ORDINANCE NO. 2026-10

AN ORDINANCE OF IVINS CITY, UTAH, AMENDING SECTION 15.05.204 OF THE IVINS CITY CODE CLARIFYING THE USE OF AND DEVELOPMENT STANDARDS FOR FLAG LOTS

WHEREAS the city council for Ivins City (the "City Council") is authorized by law to exercise its legislative powers through ordinances as are necessary for carrying into effect the duties and powers of the City Council and as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of Ivins City and its inhabitants, and for the protection of property in Ivins City (see Utah Code § 10-8-84; Ivins City Code §§ 2.01.301, et seq.)

WHEREAS before the City Council can pass an ordinance regulating land use the planning commission for Ivins City (the "Planning Commission") must consider the regulation and conduct a public meeting regarding the proposed land use regulation;

WHEREAS after conducting a public meeting regarding this ordinance on March 31, 2026 the Planning Commission recommended that the City Council approve this ordinance;

WHEREAS the City Council has investigated and considered existing flaglots can be converted into up to two (2) additional lots without increasing frontage on a dedicated roadway or a publicly approved street;

WHEREAS the City Council finds that this amendment to the ordinance will help create opportunities for infill development;

NOW, THEREFORE, BE IT ORDAINED by the City Council of Ivins City as follows:

Section 1. Amendment to Section 15.05.204 of the Ivins City Code. Section 15.05.204 of the Ivins City Code is hereby amended in its entirety as follows:

See Exhibit A

Section 2. Severability. If any section, clause, or portion of this ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 3. Effective Date. This Ordinance shall become effective immediately upon passage and publication.

PASSED AND ADOPTED BY THE IVINS CITY COUNCIL, STATE OF UTAH, ON THIS ____ DAY OF _____, 2026, BY THE FOLLOWING VOTE:

	AYE	NAY	ABSTAIN	ABSENT
Mike Scott	_____	_____	_____	_____
Sharon Barton	_____	_____	_____	_____

Sharon Gillespie	_____	_____	_____	_____
Dillon Hurt	_____	_____	_____	_____
Wayne Pennington	_____	_____	_____	_____

_____
Kevin Smith, Mayor

ATTEST:

_____
Kari D. Jimenez, City Recorder

Exhibit A

15.05.204: FLAG LOTS:

(1) Flag lots may only be allowed under the following conditions:

(a) Significant natural features exist on the property that are not created by the applicant, such that a flag lot would better utilize the irregularly shaped property;

(b) The flag lot facilitates infill development where an existing lot can be converted into up to 2 additional lots without increasing frontage on a dedicated roadway or a publicly approved street; or

(c) The flag lot eliminates the need for access from a lot to an arterial street by providing access from the lot to a collector street.

(2) Where flag lots are allowed, the following shall be required:

(a) All flag lots shall have access to a dedicated roadway or a publicly approved street. The access shall be a minimum of twenty feet (20') wide. If the access crosses another property, the owner of the flag lot shall demonstrate full irrevocable entitlement to use the access through a recorded easement or other recorded entitlement in favor of the owner of the flag lot prior to approval of the flag lot;

(b) The large portion of the flag lot shall meet all lot area, width and yard requirements for the zoning district in which it is located. The narrow portion of the flag lot may be included in the calculation of the lot area only if it is solely owned by the owner of the flag lot. A shared private access shall not be included in the calculation of the lot area;

(c) The "leftover" lot resulting from the creation of a flag lot shall also meet all the lot area, width and yard requirements for the zoning district in which it is located;

(d) No more than 2 flag lots may (i) be created from a single pre-existing lot or (ii) share any single private access to a dedicated roadway or a publicly approved street. All flag lots shall comply with all applicable fire code provisions, including but not limited to required minimum access surface material, access length restrictions, turnarounds, distance to fire hydrant requirements, etc.; and

(e) All flag lots shall have an address posted in such a way that is easily seen from the dedicated roadway or publicly approved street.

Exhibit A

15.05.204: FLAG LOTS:

(1) Flag lots may only be allowed under the following conditions:

(a) Significant natural features exist on the property that are not created by the applicant, such that a flag lot would better utilize the irregularly shaped property~~ies~~;

(b) The flag lot facilitates infill development where an existing lot can be converted into up to 2 additional lots without increasing frontage on a dedicated roadway or a publicly approved street; or

(c) The flag lot eliminates the need for access from a lot to an arterial street by providing access from the lot to a collector street.

(2) Where flag lots are allowed, the following shall be required:

(a) All flag lots shall have access to a dedicated roadway or a publicly approved street. The access ~~strip to a flag lot~~ shall be a minimum of twenty feet (20') wide. If the access crosses another property, the owner of the flag lot shall demonstrate full irrevocable entitlement to use the access through a recorded easement or other recorded entitlement in favor of the owner of the flag lot prior to approval of the flag lot~~, shall be part of the lot and no access shall be permitted across another property~~;

(b) The large portion of the flag lot shall meet all lot area, width and yard requirements for the zoning district in which it is located. The narrow portion of the flag lot~~, however,~~ may be included in the calculation of the lot area only if it is solely owned by the owner of the flag lot. A shared private access shall not be included in the calculation of the lot area;

(c) The "leftover" lot resulting from the creation of a flag lot shall also meet all the lot area, width and yard requirements for the zoning district in which it is located;~~ and~~

(d) ~~All flag lots shall have frontage upon a dedicated roadway or a publicly approved street.~~ No more than 2 flag lots may (i) be created from a single pre-existing lot or (ii) share any single private access to a dedicated roadway or a publicly approved street. All flag lots shall comply with all applicable fire code provisions, including but not limited to required minimum access surface material, access length restrictions, turnarounds, distance to fire hydrant requirements, etc.; and

(e) All flag lots shall have an address posted in such a way that is easily seen from the dedicated roadway or publicly approved street.