

REQUEST FOR VIRGIN TOWN COUNCIL ACTION

To: Mayor and City Council
From: Planning and Zoning
Date: 20Mar19
Subject: Ordinance Restating Chapter Twenty Commercial Zone
Applicant Name: Virgin Planning Commission
<p>Public Hearing Notes: Please see submitted letter that was read into the minutes. Additionally there was concern that because of the addition of permitted uses that the Town would have less ability to police ordinances such as our lighting ordinance. Another concern was that Hotels & Service Stations, that are recommended additions as conditional uses to this zone, are 24/7 businesses and by nature would have adverse effects to adjacent residences. Other residents felt that the changes may be appropriate, but without a vision of the Town changes should not be made. Additionally some residence expressed a general dislike for the changes and possible impact, and the many tourist based businesses allowed by the zone, but no specific uses or problems were identified. Finally, there was some expression from the public that the changes were minimal and that the changes were needed to provide freedom to families, that had struggled to make something of/in the Town.</p>
<p>Recommendation: PZ recommends with a vote of 4-1 that the Ordinance restating chapter twenty commercial Zone be approved as written. The dissenting vote felt that citizen concerns had not been met and that more public input should be gathered before approving of this ordinance.</p>
<p>Background and Findings: Considering the Vote referenced above, the P&Z finds that even though Private Schools are a proposed additional use the the zone, Congregate living Facilities is listed as prohibited. We also found that, even though Hotel & Service Stations are 24/7 in nature, the regulations of the zone (setback requirements, max building size/height, lighting ordinance, quiet time hours), and the CUP process are sufficient to mitigate the problems caused by these uses. Additionally, the general plan supports the changes that are being proposed. To come up with a more extensive plan for the Town would take extensive amounts of time, and though beneficial and something we will continue to discuss, is not necessary to make the minor changes proposed by this ordinance. We also find that the changes do not add many uses that are primarily tourist based. The only primarily tourist based use that is being proposed in this zone is Hotel/Motel. The other uses that were added to the zone are not tourist based uses. P&Z concurs with the sentiment that these changes are minor and that the proposed ordinance would be of benefit to the Town financially. That all adverse effects of uses proposed in this ordinance are mitigated nearly entirely by regulations. We find that the good of the proposed changes outweigh the negatives.</p>
<p>Previous Legislative Action by Planning and Zoning: This ordinance was recommended, approved, and repealed last month. Changes were made in direct response to the recommendation of citizens.(See redline changes)</p>

Fiscal Impact: Positive impact both on possible revenue and savings on processing of applications.

Supporting Documents: See P&Z minute, VULU Ch 20, Letter from Public, VULU Ch 5, VULU Ch8.

This request prepared by: Cameron Spendlove

This request prepared on: 20Mar19