Planning and Zoning Regular Meeting
November 13 2024
FINAL Minutes

Commission	Attendance	Online
Darlene Pope	Krystal Percival	Diane Peterson
Kent Peterson	Cheri McRae	Jim Basics
Cameron Spendlove	Heath Snow-Zoom	Tom LaCoss
Lee Ballard	Ryker Steglich-Zoom	Monica Bowcutt
	Angelia Glazier	Charlott Downard
		Val

REGULAR MEETING: 5:35pm

A. CALL TO ORDER/PLEDGE OF ALLEGIANCE: Darlene Pope

B. SWEARING IN CEREMONY FOR LEE BALLARD

Krystal Percival Sworn in Lee Ballard

C. DECLARATION OF CONFLICTS OF INTEREST NONE

D. REVIEW AND APPROVAL OF MINUTES

1. Approval of Minutes from October 9, 2024 & October 16, 2024 Meeting

This will be moved to next month so the three commissioners present at the meeting can vote on it since Larry McRae is not present.

E. OPEN FORUM

Limit 2 minutes per speaker, may talk about anything NOT on the agenda.

NONE

F. COMMISSIONER COMMENTS

Darlene Pope would like to welcome our new commissioners

G. UPDATE BY RYKER ON UPCOMING ORDINACES

Ryker stated that he is working on the Neighborhood Commercial and would like to talk more about this in the work meeting with the new commissioners.

The second ordinance is the live work ordinance, He wanted to know about it being permitted use. Ryker wanted some clarification on it, he just wanted to know what he wanted to do as far as making it permitted use (16.26).

The subdivision ordinance is currently with Heath Snow.

PUBLIC HEARING:

Motion to close the public meeting and open the public hearing

Lee Ballard made a motion to close the public meeting and open the public hearing / Cameron Spendlove Seconded / ALL AYE / NO NAE

A. ITEMS FOR COMMENT

1. AN ORDINANCE AMENDING AND RESTATING SECTIONS 2.12, 2.20, 2.22, 16.26 and 16.28 OF VIRGIN'S UNIFORM LAND USE ORDINANCES REGULATING ENFORCEMENT OF THE PROVISIONS OF THIS CODE TO ALLOW FOR A CODE COMPLIANCE OFFICER

NO COMMENT

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

NO COMMENT

3. 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 IN VULU §32.06, §34.04, §38.04, §40.08, AND CHAPTER 48.

NO COMMENT

4. REMOVAL OF LODGING AND SERVICE STATIONS FROM COMMERCIAL ZONES OTHER THAN HIGHWAY RESORT

NO COMMENT

5. AN ORDINANCE REPLACING CHAPTER 52, SIGN REGULATIONS; AMENDING DEFINITIONS; CORRECTING CHAPTER AND SECTION REFERENCES

NO COMMENT

PUBLIC MEETING:
Motion to close the public hearing and open the public meeting

Kent Peterson Made a motion public hearing item two to December public hearing. / Cameron Spendlove seconded / All AYE / NO NAE

Kent Peterson made a motion to close the public hearing and open the public meeting / Cameron Spendlove Seconded / ALL AYE / No NAE

A. MOTION AND VOTE FOR ITEMS 1 - 7

1. Discussion and Vote on Commissioner Pro-tempore

Lee Ballard made a motion to table this to next month / Kent Peterson Seconded / Cameron Spendlove NAE / Kent, Darlene, Lee: AYE

2. Discussion and possible vote on Zone ChangeV-2151-B (1130 SR9) from Rural Residential to Highway Resort

Lee Ballard asked the clerk is letters were mailed out to the surrounding areas, the clerk stated yes. She wondered what could be done with such a small property.

Cameron Spendlove stated that there is a house on that property, assuming a BNB or STR will be on that property.

Lee Ballard made a motion to recommend the approval of Zone ChangeV-2151-B (1130 SR9) from Rural Residential to Highway Resort / Cameron Spendlove Seconded
Roll call vote:
Darlene Pope-NAE
Cameron Spendlove- AYE
Kent Peterson-AYE
Lee Ballard-AYE

3. **Discussion and possible vote on ORDINANCE # 2024-XX** AN ORDINANCE OF THE TOWN OF VIRGIN, UTAH, AMENDING SECTION 4.02, SECTION 4.02(D) AND SECTION 4.02(F) OF THE VIRGIN UNIFORMED LAND USE (VULU) CODE TO CLARIFY THAT PLANNING COMMISSION CHAIR, CHAIR PRO TEM, AND RULES OF PROCEDURE ARE SUBJECT TO APPROVAL BY VIRGIN TOWN COUNCIL.

Cameron Spendlove stated that since this came to the town, they are trying to fix a problem, and I would like to see this be denied and then we send them something in replacement.

Lee stated that I do like having a extra step where town council approves procedure

Kent Peterson asked why we have this ordinance?

Krystal Percival stated that we have had issues in the past with meetings not being ran correctly, and she has taken these issue to the council and they have decided to draft this ordinance to help take control.

Lee Ballard made a motion to table this to the next meeting / Kent Peterson Seconded / Cameron Spendlove: NAE / Lee, Darlene, Kent: AYE

Heath Snow stated that this is a "Top down" ordinance and per Utah code we should not be tabling a "top Down" ordinance. We should always recommend denial or approval.

Darlene Pope asked if we could recommend not approving but continue working on it. Heath stated yes.

4. **Discussion and possible vote on ORDINANCE # 2024-XX** AN ORDINANCE OF THE TOWN OF VIRGIN, UTAH, PROVIDING THAT THE VIRGIN UNIFORM LAND USE (VULU) CODE BE AMENDED BY REVISING SECTION 20.10, THE MEETING PROCEDURES OF THE DEVELOPMENTAL REVIEW COMMITTEE (DRC), TO CLARIFY THAT DRC IS A PUBLIC BODY AND TO REQUIRE THE POSTING OF NOTICES PURSUANT TO UTAH'S OPEN AND PUBLIC MEETINGS ACT.

Lee Ballard is recommending approval / Kent Peterson seconded / All AYE / No NAE

5. **Discussion and possible vote on ORDINANCE #2024-XX** AN ORDINANCE AMENDING AND RESTATING SECTIONS 2.12, 2.20, 2.22, 16.26 and 16.28 OF VIRGIN'S UNIFORM LAND USE ORDINANCES REGULATING ENFORCEMENT OF THE PROVISIONS OF THIS CODE TO ALLOW FOR A CODE COMPLIANCE OFFICER

Changing the 5th WHEREAS striking many violations and replacing it with and are to is.

Cameron Spendlove stated that it would be nice to include code compliance office or designated official.

Made a motion to approve with the following recommendation compliance with and changing the are to is. And also including language with code compliance officer or designated official / Kent Peterson seconded / All AYE / No NAE

6. **Discussion and possible vote on ORDINANCE #2024-XX** AN ORDINANCE DELETING CHAPTER 42 RESORT ZONE FROM VIRGIN'S UNIFORM LAND USE ORDINANCES

Cameron Spendlove made a motion to table this to the next meeting until the current property owner can be contacted / Lee Ballard seconded / All AYE / No NAE

7. **Discussion and possible vote on ORDINANCE #2024-XX** AN ORDINANCE REPLACING CHAPTER 52, SIGN REGULATIONS; AMENDING DEFINITIONS; CORRECTING CHAPTER AND SECTION REFERENCES

Kent Peterson stated that this is only for our town limits, correct? Darlene stated yes.

Cameron Spendlove stated that we are asking for the 20sq feet size for a sign is pretty small and I believe the sign for the residential neighborhoods that we have are already bigger than the 20sq ft.

Cameron Spendlove stated that the ordinance mural section is vague and needed to have the definition added.

Darlene Pope stated that the definition is in the ordinance we can also add it to the mural section.

Cameron Spendlove stated that he didn't like the fines, they were too harsh for someone that left their lost dog to sign up.

The prosecuting attorney gave three options for fines and the commission likes option one the best.

Heath Snow stated that we should stick with what the language the prosecuting attorney has given us because the fifth district court doesn't prosecute from our own fines we decide to choose.

Cameron Spendlove asked rather a logo is a way of free speech and a way of art for some people.

Heath Snow stated that prohibiting logos is going to be hard and if we were challenged, it would be hard. However, we should just strike logo and say free of advertising.

Kent Peterson Made a motion for recommendation for approval / Lee Ballard seconded
Roll call vote:
Darlene Pope-AYE
Cameron Spendlove- NAE
Kent Peterson-AYE
Lee Ballard-AYE

ADJOURN MEETING 7:30pm
Motion to adjourn public meeting

Lee Ballard made a motion to adjourn/ Kent Peterson seconded / All AYE / No NAE

Krystal Percival Clerk/Recorder

12/11/2024
Approved Date