



Planning and Development Services

860 Levoy Drive, Suite 300 • Taylorsville, UT 84123

Phone: (385) 910-5600

Town of Brighton Planning Commission

Public Meeting Agenda

Wednesday, July 16, 2025 6:00 pm

Location:

Microsoft Teams Meeting

https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZDFmN2ZINGMtOWNkNi00YjlkLTgwYTEtMDk0Y2E1NGZhZmJl%40thread.v2/0?context=%7b%22Tid%22%3a%22fac3e0b8-c4a6-4120-b366-ee6cb2fb76a8%22%2c%22Oid%22%3a%22f8a001a5-21cc-482a-9f5a-682bacd87641%22%7d

Meeting ID: 239 446 919 350 9

Passcode: XF6YJ3yf

Dial in by phone

+1 213-357-4434,,285862903# United States, Los Angeles

Phone conference ID: 285 862 903#

Anchor Location: Big Cottonwood Fire Station

7688 South Big Cottonwood Canyon Road

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-391-8268.
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance, or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Approval of May 21, 2025, Planning Commission Meeting Minutes. (Motion/Voting)
- 2) Other Business Items. (As Needed)

PUBLIC HEARING(S)

REZ2025-001421 - Stephen Burt (applicant) is applying to rezone a property from FR-1 to FR-0.5. **Acres:** 0.72. **Location:** 11456 East Mountain Sun Lane. **Zone:** FR-1. **Planner:** Justin Smith (Discussion/Recommendation)

OAM2025-001431 - An ordinance of the town of Brighton amending section 19.04.070 Use Definitions and 19.24.030 Schedule of Uses to clarify the difference between "Ski Resort" and "Ski Resort Support Facilities", to define "Ski Resort Boundaries" and to establish ski resort

“Ski Resort Support Facilities”, to define “Ski Resort Boundaries” and to establish ski resort support facilities as a conditional use in the FM-10 and FM-20 zones. **Planner:** Curtis Woodward (Discussion/Recommendation)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



Meeting Body: Brighton Planning Commission

Meeting Date: July 16, 2025

File Number & Project Type: REZ2025-001421

Current Zone: FR-1

Proposed Zone: FR-0.5

Address: 11456 E Mountain Sun Ln

Planner: Justin Smith

Applicant: Stephen Burt

Staff Recommendation:
Recommend Approval to Brighton City Council

Exhibits:

Staff Report

1

with their subdivision application. The applicant is wanting to rezone from FR-1 to FR-0.5 so that the minimum lot size requirements can be met. Their property is 0.72 acres in size.

SITE & VICINITY DESCRIPTION

South of Mountain Sun Lane and north of Mule Hollow Lane, just west of US Forest Service land. (vicinity map below)

Surrounding Zoning and Use	
North	FR-1, Residence
South	FR-1, Residence
East	FR-1, Residence
West	FR-1, Residence

Known Overlays/Site Constraints	
FCOZ	

GENERAL PLAN CONSIDERATIONS

This property is located within the Silver Fork character area as defined by the Town of Brighton's General Plan. The General Plan calls out Silver Fork as an area that would see minimum changes in use and stay connected to the natural environment. The General

Plans lists the maximum density of 2 units per acre and lists residences as one of the primary uses in the character area.



PUBLIC INPUT

Planning Staff has not received any comments from the surrounding neighbors or the general public as of the completion of this staff report on July 7, 2025. Any comments that are received after that date will be forwarded to the Brighton Planning Commission.

SUMMARY AND RECOMMENDATION

Summary of issues:

This property is owned by Ryan Perkins who is wanting to build a home on this property. Ryan Perkins is required to complete a one-lot subdivision so that his lot is a legal lot of record. Once the lot is a legal lot of record, he will be able to proceed with a permitted use FCOZ application for a residence.

The lot is currently zoned FR-1, which has a minimum lot size of one acre. This property is 0.72 acres in size and thus does not meet the minimum lot size requirement set by the FR-1 zone. FR-0.5 has a minimum lot size requirement of 0.5 acres. The applicant is being required to rezone to the FR-0.5 zone because they are able to meet those lot size requirements for a single lot subdivision.

The owner is looking to build a residence here in the future and that would align with the Silver Fork character area's primary uses. Furthermore, with 0.72 acres the density is low enough to meet the Silver Fork area's target maximum density with 2 units per 1.44 acres instead of 1 acre.

There are eight criteria for a rezone application in the Town of Brighton.

Table 19.16-2: GUIDELINES for CONSIDERING Zoning MAP & TEXT Amendments		
FACTORS	MAP AMENDMENTS	TEXT AMENDMENTS/ LAND USE REGULATIONS
1. The proposed amendment is compatible with the Adopted General Plan.	X	X
2. The proposed amendment promotes the public health, safety and welfare.	X	X
3. The proposed amendment is a more suitable zoning classification for the property than the current classification.	X	
4. The proposed amendment is compatible with the intent and general purposes of this Ordinance.	X	X
5. The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.	X	X
6. The proposed amendment benefits the citizens of the Town of Brighton as a whole.	X	X
7. The proposed amendment does not create a significant number of nonconformities.	X	X
8. The proposed amendment is compatible with the trend of development, if any, in the general area of the property in question.	X	

Since the rezone application is staying within the Forestry zone, and the only change is the minimum lot size, many of these criteria would not apply.

The third criteria is that the proposed amendment is a more suitable zoning classification for the property than the current classification. The rezone application meets this standard due to the



property not meeting the minimum area of 1 acre of the current FR-1 zone. The property would meet the minimum area of FR-0.5 zone.

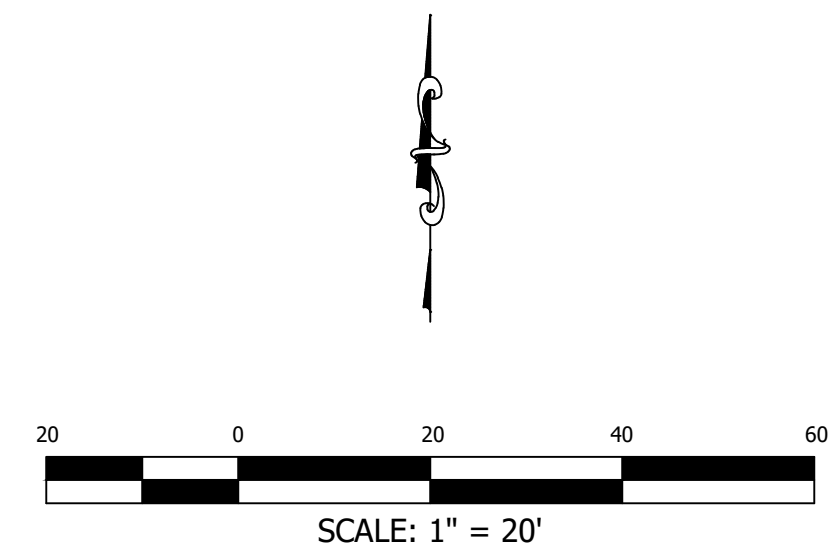
The fifth criteria would be to correct an error or omission that may apply to this application. It is unclear exactly why this lot is left alone or why it was zoned FR-1 when it is under one acre in area.

Rezoning this would correct the zoning classification for this property.

The seventh criterion is that the rezone would not create a significant number of nonconformities. This rezone would not create any non-conformities but would eliminate the non-conformity of the property being 0.72 acres in size in a zone that requires a minimum of one acre.

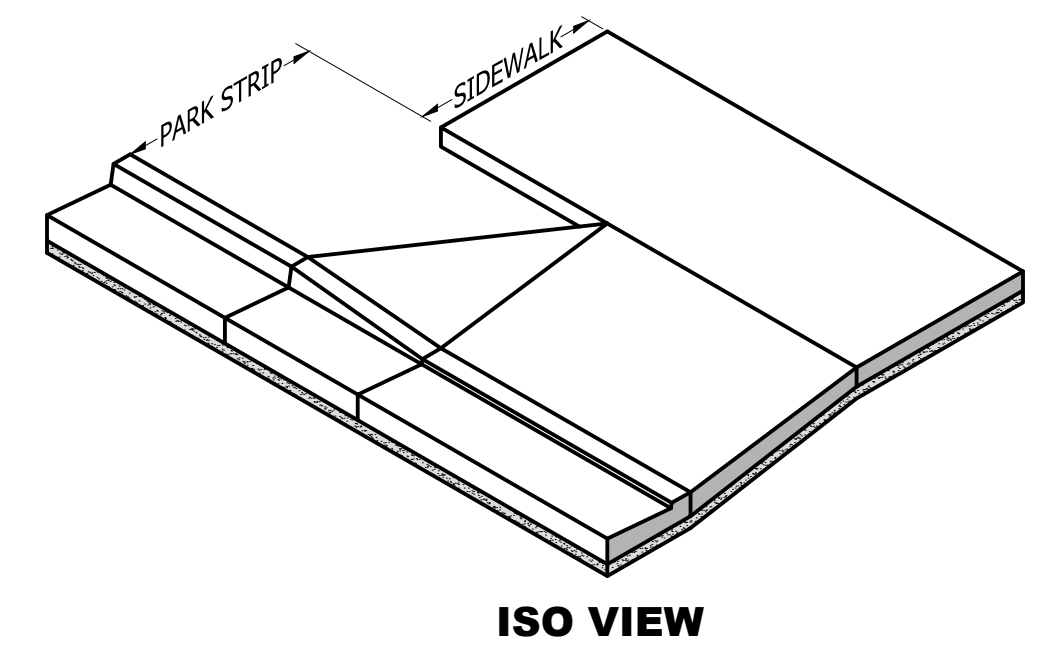
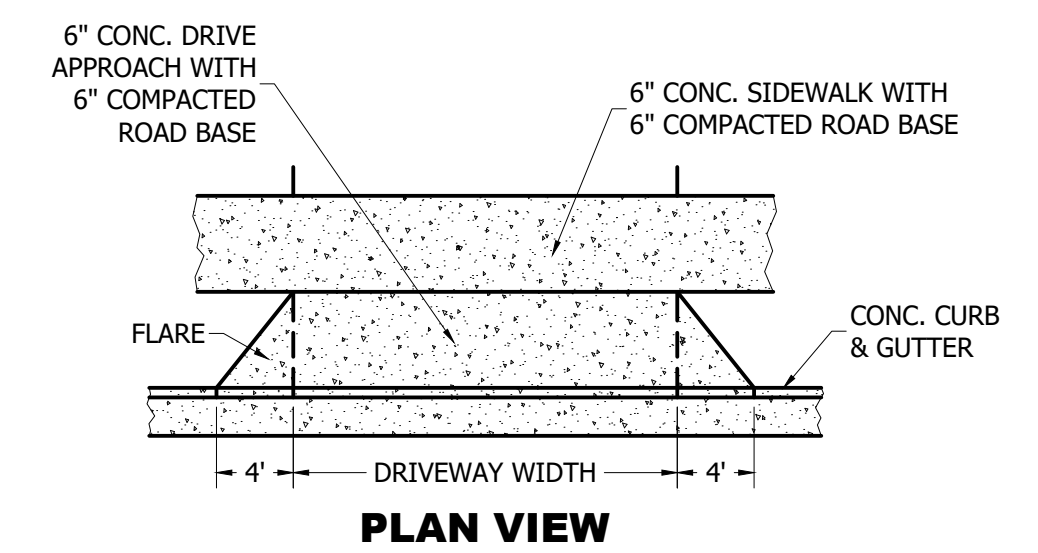
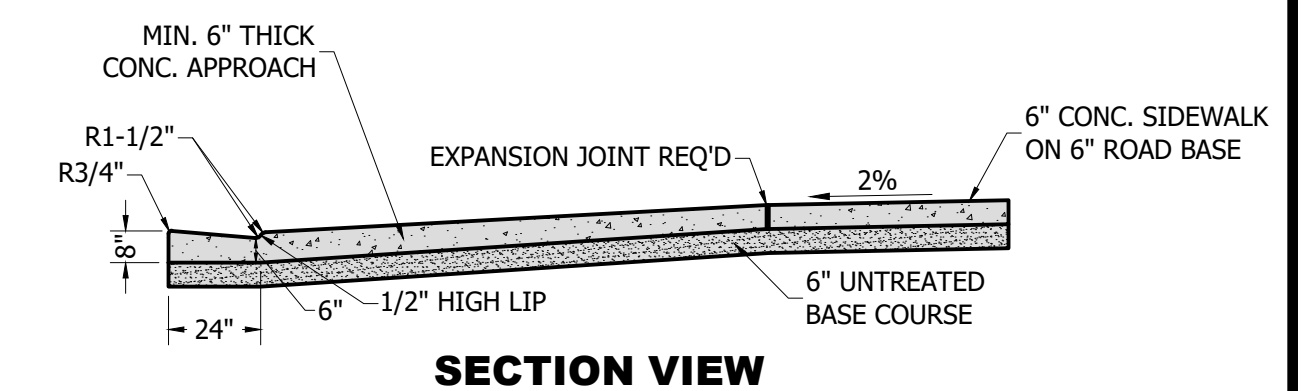
Recommendation:

The Planning Staff at the Greater Salt Lake Municipal Services District recommend that the Brighton Planning Commission recommend the approval of the rezone application



NOTE: PRIOR TO CONSTRUCTION, UTILITIES SHALL BE FIELD
VERIFIED AND LOCATED

- NOTES
1. ROAD BASE IS TO BE COMPACTED PER THE GEOTECHNICAL ENGINEER'S RECOMMENDATIONS. IF NO SUCH RECOMMENDATIONS PERTAIN, COMPACT TO 95% AASHTO T-180 METHOD D.
 2. CONCRETE IS TO BE 4,000 PSI TEST.
 3. CONTROL JOINTS AT 10' INTERVALS.
 4. BITUMINOUS MATERIAL EXPANSION JOINTS ARE REQUIRED AT 50' INTERVALS.



FLARE TYPE CONCRETE DRIVE APPROACH

P-3
C400

NORTH $\frac{1}{16}$ CORNER OF SECTION 21
T2S, R3E, SLB&M. FOUND 2.5"
BRASS MONUMENT

- ## SITE PLAN GENERAL NOTES

1. DUST, MUD AND EROSION SHALL BE CONTROLLED BY WHATEVER MEANS NECESSARY, AND THE ROADWAY SHALL BE KEPT FREE OF MUD AND DERBIES AT ALL TIMES.
2. BUILDER/OWNER SHALL SECURE AN EXCAVATION PERMIT PRIOR TO DOING ANY WORK IN THE PUBLIC RIGHT OF WAY. TRAFFIC PLAN, BONDING AND INSURANCE WILL BE REQUIRED.
3. PROVIDE FINISH GRADING AWAY FROM THE HOUSE ON ALL SIDES AT A MINIMUM OF 6" IN FIRST 10' HORIZONTAL SLOPE IN LANDSCAPED AREAS. THEN MAINTAIN 2% MIN. HORIZONTAL SLOPE IN GRADE THEREAFTER TO APPROVED DRAINAGE AREAS.
4. IF RETAINING WALLS ARE REQUIRED, A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN UTAH, SHALL INSPECT AND APPROVE ANY RETAINING WALL THAT IS HIGHER THAN 4' FROM BOTTOM FINISH GRADE TO TOP OF WALL, ONCE CONSTRUCTED.
5. PROVIDE ON SITE RETENTION OF ALL STORM WATER RUN OFF, BY WHATEVER MEANS NECESSARY DURING CONSTRUCTION.
6. SHOULD GROUND WATER BE INCURRED DURING EXCAVATION, A QUALIFIED SOILS ENGINEER SHALL BE RETAINED TO DESIGN AND APPROVE A CONTINUOUS FRENCH DRAIN AT FOUNDATION ON SITE.
7. MAINTAIN NATURAL EXISTING GRADE AT REAR AND SIDES OF LOT WHERE POSSIBLE TO RETAIN STORM WATER NO RUNOFF ONTO ADJACENT PROPERTIES.

REVIEW IS FOR REZ2025-001421
The stamps apply to the rezone and are not in
anyway approving the site plan



Final Land Use Review

Planning	
Grading	
Geology	Approved
Hydrology	Grisham-Hamilton: 1021054 SITE PLAN 24-12-19 06/24/2025
Surveyor	Approved- See Comments Sheet FrancisLokur: 1021054 SITE PLAN 24-12-19 06/25/2025
Traffic	Approved
UFA	lanthartman: 1021054 SITE PLAN 24-12-19 07/02/2025
Health	ACCEPTED
	DBradley: 1021054 SITE PLAN 24-12-19 07/02/2025
Building	Approved- See Comments Sheet
Addressing	LorUnfuss: 1021054 SITE PLAN 24-12-19 08/30/2025



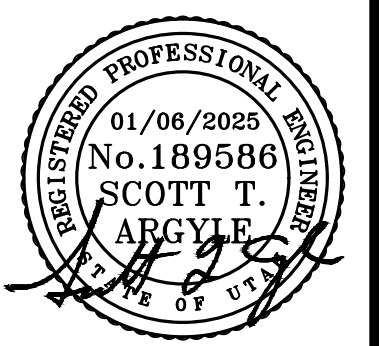
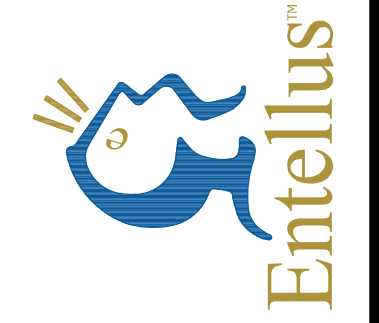
■ -POWER
■ -TELEPHONE & TV
■ -GAS
■ -SEWER
■ -WATER
■ -IRRIGATION

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1470 South 600 West
Woods Cross, UT 84010
Phone 801.298.2236
www.Entellus.com



Client: Perkins
Contact: Ryan Perkins
Phone #:
Address:

Email: perkmd@bellsouth.net

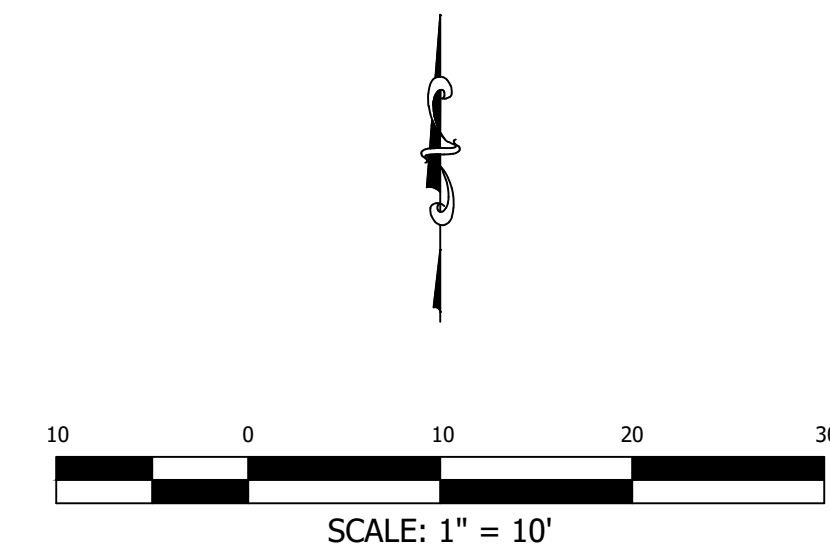
PERKINS CABIN

11456 EAST MOUNTAIN SUN LANE
PARCEL #34212860250000
LOCATED IN THE #### 1/4 OF SECTION ####, T. ####, R. ####, S.1&B.&M.
BRIGHTON CITY, SALT LAKE COUNTY, UT:4H

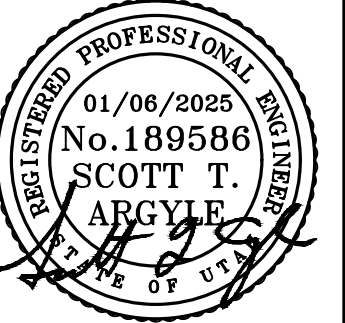
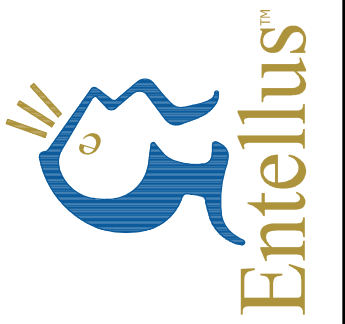
[illegible]

DRAWN: CSA
APPROVED: STA
PROJECT #: 1021054
1021054 SITE PLAN
24-12-19.dwg

C400
SITE PLAN



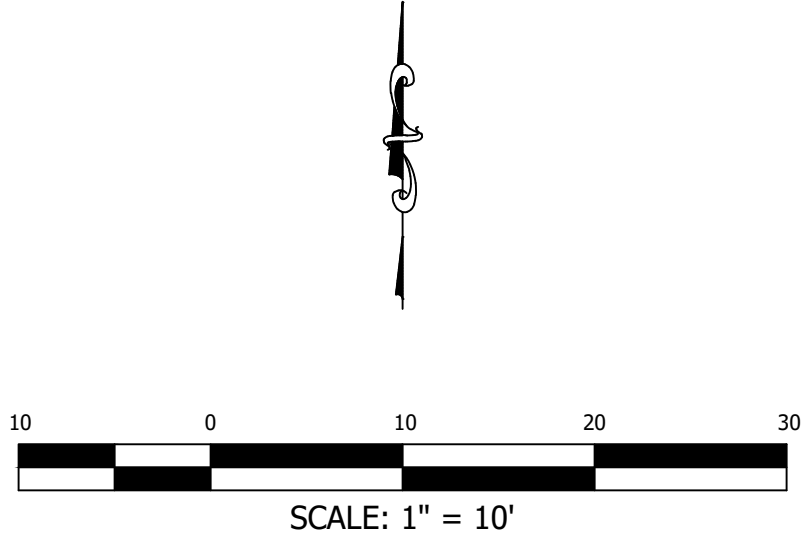
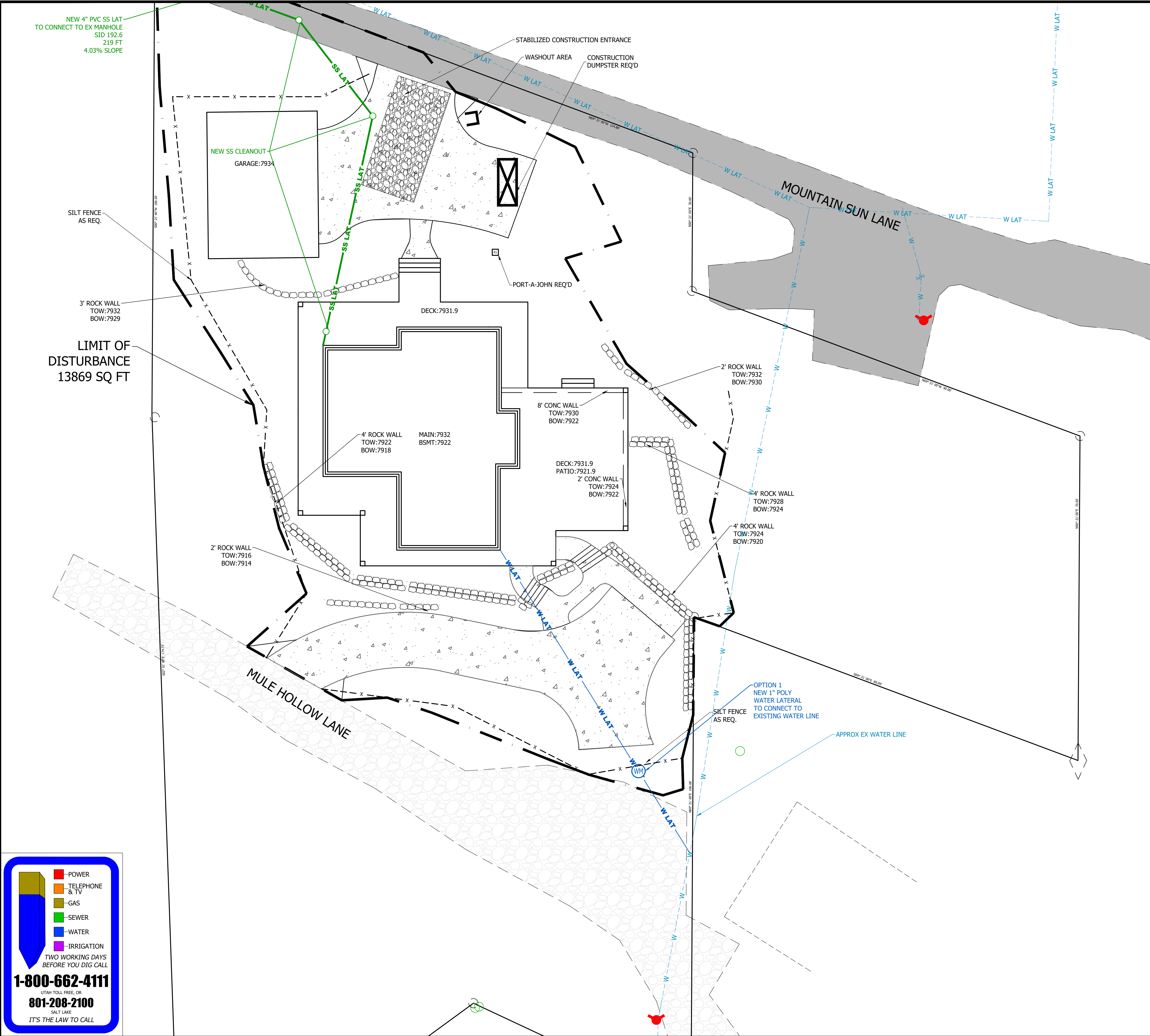
LAND TABLE:
TOTAL LOT: 31952 SQ FT
LOD: 13817 SQ FT
BUILDING: 2371 SQ FT
HARD SURFACE: 4723 SQ FT
DISTURBED LANDSCAPE: 6723 SQ FT



Client: Perkins
Contact: Ryan Perkins
Phone #:
Address:
Email: perkmd@bellsouth.net

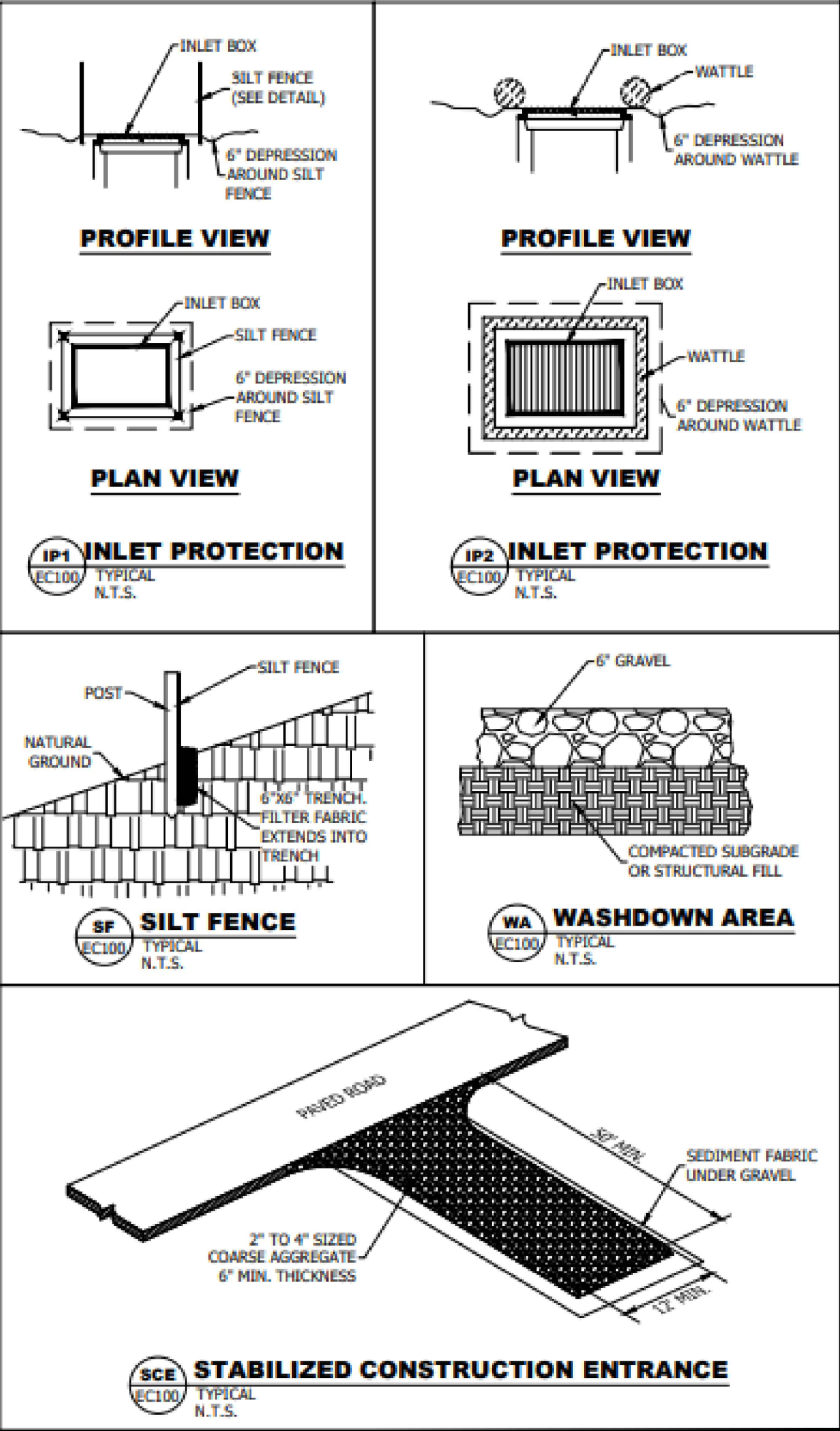
PERKINS CABIN
11456 EAST MOUNTAIN SUN LANE
PARCEL #32121860250000
LOCATED IN THE ##### 1/4 OF SECTION T:####, R:####, S.L.B.&M.
BRIGHTON CITY, SALT LAKE COUNTY, UTAH

	REV #	COMMENT	DATE
RRAWN:			
PPROVED:			
PROJECT #:			
1021054 SITE PLAN			
24-12-19.dwg			
C500			
GRADING PLAN			



CONSTRUCTION NOTES

- 1. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY LOCAL, STATE, AND FEDERAL PERMITS PRIOR TO COMMENCING CONSTRUCTION.
- 2. CONTRACTOR TO MAINTAIN A COPY OF THE SWPPP ON SITE.
- 3. CONTRACTOR TO INSPECT SITE TO ENSURE THE SWPPP IMPROVEMENTS ARE IN PLACE AND FUNCTIONAL.
- 4. CONTRACTOR TO MAINTAIN TEMPORARY EROSION AND SEDIMENT CONTROLS AND HOUSEKEEPING MEASURES.
- 5. ALL SOLID WASTE SHALL BE STORED IN A SECURELY LIDDED METAL DUMPSTER. THE DUMPSTER SHALL MEET ALL STATE AND LOCAL WASTE MANAGEMENT REGULATIONS.
- 6. ALL HAZARDOUS WASTE SHALL BE DISPOSED OF IN THE MANNER AS SPECIFIED BY THE MANUFACTURER AND STATE AND LOCAL REGULATIONS.
- 7. A WASHOUT AREA SHALL BE CONSTRUCTED FOR THE TEMPORARY COLLECTION OF EXCESS CONCRETE AND NON-STORM WATER DISCHARGES FROM VEHICLE WASHING. THE CONCRETE WILL BE TAKEN TO THE CITY LANDFILL WITHIN 1 WEEK OF PLACING IN THE WASHOUT AREA.
- 8. A STABILIZED CONSTRUCTION ENTRANCE WILL BE CONSTRUCTED TO REDUCE VEHICLE TRACKING OF SEDIMENTS ONTO PUBLIC RIGHT OF WAYS. THE PAVED STREET ADJACENT TO THE SITE ENTRANCE WILL BE SWEEP DAILY TO REMOVE EXCESS DIRT.
- 9. INSPECTION SHALL BE MADE MONTHLY AND WITHIN 24 HOURS AFTER A RAINFALL EVENT OF 0.5 INCHES OR GREATER. ALL NON-STORM WATER FLOWS SHALL BE DIRECTED TOWARD THE WASHOUT AREA OR SEDIMENT BASIN. THE SWPPP WILL BE REVISED AS SITE CONDITIONS AND PROJECT WARRANTS.
- 10. CONTRACTOR SHALL BE RESPONSIBLE FOR CLEANING AND SWEEPING PUBLIC STREETS ON A DAILY BASIS, OR MORE IF NECESSARY.
- 11. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ADEQUATE DUST CONTROL THROUGHOUT THE COURSE OF THE PROJECT.
- 12. ALL SLOPES GREATER THAN 25% ARE TO BE RE-SEEDED WITH DEEP ROOTED VEGETATION. ALL TREES IN PROPOSED LANDSCAPED AREAS ARE TO BE REPLACED WITH EQUIVALENT TREES



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GAS

SEWER

WATER

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REGISTERED PROFESSIONAL ENGINEER
01/06/2025
No. 189586
SCOTT T. ARGYLE
STATE OF UTAH

Client: Perkins
Contact: Ryan Perkins
Phone #:
Address:
Email: perkmtd@bellsouth.net

PERKINS CABIN

11456 EAST MOUNTAIN SUN LANE
PARCEL #24212860250000
LOCATED IN THE ### 1/4 OF SECTION ###, T. ##, R. ##, S.L.B.&M.
BRIGHTON CITY, SALT LAKE COUNTY, UTAH

REV #	DATE	COMMENT

DRAWN: CSA

APPROVED: STA

PROJECT #: 1021054

24-12-19.dwg

EC100

EROSION CONTROL

Entellus was contacted by the property owner's architect for survey and engineering services. As part of those services, Entellus has been acting as the applicant for a subdivision application for the proposed Perkins Subdivision. Justin Smith, a planner from the Greater Salt Lake Municipal Services District, reached out to request that the property be rezoned from an FR-1 to the FR-0.5 zoning based on the fact that total acreage of the property is less than 1-acre. This application is being submitted based on that request.

DESCRIPTION

A PARCEL OF LAND IN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 SOUTH, RANGE 3 EAST, SALT LAKE BASE AND MERIDIAN, TOWN OF BRIGHTON, SALT LAKE COUNTY, UTAH, SAID PARCEL IS FURTHER DESCRIBED AS FOLLOWS.

BEGINNING AT THE U.S. GENERAL LAND OFFICE BRASS CAP MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION, SAID CORNER IS ALSO KNOWN AS THE NORTH 1/16 CORNER BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SAID SECTION BASED ON SURVEY #2023-03-0311 FILED IN THE SALT LAKE COUNTY SURVEYOR'S OFFICE; AND RUNNING THENCE NORTH 69°31'00" WEST 89.09 FEET; THENCE SOUTH 00°21'00" WEST 106.08 FEET; THENCE NORTH 64°53'00" WEST 52.20 FEET; THENCE SOUTH 53°45'00" WEST 78.99 FEET; THENCE NORTH 02°01'00" WEST 174.73 FEET; THENCE NORTH 00°21'00" EAST 100.50 FEET; THENCE SOUTH 69°31'00" EAST 124.80 FEET; THENCE SOUTH 00°21'00" WEST 30.00 FEET; THENCE SOUTH 69°31'00" EAST 90.00 FEET TO THE SECTION LINE; THENCE SOUTH 00°21'00" WEST 70.50 FEET ALONG SAID LINE TO THE NORTH 1/16 QUARTER AND TO THE POINT OF BEGINNING.

PARCEL CONTAINS 0.733 ACRES.



Ordinance Amendment Staff Report

Meeting Body: Planning Commission

Meeting Date: July 16, 2025

File Number & Project Type:
OAM2025-001431

[Clarify the difference between "Ski Resort" and "Ski Resort Support Facilities", define "Ski Resort Boundaries" and establish ski resort support facilities as a conditional use in the FM-10 and FM-20 zones]

Planner: Curtis Woodward, Senior Planner

Key Findings:

Finding 1: The current definition of "ski resort" includes: "Associated facilities...authorized in conjunction with the operation of a year-round resort."

Finding 2: The original intent of listing "ski resorts and ski resort facilities" was to acknowledge those associated facilities within the resort boundaries.

Finding 3: Amending the ordinance to clarify these terms consistent with the original intent.

Staff Recommendation: Staff recommends a favorable recommendation to the Council.

Exhibits:

A. Proposed ordinance

PROJECT DESCRIPTION

The proposed ordinance amendment makes the following changes:

1. It removes paragraph 5, "Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort," from the definition of "Ski Resort."
2. It creates a new definition of "Ski Resort Support Facilities" to include the items listed in paragraph 5 (above), adding the clarification that they are "located within the ski resort boundaries..."
3. It creates a definition of "ski resort boundaries."
4. It separates "Ski resort and ski resort facilities" into two separate uses on the table in 19.24.030: "Ski resort," and "Ski resort support facilities."
5. It designates "Ski resort support facilities" as a conditional use in the FM-10 and FM-20 zones.

ISSUES/CONCERNS

Issue:

19.24.030 of the Brighton code lists "Ski Resorts and Ski Resort Facilities" as conditional uses in the Forestry zones. However, "Ski Resort Facilities" is not a defined term in the code. The question then is whether "Ski Resort Facilities" is a separate land use from "Ski Resorts."

Analysis:

Although "Ski Resort Facilities" is not a defined land use in Brighton's code, the definition of "Ski Resort" includes under #5: "Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort." Because the above listed items are facilities commonly found in and are accessory to a ski resort, it is reasonable to assume that "Ski Resort Facilities" as listed in 19.24.030 is referring to

paragraph 5 of the “Ski Resort” definition. This is supported by the fact that “Ski resort and ski resort facilities” is listed as one line item in the land use table rather than being listed on separate lines.

Issue:

10-9a-306 of the Utah code states that “If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application.” In other words, if there is ambiguity in the code, the regulation is interpreted in favor of an applicant.

Analysis:

Although the intent of the code is that “ski resort facilities” are those facilities contained within the resort itself (associated facilities being contained within the definition of “ski resort” itself) and argument could be made that the code is ambiguous. The solution is to amend the code to remove any ambiguity in the code to clearly define these facilities and to specify where they are allowed, consisted with the original intent.

APPLICABLE FACTORS FOR CONSIDERATION

Table 19.16-2 includes the following guidelines a planning commission and Council may consider in deciding zoning map and text amendments:

GUIDELINES FOR CONSIDERING ZONING TEXT AMENDMENTS
The proposed amendment is compatible with the Adopted General Plan.
The proposed amendment promotes the public health, safety and welfare.
The proposed amendment is compatible with the intent and general purposes of this Ordinance.
The proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy.
The proposed amendment benefits the citizens of the Municipality as a whole.
The proposed amendment does not create a significant number of nonconformities.

PUBLIC INPUT

Planning Staff has not received any comments from the public as of the completion of this staff report. Any comments that are received will be forwarded to the Planning Commission for review and will be summarized on July 16.

ANALYSIS AND RECOMMENDATION

Analysis and Summary:

Based on the Issues and Concerns analyzed above, planning staff supports making the necessary changes to the zoning ordinance as needed to bring the clear language of the code in line with the original intent of “Ski Resort and Ski Resort Facilities” as listed in 19.24.030 of the code.

Recommendation:

Planning staff recommends that the planning commission consider the text of the code and recommend changes as necessary to remove ambiguity in harmony with the original intent.

PLANNING COMMISSION OPTIONS:

As a recommending body to the Council for zoning map amendments and text changes, the planning commission has the following options:

1. **Approval: (STAFF RECOMMENATION)** The planning commission recommends approval of application OAM2025-001431 to amend Title 19 of the Brighton code.
2. **Approval with changes:** The planning commission recommends approval of application OAM2025-001431 to amend Title 19 of the Brighton code with the following changes:
 - a. ...
 - b. ...
3. **Denial:** Having considered the Guidelines for Zoning Text Amendments contained in Chapter 19.16 of the Brighton zoning ordinance, the planning commission recommends denial of application OAM2025-001431 to amend Title 19 of the Brighton code.

ORDINANCE 2025-_____

File No. OAM2025-001431

Date: _____

AN ORDINANCE OF THE TOWN OF BRIGHTON AMENDING SECTION 19.04.070 USE DEFINITIONS AND 19.24.030 SCHEDULE OF USES TO CLARIFY THE DIFFERENCE BETWEEN “SKI RESORT” AND “SKI RESORT SUPPORT FACILITIES”, TO DEFINE “SKI RESORT BOUNDARIES” AND TO ESTABLISH SKI RESORT SUPPORT FACILITIES AS A CONDITIONAL USE IN THE FM-10 AND FM-20 ZONES

RECITALS

WHEREAS, the Town of Brighton adopted a zoning ordinance pursuant to Utah Code Ann. Subsection 10-9a-102(2) and has authority to amend said zoning ordinance when it determines it is necessary; and

WHEREAS, the Town of Brighton is a municipality and has authority to regulate land use and development standards in general pursuant to Utah Code Ann. Subsection 10-9a-104 (1); and

WHEREAS, Section 19.24.030 of the Brighton zoning ordinance currently lists, “Ski Resorts and Ski Resort Facilities” as a conditional use in the forestry (FR and FM) zones within the Town of Brighton; and

WHEREAS, the Town Council finds that the original intent of “Ski Resort Facilities” as included in the current code was to allow structures, uses and facilities that are contained within and clearly accessory to a ski resort base area in the forestry zones; and

WHEREAS, the Town Council finds it necessary to clarify the original intent by defining “ski resort support facilities” and specifying the zones in which they are allowed in order to remove any perceived ambiguity in the code.

BE IT ORDAINED BY THE BRIGHTON TOWN COUNCIL as follows:

1. Sections 19.04.070 and 19.24.030 are amended as attached hereto as **Exhibit A**. The amendments made Therein are designated by underlining the new words, with words being deleted designated by brackets with a line drawn through said words.

2. Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

3. Effective Date. This Ordinance will take effect immediately upon posting and publication as required by law.

PASSED AND ADOPTED this _____ day of _____ 2025.

BRIGHTON TOWN COUNCIL

By: Dan Knopp, Mayor

ATTEST

Kara John, Clerk

Voting:

Council Member Bossard	voting ____
Council Member Brunhart	voting ____
Council Member Keighley	voting ____
Council Member Knopp	voting ____
Council Member Zuspan	voting ____

EXHIBIT A

19.04.070 USE DEFINITIONS

CC. “Ski Resort” means:

1. Any publicly or privately developed recreational use permitted by relevant local, state, and federal authorities, for snow-related activities, accessory year-round or non-snow related activities, and associated facilities and improvements.
2. Such uses, activities, and facilities may be conducted on a commercial or membership basis, solely on privately-owned property or on privately-owned lots or parcels interspersed with public land under a special use permit from the U.S. Forest Service or other public agency, primarily for the use of persons who do not reside on the same lot or parcel as that on which the recreational use is located.
3. Snow-related activities include but are not limited to: downhill skiing, cross-country skiing, snowboarding, snow shoeing, snowmobiling, or other snow-related activities.
4. ~~[Accessory-y]~~ Year-round and non-snow related activities include but are not limited to: alpine recreational activities; cultural events and festivals; and conference events.
5. ~~[Associated facilities and improvements include, but are not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort.]~~

CD. “Ski Resort Boundaries” means the outer boundaries of each ski resort as illustrated in Appendix “A” and “B” attached to this ordinance.

CE. “Ski Resort Support Facilities” means facilities and improvements accessory to, and located within the ski resort boundaries of a “ski resort,” including, but not limited to: lodging; food, retail, and support services; recreational and fitness facilities; parking accommodations; and other uses of a similar nature specifically authorized in conjunction with the operation of a year-round resort.

~~C[D]E.~~ “Ski Run” means a groomed path on a slope for the purpose of skiing; typically associated with a ski resort.

C[~~E~~]G. “Solar Energy System, Accessory” means a roof-mounted, wall mounted, or ground mounted panel, the primary purpose of which is to provide for the collection, inversion, storage, and distribution of solar energy for electricity generation, space heating, space cooling, or water heating of buildings located on the same property.

C[~~F~~]H. “Swap Meets And Flea Markets” means a market operating for the sale or exchange of merchandise at retail by many sellers within a parking lot or enclosed building. This does not include garage sales.

C[~~G~~]I. “Tavern” means the same as “Bar.”

C[~~H~~]J. “Temporary Sale, Farm Products” means a type of temporary use that is less than six hundred square feet (600 sq. ft.) and at least seventy-five percent (75%) of the products sold are farm products or value-added farm products.

C[~~I~~]K. “Tiny Home” means a dwelling less than four hundred square feet (400 sq. ft.) in size, not including loft space, that meets building code requirements and is on a permanent foundation. A tiny home is either a single-family dwelling or an accessory dwelling unit. A tiny home used as the primary residential use on a lot or parcel is a single-family dwelling for the purposes of this Ordinance. A tiny home used as an accessory dwelling is prohibited in the Town of Brighton.

C[~~J~~]L. “Impound Lots” means the temporary storage of vehicles that have been towed, carried, hauled, or pushed from public to private property for impoundment in a public or private impound yard. These uses are prohibited in Brighton.

C[~~K~~]M. “Twin Home” means the same as “Dwelling, Two Family.”

C[~~L~~]N. “Vertical Indoor Agriculture” means growing crops in vertically stacked layers indoors, often incorporating controlled-environment agricultural techniques and soilless farming techniques such as hydroponics, aquaponics, or aeroponics.

C[~~M~~]O. “Water Pumping Plant and Reservoir” means a natural or artificial water storage basin with a pumping station to distribute potable or irrigation water.

C[~~N~~]P. “Water Treatment Facility” means the facility or facilities within the water supply system which can alter the physical, chemical, or bacteriological quality of the water.

19.24.030 SCHEDULE OF USES

Use Categories	FR-0.5	FR-1	FR-20	FM-10	FM-20
Residential:					
Accessory Structures (shall be reviewed based on underlying use)	P	P	P	P	P
Accessory Dwelling Unit, Internal; subject to 19.42	P	P	P	P	P
Dwelling, Multi-Family	X	X	X	C	C
Dwelling, Single-Family	P	P	P	P	P
Other:					
Child Care subject; to 19.42	P	P	P	C	C
Home Occupation; subject to 19.42	P	P	P	X	X
Minor Ski Resort Improvements; subject to Section 19.42.300. G.	P	P	P	P	P
Public or Quasi-Public Use	C	C	C	C	C
Residential Facility for Elderly Persons	C	C	C	P	P
Residential Facility for Persons with a Disability; subject to 19.42	P	P	P	P	P
Short-term Rentals	P	P	P	P	P
Ski Resorts [and Ski Resort Facilities]	C	C	C	C	C
<u>Ski Resort Support Facilities</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>

Water pumping plant and reservoir	C	C	C	X	X
Water Treatment, water storage, and watershed management facilities	C	C	C	X	X
Wireless Telecommunications Facilities, subject to Chapter 19.42	C	C	C	C	C

SUMMARY OF
BRIGHTON
ORDINANCE NO. 2025-

On _____, 2025, the Brighton Town Council enacted Ordinance No. 2025-____, amending section 19.04.070 Use Definitions and 19.24.030 Schedule of Uses to clarify the difference between “ski resort” and “ski resort support facilities”, to define “ski resort boundaries” and to establish ski resort support facilities as a conditional use in the FM-10 and FM-20 zones.

BRIGHTON TOWN COUNCIL

By: Dan Knopp, Mayor

ATTEST

APPROVED AS TO FORM:

Kara John, Clerk

TOWN ATTORNEY

Voting:

Council Member Bossard	voting ____
Council Member Brunhart	voting ____
Council Member Keighley	voting ____
Council Member Knopp	voting ____
Council Member Zuspan	voting ____

A complete copy of Ordinance No. 2025-_____ is available in the office of the Greater Salt Lake Municipal Services District, 860 Levoy Drive, Suite 300, Taylorsville, UT 84123.

Appendix A



Appendix B

