

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: 54.02 SCOPE This chapter applies to alternative energy systems in all zoning districts. 54.10 WIND ENERGY SYSTEMS 1. ZONING DISTRICTS. Residential wind turbines in accordance with the standards in this section are permitted accessory uses on lots of at least one (1) acre in size in the Residential (R), Rural Residential (RR), Commercial (C), and Agricultural (AG) Zones. Wind turbines may be used in other zones if approved by the land use authority. 54.12 SOLAR ENERGY SYSTEMS (PHOTOVOLTAIC) 1. ZONING DISTRICTS. Solar energy systems in accordance with the standards in this section are allowed as a permitted accessory use in all zoning districts. 2. STANDARDS. 1. Minimum Lot Size. In the Residential Zone (R) the minimum lot size is 12,000 square feet. In the Rural Residential (RR), Commercial (C), Resort Zone (RZ), Highway Resort Zone (HRZ) or other zones the minimum square feet is 12,000. In a clustered subdivision the requirement would be not more than one (1) unit for every 12,000 square feet. This is the requirement for ground mounted solar energy systems. 2. Height. Roof-mounted solar energy systems shall comply with the maximum height requirements in the applicable zoning districts. Ground-mounted solar energy systems shall not exceed eighteen feet (18') in height. 3. Location. In residential zoning districts, ground-mounted solar energy systems are limited to the rear yard. In non-residential zoning districts, ground-mounted solar energy systems may be permitted in the front yard of any lot or the side yard on corner lots but shall not encroach in the minimum twenty foot (20') landscaped area adjacent to public right-of-ways or screening between properties. 4. Setbacks. Ground-mounted solar energy systems including any appurtenant equipment shall be set back a minimum of fifteen feet (15') from all property lines and a minimum of thirty feet (30') from all dwellings located on adjacent lots. Roof-mounted systems shall comply with all building setbacks in the applicable zoning district and shall not extend beyond the exterior perimeter of the building on which the system is mounted.
Proposed wording 54.02 SCOPE This chapter applies to alternative energy systems in all ~~zones~~ zoning districts. 54.10 WIND ENERGY SYSTEMS

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54.12 SOLAR ENERGY SYSTEMS (PHOTOVOLTAIC)

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2. **STANDARDS**.
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 4. Setbacks. Ground-mounted solar energy systems including any appurtenant equipment shall be set back a minimum of fifteen feet (15') from all property lines and a minimum of thirty feet (30') from all dwellings located on adjacent lots. Roof-mounted systems shall comply with all building setbacks in the applicable **zone ~~zoning district~~** and shall not extend beyond the exterior perimeter of the building on which the system is mounted.

VIRGIN TOWN

ORDINANCE # 2021-78

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 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:

54.02 SCOPE

This chapter applies to alternative energy systems in all zones.

54.10 WIND ENERGY SYSTEMS

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54.12 SOLAR ENERGY SYSTEMS (PHOTOVOLTAIC)

1. ZONES. Solar energy systems in accordance with the standards in this section are allowed as a permitted accessory use in all zones.
2. STANDARDS.
 1. Minimum Lot Size. In the Residential Zone (R) the minimum lot size is 12,000 square feet. In the Rural Residential (RR), Commercial (C), Resort Zone (RZ), Highway Resort Zone (HRZ) or other zones the minimum square feet is 12,000. In a clustered subdivision the requirement would be not more than one (1) unit for every 12,000 square feet. This is the requirement for ground mounted solar energy systems.
 2. Height. Roof-mounted solar energy systems shall comply with the maximum height requirements in the applicable zones. Ground-mounted solar energy systems shall not exceed eighteen feet (18') in height.
 3. Location. In residential zones, ground-mounted solar energy systems are limited to the rear yard. In non-residential zones, ground-mounted solar energy systems may be permitted in the front yard of any lot or the side yard on corner lots but shall not encroach in the minimum twenty foot (20') landscaped area adjacent to public right-of-ways or screening between properties.
 4. Setbacks. Ground-mounted solar energy systems including any appurtenant equipment shall be set back a minimum of fifteen feet (15') from all property lines and a minimum of thirty feet (30') from all dwellings located on adjacent lots. Roof-mounted systems shall comply with all building setbacks in the applicable zone and shall not extend beyond the exterior perimeter of the building on which the system is mounted.

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: