



BRIAN HEAD

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# 814 39072805

TUESDAY, September 2, 2025 @ 1:00 PM

AGENDA

- A. CALL TO ORDER** **1:00PM**
- B. PLEDGE OF ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES**
August 19, 2025 Planning Commission Meeting
- E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- F. AGENDA ITEMS:**
- 1. ANNEXATION POLICY AND TIER REVIEW** – Reed Erickson, the Iron County Planner, will make a presentation and answer any questions the Planning Commission may have about it.
 - 2. LEGISLATIVE ACTION - Mynarcik Minor Plat Amendment** – Greg Sant, Planning and Building Administrator
 - 3. DISCUSSION ONLY - LMC Amendment for Flag Lots** – Greg Sant, Planning and Building Administrator
- G. ADJOURNMENT**

Date: September 2, 2025

Available to Board Members as per Ordinance No. 11-003 authorizes public bodies, including the Town, to establish written procedures governing the calling and holding of electronic meetings at which one or more members of the Council may participate by means of a telephonic or telecommunications conference. In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call Brian Head Town Hall @ (435) 677-2029 at least three days in advance of the meeting.

CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in two public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall and Post Office, and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Ciera Claridge, Deputy Clerk

**ITEM: MYNARCİK MINOR PLAT AMENDMENT**

AUTHOR: Greg Sant
DEPARTMENT: Building and Planning
DATE: September 2, 2025
TYPE OF ITEM: Legislative Action

SUMMARY:

Staff received an application for a Minor Plat Amendment on July 7, 2025 to vacate four property lines and a portion of Mountain View Drive to create one large lot that is designed to be preserved as an open meadow.

BACKGROUND:

The applicant met with staff in June 2025 to look at preserving the meadow that is located at the end of Mountain View Dr (450 East). There are now 3, was 5, landowners that are affected by this amendment, and all are amenable to this concept. The amended plat has space for each of these owners to sign, indicating their approval. A portion of 450 East will be vacated, deeding property to the larger parcel being created as well as lot 6A.

At the August 5th Planning Commission meeting a Public Hearing was held and the Commission discussed this item. Because of unresolved issues the Commission tabled the item. Those issues have been resolved, and it is now back on the agenda for approval.

ANALYSIS:

If this is approved by the Planning Commission, then the road vacation for 450 East will need to go to the Town Council and Council will need to vacate the road through a Town Resolution. The Road Vacation of 450 East has been revised, and it no longer leaves any land locked lots. There continues to be a 20 foot wide easement on lot 3, but is for utilities. Currently there is an easement for a electric service line and in the future water and sewer may be added if they come to the area. If water is added, the meter will be located on Copper Lane. Public works was consulted on this and they approved.

STAFF RECOMMENDATION:

Staff recommends that the commission approve the Minor Plat Amendment, however there are a few things that need to happen before this Amended plat can be recorded:

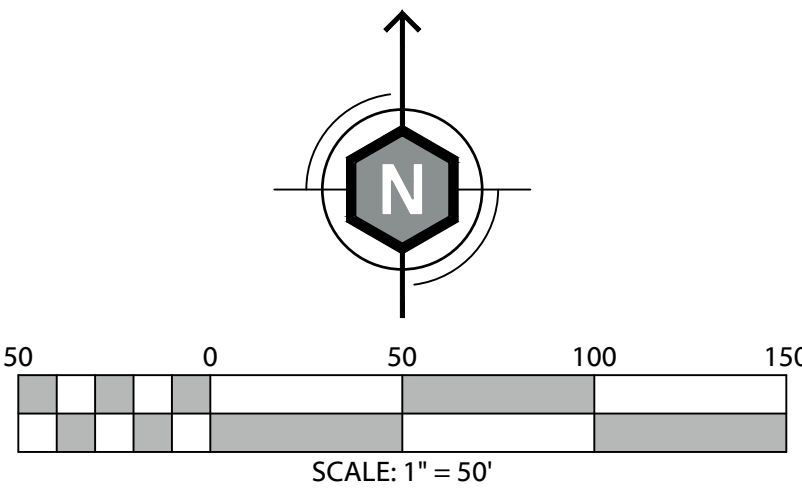
1. The road names need to be changed on the amended plat - Mountain View to 450 East and Aspin Lane to Copper Lane.
2. The Town Council needs to vacate a portion of 450 East.

PROPOSED MOTION:

I move to approve the Mynarcik Minor Plat Amendment upon the completion of the Staff Recommendations stated within this Staff Report.

ATTACHMENTS:

A - Proposed Amended Plat

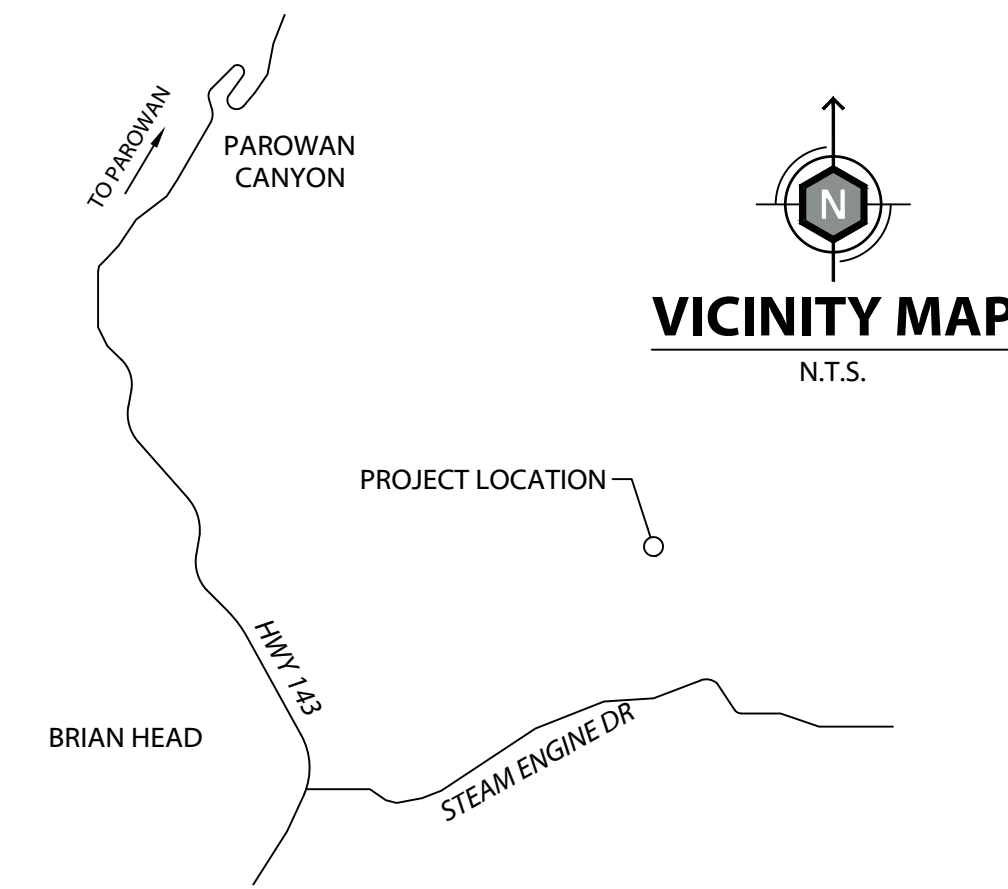


PLAT AMENDMENT

LOTS 2, 4, 6, 8, 20, 23, 25, 27

CEDAR BREAKS MOUNTAIN ESTATES, UNIT A

WITHIN THE NE 1/4 OF SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN
BRIAN HEAD, IRON COUNTY, UTAH



LEGEND

- FOUND PROPERTY CORNER, AS SHOWN
- SET 1/2" REBAR & CAP, PLS #11864106
- PROPERTY LINE
- SECTION LINE
- NEW EASEMENT, AS NOTED
- RECORD DISTANCE
- MEASURED DISTANCE
- PROPOSED R.O.W. VACATION

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

GERALD VINCENT TRELEASE

ACKNOWLEDGEMENT
STATE OF _____)
COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____ A NOTARY PUBLIC, _____ OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC _____ NOTARY PUBLIC STATE OF COMMISSION _____
COMMISSION NUMBER _____ COMMISSION EXPIRES _____
RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

BY: MYNARCİK NEVADA TRUST, DATED FEBRUARY 7, 2001

TIGER W. MYNARCİK - INVESTMENT TRUSTEE JILL M. CHILDS-MYNARCİK - INVESTMENT TRUSTEE

ACKNOWLEDGEMENT
STATE OF _____)
COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____ TRUSTEES OF THE MYNARCİK NEVADA TRUST, DATED FEBRUARY 7, 2001, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

NOTARY PUBLIC _____ NOTARY PUBLIC STATE OF COMMISSION _____
COMMISSION NUMBER _____ COMMISSION EXPIRES _____
RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

BY: MYNARCİK NEVADA TRUST, DATED FEBRUARY 7, 2001

BRANDON MYNARCİK - DISTRIBUTION TRUSTEE

ACKNOWLEDGEMENT
STATE OF _____)
COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____ TRUSTEE OF THE MYNARCİK NEVADA TRUST, DATED FEBRUARY 7, 2001, OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC _____ NOTARY PUBLIC STATE OF COMMISSION _____
COMMISSION NUMBER _____ COMMISSION EXPIRES _____
RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNER(S) OF THE LAND DESCRIBED HEREON, HEREBY CERTIFY THAT IT IS OUR INTENT TO AMEND THIS SUBDIVISION PLAT AS SHOWN HEREON.

BY: OLD LIGHT HOUSE, LLC, A NEVADA LIMITED LIABILITY COMPANY

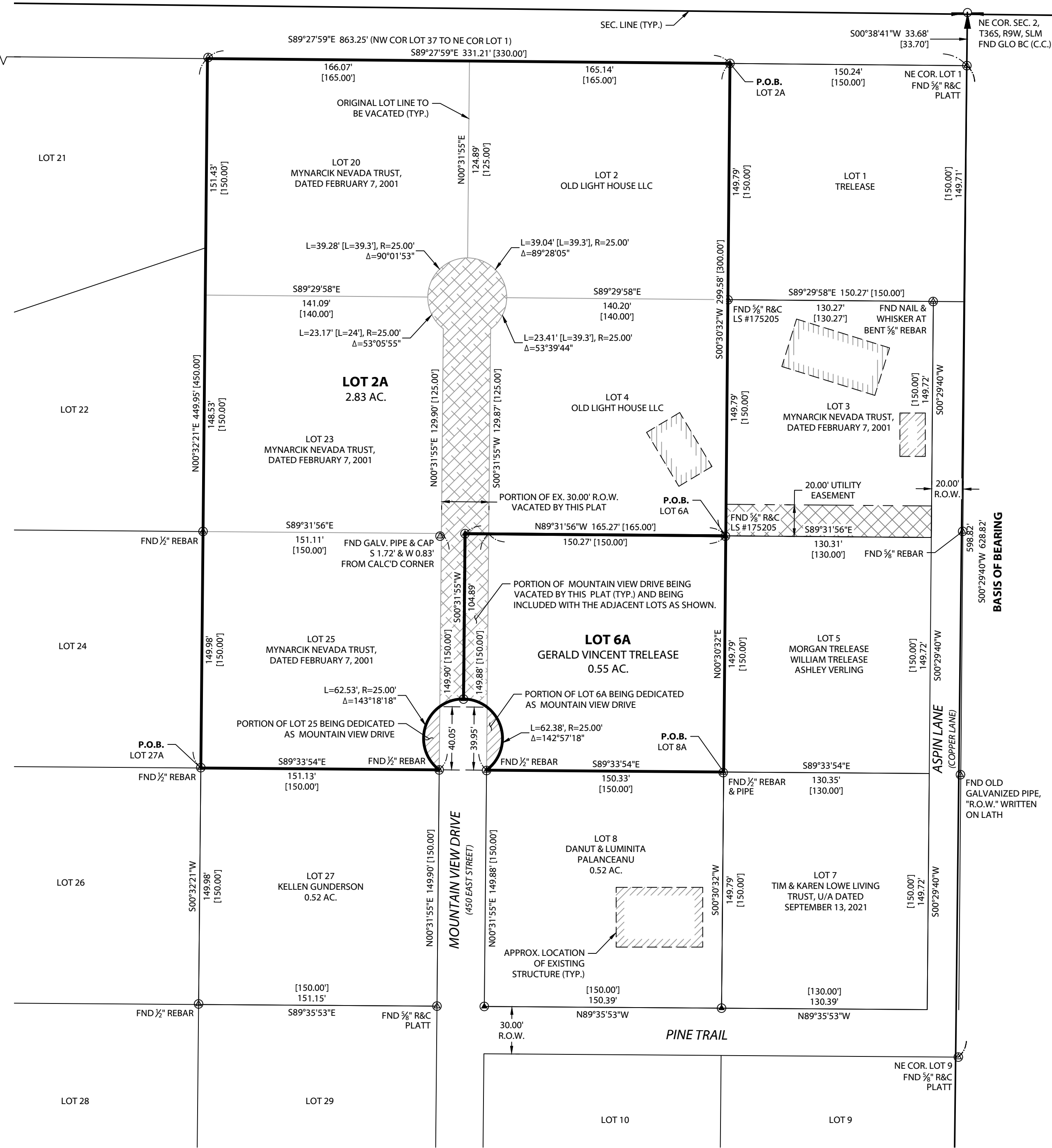
MANAGING MEMBER

ACKNOWLEDGEMENT
STATE OF _____)
COUNTY OF _____) S.S.

ON THIS _____ DAY OF _____, 20____, PERSONALLY APPEARED BEFORE ME, _____

A NOTARY PUBLIC, _____ OWNER OF THE PROPERTY DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND SIGNER OF THE CERTIFICATE OF DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC _____ NOTARY PUBLIC STATE OF COMMISSION _____
COMMISSION NUMBER _____ COMMISSION EXPIRES _____
RESIDING IN THE COUNTY OF _____
STAMP NOT REQUIRED PER UTAH CODE 46-1-16(6)



SURVEYOR'S CERTIFICATE

I, DARYL T. BROWN, PROFESSIONAL LAND SURVEYOR No. 11864106, HOLD A LICENSE IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS LICENSING ACT, DO HEREBY CERTIFY THE FOLLOWING:

- THIS PLAT AMENDMENT, IN ACCORDANCE WITH SECTION 17-23-17, REPRESENTS THE RESULTS OF A SURVEY CONDUCTED BY MYSELF AND UNDER MY DIRECT SUPERVISION AT THE REQUEST OF MR. TIGER MYNARCİK.
- THE LAND SURVEYED LIES IN BRIAN HEAD, UTAH, WHICH IS WITHIN A PORTION OF THE NE 1/4 OF SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN, AND WAS COMPLETED AUGUST 2025.
- THE MONUMENTS SHOWN ON THIS MAP ARE OF THE CHARACTER SHOWN AND OCCUPYING THE POSITION INDICATED AND ARE OF SUFFICIENT NUMBER TO DEFINE THE SAID BOUNDARY.

DARYL T. BROWN, P.L.S.

DATE _____

NARRATIVE

THIS PLAT AMENDMENT WAS COMPLETED AT THE REQUEST OF MR. TIGER MYNARCİK TO IDENTIFY THE SUBJECT PROPERTY BOUNDARY, COMBINE THE SUBJECT LOTS BY VACATING THE COMMON LOT LINES AND RIGHT-OF-WAY AS SHOWN, AND MONUMENT THE MISSING PROPERTY CORNERS ON THE GROUND.

EXISTING MONUMENTS WERE FOUND AS SHOWN HEREON. THE EAST BOUNDARY OF THE SUBJECT SUBDIVISION AND WEST LINE OF ASPIN LANE RIGHT-OF-WAY (R.O.W.) WAS ESTABLISHED BETWEEN THE PLATT 1/2" REBAR & CAP (R&C) FOUND AT THE NORTHEAST CORNER OF LOT 1 AND THE NORTHEAST CORNER OF LOT 9, RESPECTIVELY. THE NORTH BOUNDARY OF THE SUBJECT SUBDIVISION WAS ESTABLISHED BETWEEN A WATSON 1/2" R&C FOUND AT THE NORTHWEST CORNER OF LOT 37 AND SAID PLATT 1/2" R&C FOUND AT THE NORTHEAST CORNER OF LOT 1. THE WEST LINE OF LOTS 20, 23, 25, 27 WAS ESTABLISHED FROM THE 1/2" REBAR FOUND AT THE WESTERLY CORNERS OF LOTS 25 & 27 RESPECTIVELY. THE SOUTH LINE OF LOTS 5, 6, & 25 WAS ESTABLISHED FROM THE FOUND MONUMENTS AT THE SOUTH LINE OF SAID LOTS. THE LOTS AS SHOWN HEREON WERE PROPORTIONED WITHIN THE ESTABLISHED BOUNDARY.

MOUNTAIN VIEW DRIVE RIGHT-OF-WAY AS SHOWN HEREON IS KNOWN AS 450 EAST STREET, BUT IS SHOWN ON THE OFFICIAL SUBDIVISION PLAT AS MOUNTAIN VIEW DRIVE. ASPIN LANE AS SHOWN HEREON IS KNOWN AS COPPER LANE, BUT IS SHOWN ON THE OFFICIAL SUBDIVISION PLAT AS ASPIN LANE. THERE IS NO EVIDENCE AT THE COUNTY RECORDER'S OFFICE OF SAID STREET RIGHT-OF-WAY NAMES BEING AMENDED.

NO INVESTIGATION OR INDEPENDENT SEARCH HAS BEEN MADE FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP, TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

AMENDED LOT DESCRIPTIONS

LOT 2A
ALL OF LOTS 2, 4, 20, 23, & 25, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF VACATED MOUNTAIN VIEW DRIVE RIGHT-OF-WAY.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 2, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE EAST LINE OF SAID LOT 2, 500'30'32"W 299.58' TO A POINT ON THE SOUTHEAST CORNER OF ORIGINAL LOT 4, 89'31'56"W 165.27' TO A POINT ON THE ORIGINAL CENTERLINE OF THE MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. CENTERLINE, 500'31'55"W 104.89' TO A NON-TANGENT CURVE TO THE LEFT (RADIUS POINT BEARS 500'36'35"W); THENCE ALONG THE ARC OF SAID CURVE 62.53' WITH A RADIUS OF 25.00' AND A CENTRAL ANGLE OF 143°18'18" TO THE SOUTHWEST CORNER OF ORIGINAL LOT 25, SAID SUBDIVISION; THENCE ALONG THE SOUTH LINE OF SAID LOT 25, 89'33'54"W 151.13' TO THE SOUTHWEST CORNER OF SAID LOT 25; THENCE ALONG THE WEST LINE OF SAID LOT 25, 89'33'54"E 449.95' TO THE NORTHWEST CORNER OF ORIGINAL LOT 20, SAID SUBDIVISION; THENCE ALONG THE NORTH LINE OF SAID LOT 20, 589'27'59"E 331.21' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 2 AND POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 2.83 ACRES.

RESERVING A 20' WIDE UTILITY EASEMENT ACROSS THE SOUTH 20' OF LOT 3, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 6A
ALL OF LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, AND A PORTION OF VACATED MOUNTAIN VIEW DRIVE RIGHT-OF-WAY.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF ORIGINAL LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A; THENCE ALONG THE NORTH LINE OF SAID LOT 6, 89'31'56"W 165.27' TO A POINT ON THE ORIGINAL CENTERLINE OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.); THENCE ALONG SAID R.O.W. CENTERLINE, 500'31'55"W 104.89' TO A NON-TANGENT CURVE TO THE RIGHT (RADIUS POINT BEARS 500'36'35"W); THENCE ALONG THE ARC OF SAID CURVE 62.38' WITH A RADIUS OF 25.00' AND A CENTRAL ANGLE OF 142°57'18" TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE ALONG THE SOUTH LINE OF SAID LOT 6, 589'33'54"E 150.33' TO THE SOUTHWEST CORNER OF SAID LOT 6; THENCE ALONG THE EAST LINE OF SAID LOT 6, 89'33'54"E 149.79' TO THE NORTHEAST CORNER OF SAID ORIGINAL LOT 6 AND THE POINT-OF-BEGINNING (P.O.B.), AND CONTAINING 0.55 ACRES.

VACATED RIGHT-OF-WAY DESCRIPTIONS

LOT 2A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., FRONTING LOTS 2, 4, 20, 23, AND 25, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

LOT 6A
THAT PORTION OF MOUNTAIN VIEW DRIVE RIGHT-OF-WAY (R.O.W.) FROM THE R.O.W. BOUNDARY TO THE CENTERLINE OF SAID R.O.W., BEING 15 FEET IN WIDTH, FRONTING LOT 6, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A.

BASIS OF BEARING

THE BASIS OF BEARING IS 500'29'40"W ALONG THE EAST BOUNDARY OF CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, FROM THE NORTHEAST CORNER OF LOT 1 TO THE NORTHEAST CORNER OF LOT 9, CEDAR BREAKS MOUNTAIN ESTATES, UNIT A, WITHIN, SECTION 2, TOWNSHIP 36 SOUTH, RANGE 9 WEST, SALT LAKE MERIDIAN.

REFERENCE PLATS

- CEDAR BREAKS MOUNTAIN ESTATES, UNIT A - BY PLATT, DATE: 03-01-1962.
- RECORD OF SURVEY FOR STANLEY & PEGGY MEEK - BY PLATT & PLATT, PLAT #2907, FILE DATE: 11-22-2016.

NOTES

- EXISTING STRUCTURES ARE SHOWN ARE APPROXIMATE, AND FOR REFERENCE ONLY.

IRON COUNTY RECORDER CERTIFICATE

I, CARRI JEFFRIES, IRON COUNTY RECORDER, DO HEREBY CERTIFY THAT THIS PLAT AMENDMENT, WAS FILED FOR RECORD IN MY OFFICE ON THIS _____ DAY OF _____, 20____.

CARRI JEFFRIES - IRON COUNTY RECORDER

BOOK: _____ PAGE: _____

ENTRY No.: _____ FEE: _____

RECORDED AT THE REQUEST OF: _____

PLANNING COMMISSION APPROVAL

I, _____ CHAIRPERSON OF THE BRIAN HEAD TOWN PLANNING COMMISSION, DO HEREBY CERTIFY THAT THIS PLAT AMENDMENT, WAS RECOMMENDED FOR APPROVAL ON THIS THE _____ DAY OF _____, 20____.

PLANNING COMMISSION CHAIR

TOWN ATTORNEY APPROVAL

I, _____ ATTORNEY FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT I HAVE EXAMINED THIS PLAT AMENDMENT, AND THAT SAID PLAT MEETS THE REQUIREMENTS OF BRIAN HEAD TOWN PURSUANT TO ITS ORDINANCES AND IS HEREBY RECOMMENDED FOR APPROVAL ON THIS THE _____ DAY OF _____, 20____.

BRIAN HEAD TOWN ATTORNEY

TOWN ENGINEER APPROVAL

I, _____ ENGINEER FOR BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT AMENDMENT, WAS EXAMINED AND ACCEPTED BY ME THIS THE _____ DAY OF _____, 20____.

BRIAN HEAD TOWN ENGINEER

CERTIFICATE OF ACCEPTANCE

I, _____ MANAGER OF BRIAN HEAD TOWN, DO HEREBY CERTIFY THAT THIS PLAT AMENDMENT HAS BEEN APPROVED BY THE TOWN COUNCIL AND IS HEREBY ORDERED FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER ON THIS THE _____ DAY OF _____, 20____.

BY, TOWN MANAGER

ATTEST: NANCY LEIGH, TOWN CLERK



**WATSON
ENGINEERING
COMPANY, INC.**

472 N 2150 W, Suite 7
Cedar City, UT 84721

Tel. (435) 586-3004

www.wecinc.com

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Watson Engineering Co.

PLAT AMENDMENT
CEDAR BREAKS MOUNTAIN ESTATES, UNIT A
 LOTS: 2, 4, 6, 8, 20, 23, 25, 27
 WITHIN SEC. 2, T. 36 S., R. 9 W., S.L.M.
 BRIAN HEAD, IRON COUNTY, UTAH

~ PRELIMINARY ~
FOR REVIEW

DRAWN BY:
D. T. BROWN

CHECKED BY:
T. G. WATSON

DATE:
August 28, 2025

SCALE:
1:50

WATSON PROJECT No.:
22-6125

FILE:
MYNARCİK SURVEY-DWG



ITEM: PROPOSED CHANGE TO LMC - FLAG LOTS

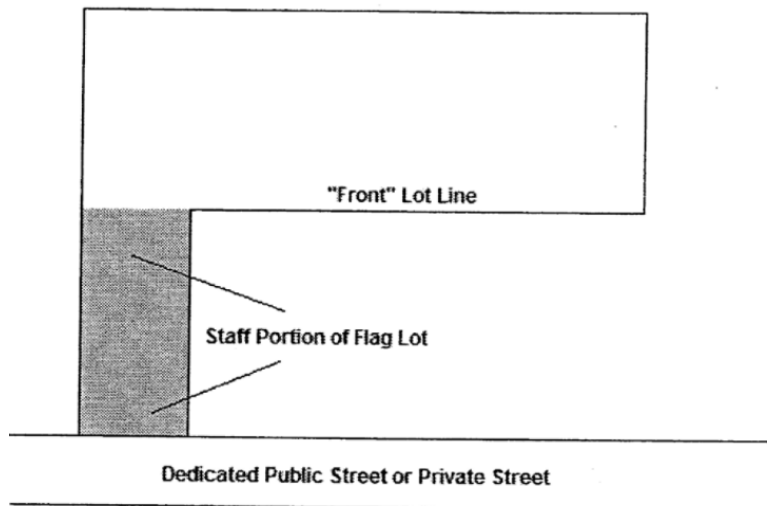
AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: September 2, 2025
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission at the August 19, 2025 Planning Commission Meeting discussed the possibility for a change to the LMC regarding Flag Lots being permitted under certain circumstances. Only 3 members of the Planning Commission were present, so it was tabled until September 2, 2025 meeting to get all Planning Commissioners' thoughts on the subject.

BACKGROUND:

As discussed in the August 5th and the August 19th meetings, a flag lot shall be comprised of a staff (narrow) portion that is contiguous with a flag (wide) portion as shown below.



Our Land Management Code indicates that all lots must have forty-five-foot frontage on a public road. The LMC does not have a provision for a flag lot and would require any easement, giving access to the lot off the road to be forty-five feet wide. Furthermore, an easement frontage is not the same thing as lot frontage. Because of this, Staff recommends that we consider amending the LMC to directly address flag lots. Finally, there are many locations in our Town where a Flag Lot could give access to existing land-locked lots and that could allow the Town to preserve open space, trees and natural vegetation rather than build a road.

The Commission asked staff at that meeting to further look at other cities and situations that have addressed this issue. Furthermore, the Commission asked Staff to narrow down the list of guidelines that a proposed Flag Lot ordinance would require.

ANALYSIS:

Previously Staff had looked at the Hurricane City and Springdale Town ordinances regarding Flag Lot and had found the following:

The Springdale Flag Lot ordinance starts off with “the unique topographical, geological and visual character of the Town adds a dimension of difficulty not typical in most Towns and cities. Most established lots in the Town lack frontage on a dedicated street, widths are restricted by existing structures, and foothill locations would be detrimentally affected by the pavement and width requirements of a dedicated street. Therefore, flag lots and private lanes may be developed in accordance with the special provisions herein.” Brian Head Town could say something similar, however, most established lots do have frontage.

Hurricane City on the other hand thinks differently and states “A flag lot for one single-family dwelling may be allowed to accommodate the development of property that otherwise could not reasonably be developed under the regulations contained in this title or other titles adopted by the City. The primary purpose of this section is not to make development of property easier and more profitable. Rather, it is to serve as a "last resort" for property which may not otherwise be reasonably developed.” Staff believe that the use of Flag Lots in Brian Head should be a combination of these 2 land use policies.

Since the last Planning Commission Meeting, Staff attended the State Housing Summit which talked about the need for more lots in the state. One of the tools that they mentioned was allowing Flag Lots. Flag Lots require less infrastructure and therefore are less expensive to produce. Flag Lots allow more lots to be developed without disturbing the environment with roads. This allows for more open space and landscaped common areas. Finally, the State Housing Authority is encouraging all cities and towns to at least have a provision for Flag Lots in their Town Code.

Staff have come up with the following revised list of guidelines for the use of Flag Lots:

1. Creation of a flag lot should not foreclose the possibility of future development of other large interior parcels that are not developable unless a street is extended to them across other adjacent properties.
2. The Staff Portion of the Flag Lot:
 - a. shall front on a dedicated public street or private street.
 - b. be a minimum width of the staff portion of said lot shall be 20 feet.
 - c. shall be a maximum of 150 feet. If longer, a wider emergency vehicle access could be required, according to the specifications of the fire marshal.
 - d. shall be improved with a compacted gravel or other all-weather surface. The driving surface shall be well maintained, it shall be readily passable by a standard passenger car and standard emergency vehicle, and it shall be constructed to the minimum standards specified by the Town Construction Standards.
 - e. the Town shall have no maintenance responsibility for the staff portion of the flag lot.
 - f. shall have no building or structure located within the staff portion of a flag lot. All buildings shall be located on the flag portion of the lot and no more than 250 feet from a fire hydrant. If a fire hydrant is in the staff portion of the flag lot, then the width of the staff will be increased to a minimum width of 30 feet. The water line for the Fire Hydrant will have a shut-off valve at the street and the Fire Hydrant would be private and the responsibility of the homeowner to maintain and test on a regular basis.

- g. may require installation of curb, gutter and other drainage control measures in the staff portion of a flag lot to prevent runoff from entering neighboring properties if Town determines it necessary.
 - h. no part of the staff portion of the flag lot may serve more than one flag lot.
 - i. the maximum slope for the staff portion of the flag lot to be 12%.
3. The Flag Portion of the Flag Lot:
- a. shall conform to the minimum lot size requirement of the zone in which the lot is located.
 - b. the front yard of a flag lot shall be on the side of the flag portion which connects to the staff. Yard setbacks shall conform to the setback requirements of the zone in which the flag lot is located. No part of the staff portion of the lot shall be used to meet any setback requirement.
4. Flag Lot Policy:
- a. Clear address signage shall be installed and maintained at the street by the owner, including notice that the driveway is a private right-of-way.
 - c. During the construction of the home, no building materials, dumpsters, toilets or parking will be allowed on the staff portion of the lot as to keep it clear for emergency vehicles.
 - d. Public utility services such as water and sewer, will be at the dedicated street only.

Doug responded with his input as follows:

1. I'm having trouble with the driveway section. 20 ft easement, 16 ft driveway, that leaves 2 ft on either side. So, there is no snow storage or trees. – I talked to Dan Benson regarding the 16-foot width on the driveway and the reason that it is at 16 feet is because the snow storage is built into that width. In other words, it is believed that within 16 feet there is enough room for snow storage and still have 10 to 12 feet of clearance. With the 20-foot-wide Staff, we are not giving them an additional 4 feet for snow storage. As far as trees, there will be lots on either side of the Staff that should have trees up to the property line, so it was not considered a priority to have trees in the Staff.
2. And flag lots will only be allowed for single family dwellings. Are there any of the properties that you noted that could benefit from this that are R 2, or R 3? – Lets Discuss.

STAFF RECOMMENDATION:

It is the recommendation of Staff that this change to the LMC be approved once it has received input from the public.

PROPOSED MOTION:

No motion, discussion item only.

ATTACHMENTS:

None