**VIRGIN TOWN ORDINANCE #2019-21**

AN ORDINANCE RESTATING CHAPTER TWENTY COMMERCIAL ZONE (“VULU”).

# 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) Chapter Twenty (20) Commercial Zone, 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 clarify regulations in VULU; and

**WHEREAS,** the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on , 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 acting by

and through the Town Council 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:

**CHAPTER 20:**

**COMMERCIAL ZONE**

**20.15 ARCHITECTURE AND DESIGN**

**20.15.2 –** No unbroken exterior surface shall exceed fifty feet (50’) in length. A surface is considered broken when interrupted by a protrusion or inlet of at least four feet (4’) extending the entire height of the wall.

**20.7 BUFFERS AND LANDSCAPING**

Those properties with FRONTAGE on SR-9 shall have a minimum fifty-foot (50') landscaped or well-maintained natural buffer between the boundary of SR-9 and the development. Where safety and welfare are not a conflicting concern; in lieu of sidewalks along the state highway, a continuous trail for use by pedestrians and bicycles shall be developed in accordance with Town standards, which may be located within this buffer zone. A thirty-foot (30') landscaped buffer shall also be provided between commercial and residential properties

1. Repealer. This Ordinance supersedes or repeals the provisions of any ordinance, resolution that are inconsistent with the provisions of this Ordinance.
2. Savings Clause. If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.
3. Effective Date. This Ordinance shall become effective immediately upon adoption by the Virgin Town Council.

ADOPTED AND ORDAINED BY THE VIRGIN TOWN COUNCIL this \_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019 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