



The Regular Meeting of the
Brian Head Town Council

Brian Head Town Hall – Council Chambers
56 North Highway 143 – Brian Head, UT 84719
www.Zoom.us [\(Click Here\)](#)

Via Zoom Meeting ID# 832 1536 9271

WEDNESDAY, NOVEMBER 12, 2025 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER**
- B. **PLEDGE ALLEGIANCE**
- C. **DISCLOSURES**
- D. **APPROVAL OF THE MINUTES:** October 28, 2025, Town Council Meeting
- E. **REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- F. **AGENDA ITEMS**
 - 1. **PUBLIC HEARINGS :**
 - a. **GENERAL PLAN USE MAP AMENDMENT.** Low Density Residential to Medium Density Residential.
 - b. **ZONE DISTRICT MAP AMENDMENT** Single-Family Residential to Medium Density Residential.

The Council will hold a public hearing to receive comments on proposed amendments to the General Plan Land Use Map and the Land Management Code, Chapter. 6 Zone District Map, changing the zone from Single-Family Residential to Medium Density Residential for lots 5,6,& 7 of the Brookhill Subdivision located on Ridge View Street. Comments are limited to three minutes and written comments may be submitted to the Town Clerk at nleigh@bhtown.utah.gov no later than November 11, 2025, by 5:00 pm
 - 2. **GENERAL PLAN LAD USE MAP AMENDMENT.** Greg Sant, Planning/Building Administrator. The Council will consider an ordinance amending the General Plan Land Use Map from Low-Density Residential to Medium Density Residential for lots 5,6&7 of the Brookhill Subdivision located on Ridge View Street.
 - 3. **LAND MANAGEMENT CODE, CHP. 6, ZONE DISTRICT MAP AMENDMENT FROM SINGLE-FAMILY RESIDENTIAL(R1) TO MEDIUM DENSITY RESIDENTIAL (R2) FOR LOTS 5,6&7 OF THE BROOK HILL PHASE 2 SUBDIVISION .** Greg Sant, Planning/ Building Administrator. The Council will consider an ordinance amending the Land Management Code, Chapter 6, Zone District Map from Single-Family Residential to Medium Density Residential for lots 5,6,&7 of the Brookhill Subdivision located on Ridge View Street.
 - 4. **2025 BRIAN HEAD TOWN MUNICIPAL ELECTION CANVASS.** Nancy Leigh, Town Clerk. The Council acting as the Canvassing Board will certify the results from the 2025 Brian Head Municipal Election.
 - 5. **FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.
- G. **CLOSED SESSION OF THE TOWN COUNCIL** A strategy session to discuss pending or imminent litigation including water rights.
- H. **ADJOURNMENT**



Date: November 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 public board may participate by means of electronic communications. 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 at the following conspicuous locations; the Post Office, The Mall, and the Brian Head Town Hall and have posted copies on the Utah Meeting Notice Website and the Brian Head Town website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk



BRIAN HEAD

STAFF REPORT TO THE TOWN COUNCIL

ITEM: PLANNING AND BUILDING DEPARTMENT REPORT

Author: Greg Sant
Department: Planning and Building

Date: November 12, 2025
Type of Item: Informational

Building Report:

| 2025 Building Permits Summary: | October | 2025 | YTD Oct. 2024 |
|---|-------------|------|---------------|
| Issued Permits by Category - | | | |
| Single Family Dwellings | 2 | 7 | 20 |
| Townhomes (in Dwellings) | 0 | 15 | 20 |
| Additions/Remodels/Accessory Unit | 3 | 13 | 11 |
| Minor Alterations | 0 | 20 | 20 |
| Tree Removal | 0 | 27 | 19 |
| Commercial | 0 | 2 | 2 |
| Utilities (Electric and Gas) | 2 | 6 | 6 |
| Total | 7 | 90 | 98 |
| 2025 Land Use Permits Summary: | | | |
| Issued Permits by Category – | | | |
| Grading/Excavation Subdivision | 0 | 2 | 6 |
| Trenching/Encroachment | 4 | 20 | 18 |
| Total | 4 | 22 | 24 |
| 2025 Land Use Submitted Applications: | | | |
| By Category – | | | |
| Conditional Use Permits | 0 | 1 | 2 |
| Lot Line Adjustment/Minor Plat Amendments | 1 | 4 | 3 |
| Preliminary Plat | 1 | 1 | 1 |
| Final/ Amended Plat | 1 | 6 | 3 |
| Vacating ROW/Easement | 0 | 1 | 1 |
| Zone Amendment | 1 | 1 | 1 |
| Total | 4 | 14 | 11 |
| 2025 Summary of Fees Collected: | October | 2025 | |
| By Category - | | | |
| Building Permit Fees | \$8,251.96 | | 41,876.72 |
| Plan Check Fees | \$5,246.27 | | 36,683.11 |
| Encroachment Permits | \$8,100.00 | | 10,550.00 |
| Tree and Grading Permit Fees | \$700.00 | | 3,025.00 |
| Land Use Permit Fees | \$2,500.00 | | 31,850.00 |
| Sub-Total | \$24,798.23 | | 123,984.83 |

2025 Summary of Impact Fees Collected:**October****2025**Impact Fees Collected

Water Connection and Impact Fees

\$14,160.98

88,177.14

Sewer Connection and Impact Fees

\$4,371.78

28,249.57

Total Fees Collected

\$18,532.76

116,426.71

2025 Inspections Summary:**October****2025****YTD Oct. 2024**

Inspections by Permit Type –

Single Family Homes and Cabins

23

231

Multi-Family (Townhomes)

31

229

Additions/Remodels/Minor Alterations

7

31

Commercial

5

24

Utilities

1

7

Fire Mitigation

0

4

Grading

0

0

Total

67

526

694



STAFF REPORT TO THE TOWN COUNCIL

ITEM:

GENERAL PLAN AMENDMENT LAND USE MAP FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL

AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: November 12, 2025
TYPE OF ITEM: Legislative Action

The Council will hold a public hearing to receive comments on proposed amendments to General Plan Land Use Map and the Zone District Map. Public comments are attached to this staff report.

An application for a General Plan Amendment was received by Staff on October 21, 2025, for the subject property. The Applicant is asking to change the General Plan and Zoning from R-1 (Low Density Residential) to R-2 (Medium Density Residential) on 3 contiguous lots that have a total area of 2.05 acres. The subject property consists of lots 5, 6 and 7 of Brooke Hill Subdivision phase 2. The Planning Commission held a public hearing on November 4, 2025 and reviewed this issue and voted to forward a recommendation of denial to the Town Council for both.

BACKGROUND:

The Brooke Hill Subdivision, Phase 2 was recorded in January 2006. There were originally 7 lots, 3 are owned by the Applicant and 4 are owned by others. At the time the plat was recorded the lots were Zoned R-3 (High Density Residential). The 2007 Zoning Map is attached. In 2010 the Town adopted its General Plan (see attachment) and the property was designated partially as Low Density Residential next to High Density Residential. On the 2015 Zoning Map the parcel was down zoned from R-3 to R-1. The 2019 General Plan and the current Zoning Map are also attached which show this property as Low Density Residential – R-1.

ANALYSIS:

The Standards of Review for a General Plan Amendment are found in the Town Land Management Code (LMC) in 9-5-3:

AMENDMENTS: The General Plan may be amended. Amendments can be initiated by the Planning Commission, Town Council, or by any interested party by the following procedure:

A. Review Process:

1. Application And Fees: Amendments proposed by the interested party shall be submitted to the Planning Commission with appropriate fee as indicated on the Consolidated Fee Schedule.
2. Planning Commission Review: After appropriate public notice consistent with section 9-1-8 of this title, the Planning Commission shall hold a public hearing and shall make a recommendation on the proposed amendment to the Town Council.
3. Town Council Review: After public notice consistent with section 9-1-8.

B. Standards For Review: The Planning Commission and Town Council shall consider whether the proposed amendment meets the following standards and conditions (Staff comments follow each point in **Bold**):

1. Meets a recognized and demonstrated need in the community; - **There is a need for Affordable Housing in our community. It is hopeful that by allowing this property to develop with 8 Units per acre the product will be more affordable.**
2. Will be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation; - **This property is bordered on the north and the east by 2 high density housing projects; MLV and Chalet Village that are R-3 or High-Density Residential projects. On the other borders of the project are R-1, Low Density Residential lots. This small project could be seen as bridge zoning between these 2 Zones. However, it could be seen as spot zoning. If it included the 6 lots next to it, that might be better, but even that would be a small rezoning.**
3. Will not result in an over intensive use of the land or excessive depletion of natural resources; - **As an R-2 Zone this could be an over intensive use of the land. If approved the applicant would need to abide by all the standards set to preserve the natural resources.**
4. Will not have a material adverse effect on community capital improvement programs; - **The Applicants narrative talks about looping the water line with Chalet Village. However, after talking to Public Works that is not possible. There is a sewer manhole on the northeast corner of lot 7. That will allow the sewer to gravity feed for the 3 lots, with or without the Zone Change.**
5. Will not require a level of community facilities and services greater than that which is available or will become available; - **This request does not require a level of community services or facilities greater than that which is available presently.**
6. Will not result in undue traffic congestion and traffic hazards; - **Without a traffic study Staff is unable to answer this question. However, this was one of the reasons that Planning Commission gave for their denial.**
7. Will not cause significant air, odor, water, light or noise pollution; - **The Applicant would be required to follow all design standards as outlined in the LMC, therefore, Staff does not believe that it adds significant air, odor, water, light or noise pollution.**
8. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town. - **Again, the Applicant would have to abide by all standards set forth in the LMC, therefore, it should not be detrimental to the health, safety or welfare to the inhabitants of the Town.**

Staff have received multiple notices voicing opposition to this General Plan Amendment and Zone Change. The notices that were received are attached.

During the discussion in Planning Commission, it was noted that if a development plan was attached, they might have been more open to the Amendments. It was brought up that they could change the General Plan for this area to R-2 and deny the Zone Change at this time. In the future the Zone Change could be reconsidered when a development plan was created for the property. It was also said that instead of just these 3 lots, it would be nice if the northern 6 lots were also included in the General Plan Amendment so that the change was bigger than 2 acres.

STAFF RECOMMENDATION:

As you can see from the Analysis above, there are both positive and negative points made by Staff and the Planning Commission. It is Staff's recommendation that the Town Council review all information available and decide what would serve the Town best.

PROPOSED MOTION:

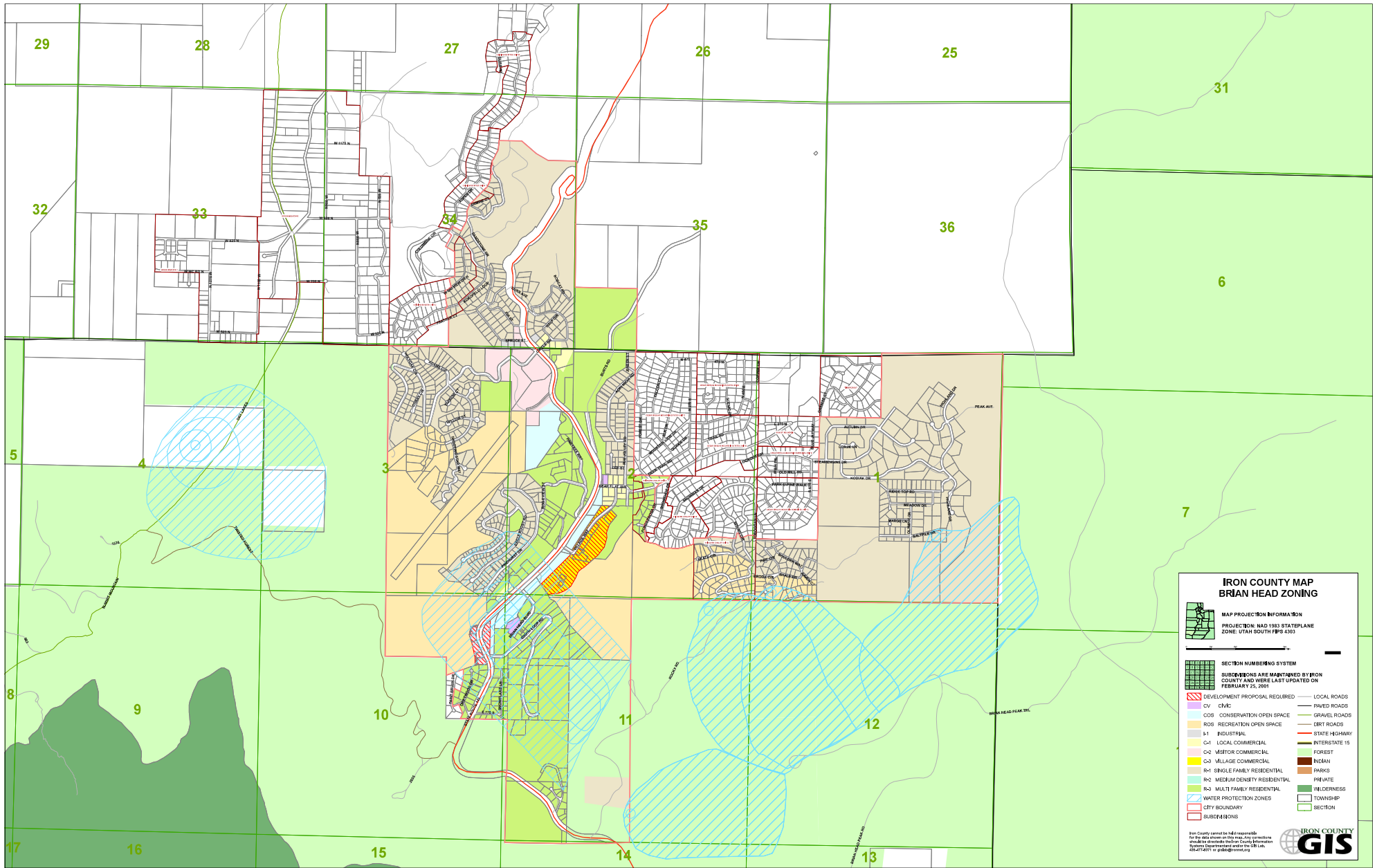
I move to adopt ordinance No. 25-010 amending the General Plan Land Use Map for lots 5,6,&7 in the Brook Hill Phase 2 Subdivision as proposed.

ATTACHMENTS:

A - 2007 Zoning Map

B - Public Comments

C - Ordinance Amending the General Plan Land Use Map



**IRON COUNTY MAP
BRIAN HEAD ZONING**

MAP PROJECTION INFORMATION
PROJECTION: NAD 1983 STATEPLANE
ZONE: UTAH SOUTH FIPS 5003

SECTION NUMBERING SYSTEM
SUBSECTIONS ARE MAINTAINED BY IRON COUNTY AND WERE LAST UPDATED ON FEBRUARY 25, 2001

LEGEND

| | |
|--------------------------------|---------------|
| DEVELOPMENT PROPOSAL REQUIRED | LOCAL ROADS |
| C-1 CIVIC | PAVED ROADS |
| ROS RECREATION OPEN SPACE | GRAVEL ROADS |
| C-2 VISITOR COMMERCIAL | DIRT ROADS |
| C-3 VILLAGE COMMERCIAL | STATE HIGHWAY |
| R-1 SINGLE FAMILY RESIDENTIAL | INTERSTATE 15 |
| R-2 MEDIUM DENSITY RESIDENTIAL | FOREST |
| R-3 MULTI-FAMILY RESIDENTIAL | INDIAN |
| WATER PROTECTION ZONES | PARKS |
| CITY BOUNDARY | PRIVATE |
| SUBSECTIONS | WILDERNESS |
| | TOWNSHIP |
| | SECTION |

Iron County cannot be held responsible for the data shown on this map. Any corrections should be directed to Iron County Information Systems Department and/or the GIS Lab. Accuracy is not guaranteed.

**IRON COUNTY
GIS**



Ciera Claridge <cclaridge@bhtown.utah.gov>

Concerned about proposed rezoning Brookhill subdivision

Mike Adams <>

Thu, Oct 30, 2025 at 11:38 AM

Reply-To:

To: "cclaridge@bhtown.utah.gov" <cclaridge@bhtown.utah.gov>

Dear Planning Commission,

I want to express my gratitude to Greg Sant for informing residents about a proposed zoning change. My wife and I own the property directly across the street from the three parcels in question, and we are quite unhappy to learn that the Planning Commission is considering changing the zoning from R1 (single-family) to R2 (multi-family). From what I understand, the R2 designation allows up to 8 units per acre, effectively permitting condo construction.

When we purchased our property at 190 Ridgeview in 2020, we asked our real estate agent, Mike Carr, about the zoning of the adjacent parcels, and he informed us that they were designated for single-family homes. We accepted the possibility that, at some point, another house or cabin could be built directly in front of our view from the windows facing Giant Steps. Although Brian Head Town has not yet approved any plans, the decision to designate those parcels as R2 introduces the potential for three large or multi-story condo structures that could obstruct our line of sight. This is not what we invested in.

We have significant concerns about the increased traffic in front of our property and about future traffic conditions. Once a precedent is set with the properties in question, what will stop other landowners on or near Ridgeview from requesting that their land be rezoned to R2 or R3? It's important to note that a decision was made over a decade ago to designate that land as R1 for good reasons. What has changed since then?

We use our home as a vacation rental, and the town is aware of this. We also visit and stay at our property quite frequently throughout the year. We offer a reasonably priced option for visitors to enjoy Brian Head, especially during the winter months, and the town benefits from the tax revenue generated by our rentals and our guests. It's a win-win situation. However, I am concerned that if three new condo buildings are constructed across the street, bringing more traffic (not to mention how dangerous the switchbacks will become on the way up from Hwy 143), our regular guests may not feel the same way about staying here. I hope that won't be the case.

In closing, my wife, our neighbors, and other members of the Ridgeview community are strongly opposed to this rezoning. In contrast, cabins and single-family homes are desirable and can enhance property values for everyone; multi-story structures and increased traffic do not. Please do not approve this rezoning request.

I appreciate your consideration,

Michael Adams

190 Ridgeview St
Brian Head, UT 84719



Ciera Claridge <cclaridge@bhtown.utah.gov>

Brooke Hill 5,6,7 No Zone Change

Kade Ence <>

Mon, Oct 27, 2025 at 2:40 PM

To: "cclaridge@bhtown.utah.gov"

Dear Planning Commission,

I received a notice from Greg Sant informing us that a nearby land owner would like to change the zoning of his property from R-1 Single Family Low Density Residential to R-2 Medium Density Multi Family. The land we are talking about is Brooke Hill Subdivision Phase 2, Lots 5, 6, and 7. Unfortunately I won't be able to attend the Public Hearing. I am writing this letter so our voices can be heard. We are very much against this change.

We believe in property rights and we also think the property owner should have the right to sell or develop his property. However, we believe the zoning for that property should remain the same if nearby property owners and neighbors are in opposition to changing it.

We feel that changing the zoning to allow higher density negatively affects our enjoyment of our property, and will also negatively impact our property value.

We purchased our cabin 15 years ago and have loved visiting Brian Head during that time. We visit often with our kids and grandkids. We come in the summer to enjoy the cool mountain air, and in the winter to enjoy the snow.

Before purchasing our property we looked at the zoning and plans for the undeveloped land around us so that we wouldn't have any surprises in the future. We were happy to see that the land around us was primarily planned for more single family homes like ours with similar or larger lot sizes. We knew that those types of homes would bring families like ours to the area and also increase our property value in the future.

Multi Family and higher density properties attract a different demographic. It will also increase the traffic on our street and take away from the level of peace and quiet we currently enjoy.

Please don't allow the zone change to Multi Family. Please stick to the city plan that is already in place and protect our property.

Sincerely,
Rich McArthur
Kim Ence
Homeowners
244 W. Ridge View St



Ciera Claridge <cclaridge@bhtown.utah.gov>

Fwd: Contact Form Submission

1 message

Nancy Leigh <nleigh@bhtown.utah.gov>

Mon, Nov 3, 2025 at 1:07 PM

public comment on the zone change.

----- Forwarded message -----

From: **Brian Head Town** <noreply@municipal.email>

Date: Mon, Nov 3, 2025 at 12:44 PM

Subject: Contact Form Submission

To: <nleigh@bhtown.utah.gov>

Name: John Marshall

Email:

Message:

I would not support the change on lots 5,6,7 at Brooke Hill Subdivision keep it low Density like it is zone for. Thanks John Marshall. Copper Chase



Ciera Claridge <cclaridge@bhtown.utah.gov>

Proposed Zone Change for Brooke Hill Subdivision

Kurt Moyer <>

Wed, Oct 29, 2025 at 11:07 PM

To: "

To the Brian Head Planning Commission,

My wife and I are responding to the proposed Zone changes for lots 5,6 and 7 at the Brooke Hill Subdivision, phase 2 on Ridgeview St. in Brian Head. We have one of the cabins across the street from these lots on Ridgeview St.

We are very opposed to the proposed Zone change from R1 to R2. I understand this would allow up to 8 structures (condos) per lot. We bought our cabin over 2 years ago and were told that those parcels were zoned R1 which allows one structure per lot. We prefer no development but were willing to accept R1 zoning. We look at this as changing the rules after the game has started.

We also feel this change would bring significantly more traffic to Ridgeview which is also a safety concern. There are two hairpin turns on Ridgeview on either side of our cabin and people skid out on these turns quite frequently in the winter. This also leads to blind spots for motorists towards pedestrians and bike riders on Ridgeview.

We use our cabin as a vacation rental which provides revenue and tax revenue for the town. We also use our cabin quite a bit for personal use throughout the year so it is a win win for us and the town. We are quite concerned that this zoning change would negatively affect the value of our cabin and our rental business.

There already is R3 zoning at the beginning of Ridgeview. There are White Bear and Copper Chase condos and now the new Elevate Condos. We sure don't need more high density along Ridge View.

Finally, I know several neighbors that do not want this zoning change for much of the same reasons.

Kurt and Heather Moyer
[182 Ridgeview St](#)
[Brian Head, UT 84719](#)



ORDINANCE NO. 25-____

AN ORDINANCE AMENDING THE BRIAN HEAD GENERAL PLAN LAND USE MAP FOR THE AREA LOCATED IN THE BROOKHILL SUBDIVISION LOCATED ON RIDGE VIEW STREETS TO AMEND LOW-DENSITY RESIDENTIAL TO MEDIUM-DENSITY RESIDENTIAL, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brian Head Town has identified a need to amend the Brian Head General Plan Land Use Map to incorporate Medium-Density Residential in the Brookhill Subdivision located on Ridge View Street; and,

WHEREAS, the Brian Head Planning Commission held a public hearing on November 4, 2025, giving at least ten (10) days' notice prior to the public hearing to receive public comment. The Planning Commission forwarded their recommendation of approval to the Brian Head Town Council for their consideration and adoption; and

WHEREAS, the Brian Head Town Council held a public hearing on November 12, 2025, giving at least ten (10) day notice to receive public comment on the proposed amendments Brian Head General Plan Land Use Map; and

WHEREAS, it is in the best interests of Brian Head Town and the health, safety, and general welfare of its citizens to adopt this Ordinance:

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF BRIAN HEAD, UTAH, COUNTY OF IRON, STATE OF UTAH, AS FOLLOWS:

Section 1. The Brian Head General Plan is hereby amended and incorporated in the Brian Head Town Code regulating land use within the Town of Brian Head, Utah as attachment "A".

Section 2. Effective Date. This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town Council. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this Ordinance shall be incorporated into the Brian Head Town Code.

Section 3. Conflict. To the extent of any conflict between other Town, County, State, or Federal laws, ordinances or regulations and this Ordinance, the more restrictive is deemed to be controlling.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Repealer. All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this Ordinance shall be repealed.

PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this ____ day of November 2025 with the following vote.

TOWN COUNCIL VOTE:

| | | |
|-------------------------------|---------|--------|
| Mayor Clayton Calloway | Yes____ | No____ |
| Council Member Mitch Ricks | Yes____ | No____ |
| Council Member Larry Freeberg | Yes____ | No____ |
| Council Member Duane Nyen | Yes____ | No____ |
| Council Member Martin Tidwell | Yes____ | No____ |

BRIAN HEAD TOWN COUNCIL
BRIAN HEAD, UTAH

Clayton Calloway, Mayor

ATTEST:

Nancy Leigh, Town Clerk

(SEAL)

CERTIFICATE OF PASSAGE AND POSTING

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the ____ day of November 2025, and have posted a complete copy of the ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office, and the Mall.

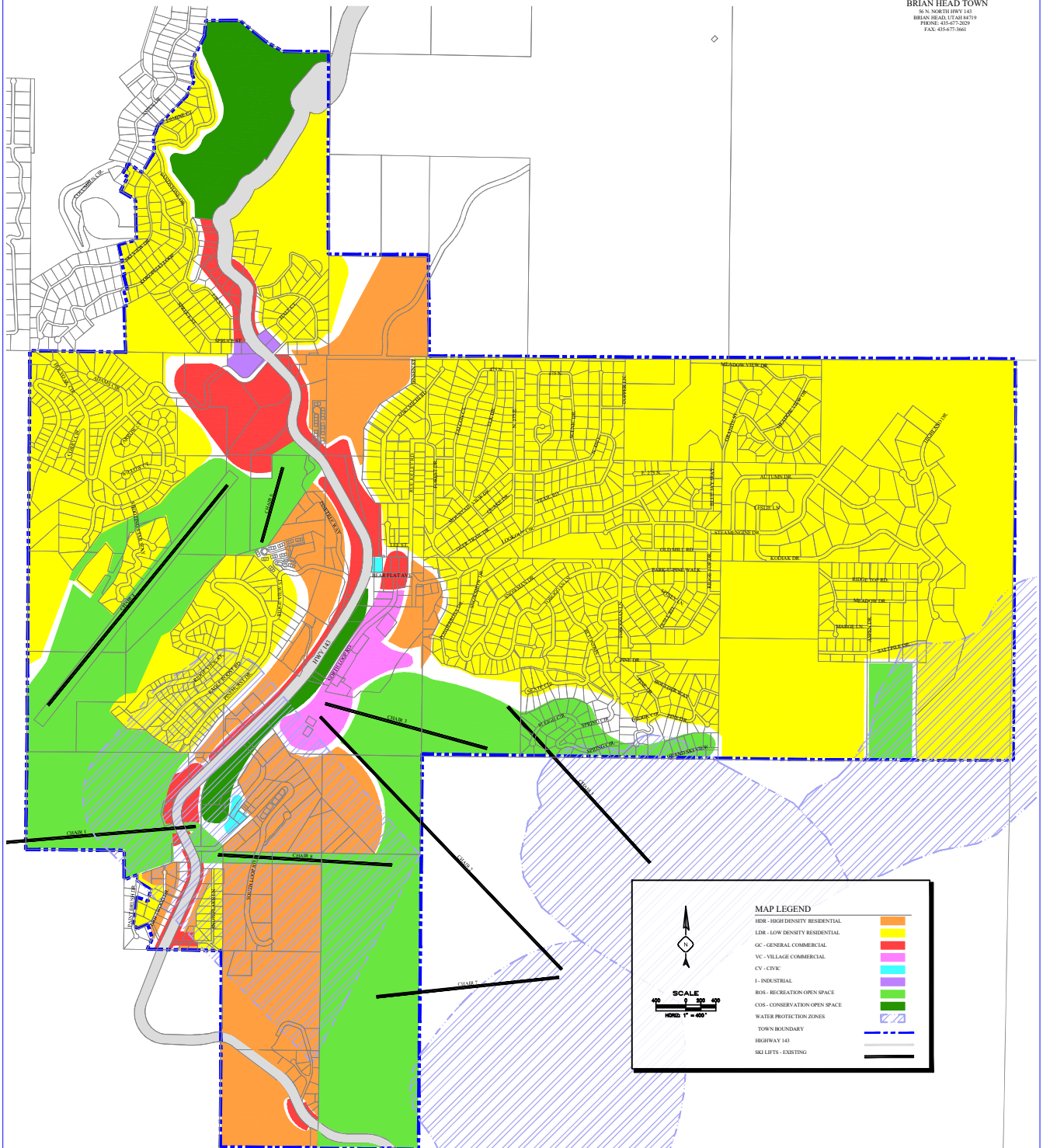
Nancy Leigh, Town Clerk

GENERAL PLAN LAND USE MAP

ADOPTED JULY 27, 2010



BRIAN HEAD TOWN
26 N. NORTH HWY 143
BRIAN HEAD, UTAH 84719
PHONE: 435-477-3029
FAX: 435-477-3661





ITEM: ZONE CHANGE AMENDMENT – R-1 TO R-2

AUTHOR: Greg Sant
DEPARTMENT: Planning and Building
DATE: November 12, 2025
TYPE OF ITEM: Legislative Action

The Council will hold a public hearing to receive comments on the proposed amendment to the Zone District Map for three lots in the Brook Hill Phase 2 Subdivision located on Ridge View Street from Single-Family Residential (R1) to Medium-Density Residential (R2).

An application for a General Plan Amendment was received by Staff on October 21, 2025, for the subject property. The Applicant is asking to change the General Plan and Zoning from R-1 (Low Density Residential) to R-2 (Medium Density Residential) on 3 contiguous lots that have a total area of 2.05 acres. The subject property consists of lots 5, 6 and 7 of Brooke Hill Subdivision phase 2. The Planning Commission held a public hearing on November 4, 2025 and reviewed this issue and voted to forward a recommendation of denial to the Town Council for both.

BACKGROUND:

The Brooke Hill Subdivision, Phase 2 was recorded in January 2006. There were originally 7 lots, 3 are owned by the Applicant and 4 are owned by others. At the time the plat was recorded the lots were Zoned R-3 (High Density Residential). The 2007 Zoning Map is attached. In 2010 the Town adopted its General Plan (see attachment) and the property was designated partially as Low Density Residential next to High Density Residential. On the 2015 Zoning Map the parcel was down zoned from R-3 to R-1. The 2019 General Plan and the current Zoning Map are also attached which show this property as Low Density Residential – R-1.

ANALYSIS:

The process to amend the Zoning District Map is identified in the LMC 9-6-3:

AMENDMENTS TO ZONE DISTRICT MAP: The Zone District Map may be amended as provided in this section. The required fee for zone change applications to cover the cost of processing and review is indicated in the Consolidated Fee Schedule that is available by request at Town hall or on the Town website.

A. Review Process:

1. Planning Commission: The proposed amendment shall be submitted to the Planning Commission with documentation as prescribed in chapter 4 of this title, "Submittal Requirements". Within a reasonable time after receiving the proposed amendment, the Planning Commission shall hold a public hearing on the proposed amendment and shall forward a recommendation to the Town Council for approval, modification and approval, or denial of the proposed zone amendment by following the procedures described by Utah Code Annotated § 10-9a-502 and §10-9a-503.

2. Town Council: Following the Planning Commission public hearing, the Town Council shall also convene a public hearing to receive public comment regarding the proposed amendment. Once a recommendation is forwarded from the Planning Commission to the Town Council, the Council shall reject or adopt the proposed amendment either as proposed by the Planning Commission or after making any revision that the Town Council considers appropriate.

B. Standards For Review: The Planning Commission and Town Council shall consider whether the proposed amendment meets the following standards and conditions (Staff comments follow each point in **Bold**):

1. Meets a recognized and demonstrated need in the community; - **There is a need for Affordable Housing in our community. It is hopeful that by allowing this property to develop with 8 Units per acre the product will be more affordable.**
2. Will be compatible with the character of the neighborhood and surrounding structures in use, scale, mass and circulation; - **This property is bordered on the north and the east by 2 high density housing projects; MLV and Chalet Village that are R-3 or High-Density Residential projects. On the other borders of the project are R-1, Low Density Residential lots. This small project could be seen as bridge zoning between these 2 Zones. However, it could be seen as spot zoning. If it included the 6 lots next to it, that might be better, but even that would be a small rezoning.**
3. Will not result in an over intensive use of the land or excessive depletion of natural resources; - **As an R-2 Zone this could be an over intensive use of the land. If approved the applicant would need to abide by all the standards set to preserve the natural resources.**
4. Will not have a material adverse effect on community capital improvement programs; - **The Applicants narrative talks about looping the water line with Chalet Village. However, after talking to Public Works that is not possible. There is a sewer manhole on the northeast corner of lot 7. That will allow the sewer to gravity feed for the 3 lots, with or without the Zone Change.**
5. Will not require a level of community facilities and services greater than that which is available or will become available; - **This request does not require a level of community services or facilities greater than that which is available presently.**
6. Will not result in undue traffic congestion and traffic hazards; - **Without a traffic study Staff is unable to answer this question. However, this was one of the reasons that Planning Commission gave for their denial.**
7. Will not cause significant air, odor, water, light or noise pollution; - **The Applicant would be required to follow all design standards as outlined in the LMC, therefore, Staff does not believe that it adds significant air, odor, water, light or noise pollution.**
8. Will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of the Town. - **Again, the Applicant would have to abide by all standards set forth in the LMC, therefore, it should not be detrimental to the health, safety or welfare to the inhabitants of the Town.**

During the discussion in Planning Commission, it was noted that if a development plan was attached, they might have been more open to the Amendments. It was brought up that they could change the General Plan for this area to R-2 and deny the Zone Change at this time. In the future the Zone Change could be reconsidered when a development plan was created for the property.

