

Date: 9-28-2020
Name of preparer: Sean Amodt
Contact information of preparer: amodtsg@gmail.com
Reason for change: • To simplify definitions. • Remove regulations in definitions. • Add new definitions to better fit the use of the term
Current wording: Garage, Private (Private Garage). A detached accessory building, or a portion of a main building, used or intended to be used for the storage of motor vehicles, trailers or boats. Garage, Public (Public Garage). A building or portion thereof, other than a private garage, designed or used for servicing, equipping, renting, selling or storing motor-driven vehicles. Garage, Repair (Repair Garage). A structure or portion thereof other than a private garage, used for the repair or refinishing of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, or trailers, and minor repairs or overall automobile or truck painting. Glare. Light emitting from a luminaire with intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness. Grade, (Building Height Determination) - The lowest level of finished ground elevation adjoining a building or structure at the front primary exterior wall Health Department. The Utah State Division of Environmental Health or local health agency having jurisdiction. Heat Transfer Fluid. A gas or liquid that takes part in heat transfer by serving as an intermediary in cooling on one side of a process, transporting and storing thermal energy, and heating on another side of a process. Height of a Sign. The vertical distance from the average adjacent ground level to the top of the sign. Home Occupation. Any occupation or business use, full or part time, conducted within a dwelling or an accessory structure, or both, by a resident of the property, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof. Homeowners Association. A community association incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities. Horizontal Axis Wind Turbine. A wind turbine design in which the rotor shaft is parallel to the ground and the blades are perpendicular to the ground. Hospital. An institution for the diagnosis, treatment and care of human illness or infirmity, including sanitariums and clinics. Hospital, Veterinary or Animal (Veterinary or Animal Hospital). A building or group of buildings together with runs, where large and/or small animals are kept and/or treated by a licensed veterinarian. Hotel. A building, commonly with multiple floors staircases/elevators, and internal corridors, that furnish lodging, etc. to travelers or other guests, for compensation and is designed and located to serve the motoring public.

Additional Information. Virgin Town does not apply the term "Hotel" to Apartments or Apartment Complexes though it may be used synonymously with the term "Motel".

House, Boarding (Boarding House). A building with not more than five (5) guest rooms where, for compensation, meals are provided for not more than fifteen (15) persons.

House, Lodging (Lodging House). A building where lodging only is provided for compensation to at least three (3) but not more than fifteen (15) persons, but not including motels or hotels.

Proposed wording:

Garage, Private (Private Garage). A detached accessory building, or a portion of a main building, ~~designed used or intended~~ to be used for the storage of **private** motor vehicles. ~~, trailers or boats.~~

Garage, Public (Public Garage). A building or portion thereof, other than a private garage, designed or used for **commercial** servicing, equipping, renting, selling, or storing motor-driven vehicles.

Garage, Repair (Repair Garage). A structure or portion thereof, other than a private garage, ~~used~~ **designed** for the **commercial** repair or refinishing of self-propelled vehicles, trailers, or boats, including general repair, rebuilding or reconditioning of engines, motor vehicles, or trailers, and minor repairs or overall automobile or truck painting.

Glare. An intense and blinding light that reduces visibility.

Grade, (For Building Height Determination) - The lowest level of finished ground elevation adjoining a building or structure **typically measured** at the front primary exterior wall.

Health Department. The Utah State Division of Environmental Health or local health agency having jurisdiction.

Heat Transfer Fluid. A gas or liquid that takes part in heat transfer by serving as an intermediary in cooling on one side of a process, transporting and storing thermal energy, and heating on another side of a process.

~~**Height of a Sign.**~~ **Sign, Height of** (Height of Sign). The vertical distance from the average adjacent ground level to the top of the sign, including the support structure and all design elements. ~~The average ground level shall be determined from within an eight foot (8') radius of the base of the sign. The adjacent ground shall not be elevated for purposes of increasing allowable sign height. (Moved to S's as "Sign, Height of" to be with sign words. Removed language will be included in the following chapter.)~~

52.04 MINIMUM SIGN STANDARDS

1. **ENGINEERING REQUIREMENTS.** All signs must conform to building, structural, and electrical codes as adopted by the Town of Virgin and the State of Utah.
 1. The Planning and Zoning Commission or Zoning Administrator may request proof of professional engineering for signs requiring such.
2. **HEIGHT.** Sign heights are established by zone and sign type. (See Sign Table for clarification of all sign heights.)
 1. Signs may not exceed the maximum building height established by Town ordinance.

2. Sign height will be determined from the average adjacent ground level around the sign. Adjacent ground level cannot be elevated for purposes of increasing allowable sign height.

Home Occupation. Any occupation or business use, full or part time, conducted within a dwelling or an accessory structure, or both, by a resident of the property, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes ~~and does not change the character thereof.~~

Homeowners Association (HOA). A community association incorporated or not incorporated, combining individual home ownership with shared use or ownership of common property or facilities.

~~**Horizontal Axis Wind Turbine.**~~ **Wind Turbine, Horizontal Axis.** A wind turbine design in which the rotor shaft is parallel to the ground and the blades are perpendicular to the ground. (Move to W's as Wind Turbine, horizontal axis.)

~~**Hospital.** An institution for the diagnosis, treatment and care of human illness or infirmity, including sanitariums and clinics.~~

New Def: An institution that is built, staffed, and equipped for the diagnosis of disease; for the treatment, both medical and surgical, of the sick and the injured; and for their housing during this process.

~~**Hospital, Veterinary or Animal** (Veterinary or Animal Hospital). A building or group of buildings together with runs, where large and/or small animals are kept and/or treated by a licensed veterinarian.~~

New Def: A building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

Hotel. A building, commonly with multiple floors staircases/elevators, and internal corridors, that furnish lodging, etc. to travelers or other guests, for compensation ~~and is designed and located to serve the motoring public.~~

Additional Information. Virgin Town does not apply the term "Hotel" to Apartments or Apartment Complexes though it may be used synonymously with the terms like **motel, inn, tourist camp, tourist court, or tourist cabin.**

~~**House, Boarding Boarding/Lodging House.** A building with not more than five (5) guest rooms where, for compensation, meals are provided for not more than fifteen (15) persons. (Move to B's).~~

New Def: A house (frequently a residential home) in which lodgers rent one or more rooms on a nightly-basis, and sometimes for extended periods of time. The common parts of the house are maintained, and some services, such as laundry and cleaning, may be supplied by the resident owner.

~~**House, Lodging** (Lodging House). A building where lodging only is provided for compensation to at least three (3) but not more than fifteen (15) persons, but not including motels or hotels. (Included in Boarding house def.)~~

VIRGIN TOWN

ORDINANCE # 2021-81.

AN ORDINANCE AMMENDING SECTIONS OF CHAPTER 2.12 (DEFINITIONS) IN ORDER TO MAINTAIN CONTINUITY BETWEEN OTHER SECTIONS OF VULU.

RECITALS

WHEREAS, Virgin Town (“Town”) is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the Town is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land within the Town’s municipal boundaries;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council (“Town Council”) is designated as the governing body of the Town.

WHEREAS, sections of VULU Chapter 2.12 are currently not compatible with other parts of VULU,

WHEREAS, amendments to VULU Chapter 2.12 would create better continuity and compatibility within VULU,

WHEREAS, the Town, by and through its Town Council, has determined that it is in the best interests of the Town and its residents to amend sections of VULU chapter 2.12 to maintain continuity and compatibility within VULU

ORDINANCE

NOW THEREFORE be it ordained by Virgin Town, Washington County, State of Utah, acting by and through the Town Council amend VULU Chapter 2.12 as follows:

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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: