

Date: 3/17/21

Name of preparer: Gene Garate

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

Heating systems are regulated by the International Building Code. Any further restrictions should only be applied within closed community regulations, (ie. Subdivision CCR's).

Current:

54.08 GROUND SOURCE HEAT PUMP SYSTEMS

1. ZONING DISTRICTS. Ground source heat pump systems in accordance with the standards in this section are allowed as a permitted accessory use in all zoning districts.
2. STANDARDS.
 1. System requirements. Only closed loop ground source heat pump systems utilizing heat transfer fluids as defined in VULU Chapter 54.06. are permitted. Open loop ground source heat pump systems are not permitted.
 2. Setbacks.
 1. All components of ground source heat pump systems including pumps, borings and loops shall be set back at least five feet (5') from interior side lot lines and at least ten feet (10') from rear lot lines.
 2. Above-ground equipment associated with ground source heat pumps shall not be installed in the front yard of any lot or the side yard of a corner lot adjacent to a public right-of-way and shall meet all required setbacks for the applicable zoning district.
 3. Easements. Ground source heat pumps systems shall not encroach on public drainage, utility roadway or trail easements.
 4. Noise. Ground-source hat pumps shall be screened to reduce noise levels as measured on neighboring properties to fifty (50) decibels or less.
 5. Screening. In addition to screening for noise control, ground source heat pumps are considered mechanical equipment and are subject to screening by landscaping, fencing or other methods to enhance the view.
 6. Deviations. If any deviation from the required standard of this ordinance may be granted by the land use authority, a conditional use permit will be required.
 7. Safety. Ground source heat pumps shall be certified by Underwriters Laboratories, Inc. and meet the requirements of the International building Code as adopted by the Town of Virgin.
 8. Abandonment. If a ground source heat pump system remains nonfunctional or in operative for a continuous period of one (1) year, the system shall be deemed to be abandoned. In the event the abandoned system constitutes a safety threat or a public nuisance, the owner shall remove the abandoned system at his or her expense after a hearing by the Town Council of Virgin town, in accordance with the following:
 1. The heat pump and any external mechanical equipment shall be removed.
 2. Pipes or coils below the land surface shall be filled with grout to displace the heat transfer fluid. The heat transfer fluid shall be captured and disposed of in accordance with applicable regulations. The top of the pipe, coil or boring shall be uncovered and grouted.

3. Ground source heat pump systems shall be completely removed from the bottom of the body of water.
9. Permits. A building permit and conditional use permit, if required, shall be obtained for any ground source heat pump system prior to installation. Borings for vertical systems are subject to approval from the Utah Division of Water Quality and the Utah State Board of Health.

Proposed:

54.08 GROUND SOURCE HEAT PUMP SYSTEMS

1. Ground Source Heat Pump Systems must meet all of the requirements set forth in the International Building Code, the State of Utah and Washington County.

VIRGIN TOWN

ORDINANCE # 2021-41

AN ORDINANCE AMENDING CHAPTER FIFTY-FOUR 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 Fifty-Four, 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 April 14, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on April 28, 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:

54.08 GROUND SOURCE HEAT PUMP SYSTEMS

1. Ground Source Heat Pump Systems must meet all of the requirements set forth in the International Building Code, the State of Utah and Washington County.

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 28th day of April, 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: