

VIRGIN TOWN, UTAH
ORDINANCE 2025-03

REMOVAL OF USES CHART IN CHAPTER 30

AN ORDINANCE REPEALING THE USES CHART IN §30.06 FROM CHAPTER 30 OF THE VIRGIN LAND USE ORDINANCES AND REMOVING ALL REFERENCES TO SUCH USES CHART IN VULU §32.06, §34.04, §38.04, §40.08, AND CHAPTER 48.

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; and

WHEREAS, Pursuant to Utah Code Annotated, Title 10, Chapter 3b, Section 301, the Virgin Town Council (“Virgin Town Council”) is designated as the governing body of the Town;

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 with the Town’s municipal boundaries; and

WHEREAS, the uses chart as currently reflected in §30.06 conflicts with uses listed in the Residential, Rural Residential, Agricultural, Commercial, and Open Space Zones in Virgin’s Land Use Ordinances; and

WHEREAS, such conflicts between the above Zoning Chapters in Virgin’s Land Use Ordinance render the Zoning Chapters vague and unenforceable; and

WHEREAS, such conflicts making the code vague and unenforceable are easy to create, whether intentionally or unintentionally; and

WHEREAS, to ensure that Virgin’s Land Use Ordinance are stable and enforceable the uses chart in §30.06 and any references to such uses chart should be repealed and removed from Virgin’s Land Use Ordinances; and

WHEREAS, the Planning Commission held a public on this ordinance on January 14, 2025,

NOW THEREFORE, be it ordained by the Town Council of Virgin Town, in the State of Utah, as follows:

SECTION 1: REPEAL. “30.06 USES CHART” of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

USES	ZONES				
	RR	AG	C	HRZ	OS
Accessory Buildings	P	P	P	P	P
Agriculture	P	P	P	P	P
Agriculture Business	C	P	P	C	P
Assisted Living Facility					
Boarding School					
Cannabis Production Establishment	PR	P	PR	PR	PR
Cemetery	P	P	C	C	P
Child Day Care	P	P	P	P	P
Church	C	C	C	C	C
Guest House/Casita	P	P	P	P	P
Halfway House					
Home Occupation	P	P	P	P	P
Household Pets	P	P	P	P	P
Kennel, Commercial					
Medical Cannabis Pharmacies	PR	P	P	P	P
Park	P	P	P	P	P
Playground	P	P	P	P	P
Private School					
Public Buildings	C	C	C	C	C
Public School					
Public Stable	C	P	P	C	C
Public Utilities	P	P	P	P	P
Rehabilitation Center					
Residential Treatment Program					
School	P	P	P	P	P
Sexually Oriented Business	PR	PR	C	PR	PR
Single Family Dwellings	P	P	P	P	P
Treatment Center					
P = Permitted					
C = Conditional Use					
PR = Prohibited					

AFTER REPEAL

USES	ZONES				
	RR	AG	C	HRZ	OS
Accessory Buildings	P	P	P	P	P
Agriculture	P	P	P	P	P
Agriculture Business	C	P	P	C	P
Assisted Living Facility					
Boarding School					
Cannabis Production Establishment	PR	P	PR	PR	PR
Cemetery	P	P	C	C	P
Child Day Care	P	P	P	P	P
Church	C	C	C	C	C
Guest House/Casita	P	P	P	P	P
Halfway House					
Home Occupation	P	P	P	P	P
Household Pets	P	P	P	P	P
Kennel, Commercial					
Medical Cannabis Pharmacies	PR	P	P	P	P
Park	P	P	P	P	P
Playground	P	P	P	P	P
Private School					
Public Buildings	C	C	C	C	C
Public School					
Public Stable	C	P	P	C	C
Public Utilities	P	P	P	P	P
Rehabilitation Center					
Residential Treatment Program					
School	P	P	P	P	P
Sexually Oriented Business	PR	PR	C	PR	PR
Single Family Dwellings	P	P	P	P	P
Treatment Center					
P = Permitted					
C = Conditional Use					
PR = Prohibited					

(Repealed)

SECTION 2: REPEAL. "32.06 PERMITTED USES" of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

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.

AFTER REPEAL

~~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.~~
(Repealed)

SECTION 3: REPEAL. "34.04 PERMITTED USES" of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

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.

AFTER REPEAL

~~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.~~
(Repealed)

SECTION 4: REPEAL. "38.04 PERMITTED USES" of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

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.

AFTER REPEAL

~~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.~~
(Repealed)

SECTION 5: REPEAL. "40.08 PERMITTED USES" of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

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.

AFTER REPEAL

~~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.~~
(Repealed)

SECTION 6: REPEAL. "CHAPTER 48 (RESERVED)" of the Virgin Land Use Ordinances is hereby *repealed* as follows:

BEFORE REPEAL

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.

AFTER APPEAL

~~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.~~
(Repealed)

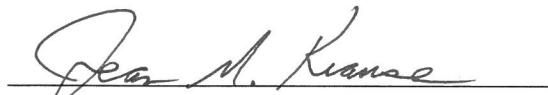
Severability Clause: Should any part of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

Effective Date: This Ordinance shall be in full force and effect from January 21, 2025 and after the required approval and publication according to law.

Repealer Clause: All Virgin Town ordinances or resolutions or part thereof, which are in conflict herewith, are hereby repealed.

PASSED AND ADOPTED BY THE VIRGIN TOWN COUNCIL, JANUARY 21, 2025.

Attest:


Jean M. Krause, Mayor
Virgin Town, Utah


Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah

VIRGIN TOWN COUNCIL Vote as Recorded	AYE	NAY	ABSENT	ABSTAIN
Virgin Town Councilmember, Mistie Baird	✓			
Virgin Town Councilmember, Paul Luwe	✓			
Virgin Town Councilmember, April McKeon	✓			
Virgin Town Councilmember, Valerie Wenz	✓			
Virgin Town Mayor, Jean Krause				

RECORDED this 10 day of February, 2025.

PUBLISHED or POSTED this 10 day of February, 2025.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

- 1) *Utah Public Notice website*
- 2) *Virgin Town website, www.virgin.utah.gov*
- 3) *Virgin Town Hall*


Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah

Ordinance 2025-03
Adopted January 21, 2025