PUBLIC INFORMATION SUMMARY

FOR PROPOSED ORDINANCE #PZ24-C

WRITTEN BY: Bronwyn Wallace

SPONSORED BY: Planning and Zoning Commission

CONTACT INFORMATION:P & Z Commission 805-755-9450, bronwyntownbiz@gmail.com

SUBJECT: Transient Lodging terms and definitions, Categories of Use, and the permissibility of uses. Amendments to Chapter 30, Land Use Zone Chapters, and Use tables and charts.

PURPOSE: The purpose of this ordinance d to properly guide operation and development of Transient (Tourist) Lodging, as well as curtail the detrimental overdevelopment of Transient Lodging while the NEW general plan (currently in progress) is being completed.

SUMMARY: This ordinance establishes terms, definitions, and regulatory concepts needed for regulation of transient lodging and related uses. It establishes the of necessary categories of use by adding "Allowable with License/Permit" to the categories of use. It and amends use permissibility and prohibition in various Land Use Zones. It limits new transient lodging development to the highway resort zone. It removes (redundant) chapter 42 Resort Zone from VULU as it is no longer a Land Use Zone.

DLD

THE TOWN OF VIRGIN,

WASHINGTON COUNTY, STATE OF UTAH

Ordinance No. PZ-24C

AN ORDINANCE OF THE TOWN OF VIRGIN, UTAH, PROVIDING THAT THE VIRGIN UNIFORM LAND USE (VULU) CODE BE AMENDED BY ADDING TERMS AND DEFINITIONS FOR "TRANSIENT LODGING" TO CHAPTER 2.12; BY REVISING USES, DESIGNATIONS OF USE, AND LANGUAGE IN VARIOUS SECTIONS OF CHAPTER (S)30, 32, 34, 38,40, AND BY ADDING TABLES/CHARTS REVISED FOR ACCURACY, AS APPENDICES I & II to Section 30; AND BY DELETING (REDUNDANT) CHAPTER 42.

RECITALS

WHEREAS pursuant to Utah Code Ann. § 10-1-201 Virgin Town ("the Town") is a Utah municipal corporation and political subdivision of the State of Utah.

WHEREAS pursuant to Utah Code Ann. § 10-3b-401 the Virgin Town Council ("Town Council") is the legislative and governing body of the Town.

WHEREAS pursuant to Utah Code Ann. § 10-9a-103(30) the Town Council, in addition to being the legislative and governing body of the Town, is also the Land Use Authority vested with the power to enact all Land Use Regulations and make all Land Use Decisions within the Town unless the latter administrative power is delegated to another body or person.

WHEREAS Virgin's General Plan recognizes that Virgin has limited available land, and the predominant use of land for the development of Transient Lodging contradicts our General Plan's intent and has added to dramatic cost increases and diminished availability of land;

WHEREAS the recent large-scale acquisition of water and other resources by Transient Lodging developments contradicts the intent of Virgin's General Plan and has measurably Impacted the cost and availability those resources for current and future town residents,

WHEREAS The influx of Transient Lodging in the Town has created an imbalance in economic and land development, an inadequately mitigated strain on existing infrastructure, water resources, and other natural resources; and has significantly impacted character of the town, traffic patterns, neighborhoods, and the scenic environment in detrimental ways; and

WHEREAS having clear and adequately defined terms, and maintaining clarity, accuracy, and usability in VULU Ordinances, is critical to governance of the Town; and

WHEREAS gradual changes in VULU ordinances have allowed inaccuracies to accrue within various reference tables and charts; and

WHEREAS Chapter 42, "Resort Zone" of VULU is not shown on current zoning maps nor listed as a zone in VULU Chapter 30 "Zones and Uses"; and its entire contents being redundant/invalid;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF VIRGIN, UTAH:

(See : Attachment 1 for Sections 1 – 30)

Section 31. 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.

Section 32. Conflicts/Repealer. This Ordinance repeals and supersedes the provisions of any prior ordinance in conflict herewith.

Section 33. 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 TOWN COUNCIL this day of 2024 based upon the following vote:

Council Member:		
April McKeon	AYE___	NAE___
Marci Holm	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

DRAFT VIRGIN TOWN ORDINANCE #PZ-24C

ATTACHMENT 1

Ordinance # PZ-24C - Attachment 1

Section 1*That Section 2.12 "Definitions" of the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by deleting, adding, or revising the following definitions, ,to be alphabetized and to read as listed:*

(Deleted Definitions)

~~**Dwelling**. A substantial building or place of shelter to live in.~~

~~**Dwelling, Group** (Group Dwelling). A group of two (2) or more detached buildings used as dwellings.~~

~~**House, Boarding** (Boarding House). A building with not more than five (5) guest rooms where, for compensation, meals are provided for not more than fifteen (15) persons.~~

~~**House, Lodging** (Lodging House). A building where lodging only is provided for compensation to at least three (3) but not more than fifteen (15) persons, but not including motels or hotels.~~

~~**RHF Guest Quarter**. That portion of a RHF comprised of a bedroom or sleeping area and bathroom where a guest or guests privately reside.~~ "

~~**Residential Hosting Facility or RHF**. A residential Dwelling Unit where part, but not all, of the Dwelling Unit is used, or advertised for use, on a temporary basis for any period less than thirty (30) consecutive days, regardless of the type and extent of consideration or remuneration received by the Owner, and where the Owner resides in the remainder of the Dwelling Unit. Notwithstanding the definition of Dwelling Unit, within this Section, Boarding Houses, Lodging Houses, Hotels, Motels, Tents, Campground Cabins, Travel Trailers, Recreational Vehicles ("RV"), Mobile Homes and Congregate Living Facilities may not be an RHF.~~

~~**RHF Permit**. An annually renewed permit an Owner of an RHF must obtain and maintain in order to utilize his/her/their Dwelling Unit as a RHF where Residential Hosting may occur. The standards and requirements for obtaining and maintaining a RHF Permit is set forth in VULU Chapter 60.04.[13]~~

~~**STR Permit**. An annually renewed permit an Owner of an STR Unit must obtain and maintain in order to utilize his/her/their Dwelling Unit as a STR Unit where Short-Term Rental use may occur. The standards and requirements for obtaining and maintaining a STR Permit is set forth in VULU 60.02.~~

~~**STR Unit**. A residential Dwelling Unit located in either a Residential, Agricultural or Commercial Zone of the Town which has received an STR Permit for use by the Owner as a Short-Term Rental.[23]~~

(Added Definitions)

Architecturally/Historically Significant Home: A residential home built before 1950 and deemed by the town to be of significant historical or architectural value.

Allowable Use with License/Permit: Use allowable when specific eligibility and licensing/permitting requirements set forth in VULU have been met and the applicants has been issued a valid license/permit by the Town.

Commercial Habitation: An onsite commercial dwelling unit which is part of a commercial licensed business, used by the business owner to house an owner or a full-time employee of that self-same business.

Disbursed Motel: A Transient Lodging Operation with centralized management, and with or without onsite reservation/management office, and with or without amenities, wherein lodging units are detached or semi-detached and are leased/rented as accommodation or shelter, for periods of less than 30 days. Units may be trailers, tents, teepees, RVs, coaches, or the like; or any other stand-alone or semi-detached structures.

Hostel: A dormitory-like Transient Lodging Facility having the characteristics of a motel but having bath and shower facilities which are shared or used in common by multiple lodging units.

Living Area: – The habitable interior space of a dwelling including garages and outbuildings which have been converted or made habitable; measured in square feet.

Permanently Closed: The irrevocable and permanent closure of a land use or zoning designation and/or permanent discontinuation of operation.

Residential Host (RH): An existing owner-occupied home in which one or more rooms has been validly licensed by the town as *Transient Lodging (TL-4)*.

Short-Term Rental Residence (STRR): An entire detached Single-Family Dwelling/ Single -Family Home validly permitted by the town as an (STRR) to be leased or rented commercially for a period of less than 30 days.

Transient Lodging: Transient lodging is the general term for any type of nightly rental which receives payment in any form of exchange (including trade) for its use as accommodation or shelter for periods of 30 consecutive days or less. This includes hotels, motels, hostels vacation rentals, short-term rentals, bed and breakfasts, disbursed motels, RV and trailer hook-ups, residential hosting, whole home rental or exchanges, and other lodging structures, facilities, or operations, similarly used.

Transient Lodging Facility: Any establishment or entity that receives payment in any form of exchange or trade for accommodation or shelter therein, for periods of 30 consecutive days or less including any hotel, motel, bed and breakfast, disbursed motel, RV or campground, hostel, or any other structure which houses or consists of Transient Lodging Units. "

Transient Lodging Operation: A commercial entity operating one or more transient lodging units.

Transient Lodging Unit (TLU): . Any room or similar structure which sleeps up to two adults and/or any designated sleeping space of up to 150 sq. ft. used as shelter or overnight accommodations in or as part

of a transient lodging facility or operation., where it may be rented or leased for any period less than thirty (30) consecutive days, regardless of the type and extent of consideration or remuneration received by the Owner. (Each sleeping space for up to two adults or space of up to 150 sq. ft capable of use as such, counts as one transient lodging unit (TLU).

Type I - Transient Lodging: Licensed hotels or other luxury Transient Lodging Facilities with internal rooms/or lodging units, having one or more full-service restaurant(s), room-service, on-site management, concierge/ reservations desk, and other full-service on-site amenities or event facilities.

Type II - Transient Lodging: Licensed motels, hostels, or other Transient Lodging Facilities.

Type III- Transient Lodging: Licensed Disbursed Motels, Units may be trailers, tents, teepees, RVs, or any other stand alone or semi-detached structures.

Type IV – Transient Lodging: Single- Family Dwellings validly permitted by the town for commercial use as one of the following: Bed and Breakfast, Short- Term Rental Residence, Residential Host.

(Revised Definitions , to now read as follows:)

Bed & Breakfast: An existing owner-occupied Architecturally/Historically Significant *Home* / Single-Family *dwelling wherein a portion or portions of the home* have been validly permitted by the town for commercial use as a *Transient Lodging Facility*.

Hotel: A *Transient Lodging Facility* consisting of a building or group of buildings with internal *Transient Lodging Units*/rooms leased or rented "nightly" and for periods of less than 30 days; housing an onsite management office, reservation desk, at least one internal full-service restaurant, and other full-service amenities such as gyms, shops, event facilities, and providing room service and concierge.

Motel: *Transient Lodging Facility* consisting of a building or group of buildings with internal lodging units/rooms which may be accessed internally or directly from a parking area; and which are rented "nightly" or for periods of less than 30 day, and with limited inhouse amenities, limited food service, snack- bar or vending and with inhouse/ onsite management/rental office.

STR Permit : See also STR License (VULU Ch. 60.10 and Virgin Town Municipal Code) ")

Section 2. *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising the title of Chapter 30.00 and amending or adding its listed sections to read as follows:*

"Chapter 30.00 "Zones and Uses
30.02 ESTABLISHMENT OF ZONING DISTRICTS
30.04 RULES FOR LOCATING BOUNDARIES
30.05 DESIGNATED CATAGORIES OF USE
30.06 ~~ZONES AND USES CHART~~ USES IN LAND USE ZONES
30.08 ANNEXATIONS
30.10 LISTING OF ORDINANCE AND MAP
APPENDIX I: DESIGNATIONS OF USE BY ZONE - TABLE
APPENDIX II: ZONES AND USES TABLE "

Section 3 That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding section 30.05, with such a section and heading to read as follows:

30.05 "Designated Categories of Use

Uses fall into one of four categories or designations, namely: ***Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use.***

A. Designated Categories of Use:

- ***Permitted Use (P)***: Use permissible in the zone if the use is consistent with all laws and ordinances applicable to that use.
- ***Allowable Use with License or Permit (ALP)***: Use allowed in the applicable zone only when the applicable permit/ license has been issued from the Town and is validly maintained.
- ***Conditional Use (C)***: Use allowed only with an approved *Conditional Use Permit* and in accordance with all conditions of the CUP, applicable laws, and VULU ordinances.
- ***Prohibited Use (N)***: Use strictly prohibited in the specific zone or otherwise. A use not given designation in a zone, in language of this chapter listed is prohibited, unless allowable in accordance with this section, VULU Section16.28, and a valid CUP.

B. **Table: Designated Categories of Use** (See: Appendix I)

Section 4 That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising Section 30.06, with such a section and heading to read as follows:

30.06 "~~Zones and Uses Chart~~ **Uses in Land Use Zones**

A. *Uses* and *Designations* of Use within each ***Land Use Zone*** are outlined in the following individual Land Use Zone Chapters: Ch. 32 "Residential ~~District~~ Zone" (R), Ch. 34 "Rural Residential ~~District~~ Zone" (RR), Ch. 38 "Agricultural ~~District~~ Zone" (AG), Ch. 40 "Commercial Zone" (C), and Ch. 44 "Highway Resort Zone" (HRZ) and reflected in the Table in Appendix II.

B. All information in the Table "Zones and Uses" (Appendix II) and other supplementary graphics and information flows directly from and should accurately reflect the individual Land Use Zone Chapters. **Land Use Zone Chapters** shall be superseding.

C. Zones And Uses Table (See: Appendix II)

Appendix II: (Table 30.06C) **Zones and Uses**

Zones and Uses Table						
Use	**Zones**					
	R	**RR**	**AG**	**C**	**HRZ**	**OS**
Accessory Buildings	P	P	P	P	C	
Agriculture	P	P	P	P	C	
Agriculture Business	N	N	ALP	P	C	
Animal/Vet Clinic	N	N	N	C	C	
Assisted Living Facility	N	N	N	C	C	
Automobile Service (gas) Station	N	N	N	N	C	
Bed and Breakfast (TL-4)	ALP	ALP	ALP	ALP	ALP	
Boarding School	N	N	N	C	C	
Brewery/ Winery	N	N	N	C	P	
Business and Professional Offices	N	N	N	P	C	
Cannabis Production Establishment	N	N	N	N	C	
Campground/ RV	N	N	N	N	C	
Café/Coffee Shop	N	N	N	C	C	
Cemetery	N	C	C	C	C	
Child Day Care	ALP	ALP	N	ALP	ALP	
Church	C	C	N	C	C	
Commercial Habitation	N	N	N	C	C	
Congregate Living Facility	N	N	N	N	C	
"Cottage" Retail/ Small Shops	N	N	N	P	C	
"Cottage"/ Artisan Manufacturing	N	N	N	C	C	
Deli/ Specialty Food Market	N	N	N	P	C	
Disbursed Motel (TL-3)	N	N	N	N	C	
Financial Institution/Bank Kiosk	N	N	N	C	C	
Food Truck	N	N	N	ALP	P	
Galleries and Museums	N	C	C	C	C	
Guest House/Casita	P	P	P	P	C	
Guide Services/ Outfitter	N	N	N	C	C	
Health Care Clinic	N	N	N	C	C	
Home Occupation	ALP	ALP	ALP	ALP	ALP	
Household Pets	P	P	P	P	P	
Hotel (TL- I)	N	N	N	N	C	
Use	**Zones**					
Kennel, Commercial	N	C	C	C	C	
Livestock/Large Animals	N	P*	P			
Medical Cannabis Pharmacies	N	N	N	C	P	
Motel (TL-2)	N	N	N	N	C	
New Transient Lodging (I, II, III,)	N	N	N	N	C	
Park	C	C	N	P	C	
Playground	C	C	N	P	C	
Private School k-12	C	C	N	C	C	
Public Buildings	C	C	N	P	C	
Public School k-12	C	C	N	P	C	
Public Riding Stable	N	C	C	P	C	
Public Utilities	C	C	C	P	C	

Section 5 *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising Section 30.00 to include appendix I and Appendix II with the content to read as follows:*

"Appendix I: (Table **30B) Designated Categories of Use**

(Table 30.05B) * Designated Categories of Use	
Permitted Use (*P):	Use is permissible in the zone.
Allowable Use with License/Permit (*ALP):	Use is allowable with the applicable and valid permit or license. * See specific permitting / licensing requirements listed in VULU.
Conditional Use (*C):	Use with conditions. * See "Conditional Use Permits".
Prohibited Use (*N):	Use is not non-permissible/strictly Prohibited.

*See: Zones and Uses Tables (30.06C - Appendix II.)"

Restaurant	N	N	N	C	P	
Residential Host (TL-4)	ALP	ALP	ALP	ALP	ALP	
Residential Treatment Program	N	N	N		C	
Reception Center/ Event Facility	N	N	N	C	C	
Trade/Vocation /Art School	N	N	N	C	C	
Sexually Oriented Business	N	N	N	N	C	
Shuttle Stop	C	N	N	C	C	
Short Term Rental Residence (TL-4)	N	N	N	N	ALP	
Single-Family Dwellings	P	P	P	P	P	
Spa/ Wellness Center	N	N	N	C	C	
Trail Riding/ Equestrian (Commercial)	N	N	C	C	C	
P = Permitted Use						
ALP = Allowable with License/ Permit						
C = Conditional Use						
N = Prohibited/Non-Permissible Use						

Note: See: STRODZ chapter 60.14 for an applicable Uses Table .

Section 6 *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 32.00, adding section 32.07 such that the section and the sections list therein, reads as follows:*

32.00 "Chapter 32 Residential Zone (R)

32.02 PURPOSE
32.04 LOCATION
32.06 PERMITTED USES
32.07 ALLOWABLE USE WITH LICENSE/PERMIT
32.08 CONDITIONAL USES
32.09 PROHIBITED USES
32.10 HEIGHT REGULATIONS
32.12 MINIMUM AREA, WIDTH, AND YARD REGULATIONS
32.14 SIGNS
32.16 MODIFYING REGULATIONS
32.18 STANDARDS FOR TEMPORARY USE OF RECREATIONAL VEHICLES IN RESIDENTIAL ZONE
32.20 OTHER PROVISIONS

Uses in the *Residential (R)* Land Use Zone fall into one of four designations, namely ***Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use.***

All uses not listed in this chapter shall be considered **Prohibited Use (P)** in Residential (R) Land Use Zone. "

Section 7 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 32.06 to read as follows:*

32.06 "PERMITTED USES (R)

Uses permissible in **Residential (R)** Land Use Zone.

~~Uses contained in this chapter flow directly from Chapter 30 – "Zones and Uses". In the event of a conflict Chapter 30 verbiage is the principal deciding factor. Uses fall into one of four categories, namely Permitted, Permitted with Conditions, Conditional Use, and Prohibited.~~

ACCESSORY BUILDINGS and uses customarily incidental to the permitted uses allowed herein.
AGRICULTURE

- Tilling of soil, the raising of crops, horticulture, and gardening for personal use.
- Small Animals and fowl for recreational use or family food production for the ~~primary~~ use of persons residing on the premises.
- The keeping of animals shall meet all standards set by VULU, the local Health Department, the State ~~and Federal regulatory agencies.~~

GUEST HOUSE/CASITA
HOUSEHOLD PETS
SINGLE-FAMILY DWELLINGS

a. ~~Minimum square feet of Home must meet all requirements of the International Residential Building Code.~~

~~F. RESIDENTIAL HOSTING FACILITY(RHF)~~

A. AGRICULTURE

1. Tilling of soil, the raising of crops, horticulture, and gardening for primary use of persons residing on the premises.
2. Large Animals and fowl for recreational use or family food production for the primary use of persons residing on the premises.
    a. The keeping of animals shall meet all standards set by the local Health Department, and State laws. ~~and Federal regulatory agencies.~~
    b. Accessory uses and buildings customarily incidental to permitted use.

B. GUEST HOUSE/CASITA

C. HOUSEHOLD PETS

D. SINGLE-FAMILY DWELLINGS

a. ~~Minimum square feet of Home~~ must meet all requirements of the International Residential Building Code.
b. Accessory uses and buildings customarily incidental to permitted use.

Section 13 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 34.05, to be entitled and to read as follows:

"34.05 ALLOWABLE USE WITH LICENSE/PERMIT (RR)

Uses which are ***Allowable Use with License/ Permit*** in *Rural Residential (RR)* Land Use Zone require a valid License or Permit from the Town.

A. The following are Uses which are ***Allowable Use with License/ Permit*** *in RR Zone.*

1. BED AND BREAKFAST (BB, TL-4)
2. CHILD DAY CARE
3. HOME OCCUPATION (See: VULU Ch.12.)
4. RESIDENTIAL HOSTING (RH, TL-4) "

Section 14 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 34.06 to read as follows:

34.06 CONDITIONAL USE (RR)

Uses which are a **Conditional Use** require a **Conditional Use Permit (CUP)** in the *Rural Residential (RR)* Land Use Zone.

A. The following are **a Conditional Use** in RR Zones

1. CEMETERY
2. CHURCH
3. KENNEL, COMMERCIAL
4. PARK
5. PLAYGROUND
6. PRIVATE SCHOOL
7. PUBLIC BUILDINGS ~~and uses~~
8. PUBLIC SCHOOL
9. PUBLIC STABLE
10. PUBLIC UTILITIES

~~SCHOOL~~

~~K.HOME OCCUPATIONS~~
~~L. ACCESSORY BUILDINGS~~

Section 15 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 34.07 to read as follows:*

34.07 PROHIBITED USES (RR)

The following uses are non- permissible/ **Prohibited Use** (P) in Rural Residential (RR) Land Use Zone.

1. ASSISTED LIVING FACILITY
2. BOARDING SCHOOL
3. BUSINESS AND PROFESSIONAL OFFICES
4. CANNIBIS PRODUCTION ESTABLISHMENT
5. COMMERCIAL HABITATION
6. DISBURSED MOTEL (TL-3)
7. FOOD SHOP/DELI/SM. MARKET
8. GALLERIES AND MUSEUMS
9. HEALTH CARE FACILITIES
10. HOTEL (TL-I)
11. MEDICAL CANNIBIS PHARMACIES
12. MOTEL (TL-2)
13. RESIDENTIAL TREATMENT PROGRAM
14. RESTAURANT/CAFE
15. RETAIL SHOP/STOREFRONT
16. SEXUALLY ORIENTED BUSINESS
17. SHORT -TERM RENTAL
18. TRANSIENT LODGING OPERATIONS OR COMMERCIAL BUSINESSES/FACILITIES (except as listed in 34.04 AND 34.05)

Section 16. *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 38.00 with such section and the listed sections therein, to read as follows:*

38.00 "Chapter 38: Agricultural ~~District~~ Zone" (AG)

38.02 PURPOSE
38.04 PERMITTED USES
38.05 ALLOWABLE USE WITH LICENSE/PERMIT
38.06 CONDITIONAL USES
38.07 PROHIBITED USES
38.08 MINIMUM AREA
38.10 MODIFYING REGULATIONS
38.12 OTHER PROVISIONS

Uses in ***Agricultural Land Use Zone (AG)*** fall into one of four categories, namely ***Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use.***

7. COMMERCIAL HABITATION
8. DISBURSED MOTEL (TL-3)
9. FOOD SHOP/DELI/SMALL MARKET
10. GALLERIES AND MUSEUMS
11. HEALTH CARE FACILITY
12. HOTEL (TL-I)
13. KENNEL, COMMERCIAL
14. MEDICAL CANNABIS PHARMACIES
15. MOTEL (TL-2)
16. NEW TRANSIENT LODGING (I, II, III)
17. RESTAURANT/CAFE
18. RESIDENTIAL TREATMENT PROGRAM
19. SHORT- TERM RENTALRESIDENCES (TL-4)
20. Short-Term Rentals
21. SEXUALLY ORIENTED BUSINESS
22. TRANSIENT LODGING OPERATIONS & COMMERCIAL BUSINESS EXCEPT AS LISTED IN 32.06 AND 32.07 "

Section 11 *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising the initial section and sections list of Chapter 34.00 to read as follows:*
"

34.00 "Chapter 34: Rural Residential ~~District~~ Zone" (RR)

34.02 PURPOSE
34.04 PERMITTED USES
34.05 USE ALLOWABLE with LICENSE/PERMIT
34.06 CONDITIONAL USES
34.07 PROHIBITED USES
34.08 HEIGHT REGULATIONS
34.10 MINIMUM AREA, WIDTH AND YARD REQUIREMENTS
34.12 SIGNS
34.14 MODIFYING REGULATIONS
34.16 STANDARDS FOR TEMPORARY USE OF RECREATIONAL VEHICLES IN RURAL RESIDENTIAL ZONE
34.18 OTHER PROVISIONS

Uses in *Rural Residential (RR)* Land Use Zone fall into one of four designations, namely ***Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use.***

All uses not listed in this chapter shall be considered ***Prohibited Use (P)*** in the *Rural Residential (RR)* Land Use Zone."

Section 12 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 32.09 to read as follows:*

"34.04 PERMITTED USES (RR)

Uses permissible in *Rural Residential (RR)* Land Use Zone:

~~Uses contained in this chapter flow directly from Chapter 30 - Zones and Uses. In the event of a conflict, Chapter 30 verbiage is the principal deciding factor.~~

Section 8 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 32.07, to be entitled and to read as follows:

"32.07 ALLOWABLE USE BY LICENSE/PERMIT (R)

Uses which are ***Allowable Use with License or Permit*** in *Residential (R)* Land Use Zone require a valid license or permit from the Town.

A. The following are ***Allowable Use with License or Permit*** in *Residential (R)* Land Use Zone.

1. BED AND BREAKFAST (BB, TL-4)
2. CHILD DAY CARE
3. HOME OCCUPATION (See: VULU Ch.12)
4. RESIDENTIAL HOSTING (RH, TL-4) "

Section 9 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 32.08 to read as follows:

"32.08 CONDITIONAL USES (R)

Conditional Use in *Residential Zone (R)* requires a ***Conditional Use Permit*** **(CUP).** (See: 16.28)

The following are **Conditional Uses** in the Residential Zone (R):

~~CHILD DAY CARE~~
1. CHURCH
~~HOME OCCUPATION see chapter 12~~
2. PARK
3. PLAYGROUND
4. PRIVATE SCHOOL
5. PUBLIC BUILDINGS ~~and uses~~
6. PUBLIC SCHOOL
7. PUBLIC UTILITIES
~~SCHOOL~~
8. SHUTTLE STOP"

Section 10 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 32.09 to read as follows:

"32.09 PROHIBITED USES (R)

A. The following uses are non- permissible/ **Prohibited Use** (P) in Residential (R) Land Use Zone.

1. AGRICULTURE BUSINESS
2. ASSISTED LIVING FACILITY
3. BOARDING SCHOOL
4. BUSINESS AND PROFESSIONAL OFFICES
5. CANNABIS PRODUCTION ESTABLISHMENT
6. CEMETERY

A. Use requires a ***Conditional Use Permit (CUP)*** in *Agricultural (AG)* Land Use Zone

~~A. Public riding stables, equestrian racetracks, and related facilities.~~
~~B. Commercial radio and television and cellular telephone transmitting stations or towers.~~
~~C. Utility easements, public use, essential facilities~~
~~D. Roadside stands for the commercial sales of produce grown on the Premises.~~
~~E. Retail sales of nursery and/or greenhouse products.~~

1. CEMETERY
2. GALLERIES AND MUSEUMS
3. EQUESTRIAN , COMMERCIAL
4. KENNEL, COMMERCIAL
5. PARK
6. PLAYGROUND
7. PUBLIC STABLE
8. PUBLIC UTILITIES
9. TRAIL RIDING / EQUESTRIAN "

Section 20 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 38.07 to read as follows:*

"38.07 PROHIBITED USES (AG)

A. The following uses are a non- permissible/ ***Prohibited Use (P)*** in *Agricultural (AG)* Land Use Zone:

1. ASSISTED LIVING FACILITIES
2. BOARDING SCHOOL
3. BUSINESS AND PROFESSIONAL OFFICES
4. CANNABIS PRODUCTION ESTABLISHMENT
5. CHURCH
6. COMMERCIAL HABITATION
7. DISBURSED MOTEL (TL-3)
8. FOOD SHOP/DELI/SM MARKET
9. HEALTH CARE FACILITIES
10. HOTEL (TL-I)
11. MEDICAL CANNABIS PHARMACIES
12. MOTEL (TL-2)
13. NEW TRANSIENT LODGING (TL- I, II, III)
14. PRIVATE SCHOOL
15. RESTAURANT/CAFE
16. RETAIL SHOPS/STORFRONTS
17. SEXUALLY ORIENTED BUSINESS
18. SHORT -TERM RENTALRESIDENCES (STRR) TL-4
19. Short Term Rental"

Uses not listed in this chapter shall be considered ***Prohibited Use (P)*** in ***Agricultural* Land Use Zone (AG).** "

Section 17 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 38.04 to read as follows:

"38.04 PERMITTED USES (AG)

A. Uses permissible in ***Agricultural* Land Use Zone (AG):**

~~Uses contained in this chapter flow directly from Chapter 30 "Zones and Uses". In the event of a conflict, Chapter 30 verbiage is the principal deciding factor. Uses fall into one of four categories, namely *Permitted Use, Use with Conditions, Conditional Use, and Prohibited Use.*~~

1. ACCESSORY BUILDINGS
   a. Buildings and uses customarily incidental to the permitted uses.
2. AGRICULTURE
   a. Livestock, Large Animals, Fowl, and household pets.
   b. Agricultural uses, farming, and gardening.
   c. Barns, corrals, pens, coops, machinery sheds and other buildings incidental to agricultural operations.
3. GUEST HOUSE/CASITA
4. SINGLE-FAMILY DWELLINGS
   d. ~~Minimum square feet of Home~~ must meet all requirements of the International Residential Building Code. "

Section 18 That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 38.05, to be entitled and to read as follows:

38.05 "ALLOWABLE USE with LICENSE/PERMIT (AG)

Uses which are ***Allowable Use with License/ Permit*** in *Agricultural (AG)* Land Use Zone require a valid License or Permit from the Town.

A. The following are ***Allowable Use with License/ Permit*** in *Agricultural (AG)* Land Use Zone:
   1. AGRICULTURAL BUSINESS
   2. BED AND BREAKFAST (BB, TL-4)
   3. CHILD DAY CARE
   4. HOME OCCUPATION (See: VULU Ch.12.)
   5. RESIDENTIAL HOSTING (RH, TL-4) "
   6. ROADSIDE STANDS FOR THE COMMERCIAL SALES OF PRODUCE GROWN ON THE PREMISES.

Section 19 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 38.06 to read as follows:*

38.06 CONDITIONAL USES (AG)

Section 21 *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising the initial section and sections list of Chapter 40.00, with such revisions to read as follows:*

(Revision to sections list, adding the following sub- section)
"42.07 USE ALLOWABLE WITH LICENSE/PERMIT

Uses in ***Commercial Zone (C)*** fall into one of four categories, namely ***Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use.***

Section 22 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 40.06 to read as follows:*
"

40.06 LOCATION (C)

Commercial Zone is located along the State Route Nine (SR-9) frontage, extending West from Pocketville Road to the furthest west Town border extending and from the center line of SR-9 up to 350 feet North; or to the rear boundary of an SR-9 adjacent parcel, whichever is less.

It is permissible for Parcels/ Properties with SR-9 Frontage, but which extend beyond the Commercial Zone (350 feet) boundaries to have "mixed zoning" and required as dictated by their location in multiple Land Use Zones. "

Section 23 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 40.08 to read as follows:*

"40.08 PERMITTED USE (C)

A. Uses permissible in ***Commercial (C)*** Land Use Zone:

~~Uses contained in this chapter flow directly from Chapter 30 – "Zones and Uses". In the event of a conflict, Chapter 30 verbiage is the principal deciding factor. Uses fall into one of four categories, namely *Permitted Use, Allowable Use with License/Permit, Conditional Use, and Prohibited Use*~~

1. AGRICULTURE
2. AGRICULTURE BUSINESS
3. ART SCHOOL /STUDIO/ SM.GALLERY
4. ASSISTED LIVING FACILITY
5. ~~BREWERY/WINERY~~
6. BUSINESS AND PROFESSIONAL OFFICES
7. CAFÉ, COFFEE SHOP, DELI
8. ~~CHILD DAY CARE~~
9. COTTAGE RETAIL ~~TRADE INCIDENT TO RESORT USE; I.E.,~~ (BOOK SHOP, ROCK SHOP, FLORAL SHOP, ETC.) OR SPECIALTY FOOD MARKETS
10. GUEST HOUSE/CASITA
11. HOUSEHOLD PETS
12. PARK
13. PLAYGROUND
14. PUBLIC STABLE
15. PUBLIC UTILITY

~~16. RECEPTION OR EVENT FACILITIES.~~

17. SINGLE FAMILY DWELLINGS

a. ~~Minimum square feet of home must meet all requirements of the International Residential Building Code.~~

b. . Accessory uses and buildings customarily incidental to the permitted. use.

~~A. PROFESSIONAL BUSINESS OFFICES~~

~~B. FINANCIAL INSTITUTIONS~~

~~1. Photography, music, dance, martial arts, yoga, indoor recreation, and silk-screening.~~

~~F. MUNICIPAL BUILDING~~

~~G. COMMUNITY BUILDINGS~~

~~1. Meeting halls.~~

~~J. RESTAURANTS~~

~~1. Bars, Taverns, cafe, coffee shop, deli with or without outdoor eating areas; (See VULU 16.28A)~~

~~K. SINGLE FAMILY DWELLINGS~~

~~1. Minimum square feet of home must meet all requirements of the International Residential Building Code.~~

~~L. HEALTH CARE FACILITIES~~

~~M. CHURCHES"~~ "

Section 24 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 40.09, to be entitled and to read as follows:*

40.09. "ALLOWABLE USE WITH LICENSE/PERMIT (C)

Use which is *an* ***Allowable Use with License/ Permit*** in *Commercial (C)* Land Use Zone requires a valid License or Permit from the town.

A. The following are ***Allowable Use with License/ Permit*** in *Commercial (C)* Land Use Zone
   1. BED AND BREAKFAST (BB, TL-4)
   2. CHILD DAY CARE
   3. FOOD TRUCK
   4. HOME OCCUPATION (See: VULU Ch.12.)
   5. RESIDENTIAL HOSTING (RH, TL-4) "

Section 25 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 40.10 to read as follows:*

40.10 CONDITIONAL USES (C)

Use requires a ***Conditional Use Permit (CUP)*** in *the Commercial (C)* Land Use Zone.

