

VIRGIN, UTAH
Resolution No. R2026-

**A RESOLUTION OF THE TOWN COUNCIL RECOMMENDING AMENDING THE OPEN
SPACE (OS) ZONING ORDINANCE TO EXEMPT UTILITY EASEMENTS, PUBLIC USES, AND
ESSENTIAL SERVICES FROM THE TEN (10) ACRE MINIMUM LOT SIZE REQUIREMENT
AND REFERRING THE PROPOSED AMENDMENT TO THE PLANNING COMMISSION FOR
PUBLIC HEARING.**

WHEREAS, pursuant to Utah Code Ann. § 10-1-201, Virgin Town is a Utah municipal corporation and political subdivision of the State of Utah; and

WHEREAS, pursuant to Utah Code Ann. § 10-3b-401, the Virgin Town Council is the legislative and governing body of the Town; and

WHEREAS, pursuant to Utah Code Ann. § 10-9a-103(30), the Town Council is also the Land Use Authority vested with the power to enact land use regulations and make land use decisions within the Town unless delegated; and

WHEREAS, Rocky Mountain Power (RMP) has proposed to construct an electric substation on Kolob Terrace Road to address the Town's approaching electric utility capacity and to ensure that future growth and service reliability can be accommodated; and

WHEREAS, The proposed substation site is located within the Town's Open Space (OS) zoning district, where "utility easements, public use, and essential services" are permitted as Conditional Uses subject to approval of a Conditional Use Permit (CUP); and

WHEREAS, Utility easements, public use, and essential services are community-wide infrastructure uses that must be accommodated throughout various zoning districts to serve the entire Town, and such uses vary significantly in scale and operational requirements; and

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF VIRGIN, UTAH, THAT:

1. The Town Council finds that public utilities, public use facilities, and essential services are necessary infrastructure that serve the entire community and require reasonable flexibility within zoning regulations to ensure adequate service delivery and future growth capacity.
2. The Town Council determines that a one-size-fits-all minimum lot size requirement is not practical for utility easements, public use facilities, and essential services within the Open Space (OS) zoning.
3. The Town Council hereby directs the Planning Commission to amend the Open Space (OS) zoning ordinance to exempt "utility easements, public use, and essential services" from the ten (10) acre minimum lot size requirement and to hold a public hearing.

is hereby referred to the Virgin Town Planning & Zoning Commission for review and recommendation.

4. The Planning & Zoning Commission is requested to hold any required public hearings, and provide its written recommendation to the Town Council in accordance with applicable state law and Town ordinances.
5. Upon receipt of the Planning & Zoning Commission's recommendation, the Town Council shall consider the proposed ordinance in accordance with Utah law.

PASSED AND ADOPTED by the Town Council of Virgin, Utah, this February day of 17, 2026.

By: _____
Jean Krause, Mayor

Attest: _____
Krystal Percival, Town Clerk/Recorder

<u>Vote</u>	<u>Aye</u>	<u>Nay</u>	<u>Abstain</u>
Jean Krause, Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paul Luwe, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Valerie Wenz, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
April McKeon, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Kietzman, Council Member	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RECORDED this _____ day of _____ 2026

PUBLISHED or POSTED this _____ day of _____, 2026.

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
- 3) Virgin Town Hall

Krystal Percival, Town Clerk/Recorder
Virgin Town, Utah