

VIRGIN TOWN

Staff Report — Proposed Ordinance No. 2026-XX – Joint Utility Committee

To: Mayor and Town Council

From: Ryker Steglich, Town Planner, Sunrise Engineering

Date: April 7, 2026

Subject: Proposed Ordinance No. 2026-XX — Joint Utility Committee (VMC Chapter 16.20)

Meeting: Town Council Work Meeting

AT A GLANCE

Application	Legislative — Town-Initiated Ordinance
Subject	Amendment and Restatement of VMC Chapter 16.20 — Joint Utility Committee
Prepared By	Ryker Steglich, Town Planner, Sunrise Engineering
Date	April 7, 2026
Meeting	Town Council Work Meeting
Next Step	Town Attorney Review

I. BACKGROUND

Virgin Town’s Municipal Code currently establishes a Development Review Committee (DRC) in Chapter 16.20 to coordinate the review of development applications. Under the current structure, the DRC holds certain approval authority over development applications. However, the DRC is composed primarily of representatives from outside utility entities — including the Ash Creek Special Service District and the Hurricane Valley Fire District — who are not Town officials or employees. Under MLUDMA, Utah Code §10-20-501, land use authority is to be designated by the Town Council among its own designated bodies and officials. The current DRC structure raises questions about whether vesting approval authority in representatives of independent utility entities is consistent with that framework, and whether it creates accountability concerns for the Town’s development review process.

This ordinance was prepared by the Town Planner to address those concerns by replacing the DRC with a Joint Utility Committee (JUC) — a technical coordination body with no approval authority — and by clearly designating the Community Development Director as the Administrative Land Use Authority for Final Plat approvals, bringing VMC Chapter 16.20 and §16.18.12(F)(1) into alignment with the Town’s current administrative structure.

II. DESCRIPTION OF PROPOSED ORDINANCE

Proposed Ordinance No. 2026-XX amends and restates VMC Chapter 16.20 in its entirety to establish the Joint Utility Committee, and amends VMC §16.18.12(F)(1) to update the Final Plat approval authority. Key provisions include:

- Establishment of the JUC: The JUC is created as a technical coordination body administered by the Community Development Director. Membership includes Town staff (Community Development Director, Zoning Administrator, Town Engineer, Public Works Director) and representatives from the Hurricane Valley Fire District, Ash Creek Special Service District, and other utility providers as appropriate.
- Technical Coordination Role: The JUC reviews subdivision improvement plans, site plans, and utility drawings to ensure compatibility among service providers, identify conflicts, verify compliance with Town standards, and coordinate composite utility plans. It does not act as a land use authority, appeal authority, or recommending body under MLUDMA.
- Open Meetings Act Exemption: The ordinance expressly provides that the JUC is not a “public body” as defined in Utah Code §52-4-103(7), on the basis that the JUC performs technical coordination only and holds no decision-making authority. This exemption, if valid, means JUC coordination activities would not be subject to Open and Public Meetings Act notice and quorum requirements. The Town Planner recommends that the Town Attorney review this provision prior to adoption to confirm that the JUC’s structure and functions support this classification.
- Flexible Coordination Methods: JUC coordination may occur through in-person meetings, virtual meetings, or electronic plan distribution as determined by the Community Development Director, reducing administrative burden for straightforward projects.
- Pre-Hearing Coordination: Applications requiring utility review are routed to the JUC upon determination of completeness. JUC coordination must be substantially complete before an application is placed on a public agenda.
- Final Plat Authority: VMC §16.18.12(F)(1) is amended to designate the Community Development Director, or Town Designee, as the Administrative Land Use Authority for Final Plat approvals, replacing the prior reference to the DRC.
- Repealer: All prior references to the Development Review Committee are repealed.

III. FINDINGS AND RECOMMENDATIONS

The proposed ordinance is authorized by Utah Code §10-20-501 and is consistent with MLUDMA, Utah Code Title 10, Chapter 20. It serves the public interest by replacing an approval structure that raises questions about the appropriate allocation of land use authority under state law with a clearly defined technical coordination body, and by ensuring that approval authority over Town development applications rests with designated Town officials.

The Town Planner recommends that the Town Council receive this report and provide any direction on the proposed ordinance language. Prior to advancing to the Planning Commission, the Town Planner

recommends that this ordinance be reviewed by the Town Attorney, with particular attention to the designation of land use authority under Utah Code §10-20-501 and the proposed exemption from the Open and Public Meetings Act under Utah Code §52-4-103(7). Following Town Attorney review, the ordinance should be authorized to proceed to the Planning Commission for a public hearing and formal recommendation prior to Council adoption.