

VIRGIN TOWN

ORDINANCE # 2019-36

AN ORDINANCE AMENDING AND RESTATING SECTIONS OF CHAPTER 25 CONGREGATE LIVING FACILITIES OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU”) TO CLARIFY AND PROVIDE CONTINUITY THROUGHOUT.

RECITALS

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 25: Congregate Living Facilities, 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 and provide continuity within 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 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

NOW THEREFORE be it ordained by Virgin Town, Washington County, State of Utah, acting by and through the Town Council:

~~**25.2.2. FUTURE MULTIPLE RESIDENTIAL DISTRICT (RM).** Because it will be the purpose of Virgin’s Multiple Residential District, should such a zone be created and adopted, to provide and protect areas for medium density residences, the maximum occupancy of a CLF in a Multiple Residential District shall be in accordance with applicable occupancy limits as established by local health and fire safety codes. In any case, more than five unrelated occupants for a permanent CLF shall require a CLF permit. Because it is the goal of state and federal laws protecting the disabled and elderly to encourage the “deinstitutionalization” and the “mainstreaming” of these classes into “normalized” residential neighborhoods, only ‘open’ CLF’s are permitted in these zones.~~

~~**25.2.3. RESORT ZONE (RZ).** Because it is the purpose of Virgin’s Resort zone to accommodate resort properties which are designed to provide recreation and entertainment for visitors to the area, no ‘non-tourist based’ facilities are permitted in this zone.~~

~~**25.2.5. FUTURE INDUSTRIAL COMMERCIAL ZONE (IC).** Because it will be the purpose of Virgin’s Industrial Commercial zone, should one be created and adopted, to provide~~

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~~opportunities removed from its public commerce corridor for nonconsumer based businesses which do not necessarily deal directly with the public, 'closed' CLF's are permitted in this zone.~~

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 2019-36 will become effective on 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