

Date: 4-14-22
Name of preparer: Sean Amodt
Contact information of preparer: amodtsg@gmail.com
Reasons for change: <ul style="list-style-type: none"> • Updating ordinance to match current building practices. • Accommodating affordable housing practices. • Allowing for a variety of architecture types.
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>thirty feet (30')</u> . <u>34.08 HEIGHT REGULATIONS</u> No building may exceed twenty-five feet (25') <u>thirty feet (30')</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 32 and 34, 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

No building may exceed thirty feet (30').

34.08 HEIGHT REGULATIONS

No building may exceed thirty feet (30').

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: 21May22
Subject: Ordinance raising the residential height limit from 25' to 30'
Citizen comments summary: Citizens express concerns that the higher building would overwhelm existing neighborhood, obstruct views, and would change the Character of the town.

Other citizens like the idea as the new height would allow for a two-story home with modern design elements like high ceiling, and pitched roofs.
Recommendation: We recommend denial of this ordinance with a vote of 3-2. One dissenting vote felt that residence should have more liberates with their properties. And that the change would make housing more affordable. The other dissenting vote felt that modern home designs should be considered, and changes made to accommodate standard building practices of the time. The change would not make houses more affordable, but the 5' increase would not drastically alter the appearance of a neighborhood or obtrusiveness of the structure.
Background and Findings: We find the change would not be in keeping with the Town's plans to maintain a small-town feel. The change would create significant harm to existing residence and should not be adopted.
Fiscal Impact: Negative if not accepted many builders may choose to build elsewhere, or positive the by denying the changes the Town may become a niche market. So, the impact is unknown.
Supporting Documents:See Minute
This request prepared by: Cameron Spendlove
This request prepared on: 21May22

If passed the Change will affect the current building height from 25 ft to 30 ft which will increase the residential building height throughout Virgin by 5 feet,