

Date: 11-3-23
Name of preparer: Sean Amodt
Contact information of preparer: amodtsg@gmail.com 435-467-1664
Reasons for change: • 1- Citizens with corner lots have asked for this change so they may have more options to fence and protect their land. • 2- Our current ordinance is more restrictive than most communities within the county but without any justification for the restriction. • 3-
Current: <u>8.28 CLEAR VIEW OF INTERSECTING STREETS</u> In all zones which require a front yard, no obstruction to view in excess of two feet (2') in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers.¹ ¹ As amended by ordinance # 2017-032217-1
Proposed: <u>8.28 CLEAR VIEW OF INTERSECTING STREETS</u> In all zones which require a front yard, no obstruction to view in excess of ~~two~~ four feet (2') (4') in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points ~~forty feet (40')~~ thirty feet (30') from the intersection of the street lines, except for a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers.¹ ¹ As amended by ordinance # 2017-032217-1

VIRGIN TOWN

ORDINANCE #

AN ORDINANCE AMENDING CHAPTER _____ OF THE VIRGIN UNIFORM LAND
USE ORDINANCES (“VULU”).

RECITALS

WHEREAS, - Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin is the “Town Council with recommendation by the Planning and Zoning Commission” ; and

WHEREAS, the Virgin Land Use Authority finds that the existing Virgin Town Code (VULU) Chapter 8, and the various sub sections found within, require updating to meet the changing needs of the Town; and

WHEREAS, the Virgin Land Use Authority finds that, to accommodate the Town’s desire to provide clarity and continuity within VULU; and

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on _____, 2023, and voted a recommendation of its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____, 2023;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the VULU Ordinance is hereby amended to incorporate the following changes:

ORDINANCE

NOW THEREFORE be it ordained by the Town of Virgin, Washington County, State of Utah, acting by and through the Town Council as the legislative body of the Land Use Authority, authorize the following changes to the Virgin Uniform Land Use ordinance:

(Clean copy)

8.28 CLEAR VIEW OF INTERSECTING STREETS

In all zones which require a front yard, no obstruction to view in excess of **four feet (4')** in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points **thirty feet (30')** from the intersection of the street lines, except **for** a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers.¹

¹ As amended by ordinance # 2017-032217-1

1. 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.
2. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.
3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL ORDINANCE NUMBER _____ will become effective on this _____ day of _____ month, 2023, based upon the following vote:

Council Member:

Gene Garate	AYE___	NAE___
LeRoy Thompson	AYE___	NAE___
Mistie Baird	AYE___	NAE___
Paul Luwe	AYE___	NAE___
Jean Krause, Mayor	AYE___	NAE___

VIRGIN TOWN

a Utah municipal corporation

Jean Krause, Mayor

ATTEST:

Krystal Percival, Town Clerk

REQUEST FOR VIRGIN TOWN COUNCIL ACTION

To: Mayor and City Council
From: Planning and Zoning
Date:
Subject:
Citizen comments summary:
Recommendation:
Background and Findings:
Fiscal Impact:
Supporting Documents:
This request prepared by:
This request prepared on:

Extra Information-

Washington City ordinance:

9-14-11: CLEAR VIEW OF INTERSECTING STREETS:

Washington, UT Washington, UT Code of Ordinances

...9-14-11: **CLEAR VIEW OF INTERSECTING** STREETS: In all districts which require a front yard, no obstruction to **view** in excess of three feet (3') in height shall be placed on any corner lot within a triangle formed by the street property lines and a line connecting them at points thirty feet (30') from the **intersection** of the street lines, except for a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers and pedestal type identification signs and pumps at gasoline service stations.

St. George City ordinance:

10-18-2: REQUIREMENTS ON CORNER LOTS:

- A. No fence shall exceed six feet four inches (6'4") in height along the rear and side lot lines.
- B. In all zones requiring a front setback, no obstruction to view in excess of three feet (3') in height shall be placed within the "sight distance triangle," defined as a triangular area formed by the street property lines and a line connecting them at points thirty feet (30') from the intersection of the property lines. On double frontage lots, the sight distance triangle shall be required and maintained on the street that the property accesses and the street it intersects.

LaVerkin City:

1. 10-7-6: CLEAR VIEW OF INTERSECTING STREETS:

La Verkin, UT La Verkin, UT Code of Ordinances

...10-7-6: **CLEAR VIEW OF INTERSECTING** STREETS: On corner lots, no obstruction to **view** in excess of three feet (3') in height shall be placed within a triangular area formed by lines running along the back side of each street side sidewalk easement, thirty feet (30') in length, and a line connecting those points, except for pedestal type identification signs, or a reasonable number of trees pruned high enough to permit unobstructed vision of the **intersection** for automobile drivers.