

VIRGIN TOWN ORDINANCE NO. 2024-

1. AN ORDINANCE DELETING CHAPTER 42 RESORT ZONE FROM VIRGIN'S UNIFORM LAND USE ORDINANCES

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

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

WHEREAS, Resort Zone is redundant as the same standards and uses of the Resort Zone are listed in Highway Resort Zone which was created to replace the Resort Zone;

WHEREAS, a public hearing was held on _____, 2024, at which the public was invited to comment on the amendment of Virgin's Land Use Code authorizing a Code Compliance Officer to enforce compliance with some of Virgin Town's policies, procedures, and land use ordinances;

NOW THEREFORE, be it ordained by the Town Council of the Town of Virgin, Utah, that the Resort Zone is hereby deleted, and that

Section 1.

Chapter 42 shall be removed in its entirety from the Virgin Uniform Land Use Ordinances as follows (All struck through items shall be removed):

CHAPTER 42 RESORT ZONE (RZ)

42.02 PURPOSE

~~The purpose of this Chapter is to permit development of resort-oriented properties in the Town of Virgin in appropriate districts, and to provide for the regulation and control of such projects. The Town of Virgin is located in a corridor near Zion Park which receives millions of visitors each year, and it is deemed in the best interest of the Town of Virgin to have a zoning classification which will accommodate resorts designed to service the tourism in the Town of Virgin. This zone is intended to accommodate resort properties which are designed to provide a place for accommodating recreation and entertainment for the visitors to the area.~~

42.04 LOCATION

- ~~1. Fronting SR9 or Kolob Terrace Road and~~
- ~~2. East of 295 East, or West of 700 West~~

~~(As amended pursuant to ordinance #2018-25)~~

42.06 PERMITTED USES

~~There are no permitted uses in a resort zone. All uses in a resort zone are by conditional use permit.~~

42.08 CONDITIONAL USES

- ~~1. Recreational Vehicle Resort/Campground.~~
- ~~2. Motel/Hotel.~~
- ~~3. Parks and Playgrounds (incident to resort property).~~
- ~~4. Retail Trade (incident to resort business).~~
- ~~5. Restaurants (incident to resort business).~~

42.10 CONDITIONAL USE PERMIT REQUIRED

~~The approval for any project and the continuing use of the property shall be subject to a conditional use permit.~~

- ~~1. PROJECT APPROVAL. In order to obtain a conditional use permit, the owner shall submit to the Town detailed plans and specifications for the project which will show all improvements to the project included but not limited to, roads, septic design (or sewer as the case may be), utility design, architectural design of all buildings or other structures, and overall project layout and landscape plan. Included in the design shall be appropriate screening of the project where necessary through the building of wall and screening by landscaping. Included in the presentation shall be the proposed density for the project which density the Town Council reserves the right to require modification to provide for adequate parking, landscape and screening appropriate to the area, recreational amenities, and septic ability.~~
- ~~2. LIMITED COMMERCIAL HABITATION.~~
 - ~~1. Purpose. The purpose of this exception to the prohibition of residential use in the resort zone is primarily to facilitate the successful establishment of small locally owned businesses, by allowing for a single limited living quarters on a commercial lot. It is not the intent of this exception to provide for any living quarters within this zone that is not necessitated by the size and nature of the business to which it is attached.~~
 - ~~2. Procedure. Applications for a Limited Commercial Habitation (LCH) Permit shall be made to the Planning & Zoning Commission for approval as provided in VULU Chapter 16.24.~~

Section 2

Upon adoption of this ordinance, properties currently in Resort Zone shall be subject to the more expansive standards of Highway Resort Zone.

Section 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.

Section 4

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

Section 5

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

Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah