

DRAFT

VIRGIN TOWN ORDINANCE NO. 2025-__

SHORT TITLE: **TWO FAMILY DWELLING ORDINANCE**

1. LONG TITLE: **AN ORDINANCE AMENDING THE VIRGIN UNIFORM LAND**
2. **USE ORDINANCE TO DEFINE TWO FAMILY DWELLING, TO ALLOW THE**
3. **CONSTRUCTION AND USE OF TWO FAMILY DWELLINGS IN**
4. **THE COMMERCIAL ZONE, AND TO CREATE STANDARDS FOR THE**
5. **USE IN VULU CHAPTER 16.**

6.
7. **WHEREAS**, Virgin Town ("The Town") is a Utah municipal corporation and political
8. subdivision of the State of Utah, and
9.

10. **WHEREAS**, the Virgin Town Council ("Town Council") is the legislative and
11. governing body of the town, and
12.

13. **WHEREAS**, the Town Council with advice of the Virgin Town Planning and
14. Zoning Commission (Planning Commission"), in addition to being the legislative
15. and governing body of the Town, is also the Land Use Authority ("LUA")
16. vested with the power to enact all Land Use Regulations and make all Land Use
17. Decisions within the Town unless the latter administrative power is delegated
18. to another body or person, and
19.

20. **WHEREAS**, the Planning Commission held a public hearing on this
21. ordinance on March 11, 2025 and _____ 2025; and
22.

23. **WHEREAS**, the Virgin Town Planning and Zoning Commission
24. recommended in a _ to _ vote that the Town Council [approve/deny
25. these amendments on _____, 20 _; and
26.

27. **WHEREAS**, Virgin Town is currently facing a shortage of affordable
28. and workforce housing, and the addition of two-family dwellings as a use is deemed
29. a step toward addressing some of the shortages, and
30.

31. **WHEREAS**, new open houses and new survey results support two family dwellings in Virgin.
32.

33. **WHEREAS**, Virgin Town Code (VULU) does not currently permit two family dwellings and
34. therefore, does not include a definition or standards for governing the use; and
35.

36. **WHEREAS**, Virgin's LUA finds it to be in the best interest of the health,
37. safety and welfare of residents and visitors to the Town and amend its regulations;
38.
39.
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41.
42.
43.

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 dwelling which is designed to have the appearance, size and approximate impact of a single family dwelling, but which is divided into two small dwellings for two families to living.

SECTION 2. 40.04 GENERAL

The Commercial Zone shall be characterized by clean, low-lit and suitably scaled development and buildings that reflect the rural character of Virgin. The zone provides for recreational, commercial, strictly limited residential, and visitor activities. The Zone is intended to provide for commercial activities, employment, and outdoor recreational opportunities. Any property that incorporates multiple different uses per acre or multiple of the same use per acre must be reviewed by the DRC to ensure appropriate mitigation efforts are being made with sewer design, ingress and egress, water usage, and power needs so as to not to pose significant risk of ground water contamination, significant increase in traffic hazards, extreme water usage, or power loss to surrounding areas.

SECTION 3. 40.08 PERMITTED USES

P. TWO FAMILY DWELLINGS

SECTION 4. 16.XX TWO FAMILY DWELLINGS

Though Two Family Dwellings may be permitted within a Zone, they shall adhere to all regulations set out here and regulations within the Zone which they are located. If there are conflicting regulations the use must adhere to the stricter of the regulations. Two Family Dwellings shall:

1. Follow all these size regulating restrictions;

- A. Dwellings shall not exceed a size greater than 4,800 square feet of living area, or 12% of the parcel, whichever is greater.
- B. Dwellings shall be permitted a single septic tank, which has a maximum capacity of 2000 gallons.
- C. Dwellings shall be permitted no more than a single culinary water connection.

3. Complete, sign, and notarize an agreement between the Town of Virgin and Property Owner which shall be kept by the Town of Virgin. The agreement shall include only the following:

- A. Agreement to conduct only Long Term Rentals.
- B. Agreement to never use any portion of the dwelling as a Short Term Rental.
- C. Requirement to maintain an active business license for the use
- D. Requirement to connect to municipal sewer when it is reasonable and available.
- E. Fines and other punishment for failure to comply with regulations as outlined in municipal code.

Severability Clause: Should any part or provision of this ORDINANCE be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this ORDINANCE as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

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

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

93.

94.

95. PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN,
96. STATE OF UTAH, ON THE DAY OF _____, 20_
97.

98. Attest:
99.

100.
101. _____
102. Jean Krause, Mayor, Virgin Town Krystal Percival, Recorder, Virgin Town
103.

104.
105. VIRGIN TOWN COUNCIL

106. Vote as recorded: AYE NAY ABSENT

107. Councilmember Luwe

108. Councilmember Baird

109. Councilmember Wenz

110. Councilmember McKeon

111. Mayor Krause

112.

113. RECORDED this ____ day of _____ 2025.

114.

115. PUBLISHED OR POSTED this day of _____ 2025.