

1. 7:00 P.M. Regular Meeting

Documents:

[10-13-20 PC PUBLIC AGENDA.PDF](#)  
[2020-10-13 PC PACKET.PDF](#)

## **TO THE PUBLIC AND RESIDENTS OF VERNAL CITY:**

Notice is hereby given that the **VERNAL CITY PLANNING COMMISSION** will hold a regular meeting on **Tuesday, October 13, 2020 at 7:00 p.m.** in the Vernal City Council Chambers at 374 East Main Street, Vernal, Utah.

# **AGENDA**

### **A. STANDING BUSINESS**

1. Welcome and Designation of Chair and Members
2. Approval of Minutes Meeting for September 15, 2020

### **B. PUBLIC HEARING – 7:05 P.M.**

1. Request for Recommendation to consider a rezone request from James Honert for the property located at 67 South 200 West, Vernal, Utah from R-4 (Residential Zone) to a CC-1 (Commercial Zone) – Ordinance No. 2020-11

### **C. ACTION ITEM**

1. Chris and Kalene Gamble Parking Lot Conditional Use Request 277 South Vernal Avenue, Vernal, Utah – 2020-013-CUP

### **D. DISCUSSION ITEM**

1. Amend Vernal City Code for Set Backs in the R-3 Zone – Sections 16.42.060
2. Amend Vernal City Code for Flag Lots – Section 16.24.060

### **E. ADJOURN**

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### **E. ADJOURN**

1 **MINUTES of the Vernal City PLANNING COMMISSION**

2 Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

3 September 15, 2020

4 7:00 pm

5  
6 **Members Present:** Samantha Scott, Eric Hunting, Nick Porter, Darcy McMickell,  
7 Troy Allred, Jim Linschoten

8  
9 **Members Excused:** [Click here to enter text.](#)

10  
11 **Alternates Present:**

12 **Alternates Excused:** Corey Foley

13  
14 **Staff Present:** Allen Parker, Assistant City Manager; and Gay Lee Jeffs,  
15 Administrative Secretary.

16  
17 **WELCOME AND DESIGNATION OF CHAIR AND MEMBERS:** Chair Samantha Scott  
18 welcomed everyone present to the meeting.

19  
20 **APPROVAL OF MINUTES FROM July 14, 2020:** Chair Samantha Scott asked if there were  
21 any changes to the minutes from July 14, 2020. There being no corrections, *Nick Porter moved*  
22 *to approve the minutes of July 14, 2020 as presented. Jim Linschoten seconded the motion.*  
23 *The motion passed with Samantha Scott, Eric Hunting, Nick Porter, Darcy McMickell, Troy*  
24 *Allred and Jim Linschoten voting in favor.*

25  
26 **REQUEST FOR RECOMMENDATION TO CONSIDER A MINOR SUBDIVISION**  
27 **REQUEST FROM ROSCOE WESTON MOTELS, INC. FOR THE PROPERTY LOCATED AT**  
28 **1684 WEST HIGHWAY 40, VERNAL, UTAH. THE REQUEST IS FOR A LOT SPLIT FROM**  
29 **ONE PARCEL (9.46 ACRES) TO TWO PARCELS (3.91 ACRES & 5.55 ACRES).**

30 Allen Parker stated that the request is a large area of land. Lot 2 has the Quality Inn Hotel on it  
31 right now. The proposal splits off the portion of land that is to the Southwest of the hotel. It is  
32 the green grassed area that will be split off from the hotel development. The request meets all of  
33 the requirements of Vernal City Code. One of the things there was a question about has been  
34 answered. There is a strip of land that continues all the way across the top of the land. Lot 1 that  
35 is being created will not have access to that strip of land which is a dirt road that goes to the  
36 soccer fields. If engineering is required, it can be worked out at a later date. It is a minor  
37 subdivision because it does not dedicate any land to the City. That is one of the requirements to  
38 be able to do a minor subdivision. It is also a minor subdivision because it does not create more  
39 than four lots, this one creates two lots. The applicant does not need to do a preliminary plat and  
40 there is no engineering required. The applicant does know what they are doing with the property.  
41 Eric Hunting asked if the property was going to be land locked or if they have access off of the  
42 highway or somewhere else. Mr. Parker explained that there is frontage on 1000 South and more  
43 frontage on US 40. Both areas could provide an access point. Mr. Hunting asked if the State has  
44 granted access. Mr. Parker stated that the applicant has been working with the State.

