

ORDINANCE 187

FLAG LOT REQUIREMENTS

AN ORDINANCE PROVIDING FLAG LOT REQUIREMENTS WITHIN THE TOWN.

WHEREAS, ELSINORE TOWN ("TOWN") HAS ENACTED THE 1997 ZONING ORDINANCES OF ELSINORE TOWN (HEREINAFTER "ZONING ORDINANCE"); AND

WHEREAS, THE MAYOR AND TOWN COUNCIL OF ELSINORE TOWN HAVE REVIEWED A PROPOSED AMENDMENT WHICH WAS APPROVED AND SUBMITTED BY THE PLANNING COMMISSION AND HAVE DETERMINED THAT THE PROPOSED AMENDMENT IS IN THE BEST INTEREST OF THE TOWN AND THE BEST INTEREST OF THE CITIZENS, OWNERS, OCCUPANTS OR USERS OF PROPERTY WITHIN THE TOWN; AND

WHEREAS, THE MAYOR AND TOWN COUNCIL OF ELSINORE TOWN HAVE HELD A PUBLIC HEARING ON THE PROPOSED AMENDMENT TO THE ZONING ORDINANCE PURSUANT TO 10-9-402, UTAH CODE ANNOTATED 1953, AS AMENDED; NOW THEREFORE,

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF ELSINORE TOWN, SEVIER COUNTY, STATE OF UTAH:

SECTION 1. PREAMBLE. THE RECITALS IN THE PREAMBLE ARE DEEMED TO BE A PART OF THIS ORDINANCE AND ARE HEREBY DECLARED TO EXPRESS THE INTENT HEREOF.

SECTION 2. THE PERTINENT SECTIONS OF CHAPTERS 8, 9 AND 10 OF THE ZONING ORDINANCE OF ELSINORE TOWN ARE AMENDED AND SUPPLEMENTED BY ADDING THE FOLLOWING NEW AND ADDITIONAL PROVISION:

SECTIONS 8.311, 9.310 AND 10.319. FLAG LOT REQUIREMENTS. FLAG LOT REQUIREMENTS IMPOSED SHALL BE SUBJECT OF THE FOLLOWING GENERAL GUIDELINES:

- (A) THE ROADWAY ENTRANCE SHALL HAVE A MINIMUM 30 –FOOT FRONTAGE AND SHALL NOT EXCEED 300 FEET IN LENGTH.
- (B) THE PROPERTY OWNER MUST PROVIDE FOR A SUFFICIENT TURN-AROUND AREA SO AS TO AVOID THE NECESSITY OF BACKING OUT INTO THE TOWN STREET AND A SUFFICIENT PARKING AREA TO AVOID USE OF THE ROADWAY FOR PARKING;
- (C) A MINIMUM OF 1,000 SQUARE FOOT MAIN FLOOR (NOT INCLUDING BASEMENT OR UPPER FLOORS);
- (D) THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE PLACEMENT AND COST OF UTILITIES FROM THE TOWN STREET TO THE PLACE OF USE.

SECTION 3. ALL OTHER REQUIREMENTS FOR RESIDENTIAL CONSTRUCTION WITHIN THE ZONING ORDINANCE SHALL APPLY TO CONSTRUCTION AND USE OF FLAG LOTS.

SECTION 4. NO OTHER SECTIONS OR PROVISIONS OF THE ZONING ORDINANCE SHALL BE EFFECTED.

SECTION 5. EFFECTIVE DATE. THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ADOPTION AND POSTING AS PROVIDED IN 10-3-711, UTAH CODE ANNOTATED 1953, AS AMENDED.

PASSED AND APPROVED THIS 3RD DAY OF FEBRUARY, 2004.