

Date: 3-14-22
Name of preparer: Sean Amodt
Contact information of preparer: amodtsg@gmail.com
Reasons for change: • Updating ordinance to match current building practices. • Implementing procedures to accept waivers to the rule
Current: <u>32.10 HEIGHT REGULATIONS</u> No building may exceed twenty-five feet (25'). <u>34.08 HEIGHT REGULATIONS</u> No building may exceed twenty-five feet (25').
Proposed: <u>32.10 HEIGHT REGULATIONS</u> ~~No building may exceed twenty-five feet (25').~~ <u>Maximum building height will be thirty feet (30') feet unless an extra five (5') feet bonus height is granted during a design review conducted by the Planning Commission at a regularly scheduled meeting, with their recommendation to the Town Council, and the Council's approval. However, no building may exceed thirty-five feet (35') height above finished grade.</u> <u>A. Design Review should consider:</u> <u>1. The overall topography of the land,</u> <u>2. The average height of surrounding buildings,</u> <u>3. Potential impacts and any mitigations proposed.</u> <u>34.08 HEIGHT REGULATIONS</u> ~~No building may exceed twenty-five feet (25').~~ <u>Maximum building height will be thirty feet (30') feet unless an extra five (5') feet bonus height is granted during a design review conducted by the Planning Commission at a regularly scheduled meeting, with their recommendation to the Town Council, and the Council's approval. However, no building may exceed thirty-five feet (35') height above finished grade.</u> <u>A. Design Review should consider:</u> <u>1. The overall topography of the land,</u> <u>2. The average height of surrounding buildings,</u> <u>3. Potential impacts and any mitigations proposed.</u>

VIRGIN TOWN

ORDINANCE #

AN ORDINANCE AMENDING CHAPTER TWO 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 Two, 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 _____, 2022, and voted to recommend its draft amendment ordinance to the Virgin Town Council at a regular meeting on _____, 2022;

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:

32.10 HEIGHT REGULATIONS

Maximum building height will be thirty feet (30') feet unless an extra five (5') feet bonus height is granted during a design review conducted by the Planning Commission at a regularly scheduled meeting, with their recommendation to the Town Council, and the Council’s approval. However, no building may exceed thirty-five feet (35') height above finished grade.

A. Design Review should consider:

1. The overall topography of the land,

- 2. The average height of surrounding buildings,
- 3. Potential impacts and any mitigations proposed.

34.08 HEIGHT REGULATIONS

Maximum building height will be thirty feet (30') feet unless an extra five (5') feet bonus height is granted during a design review conducted by the Planning Commission at a regularly scheduled meeting, with their recommendation to the Town Council, and the Council's approval. However, no building may exceed thirty-five feet (35') height above finished grade.

A. Design Review should consider:

- 1. The overall topography of the land,
- 2. The average height of surrounding buildings,
- 3. Potential impacts and any mitigations proposed.

Maximum building height will be twenty-five feet (25') feet unless bonus height is granted during design and conditional use review; however, no building may exceed thirty feet (30') height or two (2) stories.

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 _____ month, 2022, based upon the following vote:

Council Member:

Gene Garate	AYE___	NAE___
LeRoy Thompson	AYE___	NAE___
Mistie Baird	AYE___	NAE___
Paul Luwe	AYE___	NAE___
Jean Krause, Mayor	AYE___	NAE___

VIRGIN TOWN

a Utah municipal corporation

Jean Krause, 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: