

# 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

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|----------------|--------------------------------------------------------------------------------------------|
| 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

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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

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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).