Date: 8/16/22

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Reason for change:

- To simplify definitions.
- Remove regulations in definitions.
- Add new definitions to better fit the use of the terms in current ordinances
- Regulations in definitions have been moved to their respective locations throughout VULU

Current and Proposed: (Black text is current wording. Red, underlined text is proposed along with strike-outs. Blue text is only informational in this document.)

2.12 - DEFINITIONS

Land, Division of (Division of Land). ~~Division of a parcel of land into four (4) two (2) or more lots.~~ See Subdivision definition and VULU Ch. 18 (Division of Land) for further clarification. (Subdivision ordinance takes care of small and large subdivision defs.)

Land Use Authority. ~~Anyone who has the authority to interpret or implement the city ordinances as defined by the Land Use Ordinance.~~ A person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application. (from state law)

Land Use Ordinance. ~~is defined in Title 10, Chapter 9a of the Utah Code.~~ (There is no single definition there. I think it was supposed to refer to the whole code.)

New def: An ordinance or regulation of general application adopted by the municipal legislative body which controls, directs or delineates allowable uses of land and the standards for those uses.

Lot.

~~1. A parcel or tract of land within a subdivision and abutting a public street, or a private street, which is or may be occupied by one building and the accessory buildings or uses customarily incident thereto, including such open spaces as are arranged and designed to be used in connection with the building according to the zone with which the lot is located.~~

~~2. A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership; or a unit of land shown as a lot or parcel on a recorded subdivision map; or a unit of land shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into two (2) or more smaller units.~~

New def: A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder. (from State law)

Lot Line, Front (Front Lot Line). ~~For an interior lot, the lot line adjoining the street. For for a corner lot or through lot, the lot line adjoining either street, as elected by the owner with support from Town staff.~~

Possible new def: The lot line which abuts a public street, private street, or easement of access. (For corner lots or through lots see Lot Line Determination in VULU (2.19)???)

Lot Line, Rear (Rear Lot Line). Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. (This next part will be put into the VULU in the general regulations section.) ~~In the case of a triangular or gore-shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Vvirgin Ttown building inspector Zoning Administrator and Town staff will shall designate the rear lot line.~~

New def: The lot line opposite and most distant from the front lot line. (For further clarification see Lot Line Determination in VULU (2.19) ???)

Lot Line, Side (Side Lot Line). Any lot boundary line that is not a front or rear lot line. ~~A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.~~

Lot, Corner (Corner Lot). ~~A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five degrees (135°).~~

New Def: A lot located at the intersection of two or more streets or part of the same street forming and interior angle of less than one hundred thirty-five degrees (135°).

Lot Depth. ~~**Lot, Depth of** (Depth of Lot). The horizontal distance between the front and rear lot lines measured in the main direction of the side lot line.~~

New def: The mean horizontal distance between the front lot line and the rear lot line of a lot.

~~**Lot, Double Frontage** (Double Frontage Lot). A lot where the front lot line and back lot line both front on a street.~~ (This has been changed to the more common term Through lot.)

Lot, Flag (Flag Lot). ~~A lot that has been approved by the town with access provided to the bulk of the lot by means of a narrow corridor.~~

New def: A parcel of land shaped like a *flag*, with a narrow strip providing access to a public street, and the bulk of the property containing no street frontage.

Lot, Interior (Interior Lot). A *lot* which is bounded by a street or highway on only one side and is not a corner *lot* or a through *lot*.

Lot, Right-Of-Way (Right-Of-Way Lot). ~~A strip of land of not less than sixteen feet (16') in width connecting a lot to a street for use as a private access to that lot.~~ (This part moved to lot determination section)

New Def: An easement reserved by the *lot* owner as a private access to serve interior *lots* not otherwise located on a street.

Lot, Through (Through Lot). A lot abutting two parallel streets that is not a corner lot and can be accessed by either street.

Lot Width. ~~**Lot, Width of** (Width of Lot). The horizontal distance between the side lot lines, measured at the required front setback line or rear setback line, whichever is shorter.~~[10]

New def: The mean horizontal distance between side *lot* lines measured at right angles to the *lot* depth at a point midway between the front and rear *lot* lines.

General VULU section for Lot and Lot Line determination (put in 2.19)

Ch. 2.19. Lot Line Determination.

A. **Front lot line Determination.** The lot owner shall designate the front lot line for any corner lot or through lot, with support from Town staff, and such designation may not be changed after the principal building is erected.
B. **Rear lot line determination.** In the case of a triangular or gore-shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the V~~v~~irgin T~~t~~own ~~building inspector~~ Zoning Administrator and Town staff will ~~shall~~ support the owner in determining ~~designate~~ the rear lot line.
C. **Right-of-way Lot.** This lot type can be no less than sixteen feet (16') in width connecting a lot to a street for use as a private access to that lot.

M's

Manufactured home. ~~A structure transportable in one or more sections, which is built on a permanent chassis and must be attached to a permanent foundation and connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle." Said manufactured home shall be classified as a mobile home unless it is placed on a permanent foundation and complies with all applicable building and housing codes. Said manufactured home shall have a minimum of 1,000 square feet; a minimum 4:12 slope/pitch of roof. Brick veneer, stucco, or other similar materials are to be used on the exterior of the manufactured home.~~ A transportable, factory built housing unit constructed after June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, and is identified by the manufacture's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.[11] (The strike-out part is already included in the ordinance.)

Map, Official (Official Map). ~~A map~~ Maps which ~~has~~ have been adopted into the General Plan by the Land Use Authority as the official maps of the ~~town of virgin~~ Town of Virgin. ~~showing existing public streets, streets on plats of subdivisions which have been approved by the Virgin Town Land Use Authority, and/or other street extensions, widening, narrowing, or variations which have been accurately surveyed and definitely located.~~

Mobile Home. ~~A detached single-family dwelling unit designed for long-term occupancy and to be transported on its own wheels (permanent or detachable), or on flatbed or other trailer and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Modular or prefabricated homes not placed on a permanent foundation shall be regarded and regulated as mobile homes.~~ (Maybe put this last sentence into the ordinance if needed.)

New def: A transportable, factory-built housing unit constructed before June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, and is identified by the manufacture's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

Mobile Home Park. ~~A space designed for and approved by the Town of Virgin for occupancy by Mobile Homes, to be under single ownership or management, and meeting all requirements of the Virgin Town Zoning Ordinance and the Virgin Town Mobile Home Park ordinance for Mobile Home Parks.~~ (There are some implied regulations in this, but they are already addressed in VULU and don't need to be repeated in the definition.)

New Def: Any tract of land on which two or more lots are leased, or offered for lease or rent, to accommodate mobile homes for long-term residential purposes.

Mobile Home Space or Lot. A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.

Noncomplying Structure. A building or other artificial structure which complied with a zoning ordinance when it was built, but which would no longer comply due to ordinance changes. ~~A structure can be noncomplying due to such things as setbacks or height requirements~~.

Open Space. ~~Space reserved in parks, courts, playgrounds, golf courses and other similar open areas, and those areas reserved to meet the density requirements of development.~~

New Def: Land that is protected by legislation, from private development, for public use or enjoyment.

Ordinance, Zoning (Zoning Ordinance). The Virgin Land Use Code (VULU) as presently adopted and as amended hereafter by the ~~town council~~ Town Council.

Plan, Site (Site Plan). A plan containing the information for any development of land required by VULU chapter ~~2.20~~ 2.18. ~~of this Ordinance.~~

Planning and Zoning Commission. ~~The Virgin Town Planning And Zoning Commission~~.

New Def: The appointed commission that recommends land use issues to the Town Council. (See Chapter 4 of VULU).

Recreational Vehicle (RV). ~~**, Motor Home, And Travel Trailer**. A recreational vehicle (RV), motor home, or travel trailer is a vehicle designed and/or constructed to travel on public thoroughfares which is: (i) built on a single chassis; (ii) designed to be self-propelled or tow-able by a truck; and (iii) designed primarily for recreational, camping, travel, or seasonal use and not for use as a permanent dwelling but as temporary living quarters. In this ordinance, a recreational vehicle, travel trailer & motor home are collectively referred to as "recreational vehicle" or "RV".[12]~~

New Def: A vehicular, portable structure built on a chassis, which is self-propelled or towable by a truck, and is used as a temporary dwelling, for travel and recreation purposes, and licensed as a motor home, camper or travel trailer.

Recreational Vehicle (RV) Pad. A location on an RV lot or campground site constructed of gravel, asphalt or concrete, designed to provide proper support and drainage for placement of an RV and where possible, having amenities such as sewer, water and electrical or communications connections.

Recreational Vehicle and Travel Trailer Park (RV and Travel Trailer Park). An area or tract of land ~~or a designated section within a mobile home park~~ where lots, sites, units, or pads are rented or held for rent to one (1) owner or user of a recreational vehicle for a temporary time. ~~, not to exceed 180 days.~~ (this regulation is already in the ordinance.) (This was moved from the "V" section).

~~**Rubbish**. Rubbish means and includes discarded items of metal, cardboard, paper, wood, plastic, or any other waste material.~~[14] (Removed rubbish and replaced it with the American word 'trash'.)

Sanitary Sewer Authority. ~~The Utah State Health Department.~~ The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems. (The Town of Virgin is serviced by the Southwest Utah Public Health Department through the Utah State Health Department.)

School. ~~A public kindergarten, elementary, middle, junior high or high school~~.

New Def: A place or building used for instruction, learning, and *education of children up to college.*

Setback. ~~The distance that is required by the Land Use Ordinance to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term "setback" refers to a required minimum distance while the term "yard" refers to the areas to the front, side and rear of a primary structure.~~[16]

New Def: The minimum distance, set by VULU, in which a building or other structure must be set back from any property line, or from places deemed to need protection such as a street or road, a river, a flood plain, or other zones.

~~**Setback, Corner** (Corner Setback). The distance from the street side property line not designated as a "front setback" to the closest distance a structure may be located from the property line.~~[17]

~~**Setback, Front** (Front Setback). The distance from the front property line to the closest point a structure can be constructed to the front property line.~~[18]

~~**Setback, Side** (Side Setback). The distance from the interior side property lines to the closest distance a structure may be located from the property line.~~[19]

~~**Setback, Rear** (Rear Setback). The distance from the rear property line to the closest distance a structure may be located from the property line.~~[20] (These setback defs are covered with the setback and lot definitions.)

Sign. ~~Any identification, description, illustration, symbol, insignia, medium, statue or other physical or visual device or representation, which is visible from outside the premises on which such device is located, designed to advertise, identify or convey information or direct or attract attention to a product, place, activity, person, institution or business.~~

Sign Structure. Any structure which supports, has supported, or is designed to support a sign.

Sign. A presentation or representation of words, letters, figures, designs, pictures or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

~~**Site or Unit**.~~ **Camp Site/Unit/Pad.** A dedicated space of ground occupied or to be occupied by ~~an~~ one (1) RV, cabin, or tent. ~~22~~ (This needs to be moved to the "C's ")

Street. A right of way, which has been dedicated to the T~~t~~own and accepted by the T~~t~~own C~~c~~ouncil, or which the T~~t~~own has acquired by prescriptive right, or deed. ~~or by dedication.~~

Street, Arterial (Arterial street). ~~A major traffic way, which is intended to serve as a controlled-access highway, major street parkway, or other equivalent term to identify those streets comprising the basic structure of the street plan. Arterial streets shall have an eighty-foot (80') right of way.~~ (This last sentence needs to be moved into the ordinance. Need to point to the ordinance it is stated in.)

New Def: A public *street* or highway used or intended to be used primarily for heavy through traffic.

Street, Collector (Collector street). A street which carries traffic from local/minor streets to the arterial street system, including the principal entrance streets of residential developments and the primary circulating streets within such developments.

Street, Local/Minor (Local/Minor street). A street designed to provide access to abutting residential property with only incidental service to through traffic.

Street, Private (Private street). ~~A right of way, which has been reserved by dedication unto the subdivider or lot owners to be used as a private access to serve property and complying with the adopted street cross section standards of the town for the type of street as described above. All private streets shall be approved by the Town, constructed to the same standards as required of public streets, and maintained by the subdivider or other private agency.~~ (The last part is already in the subdivision ordinance. Check in ordinance)

New Def: A road or driveway on privately owned property, not open to public use. The road is maintained without help from a government agency.

Street, Public (Public street). ~~A street, which affords access to abutting property, including highways,ed roads, lanes, avenues and boulevards.~~

New Def: Any highway, road, or street under the jurisdiction of and maintained by a public authority and open to public travel.

~~**Sub-Divider**~~ **Subdivider**. Any person, corporation, partnership, association, individual, firm, trust or agent dividing or proposing to divide land resulting in a subdivision.

Subdivision Concept Plan. A sketch or concept drawing of a proposed division of land prior to the preliminary plat to enable a ~~sub-divider~~ subdivider to reach general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations, and to receive guidance as to the requirements for subdivisions within the T~~t~~own.

Subdivision, Cluster (Cluster Subdivision). ~~A housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of the land are maintained to the greatest extent possible.~~

New Def: A form of development that permits a reduction in lot area, setbacks, and the arrangement of lots such that there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development. The remaining land area is devoted to open space, active recreation, preservation of sensitive areas, or agriculture.

Systems, Alternative Energy. Nontraditional energy sources such as a ~~A~~ ground source heat pump, wind, or solar energy system.

System, Solar Energy. ~~A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation or water heating.~~

New Def: Any device or combination of devices or elements that rely upon direct sunlight as an energy source for use in the generation of electricity.

Trash. Anything worthless, useless, or discarded. (Also see **Junk**.)

Ch. 8.38 PROPERTY MAINTENANCE

D. Remove discarded junk and ~~rubbish~~ trash;

F. Prevent or minimize off-site visibility of salvage, construction materials, machinery, equipment, and other items not generally accessory to uses in the underlying zone. No junk, ~~rubbish~~ trash, or other unsafe or unsanitary material or conditions, including cars or machinery in inoperable or unregistered condition for more than six (6) months, shall be permitted on any right-of-way or easement.

Use or Structure, Accessory (Accessory Use ~~Or~~ or Structure). A use or structure on the same lot with, and of a name customarily incidental and subordinate to, the principal use or structure.

Utility, Public (Public Utility). Public services such as u~~U~~nderground water, power, sewer, communication systems, or natural gas carrier which are typically located in public easements.

Variance. ~~A grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (for complete requirements, see section 60.6 of the NFIP.)~~ (We don't need to refer to the NFIP.)

New Def: An exception to a zoning ordinance that's granted on a case-by-case basis by a local government or appeal authority. (See VULU chapter 6.14 Variances)

~~**Vehicle, Recreational** (Recreational Vehicle). A vehicle designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah motor vehicle act which is: (i) built on a single chassis; (ii) two and four-tenths (2.4) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently tow able by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.~~ (Already is included in RV definition. See the R's.)

~~**Vehicle and Travel Trailer Park, Recreational** (Recreational Vehicle And Trailer Park). An area or tract of land or a designated section within a mobile home park where lots, sites, or units are rented or held for rent to one (1) owner or user of a recreational vehicle for a temporary time. , not to exceed 180 days.~~ (Moved to the "R's" in RV section of definitions)

Wind Turbine. Any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy ~~through the use of airfoils or similar devices to capture the wind~~.

Zone. ~~See district.~~

New Def: A section or area of Town established for a specific purpose, which is restricted to a particular type of building, enterprise, or activity. (See VULU chapter 30 – Zones and Uses)

Zoning Administrator. The local official designated by the ~~virgin town council~~ Virgin Town Council to enforce the regulations of this ordinance~~; the Virgin Town Zoning Administrator may also be the Virgin Town building Inspector~~. (See VULU chapter 4.04).

Ch. 4.04 ZONING ADMINISTRATOR B. 13. The Virgin Town Zoning Administrator may also be the Virgin Town Building Inspector.
Proposed: (See above)

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:

2.12 – DEFINITIONS (Clean copy)

Land, Division of (Division of Land). ~~Division of a parcel of land into four (4) two (2) or more lots.~~ See Subdivision definition and VULU Ch. 18 (Division of Land) for further clarification.

Land Use Authority. ~~Anyone who has the authority to interpret or implement the city ordinances as defined by the Land Use Ordinance.~~ A person, board, commission, agency, or body, including the local legislative body, designated by the local legislative body to act upon a land use application.

Land Use Ordinance. ~~is defined in Title 10, Chapter 9a of the Utah Code.~~ **An** ordinance or regulation of general application adopted by the municipal legislative body which controls, directs or delineates allowable uses of land and the standards for those uses.

Lot.

~~3. A parcel or tract of land within a subdivision and abutting a public street, or a private street, which is or may be occupied by one building and the accessory buildings or uses customarily incident thereto, including such open spaces as are arranged and designed to be used in connection with the building according to the zone with which the lot is located.~~

~~4. A parcel or unit of land described by metes and bounds and held or intended to be held in separate lease or ownership; or a unit of land shown as a lot or parcel on a recorded subdivision map; or a~~

~~unit of land shown on a plat used in the lease or sale or offer of lease or sale of land resulting from the division of a larger tract into two (2) or more smaller units.~~

A tract of land, regardless of any label, that is created by and shown on a subdivision plat that has been recorded in the office of the county recorder.

Lot Line, Front (Front Lot Line). ~~For an interior lot, the lot line adjoining the street. For for a corner lot or through lot, the lot line adjoining either street, as elected by the owner with support from Town staff.~~ The lot line which abuts a public street, private street, or easement of access. (For corner lots or through lots see Lot Line Determination in VULU (2.19).

Lot Line, Rear (Rear Lot Line). Ordinarily, that line of a lot which is opposite and most distant from the front line of the lot. ~~In the case of a triangular or gore-shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the Vvirgin Ttown building inspector Zoning Administrator and Town staff will shall designate the rear lot line.~~ The lot line opposite and most distant from the front lot line. (For further clarification see Lot Line Determination in VULU (2.19)

Lot Line, Side (Side Lot Line). Any lot boundary line that is not a front or rear lot line. ~~A side lot line separating a lot from another lot or lots in an interior side lot line; a side lot line separating a lot from a street is a street side lot line.~~

Lot, Corner (Corner Lot). ~~A lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, such streets or parts of the same street forming an interior angle of less than one hundred thirty-five degrees (135°).~~ A lot located at the intersection of two or more streets or part of the same street forming and interior angle of less than one hundred thirty-five degrees (135°).

Lot Depth. ~~**Lot, Depth of** (Depth of Lot). The horizontal distance between the front and rear lot lines measured in the main direction of the side lot line.~~ The mean horizontal distance between the front lot line and the rear lot line of a lot.

~~**Lot, Double Frontage** (Double Frontage Lot). A lot where the front lot line and back lot line both front on a street.~~

Lot, Flag (Flag Lot). ~~A lot that has been approved by the town with access provided to the bulk of the lot by means of a narrow corridor.~~ A parcel of land shaped like a *flag*, with a narrow strip providing access to a public street, and the bulk of the property containing no street frontage.

Lot, Interior (Interior Lot). A lot which is bounded by a street or highway on only one side and is not a corner lot or a through lot.

Lot, Right-Of-Way (Right-Of-Way Lot). ~~A strip of land of not less than sixteen feet (16') in width connecting a lot to a street for use as a private access to that lot.~~

New Def: An easement reserved by the lot owner as a private access to serve interior lots not otherwise located on a street.

Lot, Through (Through Lot). A lot abutting two parallel streets that is not a corner lot and can be accessed by either street.

Lot Width. ~~**Lot, Width of** (Width of Lot). The horizontal distance between the side lot lines, measured at the required front setback line or rear setback line, whichever is shorter.[10]~~ The mean horizontal distance

between side *lot* lines measured at right angles to the *lot* depth at a point midway between the front and rear *lot* lines.

General VULU section for Lot and Lot Line determination (put in 2.19)

Ch. 2.19. Lot Line Determination.

D. **Front lot line Determination.** The lot owner shall designate the front lot line for any corner lot or through lot, with support from Town staff, and such designation may not be changed after the principal building is erected.
E. **Rear lot line determination.** In the case of a triangular or gore-shaped lot, a line ten feet (10') in length within the parcel parallel to and at a maximum distance from the front lot line. In cases where these definitions are not applicable, the V~~v~~irgin T~~t~~own ~~building inspector~~ Zoning Administrator and Town staff will ~~shall~~ support the owner in determining ~~designate~~ the rear lot line.
F. **Right-of-way Lot.** This lot type can be no less than sixteen feet (16') in width connecting a lot to a street for use as a private access to that lot.

M's

Manufactured home. ~~A structure transportable in one or more sections, which is built on a permanent chassis and must be attached to a permanent foundation and connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle." Said manufactured home shall be classified as a mobile home unless it is placed on a permanent foundation and complies with all applicable building and housing codes. Said manufactured home shall have a minimum of 1,000 square feet; a minimum 4:12 slope/pitch of roof. Brick veneer, stucco, or other similar materials are to be used on the exterior of the manufactured home.~~ A transportable, factory built housing unit constructed after June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, and is identified by the manufacture's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.[11]

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Mobile Home. ~~A detached single-family dwelling unit designed for long-term occupancy and to be transported on its own wheels (permanent or detachable), or on flatbed or other trailer and arriving at the site where it is to be occupied as a complete dwelling unit ready for occupancy except for connections to utilities and other minor work. Modular or prefabricated homes not placed on a permanent foundation shall be regarded and regulated as mobile homes.~~ A transportable, factory-built housing unit constructed before June 15, 1976, according to the federal home construction and safety standards act of 1974 (HUD code), in one or more sections, and is identified by the manufacture's data plate bearing the date the unit was manufactured and a HUD label attached to the exterior of the home certifying the home was manufactured to HUD standards.

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Mobile Home Space or Lot. A space within a mobile home park, designed and to be used for the accommodation of one (1) mobile home.

Noncomplying Structure. A building or other artificial structure which complied with a zoning ordinance when it was built, but which would no longer comply due to ordinance changes. ~~A structure can be noncomplying due to such things as setback~~s ~~or height requirements~~.

Open Space. ~~Space reserved in parks, courts, playgrounds, golf courses and other similar open areas, and those areas reserved to meet the density requirements of development.~~ Land that is protected by legislation, from private development, for public use or enjoyment.

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Recreational Vehicle (RV). ~~**, Motor Home, And Travel Trailer**. A recreational vehicle (RV), motor home, or travel trailer is a vehicle designed and/or constructed to travel on public thoroughfares which is: (i) built on a single chassis; (ii) designed to be self-propelled or tow-able by a truck; and (iii) designed primarily for recreational, camping, travel, or seasonal use and not for use as a permanent dwelling but as temporary living quarters. In this ordinance, a recreational vehicle, travel trailer & motor home are collectively referred to as "recreational vehicle" or "RV".[12]~~ A vehicular, portable structure built on a chassis, which is self-propelled or towable by a truck, and is used as a temporary dwelling, for travel and recreation purposes, and licensed as a motor home, camper or travel trailer.

Recreational Vehicle (RV) Pad. A location on an RV lot or campground site constructed of gravel, asphalt or concrete, designed to provide proper support and drainage for placement of an RV and where possible, having amenities such as sewer, water and electrical or communications connections.

Recreational Vehicle and Travel Trailer Park (RV and Travel Trailer Park). An area or tract of land ~~or a designated section within a mobile home park~~ where lots, sites, units, or pads are rented or held for rent to one (1) owner or user of a recreational vehicle for a temporary time. ~~, not to exceed 180 days.~~

~~**Rubbish**. Rubbish means and includes discarded items of metal, cardboard, paper, wood, plastic, or any other waste material.[14]~~

Sanitary Sewer Authority. ~~The Utah State Health Department.~~ The department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems. (The Town of Virgin is serviced by the Southwest Utah Public Health Department through the Utah State Health Department.)

School. ~~A public kindergarten, elementary, middle, junior high or high school~~. A place or building used for instruction, learning, and *education of children up to college.*

Setback. ~~The distance that is required by the Land Use Ordinance to be maintained in an undeveloped state between a structure and the property line of the lot on which the structure is located. The term "setback" refers to a required minimum distance while the term "yard" refers to the areas to the front, side and rear of a primary structure.~~[16] The minimum distance, set by VULU, in which a building or other structure must be set back from any property line, or from places deemed to need protection such as a street or road, a river, a flood plain, or other zones.

~~**Setback, Corner** (Corner Setback). The distance from the street side property line not designated as a "front setback" to the closest distance a structure may be located from the property line.~~[17]

~~**Setback, Front** (Front Setback). The distance from the front property line to the closest point a structure can be constructed to the front property line.~~[18]

~~**Setback, Side** (Side Setback). The distance from the interior side property lines to the closest distance a structure may be located from the property line.~~[19]

~~**Setback, Rear** (Rear Setback). The distance from the rear property line to the closest distance a structure may be located from the property line.~~[20]

Sign. ~~Any identification, description, illustration, symbol, insignia, medium, statue or other physical or visual device or representation, which is visible from outside the premises on which such device is located, designed to advertise, identify or convey information or direct or attract attention to a product, place, activity, person, institution or business.~~

Sign Structure. Any structure which supports, has supported, or is designed to support a sign.

Sign. A presentation or representation of words, letters, figures, designs, pictures or colors, publicly displayed so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid; also, the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

~~**Site or Unit**.~~ **Camp Site/Unit/Pad.** A dedicated space of ground occupied or to be occupied by ~~an~~ one (1) RV, cabin, or tent. ~~22~~.

Street. A right of way, which has been dedicated to the T~~t~~own and accepted by the T~~t~~own C~~c~~ouncil, or which the T~~t~~own has acquired by prescriptive right, or deed. ~~or by dedication.~~

Street, Arterial (Arterial street). ~~A major traffic way, which is intended to serve as a controlled-access highway, major street parkway, or other equivalent term to identify those streets comprising the basic structure of the street plan. Arterial streets shall have an eighty foot (80') right of way.~~ New Def: A public *street* or highway used or intended to be used primarily for heavy through traffic.

Street, Collector (Collector street). A street which carries traffic from local/minor streets to the arterial street system, including the principal entrance streets of residential developments and the primary circulating streets within such developments.

Street, Local/Minor (Local/Minor street). A street designed to provide access to abutting residential property with only incidental service to through traffic.

Street, Private (Private street). ~~A right of way, which has been reserved by dedication unto the subdivider or lot owners to be used as a private access to serve property and complying with the adopted street cross section standards of the town for the type of street as described above. All private streets shall be approved by the Town, constructed to the same standards as required of public streets, and maintained by the subdivider or other private agency.~~ A road or driveway on privately owned property, not open to public use. The road is maintained without help from a government agency.

