The Regular Meeting of the
Brian Head Planning Commission
Town Hall - 56 North Highway 143
Brian Head, UT 84719
Zoom Meetings (click here)
Zoom Meeting ID# 842 4450 5835
TUESDAY, May 16, 2023 @ 1:00 PM

MINUTES OF THE PLANNING COMMISSION

Roll Call.
Members Present: Chairperson Deutschlander, Commissioner Wallis, Commissioner Jeff Morgan, Commissioner Ricks (via Zoom Meeting @ 1:10 pm), Alternate Commissioner Brown (via Zoom Meeting).
Members Absent: Commissioner Carrie Dever.
Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk; Lester Ross, Planning/Building Inspector.

A. CALL TO ORDER

Chairperson Deutschlander called the regular meeting of the Brian Head Planning Commission to order at 1:02 pm

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Commission and others in the Pledge of Allegiance.

C. DISCLOSURES

No conflicts of interest with today's agenda items.

D. APPROVAL OF THE MINUTES:

October 18, 2022, Planning Commission Meeting

Motion: Commissioner Wallis moved to approve the October 18, 2022, Planning Commission minutes. Commissioner Brown seconded the motion.
Action: **Motion carried 3-0-0 (summary: Yes = 3 Vote:** Commissioner Wallis, Alternate Commissioner Brown, Chairperson Deutschlander. **Absent:** Commissioner Dever, Commissioner Ricks, Commissioner Morgan).

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Bret Howser, Town Manager,

1. Updated the Commission on the status of the public art piece, Brian the Bear. Bret reported that Brian the Bear is scheduled to be installed at Bristlecone Park by the 4th of July holiday weekend.
2. There will be a public input session for the Core Beautification Bond on June 6, 2023, at 6:00 pm at the Town Hall.
3. The annual Business Breakfast is scheduled for June 22, 2023, at 9:00 am at the Public Safety Building. Brian Head Resort will give an update on the Resort and the Town will give an update on the Town projects, financial status, and Core Beautification Bond, and Mayor Calloway will give a Mayor's Message.

4. The Town Clean-up is scheduled for June 14, 2023, which is tentative at this time, depending on the snow melt. There is a bake-off with this year's Town Cleanup.

F. AGENDA ITEMS:

1. DISCUSSION – LMC Amendment Chapter 7 – Building Spacing. A discussion regarding Chapter 7 of the Land Management Code dealing with spacing between buildings.

Lester Ross, Building and Planning Official, explained this item was a request from the Commission regarding concerns with townhomes and/or tiny homes that are located that are located to close together such as a tiny home community. Currently, in the Land Management Code, there are no minimum building spacing requirements other than a requirement for accessory dwellings in the single-family residential (R1) zones which is a minimum of ten feet (10') apart. The Building Code does identify some minimum spacing but has more to do with the Fire Code and openings, in which if the building is built within five feet (5') of a property line, there can't be an opening, and must have a fire rating. With a project, it must have a common ownership, such as a PUD, and an imaginary lot line is used to come up with the property line for the fire separation.

Lester reported in researching other communities, a majority of communities do not require building spacing, but do have requirements for accessory buildings, with a minimum of ten feet (10') behind the home and anything closer than 10' to 15' is considered attached and required to follow the cities' setback requirements.

Listed below are some of the municipalities referenced in the staff report:

1. Parowan City: 10' in a majority of their zones and 25' when commercial in nature.
2. Iron County: 10' in their R4K zones and 15' in all other zones. They allow for variances, and they treat it the same as the structure and would have building requirements for structures.
3. Ivins City: For R3 zones were set up as townhomes and the 2nd building had a minimum of 20'
4. Cedar City: 12' between dwellings and the accessory building was 10' from the dwellings.

Lester explained the staff's recommendation which a minimum distance is ten feet (10') and is currently in the Land Management Code for R1 zones. The International Building Code or International Residential Code, anything over five feet (5') can have open windows/doors on the side of the homes. Lester reported there are other community requirements identified in the staff report as attachments for their review and explained the Planning Commission will be making a recommendation to the Town Council.

The Commission discussed the following:

1. Chairperson Deutschlander referred to the staff's recommendation on the setbacks and commented he would like to see further distance between buildings and then allow for a variance to cluster the buildings together. Bret explained if the minimum of an undisturbed area or landscaped area is 40% is met, then an exemption could be negotiated in which both parties would receive something.
2. Lester explained if the developer wants to cluster the buildings, the Town will want to know where the extra space is going. Lester explained that the Town should identify open space or landscape space would be natural in nature.
3. Chairperson Deutschlander suggested starting with twenty feet (20") spacing and then tiering it down as a concept.
4. The tiny home project on Steam Engine Drive has five feet (5') apart on their building spacing for each of their tiny homes. Commissioner Wallis commented on the challenges they are facing with the snow and the windows that could break. Commissioner Wallis commented she would like to see larger spaces between those types of buildings for safety purposes.

5. Lester summarized that a project like the tiny homes would start with 20' between buildings and would be required to keep 50% of the lot natural, so they would be allowed to go to 10' between buildings instead of the 5' they currently have.
6. Chairperson Deutschlander referred to page 2/6 of the attachments "Performance Criteria and Bonus Densities" and inquired as to the point system. Lester explained that the point system added points which would allow them to increase their density, but the entire document was not included. The document is from Parowan City. Chairperson Deutschlander suggested the idea may be something the Commission would like to review in the future.
7. Commissioner Ricks and Alternate Commissioner Brown agreed with the concept of identifying the 20' spacing between buildings and tiering it down.
8. Commissioner Ricks commented that the green space could be enjoyed, and it could also address the snow perspective that has been raised as well.

Building Spacing:

Consensus of the Commission: Building Spacing: 20' between buildings with a tiering down concept for allowance of open space or landscape space.

Building Setbacks:

1. Chairperson Deutschlander commented on the interior property lines which he would recommend as the building increases in height, the distance between buildings increases as well. Lester explained that it could be done off building height or square footage.
2. Chairperson Deutschlander commented that he would like to see both the interior and outside property lines and would like to see it drawn out and to get the square footage, the developer would increase building height.
3. Bret summarized the discussion on increasing setbacks as buildings increased in height and/or length.
4. Chairperson Deutschlander recommended a twenty-foot setback and would allow for a decrease in the setback if the developer is willing to give up something. Chairperson Deutschlander commented that he doesn't want to see a large building so close to the property lines since there should be some space between the property lines and taller buildings.
5. Lester explained this could change all three residential zones: R1, R2, and R3 zones. Lester explained that with the way legislation is heading, it needs to be addressed in R1 zones as well because an R1 subdivision and the criteria could automatically decrease the lot line and each lot would need a minimum space between each other.
6. Alternate Commissioner Brown commented that the taller, wider, larger buildings should have more than a 25' setback, and as the building increases, so should the setback requirements.
7. Bret reported the Commission will have another discussion on this agenda item when the public hearing will be held.

2. DISCUSSION – LMC Amendment Chapter 12 – Driveway Standards. A discussion regarding Chapter 12 of the Land Management Code dealing with spacing between driveways and intersections.

Lester Ross, Building and Planning Official, presented proposed language for driveway standards (see attached). Lester reported he researched other community's driveways standards which are attached in the staff report. Lester explained there are four categories of roads for Brian Head:

a. Arterial: Highway 143.
b. Collectors: Main roads: Ridge View Street; Hunter Ridge Road; Steam Engine Drive.
c. Local: All other roads in Brian Head that go through the neighborhoods.

Lester explained he provided a suggested sight distance for vehicles entering two-lane roadways from stops with various speed limits (see attached).

Lester reported he researched other communities on their access management in which there were two different methods: 1) one size fits all or 2) different spacing per road classification and use type (see attachment).

Lester explained that due to Brian Head's environment/terrain, he recommended the following driveway standards in which the arterial roads automatically follow the Utah Department of Transportation (UDOT) requirements:

Minimum Spacing Between Driveways:

Local Roads:	Residential:	15'	Commercial:	75'
Collector Road:	Residential:	50'	Commercial:	75'
Arterial Roads:	Residential:	150'	Commercial:	150'

Minimum Spacing from Intersection:

Local Roads:	Residential:	25'	Commercial:	75'
Collector Roads:	Residential:	70'	Commercial:	100'
Arterial Roads:	Residential:	150'	Commercial:	150'

Minimum Spacing from Property Line:

5'	10' Except where it is possible to To provide one access point that will Serve both adjacent properties.

The Commission discussed the following:

1. Chairperson Deutschlander commented that he liked the idea of shared use, but believed there would need to be an agreement for a long-term maintenance plan in place.
2. Chairperson Deutschlander gave an example of a new project that identified their driveways with three to four feet distance between the driveway and identified them for snow storage which he sees as a challenge. There are also challenges with other projects that have no snow storage and push the snow out of their property and onto other properties.
3. Chairperson Deutschlander commented that he would like to see some spacing requirements for townhomes and duplexes where the garages are joined, and the driveways are not separated but isn't sure how to identify the spacing between the garage doors and driveways in townhomes. Lester explained when they are not coming out onto a public street, it makes it more difficult.
4. Lester explained there is a table in the attachments for R3 zones for stipulation for driveways that are joined and using a shared driveway and identifies the minimum spacing for other driveways and the needed area for snow storage (see attached), the minimum area is ten feet for the driveway.
5. Bret inquired if the problem is in an R3 zone where the driveways are close together, the issue is there isn't enough room for snow storage. Chairperson Deutschlander explained that with one of the new developments, there are driveways with three to four feet between driveways and they are counting the strip between the driveways as snow storage. Bret explained that if they have 20% snow storage, they meet the requirements which is 20% of the hard surface.
6. Chairperson Deutschlander recommended that the space between driveways less than four feet should not be counted as snow storage.
7. Bret explained that in an R1 zone, the minimum driveway width is 16' and 20% of that is under four feet, and if the Town requires that under four feet is not wide enough has been ten feet then that would be 60% requirement.
8. Commissioner Ricks expressed his appreciation for the research and inquired if there are multiple townhomes or multiple small homes on a shared property if there are shared driveways that exit onto a collector road, is there any consideration for the

volume of vehicles exiting and if it needs to be wider, for example. Lester responded that the width along with other factors would need to be taken into consideration.

9. Commissioner Ricks commented that when considering the properties in existence today and how would they stack up against others if the standards were from years ago and would the Town look different? Lester responded the Town would have several areas of driveways that would have come out differently in which a good number would be on the local roads. Some began as local roads and became a collector road. The size of a lot would permit it.
10. Commissioner Ricks commented that it could create an issue if a property owner were to build first did the minimum and built on the lot line then another property owner built, they are restricted on what they could do and if it would be an exception. Lester responded that the Town would need to be open in implementing the code.
11. Chairperson Deutschlander commented that the Park City Standards are good and believed that they are covered in the Town's Design Standards. Chairperson Deutschlander commented he is in favor of Parowan City's provision that the Planning Commission would review and grant exceptions.
12. Chairperson Deutschlander commented that believes the driveways should be out of the setback areas and considered ten feet off the property line so there could be a buffer and would be willing to start with five feet for the driveway and would like to have it included in the language.

G. ADJOURNMENT

Motion: Commissioner Wallis moved to adjourn the regular meeting of the Brian Head Planning Commission for May 16, 2023. Commissioner Ricks seconded the motion.

Action: **Motion carried 4-0-0 (summary: Yes = 4 Vote: Yes:** Chairperson Deutschlander, Commissioner Ricks, Commissioner Wallis. Alternate Commissioner Brown. **Absent**: Commissioner Dever, Commissioner Morgan).

The regular meeting of the Brian Head Planning Commission was adjourned at 2:55 pm on May 16, 2023.

June 20, 2023
Date Approved

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Nancy Leigh, Town Clerk