



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# 227 198 1271
TUESDAY, October 7, 2025 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER** 1:00PM
- B. **PLEDGE OF ALLEGIANCE**
- C. **DISCLOSURES**
- D. **APPROVAL OF THE MINUTES**
September 16, 2025 Planning Commission Meeting
- E. **PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- F. **AGENDA ITEMS:**
 - 1. **PUBLIC HEARING - Conditional Use Permit Amendment for Ice Rink 249 S Village Way** - Greg Sant, Planning and Building Administrator.
 - 2. **CONDITIONAL USE PERMITAMENDMENT - Consideration of a Conditional Use Permit Amendment for Ice Rink 249 S Village Way** - Greg Sant, Planning and Building Administrator.
 - 3. **DISCUSSION ITEM - Planning Commission Training** - Greg Sant, Planning and Building Administrator
- G. **ADJOURNMENT**

Date: October 7, 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



September 17, 2025

Dear Property Owner:

An application has been received by Brian Head Town requesting a Conditional Use Permit (CUP) at 249 S. Village Way, Brian Head, Utah to amend the CUP for the Ice Rink. Brian Head Town is sending out this notice as per Utah Code Title 10, Chapter 9a, Part 2 and Brian Head Land Management Code 9-1-8.

- A. Anyone wishing to review the information on the proposed Conditional Use Permit may do so at Brian Head Town Hall during normal business hours of 9:00 a.m. to 5:00 p.m. Monday through Friday.
- B. Anyone wishing to make comments about the proposed Conditional Use Permit may submit written comments to the Brian Head Town Clerk @ cclaridge@bhtown.utah.gov no later than October 6, 2025, by 5:00 p.m.
- C. The Brian Head Planning Commission will hold a Public Hearing at the BRIAN HEAD TOWN HALL COUNCIL CHAMBERS, 56 North Hwy 143, Brian Head, UT on October 7, 2025, at 1:00 p.m. to receive comments from the public on this application.

If you have any questions or should need additional information, please do not hesitate to contact our offices during normal business hours.

Respectfully,
Brian Head Town

Greg Sant
Building and Planning Official



**ITEM: ICE RINK CUP AMENDMENT**

AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: October 7, 2025
TYPE OF ITEM: Legislative Action

SUMMARY:

After discussing the proposed amendments to the Ice Rink CUP with the applicant at the June 17, 2025 Planning Commission meeting, they are submitting their Amended CUP for approval.

BACKGROUND:

In November 17, 2020 the applicant applied for a CUP for the Ice Rink at the Mall. The CUP from that time is attached and includes the following recommended conditions for mitigation of anticipated detrimental effects:

1. Applicant may use public parking until November 1, 2021 and must submit a permanent parking plan for Planning Commission approval thereafter.
2. Lighting will strictly comply with Chapter 12 lighting requirements. All lighting will be fully shielded and downward facing. No light sources will be directly visible from adjacent property or the right-of-way.
 - a. A permanent lighting plan will be submitted and approved by the Planning Commission and attached as an exhibit to this permit by November 1, 2021
 - b. Lights will not be permitted to be on after 10pm
3. Disturbed areas will be revegetated and maintained in perpetuity.
4. Mature trees within the footprint of the rink will be relocated rather than removed.
5. Due to the temporary nature of this use, a bond sufficient for reclamation/revegetation of the property will be maintained until vegetation is established.
6. Maintenance equipment will be stored inside
7. On-site sanitation facilities will be provided which meet design standards in Chapter 12 by November 1, 2021. Temporary sanitary facilities may be required upon request of Town staff.
8. Equipment which produces noise can only be used during hours of operation.
9. Hours of operation will be restricted to 7am until 10pm
10. Temporary building size is limited to 12' x 30'.

On May 4, 2021 the applicant came back before the Planning Commission to revise the CUP as follows (items in yellow highlight were modified):

1. Applicant may use public parking until November 1, 2023 and must submit a permanent parking plan for Planning Commission approval thereafter.
2. Lighting will strictly comply with Chapter 12 lighting requirements. All lighting will be fully shielded and downward facing. No light sources will be directly visible from adjacent property or the right-of-way.
 - a. Lighting will be inspected and approved by Town staff
 - b. Lights will not be permitted to be on after 10pm

3. Disturbed areas will be revegetated and maintained in perpetuity.
4. Mature trees within the footprint of the rink will be relocated rather than removed.
5. Due to the temporary nature of this use, a bond sufficient for reclamation/revegetation of the property will be maintained until vegetation is established.
6. Maintenance equipment will be stored inside
7. On-site sanitation facilities will be provided which meet design standards in Chapter 12 by November 1, 2022. Temporary sanitary facilities may be required upon request of Town staff.
8. Equipment which produces noise can only be used during hours of operation.
9. Hours of operation will be restricted to 7am until 10pm
10. Temporary building size is limited to 12' x 30'.

On June 7, 2023 the CUP for the Ice Rink was again presented to the Planning Commission with the following findings by staff:

1. Traffic and Parking Congestion:
 - a. Town staff recognizes that the current parking requirements could be too large given the size of the Village Commercial Zone and are bringing that conversation to the Planning Commission and Town Council later in this meeting. It is recommended that the applicant create a Development Agreement with the Town within six months to decide what parking is required of the applicants.
2. Light and Noise Pollution:
 - a. It is recommended that lighting strictly comply with Chapter 12 lighting requirements. All lighting should be fully shielded and downward facing. No light sources should be directly visible from adjacent property or the right-of-way.
 - b. It is recommended that the applicant submit a permanent light plan to the Planning Commission for approval no later than October 1, 2022.
 - c. Lights should not be permitted to be on after 10 pm.
3. Visual Impact to Neighbors and Public Right of Way:
 - a. It is recommended that the applicant create a Landscape plan showing which vegetation will be removed and how the applicants will maintain the other vegetation from the foot traffic of rogue bean bags.
 - b. It is recommended that the applicants use a permanent border to maintain their gravel pathways.
 - c. It is recommended that the applicants create a Snow Plan that describes how and when they plan to add new snow to their outdoor snow activities. That plan should be submitted to Staff first and then Planning Commission for approval prior to the opening of the winter business opening (no later than October 1, 2022).
 - d. It is recommended that the applicants create Snow Man Plan to secure the snowman clothing prior to erecting the structure and submit that plan with the Snow Pack plan prior to the winter business opening (no later than October 1, 2022).
4. Impact on the Natural Environment and Vegetation:
 - a. It is recommended that the applicants submit a grading and drainage plan for the summer cornhole walkways to Staff. It is also recommended that the applicants submit a winter drainage plan for the off chance that we have a hot winter and the snow melts off faster than expected. The applicants should submit that to Staff as well.

- b. It is recommended that the applicants expand on the details of what they plan to do with the big foot cut outs. If they will not be nailed into trees, then Staff sees no further issue with that. However, Staff strongly recommends that the applicants submit a detailed plan on how they will keep their games and decorations from blowing over in the wind and rain that come in Summer.
 - c. Staff recommends that the applicants apply for an excavation/grading permit to install the telephone pole. It is also recommended that applicants get Planning Commission's approval for the giant telephone pole prior to installation.
5. Sufficient Utilities and Sanitation Service for Use:
- a. It is recommended that on-site sanitation facilities be provided to meet design standards in Chapter 12. These should be approved by Staff or Planning Commission prior to being installed or placed on the property. Temporary sanitary facilities may be required upon request of Town staff.
 - b. In communications with the applicant on June 3, 2022, the Town stated that the applicants must install a water meter by August 1, 2023. That provides the applicants with more than a reasonable amount of time to get the meter, equipment, and install. Alternatively, the applicants can hook a garden hose up to the side of the Mall and use that as a water source, since the Town granted the hydrant water was a temporary fix to help, rather than a permanent solution.
6. Public Safety Concerns:
- a. It is recommended that the applicant submit an engineered grading plan that adequately addresses the walkway slopes.
 - b. It is recommended that the applicant either cease operations prior to dusk, or submit a lighting plan that meets design standards of Chapter 12 to staff prior to opening summer and winter time business.
 - c. It is recommended that the applicant create fence boundaries and install signage strictly enforcing and informing visitors of the property lines.
7. General Plan Consistency:
- a. It is recommended that the amended CUP be temporary, with reviewal once a year to ensure that it remains within the Town's vision and General Plan.
8. Land Management Code Consistency:
- a. It is recommended that, if the temporary structure becomes permanent or is allowed to stay, the applicants remove the noncompliant roofing material and replace it with compliant roofing material.
9. Coordination with Current CUP:
- a. It is recommended that the applicant either reject the current CUP holder from their property by canceling rent, or ensuring the Town that the expanded Ice Rink CUP will not impose onto the Powersports CUP.

Finally, on June 17, 2025 the applicant and the Planning Commission discussed what changes should and could be done to the Ice Rink CUP in order for it to meet the requirements of their original approved CUP.

ANALYSIS:

At the June 17, 2025 Planning Commission meeting the following items were still out of compliance with the original CUP:

1. Parking - The applicant was to enter into a Development Agreement with the Town within 6 months that would address the long-term parking requirements.
2. Lighting was to conform with Title 9, Chapter 12 of the Town Code. At this point it does not. A lighting plan was to be submitted to Town Staff for review and approval, and it has not been submitted. Furthermore, no lighting was allowed to be turned on after 10pm in winter and lighting is not to be turned on during the summer.
3. Walkways were to be installed per an approved engineered site plan with grades and addressing drainage or the walkways will be installed to not alter the existing drainage. Town Staff has not received an engineered design of the walkways. Furthermore, a site plan showing snow storage, landscaping and decorations.
4. All decorations shall be secured separately and not attached to the trees.
5. The mature trees within the ice rink were replanted outside of the rink area but all died. These trees need to be replaced, and all disturbed areas need to be revegetated and maintained in perpetuity. A bond was required to ensure that this happened, however it was never provided to the Town.
6. Equipment shall be stored inside. Most of the time the shed used for this is left open and the equipment is not inside. Furthermore, the shed was to be a temporary solution and if it becomes a permanent solution it needs to follow the standards identified in Title 9, Chapter 12 of the Town Code. In specific, the Roof needs to meet the Town Code. Said shed size to be limited to 12'X30'.
7. Temporary sanitation facilities will be supplied until the permanent bathrooms are completed in the Mall addition.
8. Hours of operation to be 7AM to 10PM. Noisy equipment can only be used during the hours of operation of the business.

STAFF FINDINGS:

In the last 3 months the following has been accomplished by the applicant:

1. Village Dr. added 15' of asphalt to the west side and the Mall, owner of the Ice Rink, contributed one half of the cost of those improvements. An agreement with the Town that shows how the long-term parking will be delegated to the Mall and the Ice Rink has been completed. This satisfies the original parking issue.
2. The wiring for permanent lighting has been added to the Ice Rink. Lights will be added that conform with Title 9, Chapter 12 of the Town Code. Furthermore, no lighting is allowed to be turned on after 10pm in winter and lighting is not to be turned on during the summer.
3. The site plan (attached) has been revised so that it does not include walkways or decoration outside of the Ice Rink. The Storage Shed the housed the Zamboni has now been moved so that the Zamboni no longer needs to drive on Village Drive. There is a staging area outside the Shed for the Zamboni, however, it does not address drainage.
4. The existing Shed roof does meet Town Standards as it has an LRV of 28.
5. The addition to the Mall will have permanent restrooms to service the patrons of the Ice Rink. It is anticipated that these facilities will be completed by the time the Ice Rink opens for business in the next month.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission approve the revision of the Ice Rink CUP with the following requirements:

1. A site plan will be supplied to Staff showing the following:
 - a. Drainage for the Staging Area of the Zamboni.
 - b. Temporary Sanitation facilities if the addition is not finished in time for the opening.
2. All equipment will be stored inside the Storage Shed.
3. Permanent Lighting will be added to the Ice Rink that meets Title 9, Chapter 12 of the Town Code before opening of the business. Wiring has been installed, just waiting on fixtures.
4. Hours of Operation to be 7AM to 10PM. Noisy equipment can only be used during the hours of operation of the business. Lighting is allowed in the winter season until 10pm and it is not allowed in the summer season.

PROPOSED MOTION:

I move that we approve the Amendment to the Ice Rink CUP based on the Findings and including the Recommendations of Staff.

ATTACHMENTS:

A - Current Site Plan

B - New Building Basement Plan

Search here



45°
26 AQI



Village Way

249



Brian Head Ice Skating

Village Way

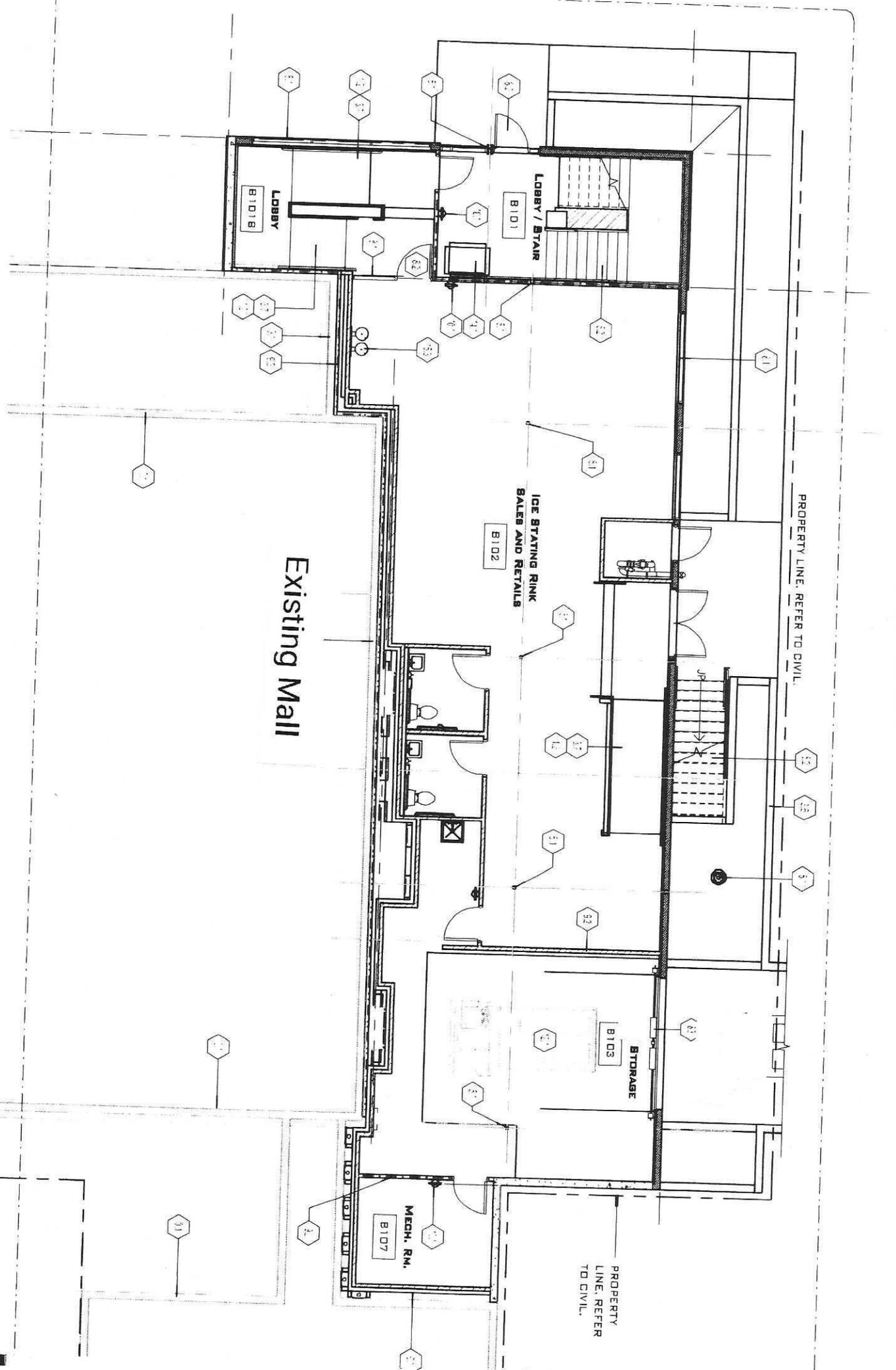
- Shed
- Operating Pad.

Ice Rink

PROPERTY LINE, REFER TO CIVIL.

PROPERTY LINE, REFER TO CIVIL.

Existing Mall





ITEM: TRAINING DISCUSSION

AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: October 7, 2025
TYPE OF ITEM: Discussion

SUMMARY:

Each year the Planning Commission Members are to receive 4 hours of training. This discussion is to see where each commissioner is with their training and discuss ways to provide additional training to meet state statutes.

BACKGROUND:

Per state statute the Planning Commission should receive 1 hour of Open Meeting Law and Roberts Rules of Order. Nancy does this every year and this year she did it through an online test that each commissioner needed to pass. She has logged this for all commissioners. Besides this, the commissioners need 3 hours of training that can be done by going to conferences, watching videos from LUAU or other sources.

STAFF FINDINGS:

Staff is aware of Carrie attending a full day at the ULI of Utah conference in the Spring. That conference was available on Zoom, however we have only received one other person's receipt for attendance.

STAFF RECOMMENDATION:

Staff recommend that the Planning Commission that is still in need of training obtain it as follows:

1. Staff will schedule a training session at the Town Hall for a 3-hour session. Commissioners will come for as many hours as they need to meet their requirements.
2. Commissioners can view videos on LUAU and report back to Staff their hours attended.
3. Commissioners can go to a ULI conference or attend via Zoom for the hours in which they need to finish their requirement.

PROPOSED MOTION:

This is a discussion item only.

ATTACHMENTS:

A - Handout at the meeting - Rural Utah