A. The following are ***Conditional Uses*** in *the Commercial (C)* Land Use Zone:

1. BANK KIOSK OR FINANCIAL OFFICE
2. BREWERY/WINERY

13. Short -term Rental"

Section 27 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by deleting (redundant) Chapter 42.00 "Resort Zone" and its entire contents, marking it as "Reserved "and leaving its contents blank, as follows:*

"42.00 "Chapter 42: ~~Resort Zone~~ (Reserve)"

(Blank / Reserve Chapter)"

Section 28 *That Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising the initial section and sections list of Chapter 44.00 to read as follows:*

44.0 Chapter 44: "Highway Resort Zone" (HRZ)

44.02 PURPOSE
44.04 GENERAL
44.06 LOCATION
44.08 USES IN HIGHWAY RESORT ZONE
44.09 USE ALLOWABLE with LICENSE/PERMIT
44.10 CONDITIONAL USES
44.12 SITE CONSIDERATIONS
44.14 BUILDINGS
44.16 CONDITIONS OF USE

Section 24 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 44.08 and its title to read as follows:*

"44.08 ~~Conditional Uses~~ USES IN HIGHWAY RESORT ZONE (HRZ)

There are no **PERMITTED USES** in the Highway Resort Zone *except THE FOLLOWING:*

SINGLE-FAMILY DWELLINGS.

c. ~~Minimum square feet of home~~ Must meet all requirements of the International Residential Building Code.
d. ACCESSORY BUILDINGS and uses customarily incidental to single-family dwellings.
GUEST HOUSE/CASITA.
~~BED AND BREAKFAST~~
BREWERY/WINERY
RESTAURANT OR FOOD TRUCK

All other uses are either ***USE ALLOWABLE BY PERMIT , CONDITIONAL USE*** (CUP required) or ***PROHIBITTED USE."***

Section 29

3. CEMETERY
4. CHURCH
5. COMMERCIAL HABITIATION
   ~~Limited, temporary & permanent (See: VULU 16.26)~~
   ~~FOOD TRUCKS~~
6. HEALTH CARE FACILITIES / PHARMACY
7. KENNEL, COMMERCIAL
8. MEDICAL CANNABIS PHARMACIES
9. MUSEUMS
10. PRIVATE AND TRADE SCHOOLS;
11. PROFESSIONAL BUSINESS OFFICES
12. PUBLIC BUILDINGS
13. PUBLIC SCHOOL
14. OUTFITTING/GUIDE/TOUR SERVICES. (~~NO RENTAL OF ATV'S).~~
15. RECEPTION OR EVENT FACILITIES.
~~16.~~ RESTURANT ~~FOOD TRUCK~~
17. SHUTTLE STOPS.
18. SPA/ WELLNESS CENTER
19. TRAIL-RIDE STAGING
20. VETERINARY CLINICS

~~Automobile service station; (See VULU 16.28H, VULU 40.40B) and~~
~~General or Convenience Store~~
~~Hotel/Motel; (For additional specific standards such as Units per acre See VULU 16.28C Lodging, VULU 40.40A)~~
~~Small scale facilities thirty (30) lodging units or less; and~~
~~Medium scale facilities One hundred (100) lodging units or less.~~
~~SEXUALLY ORIENTED BUSINESS~~

Section 26 *That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by revising section 40.12 to read as follows:*

"40.12 PROHIBITED USES (C)
The Following are **Prohibited Uses** in the Commercial Zone (C):

1. GAS/FUEL STATION
2. BIG BOX OR NATIONAL BRAND OR CHAIN STORES
3. CANNABIS PRODUCTION FACILITY
4. CONGREGATE LIVING FACILITIES
5. CAMPGROUNDS/RV PARK
6. DEPARTMENT STORES
7. DISBURSED MOTEL (TL-3)
8. HOTEL (TL-I)
9. MOTEL (TL-2)
10. TRANSIENT LODGING (I, II, III)
11. SEXUALLY ORIENTED BUSINESSES
12. SHORT-TERM RENTAL RESIDENCES (TL-4)

That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 44.09, to be entitled and to read as follows:

44.09 "USES ALLOWABLE BY LICENSE/PERMIT (HRZ)

BED AND BREAKFAST (BB, TL-3)
RESIDENTIAL HOSTING (RH, TL-3)
SHORT-TERM RENTAL RESIDENCE (STRR, TL-4)
HOME OCCUPATION (See: VULU Ch.12.)"

Section 30

That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 44.10 to be entitled and to read as follows:

"44.10 Conditional Uses (HRZ):

A. The following uses are Conditional Uses in HRZ:

(Please see Zoning Administration for additional information on Conditional Uses in the HRZ zone.)

ESSENTIAL & BASIC SERVICES
HEALTH/WELLNESS/FITTNESS FACILITIES
PARKS AND PLAYGROUNDS (INCIDENT TO RESORT PROPERTY).
SMALL RETAIL / TRADE
OUTFITTING/GUIDE/TOUR SERVICES.
RECEPTION OR EVENT FACILITIES.
TRANSIENT LODGING TYPES I, II, III, IV"

SECTION 31

That the Virgin Uniform Land Use (VULU) Code of the Town of Virgin, Utah, be amended by adding a new section to be numbered 44.11 to be entitled "PROHIBITED USES " and to read as follows:

(Big Box Stores, National /Chain Retail and Department Stores are expressly prohibited in all Zones and throughout the Town of Virgin .)