

VIRGIN TOWN
ORDINANCE NO. 2025- [REDACTED]

SHORT TITLE: TWO-FAMILY HOME ORDINANCE

LONG TITLE- AN ORDINANCE AMENDING THE VIRGIN UNIFORM LAND
USE ORDINANCE TO DEFINE TWO-FAMILY HOME, TO ALLOW THE
CONSTRUCTION AND USE OF TWO-FAMILY HOMES IN THE COMMERCIAL ZONE,
AND TO CREATE STANDARDS FOR THE USE IN VULU CHAPTER 8

WHEREAS, Virgin Town (“the Town”) is a Utah municipal corporation and political subdivision of the State of Utah, and

WHEREAS, the Virgin Town Council (“Town Council”) is the legislative and governing body of the Town, and

WHEREAS, the Town Council with advice of the Virgin Town Planning and Zoning Commission (“Planning Commission”), in addition to being the legislative and governing body of the Town, is also the Land Use Authority (“LUA”) vested with the power to enact all Land Use Regulations and make all Land Use Decisions within the Town unless the latter administrative power is delegated to another body or person, and

WHEREAS, the Planning Commission held a public hearing on this ordinance on [REDACTED], 20 [REDACTED]; and

WHEREAS, the Virgin Town Planning and Zoning Commission recommended in a [REDACTED] to [REDACTED] vote that the Town Council [approve / deny] these amendments on [REDACTED], 20 [REDACTED]; and

WHEREAS, Virgin Town is currently facing a shortage of affordable and workforce housing, and the addition of two-family homes as a use is deemed a step toward addressing some of the shortages; and

WHEREAS, a new town survey has revealed that the overwhelming number of households in Virgin contain two people; and

WHEREAS, the town wishes residential uses to maintain a maximum impact of one single family dwelling per acre until public sewer availability allows for greater density;

WHEREAS, two dwellings designed for families of two are presumed to approximate the impact of one single family dwelling; and

WHEREAS, a residential structure containing a maximum of five bedrooms is presumed to approximate the impact of one single family dwelling, regardless of the number of familiews who live there; and

WHEREAS, Virgin Town Code (VULU) does not currently permit two-family homes, and therefore does not include a definition or standards governing the use; and

WHEREAS, Virgin's LUA finds it to be in the best interests of the health, safety, and welfare of residents and visitors to the Town to amend its regulations;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH AS FOLLOWS:

SECTION 1. AMENDMENT. VULU section 2.12 shall be amended to include the following definition:

Two-family dwelling. A house which is designed to have the appearance, size, and approximate impact of a single-family home, but which is divided into two small dwellings, either vertically for two families living side-by side; or horizontally for two families, one above the other.

SECTION 2. AMENDMENT. VULU section 40.08 shall be amended to add Two-family house as a permitted use, as follows:

40.08 PERMITTED USES BEFORE AMENDMENT:

Uses contained in this chapter flow directly from Chapter 30 - Zones and Uses. In the event of a conflict, Chapter 30 verbiage is the principal deciding factor. Uses fall into one of four categories, namely Permitted, Permitted with Conditions, Conditional Use, and Prohibited.

- 
1. PROFESSIONAL BUSINESS OFFICES
 2. FINANCIAL INSTITUTIONS
 3. MUSEUMS
 4. ART GALLERIES
 5. STUDIOS

1. Photography, music, dance, martial arts, yoga, indoor recreation and silk-screening;
6. MUNICIPAL BUILDINGS
7. COMMUNITY BUILDINGS
 1. Meeting halls;
8. RECEPTION OR EVENT FACILITIES;

84 9. OUTFITTING/GUIDE/TOUR SERVICES;

85 10. RESTAURANTS

- 86 1. Bars, Taverns, cafe, coffee shop, deli with or without outdoor eating areas; (See
87 VULU 16.28A)

88 11. SINGLE FAMILY DWELLINGS

- 89 1. Minimum square feet of home must meet all requirements of the International
90 Residential Building Code.

91 12. RESIDENTIAL HOSTING FACILITIES

92 13. HEALTH CARE FACILITIES

93 14. COMMERCIAL HABITATION

- 94 1. Limited, Temporary & Permanent (See VULU 16.26)

95 15. CHURCHES

96
97
98 AFTER AMENDMENT:

99 **40.08 PERMITTED USES**

100 Uses contained in this chapter flow directly from Chapter 30 - Zones and Uses. In the event of a
101 conflict, Chapter 30 verbiage is the principal deciding factor. Uses fall into one of four categories,
102 namely Permitted, Permitted with Conditions, Conditional Use, and Prohibited.

103 16. PROFESSIONAL BUSINESS OFFICES

104 17. FINANCIAL INSTITUTIONS

105 18. ART GALLERIES

106 19. MUSEUMS

107 20. STUDIOS

- 108 1. Photography, music, dance, martial arts, yoga, indoor recreation and silk-screening;

109 21. MUNICIPAL BUILDINGS

110 22. COMMUNITY BUILDINGS

- 111 1. Meeting halls;

112 23. RECEPTION OR EVENT FACILITIES;

113 24. OUTFITTING/GUIDE/TOUR SERVICES;

114 25. RESTAURANTS

- 115 1. Bars, Taverns, cafe, coffee shop, deli with or without outdoor eating areas; (See
116 VULU 16.28A)

117 26. SINGLE FAMILY DWELLINGS

1. Minimum square feet of home must meet all requirements of the International Residential Building Code.

27. TWO FAMILY DWELLINGS

1. Use permit required
2. Compliance with VULU Section 8.07 required
3. For long-term or owner occupancy only

28. RESIDENTIAL HOSTING FACILITIES

29. HEALTH CARE FACILITIES

30. COMMERCIAL HABITATION

1. Limited, Temporary & Permanent (See VULU 16.26)

31. CHURCHES

SECTION 3. AMENDMENT. VULU CHAPTER 8 SHALL BE AMENDED TO INCLUDE A NEW SECTION 8.07 AS FOLLOWS:

8.07 TWO -FAMILY DWELLINGS.

Where Two Family Dwellings are a listed use, the following procedures and standards apply:

1. Application. A request for an initial Use Permit is made to the Virgin Planning & Zoning Commission. If granted, no renewals are required; however, the Use Permit may be revoked for violations of Virgin Uniform Land Use regulations, state or federal law, or validated unresolved complaints.
2. Lot Standards. Each lot on which a Two-family Dwelling exists
 1. shall be permitted a single septic tank, which has a maximum capacity of 2,000 gallons.; and
 2. shall be permitted no more than a single culinary water connection. No culinary water connection shall be more than 3/4 inch.
3. Building. Each building containing two dwellings:
 1. shall be no more than one story;
 2. shall contain no more than 5 total bedrooms;
 3. shall contain a total of no more than two laundries, two kitchens, and four bathrooms; and
 4. shall not exceed 4,800 square feet of living area or 15% of the parcel, whichever is greater.

- 154 5. shall be for long-term or owner occupancy only, and shall not qualify for a
155 Residential Hosting permit
156 6. shall be on a minimum of one acre, or clustered with other uses when contiguous
157 sufficient open space is permanently dedicated to maintain overall impact
158 equivalent of one Two-family dwelling per acre overall, except that density may
159 be increased by the P&Z Commission if
160 1. dwellings will be connected to an approved independent sewer system; or
161 2. dwellings will be connected to a public sewer system.
162

163 **Severability Clause:** Should any part or provision of this [ORDINANCE/RESOLUTION]
164 be declared by the courts to be unconstitutional or invalid, such decision shall not affect
165 the validity of the [ORDINANCE/RESOLUTION] as a whole or any part thereof other
166 than the part so declared to be unconstitutional or invalid.
167

168 **Effective Date:** This [ORDINANCE/RESOLUTION] shall be in full force and effect from
169 [INSERT DATE] and after the required approval and publication according to law.
170

171 **Repealer Clause:** All Good City ordinances or resolutions or parts thereof, which are in
172 conflict herewith, are hereby repealed.
173

174 PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE
175 OF UTAH, ON THE ____ DAY OF ____, 20 ____.
176

177 Attest:
178

179 _____
180 Jean Krause, Mayor, Virgin Town Krystal Percival, Recorder, Virgin Town
181

182 VIRGIN TOWN COUNCIL

183 Vote as recorded: AYE NAY ABSENT

184 Councilmember Luwe _____

185 Councilmember Baird _____

186 Councilmember Wenz _____

187 Councilmember McKeon _____

188 Mayor Krause _____
189

SEAL

190 RECORDED this ____ day of ____, 2017.

191 PUBLISHED OR POSTED this ____ day of ____, 2017.
192

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

- 1) *Utah Public Notice website*
- 2) *Virgin Town website, www.virgin.utah.gov*
- 3) *Virgin Town Hall*

Krystal Percival, Town Clerk/Recorder

Virgin Town, Utah