

VIRGIN TOWN

Staff Report — Proposed Ordinance No. 2026-XX – Accessory Structures

To: Virgin Town Planning Commission

From: Ryker Steglich, Town Planner, Sunrise Engineering

Date: June 9, 2026

Subject: Proposed Ordinance No. 2026-XX — Accessory Structures (VMC §§ 16.2.12 & 16.8.60)

Meeting: Regular Planning Commission Meeting

AT A GLANCE

Application	Legislative Text Amendment — New Ordinance
Subject	Accessory Structures — VMC §§ 16.2.12 (Definition) and 16.8.60 (Standards)
Prepared By	Ryker Steglich, Town Planner, Sunrise Engineering
Date	June 9, 2026
Meeting	Regular Planning Commission Meeting
Next Step	Planning Commission Public Hearing and Possible Recommendation to Town Council

I. BACKGROUND

Virgin Town currently lacks comprehensive, codified standards governing accessory structures. As the Town has grown and development activity has increased, the absence of clear regulations has created ambiguity for property owners, contractors, and Town staff regarding the permissible size, height, location, setbacks, materials, and use of detached structures — such as garages, barns, workshops, and equipment enclosures — across Virgin Town’s zoning districts.

The Planning Commission identified this regulatory gap and directed staff to draft standards addressing accessory structure construction, placement, size, and use across all zoning districts.

II. DESCRIPTION OF PROPOSED ORDINANCE

Ordinance No. 2026-XX would amend the Virgin Municipal Code in two places:

A. Definition Amendment — VMC § 16.2.12

The ordinance adds a definition of “Accessory Structure,” identifying it as a detached structure subordinate to the main building on the same lot, with express exclusions for ADUs, swimming pools, temporary structures, and attached structures.

B. New Regulatory Section — VMC § 16.8.60 (Accessory Structures)

The ordinance adds § 16.8.60 to Chapter 16.8 (Supplementary and Qualifying Regulations), establishing standards tiered by zone:

- General requirements applicable in all zones address subordination to the main building, the building permit requirement, easement conflicts, drainage, and prohibited installations such as unmodified shipping containers and RVs as permanent structures.
- Residential zones carry location, setback, height, building coverage, design, and use standards.
- Commercial and Highway Resort zones address location, height, and architectural compatibility.
- Agricultural and Open Space zones defer to existing zone development standards.
- A nonconforming structures provision is included, consistent with MLUDMA.

III. FINDINGS AND RECOMMENDATION

Staff recommends that the Planning Commission forward Ordinance No. 2026-XX to the Town Council with a recommendation of approval. The ordinance fills a genuine regulatory gap and establishes standards that are proportionate to Virgin Town’s zoning districts and consistent with the Town’s rural character.

Staff offers the following observations for Planning Commission consideration prior to forwarding the ordinance to the Town Council:

- General Requirements (§ 16.8.60(C)): The requirement that the main building be a main dwelling in residential zones appears in two places under General Requirements, which applies to all zoning districts. Staff recommends relocating this qualifier to the Residential Zone section (§ 16.8.60(D)), where it is more appropriately applied.
- Residential Zone Coverage Standards (§ 16.8.60(D)): The current language limits the combined footprint of all accessory structures to both 10% of the lot area and 75% of the main dwelling’s floor area. Staff suggests the Commission consider separating these into two independent controls – a per-structure size cap and a combined lot coverage limit governed by the 10% requirement.
- Commercial and Highway Resort Zone Design Standards (§ 16.8.60(E)): The ordinance establishes a flat 3,600 square foot cap on accessory structures. The Commission may wish to consider whether this figure should instead be tied to a percentage of the main building’s floor area, consistent with the subordination principle applied elsewhere in the ordinance.
- The ordinance contains a typographical error in the recitals (“fins” should read “finds”) and should be corrected prior to adoption.
- The ordinance contains several bracketed VMC cross-references that should be updated prior to adoption: VMC § 16.8.30 (fences and walls), VMC § 16.12 (home occupations), VMC § 16.10 (nonconforming uses), and VMC § 16.2.22 (enforcement).