

VIRGIN, UTAH
Resolution No. R2026-

**A RESOLUTION OF THE TOWN COUNCIL OF VIRGIN, UTAH, REFERRING A PROPOSED
AMENDMENT TO THE OPEN SPACE (OS) ZONING ORDINANCE TO THE PLANNING
COMMISSION FOR REVIEW AND RECOMMENDATION**

WHEREAS, on March 4, 2026, at a duly noticed special Town Council meeting, the Council adopted amendments to the Town's Open Space (OS) zoning ordinance; and

WHEREAS, the intent of the amendments was to exempt utilities, public uses, and utility easements from the minimum acreage requirement within the OS zone; and

WHEREAS, the adopted amendments also included a list of prohibited uses, which had previously been developed by the Planning Commission and transmitted to the Town Council for consideration; and

WHEREAS, concerns have been raised regarding the Town's authority to regulate land use standards on federal lands, and it has been suggested that the ordinance may require clarification to avoid potential conflicts with federal law; and

WHEREAS, the Town Council discussed this matter during the March 11, 2026, work session and has received a proposed amendment prepared by the Town Planner for consideration; and

WHEREAS, the Town Council desires to ensure that the Open Space zoning ordinance is legally sound, clearly written, and consistent with applicable law;

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

1. The Town Council hereby refers to the proposed amendment to the Open Space (OS) zoning ordinance, which would exempt federal and state lands from the OS zoning standards to the Planning Commission for review, public consideration, and recommendation.
2. The Planning Commission is requested to evaluate the proposed amendment, consider any related impacts, and provide a recommendation to the Town Council at a future regular meeting.

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

3. 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.
4. Upon receipt of the Planning & Zoning Commission's recommendation, the Town Council shall consider the proposed ordinance in accordance with Utah law.

Resolution R2026-
Adopted: March 17, 2026

PASSED AND ADOPTED by the Town Council of Virgin, Utah, this March Day of 17, 2026.

By: _____
Jean Krause, Mayor

Attest: _____
Krystal Percival, Town Clerk/Recorder

Vote	Aye	Nay	Abstain
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