

VIRGIN TOWN

ORDINANCE #2018-11

AN ORDINANCE AMENDING CHAPTER 4 SUPPLEMENTARY AND QUALIFYING REGULATIONS, ADDING SUB SECTION 4.8 CARPORTS TO REFLECT THE MODIFICATION OF THE RESTRICTIONS ON LOCATION OF CAR PORTS IN RESIDENTIAL DISTRICTS AND TO SEPARATE AND CLARIFY THE DEFINITIONS OF, CHAPTERS ONE, FOUR, AND THE RENUMBERING OF THE SUB SECTIONS.

RECITALS

WHEREAS, Virgin Town (“Town”) is a municipal corporation duly organized and existing under the laws of the State of Utah, particularly Title 10 of the Utah Code.

WHEREAS, Virgin Town Council (“Town Council”) is both the Town’s governing body and Land Use Authority pursuant to Utah Code § 10-9a-101 et seq.

WHEREAS, Utah Code provides for the adoption and amendment of Town land use ordinances by the Land Use Authority, which in Virgin is the “Town Council with recommendation by the Planning and Zoning Commission” ; and

WHEREAS, the Virgin Land Use Authority finds that the existing Virgin Town Code (VULU) Chapters one, four, and the various sub sections found within, require updating to meet the changing needs of the town; and

WHEREAS, the Virgin Land Use Authority finds that, to reflect the modification of the restrictions on location of car ports in residential districts and to separate and clarify the definitions of, Chapters one, four, and the renumbering of the sub sections found within, amended to adequately define, support their permit their use within setbacks; and,

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on March 14th, 2018 and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____;

NOW, THEREFORE BE IT ORDAINED by the Land Use Authority of Virgin, Utah that, in order to provide for the health, safety and general welfare of the citizens of Virgin, Utah, the VULU Ordinance is hereby amended to incorporate the following changes:

1.6. **DEFINITIONS.** *(AMENDED AND RESTATED)*

Carport. A private ~~garage~~ parking structure not completely enclosed by walls or doors. ~~For the purposes of this Ordinance, a carport shall be subject to all regulations prescribed for a private garage.~~

4.8 **CARPORTS.** *(TO BE ADDED TO CHAPTER 4)*

Structures, such as carports, which are meant for protecting vehicles from the sun, are allowed within required setbacks for the purpose of off-street parking, with The understanding that the

structure may need to be removed in the future at the owners expense to accommodate future infrastructure, as long as they comply with the following requirements;

4.8.1 GENERAL REGULATIONS

4.8.1.A. Does not obstruct the view as defined in 4.14 and,

4.8.1.B. Does not create an unmitigated hardship to neighboring properties and,

4.8.1.C. Does not connect the structures to any utilities with the exception of lighting and,

4.8.1.D. If required, a building permit with site plan.

4.8.2 DEED REQUIRMENT

Requires a written agreement of liability to be notarized and recorded in the County Assessor's Office with the property deed.