**
- 11-6-060** **Documentation.**
- 11-6-070** **Disapproval of Proposed Amendment.**

11-6-010 **Amendments Permitted.**

The City Council may from time to time amend any of the provisions of the Farmington City Zoning Ordinance or the Official Zoning Map of the City in accordance with the procedures set forth herein, including amendments to the number, shape, boundaries, or area of any zoning district; any regulation of or within the zoning district; or any other provision of the zoning ordinance. The provisions set forth herein shall not apply to amendments to the City General Plan which procedure is more specifically provided for elsewhere in this Title, nor temporary regulations which may be enacted without public hearing in accordance with Utah Code Ann. § 10-9-404, as amended.

11-6-020 **Procedure for Proposed Amendments.**

(a) Interested Parties. Proposed amendments to the Zoning Ordinance or Zoning Map may be initiated by the City Council, Planning Commission, Board of Adjustments or any other interested party.

(b) Application. Proposed amendments submitted by interested parties as provided herein, other than the City Council, Planning Commission or Board of Adjustments, shall be submitted to the City Planner for consideration by the Planning Commission in the form of an Application containing, at a minimum, the following information:

- (i) the name and address of applicant and the name and address of every person or company that the applicant represents;
- (ii) the requested amendment and the reasons therefor;
- (iii) if the proposed amendment requires a change in the Zoning Map, the Application shall include an accurate property map showing all areas which would be affected by the proposed amendment, all abutting properties, and the present and proposed zoning classifications; and an accurate legal description of the area to be rezoned and approximate common address; and
- (iv) if the proposed amendment would require a change in the text of the Ordinance, the application shall include the Chapter and Section, and a draft of the proposed wording that is desired.

(c) City Planner Review. The City Planner shall review the application to verify that all of the information required by this Chapter and other applicable ordinances, rules and regulations, are included.

(d) Planning Commission Review. All proposed amendments must be first submitted to the Planning Commission for review and recommendations. The Planning Commission shall study and examine each application and proposed amendment. The Planning Commission should consider the following issues when reviewing each proposed amendment: (1) is the proposed amendment reasonably necessary; (2) is the proposed amendment in the public interest; and (3) is the proposed amendment consistent with the City General Plan and in harmony with the objectives and purpose of the Zoning Ordinance. After study and analysis, the Planning Commission shall prepare written recommendations regarding the application and proposed amendment and forward the same to the City Council for its consideration.

(e) City Council Review. Except as provided herein, the City Council shall review the proposed amendment to the Zoning Ordinance or Zoning Map and shall schedule and hold a public hearing on the proposed amendment. The City Council shall provide reasonable notice of the public hearing at least fourteen (14) days before the date of the hearing. After the public hearing, the City Council may make any modifications to the proposed amendment to the Zoning Ordinance or Zoning Map that it considers appropriate and in accord with the City General Plan and may thereafter adopt the amendment as proposed, modify the amendment and adopt or reject the modified amendment, or reject the proposed amendment.

11-6-030 Fees and Costs.

Proposed amendments submitted by interested parties other than the City Council, Planning Commission or Board of Adjustments, shall be accompanied by the appropriate fee as set forth in the City Fee Schedule adopted by the City by Resolution.

11-6-040 Approval Not Affecting Other Requirements.

Any approval of an amendment to the Zoning Ordinance or Zoning Map by the City Council shall in no way imply or constitute an approval of any conditional use permit, building permit site plan or improvements thereon. Approval of site plans, conditional use permits, building permits, and other approvals must be obtained in accordance with applicable City Ordinances.

11-6-050 Required Commencement of Construction.

Except as otherwise provided in writing by the City Council, any rezone approval initiated by an interested party other than the City shall be conditioned upon commencement of actual construction or improvements on the affected property or the actual occupancy and utilization for the use of the proposed development upon the affected property within two (2) years from the date of such approval. If the Applicant fails to commence such construction or improvements, or any other conditions imposed by the City Council, to the satisfaction of the City, within the required time frame, the property's zoning classification and zone district shall automatically, and without further notice or hearings thereon, revert to its prior zoning classification and district. For purposes of this Section, "commencement of actual construction or improvements" shall mean that the City has either inspected and approved completion of all designated improvements or the City has inspected and approved completion of construction of all footings of the proposed development or structure on the affected property.

11-6-060 Documentation.

All documents required to effect the amendment or rezone shall be prepared, executed and filed as directed by the City. All recorded documents concerning a rezone shall contain a recital of all conditions imposed by the City Council and notice of automatic reversion if such conditions and the required commencement of construction are not completely fulfilled, executed and satisfied within the required time frame.

11-6-070 Disapproval of Proposed Amendment.

Disapproval of an application to amend the Planning and Zoning Ordinance or Zoning Map shall preclude the filing of another application to amend such ordinances or map regarding the same property, or any portion thereof, to the same zone classification within one (1) year of the date of the final disapproval of the application by the City Council, unless the Planning Commission determines that there has been a substantial change in the circumstances to merit consideration of a second application prior to the expiration of such time.

11-6-101 and 11-6-105 Amended, 2/7/96, Ord. 96-06
Chapter 6 Renumbered and Recodified, 11/19/97, Ord. 97-55