

VIRGIN TOWN

ORDINANCE # 2018-13

AN ORDINANCE AMENDING VIRGIN TOWN'S OFFICIAL ZONING MAP BY RE-ZONING APPROXIMATELY 5.59 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 775 W SR-9 PARCEL NUMBERS V-2-1-21-2126 AND V-2-1-21-2127 ("SUBJECT PROPERTY") FROM ITS PRESENT DESIGNATION OF RURAL RESIDENTIAL (RR) TO COMMERCIAL (C).

RECITALS

WHEREAS, Virgin Town ("Town") is an incorporated municipality duly organized under the laws of the State of Utah;

WHEREAS, the Town is authorized pursuant to Utah Code Annotated, Title 10, Chapter 9A, to enact ordinances necessary or appropriate for the use of land within the Town's municipal boundaries;

WHEREAS, pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council ("Town Council") is designated as the governing body of the Town.

WHEREAS, pursuant to Utah Code Annotated Title 10, Chapter 9a, Sections 502 thru 505, the Town Council may only amend the Town's Official Zoning Map to rezone properties within the Town after the proper notice is given compliance with Utah Code Annotated Title 10, Chapter 9a, Section 205 and an ordinance on the subject receives a recommendation from the Town's Planning Commission "Town P&Z Commission" after a public hearing is held.

WHEREAS, the Town has received a request submitted by an authorized agent of the Subject Property (which is described and/or depicted more fully in Exhibit "A" attached hereto and incorporated herein by this reference) requesting that it be re-zoned from its current zoning designation of Rural Residential (RR) to Commercial (C) zoning designation and that the Town's Official Zoning Map be amended accordingly ("Zone Change Request").

WHEREAS, the Town P&Z Commission has reviewed and made a recommendation to the Town Council regarding the Zone Change Request and a draft of this Ordinance effectuating the same after providing proper notice and conducting a public hearing wherein public input was taken in compliance with Utah law and the Town's Uniform Land Use Ordinances ("VULU").

WHEREAS, after reviewing the recommendation from the Town P&Z Commission, the Town Council finds it to be in the best interest of the health, safety and general welfare of the Town that the Zone Change Request be granted.

ORDINANCE

NOW THEREFORE be it ordained by Virgin Town, Washington County, State of Utah, acting by and through the Town Council:

1. Zone Change. The Subject Property located at approximately 775 W SR-9 parcel numbers V-2-1-21-2126 AND V-2-1-21-2127, with Virgin Town, Washington County, State of Utah, previously zoned Rural Residential (RR) as shown on the Official Virgin Town Zoning Map is hereby re-classified and re-zoned to Commercial (C).

2. Amendment of Virgin Town Official Zoning Map. The Town's Official Zoning Map is hereby amended and restated/redrawn to reflect the Zone Change set forth in Section 1, above.

3. 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.

4. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

5. Effective Date. This Ordinance shall become effective immediately upon adoption by the Town Council and execution by the Virgin Town Mayor.

ADOPTED AND APPROVED BY THE TOWN COUNCIL this ___ day of _____, 20___ based upon the following vote:

Council Member:

Dan Snyder	AYE ___	NAE ___
LeRoy Thompson	AYE ___	NAE ___
Kevin Stout	AYE ___	NAE ___
Jay Lee	AYE ___	NAE ___
Matthew Spendlove, Mayor	AYE ___	NAE ___

VIRGIN TOWN
a Utah municipal corporation

Matthew Spendlove, Mayor

ATTEST:

Monica Bowcutt, Town Clerk

EXHIBIT "A"
to Virgin Town Ordinance 2018- 13

(Legal Description and/or Depiction of Subject Property)

1. Parcel Number V-2-1-21-2126

Tax District 12 - Virgin Town

Acres 1.00

Situs 0, 0

Legal S: 21 T: 41S R: 12W BEGINNING AT A POINT LOCATED S00°00'43"W ALONG THE SECTION LINE 780.91 FEET AND WEST 421.12 FEET FROM THE EAST QUARTER CORNER OF SECTION 21, TOWNSHIP 41 SOUTH, RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN; THENCE S82°12'59"E 208.41 FEET; THENCE S03°51'07"E 8.96 FEET; THENCE S82°12'57"E 9.99 FEET; THENCE S03°51'07"E 179.16 FEET; THENCE N82°12'57"W 255.39 FEET; THENCE N07°29'20"E 184.25 FEET TO THE POINT OF BEGINNING.

2. Parcel Number V-2-1-21-2127

Tax District 12 - Virgin Town

Acres 4.59

Situs 0, 0

Legal S: 21 T: 41S R: 12W DESCRIBED AS: BEGINNING AT A POINT WHICH LIES SOUTH 0°00'43" WEST 1024.44 FEET ALONG THE SECTION LINE AND NORTH 82°12'57" WEST 507.22 FEET ALONG THE NORTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY SR-9 FROM THE EAST QUARTER CORNER OF SECTION 21, TOWNSHIP 41 SOUTH RANGE 12 WEST, SALT LAKE BASE AND MERIDIAN AND RUNNING; THENCE NORTH 82°12'57" WEST 522.83 FEET ALONG SAID RIGHT OF WAY; THENCE NORTH 7°47'03" EAST 466.69 FEET; THENCE SOUTH 82°12'54" EAST 246.70 FEET; THENCE SOUTH 7°47'03" WEST 158.81 FEET; THENCE SOUTH 82°12'57" EAST 274.68 FEET TO A POINT ON THE 'WESTERLY RIGHT OF WAY OF WEST TEMPLE STREET (775 WEST) THENCE SOUTH 7°30'48" WEST 307.88 FEET ALONG SAID' WESTERLY RIGHT OF WAY TO THE POINT OF BEGINNING.