

Date: 26Jan2022
Name of preparer: Cameron Spendlove
Contact information of preparer: camspendlove84@gmail.com
Reason for change: Compromise for zoning south of the Virgin River.
Current wording: <u>8.34 CURBS, GUTTERS AND SIDEWALKS</u> A. The installation of curb, gutter and sidewalks of a type approved by the Virgin Town Council may be required on any existing or proposed street adjoining a lot on which the main building is to be constructed or added onto, or on which a new use is to be established. Such curbs, gutters and sidewalks may be required as a condition of building or use permit approval. B. Until amended standards are adopted and implemented by the Town, any new development including street or pedestrian improvements shall be reviewed by the Virgin Streets and Roads Committee and the Planning and Zoning Commission and recommendations made with specific consideration of new input gathered from the public and the pending changes to the standards; and: 1. required improvements shall meet or exceed the requirements of the International Fire Code, the Americans with Disability Act, the Virgin Uniform Land Use Ordinance, and all other pertinent laws; 2. Development plans shall meet Town goals of road, street and pedestrian-way connectivity; 3. Street improvement shall include shoulders and concrete edge protection; 4. all improvements to streets or pedestrian facilities shall meet or exceed the minimum recommendations of the Town Engineer; and 5. the terms of this section 4.17.2 shall remain in place only until the specific new standards for streets, roads, and pedestrian facilities are fully adopted and implemented.
Proposed Wording: <u>8.34URBS, GUTTERS AND SIDEWALKS</u> A. The installation of curb, gutter and sidewalks of a type approved by the Virgin Town Council may be required on any existing or proposed street adjoining a lot on which the main building is to be constructed or added onto, or on which a new use is to be established. Such curbs, gutters and sidewalks may be required as a condition of building or use permit approval. B. Until amended standards are adopted and implemented by the Town, any new development including street or pedestrian improvements shall be reviewed by ~~the Virgin Streets and Roads Committee and~~ the Planning and Zoning Commission ~~and recommendations made with specific consideration of new input gathered from the public and the pending changes to the standards;~~ and: 1. required improvements shall meet or exceed the requirements of the International Fire Code, the Americans with Disability Act, the Virgin Uniform Land Use Ordinance, and all other pertinent laws;

2. Development plans shall meet Town goals of road, street and pedestrian-way connectivity;
3. Street improvement shall include shoulders or and concrete edge protection;
4. all improvements to streets or pedestrian facilities shall meet or exceed the minimum recommendations of the Town Engineer; and
5. the terms of this section 4.17.2 shall remain in place only until the specific new standards for streets, roads, and pedestrian facilities are fully adopted and implemented.

VIRGIN TOWN
ORDINANCE # 2022-03

AN ORDINANCE REMOVING THE REQUIREMENT FOR CURB AND GUTTER FROM VULU
CHAPTER 8. AND REMOVING OUTDATED LANGUAGE.

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 wishes, to allow for developments that do not require curb and gutter;

WHEREAS, the Virgin Land Use Authority wishes to maintain rural character of the Town;

WHEREAS, the Virgin Land Use Authority received an acceptable compromise ordinance, taken from Washington County Ordinance 10-9-7, from the sponsors of the referendum; and

WHEREAS the Virgin Town Planning and Zoning Commission held properly noticed Public Hearings on these amendments on _____, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____ ;

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

8.34URBS, GUTTERS AND SIDEWALKS

- A. The installation of curb, gutter and sidewalks of a type approved by the Virgin Town Council may be required on any existing or proposed street adjoining a lot on which the main building is to be

constructed or added onto, or on which a new use is to be established. Such curbs, gutters and sidewalks may be required as a condition of building or use permit approval.

B. Until amended standards are adopted and implemented by the Town, any new development including street or pedestrian improvements shall be reviewed by the Planning and Zoning Commission and:

1. required improvements shall meet or exceed the requirements of the International Fire Code, the Americans with Disability Act, the Virgin Uniform Land Use Ordinance, and all other pertinent laws;
2. Development plans shall meet Town goals of road, street and pedestrian-way connectivity;
3. Street improvement shall include shoulders or concrete edge protection;
4. all improvements to streets or pedestrian facilities shall meet or exceed the minimum recommendations of the Town Engineer; and
5. the terms of this section 4.17.2 shall remain in place only until the specific new standards for streets, roads, and pedestrian facilities are fully adopted and implemented.

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# 2020-34 will become effective on this ____ day of _____, 2020 based upon the following vote:

Council Member:

Gene Garate AYE___ NAE___

LeRoy Thompson AYE___ NAE___

Paul Lue AYE___ NAE___

Mistie Baird AYE___ NAE___

Jean Crouse, Mayor AYE___ NAE___

VIRGIN TOWN

a Utah municipal corporation

Jean Crouse, Mayor

ATTEST:

Kristle , Town Clerk

REQUEST FOR VIRGIN TOWN COUNCIL ACTION

To: Mayor and City Council
From: Planning and Zoning
Date:
Subject: ORDINANCE # 2022-
Citizen comments summary:
Recommendation:
Background and Findings:
Fiscal Impact:
Supporting Documents: Planning and zoning minutes
This request prepared by: Cameron Spendlove
This request prepared on: