



Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Discussion regarding a legislative application to amend the North Ogden Zoning ordinance to revise flag lot standards
Agenda Date: September 2, 2015
Applicant: North Ogden City
File Number: ZTA 2015-06

STAFF INFORMATION

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APPLICABLE ORDINANCES

North Ogden Zoning Ordinance 11-1-4 (Changes and Amendments)
North Ogden Zoning Ordinance 11-2-1 (Definitions)
North Ogden Zoning Ordinance 11-7J (Residential City Center Zone (RCC))
North Ogden Zoning Ordinance Title 12 (Subdivision Regulations)

TYPE OF DECISION

When the Planning Commission is acting in a legislative capacity it has wide discretion. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically the criteria for making a legislative decision requires compatibility with the general plan and existing codes.

BACKGROUND

The City Council on July 28, 2015 passed a temporary regulation putting a hold on further approvals of flag lots until amended flag lot standards are written and approved. A joint work session with the Planning Commission and City Council was held on August 4th in order to identify the parameters for amending the flag lot provisions.

The current flag lot regulations regarding flag lots are found in both the zoning and subdivision ordinances. The following summary is provided for these regulations:

- There are two definitions of flag lots; one in the zoning ordinance and one in the subdivision ordinance. The two definitions are not consistent.

11-2-1 LOT, FLAG: A flag or L-shaped lot consisting of a staff portion contiguous with the flag portion, the staff portion having frontage on a dedicated street.

12-2-2 FLAG LOT: A flag or L-shaped lot comprised of a staff having a minimum width of thirty feet (30') and a maximum length of two hundred twenty feet (220'), and a flag portion consisting of the minimum dimensions required for a regular lot in the applicable zone. The square footage of the staff shall not be considered in determining whether the lot size (the flag portion) requirements are met.

- The approval of flag lots is done by the planning commission as a special provision. The term special provision is not specified.

12-6-2(B) Flag Lots: All flag lots shall be approved as a special provision to the zoning ordinance by the planning commission in accordance with the provisions the definition of "lot, flag" set forth in section [11-2-1](#) of this code.

- Flag lots are allowed in all residential and commercial zones. The RCC zone has a prohibition of allowing two-family dwellings. This same provision does not occur in the R-2, R-3, or R-4 zones.

11-7J-2 (D) TWO FAMILY DWELLINGS. Two-family dwelling shall not be allowed on flag lots.

Staff has researched several other community ordinances to provide some ideas on possible flag lot standards.

- It is not feasible or desirable to extend a street to serve such lot or lots at that time. Feasibility criteria including, but not be limited to, topography, a natural feature or existing development on adjacent property prohibits a road from being built and the transportation plan does not call for a roadway.
- Designate which zones that flag lots are allowed.
- Only single family homes can be built on a flag lot. Should any of the multi-family zones allow flag lots and if so should they be limited to single family dwellings, e.g., R-3 or R-4.

Flag lot standard options:

- The flag staff or access strip shall have a minimum width of twenty (20) feet and a maximum width of thirty (30) feet.
- The required front yard setback shall be measured from the lot frontage property line.
- The area of the flag staff or access strip shall not be included within the minimum lot area requirement.
- The lot area requirement to be x% greater than the minimum lot size for that district.
- Specify and increase the setback requirements, e.g., building shall be set back a minimum of 30 feet from any property line and 30 feet from the front line of the flag lot staff. The depth of the front yard shall be the distance between the front line of the building and the property line or nearest line of the flag stem which the building faces.
- The lot address shall be displayed in prominently visible location at the street entrance to the flag stem.
- Have a maximum building height, e.g., 25 feet.
- Consider allowing multiple flag lots from a shared flag stem on steep sloped areas, e.g., lots over x% slope.

PLANNING COMMISSION CONSIDERATIONS

- What are the standards that the Planning Commission is comfortable with?

RECOMMENDATION

Identify those standards that the Planning Commission is comfortable with for flag lots. Staff will prepare a draft ordinance for consideration at a public hearing.