

Date: 2/1/21

Name of preparer: Gene Garate

Contact information of preparer: zoningadministrator@virgin.utah.gov

Reason for change:

In an effort to move toward a more uniform lighting ordinance that makes sense, is enforceable, and applicable to the purposes of the lighting ordinance:
Removal of specific (outdated) bulb types and unassociated footnotes.

Current wording:

8.40 Outdoor Lighting

B. DEFINITIONS. For the purpose of this ordinance, terms used shall be as defined in VULU Ch. 2.12.

1. REQUIREMENTS FOR SHIELDING AND FILTERING

FIXTURE LAMP TYPE	SHIELDED	FILTERED
Low pressure sodium 4.20.1.A.1	Partially	None
High pressure sodium	Fully	None
Metal halide 4.20.1.A.vi	Fully	Yes
Fluorescent	Fully 4.20.1.A.ii	Yes
Quartz	Fully	None
Incandescent, greater than 160W	Fully	None
Incandescent, 160W or less	None	None
Mercury vapor	Fully 4.20.1.A.v11	Yes
Fossil fuel	None	None
Glass tubes, filled with Neon	None	None
Argon, Krypton, Other sources	As approved by the Planning Commission	

* FOOTNOTES.

2. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.
3. Warm White and Natural Lamps (3500K) are preferred to minimize detrimental effects.
4. For the purposes of this ordinance, Quartz lamps shall not be considered an incandescent light source.
5. Most glass, acrylic, or translucent enclosures satisfy these filter requirements. (Quartz glass does not meet this requirement.)
6. This section is from the Springdale Zoning Ordinance.
7. Metal halide display lighting shall not be used for security lighting after 11:00 p.m. (or after closing hours if before 11:00 p.m.) unless fully shielded. Metal halide lamps shall be in enclosed luminaries.
8. Recommended for existing mercury vapor fixtures. The installation of new mercury fixtures is prohibited sixty (60) days after the effective date of this ordinance.

Proposed wording

8.40 Outdoor Lighting

~~B. DEFINITIONS. For the purpose of this ordinance, terms used shall be as defined in VULU Ch. 2.12.~~

~~1. REQUIREMENTS FOR SHIELDING AND FILTERING~~

~~FIXTURE LAMP TYPE~~	~~SHIELDED~~	~~FILTERED~~
~~Low pressure sodium 4.20.1.A.i~~	~~Partially~~	~~None~~
~~High pressure sodium~~	~~Fully~~	~~None~~
~~Metal halide 4.20.1.A.vi~~	~~Fully~~	~~Yes~~
~~Fluorescent~~	~~Fully 4.20.1.A.ii~~	~~Yes~~
~~Quartz~~	~~Fully~~	~~None~~
~~Incandescent, greater than 160W~~	~~Fully~~	~~None~~
~~Incandescent, 160W or less~~	~~None~~	~~None~~
~~Mercury vapor~~	~~Fully 4.20.1.A.vii~~	~~Yes~~
~~Fossil fuel~~	~~None~~	~~None~~
~~Glass tubes, filled with Neon~~	~~None~~	~~None~~
~~Argon, Krypton, Other sources~~	~~As approved by the Planning Commission~~	

~~* FOOTNOTES:~~

- ~~a. This is the preferred light source to minimize undesirable light into the night sky affecting astronomical observations.~~
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- ~~g. Recommended for existing mercury vapor fixtures. The installation of new mercury fixtures is prohibited sixty (60) days after the effective date of this ordinance.~~

VIRGIN TOWN

ORDINANCE # 24

AN ORDINANCE AMENDING CHAPTER EIGHT 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 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 provide clarity and continuity within VULU; and

WHEREAS, the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on February 10, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on February 24, 2021;

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:

8.40 Outdoor Lighting

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FIXTURE LAMP TYPE	SHIELDED	FILTERED
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Fluorescent	Fully 4.20.1.A.ii	Yes
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- ~~g. Recommended for existing mercury vapor fixtures. The installation of new mercury fixtures is prohibited sixty (60) days after the effective date of this ordinance.~~

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
will become effective on this 24th day of February, 2021 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

REQUEST FOR VIRGIN TOWN COUNCIL ACTION

To: Mayor and City Council
From: Planning and Zoning
Date:
Subject:
Citizen comments summary:
Recommendation:
Background and Findings:
Fiscal Impact:
Supporting Documents:
This request prepared by:

This request prepared on: