

Town Of Virgin
Planning and Zoning October 13th, 2022
FINAL Minutes

Commission:

Cameron Spendlove – Chair
Angelea Glazier
Wyatt Lee
Kent Peterson
Sean Amodt

Attendance:

Krystal Percival
Gene Garate
Monte Lutz
Stan Burt
James Densley
JoAnn Allen
Dennis Allen
Curtis Bennett
Givlia Bennett
John Staples
Allen Lee
Jeff Staples
Richard Kimball

1. WORK MEETING-6:00PM

Sean Amodt led the meeting and discussed short term rentals and zone changes/overlays.

2. REGULAR MEETING-6:35PM

- a. Call to Order – Cameron Spendlove
- b. Declaration of Conflict of Interest - **NONE**
- c. Review and possible approval of the draft minutes for September 14, 2022
-Kent Peterson made a motion to approve / Wyatt Lee 2nd all Aye.
- d. Commissioner Comments
Kent Peterson stated that Desert Garden's is looking nice, and the residents have done a great job cleaning it up in front of the subdivision.

3. PUBLIC HEARING:

Motion to close the public meeting and open the public hearing

-Sean Amodt made the Motion /Angelea 2nd - all Aye

OPEN PUBLIC HEARING: to allow public input on the following items:

- A. Continued Public Hearing from September 14, 2022: Proposed Subdivision (preliminary plat):
Quail Mesa Subdivision from Jeff Lee located V-2-1-26-4421 (South of Rio De Sion)

Jeff Lee Stated that he is still waiting on somethings and needs an extension to one more month to November. He stated that the land is under contract and at this point until it's final he is still moving forward with things. Kent Peterson asked a question about wastewater. Jeff lee stated he will have a new updated map and wastewater update next month. Monte Lutz wanted to know if Jeff Lee is going to make them short term rentals. Jeff Lee stated it will help the property value but has not decided on it yet. JoAnn Allan stated she highly opposed any construction going on east of her subdivision.

- B. Zone change: Jeff & John Staples: Subdivision (ZION EDGE) V-2148-A-1-B-1-A (East of Rio De Sion) Currently Rural Residential, to add STR Overlay.

- If passed would make this subdivision a short-term rental.

No Public comment was made

- C. Amending Chapter 8.30.B Zoning District height & setback regulations

Reason for change:

- To remove the reference to Resort Zone (RZ) which no longer exists in our ordinances.
- To remove the reference to RD which is not in our ordinances

No public comment was made

- D. Amending Chapter 8.26 maximum height of accessory buildings from 20 to 25 feet

Reason for change:

- Removing irrelevant material and to match other ordinances

Monte Lutz asked a question: Where's the 25 feet start when slopes are involved, does it start from the road grade?

E. Amending Chapter 16.22 Standards for conditions by use

Reason for change:

- Removing irrelevant material and to match other ordinances
- Add further definition and regulation to lodging terms

Monte Lutz asked why the change on STR rather than what the state says it is? Monte stated that in the state's definition on what a STR is it does not state residential.

Monte asked if the town attorney has looked at this? Cameron Spendlove and Gene Garate stated yes.

Kent Peterson and Monte Lutz had a discussion on what a short-term rental is. A hotel, motel, STR, RV Park, ext. all needs to have definitions.

Gene Garate stated that definitions are important because of so many loopholes. We need to define in our ordinances what all these things are.

-Sean Amodt motion to continue the Public Hearing on A. Proposed subdivision (Quail Mesa) to November. Wyatt Lee 2nd – All AYE

4. MOTION to CLOSE the PUBLIC HEARING and OPEN the PUBLIC MEETING

-Wyatt Lee made the Motion / Angelea Glazier 2nd – All AYE

5. OPEN FORUM: Limit 2 minutes per speaker – NONE

6. PUBLIC MEETING

- A. Discussion and recommendation to approve or deny: Proposed Subdivision (preliminary plat): Quail Mesa Subdivision from Jeff Lee located V-2-1-26-4421 (South of Rio De Sion)

-Wyatt Lee made a motion to continue the public hearing for Quail Mesa Subdivision to November.

-Angelea Glazier 2nd – All AYE / NO NAY / Motion PASS

- B. Discussion and recommendation to approve or deny: Zone change: Jeff & John Staples: Subdivision (ZION EDGE) V-2148-A-1-B-1-A (East of Rio De Sion) Currently Rural Residential, to add STR Overlay.

- If passed would make this subdivision a short-term rental.

Cameron Spendlove stated that the dust control will need to be monitored by town staff.

Kent Peterson stated that the Staples have gone through a lot working on this subdivision.

However, He has a very strong opinion about short term rentals. Kent stated that he will likely be a no. He believes that it's not what a neighborhood or community should be.

The Commission had a discussion on what is a zone change or an overlay.

Cameron Spendlove stated that he understands the concerns and the negatives on what a STR should be. The Commission had a discussion.

-Kent Peterson made a motion for recommendation for approval AN ORDINANCE AMENDING THE RURAL RESIDENTIAL ZONING DESIGNATION OF ZION EDGE SUBDIVISION (V-2148-A-1-B-1-A) TO INCLUDE A SHORT-TERM RENTAL DEVELOPMENT OVERLAY ZONE DESIGNATION. Angelea Glazier 2nd (Motion PASS)

Roll Call was taken:

Angelea Glazier – Aye

Wyatt Lee – Aye

Cameron Spendlove – Aye

Kent Peterson – Aye

Sean Amodt – Aye

- C. Discussion and recommendation to approve or deny: Amending Chapter 8.30.B Zoning District height & setback regulations

Reason for change:

- To remove the reference to Resort Zone (RZ) which no longer exists in our ordinances.
- To remove the reference to RD which is not in our ordinances

The Commission had a discussion.

-Wyatt made a motion for recommendation for approval – Kent Peterson 2nd. (Motion PASS)

Roll Call was taken:
Angelea Glazier – Aye
Wyatt Lee – Aye
Cameron Spendlove – Aye
Kent Peterson – Aye
Sean Amodt – Aye

- D. Discussion and recommendation to approve or deny: Amending Chapter 8.26 maximum height of accessory buildings from 20 to 25 feet
Reason for change:
- Removing irrelevant material and to match other ordinances

The Commission had a discussion.

-Cameron Spendlove made a motion for recommendation for approval with the changes to keep the 20ft and not change to 25ft – Kent Peterson 2nd (Passes with a 3/2 vote)

Roll Call was taken:
Angelea Glazier – NAY
Wyatt Lee – Aye
Cameron Spendlove – Aye
Kent Peterson – Aye
Sean Amodt – NAY

- E. Discussion and recommendation to approve or deny: Amending Chapter 16.22 Standards for conditions by use
Reason for change:
- Removing irrelevant material and to match other ordinances
 - Add further definition and regulation to lodging terms

The Commission had a discussion, and several changes were made.
The commission felt that so many changes were made and needed to have another public hearing with the changes.

-Wyatt Lee made a motion for recommendation to move this to next month (November) – Angelea Glazier 2nd. (Motion PASS)

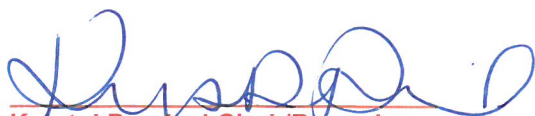
Roll Call was taken:
Angelea Glazier – Aye
Wyatt Lee – Aye
Cameron Spendlove – Aye
Kent Peterson – Aye
Sean Amodt – Aye

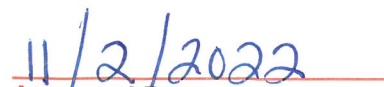
A Discussion was made about bringing back the STR ordinance to the November meeting, and a talk about referendums as Wyatt Lee had some questions on the process.

7. ADJOURN PUBLIC MEETING: END 9:04pm

Motion to Adjourn public meeting

-Angelea Glazier made the motion / Wyatt Lee 2nd – All Aye


Krystal Percival Clerk/Recorder


Approved Date