

Date: 6/01/21
Name of preparer: Gene Garate
Contact information of preparer: zoningadministrator@virgin.utah.gov
Reason for change:
Additional Requirements for SOB's
Current wording:
Proposed wording 40.40.C – Sexually Oriented Businesses 1. No sexually oriented business shall be located within a one thousand foot (1,000') radius of any church, park, school or residential zone as measured in a straight line, without regard to intervening structures or objects, from the property line of the school, park, religious institution or residential zone nearest the sexually oriented business and the property line of the sexually oriented business nearest the church, park, school or residential zone. 2. No sexually oriented business shall be permitted to locate within five hundred feet (500') of SR-9, measured in a straight line, without regard to intervening structures or objects, from the property line of SR-9 nearest the sexually oriented business nearest any gateway. 3. No sexually oriented business shall be permitted within a five hundred foot (500') linear distance of any historic building or site, measuring a straight distance, without regard to intervening structures or objects, from the property line of the historic building or site nearest the sexually oriented business to the nearest property line of the sexually oriented business nearest the historic building or site. 4. No sexually oriented business shall be allowed within one thousand feet (1,000') linear distance of a tavern, as defined under Utah Code Annotated section 31A-1-105(61)(a) (and any amendments thereto), measuring a straight distance, without regard to intervening structures or objects from the nearest property line of the tavern to the nearest property line of the sexually oriented business. 5. No sexually oriented business shall be allowed within one thousand feet (1,000') linear distance of another such business measuring a straight distance, without regard to intervening structures or objects, from the nearest property line of the one business to the nearest property line of the other business. 6. Not more than one sexually oriented business shall be permitted to operate, be established or be maintained within the same building, structure or portion thereof. 7. No more than one sign shall be allowed on sexually oriented business premises. Painted signs and painted wall advertising shall not be allowed. Other than the signs specifically allowed by this section, a sexually oriented business shall not construct, or allow to be constructed, any temporary sign, banner, light or other device designed to draw attention to the business location. Notice signs on front or near the entrance of the sexually oriented business, twenty four inches by twenty four inches (24" x 24"), with letters of three inches (3") or larger, prohibiting persons under the age of eighteen (18), with letters of contrasting color, shall be allowed.

8. No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sexually oriented business sign. Sexually oriented business signs shall only contain alphanumeric copy.

VIRGIN TOWN

ORDINANCE # 2021-51

AN ORDINANCE AMENDING CHAPTER FORTY 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 Forty, 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 June 9, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on June 23, 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:

40.40.C – Sexually Oriented Businesses

1. No sexually oriented business shall be located within a one thousand foot (1,000') radius of any church, park, school or residential zone as measured in a straight line, without regard to intervening structures or objects, from the property line of the school, park, religious institution or residential zone nearest the sexually oriented business and the property line of the sexually oriented business nearest the church, park, school or residential zone.

2. No sexually oriented business shall be permitted to locate within five hundred feet (500') of SR-9, measured in a straight line, without regard to intervening structures or objects, from the property line of SR-9 nearest the sexually oriented business nearest any gateway.
3. No sexually oriented business shall be permitted within a five hundred foot (500') linear distance of any historic building or site, measuring a straight distance, without regard to intervening structures or objects, from the property line of the historic building or site nearest the sexually oriented business to the nearest property line of the sexually oriented business nearest the historic building or site.
4. No sexually oriented business shall be allowed within one thousand feet (1,000') linear distance of a tavern, as defined under Utah Code Annotated section 31A-1-105(61)(a) (and any amendments thereto), measuring a straight distance, without regard to intervening structures or objects from the nearest property line of the tavern to the nearest property line of the sexually oriented business.
5. No sexually oriented business shall be allowed within one thousand feet (1,000') linear distance of another such business measuring a straight distance, without regard to intervening structures or objects, from the nearest property line of the one business to the nearest property line of the other business.
6. Not more than one sexually oriented business shall be permitted to operate, be established or be maintained within the same building, structure or portion thereof.
7. No more than one sign shall be allowed on sexually oriented business premises. Painted signs and painted wall advertising shall not be allowed. Other than the signs specifically allowed by this section, a sexually oriented business shall not construct, or allow to be constructed, any temporary sign, banner, light or other device designed to draw attention to the business location. Notice signs on front or near the entrance of the sexually oriented business, twenty four inches by twenty four inches (24" x 24"), with letters of three inches (3") or larger, prohibiting persons under the age of eighteen (18), with letters of contrasting color, shall be allowed.
8. No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sexually oriented business sign. Sexually oriented business signs shall only contain alphanumeric copy.

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 ____ day of _____, 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: