

Date: 10/1/2021
Name of preparer: Gene Garate
Contact information of preparer: zoningadministrator@virgin.utah.gov
Reason for change: Standardizing "zone" verbiage in all chapters
Current wording: 8.04 LOT STANDARDS Except as otherwise provided in this ordinance, every lot, existing or intended to be created, shall have such area, width and depth as is required by this ordinance for the district in which such lot is located and shall have frontage upon a dedicated or publicly approved street or upon a private street or right-of-way approved by the Virgin Town Planning and Zoning Commission, before a building permit may be issued. 8.06 EVERY DWELLING TO BE ON A LOT: EXCEPTIONS 1. Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this ordinance for the district in which the dwelling structure is located. Group dwellings, cluster dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management which are permitted by this ordinance and have approval from the Planning and Zoning Commission may occupy one (1) lot for each multi-structure complex 8.12 SALE OF LOTS BELOW MINIMUM SPACE REQUIREMENTS No parcel of land which has less than the minimum width and area requirements for the district in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot. 8.28 CLEAR VIEW OF INTERSECTING STREETS In all districts which require a front yard, no obstruction to view in excess of two feet (2') in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers. 8.30 FENCES, WALLS, AND HEDGES B. ZONING DISTRICT HEIGHT AND SETBACK REGULATIONS. 1. ZONING. Regulations for fences, walls, and hedges contained in this section apply to the R, RR, and A zoning district. For properties zoned C, RZ, HRZ, and RD, the height, location and design of fencing shall be determined during Conditional Use Permit application review, and regulated under an approved CUP. 8.54 NON-CONFORMING LOTS OF RECORD 1. Purpose.¹ The town recognizes that certain residential lots were legally created prior to the adoption of current zoning districts, with lot sizes smaller than this titles currently requires. The purpose of this subsection is to allow flexibility in required setback standards where the area or dimensions of a non-conforming LOT of record are most restrictive in order to accommodate construction of a single-family dwelling, consistent with existing patterns of development in the general area. 8.58 MEDICAL CANNABIS 1. For the purposes of this ordinance, and in accordance with state law, "Primarily Residential" means the following zoning districts: 1. Residential District

2. Rural Residential District

Proposed wording:

8.04 LOT STANDARDS

Except as otherwise provided in this ordinance, every lot, existing or intended to be created, shall have such area, width and depth as is required by this ordinance for the ~~zone district~~ in which such lot is located and shall have frontage upon a dedicated or publicly approved street or upon a private street or right-of-way approved by the Virgin Town Planning and Zoning Commission, before a building permit may be issued.

8.06 EVERY DWELLING TO BE ON A LOT: EXCEPTIONS

2. Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this ordinance for the ~~zone district~~ in which the dwelling structure is located. Group dwellings, cluster dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management which are permitted by this ordinance and have approval from the Planning and Zoning Commission may occupy one (1) lot for each multi-structure complex

8.12 SALE OF LOTS BELOW MINIMUM SPACE REQUIREMENTS

No parcel of land which has less than the minimum width and area requirements for the ~~zone district~~ in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot.

8.28 CLEAR VIEW OF INTERSECTING STREETS

In all ~~zones districts~~ which require a front yard, no obstruction to view in excess of two feet (2') in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers.

8.30 FENCES, WALLS, AND HEDGES

B. ZONING DISTRICT HEIGHT AND SETBACK REGULATIONS.

2. ZONING. Regulations for fences, walls, and hedges contained in this section apply to the R, RR, and A ~~zones zoning district~~. For properties zoned C, RZ, HRZ, and RD, the height, location and design of fencing shall be determined during Conditional Use Permit application review, and regulated under an approved CUP.

8.54 NON-CONFORMING LOTS OF RECORD

2. Purpose.¹ The town recognizes that certain residential lots were legally created prior to the adoption of current zoning ~~districts~~, with lot sizes smaller than this titles currently requires. The purpose of this subsection is to allow flexibility in required setback standards where the area or dimensions of a non-conforming LOT of record are most restrictive in order to accommodate construction of a single-family dwelling, consistent with existing patterns of development in the general area.

8.58 MEDICAL CANNABIS

2. For the purposes of this ordinance, and in accordance with state law, "Primarily Residential" means the following ~~zones zoning districts~~:
 1. Residential ~~Zone District~~
 2. Rural Residential ~~Zone District~~

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VIRGIN TOWN

ORDINANCE # 2021-68

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 October 13, 2021, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on October 27, 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:

8.04 LOT STANDARDS

Except as otherwise provided in this ordinance, every lot, existing or intended to be created, shall have such area, width and depth as is required by this ordinance for the zone in which such lot is located and shall have frontage upon a dedicated or publicly approved street or upon a private street or right-of-way approved by the Virgin Town Planning and Zoning Commission, before a building permit may be issued.

8.06 EVERY DWELLING TO BE ON A LOT: EXCEPTIONS

1. Every dwelling structure shall be located and maintained on a separate lot having no less than the minimum area, width, depth and frontage required by this ordinance for the zone in which the dwelling structure is

located. Group dwellings, cluster dwellings, condominiums, and other multi-structure dwelling complexes under single ownership and management which are permitted by this ordinance and have approval from the Planning and Zoning Commission may occupy one (1) lot for each multi-structure complex

8.28 CLEAR VIEW OF INTERSECTING STREETS

In all zones which require a front yard, no obstruction to view in excess of two feet (2') in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines, except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers.

8.30 FENCES, WALLS, AND HEDGES

B. HEIGHT AND SETBACK REGULATIONS.

1. ZONING. Regulations for fences, walls, and hedges contained in this section apply to the R, RR, and A zones. For properties zoned C, RZ, HRZ, and RD, the height, location and design of fencing shall be determined during Conditional Use Permit application review, and regulated under an approved CUP.

8.54 NON-CONFORMING LOTS OF RECORD

3. Purpose.¹ The town recognizes that certain residential lots were legally created prior to the adoption of current zoning, with lot sizes smaller than this titles currently requires. The purpose of this subsection is to allow flexibility in required setback standards where the area or dimensions of a non-conforming LOT of record are most restrictive in order to accommodate construction of a single-family dwelling, consistent with existing patterns of development in the general area.

8.58 MEDICAL CANNABIS

3. For the purposes of this ordinance, and in accordance with state law, "Primarily Residential" means the following zones:
 1. Residential Zone
 2. Rural Residential Zone
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:

Krystal Percival, 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: