

Date: 4/27/21
Name of preparer: Sean Amodt
Contact information of preparer:
The following definitions either do not appear in VULU, are implied terms, are already included with other definitions, or are technical terms that are encumbering the document. Should future ordinances be written that reflect a need for these definitions, they can be added back.
Current: 2.12 – DEFINITIONS Campground Restaurant. A commercial establishment where food and drink are prepared, served and consumed primarily within the principal building. Outdoor seating is permitted and drive-up facilities are prohibited.⁶ Cellar. A room or rooms wholly under the surface of the ground or having more than fifty percent (50%) of its floor-to-ceiling height under the average level of the adjoining ground. Conservation Organization, Non-Profit (Non-Profit Conservation Organization). Any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property. Construction, New (New Construction). For the purpose of determining flood insurance rates, structures for which the “initial construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a Floodplain Management Regulation adopted by a community and includes any subsequent improvements to such structures. Dwelling, Mobile Home (Mobile Home Dwelling). See “Home, Mobile (mobile home)”. Elevation, Water Surface (Water Surface Elevation). The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. FIRM. See FLOOD INSURANCE RATE MAP. Flood Hazard, Area of Special (Area Of Special Flood Hazard). The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard Boundary Map (FHBm). After detailed ratemaking has been

completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Flooding, Alluvial Fan (Alluvial Fan Flooding). Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Flooding, Area of Shallow (Area of Shallow Flooding). A designated AO, AH, or VO Zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one foot (1') to three feet (3') where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Floodplain Management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations. zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway (Regulatory Floodway). The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor, Lowest (Lowest Floor). The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Frontage Lot, Double. (See Lot, Double Frontage.)

Hazard, Flood (Flood Hazard). Potential hazard to land or improvements by water.

Hazard, Geological (Geological Hazard). A hazard inherent in or on the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movements, failure or shifting of the earth.

Hub. The center of a wind generator rotor, which holds the blades in place and attaches to the shaft.

Hub Height. The distance measured from natural grade to the center of the turbine hub.

Land, Irrigated (Irrigated Land). Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

Lot Coverage. Lot coverage shall be calculated by taking the ground area of the main and accessory buildings and dividing that total by the area of the lot.

Lot, Interior (Interior Lot). A lot other than a corner lot.

Lot, Parking. See Parking Lot.

Lot, Restricted (Restricted Lot). Any lot having particular problems in size, slope, contour or space requiring special action of the appeal authority.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Home Park or Subdivision, Existing (Existing Manufactured Home Park or Subdivision). A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Manufactured Home Park or Subdivision, Expansion To An Existing (Expansion To An Existing Manufactured Home Park Or Subdivision). The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). **Manufactured Home Park or Subdivision, New.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Monopole Tower. A tower constructed of tapered tubes that fit together symmetrically and are stacked one (1) section on top of another and bolted to a concrete foundation without support cables.

Person, Elderly (Elderly Person). A person who is sixty-two (62) years or older who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

Persons, Handicapped. Disabled persons (see disabled/disability).

Sea Level, Mean (Mean Sea Level). For purposes of the national flood insurance program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

System, building-Integrated Solar Energy. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building including, but not limited to, photovoltaic or hot water solar systems contained within roofing materials, windows, skylights and awnings.

System, Closed Loop Ground Source Heat Pump. A system that circulates a heat transfer fluid, typically food-grade antifreeze, through pipes or coils buried beneath the land surface or anchored to the bottom in a body of water.

System, Flush-Mounted Solar Energy. A roof-mounted system mounted directly abutting the roof. The pitch of the solar collector may exceed the pitch of the roof up to five percent (5%) but shall not be higher than ten inches (10") above the roof.

System, Ground Source Heat Pump. A system that uses the relatively constant temperature of the earth or a body of water to provide heating in the winter and cooling in the summer. System components

include open or closed loops or pipe, coils or plates; a fluid that absorbs and transfers heat; and a heat pump unit that processes heat for use or disperses heat for cooling; and an air distribution system.

System, Horizontal Ground Source Heat Pump. A closed loop ground source heat pump system where the loops or coils are installed horizontally in a trench or series of trenches no more than twenty feet (20') below the land surface.

System, Open Loop Ground Source Heat Pump. A system that uses groundwater as a heat transfer fluid by drawing groundwater from a well to a heat pump and then discharging the water over land, directly in a water body or into an injection well.

System, Passive Solar Energy. A system that captures solar light or heat without transferring it to another form of energy or transferring the energy via a heat exchanger.

System, Photovoltaic. A solar energy system that converts solar energy directly into electricity.

Travel Trailer. A vehicular portable structure designed as a temporary dwelling for travel and recreational/vacation uses.

Truck Stop. An occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted in automobile service stations.

Use, Functionally Dependent (Functionally Dependent Use). A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Vertical Ground Source Heat Pump. A closed loop ground source heat pump system where the loops or coils are installed vertically in one or more borings below the land surface.

Violation, Flood Management. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.

Wind Turbine, Vertical Axis. A type of wind turbine where the main rotor shaft runs vertically.

Proposed:

2.12 - DEFINITIONS

Campground Restaurant. A commercial establishment where food and drink are prepared, served and consumed primarily within the principal building. Outdoor seating is permitted and drive-up facilities are prohibited.⁶

Cellar. A room or rooms wholly under the surface of the ground or having more than fifty percent (50%) of its floor-to-ceiling height under the average level of the adjoining ground.

Conservation Organization, Non-Profit (Non-Profit Conservation Organization). Any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.

Construction, New (New Construction). For the purpose of determining flood insurance rates, structures for which the “initial construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a Floodplain Management Regulation adopted by a community and includes any subsequent improvements to such structures.

Dwelling, Mobile Home (Mobile Home Dwelling). See “Home, Mobile (mobile home)”.

Elevation, Water Surface (Water Surface Elevation). The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

FIRM. See FLOOD INSURANCE RATE MAP.

Flood Hazard, Area of Special (Area Of Special Flood Hazard). The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Flooding, Alluvial Fan (Alluvial Fan Flooding). Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Flooding, Area of Shallow (Area of Shallow Flooding). A designated AO, AH, or VO Zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one foot (1’) to three feet (3’) where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Floodplain Management. The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain Management Regulations. zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway (Regulatory Floodway). The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Floor, Lowest (Lowest Floor). The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Frontage Lot, Double. (See Lot, Double Frontage.)

Hazard, Flood (Flood Hazard). Potential hazard to land or improvements by water.

Hazard, Geological (Geological Hazard). A hazard inherent in or on the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movements, failure or shifting of the earth.

Hub. The center of a wind generator rotor, which holds the blades in place and attaches to the shaft.

Hub Height. The distance measured from natural grade to the center of the turbine hub.

Land, Irrigated (Irrigated Land). Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.

Lot Coverage. Lot coverage shall be calculated by taking the ground area of the main and accessory buildings and dividing that total by the area of the lot.

Lot, Interior (Interior Lot). A lot other than a corner lot.

Lot, Parking. See Parking Lot.

Lot, Restricted (Restricted Lot). Any lot having particular problems in size, slope, contour or space requiring special action of the appeal authority.

Manufactured Home Park or Subdivision. A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

Manufactured Home Park or Subdivision, Existing (Existing Manufactured Home Park or Subdivision). A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Manufactured Home Park or Subdivision, Expansion To An Existing (Expansion To An Existing Manufactured Home Park Or Subdivision). The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). **Manufactured Home Park or Subdivision, New.** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final

site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Monopole Tower. A tower constructed of tapered tubes that fit together symmetrically and are stacked one (1) section on top of another and bolted to a concrete foundation without support cables.

Person, Elderly (Elderly Person). A person who is sixty-two (62) years or older who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

Persons, Handicapped. Disabled persons (see disabled/disability).

Sea Level, Mean (Mean Sea Level). For purposes of the national flood insurance program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

System, building Integrated Solar Energy. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building including, but not limited to, photovoltaic or hot water solar systems contained within roofing materials, windows, skylights and awnings.

System, Closed Loop Ground Source Heat Pump. A system that circulates a heat transfer fluid, typically food grade antifreeze, through pipes or coils buried beneath the land surface or anchored to the bottom in a body of water.

System, Flush Mounted Solar Energy. A roof mounted system mounted directly abutting the roof. The pitch of the solar collector may exceed the pitch of the roof up to five percent (5%) but shall not be higher than ten inches (10") above the roof.

System, Ground Source Heat Pump. A system that uses the relatively constant temperature of the earth or a body of water to provide heating in the winter and cooling in the summer. System components include open or closed loops or pipe, coils or plates; a fluid that absorbs and transfers heat; and a heat pump unit that processes heat for use or disperses heat for cooling; and an air distribution system.

System, Horizontal Ground Source Heat Pump. A closed loop ground source heat pump system where the loops or coils are installed horizontally in a trench or series of trenches no more than twenty feet (20') below the land surface.

System, Open Loop Ground Source Heat Pump. A system that uses groundwater as a heat transfer fluid by drawing groundwater from a well to a heat pump and then discharging the water over land, directly in a water body or into an injection well.

System, Passive Solar Energy. A system that captures solar light or heat without transferring it to another form of energy or transferring the energy via a heat exchanger.

System, Photovoltaic. A solar energy system that converts solar energy directly into electricity.

Travel Trailer. A vehicular portable structure designed as a temporary dwelling for travel and recreational/vacation uses.

Truck Stop. An occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted in automobile service stations.

Use, Functionally Dependent (Functionally Dependent Use). A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking

facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Vertical Ground Source Heat Pump. A closed-loop ground source heat pump system where the loops or coils are installed vertically in one or more borings below the land surface.

Violation, Flood Management. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (e)(4), (e)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.

Wind Turbine, Vertical Axis. A type of wind turbine where the main rotor shaft runs vertically.

VIRGIN TOWN

ORDINANCE # 2021-44

AN ORDINANCE AMENDING CHAPTER TWO 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 Two, 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 _____, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____, 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:

2.12 – DEFINITIONS

~~Campground Restaurant.~~ A commercial establishment where food and drink are prepared, served and consumed primarily within the principal building. Outdoor seating is permitted and drive up facilities are prohibited.⁶

~~Cellar.~~ A room or rooms wholly under the surface of the ground or having more than fifty percent (50%) of its floor to ceiling height under the average level of the adjoining ground.

Conservation Organization, Non-Profit (Non-Profit Conservation Organization). Any charitable corporation, charitable association or charitable trust (such as a land trust), the purposes or powers of which include retaining or protecting the natural, scenic or open space values of real property, assuring the availability of real property for agricultural, forest, recreational or open space use, protecting natural resources, maintaining or enhancing air or water quality, or preserving the historical, architectural, archaeological or cultural aspects of real property.

Construction, New (New Construction). For the purpose of determining flood insurance rates, structures for which the “initial construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a Floodplain Management Regulation adopted by a community and includes any subsequent improvements to such structures.

Dwelling, Mobile Home (Mobile Home Dwelling). See “Home, Mobile (mobile home)”.

Elevation, Water Surface (Water Surface Elevation). The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

FIRM. See FLOOD INSURANCE RATE MAP.

Flood Hazard, Area of Special (Area Of Special Flood Hazard). The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the flood hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Flooding, Alluvial Fan (Alluvial Fan Flooding). Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Flooding, Area of Shallow (Area of Shallow Flooding). A designated AO, AH, or VO Zone on a community’s Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one foot (1’) to three feet (3’) where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Floodplain Management. ~~The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.~~

Floodplain Management Regulations. ~~zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.~~

Floodway (Regulatory Floodway). ~~The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.~~

Floor, Lowest (Lowest Floor). ~~The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.~~

Frontage Lot, Double. ~~(See Lot, Double Frontage.)~~

Hazard, Flood (Flood Hazard). ~~Potential hazard to land or improvements by water.~~

Hazard, Geological (Geological Hazard). ~~A hazard inherent in or on the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to the movements, failure or shifting of the earth.~~

Hub. ~~The center of a wind generator rotor, which holds the blades in place and attaches to the shaft.~~

Hub Height. ~~The distance measured from natural grade to the center of the turbine hub.~~

Land, Irrigated (Irrigated Land). ~~Parcels that have surface or underground water diverted continuously or intermittently upon them for the production of crops or pasture, through the utilization of man-made improvements.~~

Lot Coverage. ~~Lot coverage shall be calculated by taking the ground area of the main and accessory buildings and dividing that total by the area of the lot.~~

Lot, Interior (Interior Lot). ~~A lot other than a corner lot.~~

Lot, Parking. ~~See Parking Lot.~~

Lot, Restricted (Restricted Lot). ~~Any lot having particular problems in size, slope, contour or space requiring special action of the appeal authority.~~

~~Manufactured Home Park or Subdivision.~~ A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

~~Manufactured Home Park or Subdivision, Existing~~ (Existing Manufactured Home Park or Subdivision). A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

~~Manufactured Home Park or Subdivision, Expansion To An Existing~~ (Expansion To An Existing Manufactured Home Park Or Subdivision). The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads). **~~Manufactured Home Park or Subdivision, New.~~** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

~~Monopole Tower.~~ A tower constructed of tapered tubes that fit together symmetrically and are stacked one (1) section on top of another and bolted to a concrete foundation without support cables.

~~Person, Elderly~~ (Elderly Person). A person who is sixty two (62) years or older who desires or needs to live with other elderly persons in a group setting, but who is capable of living independently.

~~Persons, Handicapped.~~ Disabled persons (see disabled/disability).

~~Sea Level, Mean~~ (Mean Sea Level). For purposes of the national flood insurance program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

~~System, building Integrated Solar Energy.~~ A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building including, but not limited to, photovoltaic or hot water solar systems contained within roofing materials, windows, skylights and awnings.

~~System, Closed Loop Ground Source Heat Pump.~~ A system that circulates a heat transfer fluid, typically food grade antifreeze, through pipes or coils buried beneath the land surface or anchored to the bottom in a body of water.

~~System, Flush Mounted Solar Energy.~~ A roof mounted system mounted directly abutting the roof. The pitch of the solar collector may exceed the pitch of the roof up to five percent (5%) but shall not be higher than ten inches (10") above the roof.

~~System, Ground Source Heat Pump.~~ A system that uses the relatively constant temperature of the earth or a body of water to provide heating in the winter and cooling in the summer. System components include open or closed loops or pipe, coils or plates; a fluid that absorbs and transfers heat; and a heat pump unit that processes heat for use or disperses heat for cooling; and an air distribution system.

System, Horizontal Ground Source Heat Pump. A closed loop ground source heat pump system where the loops or coils are installed horizontally in a trench or series of trenches no more than twenty feet (20') below the land surface.

System, Open Loop Ground Source Heat Pump. A system that uses groundwater as a heat transfer fluid by drawing groundwater from a well to a heat pump and then discharging the water over land, directly in a water body or into an injection well.

System, Passive Solar Energy. A system that captures solar light or heat without transferring it to another form of energy or transferring the energy via a heat exchanger.

System, Photovoltaic. A solar energy system that converts solar energy directly into electricity.

Travel Trailer. A vehicular portable structure designed as a temporary dwelling for travel and recreational/vacation uses.

Truck Stop. An occupancy which provides especially for the servicing of trucks, with incidental operations similar to those permitted in automobile service stations.

Use, Functionally Dependent (Functionally Dependent Use). A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long term storage or related manufacturing facilities.

Vertical Ground Source Heat Pump. A closed loop ground source heat pump system where the loops or coils are installed vertically in one or more borings below the land surface.

Violation, Flood Management. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) of the national flood insurance program regulations is presumed to be in violation until such time as that documentation is provided.

Wind Turbine, Vertical Axis. A type of wind turbine where the main rotor shaft runs vertically.

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: