

Date: 9-27-22
Name of preparer: Gene Garate/Cameron Spendlove
Contact information of preparer: zoningadministrator@virgin.utah.gov
Reason for change: • Removing irrelevant material and to match other ordinances • Add further definition and regulation to lodging terms
Current wording: <u>16.22 STANDARDS FOR CONDITIONS BY USE</u> 3. LODGING. (please see Transient Room Tax ordinance) 1. Hotels, motels, and other lodging uses qualify as Open, Tourist-based, Temporary, Tax-Contributory Congregate Living Facilities, as defined in Chapter 50, Congregate Living Facilities, Section 50.02. Special Guidelines, and must comply with the terms of Chapter 50.
Proposed wording <u>16.22 STANDARDS FOR CONDITIONS BY USE</u> 3. LODGING. (please <u>Also</u> see Transient Room Tax ordinance) 1. <u>Lodging types further defined and regulated as follows:</u> ~~Hotels, motels, and other lodging uses qualify as Open, Tourist-based, Temporary, Tax-Contributory Congregate Living Facilities, as defined in Chapter 50, Congregate Living Facilities, Section 50.02. Special Guidelines, and must comply with the terms of Chapter 50.~~ Boarding House – site must be occupied by a permanent resident, may provide lodging for less or more than 30 days, must have built-in toilet facilities and a kitchen or kitchenette, though both may be shared or common. If detached, a boarding house must be dependent on the primary housing unit for power, water, and septic/sewer services. A boarding house may be accessed from inside or outside. Bunk House – site must be occupied by a permanent resident, provides lodging for greater than 30 days. Must have toilet facilities accessible though not required to be in the same building. Must be a separate facility from primary dwelling unit. Provides a common sleeping area for multiple parties. Hotel – Requires lodging of less than 30 days. Requires a front desk attendant and face to face check-in. May be multi-level units. Requires toilet facilities, kitchen or kitchenette facilities are optional. Neither facility may be shared or in common. Breakfast service area is optional must be shared. Site may be occupied by multiple buildings. Hotel units may be accessed from inside or outside. Lodging House – site must be occupied by a permanent resident, may provide lodging of less or more than 30 days, must have built in toilet facilities. Kitchen facilities are optional. Both of these facilities may be shared or in common. If detached, a lodging house must be dependent on the primary housing

unit for power, water, and septic/sewer services. A lodging house may be accessed from inside or outside.

Motel – Requires lodging of less than 30 days. Requires a front desk attendant and face to face check-in. May only be single level units. Requires toilet facilities, kitchen or kitchenette facilities are optional. Neither facility may be shared or in common. Breakfast service area is optional and must be shared. Site may be occupied by multiple buildings. Motel units must be accessed from the outside.

Residential Hosting Unit (RHU) - site must be occupied by a permanent resident, requires lodging of less than 30 days, built in toilet facilities and kitchen facilities, though these facilities may be shared or common. An RHU may be a casita/secondary unit, or may be part of the primary unit as long as the primary unit is occupied by a permanent resident. Any casita or secondary unit must be dependent on the primary unit for power, water, and sewage. An RHU may be accessed from inside or outside.

Short-Term Rental (STR) Unit - requires lodging of less than 30 days, built in toilet facilities and kitchen facilities, though these facilities may be shared or common. More than one STR building may occupy a site, units may or may not be accessed from the interior of a main structure. STR unit(s) may have individual services, or may share the public services of power, water, and sewage. Access to an STR may be from inside, or outside.

VIRGIN TOWN

ORDINANCE

AN ORDINANCE AMENDING CHAPTER SIXTEEN 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 16, 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:

16.22 STANDARDS FOR CONDITIONS BY USE

3. LODGING. (Please Also see Transient Room Tax ordinance)

1. Lodging types further defined and regulated as follows: ~~Hotels, motels, and other lodging uses qualify as Open, Tourist based, Temporary, Tax Contributory Congregate Living Facilities, as defined in Chapter 50, Congregate Living Facilities, Section 50.02. Special Guidelines, and must comply with the terms of Chapter 50.~~

Boarding House – site must be occupied by a permanent resident, may provide lodging for less or more than 30 days, must have built-in toilet facilities and a kitchen or kitchenette, though both may be shared or common. If detached, a boarding house must be dependent on the primary housing unit for power, water, and septic/sewer services. A boarding house may be accessed from inside or outside.

Bunk House – site must be occupied by a permanent resident, provides lodging for greater than 30 days. Must have toilet facilities accessible though not required to be in the same building. Must be a separate facility from primary dwelling unit. Provides a common sleeping area for multiple parties.

Hotel – Requires lodging of less than 30 days. Requires a front desk attendant and face to face check-in. May be multi-level units. Requires toilet facilities, kitchen or kitchenette facilities are optional. Neither facility may be shared or in common. Breakfast service area is optional must be shared. Site may be occupied by multiple buildings. Hotel units may be accessed from inside or outside.

Lodging House – site must be occupied by a permanent resident, may provide lodging of less or more than 30 days, must have built in toilet facilities. Kitchen facilities are optional. Both of these facilities may be shared or in common. If detached, a lodging house must be dependent on the primary housing unit for power, water, and septic/sewer services. A lodging house may be accessed from inside or outside.

Motel – Requires lodging of less than 30 days. Requires a front desk attendant and face to face check-in. May only be single level units. Requires toilet facilities, kitchen or kitchenette facilities are optional. Neither facility may be shared or in common. Breakfast service area is optional and must be shared. Site may be occupied by multiple buildings. Motel units must be accessed from the outside.

Residential Hosting Unit (RHU) - site must be occupied by a permanent resident, requires lodging of less than 30 days, built in toilet facilities and kitchen facilities, though these facilities may be shared or common. An RHU may be a casita/secondary unit, or may be part of the primary unit as long as the primary unit is occupied by a permanent resident. Any casita or secondary unit must be dependent on the primary unit for power, water, and sewage. An RHU may be accessed from inside or outside.

Short-Term Rental (STR) Unit - requires lodging of less than 30 days, built in toilet facilities and kitchen facilities, though these facilities may be shared or common. More than one STR building may occupy a site, units may or may not be accessed from the interior of a main structure. STR unit(s) may have individual services, or may share the public services of power, water, and sewage. Access to an STR may be from inside, or outside.

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 _____, 2021 based upon the following vote:

Council Member:

Misty Baird	AYE__	NAE__
LeRoy Thompson	AYE__	NAE__
Paul Luwe	AYE__	NAE__
Gene Garate	AYE__	NAE__
Jean Krause, Mayor	AYE__	NAE__

VIRGIN TOWN

a Utah municipal corporation

Jean Krause, Mayor

ATTEST:

Krystal Percival, Town Clerk