45  
46 Chair Samantha Scott opened the public hearing to receive comment from the public. There

47 being no public comment Samantha Scott closed the public hearing.  
48

49 *Darcy McMickell moved to forward a positive recommendation to consider a minor subdivision*  
50 *request from Roscoe Weston Motels, Inc. For the property located at 1684 West Highway 40, Vernal,*  
51 *Utah. The request is for a lot split from one parcel (9.46 acres) to two parcels (3.91 acres & 5.55*  
52 *acres). Troy Allred seconded the motion. The motion passed with Samantha Scott, Eric*  
53 *Hunting, Nick Porter, Darcy McMickell, Troy Allred and Jim Linschoten voting in favor.*  
54

55 **REQUEST FOR RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM**  
56 **JACOB PHILLIPS FOR THE PROPERTIES LOCATED AT 410 NORTH 800 WEST**  
57 **AND 713 WEST 500 NORTH, VERNAL, UTAH FROM R-2 (RESIDENTIAL ZONES)**  
58 **TO A C-2 (COMMERCIAL ZONE) – ORDINANCE NO. 2020-09**

59 Allen Parker Allen Parker stated that the request covers two parcel zones of the City's current  
60 zoning map from a Residential class zone to a Commercial class zone. The R-2 zone is a medium  
61 density zone and it would be rezoned to a C -2 zone which is a standard commercial zone. The  
62 area is indicated within the General Plan as being a commercial area for the future land use map.  
63 The area adjoining it directly to the West was recently rezoned to a CP-2 zone. That area is  
64 owned by Uintah Basin Health Care. This is an extension of that commercial area onto an  
65 adjoining property that is within the area that is indicated for commercial on the General Plan.  
66 The surrounding land use right now is vacant land on the East and a park on the West. To the  
67 North and the South is residential. The land to the North is zoned RA-1 and is outside of the City  
68 limits in Uintah County. All of the other Vernal City limit land surrounding the area is zoned R-2  
69 with the exception of the CP-2 that is adjoining it. It is not a spot zoning, it is adjoining other  
70 commercial zones and is large enough to not be considered a spot zone.  
71

72 Chair Samantha Scott opened the public hearing to receive comment from the public. There  
73 being no public comment Samantha Scott closed the public hearing.  
74

75 *Jim Linschoten moved to forward a positive recommendation to consider a rezone request*  
76 *from Jacob Phillips for the properties located at 410 North 800 West and 713 West 500 North,*  
77 *Vernal, Utah from R-2 (Residential Zones) to a C-2 (Commercial Zone) –Ordinance no. 2020-*  
78 *09. Darcy McMickell seconded the motion. The motion passed with Samantha Scott, Eric*  
79 *Hunting, Nick Porter, Dracy McMickell, Troy Allred and Jim Linschoten voting in favor.*  
80

81 **REQUEST FOR RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM**  
82 **STEVE COCHRAN (MILES PROPERTY HOLDING LLC), BENJAMIN PORTER, DAVID**  
83 **DAVIS, DURK HALL & ELAINE HASSINGER FOR PROPERTIES LOCATED AT 238 WEST**  
84 **200 SOUTH, 152 SOUTH 200 WEST, 168 SOUTH 200 WEST, AND 186 SOUTH 200 WEST,**  
85 **VERNAL, UTAH TO REZONE FROM R-3 (RESIDENTIAL ZONES) TO A R-4 (RESIDENTIAL**  
86 **ZONE). – ORDINANCE NO. 2020-10**

87 Allen Parker showed a slide of the current zoning for the area and an indication of the area that is  
88 proposed to be rezoned. There is split zoning on the two top parcels. They are not separate  
89 parcels. The North half of each parcel is zoned R-4 and the South portion is zoned R-3. The  
90 remaining parcels to be rezoned are all within the R-3 zone. This area is surrounded primarily by  
91 single family residential. It is a typical neighborhood in the core of the City. The area adjoins R-  
92 3 and R-4 zones on all sides. The City's General Plan future land use map indicates it as medium  
93 density residential, not high density residential. However, the General Plan map also shows it

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94 within the mixed use area. Within the mixed use area it is legal to do a rezone to an R-4 despite  
95 the fact that it indicates medium density residential in that area. The General Plan does legally  
96 support that and the application is in order with the Vernal City's Code. Samantha Scott asked  
97 the reason for the rezone. Mr. Parker explained that Steve Cochran would like to split the  
98 property off and would like to develop the garage type structure into additional housing. Mr.  
99 Parker was unsure as to whether it would be for single family dwelling or for high density use.  
100 Eric Hunting asked if this request had come to the Commission a few months ago. Mr. Parker  
101 stated that the request a few months ago was for the subdivision of the land. The subdivision of  
102 the land left that standing as an unsupported accessory structure. So it would be a garage  
103 standing on the land without a supporting primary structure, which is not legal. There would  
104 have to be a residential structure on the land in order for that to be a legal division of land.  
105 Because it was not legal, the subdivision could not be approved. Mr. Cochran proposed at that  
106 time to convert the land to residential use. That residential use would not meet the setback  
107 requirements so it could not be converted from a garage to a residential use at that time either, so  
108 it was denied until Mr. Cochran began to look around for some other options. The rezone is the  
109 option Mr. Cochran chose to pursue. He spoke with adjoining land owners and they decided to  
110 go in on the request for the rezone along with him. Nick Porter informed the Commission that  
111 his brother is also one of the land owners making the request for the rezone; publicly noting his  
112 conflict of interest. Mr. Parker noted that a change from the R-3 to R-4 zone allows for higher  
113 density residential uses. There would have to be a large piece of land to support a large amount  
114 of apartments. It would be permitted if there was a large enough piece of land to add to the  
115 density of the property. The R-3 zone already allows for 4-plexes within that zone. Changing the  
116 zone will change the setbacks. There are a few more uses added to it such as a professional office  
117 as a permitted use. A professional office in an R-3 zone is allowed as a conditional use.  
118 Samantha Scott asked if the neighbors were notified. Mr. Parker explained that the property  
119 owners within 300 feet of the property were notified by mail.

120

121 Chair Samantha Scott opened the public hearing to receive comment from the public.

122

123 Durk Hall, 152 South 200 West, identified five homes to the South of the property on the map  
124 shown. The property in question is a strip of land. Mr. Hall stated the Mr. Cochran owns the  
125 home on the property and the home has been rented out. One of the accesses has been fenced off  
126 and the only other access is off 300 West. It is literally a strip of land with a three door garage at  
127 the back of the property. Mr. Hall said that he had signed the application because Mr. Cochran  
128 had told him that he was going to knock down the garage and clean up the property and build  
129 one home. Mr. Hall stated that the lot cannot support a 4-plex or duplex. It is too small. Renters  
130 constantly move in and out. It would be a constant battle with renters moving in and out with no  
131 respect for neighbors. The people in the neighborhood would feel the consequences. We are in  
132 the middle of town in a quiet neighborhood and we don't need this. Mr. Hall said that Mr.  
133 Cochran told him that he was going to buy small pieces of land from the neighbors. Mr. Hall  
134 declared that the utilities in that area will be a nightmare to tie into existing, he knows from  
135 experience, and it will affect all of the neighbors. Mr. Parker pointed out that he cannot speak  
136 for Mr. Cochran on his intentions for the property, but the City Council can require a  
137 development agreement, which is a contract that restricts the applicant to limited items. If the  
138 request was to move forward with a positive recommendation to the City Council, it could  
139 require a development agreement restricting Mr. Cochran to do perhaps what he had indicated to

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140 other people. There are tools to regulate the development of the property. Mr. Hall maintained  
141 that if Mr. Cochran wanted to build a 4-plex or duplex on the property it is just was too small and  
142 will put the neighborhood on defense, because there would be a revolving door of people coming  
143 and going. Mr. Parker indicated that there might not be enough land for more than a single  
144 family dwelling, but he would have to go over everything with Mr. Cochran to see what space is  
145 available. Mr. Parker explained that there are minimum square footage restrictions, but the  
146 square footage is significantly reduced with an R-4 zone over an R-3 zone. Mr. Hall reiterated  
147 that if there is going to be a larger development in that area, he is strongly opposed to it.  
148

149 Ferrin Steiger, 154 West 200 South, stated that he pictures Vernal City as a big puzzle and this is  
150 one piece of that puzzle. If the development is going to be apartments or duplex it does not  
151 belong there. It is a quiet and good neighborhood. It needs to remain single family dwelling. Mr.  
152 Steiger said that he strongly holds that sentiment. Jim Linschoten stated that he needed  
153 clarification as to what property Mr. Cochran owns. Mr. Parker showed the Commission the  
154 property that Mr. Cochran owns on the map. Mr. Parker reminded everyone that the City Council  
155 has great discretion on how they would implement something like this, so some of the concerns  
156 being expressed could be mitigated by the City Council.  
157

158 Jim Daggett, 190 West 200 South, said that he lives across the street from where Mr. Hall lives  
159 on the corner. He has lived in the neighborhood since the mid 1980's. It is a nice quiet  
160 neighborhood. The one thing they do have in the neighborhood is the bus garages on the corner  
161 which creates a lot of traffic in the community at certain times of the day. His concern is if it is  
162 an apartment building, it could bring more traffic into the community. The safety of children is  
163 also a concern. Mr. Daggett stated that he would like more clarity on what is going to be built on  
164 the location. The location is a small tight area. Mr. Daggett stated that he was unaware of the  
165 rezone until he had received a letter from the City about it.  
166

167 Steve Cochran, 1897 South 120 East, stated that he has no intention of building any apartments  
168 or multi-family dwellings on the property. Hypothetically it could happen in an R-4 zone if a  
169 developer decided to do so. Mr. Cochran explained that he bought the house on 238 West 200  
170 South and would like to split the lot into a flag lot so that the garage built at the back of the lot  
171 could become a single family dwelling. The house on 238 West 200 South has already been  
172 fixed and is under contract. With the flag lot, the intention was to fix the garage in the back to  
173 sell or rent. Mr. Cochran said that he had tried to split the lot last year, but the R-3 zoning did not  
174 work because of the setbacks. The only way for the plan to work is to rezone to an R-4 zone.  
175 The garage in the back is an eye sore. It has a dozen tires on the roof with tarps underneath the  
176 tires that flap and Russian Olive trees growing everywhere. If the request gets approved, Mr.  
177 Cochran will have to buy land from the surrounding neighbors because he will need extra land  
178 for his setbacks. Mr. Cochran explained that he had already talked to those neighbors and they  
179 have agreed to sell a small portion of their lot to him. The neighbors are happy to have the eye  
180 sore removed. Mr. Cochran stated that he thought it would be extremely unlikely a developer  
181 would come in and buy all the homes, demolish them and build apartments, but it could be  
182 possible in an R-4 zone. Mr. Parker explained that an R-4 zone already exists on the North side  
183 of the block and therefore the higher density is already a possibility. That is significant because  
184 the homeowners in that area have not sold their homes to create high density housing. Mr. Parker  
185 reminded again that the City Council can attach certain restrictions to the property for the

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186 purpose of relieving any potential fears that people have to make sure that areas within this are  
187 not exploited beyond that. Those restrictions would not apply only to Mr. Cochran but to all of  
188 the properties within that area. They cannot target a specific individual with it, but nonetheless  
189 they could impose certain restrictions through a development agreement that all the property  
190 owners would have to acknowledge and agree to. Mr. Parker said, as stated earlier, that in order  
191 to develop a large amount of apartments the City requires a large amount of land. There are  
192 minimum size restrictions for lots that exist when developing. There are minimum landscaping  
193 requirements, minimum parking requirements and all of that demands a certain amount of land to  
194 accomplish a certain amount of density. Jim Linschoten asked where and how much property  
195 Mr. Cochran would need. Mr. Cochran showed on the map where and how much property he  
196 would need to purchase and stated that everything would be recorded. Eric Hunting wondered  
197 why Mr. Cochran was trying to rezone other people's property. Mr. Cochran explained that it  
198 would have been considered spot zoning if the surrounding properties were not rezoned as well.  
199 Mr. Hunting asked Mr. Parker about the legality of the smaller lots after Mr. Cochran has  
200 purchased a portion of the lots. Mr. Parker stated that they will not be affected. The lots are well  
201 within the requirements for the City. Mr. Linschoten asked about the easements and if they  
202 would be affected. Mr. Parker explained that easements are between property owners and does  
203 not affect setbacks.

204

205 There being no more public comment, Samantha Scott closed the public hearing.

206

207 Mr. Linschoten asked if the rezone violates any of the City Codes or conditions. Mr. Parker  
208 explained that it does not violate the rezone. There are other steps that Mr. Cochran would need  
209 to go through with the purchase of land and the subdivision. That is because it is within the  
210 mixed use area which allows the City discretion. Mr. Steiger asked if a home could not be built  
211 in that area unless it is rezoned. Mr. Parker stated that the garage could not be remodeled and  
212 converted into a home. If the home was demolished, it is likely, with the design of the flag lot  
213 that a brand new home might be able to be built within the dimensional requirements. Ms.  
214 McMickell asked if anyone that commented in the public hearing lived in the rezone area or if  
215 they all lived outside of the rezone area. Mr. Hall stated that he lived in the rezone area and  
216 showed the Commission where he lives. Ms. Scott asked Mr. Hall if his property was one of the  
217 properties being rezoned. Mr. Parker made clear that the properties in the rezone area are also the  
218 signatures to the application. all applicants rezone. Mr. Hall stated that he does not want to give  
219 up any land. Ms. Scott clarified that no property owners land would be taken away it is simply  
220 changing the zoning from an R-3 to an R-4. Mr. Hall does not want an R-4 in the neighborhood  
221 and gave the example of a church buying an entire block of homes and turning the property into  
222 a parking lot. Mr. Cochran stated that he does not want to make enemies and feels there may be a  
223 misunderstanding. The only way the garage can be changed into a home is to rezone the property  
224 otherwise the garage may have to remain. Mr. Cochran reminded the neighbors that the other  
225 homes in an R-4 zone across the street have not been bought up and made into apartments. Mr.  
226 Parker pointed out again that the neighborhood is currently zoned R-3 and can have a 4 plex on  
227 any R-3 property now if there is enough property. It is already a higher density zone. Mr.  
228 Cochran stated that he is willing to sign a development agreement.

229

230 *Troy Allred moved to forward a negative recommendation consider a rezone request from*  
231 *Steve Cochran (Miles Property Holding LLC), Benjamin Porter, David Davis, Durk Hall & Elaine*  
232 *Hassinger for properties located at 238 West 200 South, 152 South 200 West, 168 South 200 West, and*

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233 *186 South 200 West, Vernal, Utah to rezone from R-3 (Residential Zones) to a R-4 (Residential*  
234 *Zone). – Ordinance no. 2020-10. Eric Hunting second the motion. The motion passed with*  
235 *Samantha Scott, Eric Hunting, Nick Porter, Dracy McMickell, and Troy Allred voting in*  
236 *favor. Jim Linschoten voted against. The motion passed.*

237  
238 **ADJOURN:** *There being no further business, nick moved to adjourn. Darcy seconded the*  
239 *motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

240  
241  
242  
243  
244

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Samantha Scott, Planning Commission Chair

Awaiting Formal Approval



# VERNAL PLANNING COMMISSION STAFF REPORT

ITEM: B1

DATE: 8 October 2020

ZONING MAP AMENDMENT		RECOMMENDATION	
APPLICATION:	2020-012-REZ (James Honert)		
APPLICANT:	James Honert		
LOCATION:	67 South 200 West		
PARCEL NUMBER(S):	05:025:0101	ZONE:	R-4, CC-1
		ACREAGE:	0.25Acres

### NARRATIVE AND ANALYSIS:

James Honert is requesting that the zoning map be amended, changing a .25 acre area on the official zoning map from its current designation of **R-4** to **CC-1**. This area represents a “split zone” on a single parcel, with the north half being zoned CC-1 and the south half being zoned R-4. The area of the request is currently vacant. The adjoining areas on all sides except the north are currently zoned R-4. The adjoining area to the north is zoned CC-1. Surrounding land uses include single and multi family residential, general commercial and the offices for Gold Cross Ambulance. The Vernal City General Plan indicates the future land use for the area of the request as “commercial”, a classification that is compatible with the request. This request is for the rezone of an area that is bordered on at least one side by a CC-1 zone and, therefore, is not considered “spot zoning”. Staff does not recommend a development agreement accompany this rezone request, although the City Council may require one.

### STAFF RECOMMENDATIONS:

The application has been made in accordance with the requirements Vernal City Code. The legal requirements related to changing the zone as requested in the application have been met as well, and this is an approvable request.

Allen Parker  
Assistant City Manager



Area of Proposed  
Zone Amendment

100 South

200 West

Area of Proposed  
Zone Amendment

CC-1

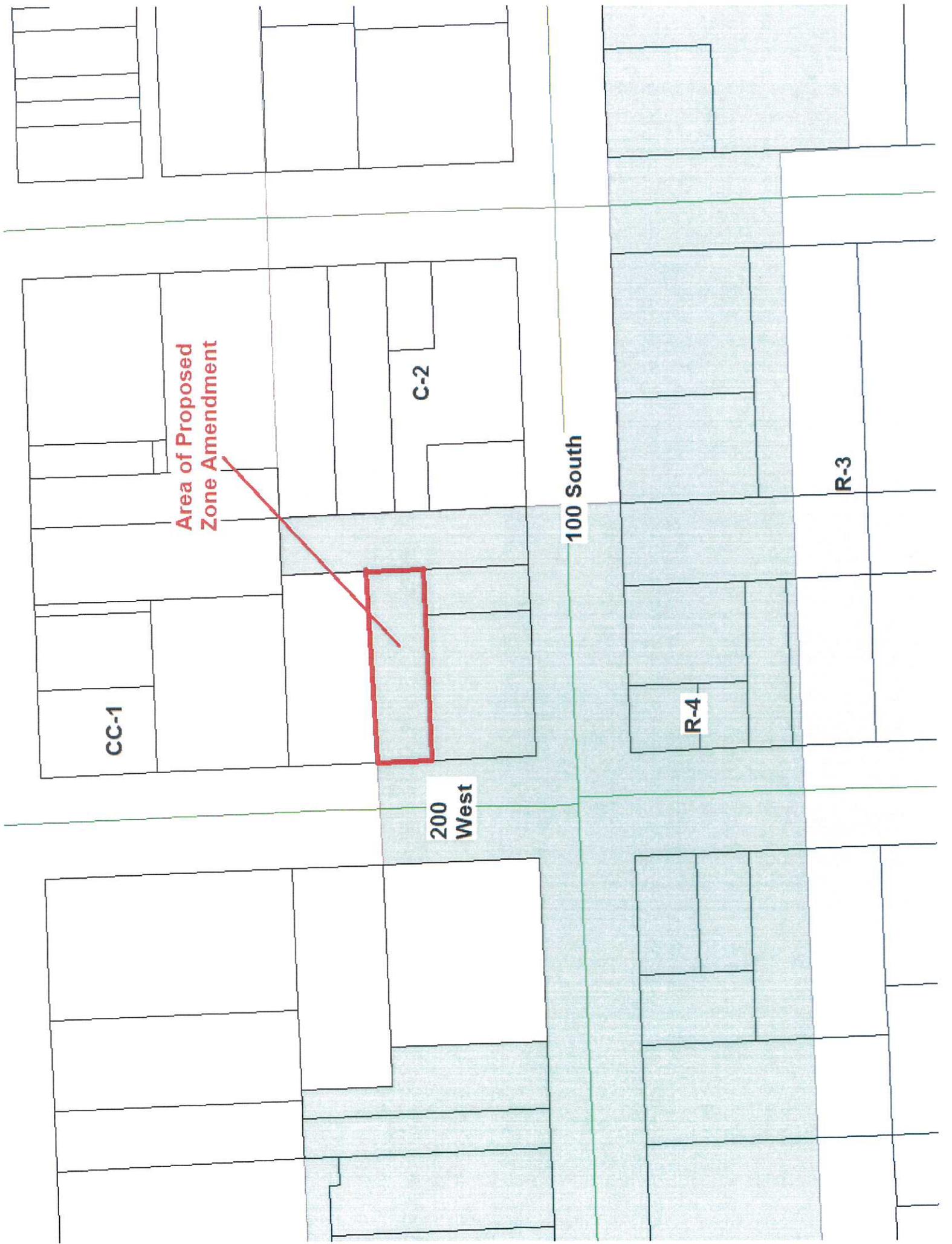
C-2

200  
West

100 South

R-4

R-3





# VERNAL PLANNING COMMISSION STAFF REPORT

ITEM: C1

DATE: 8 October 2020

CONDITIONAL USE PERMIT		For: APPROVAL	
APPLICATION:	2020-013-CUP (Chris and Kalene Gamble)		
APPLICANT:	Chris and Kalene Gamble		
LOCATION:	277 South Vernal Ave.		
PARCEL NUMBER(S):	05:032:0049	ZONE:	R-3
		ACREAGE:	0.39 Acres

### ANALYSIS:

Chris and Kalene Gamble are requesting approval of a conditional use permit to construct a parking lot to support a commercial business located on the adjoining property to the south. The site is located in an R-3 zone which allows public parking lots as a conditional use. The adjoining parcels on all sides, except the south, are zoned R-3. The parcel to the south is zoned C-2. The uses on the adjoining properties include single family residential, public education and a salon. The parcel is currently vacant. Should this conditional use permit be approved, a master site plan application will need to be submitted to the City and approved in accordance with City requirements. In accordance with Section 16.14 Vernal City Code staff finds that:

1. This project will contribute to the general well-being of the community;
2. This project will not be detrimental to the health, safety and well being of the members of the community;
3. This project does comply with the provisions of Vernal City Code.
4. This project complies with the principles of the Vernal City General Plan;
5. This project will not have a derogatory effect on the environment.

### III. STAFF RECOMMENDATIONS:

This application is deemed to be in substantial compliance with Vernal City Code and the requirements contained therein. I do not recommend any conditions to be attached to this permit. Please note that this conditional use permit DOES NOT supersede any requirement set forth in Vernal City Code or the Vernal City Standards and Specifications.

Allen Parker  
Assistant City Manager/Planning Director



Area of Proposed  
Conditional Use

050320149  
43.8' x 226.13'



Vernal City Setbacks in Residential Zones

	R-1, RA-1, R-2, R-3	R-4
Front	30 feet	20 feet
Interior Side	10 feet	5 feet
Exterior Side	20 feet	20 feet
Rear	30 feet	10 feet

## Section 16.42.060 Setback Requirements

Setback requirements are the same as required in the R-1 residential zone.

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## Section 16.42.060 Setback Requirements

1. Front Setback: All buildings and structures shall be set back at least thirty (30) feet from the front lot line.
2. Side Setback:
  1. Except for dwellings utilizing zero side yards, all dwellings and other main buildings shall be set back from the side property line a distance of at least five (5) feet.
  2. The minimum side setback for accessory buildings shall be the same as for main buildings except that no side setback shall be required for accessory buildings located twelve (12) feet or more in back of the dwelling.
  3. On corner lots, the side setback from the street along the exterior lot line for any dwelling, accessory building or other main building shall not be less than twenty (20) feet, unless:
    1. The exterior lot line is directly adjacent to an unimproved, undeveloped section of public right-of-way. If this is the case, the side setback for accessory buildings shall be ten (10) feet.
3. Rear Setback:
  1. For interior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty (20) feet. Accessory buildings shall be set back at least one (1) foot from the rear property line.
  2. For exterior lots, all dwellings and other main buildings shall be set back from the rear property line a distance of at least twenty (20) feet. Accessory buildings on corner lots shall be set back from the rear property line a distance of not less than five (5) feet.

### **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, 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 can not occur unless a panhandle shape lot is allowed to be created.
- B. The lot has the required width for 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 with adequate drainage and properly maintained. Hard surface means asphalt or concrete. A shared access strip for 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.
- 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)