

**VIRGIN TOWN
ORDINANCE # 2018-35**

AN ORDINANCE AMENDING CHAPTER EIGHT – TOWN STANDARDS, CONDITIONS, AND CONDITIONAL USES, AND THE RENUMBERING OF THE VARIOUS SUB SECTIONS FOUND WITHIN.

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 Eight, 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 accommodate the towns desire to encourage the operation and establishment of locally owned and operated businesses within Virgin Town; and

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on _____, and voted to recommend or deny 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:

ORDINANCE

8.14.1. RESTAURANTS: *(Replacing section 8.14.1)*

Restaurants must follow the Town's General Standards and Town Conditional Use Permit regulations. Restaurants must comply with required State Agencies, Fire Districts and Public Health Department regulations.

8.14.9 GENERAL PROVISIONS FOR CAMPGROUNDS

8.14.9.A The owner(s) of any Campground in Virgin Town that is built and/or regulated by these provisions shall provide a copy of the standards set forth in this Section to all occupants who are tenants.

8.14.9.B Campground spaces shall not be occupied or otherwise used by any individual(s) for more than 180 days in a one (1) year period beginning at the initial date of occupancy. Nor shall cumulative occupancy by such person(s) of different spaces within the same Campground exceed a total of 180 days in one (1) year period.

8.14.9.C A park manager must be on duty within the park at all times. All Campground managers shall maintain a patron's log consisting of names, dates of occupancy and number of spaces. Patron logs shall be made available to code enforcement officers at their request.

8.14.9.D "Quiet time" shall be observed nightly between the hours of 10:00 P.M. and 7:00 AM.

8.14.10 CAMPGROUND STANDARDS.

8.14.10.A GENERAL SITE DESIGN STANDARDS.

8.14.10.A.i. Campgrounds shall not consist of more than an average of sixteen (16) units (RV sites, tent sites or cabins) per acre. Units may be clustered.

8.14.10.A.ii. RV pad shall be all weather.

8.14.10.A.iii. Utah Administrative Code R392-301 'Recreational Vehicle Park Sanitation' applies to all Campgrounds.

8.14.10.A.iv. Campgrounds shall be responsible for the regular and proper collection and disposal of all refuse, garbage, and litter.

8.14.10.A.v All exterior boundaries shall be screened from surrounding uses by a privacy wall, fence, or landscaped buffer, or a combination thereof. Privacy walls and fences shall be a maximum of six feet (6') tall. The use of shorter walls, decorative barriers, or three-rail type fence are encouraged to maintain valuable views.

8.14.10.A.vi Setbacks. A minimum fifty-foot (50') setback/landscaped buffer along any property boundary that is adjacent to a public street right-of-way and a minimum fifty-foot (50') setback/landscaped buffer along property boundaries which border on residential zones shall be required. The minimum setback in any other circumstance is ten feet (10'). The Public trails may be located within required setbacks/buffers.

8.14.10.B CIRCULATION AND PARKING.

8.14.10.B.i. Campgrounds shall provide streets in such a pattern as to provide safe traffic circulation and emergency access within the Campground. Streets shall be built to the following standards:

8.14.10.B.i.A All roads shall be paved. Roads shall be constructed to Town standards and shall be provided with concrete curb and gutter.

8.14.10.B.i.B Street lighting is subject to VULU chapter 4.20. Low lighting less than 1,500 lumens fully shielded and not more than three feet (3') in height is recommended and should be kept to a minimum. (See VULU 4.20).

8.14.10.B.i.C All Campgrounds shall have direct access to a major arterial street. Campgrounds shall not be accessed from residential streets.

8.14.10.B.i.D Campground's ingress and egress must meet requirements of The International Fire Code, Chapter 503 and the National Fire Protection Association 1194.

8.14.10.B.ii On street parking is prohibited.

8.14.10.B.iii Each RV, travel trailer, campground, and cabin park site shall provide sufficient parking and maneuvering space so that the parking, loading, or maneuvering of trailers incidental to parking shall not necessitate the use of any public street, sidewalk, right-of-way, or any private grounds not part of the Campground area.

8.14.10.B.iv Campgrounds shall provide additional guest parking.

8.14.10.C UTILITIES.

8.14.10.C.i Campgrounds may be connected to Town of Virgin municipal facilities and a local power company where available. All utility distribution facilities, including television antenna service lines, shall be installed underground.

8.14.10.C.ii Adequate water hook-up shall be provided, and hook-ups shall be installed with an approved backflow prevention device.

8.14.10.C.iii If wastewater collection system is provided, and it is not possible to connect to a public wastewater system, the Campground is required to provide a

treatment system subject to the Department of Environmental Quality (DEQ) / Southern Utah Public Health Department rules, regulations and approvals.

8.14.10.C.iv In compliance with subsection 13 – Groundwater Protection of VirginTown’s Water Service Agreement with the Washington County Water Conservancy District (WCWCD), Virgin’s Land Use Authority (LUA) shall not approve Campgrounds which will contribute to groundwater contamination.

8.14.10.C.v Campgrounds shall ensure waste-water treatment systems are functioning at acceptable levels and shall follow the rules, regulations, and requirements for maintenance of the wastewater treatment system according to the Department of Environmental Quality (DEQ) including submitting any required sampling of effluent to the DEQ or to the Southwest Public Health Department for analysis.

8.14.10.C.vi Campgrounds shall provide electrical outlets of appropriate voltage to all individual units/sites or enforce “Quiet Time” hours between 10:00 pm to 7:00 am.

8.14.10.D LANDSCAPING

Properties fronting on public roads shall have a minimum 50 foot (50’) landscaped buffer between the road right-of-way and development. A continuous public trail (consistent with the design approved by the Planning commission shall be provided within this buffer. A minimum ten foot (10’) landscaped strip is required between the road right-of-way and the trail for safety of trail users.

8.14.10.E INDIVIDUAL SITE DESIGN STANDARDS.

8.14.10.E.i Removal of axles, wheels, or tires from a travel trailer or recreational vehicle located within the Campground, except for emergency and/or temporary removal for repairs is prohibited.

8.14.10.E.ii Communal restrooms, including toilets, showers, and lavatories, shall be provided to conveniently and adequately serve units/sites.

8.14.10.E.iii Fire pits if present must be built and maintained in such a way to insure that fires are contained. Owners are responsible for any damage caused by any fires originating from their grounds.

8.14.10.E.iv Fires if permitted should be restricted during times of poor air quality or extreme fire danger.

1. Severability. If any section, clause or portion of this Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.
2. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.
3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE VIRGIN TOWN COUNCIL ORDINANCE NUMBER 2018-5 will become effective on this ___ day of _____, 2018 based upon the following vote:

Council Member:

Dan Snyder AYE___ NAE___	LeRoy Thompson AYE___ NAE___
Kevin Stout AYE___ NAE___	Jay Lee AYE___ NAE___
Matthew Spendlove, Mayor AYE___ NAE___	

VIRGIN TOWN a Utah municipal corporation

Matthew Spendlove, Mayor

ATTEST:

Monica Bowcutt, Town Clerk