

**ORDINANCE 19-25**

**AN ORDINANCE AMENDING LAYTON CITY MUNICIPAL CODE – TITLE 19, CHAPTER 19.05 “TABLE 5-1” RELATED TO BUILDING HEIGHT FOR COMMUNITY USES IN RESIDENTIAL AND AGRICULTURAL ZONES; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE**

**WHEREAS**, community uses are defined as uses which have the primary purpose of serving the educational, recreational, religious, or governmental needs of the community in general; and

**WHEREAS**, the unique character of community uses sometimes requires structures that exceed the maximum height of the underlying zone district; and

**WHEREAS**, the Layton City Planning Commission held a public hearing on August 6, 2019 and voted unanimously to approve the proposed amendment; and

**WHEREAS**, the City Council has reviewed the Planning Commission’s recommendation and has received pertinent information in the public hearing regarding the proposal; and

**WHEREAS**, at the conclusion of the public hearing and upon making the necessary reviews, the City Council of Layton City finds it to be in the best interest of the health, safety, and welfare of its citizens to make the proposed amendments to Title 19 Section 19.05;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LAYTON, UTAH:**

**SECTION I: Repealer.** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION II: Enactment.** Title 19, Chapter 19.05 “Table 5-1” shall be amended to read as follows:

**TABLE 5-1**

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
<b>LOT SIZE</b>									
Min. Lot Area 1 <sup>st</sup> Dwelling <sup>1</sup>	43,560 s/f	15,000 s/f	10,000 s/f	8,000 s/f	6,000 s/f	8,000 s/f	8,000 s/f	10,000 s/f	10,000 s/f
Min Lot Area for Add. Unit	43,560 s/f	15,000 s/f	10,000 s/f	8,000 s/f	6,000 s/f	4,000 s/f	2,500 s/f	1,750 s/f	1,400 s/f
Min. Lot Width @ Setback <sup>2 &amp; 3</sup>	100/100 f	100/100 f	80/90 f	70/80 f	60/70 f	70/80 f	80/90 f	80/90 f	80/90 f
Min. Frontage <sup>4</sup>	80 f	70 f	60 f	55 f	50 f	60 f	70 f	70 f	70 f
<b>PRINCIPLE STRUCTURE SETBACKS</b>									
Min. Front Yard on Arterial <sup>5</sup>	30' 40'	30' 40'	25' 40'	25' 40	25' 40'	25' 40'	30' 40'	30' 40'	30' 40'
Min. Between Facing Structures on Same Lot			60'	60'	60'	50'	50'	50'	50'
Min. Side yard side/total	10'/24'	8'/20'	8'/16'	8'/16'	6'/12'	8'/18'	10'/22'	10'/22'	8'/18'
Min. Side Yard Between R-M & R-H adj. to A, R-S, R-1, R-2							25'	25'	25'
Min. Corner Side Yard on Arterial	30' 30'	25' 25'	20' 25'	20' 25'	20' 25'	20' 30'	25' 30'	25' 30'	25' 30'
Min. Side to Side Separation Between Residential Structures on Same Lot			20'	16'	13'	15'	15'	15'	15'
Min. Separation Side to Front, Side to Rear, Rear to Rear			30'	30'	30'	25'	25'	25'	25'
Min. Rear Yard <sup>6</sup>	30'	30'	25'	25'	25'	30'	30'	30'	30'
Min. Rear Yard (double face street) <sup>6</sup>	40'	40'	35'	35'	35'	40'	30'	30'	30'
Min. Corner Rear Yard <sup>6</sup>	30'	30'	25'	25'	25'	25'	25'	25'	25'

ACCESSORY STRUCTURE SETBACKS									
Min. Front Yard	30'	30'	25'	25'	25'	25'	25'	25'	25'
Min. Side Yard <sup>7</sup>	3'	3'	3'	3'	3'	3'	3'	3'	3'
Min. Corner Side Yard <sup>8</sup> on Arterial	30'	30'	20'	20'	20'	20'	25'	25'	25'
	30'	30'	30'	30'	30'	30'	30'	30'	30'
Min. Rear Yard	3'	3'	3'	3'	3'	3'	3'	3'	3'
Agriculture Struc. Front Yard Min.	100'	100'							
Agriculture Struc. Side Yard Min.	10'	10'							
Agriculture Struc. Rear Yard Min.	10'	10'							
Agriculture Struc. Distance from Neighboring Dwelling	100'	100'							
Distance Between Accessory and Principle Bldgs (same lot)	6'	6'	6'	6'	6'	6'	6'	6'	6'
Distance Between Accessory & Principle Struc. (adjacent lot)	12'	12'	12'	12'	12'	12'	12'	12'	12'
STRUCTURE HEIGHT AND LOT COVERAGE									
Max. Height Principle Struc. <sup>9</sup>	35'	35'	30'	30'	30'	30'	35'	35'	35'
Max. Height Accessory Struc. <sup>10</sup>	25'	23'	18'	18'	18'	18'	18'	18'	18'
Min. Height Principle Struc.	10'	10'	10'	10'	10'	10'	10'	10'	10'
Max. Lot Coverage			60%	60%	60%	60%	70%	70%	70%

1. The R-2 and R-M1 zones require eight thousand (8,000) square feet for the first two dwelling units. The R-M2 and R-H zones require ten thousand (10,000) square feet for the first two (2) dwelling units.
2. Corner lots shall meet the minimum lot width requirement on both street frontages.
3. In a subdivision of eight (8) lots or more, the lots shall be designed to provide for a variety of lot widths. Twenty-five percent (25%) of the lots in the subdivision shall have a lot width at least five feet (5') wider at the required front setback, than the required minimum of the zone. Twenty-five percent (25%) of the lots in the subdivision shall have a lot width at least ten feet (10') wider at the required front setback, than the required minimum of the zone. In order to distribute the varied lot widths throughout the subdivision, no more than five (5) lots in a row of the minimum lot width of the zone shall be provided.
4. Measured along the chord length for lots on curves.
5. Residential building lots should not face onto arterial streets. In those limited circumstances where the only available frontage is on an arterial street, it is important to achieve the greatest setback possible to protect residents from the noise and safety hazards associated with potentially high volumes of traffic and high speeds. Side yard setbacks should also include greater setbacks for those same reasons. Arterial streets are defined in 19.02 Layton Municipal Code.
6. In the R-1 and R-2 zones, the landscape buffer requirements of 19.16.090 apply.
7. Minimum side yard setback for an accessory structure on an interior lot is three feet (3') if the accessory structure is located at least six feet (6') behind the principal structure - otherwise, side yard setback for principal structures would apply to the accessory structure.
8. Corner lots may have an accessory structure located within five feet (5') of the corner side yard property line nearest the street when: It is not more than twelve feet (12') in height to mid-point; the yard is walled or fenced to a minimum height of six feet (6'). The wall or fence is sight-obscuring; and extended three feet (3') in length beyond the accessory structure and runs parallel to the adjacent street(s). The accessory structure is not adjacent to the front yard of the adjoining property; the accessory structure is placed behind the rear foundation line of the principle structure; and is in compliance with clear view requirements. Accessory structures with a garage door facing and running parallel with the adjacent street must comply with the corner side yard setbacks of the specific zone.
9. In Agricultural and Single Family Residential zones, primary structures constructed in conjunction with a Community Use as defined in Section 19.02.020 shall be allowed an additional 1 (one) foot of building height for every 1 (one) foot of additional building setback up to a maximum of 100 feet of height. Deeper building setbacks may apply, or building height(s) may be tiered as one or more architectural step back(s) from the minimum setbacks. Nothing in this section shall be construed to limit the exceptions to building height found in section 19.05.030.
10. Accessory structures over eighteen feet (18') in height shall have an additional three feet (3') setback from all property lines and the rear of the main structure for every additional one foot (1') in height.

**SECTION III: Severability.** If any section, subsection, sentence, clause, or phrase of this ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, said portion shall be severed and such declaration shall not affect the validity of the remainder of this ordinance.

SECTION IV: **Effective Date.** This ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED** by the City Council of Layton, Utah, this **5<sup>th</sup> day of September, 2019.**



*Scott Freitag*  
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SCOTT FREITAG, Mayor

ATTEST:

*Kimberly S Read*  
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KIMBERLY S READ, City Recorder

SCANNED  
SEP 10 2019