

# **CHAPTER 21**

## **RESORT ZONE (RZ)**

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### **21.1. 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.

### **21.2. LOCATION.<sup>1</sup>**

The Resort Zone designation covers an area with Tax ID #V-2-1-23-321 and #V-2-1-23-320, from south of State Route 9 south to the Virgin River. There shall be no further expansion of the Resort Zone. The standards of this zone remain valid for parcels so designated at the time of adoption of the Highway Resort Zone; however, Resort Zone is obsolete for purposes of rezoning new parcels, as the nearby Highway Resort Zone was adopted as an update to this zone. In any event, characteristics qualifying it as the best location for the intended use are similar to the adjacent Highway Resort Zone and include the following:

**21.2.1.** Natural features of the vegetation and topography are few, because the land has historically been in agricultural use.

**21.2.2.** Substantial Flood Zone is included in the designated tract; recreational and seasonal activities are a valuable and logical use for this land.

**21.2.3.** Much of the designated area is low-lying, relative to highway elevation. The river, which forms its lower boundary, is tree-lined. These features combine to create a location where buildings larger than the existing norm will have a smaller impact than they might elsewhere in the town.

**21.2.4.** The location is sufficiently separated from areas of dense private residential use, and from the contemplated village-scale commerce district, to avoid common conflicts between intensive tourist use and pedestrian-friendly, community-serving neighborhoods.

**21.2.5.** Any properties on the south side of the Virgin River, which are also part of parcels located on the north side of the Virgin River, shall have no building of a business or resort use.

### **21.3. PERMITTED USES.**

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

### **21.4. CONDITIONAL USES.**

**21.4.1.** Recreational Vehicle Resort/Campground.

**21.4.2.** Motel/Hotel.

**21.4.3.** Parks and Playgrounds (incident to resort property).

<sup>1</sup>As amended 2011-04-27

21.4.4. Retail Trade (incident to resort business).

21.4.5. Restaurants (incident to resort business).

**21.5. CONDITIONAL USE PERMIT REQUIRED.**

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

**21.5.1. 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.

**21.5.2. LIMITED COMMERCIAL HABITATION.**

**21.5.2.A. 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.

**21.5.2.B. Procedure.** Applications for a Limited Commercial Habitation (LCH) Permit shall be made to the Planning & Zoning Commission for approval as provided in VULU Chapter 8.12.