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| Date: 10/14/20 | Ord. 2020-41 |
| Name of preparer: Gene Garate | |
| Contact information of preparer: zoningadministrator@virgin.utah.gov | |
| Reason for change: Adjusting Casita size to match uniform requirement | |
| Current wording: 16.22.F Casita/Guest House <ol style="list-style-type: none"> 1. Attached Casita is preferred and may be attached to the primary dwelling unit or to a garage provided the following requirements are met: <ol style="list-style-type: none"> 1. Must be of compatible architectural style, including siding and roofing, and shall be made structurally a part of the primary building; and 2. Must not be more than fifty percent (50%) of primary dwelling's total area. 2. Detached Casita. If the casita is detached the following requirements must be met: <ol style="list-style-type: none"> 1. Must not exceed the height of the primary structure; 2. Must be within the setbacks of the zone; 3. Must be located at least ten feet (10') from any building existing or under construction on the same lot or any adjacent lot; 4. Must not be more than forty percent (40%) of the primary dwelling's total area | |
| Proposed wording: <ol style="list-style-type: none"> 1. Attached Casita. is preferred and may be <u>If the casita is</u> attached to the primary dwelling unit or to a garage provided the following requirements are <u>must be</u> met: <ol style="list-style-type: none"> 1. Must be of compatible architectural style, including siding and roofing, and shall be made structurally a part of the primary building; and 2. Must not be more than fifty percent (50%) of primary dwelling's total area. 2. Detached Casita. If the casita is detached the following requirements must be met: <ol style="list-style-type: none"> 1. Must not exceed the height of the primary structure; 2. Must be within the setbacks of the zone; 3. Must be located at least ten feet (10') from any building existing or under construction on the same lot or any adjacent lot; 4. Must not be more than forty <u>fifty</u> percent (40%) <u>(50%)</u> of the primary dwelling's total area | |

VIRGIN TOWN

ORDINANCE # 2020-41

AN ORDINANCE AMENDING CHAPTER SIXTEEN OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU”).

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 Sixteen, 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 provide clarity and continuity within VULU; and

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on October 14, 2020, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on October 28, 2020;

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:

16.22.F.2 Casita/Guest House

e. Attached Casita. If the casita is attached to the primary dwelling unit or to a garage the following requirements must be met:

1. Must be of compatible architectural style, including siding and roofing, and shall be made structurally a part of the primary building; and
2. Must not be more than fifty percent (50%) of primary dwelling’s total area.

f. Detached Casita. If the casita is detached the following requirements must be met:

1. Must not exceed the height of the primary structure;
2. Must be within the setbacks of the zone;
3. Must be located at least ten feet (10') from any building existing or under construction on the same lot or any adjacent lot;
4. Must not be more than fifty percent (50%) of the primary dwelling's total area.

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 # 2020-41 will become effective on this ___ day of _____, 2020 based upon the following vote:

Council Member:

| | | |
|--------------------------|--------|--------|
| Gene Garate | 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