

**VIRGIN TOWN  
ORDINANCE NO. 2025-            
AMENDING STANDARDS FOR OPEN SPACE ZONE**

**AN ORDINANCE AMENDING TITLE 16 OF THE VIRGIN MUNICIPAL CODE TO AMEND  
AND RENUMBER THE CHAPTER GOVERNING OPEN SPACE DISTRICT**

**WHEREAS**, Virgin Town (“the Town”) is a Utah municipal corporation and political subdivision of the State of Utah, and

**WHEREAS**, the Virgin Town Council (“Town Council”) is the legislative and governing body of the Town, and

**WHEREAS**, the Town Council with advice of the Virgin Town Planning and Zoning Commission (“Planning Commission”), in addition to being the legislative and governing body of the Town, is also the Land Use Authority (“LUA”) 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, and

**WHEREAS**, the Planning Commission held a public hearing on this ordinance on \_\_\_\_\_, 20\_\_; and

**WHEREAS**, the Virgin Town Planning and Zoning Commission voted \_\_\_\_\_ on a motion to recommend that Town Council approve these amendments on May 13, 2025; and

**WHEREAS**, Virgin Town contains lands which have been and remain in Open Space District since substantially prior to 2021, and

**WHEREAS**, prior to 2021, Virgin’s Land Use code included a chapter describing standards and uses for that zone, and

**WHEREAS**, an amendment to the code was made in 2021 which, perhaps erroneously, removed the entire Chapter 48 Open Space District, and

**WHEREAS**, Virgin Town officials require guidance as to uses and standards for lands currently zoned Open Space, and

**WHEREAS**, Virgin’s LUA finds it to be in the best interests of the health, safety, and welfare of residents and visitors to the Town to replace the missing section of the Land Use code;

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

**SECTION 1. REENACTMENT AND RENUMBERING**

*BEFORE AMENDMENT:*

TITLE 16  
CHAPTER 36- (RESERVED)

*AFTER AMENDMENT:*

TITLE 16  
CHAPTER 36- OPEN SPACE DISTRICT

**36.02 PURPOSE.**

To promote and preserve open space in appropriate areas in keeping with the Town goals of protecting its unique landscape, views of open desert and geologic formations, access to river, trails, parks, and public lands; clean air and water; rural atmosphere; and beneficial vegetation and wildlife. To provide a zoning tool to help decision makers accomplish Town goal to limit density of use; to avoid undue burdens on town to provide services, infrastructure, or other financial contribution; to encourage only orderly, integrated growth at a manageable rate appropriate for a small town; and to assure future connectivity of utilities, streets, roads, trails, and open space.

**36.04 LOCATION.** All public lands within Virgin Town boundaries under the administration of the Bureau of Land Management or the State of Utah as of the date of adoption of this Chapter, as well as any properties subsequently rezoned to this designation.

**36.06 PERMITTED USES.**

- A. Recreational hiking, bicycling, and horseback riding.
- B. Grazing.
- C. Single-family dwelling home.

**36.08 CONDITIONAL USES.**

- A. Trails for public recreation.
- B. ~~Other~~ Temporary public recreation events.
- C. Utility easements, ~~public use~~, essential facilities
- D. One Single-family dwelling per minimum 40-acre parcel

**36.09 PROHIBITED USES.** Any use not listed as permitted or conditional is deemed prohibited unless declared similar to a listed use by the Town Attorney or the Director of Community Development.

- A. Multi-family housing of any size
- B. Short-term rental
- C. Hotels, motels, or any type of lodging
- D. Amusement parks.
- E. Arcades.
- F. Automobile repair (major) and automobile Dealerships.
- G. Automobile wrecking yards.
- H. Campgrounds

- 96 I. Bowling alleys.
- 97 J. Circuses or carnivals.
- 98 K. Drive-in theaters.
- 99 L. Driving ranges with floodlights.
- 100 M. Helipads, helistops, and heliports.
- 101 N. Jails and prisons.
- 102 O. Junkyards.
- 103 P. Landfills and garbage dumps.
- 104 Q. Landing strips, airports, or other facilities designed for the take off or landing of any type of
- 105 aircraft.
- 106 R. Mini-golf courses.
- 107 S. Mining, quarries, or gravel pits.
- 108 T. Off-road vehicle, motorcycle, and ATV tracks and parks.
- 109 U. Parking Lots.
- 110 V. Pawn shops.
- 111 W. Extraction or quarry operations
- 112 X. Recreational vehicle parks
- 113 Y. Retail tobacco specialty businesses.
- 114 Z. Shooting ranges.
- 115 AA. Shopping malls.
- 116 BB. Skating rinks.
- 117 CC. Storage establishments.
- 118 DD. Swap meets and flea markets.
- 119 EE. Water parks.

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122 **36.10. MINIMUM AREA.** Parcels of any size are eligible for Open Space zoning designation; however,

123 any of the Conditional Uses listed in this chapter requires a minimum lot size of Forty (40) acres.

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125 **36.12. MODIFYING REGULATIONS.**

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127 A single family dwelling in this zone is subject to the regulations and requirements of the Rural

128 Residential zone.

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130 **Severability Clause:** Should any part or provision of this Ordinance be declared by the courts

131 to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as

132 a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

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134 **Effective Date:** This Ordinance shall be in full force and effect from \_\_\_\_\_,

135 \_\_\_\_\_ and after the required approval and publication according to law.

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137 **Repealer Clause:** All Virgin Town ordinances or resolutions or parts thereof, which are in

138 conflict herewith, are hereby repealed.

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140 PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE

141 OF UTAH, ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

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Attest:

Jean Krause, Mayor, Virgin Town Krystal Percival, Recorder, Virgin Town

VIRGIN TOWN COUNCIL

Vote as recorded: AYE NAY ABSENT

Councilmember Luwe

Councilmember Baird

Councilmember Wenz SEAL

Councilmember McKeon

Mayor Krause

RECORDED this day of , 2025.

PUBLISHED OR POSTED this day of , 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](http://www.virgin.utah.gov)
- 3) Virgin Town Hall

Krystal Percival, Town Clerk/Recorder

Virgin Town, Utah