



To: Mayor and Town Council Members

From: Mark C. Meyers, Town Manager

Date: June 4, 2026

Subject: Ordinances from Planning Commission

Background

At their June 9, 2026, regular meeting, the Planning Commission will consider the following ordinances for recommendation to the Town Council: 1) removing shuttle stops as a conditional use from the commercial and highway resort zones; 2) amending Chapter 16 Land Use, of the Municipal Code to define and establish standards for accessory structures, both of which are set for public hearing; and, 3) Joint Utility Committee (JUC) ordinance. The first and third ordinances were referred by Town Council to the Planning Commission for a recommendation. The second was based on the lack of typical regulations related to accessory structures as identified by the Planning Commission members and staff.

Attached are staff reports and draft ordinances from Town Planner Ryker Steglich.

Recommendation

Staff recommends Town Council discuss the draft ordinances and, if recommended by the Planning Commission, consider adopting at the June 16, 2026, regular meeting.

VIRGIN TOWN

Staff Report — Proposed Ordinance No. 2026-XX – Shuttle Stop Removal

To: Virgin Town Planning Commission

From: Ryker Steglich, Town Planner, Sunrise Engineering

Date: June 9, 2026

Subject: Proposed Ordinance No. 2026-XX — Removal of Shuttle Stop as a Conditional Use from the Commercial Zone (VMC § 16.40) and the Highway Resort Zone (VMC § 16.44)

Meeting: Regular Planning Commission Meeting

AT A GLANCE

Application	Legislative — Town Council-Initiated Ordinance
Subject	Amendment to VMC § 16.40.10 and § 16.44.10 — Removal of Shuttle Stop as a Conditional Use
Prepared By	Ryker Steglich, Town Planner, Sunrise Engineering
Date	June 9, 2026
Meeting	Regular Planning Commission Meeting
Next Step	Planning Commission Recommendation to Town Council

I. BACKGROUND

Virgin Town currently has two shuttle stop facilities serving the area, and the Virgin Municipal Code (VMC) lists "Shuttle Stop" as a conditional use in both the Commercial Zone (VMC § 16.40.10) and the Highway Resort Zone (VMC § 16.44.10). Under the current framework, a property owner may apply for a conditional use permit (CUP) to establish a shuttle stop on private property in either of these zones.

The Town Council has determined that this approach is not the best fit for how shuttle stops actually function. Because shuttle facilities typically operate within or adjacent to public rights-of-way rather than as a traditional private land use, the Town Council believes they are more appropriately established and governed through formal agreements between the Town and transportation entities. This gives the Town direct oversight of any shuttle stop in Virgin rather than routing that decision through the private land use permit process. The Town Council has referred Ordinance No. 2026-XX to the Planning Commission for a duly noticed public hearing and recommendation. Any shuttle stop currently operating under a validly issued CUP is not affected by this ordinance.

II. DESCRIPTION OF PROPOSED ORDINANCE

Proposed Ordinance No. 2026-XX makes targeted amendments to two zoning districts in the VMC. Key provisions include:

- Amendment to VMC § 16.40.10 (Commercial Zone — Conditional Uses): Removes “Shuttle Stop” from the list of conditional uses. All other conditional uses in the Commercial Zone are unaffected.
- Amendment to VMC § 16.44.10 (Highway Resort Zone — Conditional Uses): Removes “Shuttle Stop” from the list of conditional uses. All other conditional uses in the Highway Resort Zone are unaffected.
- Savings Clause (Section 3): Any CUP for a shuttle stop validly issued prior to the effective date of this ordinance remains valid and enforceable in accordance with its terms and conditions. Existing permit holders are not required to obtain a new permit or cease operations conducted in compliance with a validly issued CUP.
- Standard Provisions: The ordinance includes a repealer, severability clause, and effective date upon adoption and posting as required by law.

III. FINDINGS AND RECOMMENDATION

The proposed ordinance is consistent with the Town’s land use authority under Utah Code Ann. §§ 10-20-502 and 10-20-503 and serves the public interest by aligning the Town’s regulatory tools with the practical nature of shuttle stop operations. Shuttle stop facilities that function within or adjacent to public rights-of-way are more appropriately managed through intergovernmental or transportation service agreements than through the CUP process, which is designed for private land use decisions. The savings clause ensures that existing permit holders are not impaired by the amendment.

Staff recommends that the Planning Commission forward Ordinance No. 2026-XX to the Town Council with a recommendation of approval.

VIRGIN TOWN

ORDINANCE NO. 2026-XX

AN ORDINANCE OF VIRGIN TOWN, UTAH, AMENDING THE VIRGIN MUNICIPAL CODE TO REMOVE SHUTTLE STOP AS A CONDITIONAL USE FROM THE COMMERCIAL ZONE (VMC § 16.40) AND THE HIGHWAY RESORT ZONE (VMC § 16.44); AND PROVIDING FOR RELATED MATTERS.

RECITALS

WHEREAS Virgin Town (“Town”) is a Utah municipal corporation and political subdivision of the State of Utah, organized and existing under the provisions of Utah Code Annotated Title 10.

WHEREAS Pursuant to Utah Code Ann. §§ 10-20-502 and 10-20-503, the Virgin Town Council (“Town Council”), acting in its capacity as the governing and legislative body of the Town, has enacted land use regulations found in Title 16 (Land Uses) of the VMC and an official zoning map which set forth zoning districts and the types of land uses and densities that are allowed within each zoning district.

WHEREAS The Virgin Municipal Code currently lists “Shuttle Stop” as a conditional use in both the Commercial Zone (VMC § 16.40) and the Highway Resort Zone (VMC § 16.44).

WHEREAS The Town Council has determined that shuttle stop facilities, by their nature, are located within or adjacent to public rights-of-way and are more appropriately governed through agreements between the Town and transportation entities rather than through the conditional use permit process.

WHEREAS The Virgin Town Planning Commission (“Planning Commission”) has reviewed this proposed ordinance, and after conducting a properly noticed public hearing on the same on _____, 2026, forwarded the same to the Town Council with a recommendation that it be adopted as a formal land use regulation of the Town.

WHEREAS The Town Council finds that adoption of this Ordinance is in the best interest of the public health, safety, and welfare of the residents and visitors of Virgin Town.

ORDINANCE

NOW THEREFORE, BE IT ORDAINED by the Town Council of Virgin Town, Utah, as follows:

1. Amendment to Virgin Municipal Code 16.40.10. Section 16.40.10 (Conditional Uses) of the VMC is hereby amended to remove “Shuttle Stop” from the list of conditional uses permitted in the Commercial Zone. All other conditional uses listed in VMC § 16.40 remain in full force and effect.
2. Amendment to Virgin Municipal Code 16.44.10. Section 16.44.10 (Conditional Uses) of the VMC is hereby amended to remove “Shuttle Stop” from the list of conditional uses permitted in the Highway Resort Zone. All other conditional uses listed in VMC § 16.44 remain in full force and effect.

3. Effect on Existing Conditional Use Permits. Any conditional use permit (CUP) issued prior to the effective date of this Ordinance authorizing a shuttle stop in the Commercial Zone or Highway Resort Zone shall remain valid and enforceable in accordance with its terms and conditions. Nothing in this Ordinance shall be construed to require the holder of such a CUP to obtain a new permit or to cease operations conducted in compliance with a validly issued CUP.
4. Repealer. All Virgin Town ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.
5. Severability. Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.
6. Effective Date. This Ordinance shall take effect immediately upon adoption and posting as required by law.

PASSED AND ADOPTED by the Town Council of Virgin Town, State of Utah, on the ____ day of _____, 2026 by the following vote:

Council Person:

Valerie Wenz	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
April McKeon	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Paul Luwe	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
James Kietzman	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jean Krause Mayor	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

VIRGIN TOWN
a Utah municipal corporation

Attest:

Jean Krause, Mayor

Krystal Percival, Town Recorder

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Recorder of Virgin Town, 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 Recorder

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3 **VIRGIN TOWN**
4 **VIRGIN TOWN ACCESSORY STRUCTURES ORDINANCE**
5 **ORDINANCE NO. 2026-XX**

6 AN ORDINANCE AMENDING CHAPTER 16.8 OF THE VIRGIN MUNICIPAL CODE
7 (“VMC”) BY ADDING A DEFINITION OF ACCESSORY STRUCTURE TO VMC §16.2.12
8 AND BY ADDING § 16.8.60 (ACCESSORY STRUCTURES), ESTABLISHING STANDARDS
9 FOR THE CONSTRUCTION, PLACEMENT, SIZE, AND USE OF ACCESSORY
10 STRUCTURES IN ALL ZONING DISTRICTS; AND PROVIDING FOR RELATED
11 MATTERS.

12
13 **RECITALS**
14

15 **WHEREAS** Virgin Town (“Town”) is a Utah municipal corporation and political subdivision of
16 the State of Utah, organized and existing under the provisions of Utah Code Annotated Title 10.
17

18 **WHEREAS** pursuant to Utah Code Ann. §§10-20-502 and 10-20-503, the Virgin Town Council
19 (“Town Council”), acting in its capacity as the governing and legislative body of the Town, has
20 enacted land use regulations found in Title 16 (Land Uses) of the VMC and an official zoning map
21 which set forth districts and the types of land uses and densities that are allowed within each zoning
22 district.
23

24 **WHEREAS** Virgin Town currently lacks comprehensive standards governing accessory
25 structures, resulting in ambiguity regarding permissible size, height, setbacks, materials, and use
26 across all zoning districts.
27

28 **WHEREAS** the Town Council finds that establishing clear and consistent standards for accessory
29 structures will promote orderly development, protect residential neighborhood character, and
30 ensure the health, safety, and welfare of Town residents.
31

32 **WHEREAS** the Town council further finds that accessory structure standards should be
33 proportionate to the zone in which they are located, and flexible enough to accommodate Virgin
34 Town’s rural character.
35

36 **WHEREAS** the Town Council desires to implement these standards by amending Title 16 (Land
37 Uses) of the VMC to add a definition of Accessory Structure to Section 16.2.12 and to add Section
38 16.8.60 (Accessory Structures) to Chapter 16.8 (Supplementary and Qualifying Regulations),
39 establishing clear standards for the construction, placement, size, and use of accessory structures
40 in all zoning districts.
41

42 **WHEREAS** the Virgin Town Planning Commission (“Planning Commission”) has reviewed this
43 proposed ordinance, and after conducting a properly noticed public hearing on the same on _____
44 _____, 2026, forwarded the same to the Town Council with its recommendation.

VIRGIN TOWN

Staff Report — Proposed Ordinance No. 2026-XX – Accessory Structures

To: Virgin Town Planning Commission

From: Ryker Steglich, Town Planner, Sunrise Engineering

Date: June 9, 2026

Subject: Proposed Ordinance No. 2026-XX — Accessory Structures (VMC §§ 16.2.12 & 16.8.60)

Meeting: Regular Planning Commission Meeting

AT A GLANCE

Application	Legislative Text Amendment — New Ordinance
Subject	Accessory Structures — VMC §§ 16.2.12 (Definition) and 16.8.60 (Standards)
Prepared By	Ryker Steglich, Town Planner, Sunrise Engineering
Date	June 9, 2026
Meeting	Regular Planning Commission Meeting
Next Step	Planning Commission Public Hearing and Possible Recommendation to Town Council

I. BACKGROUND

Virgin Town currently lacks comprehensive, codified standards governing accessory structures. As the Town has grown and development activity has increased, the absence of clear regulations has created ambiguity for property owners, contractors, and Town staff regarding the permissible size, height, location, setbacks, materials, and use of detached structures — such as garages, barns, workshops, and equipment enclosures — across Virgin Town’s zoning districts.

The Planning Commission identified this regulatory gap and directed staff to draft standards addressing accessory structure construction, placement, size, and use across all zoning districts.

II. DESCRIPTION OF PROPOSED ORDINANCE

Ordinance No. 2026-XX would amend the Virgin Municipal Code in two places:

A. Definition Amendment — VMC § 16.2.12

The ordinance adds a definition of “Accessory Structure,” identifying it as a detached structure subordinate to the main building on the same lot, with express exclusions for ADUs, swimming pools, temporary structures, and attached structures.

B. New Regulatory Section — VMC § 16.8.60 (Accessory Structures)

The ordinance adds § 16.8.60 to Chapter 16.8 (Supplementary and Qualifying Regulations), establishing standards tiered by zone:

- General requirements applicable in all zones address subordination to the main building, the building permit requirement, easement conflicts, drainage, and prohibited installations such as unmodified shipping containers and RVs as permanent structures.
- Residential zones carry location, setback, height, building coverage, design, and use standards.
- Commercial and Highway Resort zones address location, height, and architectural compatibility.
- Agricultural and Open Space zones defer to existing zone development standards.
- A nonconforming structures provision is included, consistent with MLUDMA.

III. FINDINGS AND RECOMMENDATION

Staff recommends that the Planning Commission forward Ordinance No. 2026-XX to the Town Council with a recommendation of approval. The ordinance fills a genuine regulatory gap and establishes standards that are proportionate to Virgin Town’s zoning districts and consistent with the Town’s rural character.

Staff offers the following observations for Planning Commission consideration prior to forwarding the ordinance to the Town Council:

- General Requirements (§ 16.8.60(C)): The requirement that the main building be a main dwelling in residential zones appears in two places under General Requirements, which applies to all zoning districts. Staff recommends relocating this qualifier to the Residential Zone section (§ 16.8.60(D)), where it is more appropriately applied.
- Residential Zone Coverage Standards (§ 16.8.60(D)): The current language limits the combined footprint of all accessory structures to both 10% of the lot area and 75% of the main dwelling’s floor area. Staff suggests the Commission consider separating these into two independent controls – a per-structure size cap and a combined lot coverage limit governed by the 10% requirement.
- Commercial and Highway Resort Zone Design Standards (§ 16.8.60(E)): The ordinance establishes a flat 3,600 square foot cap on accessory structures. The Commission may wish to consider whether this figure should instead be tied to a percentage of the main building’s floor area, consistent with the subordination principle applied elsewhere in the ordinance.
- The ordinance contains a typographical error in the recitals (“fins” should read “finds”) and should be corrected prior to adoption.
- The ordinance contains several bracketed VMC cross-references that should be updated prior to adoption: VMC § 16.8.30 (fences and walls), VMC § 16.12 (home occupations), VMC § 16.10 (nonconforming uses), and VMC § 16.2.22 (enforcement).

ORDINANCE

NOW THEREFORE, BE IT ORDAINED by the Town Council of Virgin Town, Utah, as follows:

1. Amendment to Virgin Municipal Code 16.2.12. Section 16.02.12 (Definitions) of the VMC is hereby amended to include the following definition:

Accessory Structure. A detached structure that is subordinate in size, use, and character to the main building on the same lot, and that is customarily incidental to the principal use of the property. Examples include, but are not limited to, detached private garages, carports, barns, workshops, greenhouses, and equipment enclosures. An accessory structure does not include accessory dwelling units, swimming pools, temporary structures, or any structure sharing a wall with or attached to the main building.

2. Amendment to Virgin Municipal Code 16.8. Chapter 16.8 (Development Standards) of Title 16 (Land Uses) of the VMC is hereby amended by adding § 16.8.60 (Accessory Structures) to read as follows:

16.46. § 16.8.60 — Accessory Structures

A. Purpose

The purpose of this section is to establish standards for the construction, placement, size, and use of accessory structures throughout Virgin Town. These standards are intended to:

1. *Ensure accessory structures remain genuinely subordinate to main buildings and principal uses;*
2. *Protect neighborhood character, scenic views, and the rural agricultural heritage of Virgin Town;*
3. *Prevent accessory structures from being used as unpermitted dwelling units; and*
4. *Provide clear, predictable standards for property owners, contractors, and Town staff.*

B. Applicability

1. **General.** *This section applies to all accessory structures in all zoning districts of Virgin Town, except as otherwise provided in subsection (B)(2) below.*
2. **Exemptions.** *The following are exempt from the requirements of this section but remain subject to other applicable provisions of the VMC and adopted building codes:*
 - a. *Fences, walls, and hedges regulated under VMC § [fence/wall section];*
 - b. *Swimming pools and hot tubs, which are subject to applicable building code requirements;*
 - c. *Flagpoles, satellite dishes, solar arrays, and mechanical equipment serving the primary structure;*

- 91 d. *Agricultural structures on lots of five (5) acres or more in the*
92 *Agricultural (A) or Open Space (OS) zones used exclusively for*
93 *livestock, feed storage, or farm equipment, provided they comply*
94 *with the setback requirements of the applicable zone; and*
95 e. *Temporary structures erected for no more than thirty (30)*
96 *consecutive days.*
97 3. **Relationship to Zone Standards.** *Where this section establishes standards*
98 *more restrictive than those of the underlying zone, this section controls.*
99 *Where the underlying zone establishes more restrictive standards, the zone*
100 *controls.*
101 4. **ADUs Excluded.** *Accessory dwelling units (ADUs) are expressly excluded*
102 *from the definition of accessory structure and are not subject to this section.*
103

104 **C. General Requirements**

105 *The following requirements apply to all accessory structures in all zones unless a*
106 *specific zone standard in this section provides otherwise:*

- 107 1. **Subordinate to Main Building.** *An accessory structure shall be*
108 *subordinate to and associated with the main building on the same lot, which*
109 *in residential zones shall be a main dwelling. An accessory structure shall*
110 *not exceed 75% of the floor area of the main building.*
111 2. **Main Building Required.** *No accessory structure shall be constructed,*
112 *established, or permitted on any lot unless a main building, which in*
113 *residential zones shall be a main dwelling, has been issued a building*
114 *permit or lawfully exists on the same lot. Building permits for accessory*
115 *structures may be processed concurrently with the main building permit,*
116 *but the accessory structure shall not receive a certificate of occupancy prior*
117 *to the main building.*
118 3. **Prohibited Uses.** *Recreational vehicles, travel trailers, shipping*
119 *containers, and similar units with wheels or portable chassis shall not be*
120 *permanently installed or maintained as accessory structures unless*
121 *modified to meet all applicable building code and design requirements of*
122 *this section.*
123 4. **Easements.** *No accessory structure shall be located within any recorded*
124 *easement, public utility easement, drainage easement, or right-of-way,*
125 *unless the easement holder provides written consent.*
126 5. **Drainage.** *Roof drainage from accessory structures shall not be directed*
127 *onto adjacent properties or into public rights-of-way. Stormwater shall be*
128 *managed on-site in accordance with applicable grading and drainage*
129 *standards.*
130 6. **Building Permit Required.** *A building permit is required for all accessory*
131 *structures unless expressly exempted by the adopted building code.*
132 *Portable or temporary storage units two hundred (200) square feet or less*
133 *in floor area and not exceeding one story in height are exempt from building*
134 *permit requirements under state law but remain subject to the setback and*
135 *location requirements of this section.*
136

137 **D. Residential Zones**

138 *Applies to: Rural Residential, Residential, and other zones designated primarily for*
139 *residential use in VMC Title 16.*

140 **1. Location.**

141 a. *Accessory structures shall be located entirely within the rear yard*
142 *or side yard, behind the front façade of the main building. No*
143 *accessory structure shall be located in the required front yard*
144 *setback.*

145 b. *On corner lots, no accessory structure shall be located in the*
146 *required street-side yard setback.*

147 c. *Accessory structures shall be located no closer than six (6) feet from*
148 *the main building on the same lot.*

149 **2. Setbacks.** *Accessory structures shall comply with the setback requirements*
150 *of the applicable zone.*

151 **3. Height.**

152 a. *The maximum height for accessory structures in residential zones is*
153 *twenty (20) feet, measured from finished grade to the highest point*
154 *of the roof.*

155 b. *No accessory structure shall exceed the height of the main building*
156 *on the same lot, except that a minimum height of fourteen (14) feet*
157 *is always permitted regardless of the main building height.*

158 **4. Building Coverage.**

159 a. *The combined building footprint of all accessory structures on a lot*
160 *shall not exceed ten percent (10%) of the total lot area nor 75% of*
161 *the floor area of the main dwelling.*

162 b. *All structures (main building and accessory structures combined)*
163 *shall not exceed the maximum building coverage percentage*
164 *established for the applicable zone.*

165 **5. Design Standards.**

166 a. *Exterior materials on all accessory structures shall be compatible*
167 *with those used on the main building.*

168 b. *Accessory structures shall have a pitched roof unless the main*
169 *building has a flat roof, in which case a flat or pitched roof is*
170 *permitted.*

171 c. *Exterior colors shall be neutral, earth-tone, or complementary to*
172 *the main building. Highly reflective or intensely colored exterior*
173 *finishes are discouraged.*

174 **6. Prohibited Uses.** *In residential zones, accessory structures shall not be used*
175 *as dwelling units or for any commercial use except as follows:*

176 a. *Uses expressly authorized as a home occupation under VMC [home*
177 *occupation section];*

178 b. *Uses expressly permitted or conditional in the applicable zone*
179 *under VMC Title 16; and*

180 c. *Short-term rental use expressly authorized under VMC 16.60.02 and*
181 *subject to all requirements thereof.*
182

183 **E. Commercial Zone and Highway Resort Zone**

184 *Applies to: Commercial Zone (VMC § 16.40) and Highway Resort Zone (VMC §*
185 *16.44).*

- 186 1. **Location.** *No accessory structure shall be located within a required front*
187 *yard setback or any required landscaping buffer.*
188 2. **Height.** *The maximum height of an accessory structure in the Commercial*
189 *Zone or Highway Resort Zone shall not exceed the maximum building*
190 *height established for the applicable zone, or twenty (20) feet, whichever is*
191 *less.*
192 3. **Design Standards.** *Accessory structures in the Commercial Zone and*
193 *Highway Resort Zone shall be architecturally compatible with the main*
194 *building in materials, color, and roofline, and shall comply with any*
195 *adopted design guidelines for those zones. No accessory building shall*
196 *exceed 3,600 square feet of floor area.*

197
198 **F. Agricultural and Open Space Zones**

199 *Accessory structures in the Agricultural (A) and Open Space Zones (OS) shall*
200 *comply with the development standards of the applicable zone.*

201
202 **G. Nonconforming Accessory Structures**

203 *Accessory structures lawfully existing at the time of adoption of this section that do*
204 *not conform to the standards herein are considered nonconforming structures*
205 *subject to VMC Chapter [nonconforming uses chapter]. Such structures may be*
206 *maintained and repaired but may not be enlarged or expanded in a manner that*
207 *increases any nonconformity.*

208
209 **H. Enforcement**

210 *Violations of this section are subject to enforcement under VMC Chapter*
211 *[enforcement/penalties chapter] and applicable provisions of MLUDMA, Utah*
212 *Code § 10-20-101 et seq.*

213
214 3. **Codification.** *The Town Recorder is authorized to codify this ordinance and make any*
215 *clerical corrections necessary for proper codification, including assigning a permanent chapter*
216 *and section number.*

217
218 4. **Severability.** *If any provision of this ordinance or its application to any person or*
219 *circumstance is held invalid, the remainder of the ordinance and its application to other persons*
220 *or circumstances shall not be affected.*

221
222 5. **Effective Date.** *This ordinance shall take effect upon publication as required by Utah*
223 *Code § 10-3-711.*

224
225
226 **PASSED AND ADOPTED** by the Town Council of Virgin Town, State of Utah, on the ____
227 day of _____, 2026 by the following vote:
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Council Person:

Valerie Wenz	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
April McKeon	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Paul Luwe	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
James Kietzman	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____
Jean Krause <i>Mayor</i>	AYE	_____	NAE	_____	ABSTAIN	_____	ABSENT	_____

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VIRGIN TOWN

Attest:

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a Utah municipal corporation

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Jean Krause, Mayor

Krystal Percival, Town Recorder

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CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

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242

In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town Recorder of Virgin Town, Utah, hereby certifies that the foregoing Ordinance was duly passed and published or posted via Class A Notice at:

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1) *Utah Public Notice website*

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2) *Virgin Town website, www.virgin.utah.gov*

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3) *Virgin Town Hall*

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Krystal Percival, Town Recorder

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VIRGIN TOWN

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

To: Virgin Town Planning Commission

From: Ryker Steglich, Town Planner, Sunrise Engineering

Date: June 9, 2026

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

Meeting: Regular Planning Commission Meeting

AT A GLANCE

Application	Legislative — Town-Initiated Ordinance
Subject	Amendment and Restatement of VMC Chapter 16.20 — Joint Utility Committee
Public Hearing	Held May 12, 2026
Prepared By	Ryker Steglich, Town Planner, Sunrise Engineering
Date	June 9, 2026
Meeting	Regular Planning Commission Meeting
Next Step	Planning Commission Recommendation to Town Council; Town Attorney Review Prior to Adoption

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. The DRC holds certain approval authority over development applications but 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.

The Town Council referred Ordinance No. 2026-XX to the Planning Commission to address those concerns. The ordinance replaces the DRC with a Joint Utility Committee (JUC) — a technical coordination body with no approval authority — and designates the Town Manager or Designee 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 and MLUDMA requirements. The Planning Commission held a duly noticed public hearing on this ordinance on May 12, 2026.

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 Town Manager or Designee, with membership including Town staff 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 for compatibility and compliance. It does not act as a land use authority, appeal authority, or recommending body under MLUDMA.
- Open Meetings Act Exemption: The ordinance provides that the JUC is not a "public body" under Utah Code § 52-4-103(7), on the basis that it performs technical coordination only and holds no decision-making authority. Staff recommends Town Attorney review of this provision prior to adoption.
- Flexible Coordination Methods: JUC coordination may occur through in-person meetings, virtual meetings, or electronic plan distribution as determined by the Town Manager or Designee.
- Pre-Hearing Coordination: Applications requiring utility review are routed to the JUC upon determination of completeness, and 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 Town Manager or 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 RECOMMENDATION

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.

Staff recommends that the Planning Commission forward Ordinance No. 2026-XX to the Town Council with a recommendation of approval, subject to the following: (1) all references to Community Development Director in the ordinance should be replaced with Town Manager or Designee prior to adoption; and (2) the Town Attorney should review the ordinance prior to Town Council adoption, 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).

1 VIRGIN TOWN

2 ORDINANCE NO. 2026-XX

3
4 AN ORDINANCE AMENDING AND RESTATING CHAPTER 16.20 OF THE VIRGIN
5 MUNICIPAL CODE TO ESTABLISH A JOINT UTILITY COMMITTEE (JUC), AMENDING
6 SUBSECTION 16.18.12(F)(1) TO DESIGNATE THE COMMUNITY DEVELOPMENT DIRECTOR
7 AS THE ADMINISTRATIVE LAND USE AUTHORITY FOR FINAL PLAT APPROVAL, REPEALING
8 REFERENCES TO THE DEVELOPMENT REVIEW COMMITTEE, AND PROVIDING FOR
9 COORDINATED UTILITY REVIEW OF DEVELOPMENT APPLICATIONS
10

11 RECITALS

12 WHEREAS, Virgin Town is a municipal corporation and political subdivision of the
13 State of Utah, organized and existing under the provisions of Utah Code Annotated Title
14 10; and

15 WHEREAS, pursuant to Utah Code Annotated 10-20-501, the Town Council of Virgin
16 Town is authorized to designate by ordinance those bodies and officials who act as land
17 use authorities or who conduct technical and administrative review of development
18 applications; and

19 WHEREAS, the Town has previously established a Development Review Committee
20 (DRC) to review development applications, which process is now inconsistent with current
21 statutory and administrative procedures; and

22 WHEREAS, the Town Council further finds it necessary to amend Subsection
23 16.18.12(F)(1) to designate the Community Development Director as the Town's
24 Administrative Land Use Authority for Final Plat approvals, thereby ensuring consistency
25 with the administrative responsibilities established in Chapter 16.20; and

26 WHEREAS, the Town Council finds it necessary and appropriate to replace the DRC
27 with a Joint Utility Committee (JUC) to serve as the Town's coordinating body for the
28 technical review of utility and infrastructure plans associated with land use and
29 development activities; and

30 WHEREAS, the JUC is intended to perform technical and administrative coordination
31 only and shall not act as a land use authority, appeal authority, or recommending body
32 under Utah Code Annotated Title 10, Chapter 20; and

33 WHEREAS, the Town Council finds that the adoption of this ordinance will promote
34 consistency, efficiency, and accountability in the Town's development review process and
35 protect the health, safety, and welfare of the community;

36
37 **NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF VIRGIN TOWN,**
38 **UTAH, AS FOLLOWS:**

39 **SECTION 1. AMENDMENT AND RESTATEMENT OF CHAPTER 16.20.** Chapter 16.20 of
40 the Virgin Municipal Code (VMC) is hereby amended and restated in its entirety to read as
41 follows:
42

43 **16.20 - Joint Utility Committee**

44 **16.20.02 – Purpose**

45 The purpose of the Joint Utility Committee ("JUC") is to coordinate the technical review of
46 all development projects within Virgin Town that involve public or private utility
47 infrastructure. The JUC facilitates communication and cooperation between the Town and
48 utility providers, ensures that proposed utility designs are compatible and free of conflicts,
49 verifies compliance with the Town standards and specifications, and confirms that
50 adequate utility services are available and properly designed prior to issuance of building
51 permits or recordation of a final plat. The JUC functions solely as a technical coordination
52 body and shall not act as a land-use authority, appeal authority, or recommending body
53 under Utah Code Annotated, Title 10, Chapter 20. The JUC performs administrative and
54 advisory duties only and is not a "public body" as defined in Utah Code Annotated 52-4-
55 103(7).

56 **16.20.04 – Establishment of the Joint Utility Committee**

57 There is hereby established a Joint Utility Committee (JUC) for the Town of Virgin, Utah.
58 The JUC is created to provide an organized forum for the coordination of utility
59 infrastructure associated with new development and redevelopment projects within the
60 Town.

- 61 A. **ADMINISTRATION.** The JUC shall be administered by the Community Development
62 Director. The Community Development Director may designate another qualified
63 staff member to act in this capacity when necessary.
- 64 B. **MEMBERSHIP.** The JUC shall consist of Town staff and representatives of utility and
65 service providers as follows:
- 66 1. The Virgin Town Community Development Director.
 - 67 2. The Virgin Town Zoning Administrator, or designee.
 - 68 3. The Virgin Town Engineer.

Commented [RS1]: Or designee.

4. The Virgin Town Public Works Director (or Town employee who is tasked with the responsibility of overseeing and maintaining of the roads, rights of way, water system, properties, and public improvements of the Town).
 5. A representative of the Hurricane Valley Fire District.
 6. A representative of the Ash Creek Special Service District.
 7. Representatives from telecommunications, electric utilities, natural gas, or other utility providers operating within the Town, as deemed appropriate by the Community Development Director.
- C. PARTICIPATION. Representatives from additional agencies, utility companies, or service districts may be invited to participate in JUC review as needed for a particular project. Attendance may be in person or virtual, and participation shall be coordinated by the Community Development Director.
- D. STATUS. The JUC functions in an administrative and technical capacity only and has no decision-making authority. It shall not make formal recommendations to the Planning and Zoning Commission, Town Council, or any other public body and is not a "public body" as defined in Utah Code Annotated 52-4-103(7).

16.20.10 - Meetings and Procedures

The Joint Utility Committee (JUC) shall operate under the general direction of the Community Development Director to ensure timely and coordinated utility review for development projects within the Town.

- A. METHOD OF COORDINATION. The JUC may conduct coordination through in-person or virtual meetings, electronic plan distribution, or other methods of communication as determined appropriate by the Community Development Director. A formal meeting is not required for every project. When electronic coordination is used, the Community Development Director shall ensure that utility comments and responses are documented in the project file.
- B. SCHEDULING AND PARTICIPATION.
1. Meetings of the JUC may be held as needed at the discretion of the Community Development Director when in-person or group discussion will facilitate coordination.
 2. When a meeting is not held, the Community Development Director may distribute plans and comments electronically to utility representatives and coordinate revisions through digital or written correspondence.

103 3. Participation in JUC coordination, whether by meeting or by other means, shall
104 be limited to Town staff, utility representatives, and the applicant or authorized
105 agents, unless otherwise approved by the Community Development Director.

106 C. REVIEW MATERIALS: The Community Development Director shall provide to all
107 JUC participants the necessary development plans, utility drawings, and
108 supporting documents submitted by the applicant. Plans may be distributed in
109 digital format through the Town's electronic plan review system or other
110 acceptable means.

111 D. DOCUMENTATION. The Community Development Director shall maintain
112 administrative records of utility comments, correspondence, and sign-off sheets as
113 part of each project file. Such documentation shall serve as the official record of
114 JUC coordination.

115 E. NATURE OF FUNCTION: The JUC's role is limited to the coordination of technical
116 and utility-related issues and does not extend to approval or denial of land-use
117 applications.

118 16.20.12 – Functions and Duties

119 The Joint Utility Committee (JUC) shall serve as the Town's coordinating body for the
120 review of proposed utility infrastructure, subdivision improvement plans, and site plans
121 associated with land use and development projects within the Town. The JUC shall act
122 under the direction of the Community Development Director and perform the following
123 functions and duties:

124 A. PLAN REVIEW. Review subdivision improvement plans, site plans, and related
125 utility and infrastructure drawings to ensure compatibility among all service
126 providers, including but not limited to culinary water, sanitary sewer, storm
127 drainage, irrigation, power, natural gas, telecommunications, and fiber.

128 B. CONFLICT IDENTIFICATION. Identify and assist in resolving potential conflicts
129 among utility alignments, easements, crossings, trench locations, or other
130 infrastructure elements prior to construction or final plat recordation.

131 C. COMPLIANCE VERIFICATION. Verify that proposed subdivision improvement plans
132 and utility designs conform to the Town's adopted engineering standards,
133 specifications, construction details, and any applicable regional or interlocal
134 standards.

135 D. COMPOSITE UTILITY PLAN COORDINATION. Facilitate the preparation, circulation,
136 and review of a composite utility plan showing the alignment and location of all
137 utilities, easements, and service connections for each project.

138 E. AGENCY COORDINATION. Distribute subdivision improvement plans, site plans,
139 and utility drawings to all relevant service providers and coordinate review

140 comments, required revisions, and responses between the applicant, Town staff,
141 and participating agencies.

- 142 F. SIGN-OFF DOCUMENTATION. Maintain, or cause to be maintained, a JUC Sign-
143 Off Sheet or similar record showing acknowledgment or concurrence from each
144 participating utility provider and reviewing agency. The sign-off sheet may be
145 required prior to the issuance of building permits, commencement of
146 construction, or recordation of a final plat, or other applicable permits as
147 determined by the Town.

Commented [RS2]: Or other applicable permits.

- 148 1. Deemed Approval for External Utility Representatives: Where a reviewing
149 agency, utility provider, or service district that is not a Town department or
150 Town employee fails to submit written comments, objections, or a signed
151 concurrence within thirty (30) calendar days of the date the Community
152 Development Director distributes plans and documents for review, that
153 representative shall be deemed to have no objection to the proposed
154 utility and infrastructure plans as distributed. The deemed approval shall be
155 documented in the project file.

156
157 The thirty (30) day default period shall be superseded by any review period
158 established by the ordinance governing the applicable application type.
159 Where a controlling ordinance establishes a different review period, that
160 period shall govern in lieu of the thirty (30) day default.

161
162 If the applicant submits revised or supplemental plans following a deemed
163 approval, the applicable review period shall restart from the date the
164 revised materials are distributed to the affected representatives.

- 165 G. TECHNICAL ASSISTANCE. Provide technical input to Town staff, applicants, and
166 utility providers regarding utility placement, sequencing, trench design,
167 construction timing, and standards for shared infrastructure corridors.
168 H. ADVISORY NATURE. The JUC performs technical and administrative coordination
169 only. It shall not issue land-use approvals, impose conditions of approval, or make
170 recommendations to the Planning and Zoning Commission, Town Council, or any
171 other land-use authority.

172 16.20.14 – Coordination with Land Use Authorities

173 The Joint Utility Committee (JUC) shall operate in coordination with the Town's
174 established land use authorities to support timely, orderly, and compliant review of
175 subdivision and development applications. The JUC's review shall occur prior to
176 consideration of such applications by the designated land use authorities to ensure that

177 all proposed utility and infrastructure designs are technically feasible and consistent with
178 Town standards.

179 A. PRE-HEARING COORDINATION:

- 180 1. Applications that include or require subdivision improvement plans, site
181 plans, or utility infrastructure drawings shall be routed to the JUC
182 immediately upon determination of completeness under the Town's
183 adopted application process.
184 2. The JUC shall review such plans, provide written comments, and coordinate
185 with the applicant and utility providers to resolve identified conflicts before
186 the application is scheduled for review by the applicable land use authority.
187 3. The Town shall verify that JUC coordination is substantially complete before
188 the item is placed on a public agenda for review or action.

189 B. IMPROVEMENT PLAN COMPLETION PRIOR TO FINAL PLAT APPROVAL:

- 190 1. The JUC shall complete coordination and review of subdivision
191 improvement plans prior to final plat approval, in accordance with the
192 procedures and sequencing established Town's adopted land use and
193 subdivision review ordinances.
194 2. Required utility sign-offs shall be obtained and documented before the
195 final plat approval or authorization for plat recordation, consistent with
196 applicable Town ordinances governing review processes.

197 C. CONCURRENT REVIEW OF SITE PLANS. For projects not requiring a subdivision
198 plat, the JUC shall complete review of utility and improvement plans prior to or
199 concurrent with site plan approval to ensure adequate utility capacity and design
200 compliance.

201 D. ADVISORY ROLE TO LEGISLATIVE AND QUASI-JUDICIAL BODIES. The JUC may
202 provide technical input or clarification to the applicable land use authority upon
203 request, but shall not make recommendations on the approval or denial of land-
204 use applications.

205 E. CONSISTENCY WITH OTHER ORDINANCES. The procedures established in this
206 Chapter shall be interpreted and applied in harmony with the requirements of any
207 other ordinances that establish review or approval processes within the Town.
208 Where this Chapter is silent, or where procedural differences occur, the provisions
209 of the controlling ordinance governing the applicable review process shall prevail.

210 **16.20.16 – Records and Administration**

211 The Town shall maintain administrative records of Joint Utility Committee (JUC) activities
212 and correspondence as part of the official record for each development application. Such
213 records shall be kept in a manner determined by the Town and in accordance with its

214 adopted records retention policies. The Town shall oversee the administration of the JUC
215 process and ensure that documentation of utility coordination is complete prior to
216 advancing applications through the Town's established review procedures.

217 **SECTION 2. AMENDMENT AND RESTATEMENT OF SUBSECTION 16.18.12(F)(1).**

218 Subsection 16.18.12(F)(1) of the Virgin Municipal Code (VMC) is hereby amended and
219 restated in its entirety to read as follows:

220 1. For Final Plat approval, the Community Development Director or a duly authorized Town
221 designee shall serve as the Town's Administrative Land Use Authority.

222 **SECTION 3. REPEALER.** All Virgin Town ordinances or resolutions or parts thereof,
223 which are in conflict herewith, are hereby repealed.

224 **SECTION 4. SEVERABILITY.** Should any part or provision of this Ordinance be
225 declared by the courts to be unconstitutional or invalid, such decision shall not affect the
226 validity of the Ordinance as a whole or any part thereof other than the part so declared
227 to be unconstitutional or invalid.

228 **SECTION 5. EFFECTIVE DATE.** This ordinance shall take effect immediately upon
229 adoption and posting as required by law.

230 PASSED AND ADOPTED BY THE TOWN COUNCIL OF VIRGIN TOWN, STATE OF UTAH,
231 ON THE ____ DAY OF _____, 20__.

232 Attest:

233 _____
234 Jean Krause, Mayor, Virgin Town Krystal Percival, Recorder, Virgin Town

235

236 VIRGIN TOWN COUNCIL

237	Vote as recorded:	AYE	NAY	ABSENT
238	Councilmember Luwe	___	___	___
239	Councilmember Kietzman	___	___	___
240	Councilmember Wenz	___	___	___
241	Councilmember McKeon	___	___	___
242	Mayor Krause	___	___	___

SEAL

243 RECORDED this ____ day of _____, 20__.

244 PUBLISHED OR POSTED this ____ day of _____, 20__.

245 CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

246 In accordance with Utah Code Annotated §63G-30-102 as amended, I, the Town
247 Clerk/Recorder of Virgin, Utah, hereby certifies that the foregoing Ordinance was duly
248 passed and published or posted via Class A Notice at:

- 249 1) *Utah Public Notice website*
250 2) *Virgin Town website, www.virgin.utah.gov*
251 3) *Virgin Town Hall*

252

253 _____

254 Krystal Percival, Town Clerk/Recorder

255 Virgin Town, Utah