

VIRGIN TOWN

VOTER INFORMATION PAMPHLET

**VIRGIN PROPOSITION NO. 2: A REFERENDUM
PLACING THE ISSUE OF WHETHER TO APPROVE OR
REJECT AN ORDINANCE (VIRGIN ORDINANCE 2016-
072716-01 ADOPTING CHAPTER 29 OF THE VIRGIN
UNIFORM LAND USE ORDINANCES THUS CREATING
A NEW CAMP RESORT ZONING DISTRICT WITHIN
THE TOWN AND SETTING FORTH REGULATIONS
AND RESTRICTIONS FOR ALL USES WITHIN THE
NEW CAMP RESORT ZONE**

**ELECTION DATE
JUNE 27, 2017**

TOWN OF VIRGIN

114 S Mill Street, PO Box 790008
Virgin, UT 84779
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May 22, 2017

Re: *Virgin Proposition No. 2*

Dear Virgin Town Resident:

On June 27, 2017, Virgin Town registered voters will have the opportunity to vote on a Referendum question entitled Virgin Proposition No. 2 (“Proposition”) wherein you will be able to decide whether the Town keeps or rejects an ordinance which the Virgin Town Council approved on July 27, 2016 (Virgin Ordinance No. 2016-072716-01 - “Subject Ordinance”). The Subject Ordinance adopted Chapter 29 of the Virgin Uniform Land Use Ordinances (“VULU”) and created a new Camp Resort Zoning District (“CRZ”) within the Town. The Subject Ordinance set forth regulations and restrictions on uses within Camp Resort Zone as well as modified other sections of VULU to make them refer to, and integrate with, the new Chapter 29 of VULU.

This Voter Information Pamphlet has been prepared to help you better understand and assist you in making your decision regarding Virgin Proposition No. 2. This Pamphlet contains information about the Proposition (including a copy of the actual ballot language), arguments for and against, along with a copy of the Subject Ordinance. This Pamphlet also contains information on ballot-marking procedures, voter registration and early voting.

Please take the opportunity to study this Pamphlet, so that when you go to the polls you will be able to make sound, intelligent and informed choice on whether to vote “for” or “against” the Proposition.

Sincerely,

Monica Bowcutt
Virgin Town Recorder

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**OFFICIAL BALLOT TEXT OF THE CITIZEN’S REFERENDUM DESIGNATED
AS VIRGIN PROPOSITION NO. 2**

On July 27, 2016, the Virgin Town Council passed Ordinance 2016-072716-01, which:

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- Adopted a new chapter of the Virgin Uniform Land Use Ordinances (“VULU”) (Chapter 29) which creates a new Camp Resort Zoning District (“CRZ”) within the Town,
 - Set regulations and restrictions for permitted, conditional and prohibited uses within the CRZ, and
 - Modified other sections of VULU to refer to, and integrate with, the new Chapter 29.

ARE YOU FOR OR AGAINST VIRGIN ORDINANCE 2016-072716-01?

ARGUMENTS “FOR” VIRGIN ORDINANCE NO. 2016-072716-01

Text of Virgin Proposition No. 2

On July 27, 2016, the Virgin Town Council passed Ordinance 2016-072716-01, which:

- Adopted a new chapter of the Virgin Uniform Land Use Ordinances (“VULU”) (Chapter 29) which creates a new Camp Resort Zoning District (“CRZ”) within the Town,
- Set regulations and restrictions for permitted, conditional and prohibited uses within the CRZ, and
- Modified other sections of VULU to refer to, and integrate with, the new Chapter 29.

ARE YOU FOR OR AGAINST VIRGIN ORDINANCE 2016-072716-01?

*****THE ARGUMENTS FOR OR AGAINST A BALLOT PROPOSITION ARE THE OPINIONS OF THE AUTHORS*****

Zion National Park (“Zion”) visitation has more than doubled since 2010. In 2017 it is estimated that 615,000 more people will visit Zions than last year (approximately 13,500 additional visitors each day). With the tremendous growth of tourism and visitors to Zions and surrounding areas there is a tremendous need for primitive lodging, like RV and tent camping. This type of primitive lodging is already affecting Virgin’s roads, infrastructure and law enforcement resources by campers utilizing areas on BLM land off of Kolob Terrace Road Sheep Bridge Road and others. Notwithstanding this burden, Virgin receives little, if any, cognizable benefit from said camping. To help meet Virgin’s needs to maintain its infrastructure and quality of life for permanent residents, while recognizing the ever changing burden and impact from campers traveling through Virgin, the Town’s elected/appointed officials set about to create ordinances that would benefit all. To this end, Virgin Ordinance #2016-072716-01 (“CRZ Ordinance”) was passed creating a new chapter (Chapter 29) to the Virgin Uniform Land Use Ordinances (“VULU”). The purpose of the CRZ Ordinance was to create a special zone wherein RV, tent and other types of camping can legally occur on a highly regulated basis within certain areas of the Town (“CRZ”).

Reasons you should vote "FOR" the CRZ Ordinance are:

1. Without the CRZ Ordinance, RV and tent camping is presently illegal in Virgin except in one grandfathered RV Park and upon BLM land whose laws preempt those of the Town.
2. The CRZ Ordinance was developed over two years. During this process, many public meetings were held and extensive public comment were taken. Resident opinions/concerns were heard and modifications to the CRZ Ordinance were made as a result. An outside professional planning firm was hired to assure independent, arms-length, and unbiased analysis/drafting was used in creating CRZ standards compatible with VULU and Virgin’s General Plan. A strong emphasis was placed on maintaining the character of the Town. Virgin Planning/Zoning Commission recommended and the Virgin Town Council (“Town Council”) approved the CRZ Ordinance by majority votes.

3. The CRZ Ordinance limits the CRZ to only parcels that have frontage on, and access from, major non-residential roads (SR-9, Mesa Road, Kolob Terrace Road). Accordingly, less than 1/3 of the Town is even eligible for the CRZ. Because of the location requirements, existing residential areas of the Town are insulated and preserved from CRZ use and associated effects.

4. The CRZ Ordinance provides other protections. Before a developer can get a CRZ development plat approved and commence construction, they must first apply for, and obtain, a CRZ zone change. The rezoning of property is a legislative function, thus the Town has great discretion to approve or deny such requests. If a CRZ rezone request is denied or if conditions of approval are unacceptable and a developer appeals, the Town only has to show to the District Court that its actions were reasonable (even reasonably debatable) and the decision will be upheld.

5. Finally, CRZ developments will financially benefit the Town through increased property values (developed land) property taxes, sales tax and transient room taxes. This additional revenue can be used to better maintain and/or improve the Town's roads, infrastructure and law enforcement resources that are already being burdened by exempt CRZ uses occurring within or near the Town.

Considering the benefits of regulated legalization of CRZ uses within the Town instead of continuing to ban it, yet still feel its constant impacts, **THE TOWN COUNCIL STRONGLY REQUESTS THAT YOU VOTE "YES" IN FAVOR OF VIRGIN ORDINANCE #2016-072716-01!**

-Mayor Bruce Densley & Virgin Town Council (Council Members Krause & Snyder Abstaining)

SPONSOR’S ARGUMENTS “AGAINST” VIRGIN ORDINANCE NO. 2016-072716-01

Text of Virgin Proposition No. 2

On July 27, 2016, the Virgin Town Council passed Ordinance 2016-072716-01, which:

- Adopted a new chapter of the Virgin Uniform Land Use Ordinances (“VULU”) (Chapter 29) which creates a new Camp Resort Zoning District (“CRZ”) within the Town,
- Set regulations and restrictions for permitted, conditional and prohibited uses within the CRZ, and
- Modified other sections of VULU to refer to, and integrate with, the new Chapter 29.

ARE YOU FOR OR AGAINST VIRGIN ORDINANCE 2016-072716-01?

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“HERE WE GO AGAIN” REFERENDUM

How are we here and why is this happening?

Two years ago Virgin voters stopped a law that allowed an RV park in the middle of town and the possibility of 7 more within the Highway Resort Zone. As an end run around this town-wide vote, the Town has now created a new law that is even worse. This new law opens up the possibility of at least 26 RV parks from one end of town to the other.

We mailed everyone a map detailing these possible 26 parcels that meet the law. Not included on the map are neighboring properties that could be combined for even more than 26!

Called "Camp Resort Zone," this new law is an RV Park zone in disguise.

SO HERE WE GO AGAIN!

Vote "AGAINST" this new law.

Q1. Is this Referendum against all development in Virgin?

Simply: NO!!

The sponsors of this Referendum and the majority of the citizens in the most recent survey are not against another RV park, if it is located near the Highway Resort Zone on the East end of town. We are a small town, and this new law risks Virgin being overrun with RV parks from one end of town to the other.

Vote "AGAINST" this new law.

Q2. Why is this issue so important?

This law allows few limits to the number of RV parks in Virgin. The Town Council argues that they can control the number allowed. That's true! But will they? They could allow up to 26. This new law shows the town council does not respect the will of the majority.

Multiple RV parks will lead to loss of night sky, create traffic, noise, air pollution from camp fires, vehicle exhaust fumes, and likely decrease property values.

Vote "AGAINST" this new law.

Q3. Doesn't Virgin need more business in town?

Yes, but do you want all of Virgin to develop like Springdale which appears overrun with traffic problems, crowded conditions, parking problems, and noise?

The current Virgin General Plan has a specific tourist area for development on the eastern side of Virgin towards Zion, called the Highway Resort Zone, away from residential areas. The Zion River Resort and the new hotel are located here.

82% of citizens who participated in the last survey wanted either no additional RV parks or 1-2 additional, at most, near this Highway Resort Zone. Not 9 from one end of Virgin to the other.

Vote "AGAINST" this new law.

Q4. Are there any other important facts we should know in order to make a decision?

Well, regardless of the outcome of this vote, Virgin is looking to put a campground by the BMX track!!

At the last two town council meetings, Mayor Densley stated that the BLM will allow a town-sponsored campground by the BMX track. The Town is actively pursuing this!!

Why do we need this new law that will create even more campgrounds throughout Virgin?

Vote "AGAINST" this new law.

Monte Lutz-Steve Masefield-Greg Istock- Bill Swenson-Steve Sampson

**REBUTTAL
TO
SPONSOR’S ARGUMENTS “AGAINST” VIRGIN ORDINANCE NO. 2016-072716-1**

****THE ARGUMENTS FOR OR AGAINST A BALLOT PROPOSITION ARE THE OPINIONS
OF THE AUTHORS****

Sponsors of the Referendum seeking to vote down Virgin Ordinance 2016-072716-01 (creating the Camp Resort Zone-CRZ) have employed SCARE TACTICS and HALF TRUTHS to promote fear and garner support for its position.

The opponents of this well planned Ordinance want you to believe that the Town’s Planning Commission and Council are out to destroy everything that so many, past and present, have worked so hard to develop.

Surveys, town meetings and public information gathering efforts conducted while creating the current General Plan, and the Plan’s update, now underway, indicate the majority of residents are amenable to businesses and uses allowed in the CRZ, located along SR-9 or other major, nonresidential streets. With the increase in traffic to Zion, SR-9 is becoming less desirable for homes.

The Sponsor’s inference that your elected officials would allow 26 more RV Parks in Town is ridiculous! As for fears of additional traffic, noise, fire pollution, and exhaust fumes, just look at our existing RV Park and judge for yourself. The Ordinance has very strict standards and safeguards to ensure residents will not be adversely impacted.

Finally, to clarify, Virgin will be working to get an agreement with the BLM to NOT allow camping on BLM land within the Town (e.g. Sheepbridge Road) in exchange for Virgin developing a campground on BLM land near the BMX track.

DO NOT GIVE IN TO FEAR TACTICS AND HALF TRUTHS!

VOTE “FOR” VIRGIN ORDINANCE 2016-072716-01!

**REBUTTAL
TO
ARGUMENTS “FOR” VIRGIN ORDINANCE NO. 2016-072716-1**

****THE ARGUMENTS FOR OR AGAINST A BALLOT PROPOSITION ARE THE OPINIONS
OF THE AUTHORS****

This Campground/RV Park (CRZ) proposal came 6 months after the previous Referendum, we feel it is an "End Run" around "the will of people". Neither P&Z nor Council EVER discussed the need for this CRZ; instead they enacted it, no questions asked. Why was this?

Reasons to Vote AGAINST on your ballot

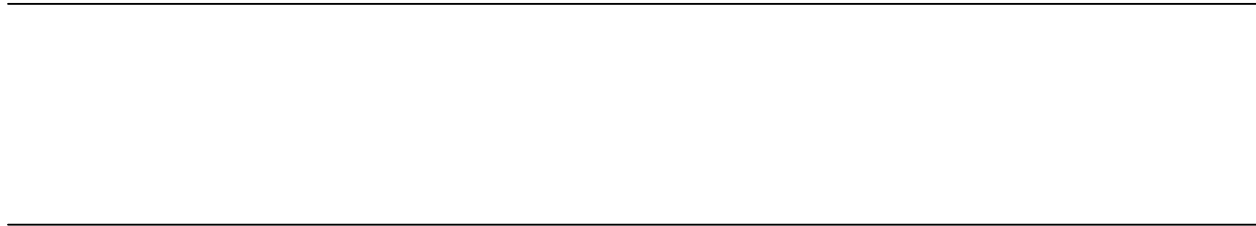
1. An informal survey of BLM campers indicates they are NOT INTERESTED in paying; they WANT FREE CAMPING.
2. It did not take 2 years to create this law, only 6 months! A new Council member proposed the CRZ in December 2015. After 2 public hearings in May and June 2016 where 80% of comments were against this zone, the Council passed it anyway in July 2016!
3. It is "misleading" to say less than 1/3 of Virgin is eligible for CRZ! Significant areas are unbuildable or public lands. Of the remaining areas, our map shows many of your homes or neighborhoods, could become islands surrounded by Campgrounds & RV Parks.
4. The Council is ignoring the current General Plan, Virgin's last survey, and public comments. They are undermining confidence that the Council will do the best for residents.
5. Let's support well planned development in Virgin.

¶ QUALITY OF VIRGIN LIFE RESIDENTS SHOULD COME FIRST.

¶ Campgrounds & RV Parks SHOULD BE LOCATED WHERE PEOPLE HAVE INDICATED THEY WANT THEM : NOT FROM ONE END OF TOWN TO THE OTHER.

PUT VIRGINS RESIDENTS FIRST - VOTE AGAINST THIS NEW LAW

COPY OF ACTUAL SUBJECT ORDINANCE



(See Following 11 Pages)

VIRGIN TOWN

ORDINANCE# 2016-072716-01

AN ORDINANCE OF THE VIRGIN TOWN COUNCIL, WASHINGTON COUNTY, UTAH, ADOPTING CHAPTER 29 OF THE VIRGIN UNIFORM LAND USE ORDINANCES ("VULU") CREATING A CAMPING RESORT ZONING DISTRICT ("CRZ") WITHIN THE TOWN AND FURTHER DESIGNATING AND REGULATING USES THEREIN.

RECITALS

WHEREAS, Virgin Town ("Town") is a municipal corporation duly organized and existing under the laws of the State of Utah, particularly Title 10 of the Utah Code.

WHEREAS, Virgin Town Council ("Town Council") is both the Town's governing body and Land Use Authority pursuant to Utah Code § 10-9a-101 *et seq.*

WHEREAS, the Town presently does not have a zone wherein RV Camping and Tent Camping is allowed as either a permitted or conditional use.

WHEREAS, because the Town is located within the valley corridor leading up to main entrance of Zion's National Park which receives thousands of visitors each year, the Town Council has determined that there is a need and a benefit to allowing this type of lodging within the Town on a highly regulated basis.

WHEREAS, the Town Council has further determined that the creation of a specialized zoning district which specifically allows such uses, yet regulates their location, scope and effect on residences and businesses is the best way to authorize such uses on a limited and regulated basis.

ORDINANCE

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Virgin, Washington County, State of Utah, as follows:

1. Addition of Chapter 29, Camp Resort Zone (CRZ) to VIJLU

CHAPTER 29 CAMPING RESORT ZONE (CRZ)

29.1. PURPOSE.

The purpose of the Camping Resort Zone is to:

- 29.1.1. allow for and regulate the development of tourist-based outdoor camping and recreation uses in appropriate locations while preserving and enhancing the unique visual quality and rural character of the Town of Virgin; and
- 29.1.2. locate camping and recreation uses where such uses will not negatively impact the quiet enjoyment of existing residential areas or traffic on residential streets; and
- 29.1.3. allow for the development of buildings while requiring designs that are compatible with the surrounding landscape; and
- 29.1.4. protect scenic views and minimize visual impacts in the entrance corridor to the town, which provides the first impression of the town and Zion Canyon for many visitors; and
- 29.1.5. encourage the preservation of significant natural and historically agricultural landscape and open space, and minimize site disturbance; and
- 29.1.6. protect the values, beauty and heritage of the area in physical appearance, quality of design and interrelationship of land use and development and thus serve as a valuable asset and benefit for the entire community; and
- 29.1.7. enhance general property values within the Town of Virgin; and
- 29.1.8. promote the economic well-being of the Town through the generation of room and resort taxes; and
- 29.1.9. mitigate, to the greatest extent possible, a campground's adverse visual, light, and noise impacts through the Conditional Use Permit process to protect the characteristics and values of adjoining properties, especially established residential neighborhoods.

29.2. GENERAL.

The Town of Virgin is located in a corridor near Zion Park which receives millions of visitors each year, and it is in the best interest of the Town of Virgin to have a zoning classification to carefully locate and accommodate camping and recreation uses.

29.2.1. DEVELOPMENT CHARACTERISTICS.

The Camping Resort Zone shall be characterized by clean, low-lit roads and recreational amenities, village scale development and buildings that reflect the rural character of Virgin. This zone is intended to provide for rustic lodging with support facilities and services, small-scale commercial activities, outdoor recreation, and access to community trail systems. Development and its associated activities will be sustainable in nature, utilizing best practice methods of waste

disposal, and longevity in quality and built form. Development controls and design guidelines, in conjunction with provisions of the General Plan and other ordinances will ensure that the zone provides for the social, economic and cultural well-being of the wider community, while assisting in ecological enhancement and the seamless integration of the built and natural environment.

29.3. LOCATION AND SIZE.

The location of the Camping Resort Zone shall be strictly limited by area and size within the Town of Virgin to balance this use with other desirable land uses and to minimize conflicts. The designation shall only be granted to parcels, or portions of parcels, which meet the following characteristics:

- 29.3.1. The location is sufficiently separated from established residential neighborhoods to minimize adverse visual, light, and noise impacts. The Land Use Authority shall fully consider and give additional weight to comments from adjoining landowners when considering a proposal to a rezone land to the CRZ zone; and
- 29.3.2. Vegetation and topography serve to buffer a project from impacting important scenic view sheds; and
- 29.3.3. The location shall give a project access directly to SR-9 or to an existing, non-residential, arterial street.
- 29.3.4. Any properties on the south side of the Virgin River shall have no camping resort use; and
- 29.3.5. The parcel, or combination of adjoining parcels under identical ownership, totals no less than 5 acres.
- 29.3.6. The location is in harmony with the General Plan once it has been revised when the CRZ is a possible zone.

29.4. PERMITTED USES.

There are no permitted uses in the Camping Resort Zone. All uses are by Conditional Use Permit.

29.5. CONDITIONAL USES.

The approval for any project and the continuing use of the property shall be subject to a Conditional Use Permit. Refer to VULU Chapter 8 for procedure.

The conditionally permitted uses in the Camping Resort Zone are:

- 29.5.1. Campground
- 29.5.2. Cabin rentals
- 29.5.3. Club house

- 29.5.4. Parks and Playgrounds (incident to CRZ uses)
- 29.5.5. Retail Sales (incident to CRZ uses)
- 29.5.6. Recreation facilities for guests
- 29.5.7. Campground Restaurant
- 29.5.8. Service Station (incident to CRZ uses) Standards to be created in the future.
- 29.5.9. Limited Commercial Habitation (per Chapter 8, Sections 8.11 and 8.12)

29.6. CAMPGROUNDS AS LODGING FACILITIES

All Campgrounds are considered lodging facilities for tourists and are subject to the Transient Room Tax as well as all of the constraints found in 8.13.3 et. Seq.

29.7. APPLICATION PROCESS

- 29.7.1. An application for a Conditional Use Pennit shall be made to the Virgin Town Planning and Zoning Commission pursuant to Chapter 8.3.1 of this Ordinance.
- 29.7.2. Campgrounds shall be designed by a licensed architect, landscape architect, engineer, or professional land use planner. All structures shall be permanent structures meeting International Building Code and Virgin Town code requirements. All drawings for buildings, structures, grading, utility, irrigation, etc. plans shall be sealed and signed.
- 29.7.3. The Development Plan submitted pursuant to Section 8.4 shall be drawn to scale not smaller than one inch (1") equal to fifty feet (50'). At least three (3) hard copies and one digital copy of the plans shall be submitted. The plans shall show:
 - 29.7.3.A. The existing and proposed topography of the site, when required by the Planning and Zoning Commission, represented by contours shown at not greater than two foot (2') intervals.
 - 29.7.3.B. The proposed vehicle circulation layout and recreational vehicle, travel trailer, campground, and/or cabin park space pad layout, including points of ingress and egress as required and approved by UDOT (when connecting to a UDOT road).
 - 29.7.3.C. Proposed locations for all uses included but not limited to: playgrounds, restaurants, cabins, clubhouse, check-in-building, retail sales, service station, and common recreational areas.
 - 29.7.3.D. Tabulations showing the percent of area to be devoted to parks, playgrounds and communal recreational areas, the number of recreational vehicles, travel trailers, campsites, and/or cabin park spaces, and the total area to be developed.
 - 29.7.3.E. Proposed location, number, and design of parking spaces for each proposed use (see 29.9.2 Circulation and Parking).
 - 29.7.3.F. Generalized landscaping and utility plan, including location of water, sewer, electricity, gas lines, and fire hydrants as per The International Fire Code.

- 29.7.3.G. Proof that the land to be developed is under one (1) legal ownership.
- 29.7.3.H. Any other reasonable data (according to Virgin Town's attorney) that becomes necessary during the process of application review by the Zoning Administrator and the Planning and Zoning Commission.
- 29.7.4. The applicant for a Campground shall pay to the Town of Virgin at the time of application an inspection and review fee, as required by the Town Fee Schedule. All other fees are due prior to beginning construction.
- 29.7.5. Applications shall be in writing, reviewed by Virgin Town's attorney (any associated attorney fees shall be paid by the applicant), and then submitted to the Zoning Administrator. The Planning and Zoning Commission and Virgin Town Council shall review the application at its regularly scheduled meetings. Once a complete application has been received by the Zoning Administrator and recommendation is made by the Planning and Zoning Commission, the Town Council will review the application for approval, approval with conditions or denial within three (3) months unless holidays or unexpected circumstances intervene.
- 29.7.6. Applications will not be considered complete and ready for approval review until all application information is submitted.
- 29.7.7. For multiple phase projects, the applicant must have at least the first phase of the project completed and ready for occupancy before beginning subsequent phases.

29.8. GENERAL PROVISIONS FOR CAMPGROUNDS

- 29.8.1. The owner(s) of any Campground in Virgin Town that is built and/or regulated by these provisions shall provide a copy of the standards set forth in this Section (29.8) to all occupants who are tenants.
- 29.8.2. Campground spaces shall not be occupied or otherwise used by any individual(s) for more than 180 days in a one (1) year period beginning at the initial date of occupancy. Nor shall cumulative occupancy by such person(s) of different spaces within the same Campground exceed a total of 180 days in one (1) year period.
- 29.8.3. The occupants of an RV site may have only one (1) other vehicle in addition to the self-propelled recreational vehicle or travel trailer and necessary tow vehicle.
- 29.8.4. A campground manager must be on duty within the park at all times. All Campground managers shall maintain a patrons log consisting of names, dates of occupancy and number of spaces. Patron logs shall be made available to code enforcement officers at their request.
- 29.8.5. Animals traveling with campers shall not be allowed to run loose. Pets shall be kept inside an RV, travel trailer, tent or cabin, tethered or otherwise confined within their site, or on a leash at all times.
- 29.8.6. "Quiet time" shall be observed nightly between the hours of 10:00 P.M. and 7:00AM.

29.9. CAMPGROUND STANDARDS

29.9.1. GENERAL SITE DESIGN STANDARDS.

- 29.9.1.A. Campgrounds shall not consist of more than an average of twelve (12) units (RV sites, tent sites or cabins) per acre. The total number of spaces shall not exceed the number permitted by a development yield analysis subject to 8.13.3D. Units may be clustered.
- 29.9.1.B. Utah Administrative Code R392-301 'Recreational Vehicle Park Sanitation' applies to all Campgrounds.
- 29.9.1.C. Campgrounds shall provide a communal solid-waste receptacle area(s). Container(s) shall be fitted with a tight fitting lid(s). Container(s) shall be located in an area screened from public view by an enclosure with a solid wall structure with a closable gate. The enclosure shall be designed to prevent littering. Enclosures of chain-link fencing are prohibited.
- 29.9.1.D. Campgrounds shall be responsible for the regular and proper collection and disposal of all refuse, garbage, and litter accumulated within the Campground. Collection shall be no less than once a week.
- 29.9.1.E. To meet the purposes of this Chapter, in particular the purposes of Section 29.1.9, all exterior boundaries shall be sufficiently screened from surrounding uses by privacy walls, fences, or landscaped buffers, or a combination thereof. Because each location presents unique opportunities and challenges, required screening details shall be determined on a project by project basis and incorporated into the Conditional Use Permit. Integration with the community and adjoining landscape is preferred over the construction of a fully enclosed compound. Privacy walls and fences shall not exceed six feet (6') tall. The use of shorter walls, landscaping, decorative barriers, or three-rail type fence are encouraged to in appropriate locations maintain the town's rural character and scenic views.
- 29.9.1.F. Setbacks. A minimum fifty foot (50') setback/landscaped buffer along any property boundary that is adjacent to a public street right-of-way shall be required. To meet the purposes of this Chapter, in particular the purposes of Section 29.1.9, an adequate setback/landscaped buffer along property boundaries which border on residential zones shall be required. Because each location presents unique opportunities and challenges, required setbacks shall be determined on a project by project basis and incorporated into the Conditional Use Permit. Typically, setbacks from residential zones would not be less than fifty feet (50'), the minimum setback in any other circumstance is thirty feet (30'). The Public trails may be located within required setbacks/buffers. All structures proposed within the 100 year flood plain must be designed to meet current and applicable Town and State standards.

29.9.2. CIRCULATION AND PARKING.

- 29.9.2.A. Campgrounds shall provide streets in such a pattern as to provide convenient and safe traffic circulation and emergency access within the Campground. Streets shall be built to the following standards:
 - 29.9.2.A.i. Two-way streets shall be a minimum of twenty four feet (24') wide. One-way streets shall be a minimum of eighteen feet (18') wide.

- 29.9.2.A.ii. All roads shall be paved. Roads shall be constructed to Town standards and shall be provided with concrete curb and gutter. Curb and gutter may be a roll curb or two foot (2') modified type to provide convenient access to trailer sites.
- 29.9.2.A.iii. Traditional street lighting is prohibited to protect night sky requirements and minimize impacts to neighboring uses. Low lighting less than 1,500 lumens, fully shielded and not more than three feet (3') in height is recommended and should be kept to a minimum. (See VULU 4.20 for definitions and guidelines).
- 29.9.2.A.iv. All Campgrounds shall have direct access to SR-9 or an arterial street such as Kolob Terrace Road for all ingress, egress, and emergency services. Campgrounds shall not be accessed from residential streets. If no secondary access is possible (as may be required by Fire Code), a blocked emergency exit may be permitted to connect to a residential street only if such access is permanently restricted in a legally binding agreement recorded against the property.
- 29.9.2.A.v. Campgrounds shall have separate ingress and egress as required by The International Fire Code, Chapter 503 and the National Fire Protection Association 1194.
- 29.9.2.B. **ON STREET PARKING IS PROHIBITED.**
- 29.9.2.C. A parking space with unencumbered dimensions of not less than nine feet (9') in width and twenty feet (20') in length for automobiles shall be provided for each site. Individual RV sites shall incorporate required parking into the site; tent sites and cabin sites may either provide required parking within a site, or provide required parking in a separate detached lot to provide a more rustic experience for guests.
- 29.9.2.D. Each site shall provide sufficient parking and maneuvering space so that the parking, loading, or maneuvering of trailers incidental to parking shall not necessitate the use of any public street, sidewalk, right-of-way, or any private grounds not part of the Campground area.
- 29.9.2.E. Campgrounds shall provide guest parking at a minimum ratio of one (1) parking space per five (5) sites and one (1) parking space per employee on duty (Ch. 8.13.3B Parking) in addition to the individual on-site spaces required above. Additional parking spaces shall not be provided on interior roads.

29.9.3. UTILITIES.

- 29.9.3.A. Campgrounds shall be connected to Town of Virgin municipal facilities and a local power company where available. All utility distribution facilities, including television antenna service lines, shall be installed underground. The owner shall make arrangements with each of the utility providers for installation of said facilities. Transformers, terminal boxes, meter cabinets, pedestals, concealed ducts, and other necessary appurtenances to underground facilities may be placed above ground.
- 29.9.3.B. Campgrounds shall provide adequate water supply hookups to each unit/site, with the exception of tent and cabin sites. Water will be made available for all tent and cabin sites within a reasonable walking distance. All water supply lines shall be installed with an approved backflow prevention device per code.

- 29.9.3.C. Campgrounds shall provide waste-water system hook-ups to all individual units/sites, with the exception of tent and cabin sites.
- 29.9.3.D. All RV units/sites shall provide waste-water disposal provisions including a sanitary dumping station for Campground users. If it is not possible to connect to a public waste-water system, the Campground is required to provide a treatment system subject to the Department of Environmental Quality (DEQ) / Southern Utah Public Health Department rules, regulations and approvals.
- 29.9.3.E. In compliance with subsection 13 – Groundwater Protection of Virgin Town's Water Service Agreement with the Washington County Water Conservancy District (WCWCD), Virgin's Land Use Authority (LUA) shall not approve Campgrounds which will contribute to septic sanitation greater than the equivalent of one dwelling per acre overall.
- 29.9.3.F. Campgrounds shall ensure waste-water treatment systems are functioning at acceptable levels and shall follow the rules, regulations, and requirements for maintenance of the wastewater treatment system according to the Department of Environmental Quality (DEQ) including submitting any required sampling of effluent to the DEQ or to the Southwest Public Health Department for analysis.
- 29.9.3.G. Traditional septic systems are prohibited in Campgrounds.
- 29.9.3.H. Campgrounds shall provide electrical outlets of appropriate voltage to all individual units/sites. Install electrical service underground in compliance with applicable codes utilizing approved connectors.

29.9.4. LANDSCAPING AND RECREATION AMENITIES.

29.9.4.A. The following minimum landscape requirements shall apply to Campgrounds:

- 29.9.4.A.i. All open areas except driveways, parking areas, walking ways, utility areas, or patios shall be maintained with landscaping in accordance with a detailed landscaping plan to be approved in conjunction with issuance of a Conditional Use Permit.
- 29.9.4.A.ii. A minimum of one (1) tree shall be planted and maintained for each unit/site.
- 29.9.4.A.iii. Properties fronting on public roads shall have a minimum 50 foot (50') landscaped and irrigated buffer between the road right-of-way and development. A continuous public trail (consistent with the design approved by the Planning commission shall be provided within this buffer. A minimum ten foot (10') landscaped park strip is required between the road right-of-way and the trail for safety of trail users. A minimum of three trees are required every 30 linear feet along the frontage within the 50' buffer area. Trees may be clustered.
- 29.9.4.A.iv. Use of invasive plant and tree species is prohibited.
- 29.9.4.A.v. Required trees shall be a minimum two inch (2") caliper.
- 29.9.4.A.vi. All landscaped areas shall be maintained free of weeds and debris.
- 29.9.4.A.vii. An applicant may propose a landscaping plan utilizing water-efficient elements and plant species. The Planning and Zoning Commission may approve such a plan if the proposed landscaping and topography effectively buffer the Campground visually, aesthetically, and audibly from adjoining properties and public roads.

- 29.9.4.B. To meet the purposes of this Chapter, in particular the purposes of Section 29.1.6, the following recreation amenity requirements shall apply to Campgrounds:

Campgrounds shall provide adequate and convenient common recreational/open space(s) to give guests safe areas for children and adults to recreate, relax, and play. Campground streets are not considered a safe place for recreation.

Because each location presents unique opportunities and challenges, required ratios of amenity areas to lodging (RV, Cabin, and Tent) sites shall be determined on a project by project basis and incorporated into the Conditional Use Pennit.

Typically, campgrounds shall provide a minimum of three-hundred (300) square feet per recreational vehicle site and cabin site as common recreational/open space. (Tent sites are not included in this calculation, to encourage a project to increase the number of tent sites provided.)

This can be achieved through a combination of multiple recreational spaces. Public or private streets, storage areas, service buildings, other paved areas, and exterior boundary landscaping shall not be included in calculating the communal recreational space requirement. Recreational structures may be included in the calculation.

29.9.5. INDIVIDUAL SITE DESIGN STANDARDS.

- 29.9.5.A. Each unit/site shall be plainly marked and numbered for identification and shall meet all requirements of this Chapter.
- 29.9.5.B. Each site shall have an area of not less than one thousand (1,000) square feet
- 29.9.5.C. RVs or trailers shall be separated from each other and from other structures by at least twenty feet (20') between the pads. Any accessory such as attached awnings or steps, for the purposes of this separation requirement, shall be considered part of the RV or trailer. The ability to accommodate a variety of RV's is strongly encouraged.
- 29.9.5.D. RV site pads and accessory amenities (e.g. picnic tables, shade structures, barbecue pits, etc.) shall not cover more than sixty-six percent (66%) of a site. The remainder of the site shall be landscaped.
- 29.9.5.E. No more than one (1) RV or trailer shall be placed on an individual site.
- 29.9.5.F. Walls and fences on individual sites shall not exceed two feet (2') in height.
- 29.9.5.G. Storage. There shall be no open storage of personal belongings within a site, nor shall there be an accessory building, shed, or cabinet placed upon or erected upon any site.
- 29.9.5.H. Fuel Tanks. All fuel tanks maintained within an RV site shall be securely mounted upon or attached to the RV or trailer which they serve. No accessory, freestanding fuel tanks shall be permitted in individual sites, except that one (1) such tank no larger than fifty (50) gallons may be approved by the Zoning Administrator during the period from November 1 to February 29 in locations specifically approved.
- 29.9.5.1. Removal of Wheels. Removal of axles, wheels, or tires from a travel trailer or recreational vehicle located within the Campground, except for emergency and/or temporary removal for repairs is prohibited.

- 29.9.5.J. Mail Boxes. Separate mail boxes, street address designations, or other similar accessories which could give the appearance of permanence to occupants of a travel trailer site are prohibited.

29.9.6. ACCESSORY FACILITIES.

- 29.9.6.A. Office. Campgrounds shall include a permanent building for office use. The building may include a one-family dwelling for the exclusive use of the owner or an employee, and that individual's immediate family.
- 29.9.6.B. Laundry Room. Campgrounds shall have one (1) or more laundry rooms. Laundry drying lines are prohibited. Campgrounds shall include a minimum of one (1) washer and one (1) dryer. Additional units of one (1) washer and one (1) dryer per 16 units are required.
- 29.9.6.C. Restroom and Shower Facilities. Communal restrooms, including toilets, showers, and lavatories, shall be provided to conveniently and adequately serve all units/sites. Minimum facility to equal: one (1) shower per Ten (10) sites, one (1) lavatory per six (6) sites and one (1) toilet per eight (8) sites.

29.9.7. NON-TRADITIONAL CAMPGROUNDS.

Non-traditional campgrounds that utilize creative designs for cabins and sleeping quarters, and incorporate other desirable facilities for meetings, weddings, or the like are gaining in popularity. Commonly referred to as "Glamping," these facilities provide "glamorous camping" experiences as an alternative to more traditional lodging. In order to accommodate projects of this nature that are consistent with the purposes of this Chapter, the Virgin Town Council may enter into a development agreement, following Planning and Zoning Commission review, findings, and recommendation of a Conditional Use Permit Application, which governs unforeseen design considerations that are not addressed or otherwise permitted herein.

29.10 PROHIBITED USES.

All uses not listed as conditional shall be deemed prohibited. Recreational facilities developed in conjunction with a campground shall be of the size and scale that are clearly amenities for the guests of the business, are secondary, and are not designed to attract customers who are lodged elsewhere. Proposed amenities will be reviewed during the CUP application process; recreational or entertainment facilities that are not allowed elsewhere within the Town of Virgin, including zip lines, full-scale golf courses, water slides, and similar facilities are prohibited in the Camping Resort Zone.

29.11 FLOODPLAIN PROTECTION.

Campgrounds proposed to be located wholly or in part within a 100-year floodplain shall comply with all provisions of VULU Chapter 11 to protect Town residents and visitors from hazards that might be detrimental to their health, safety, and general welfare, and to protect properties located both up and downstream from increased risk of flooding.

2. Repealer: This Ordinance supersedes or repeals the provisions of any ordinance, resolution that are inconsistent with the provisions of this Ordinance.

3. Savings Clause: If any provision or clause in this Ordinance or the application thereof to any person or entity or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other sections, provisions, clauses, or applications hereof which can be implemented without the invalid provision, clause, or application hereof, and to this end the provisions and clauses of this Ordinance are declared to be severable.

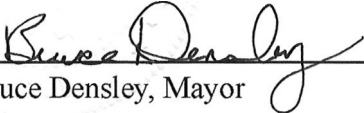
4. Effective Date: This Ordinance shall become effective immediately upon adoption by the Virgin Town Council.

ADOPTED AND ORDAINED BY THE VIRGIN TOWN COUNCIL this 27th day of July, 2016 based upon the following vote:

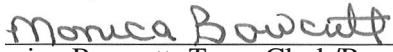
Council Member:

Dan Snyder	AYE	NAE_x_
Jean Krause	AYE	NAE_x_
Jay Lee	AYE_x_	NAE
Matthew Spendlove	AYE_K_	NAE
Bruce Densley, Mayor	AYE_X_	NAE

ATTEST:



 Bruce Densley, Mayor



 Monica Bowcutt, Town Clerk/Recorder

FISCAL IMPACT ESTIMATE

Because Virgin Proposition No. 2 seeks to overturn the adoption of an Ordinance, (Virgin Ordinance No. 2016-072716-01) entitled:

AN ORDINANCE OF THE VIRGIN TOWN COUNCIL, WASHINGTON COUNTY, UTAH, ADOPTING CHAPTER 29 OF THE VIRGIN UNIFORM LAND USE ORDINANCES (“VULU) CREATING A CAMPING RESORT ZONING DISTRICT (CRZ) WITHIN THE TOWN AND FURTHER DESIGNATING AND REGULATING USES THEREIN

that added a chapter (Chapter 29) to the current Land Use Ordinance, as opposed to adopting an ordinance authorizing debt financing or debentures debt, issuance of bonds or other types of debentures, the direct and immediate effect of Virgin Proposition No. 2 will create no quantifiable fiscal impact to the Town or its residents other than the Town will incur limited costs and expenses in connection with the certifying and processing of the Referendum Petition and conducting the Special Election. It is estimated that these costs and expenses to be less than Ten Thousand Dollars (\$10,000.00).

BALLOT INSTRUCTIONS TO VOTERS

A voter desiring to vote in favor of the Subject Ordinance (Virgin Ordinance No. 2016-072716-1 which adopts a new chapter of VULU (Chapter 29) and creates a new Camp Resort Zoning District within the Town should mark an “X” in the box to the left of the word “FOR”. A voter desiring to vote against the Subject Ordinance should mark an “X” in the box to the left of the word “AGAINST”.

Below is a copy of a sample ballot (subject to minor formatting changes during printing):

**OFFICIAL BALLOT PROPOSITION FOR
VIRGIN TOWN, UTAH GENERAL
ELECTION
JUNE 27, 2017**

Monica Bowcutt, Town Recorder

VIRGIN PROPOSITION NO. 2

Text of Virgin Proposition No. 2

On July 27, 2016, the Virgin Town Council passed Ordinance 2016-072716-01, which:

- Adopted a new chapter of the Virgin Uniform Land Use Ordinances (“VULU”) (Chapter 29) which creates a new Camp Resort Zoning District (“CRZ”) within the Town,
- Set regulations and restrictions for permitted, conditional and prohibited uses within the CRZ, and
- Modified other sections of VULU to refer to, and integrate with, the new Chapter 29.

ARE YOU FOR OR AGAINST VIRGIN ORDINANCE 2016-072716-01?

VOTER REGISTRATION INFORMATION

If you have not voted once in a general election in the last 4 years, or have moved since last voting, you need to register to vote. At this time, you will need to register in person at the Washington County Clerk's Office, 197 East Tabernacle, St. George, Utah by Friday, May 26, 2017. You may also register online at <http://vote.utah.gov> by Sunday, May 28, 2017. If you register by the deadlines set forth in the preceding 2 sentences, you will be able to vote on Election Day (June, 27, 2017) in person, but you may not receive your mail in ballot. **IF YOU HAVE NOT RECEIVED YOUR "MAIL IN" BALLOT BY ELECTION DAY (JUNE 27, 2017) YOU MUST VOTE IN PERSON AT THE POLLING LOCATION.** Please bring proper identification when voting in person. If you are not listed in the Official Register, you may be required to vote provisionally. If this is the case, you will need a picture ID and proof of residency such as a utility bill or printed check.

EARLY VOTING

Early voting will NOT be held as this will be a "by mail" only Election.

ELECTION DAY POLLING LOCATION

The sole "Polling Location" where you may cast your mail in vote on Virgin Proposition 2 on Election Day (June 27, 2017) is the Virgin Town Office located in the Virgin Town Heritage Square (located in the Northwest corner of the Virgin Heritage Square) 114 South Mill Street, Virgin, Utah 84779.