

**CEDAR CITY
ORDINANCE 0522-24**

AN ORDINANCE ADDING SECTION 26-IV-21 FLAG LOT STANDARDS

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enable Cedar City to pass ordinances as are necessary and proper to provide for the safety, promote the prosperity, improve the peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city; and

WHEREAS, Cedar City has adopted Chapter 26 of the ordinance of Cedar City, Utah, and said provisions contain specific requirements governing the control of property through zoning laws; and

WHEREAS, the Cedar City Council desires to update and amend Chapter 26 Article IV of the Cedar City Ordinances; and

WHEREAS, the Cedar City Council seeks to implement a standard to allow flag lots pursuant to this ordinance; and

WHEREAS, , the City Council finds that it is in the best interests of the health, safety, and general welfare of the citizens of Cedar City to allow flag lots within residential subdivisions.

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

SECTION 1: ADOPTION “Section 26-IV-21 Flag Lot Standards” of the Cedar City Municipal Code is hereby *added* as follows:

ADOPTION

Section 26-IV-21 Flag Lot Standards(*Added*)

- A. Definition. A flag LOT is defined as a lot in a residential zoning district that does not meet the required frontage on a public street. A flag lot has two distinct parts: the flag, which contains the buildable area and is located behind another lot; and the pole, which connects the flag to the street frontage for the lot, and contains less than the minimum frontage for the zone.
- B. Minimum Requirements. Other than the exception provided in subsection 26-IV-21(C), a flag lot shall meet the following minimum requirements:
 - 1. Flag lots shall be limited to one Single-Family Dwelling.
 - 2. Not more than one flag lot shall be created from an existing lot or parcel.
 - 3. The remainder of the lot or parcel from which the flag lot is being divided

- shall maintain all of the required zoning standards, including frontage.
4. There shall be no more than one lot served by the pole portion of the flag lot.
 5. The pole portion shall be a minimum of twenty-six (26) feet wide and shall maintain the required width for the entire length of the pole portion.
 6. The pole portion shall have a hard surfaced driveway leading to the required parking area of no less than twenty-four (24) feet in width. Adequate provisions shall be determined by the City Engineer for drainage of the driveway
 7. The access road or driveway shall be maintained by the property owner in good condition and with adequate snow removal so as to provide all-weather access for emergency vehicles.
 8. The street address shall be clearly identified so that it is visible from the public right-of-way. Numbering shall be no less than 4 inches in height and shall be reflective in nature. Upon recommendation by the fire marshal a “fire lane” sign may be required near the entrance to access roads/driveways reading “No Parking Fire Lane.”
 9. There shall be no accessory structures allowed within the pole portion of the lot.
 10. Required parking shall be within the flag portion of the lot, and prohibited withing the pole portion.
 11. The pole portion of flag lots shall be rectangular with doglegs, jagged and irregular shapes prohibited. In no case shall the pole portion of the lot intersect the public right-of-way at less than eight-five (85) degrees.
 12. Sufficient turnaround space for emergency vehicles shall be provided and an easement for access by emergency vehicles will be required based on the International Fire Code. The fire marshal shall review and approve the design and location.
 13. Fire hydrants shall be provided to serve the flag lot as required by the International Fire Code. Any fire hydrants located in the public rights of way shall be dedicated to the water provider for access to and maintenance of the hydrant. Protective barriers may be required to prevent vehicular damage.
 14. The load bearing capacity of the driveway may be required to be designed to support the weight of fire and emergency vehicles as required by the Fire Marshal and City Engineer. Access roads shall be constructed of asphalt or concrete and shall be capable of supporting the imposed loads of fire apparatus.
 15. The flag portion of the lot shall meet the minimum lot width as measured parallel with the public right-of-way.
 16. The flag portion shall meet the minimum lot size of the underlying zone exclusive of the pole portion of the lot.
 17. Setback shall be calculated from the point where the pole portion of the lot meets the flag portion of the lot. The front setback shall be associated from this intersection measured parallel with the public-right-of-way. Setbacks shall comply with the underlying zone.
 18. All utilities running the length of the pole which service the home on the flag lot shall be owned and maintained by the owners of the flag lot unless

otherwise required by Cedar City and or other service providers.

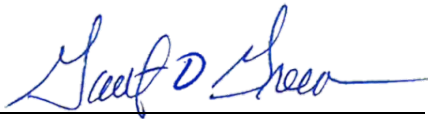
19. When a flag lot is less than 10,000 square feet, five feet of landscaping including evergreens and other tall shrubs that provide a visual barrier and a six-foot site obscuring fence shall be required along the yards where the flag portion of the lot abuts adjoining lots with exception of the lot from which a flag lot is created. This provision shall not be applicable in new subdivisions.
 20. Flag lot driveways may be shared with a maximum of one lot with a maximum driveway width of forty-two (42) feet. Minimum driveway separations shall be applicable in existing subdivisions where the new pole portion and associated access driveway abuts a neighboring property not associated with the creation of the new lot.
 21. Water Meters shall be prohibited in any driveway.
 22. The maximum percentage of flag lots in any subdivision created after the effective date of this ordinance shall be no more than ten (10) percent of the total.
- C. Exception. If a flag lot is created from a lot that is more narrow than seventy-six (76) feet, was platted or subdivided before the year 1980, and a twenty-six (26) foot wide driveway would encroach onto an existing structure at all points of egress from a public street, then:
1. No part of a structure connected to a dwelling may lie further than one hundred fifty feet (150') from a public street to the nearest point on the structure;
 2. The pole portion shall be one foot less than the distance between the existing structure and the lot line, but not less than a minimum of twelve (12) feet wide and shall maintain the required width for the entire length of the pole portion;
 3. The minimum side yard for the parent lot shall be three (3) feet from the property line with the pole. Said three (3) feet must remain clear of all obstructions, including, but not limited to, fences, utilities, and stairs. The change in setback allowed herein shall not be used to violate the Fire or Building Codes, either of which may require a greater setback or changes to the structure(s) on the parent lot to alleviate any problems created by the change in property line.
 4. The rear setback for the parent lot and the front setback for the flag lot shall be ten (10) feet.
 5. The pole portion shall have a hard surfaced driveway leading to the required parking area of three feet less than the distance between the existing structure and the lot line, but not less than ten (10) feet in width;
 6. Turnaround space for emergency vehicles and an easement for access by emergency vehicles will not be required; and
 7. The load bearing capacity of the driveway or access road need not be designed to support the weight of fire apparatus and emergency vehicles.

PASSED AND ADOPTED BY THE CEDAR CITY CITY COUNCIL MAY 22, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Phillips	_____	<u> X </u>	_____	_____
Melling	<u> X </u>	_____	_____	_____
Riddle	<u> X </u>	_____	_____	_____
Cox	<u> X </u>	_____	_____	_____
Wilkey	_____	<u> X </u>	_____	_____

Presiding Officer

Attest



Garth O. Green, MAYOR, Cedar City



RENON SAVAGE, RECORDER,
Cedar City

