

VIRGIN TOWN
DRAFT ORDINANCE NO. 2025-

**AN ORDINANCE REQUIRING DRC REVIEW OF HOMES IN THE SHORT
TERM RENTAL OVERLAY AND PROHIBITING DRC REVIEW OF UNLISTED USES**

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 , 20 ; and

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

WHEREAS, plans for the construction of single family dwellings are not subject to approval by the DRC under Virgin’s Title 16; and

WHEREAS, homes constructed in the STR Overlay are often constructed for commercial purposes, suggesting greater scrutiny of construction plans is needed to protect public safety , 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 require Development Review Committee approval for such homes;

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

SECTION 1. AMEND SECTION 16 AS FOLLOWS:

44 **BEFORE AMENDMENT**

45
46 **16.20.12.B APPLICABLE LAND USE APPLICATIONS.** *For purposes of this*
47 *Resolution the following are deemed to be "Applicable Land Use Applications" which*
48 *require a preliminary review by the DRC:*
49

- 50 1. *Conditional Use Permits & Amendments involving the construction of new*
51 *Buildings, Structures or improvements,*
52 2. *Subdivisions & Amendments (Residential or Commercial),*
53 3. *Commercial Site Plans & Amendments,*
54 4. *Lot Line Adjustments, and*
55 5. *Road Dedications.*
56

57 **AFTER AMENDMENT**

58 **B. APPLICABLE LAND USE APPLICATIONS.** Applications for uses which are not listed
59 as permitted or conditional in the underlying zone **do not qualify** for DRC review. Instead,
60 applicant may make a request for an amendment to the VMC to be forwarded to the Planning and
61 Zoning Commission. For purposes of this Resolution section the following are deemed to be
62 "Applicable Land Use Applications" which require a preliminary review by the DRC:
63

- 64 1. Conditional Use Permits & Amendments involving the construction of new Buildings,
65 Structures or improvements,
66 2. Subdivisions & Amendments (Residential or Commercial),
67 3. Commercial Site Plans & Amendments,
68 4. Lot Line Adjustments,
69 5. Homes in the Short Term Overlay zone; and
70 6. Road Dedications.
71
72

73 **SECTION 2. Severability Clause:** Should any part or provision of this Ordinance
74 be declared by the courts to be unconstitutional or invalid, such decision shall not affect
75 the validity of the Ordinance as a whole or any part thereof other than the part so
76 declared to be unconstitutional or invalid.
77

78 **SECTION 3. Effective Date:** This Ordinance shall be in full force and effect from
79 _____, 20____ and after the required approval and publication according
80 to law.
81

82 **SECTION 4. Repealer Clause:** All Virgin Town ordinances or resolutions or parts
83 thereof, which are in conflict herewith, are hereby repealed.
84

85 PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE

OF UTAH, ON THE ____ DAY OF _____, 20____.

Attest:

Jean Krause, Mayor, Virgin Town Krystal Percival, Recorder, Virgin Town

VIRGIN TOWN COUNCIL

Vote as recorded: AYE NAY ABSENT

Councilmember Luwe	____	____	____	
Councilmember Baird	____	____	____	
Councilmember Wenz	____	____	____	
Councilmember McKeon	____	____	____	
Mayor Krause	____	____	____	

SEAL

RECORDED this ____ day of _____, 20____.

PUBLISHED OR POSTED this ____ day of _____, 20____.

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