

VIRGIN TOWN, UTAH

ORDINANCE 2025-XX

AN ORDINANCE AMENDING VIRGIN TOWN'S OFFICIAL ZONING MAP BY RE-ZONING PARCEL# V-2-1-22-311, FROM RURAL RESIDENTIAL ZONE TO COMMERCIAL ZONE.

WHEREAS, Pursuant to Utah Code Ann. §10-1-201 Virgin Town ("the Town") is a Utah municipal corporation and political subdivision of the State of Utah;

WHEREAS, Pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council (Virgin Town Council") is designated as the governing body of the Town;

WHEREAS the Town is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land with the Town's municipal boundaries;

WHEREAS, pursuant to Utah Code annotated title 10, chapter 9a, sections 502 thru 505, the town council may only amend the town's official zoning map to rezone properties within the town after the proper notice is given compliance with Utah Code annotated Title 10, Chapter 9a, Section 205 and an ordinance on the subject receives a recommendation from the town's Planning Commission "Town Planning & Zoning commission" after a public hearing is held.

WHEREAS, the town has requested the subject property (which is described and/or depicted more fully in exhibit "A", attached hereto and incorporated herein by this reference) be re-zoned from its current zoning designation of Rural Residential Zone (RR) to Commercial Zone (C) zoning designation and that the town's official zoning map be amended accordingly ("zone change request").

WHEREAS, the town Planning & Zoning Commission has reviewed and made a recommendation to the Town Council regarding the zone change request and a draft of this ordinance effectuating the same after providing proper notice and conducting a public hearing held on September 9, 2025, wherein public input was taken in compliance with Utah law and the town's Virgin Municipal Code (VMC).

WHEREAS, after reviewing the recommendation from the Town Planning & Zoning Commission, the Town Council finds it to be in the best interest of the health, safety and general welfare of the Town that the Zone Change Request be granted.

ORDINANCE

NOW THEREFORE, be it ordained by the Town Council of Virgin Town, in the State of Utah, as follows:

Section 1: Zone Change. The Subject Property located at approximately SR9 and 150 W within Virgin Town, Washington County, State of Utah, previously zoned Rural Residential Zone (RR) as shown on the Official Virgin Town Zoning Map is hereby re-classified and re-zoned to Commercial Zone (C).

Section 2: Amendment of Virgin Town Official Zoning Map. The Town's Official Zoning Map is hereby amended and restated/redrawn to reflect the Zone Change set forth in Section 1 above; and is hereby amended eliminating the current Rural Residential Zone (RR) from Virgin Municipal Code (VMC).

Severability Clause: Should any part of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the 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 upon adoption by the Town Council and execution by the Virgin Town Mayor and after the required approval and publication according to law.

Repealer Clause: All Virgin Town ordinances or resolutions or part thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE VIRGIN TOWN COUNCIL, _____.

Attest:

Jean M. Krause, Mayor
Virgin Town, Utah

Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah

| VIRGIN TOWN COUNCIL Vote as Recorded | AYE | NAY | ABSENT | ABSTAIN |
|---|-------|-------|--------|---------|
| Virgin Town Councilmember, Mistie Baird | | _____ | _____ | _____ |
| Virgin Town Councilmember, Paul Luwe | | _____ | _____ | _____ |
| Virgin Town Councilmember, April McKeon | _____ | _____ | _____ | _____ |
| Virgin Town Councilmember, Valerie Wenz | | _____ | _____ | _____ |
| Virgin Town Mayor, Jean Krause | | _____ | _____ | _____ |

RECORDED this _____ day of _____, 2025.

PUBLISHED or POSTED this _____ day of _____, 2025.

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

EXHIBIT "A" V-2-1-22-311

Legal S: 22 T: 41S R: 12W BEGINNING AT THE INTERSECTION AT A POINT ON THE NORTHERLY LINE OF SR-9 AND THE WESTERLY LINE OF 150 WEST STREET, SAID POINT BEING NORTH 00°00'46" WEST 1,400.25 FEET ALONG THE CENTER SECTION LINE AND WEST 44.92 FEET FROM THE SOUTH QUARTER CORNER OF SECTION 22, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE & MERIDIAN, AND RUNNING; THENCE WESTERLY THE FOLLOWING (3) COURSES ALONG SAID NORTHERLY LINE OF SR-9; THENCE SOUTH 89°50'15" WEST 471.79 FEET; THENCE NORTH 68°35'45" WEST 27.20 FEET; THENCE WESTERLY 37.15 FEET ALONG AN ARC OF A 5,679.70 FOOT RADIUS CURVE TO THE RIGHT (CENTER BEARS

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 Adopted

NORTH 00°09'12" WEST, LONG CHORD BEARS NORTH 89°57'58" WEST 37.15 FEET WITH A CENTRAL
ANGLE OF
00°22'29");
THENCE NORTH 00°43'49" EAST 80.60 FEET;
THENCE NORTH 32°33'57" WEST 143.20 FEET;
THENCE NORTH 74°33'31" EAST 81.85 FEET;
THENCE NORTH 79°38'28" EAST 192.59 FEET;
THENCE NORTH 81°51'27" EAST 182.14 FEET;
THENCE SOUTH 00°09'45" EAST 12.15 FEET;
THENCE NORTH 89°59'09" EAST 161.56 FEET TO THE WESTERLY LINE OF SAID 150 WEST STREET;
THENCE SOUTH 00°00'51" EAST 280.00 FEET ALONG SAID WESTERLY LINE OF 150 WEST STREET TO
THE POINT OF BEGINNING.