Street, Public (Public street). ~~A street, which affords access to abutting property, including highways,ed roads, lanes, avenues and boulevards.~~ Any highway, road, or street under the jurisdiction of and maintained by a public authority and open to public travel.

~~**Sub Divider**~~ **Subdivider**. Any person, corporation, partnership, association, individual, firm, trust or agent dividing or proposing to divide land resulting in a subdivision.

Subdivision Concept Plan. A sketch or concept drawing of a proposed division of land prior to the preliminary plat to enable a ~~sub divider~~ subdivider to reach general agreement with the Planning Commission as to the form of the plat and the objectives of these regulations, and to receive guidance as to the requirements for subdivisions within the T~~t~~own.

Subdivision, Cluster (Cluster Subdivision). ~~A housing development in a rural setting that is characterized by compact lots and common open space, and where the natural features of the land are maintained to the greatest extent possible.~~ A form of development that permits a reduction in lot area, setbacks, and the arrangement of lots such that there is no increase in the number of lots permitted under a conventional subdivision or increase in the overall density of development. The remaining land area is devoted to open space, active recreation, preservation of sensitive areas, or agriculture.

Systems, Alternative Energy. Nontraditional energy sources such as a ~~A~~ ground source heat pump, wind, or solar energy system.

System, Solar Energy. ~~A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation or water heating.~~ Any device or combination of devices or elements that rely upon direct sunlight as an energy source for use in the generation of electricity.

Trash. Anything worthless, useless, or discarded. (Also see **Junk**.)

(Changes to Ch. 8.38)-

Ch. 8.38 PROPERTY MAINTENANCE

D. Remove discarded junk and ~~rubbish~~ trash;

F. Prevent or minimize off-site visibility of salvage, construction materials, machinery, equipment, and other items not generally accessory to uses in the underlying zone. No junk, ~~rubbish~~ trash, or other unsafe or unsanitary material or conditions, including cars or machinery in inoperable or unregistered condition for more than six (6) months, shall be permitted on any right-of-way or easement.

Use or Structure, Accessory (Accessory Use ~~Or~~ or Structure). A use or structure on the same lot with, and of a name customarily incidental and subordinate to, the principal use or structure.

Utility, Public (Public Utility). Public services such as u~~U~~nderground water, power, sewer, communication systems, or natural gas carrier which are typically located in public easements.

Variance. ~~A grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (for complete requirements, see section 60.6 of the NFIP.)~~ An exception to a zoning ordinance that's granted on a case-by-case basis by a local government or appeal authority. (See VULU chapter 6.14 Variances)

~~**Vehicle, Recreational** (Recreational Vehicle). A vehicle designed and/or constructed to travel on the public thoroughfare in accordance with the provisions of the Utah motor vehicle act which is: (i) built on a single chassis; (ii) two and four-tenths (2.4) square feet or less when measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently tow able by a light duty truck; and (iv) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.~~

~~**Vehicle and Travel Trailer Park, Recreational** (Recreational Vehicle And Trailer Park). An area or tract of land or a designated section within a mobile home park where lots, sites, or units are rented or held for rent to one (1) owner or user of a recreational vehicle for a temporary time. , not to exceed 180 days.~~

Wind Turbine. Any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy ~~through the use of airfoils or similar devices to capture the wind~~.

Zone. ~~See district.~~ A section or area of Town established for a specific purpose, which is restricted to a particular type of building, enterprise, or activity. (See VULU chapter 30 – Zones and Uses)

Zoning Administrator. The local official designated by the ~~virgin town council~~ Virgin Town Council to enforce the regulations of this ordinance~~; the Virgin Town Zoning Administrator may also be the Virgin Town building Inspector~~. (See VULU chapter 4.04).

Ch. 4.04 ZONING ADMINISTRATOR

B. 13. The Virgin Town Zoning Administrator may also be the Virgin Town Building Inspector.

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: