

**VERNAL
ORDINANCE 2024-05**

**AN ORDINANCE OF THE VERNAL CITY COUNCIL AMENDING THE VERNAL
CITY MUNICIPAL CODE SECTION 16.24.060 - FLAG LOT PERMITTED.**

WHEREAS, the City Council finds that sections of the code need to be updated to coordinate with the subdivision amendments; and

WHEREAS, the City Council finds that it is necessary to have regulations for flag lots for orderly growth and conduct of development within the City; and

WHEREAS, the City Council deems it to be in the best interest of the health, safety and welfare of the citizens to incorporate the following changes to the provisions of the Vernal City Code, and;

WHEREAS, the City Council has received input from the public at large in duly noticed open meetings, and has considered and discussed the advantages and disadvantages of such regulation.

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

SECTION 1: **AMENDMENT** “Section 16.24.060 Flag Lots Permitted” of the Vernal Municipal Code is hereby *amended* as follows:

A M E N D M E N T

Section 16.24.060 Flag Lots Permitted

The residential use of flag lots or panhandle shaped lots in residential zones shall be considered a permitted use provided the following requirements are met:

- A. It has been demonstrated to the City Planner, ~~and~~ Planning & Zoning Commission ~~and~~ ~~City Council~~ that because of topographical features or unique situations associated with the parcel proposed to be subdivided, that substantial use of the subject parcel relative to the zoning intentions and neighboring properties can not occur unless a panhandle shape lot is allowed to be created.
- B. The lot has the required width for two way access onto a dedicated public street as required in Section 16.26.230. Required setbacks shall not be counted as part of the access strip. ~~and~~ ~~The~~ access strip shall be a hard surface of either asphalt or concrete with adequate drainage and properly maintained. ~~Hard surface means asphalt or concrete.~~ A shared access strip for up to three (3) lots ~~more than one lot~~ may be allowed with a recorded easement for all property owners.

- C. The body of the interior portion of the lot meets all of the required dimensions, to include width and area, for the zone in which it is located. The access strip shall not count as part of the land area needed to meet the lot area requirement.
- D. ~~A fire hydrant will be located within 250 feet of where the dwelling is located or proposed to be located and access to the hydrant must be hard surfaced.~~ The building envelope will be compliant with fire code regulations and shown on the plat.
- E. The address of the dwelling located on the panhandle lot shall be clearly visible from a public street which the panhandle lot accesses.
- F. Enforcement of setback requirements as per this code will be determined based on the orientation of the structure on the property.

(PZSC § 03-11-006) (Ord. No. 98-02, Amended, 01/28/98)
 (Ord. 2016-09, Amended, 08/03/2016; Ord. 2015-01, Amended, 01/21/2015; Ord. 2004-26, Amended, 11/03/2004)

PASSED AND ADOPTED BY THE VERNAL COUNCIL

2-21-24

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robin O'Driscoll	<u>X</u>	_____	_____	_____
Councilmember Corey Foley	<u>X</u>	_____	_____	_____
Councilmember Ted Munford	<u>X</u>	_____	_____	_____
Councilmember Edward Long	<u>X</u>	_____	_____	_____
Councilmember Randel Mills	<u>X</u>	_____	_____	_____

Presiding Officer

Attest

Doug Hammond
 Doug Hammond, Mayor, Vernal

Roxanne Behunin
 Roxanne Behunin, City Recorder,
 Vernal

