

Planning and Zoning
October 14, 2025
FINAL Minutes

Commission

Darlene Pope
Lee Ballard
Kent Peterson
Larry McRae
Cameron Spendlove

Attendance

Krystal Percival
Mark Meyers
Cheri McRae

Online

Brody Fausett
Marianne

REGULAR MEETING: 5:32pm

A. CALL TO ORDER/PLEDGE OF ALLEGIANCE [Darlene Pope](#)

B. DECLARATION OF CONFLICTS OF INTEREST and Ex Parte Contacts on any item on the agenda.

[Lee Ballard stated that she did have a conversation with Ken Corneilus](#)

C. REVIEW AND APPROVAL OF MINUTES

1. Approval of Minutes from September 9, 2025, and September 17, 2025, Meeting

[Moved to next month \(November\)](#)

D. OPEN FORUM

Limit 3 minutes per speaker, may talk about anything NOT on the agenda.

[NONE](#)

E. COMMISSIONER COMMENTS

PUBLIC HEARING:

Motion to close the public meeting and open the public hearing

[Cameron Spendlove made a motion to close the public meeting and open the public hearing/](#)

[Lee Ballard seconded / All Aye / No NAE](#)

A. ITEMS FOR COMMENT

1. AN ORDINANCE AMENDING TITLE 16, CHAPTER 4, SECTION 2(I) TO ALLOW TOWN COUNCIL TO CONSIDER PLANNING COMMISSION'S FAILURE TO MAKE A TIMELY RECOMMENDATION AS A NEGATIVE RECOMMENDATION PURSUANT TO STATE CODE AND TO RETRIEVE UNTIMELY ORDINANCES FROM PLANNING COMMISSION.

[NONE](#)

2. AN ORDINANCE AMENDING VIRGIN MUNICIPAL CODE TITLE 16 BY ADDING CHAPTER 42 VILLAGE OVERLAY ZONES, ADOPTING STANDARDS FOR LIMITED TWO-FAMILY DWELLINGS INTO CHAPTER 8, AND ADDING LANGUAGE TO COMMERCIAL AND HIGHWAY RESORT ZONES IN REFERENCE TO THE VILLAGE OVERLAY

Chuck Matsler stated that this has several red flags to him. What are the commercial parcels that are 150 ft deep. There are a lot of people that have property in this town, not just us. This should be available not mandated. We have substantial setbacks, and this is taking more and more from those who have worked hard.

Tom LaCrosse This ordinance stems from town council from August in 2024, Whether to create a duplex use in commercial zone. That's it. You had it correct once in the title; this ordinance is far from what they are asking. This has changed from all but a little permitted use. I have been watching these meetings. I have basically been watching these hearings, and this village overlay is not what the council is asking for. The mayor put on the town council's agenda what we are going to do about Tom LaCrosse's ordinance. I have been waiting 12 months on this. The Council is confused as it can be. I oppose this ordinance. Line 337. Look what it says, is that true? I can't imagine that if the ownership changes, they have to go back and get it permitted. This just slipped in. This is just unrealistic. Line 42 It says they will be welcome, but we know Virgin doesn't like duplexes. This is created a buffer. Ryker has been mentioned several times, but yet we haven't heard from him on this. Will I be able to do my duplex or not. Can I continue to do my duplex. I will get a yes, but I'm sure I will get a lot of buts and that is the issue. This is the town council's goal. Mistie said it perfectly get a pathway for affordable housing in Virgin. This is just a pathway for others. This is not an incentive for others to build a duplex.

3. AN ORDINANCE AMENDING THE VIRGIN UNIFORM LAND USE ORDINANCE TO DEFINE TWO FAMILY DWELLING, TO ALLOW THE CONSTRUCTION AND USE OF TWO FAMILY DWELLINGS IN THE COMMERCIAL ZONE, AND TO CREATE STANDARDS FOR THE USE IN VULU CHAPTER 16.

Tom LaCrosse stated that he supports this ordinance. The past one you looked at is a 12-page document. This one is a two-page document. Line 76 A. it says 4800 feet and the other one says 3,000 feet so it's less. We talked about having two meters and for a landowner with a single meter. I would like you to consider the possibility with two meters. The requirement to maintain an active business license, this is not a business. I wanted to know if I can continue my project with this ordinance and it's a yes, it's simple.

Chuck Matsler stated that he is in favor of this project and likes that the town is moving in the right direction with affordable housing. It makes sense with sharing one wall and space. He agrees with Tom that it should be two water meters. How can you tell if one side is using more water than the other family.

4. CONDITIONAL USE PERMIT (UNPLUGGED) V-2-1-21-317

Darlene Pope noted that a letter had been received from Monte Lutz and asked if he had further comment.

Monte Lutz stated that he and Bonnie are in favor of this with the accommodation they made for Brody. They live next to the project and allowed for the setback changes on the site plan, but it has to be that exact site plan. The agreement is recorded with the deed, and it must be followed. That is what they agreed to.

Chuck Matsler stated that he is in favor of this. He stated this is not a hotel but a multi lodging unit.

Tom LaCrosse stated that he supports this.

PUBLIC MEETING:

Motion to close the public hearing and open the public meeting

Lee Ballard made a motion to close the public hearing and open the public meeting / Cameron Spendlove seconded / All AYE / No NAE

A. DISCUSSION and Possible MOTION AND VOTE FOR ITEMS 1 - 6

1. AN ORDINANCE AMENDING VIRGIN TOWN'S OFFICIAL ZONING MAP BY RE-ZONING PARCEL #V-2-1-22-311, FROM RURAL RESIDENTIAL ZONE TO COMMERCIAL ZONE.

Discussion

Chuck Matsler: I spoke to Gregg, and we worked it out. We just did a poor job of explaining to him when we started to sell that dirt. There is no project planned, we are just asking for a zone change.

Lee Ballard asked if there was a plan for a retaining wall.

Chuck replied there will have to be one, I spoke to Gregg about that, and he will work with whoever we sell it to. What's is there is practically a natural retaining wall. He said that disclosures will be made to the buyers. It's private property, the town did not require permission for us to sell dirt.

Larry McRae made a motion to recommend approval of AN ORDINANCE AMENDING VIRGIN TOWN'S OFFICIAL ZONING MAP BY RE-ZONING PARCEL #V-2-1-22-311, FROM RURAL RESIDENTIAL ZONE TO COMMERCIAL ZONE. / Cameron Spendlove seconded

Lee Ballard said she wanted council to make sure there is no hazard on the property, and voted AYE

Kent Peterson - AYE

Darlene Pope - NAE

Larry McRae – AYE

Cameron Spendlove – AYE

Pass 4/1

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

The Commission stated that they are seeing two different versions of this ordinance and feels that this should go back to public hearing. Too many copies have been put around.

Cameron Spendlove made motion to resend this to public hearing as there have been too many changes and too different documents / Lee Ballard seconded / ALL AYE / No NAE

3. AN ORDINANCE AMENDING VIRGIN MUNICIPAL CODE TITLE 16 CHAPTER 16 TO MAKE CERTAIN CURRENTLY PERMITTED USES CONDITIONAL, PROVIDE STREAMLINED PROCESS FOR LOW IMPACT CONDITIONAL USE PERMITS, CHANGE THE TITLES OF TWO SECTIONS TO INCLUDE PERMITTED USE STANDARDS, AND AMEND THE CONDITIONAL USE APPROVAL PROCESS

Larry McRae stated that if this was just making it more streamlined that would be different but it's not. It's making things a hurdle.

Darlene Pope introduced Mark Meyers, Virgin's new Community Development Director.

Cameron Spendlove asked why this is being done. I haven't heard anything yet. He feels that's this should go back to the to public hearing.

Lee Ballard said she did not consider the change in the process to be significant.

Lee Ballard made a motion to recommend approval on AN ORDINANCE AMENDING VIRGIN MUNICIPAL CODE TITLE 16 CHAPTER 16 TO MAKE CERTAIN CURRENTLY PERMITTED USES CONDITIONAL, PROVIDE STREAMLINED PROCESS FOR LOW IMPACT CONDITIONAL USE PERMITS, CHANGE THE TITLES OF TWO SECTIONS TO INCLUDE PERMITTED USE STANDARDS, AND AMEND THE CONDITIONAL USE APPROVAL PROCESS / Kent Peterson seconded

Lee Ballard – AYE

Kent Peterson - AYE

Darlene Pope - AYE

Larry McRae – NAE

Cameron Spendlove – NAE

Pass 3/2

4. AN ORDINANCE AMENDING VIRGIN MUNICIPAL CODE TITLE 16 BY ADDING CHAPTER 42 VILLAGE OVERLAY ZONES, ADOPTING STANDARDS FOR LIMITED TWO-FAMILY DWELLINGS INTO CHAPTER 8, AND ADDING LANGUAGE TO COMMERCIAL AND HIGHWAY RESORT ZONES IN REFERENCE TO THE VILLAGE OVERLAY

Cameron Spendlove pointed out that this would have to be a class B notice as this is a voluntary rezone for commercial zones. This would have to go back for a public hearing after it was done as a Class B notice for all the commercial properties along SR9. Discussion of how this ordinance would affect Larry McRae's lot, along with another example.

5. AN ORDINANCE AMENDING THE VIRGIN UNIFORM LAND USE ORDINANCE TO DEFINE TWO FAMILY DWELLING, TO ALLOW THE CONSTRUCTION AND USE OF TWO-FAMILY DWELLINGS IN THE COMMERCIAL ZONE, AND TO CREATE STANDARDS FOR THE USE IN VULU CHAPTER 16.

Darlene Pope feels that this ordinance is not enough. It doesn't protect our residents. Lee Ballard feels that the size of the duplex is too much. Darlene Pope feels that the buffers and landscaping is too minimal.

Cameron Spendlove stated this ordinance doesn't protect residences. This is for Commercial Zone. We don't need to have more restrictions. We already have restrictions in commercial zones. That's what will protect the neighborhoods. As for the size of the duplex we don't want to change, we want them to look a lot like a single-family residence, so this is taken right from our own single family residence ordinance. Cameron stated that because this is a commercial zone that is why he included a business license. Darlene Pope stated that the Commercial Zone Code does not offer adequate standards.

Cameron Spendlove made a motion to recommend approval of AN ORDINANCE AMENDING THE VIRGIN UNIFORM LAND USE ORDINANCE TO DEFINE TWO FAMILY DWELLING, TO ALLOW THE CONSTRUCTION AND USE OF TWO-FAMILY DWELLINGS IN THE COMMERCIAL ZONE, AND TO CREATE STANDARDS FOR THEUSE IN VULU CHAPTER 16. / Larry McRae seconded

Lee Ballard – NAE

Kent Peterson - Abstained

Darlene Pope - NAE

Larry McRae – AYE

Cameron Spendlove – AYE

2/2

6. AN ORDINANCE AMENDING TITLE 16, CHAPTER 4, SECTION 2(I) TO ALLOW TOWN COUNCIL TO CONSIDER PLANNING COMMISSION'S FAILURE TO MAKE A TIMELY RECOMMENDATION AS A NEGATIVE RECOMMENDATION PURSUANT TO STATE CODE AND TO RETRIEVE UNTIMELY ORDINANCES FROM PLANNING COMMISSION.

Lee Ballard made a motion to recommend approval as is AN ORDINANCE AMENDING TITLE 16, CHAPTER 4, SECTION 2(I) TO ALLOW TOWN COUNCIL TO CONSIDER PLANNING COMMISSION'S FAILURE TO MAKE A TIMELY RECOMMENDATION AS A NEGATIVE RECOMMENDATION PURSUANT TO STATE CODE AND TO RETRIEVE UNTIMELY ORDINANCES FROM PLANNING COMMISSION. /

Cameron Spendlove seconded

Lee Ballard – AYE

Kent Peterson - AYE

Darlene Pope -AYE

Larry McRae – AYE

Cameron Spendlove – AYE

Pass

Darlene made a motion to close the public meeting and open the public hearing / Cameron Seconded / All Aye / No Nae

Lee Ballard made a motion to continue the public hearing for Unplugged to the November meeting / Kent Peterson seconded / All Aye

Lee Ballard made a motion to close the public hearing and open the public meeting / All AYE/ NO NAE

ADJOURN MEETING 8:15pm

Motion to adjourn public meeting

Lee Ballard made a motion to adjourn / Cameron Spendlove seconded / All AYE / No Nae


Krystal Percival Clerk/Recorder

November 12, 2025
Approved Date