

**LAYTON CITY  
ORDINANCE 20-23**

**AN ORDINANCE AMENDING LAYTON CITY MUNICIPAL CODE – TITLE 19,  
ZONING, TABLE 5-1 AND 5-2 RELATED TO ACCESSORY STRUCTURE  
CORNER SIDE YARD SETBACK IN THE RESIDENTIAL SUBURBAN (R-S)  
ZONE; PROVIDING FOR REPEALER; SEVERABILITY; AND AN EFFECTIVE  
DATE**

**WHEREAS**, the City has been petitioned for a change in the zoning requirements for the accessory structure corner side yard setback in the Residential Suburban (R-S) zoning district to allow a reduced setback into the required corner side yard setback; and

**WHEREAS**, the City Staff has found the proposed accessory structure corner side yard setback reduction to be consistent with the other Single Family Residential zone districts; and

**WHEREAS**, the Layton City Planning Commission held a public hearing on June 23, 2020, 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, Table 5-1 And 5-2;

**NOW THEREFORE**, be it ordained by the Council of Layton City, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “Tables 5-1 And 5-2” of the Layton Municipal Code is hereby *amended* as follows:

AMENDMENT

Tables 5-1 And 5-2

[Tables 5-1 and 5-2](#)

**TABLE 5-1**

### LOT SIZE

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
Min. Lot Area 1st 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

### PRINCIPAL STRUCTURE SETBACKS

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
Min. Front Yard on Arterial <sup>5</sup>	30' 40'	25' 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 $\frac{\text{Side}}{\text{Total}}$	10'/ 24'	8'/ 20'	8'/ 6'	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'	20' 25'	20' 25'	20' 25'	20' 25'	20' 25'	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

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
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'	<del>30'</del> 20'	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 Principal Bldgs (same lot)	6'	6'	6'	6'	6'	6'	6'	6'	6'
Distance Between Accessory <u>and</u> Principal Struc. (adjacent lot)	12'	12'	12'	12'	12'	12'	12'	12'	12'

### STRUCTURE HEIGHT AND LOT COVERAGE

	A	R-S	R-1-10	R-1-8	R-1-6	R-2	R-M1	R-M2	R-H
Max. Height Principale Struc.	35'	35'	30'	30'	30'	30'	35'	35'	35'
Max. Height Accessory Struc. <sup>9</sup>	25'	23'	18'	18'	18'	18'	18'	18'	18'
Min. Height Principale 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 setbacks for an accessory structure on an interior lot is three feet ~~(3')~~ if the accessory structure is located at least 6 six feet 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 principal 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. 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.
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.

**TABLE 5-2**

**LOT SIZE**

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	M-U	MU-TOD
Min. Lot Area	2 acres	20,000 s/f	10,000 s/f	20,000 s/f	20,000 s/f	20,000 s/f	20,000 s/f	0'	0'	0'	0'

**PRINCIPAL USE**

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	M-U	MU-TOD
Min. Front Yard	30'	20'	25'	20'	20'	0'	0'	15' 3	30'	0'	0'
Min. Side Yard (internal)	10'	10'	1'	0'	0'	0'	0'	0'	0'	0'	0'
Min. Side Yard (corner)	20'	20'	0'	20'	20'	0'	0'	20'	30'	0'	0'
Min. Rear Yard	10'	10'	0'	0'	0'	0'	0'	0'	0'	0'	0'
Distance Between Structures on Same Lot	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'	0'

**ACCESSORY USES**

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	MU	MU-TOD
Min. Front Yard	30'	50'	30'	25'	25'	25'	25'	25'	25'		
Min. Side Yard (interior)	5'	10'	1'	1'	1'	1'	1'	1'	1'		
Min. Side Yard (corner)	10'	1'	0'	0'	0'	0'	0'	0'	0'		
Min. Rear Yard	5'	10'	1'	1'	1'	1'	1'	1'	1'		

### ADJACENT TO RESIDENTIAL ZONES

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	MU	MU-TOD
Rear <sup>1</sup>		20'+	35'+ 2	35'+ 2	35'+ 2	35'+ 2	35'+ 2	35'+ +	35'+ +		
Side <sup>1</sup>		20'+	20'+	20'+	20'+	20'+	20'+	20'+ +	20'+ +		
Agriculture Struc. Distance From	100'										
Neighboring Dwelling											

### HEIGHT

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	MU	MU-TOD
Max. Principal Structure	35'	100'	35'	40'	40'	60'	60'	60'	100'		
Max. Accessory Structure	25'	20'	35'	40'	40'	40'	40'	60'	100'		
Permitted Minimum	10'	10'	10'	10'	10'	10'	10'	10'	10'		

### LOT COVERAGE

	A-2	B-RP	P-B	CP-1	CP-2	CP-3	C-H	M-1	M-2	MU	MU-TOD
Max. for all Buildings		40%	50%	40%	50%	60%	60%	60%	60%	100%	100%
Min. Landscaping		25%	10%	10%	10%	10%	10%				

1. Those numbers which include a plus (+) sign after them indicate that for every foot of height above 35' on a principal use structures, and above 20' on accessory structures, an additional one (+) foot of setback will be required.

2. Commercial uses adjacent to multiple family residential developments of two-~~(2)~~ stories or more may reduce the rear yard setback to a minimum of 20'.

3. Each lot or parcel in the M-1 zone shall have a front yard of not less than 15'. In addition, any building having a height greater than 20' shall have an additional one foot of front yard for every foot of height above 20'.

**SECTION 2:            REPEALER CLAUSE** If any provisions of the City's Code previously adopted are inconsistent herewith they are hereby repealed.

**SECTION 3:            SEVERABILITY CLAUSE** 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 4:            EFFECTIVE DATE** This Ordinance shall be in full force and effect from July 16, 2020, and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE LAYTON CITY COUNCIL

July 16, 2020

	AYE	NAY	ABSENT	ABSTAIN
Joy Petro	_____	_____	_____	_____
Tom Day	_____	_____✓	_____	_____
Dave Thomas	_____✓	_____	_____	_____
Zach Bloxham	_____✓	_____	_____	_____
Clint Morris	_____✓	_____	_____	_____
Dawn Fitzpatrick	_____✓	_____	_____	_____

Presiding Officer

Attest

Joy Petro  
Joy Petro, Mayor, Layton City

Kimberly S Read  
Kimberly S Read, City Recorder,  
Layton City



Chad Wilkinson  
Chad Wilkinson, Director,  
Community & Economic  
Development, Layton City

Gary Crane  
Gary Crane, City Attorney Layton  
City

STATE OF UTAH            )  
  ss:  
COUNTY OF DAVIS        )

I, **Kimberly S Read**, do hereby certify that I am the duly qualified and acting **City Recorder** of Layton City Corporation, a municipal corporation located in Davis County, State of Utah. I further certify that on the **20<sup>th</sup> day of July, 2020**, I posted **Ordinance 20-23** to which this certificate is attached, by posting a full, true and correct copy thereof, in each of the following three public places within the corporate limits of Layton City, to wit:

**One copy at Layton City Hall**

**One copy at Davis County Library, Layton Branch**

**One copy at Layton City Police Department**

IN WITNESS WHEREOF, I have hereunto subscribed my official signature and affixed the corporate seal of Layton City this **20<sup>th</sup> day of July, 2020**.



SEAL

  
\_\_\_\_\_  
KIMBERLY S READ, City Recorder