It was also said that instead of just these 3 lots, it would be nice if the northern 6 lots were also included in the General Plan Amendment so that the change was bigger than 2 acres.

Staff have received multiple notices voicing opposition to this General Plan Amendment and Zone Change. The notices that were received are attached.

STAFF RECOMMENDATION:

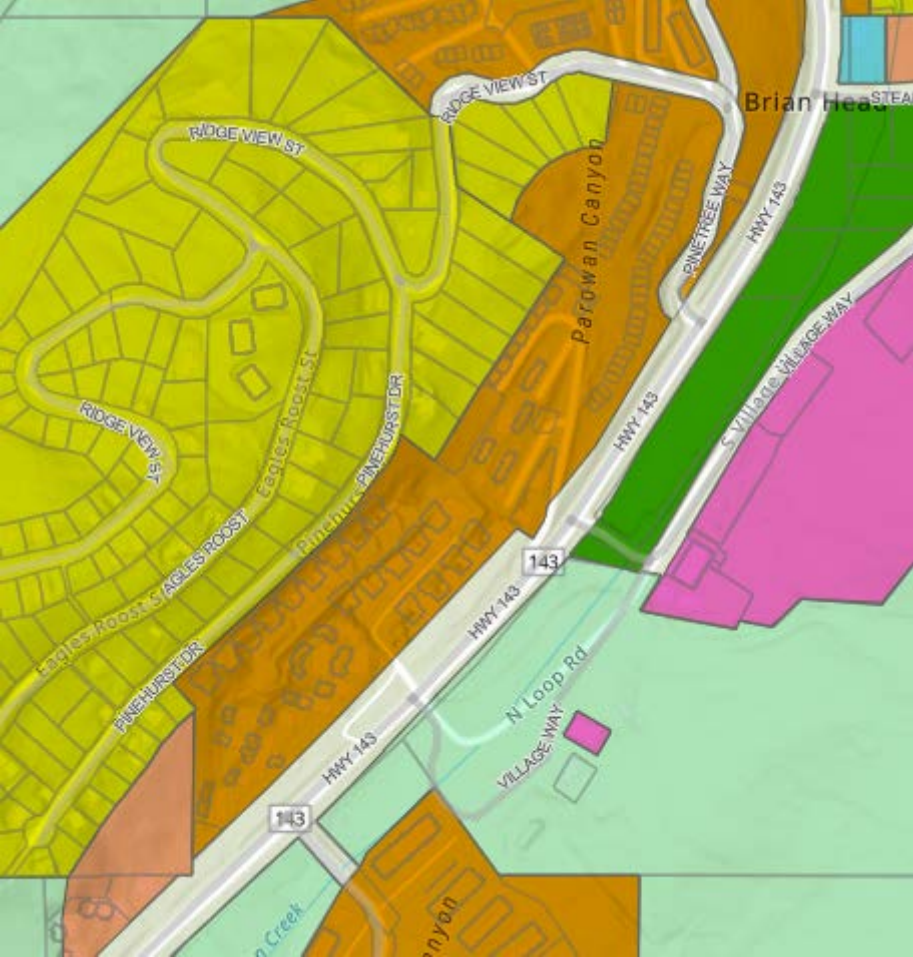
As you can see from the Analysis above, there are both positive and negative points made by Staff and the Planning Commission. It is Staff's recommendation that the Town Council review all information available and decide what would serve the Town best.

PROPOSED MOTION:

I move to adopt ordinance No. 25-011 amending the Land Management Code, Chpt. 6 - Zone District Map for lots 5,6,&7 of the Brook Hill Phase 2 Subdivision as proposed.

ATTACHMENTS:

- A - Project Narrative for Zone Change
- B - Ordinance Adopting Zone Amendment
- C - Current Zoning Map
- D - 2015 Zone District Map



Zoning Amendment Project Narrative

Lots 5, 6 and 7 of Brooke Hill Subdivision Phase 2
BOOK 1018, PAGE 1341, SECTION 2, T36S, R9W, S.L.B.&M.

PURPOSE:

The purpose of this Zone Amendment Application is to request a zoning amendment for three (3) contiguous lots known as lots 5, 6 and 7 Brooke Hill Subdivision Phase 2 as recorded in Book 1018, Page 1341, Iron County Recorder from their current zoning of LDR "Low Density Residential" to a zoning of **R2** "Medium Density Multifamily Residential".

The subject lots for the requested zoning amendment are known as:

1. Lot 5 Brooke Hill Subdivision Phase 2, Parcel # A-1194-0005-0000, Area=0.60-acres
2. Lot 6 Brooke Hill Subdivision Phase 2, Parcel # A-1194-0006-0000, Area=0.67-acres
3. Lot 7 Brooke Hill Subdivision Phase 2, Parcel # A-1194-0007-0000, Area=0.78-acres

These three lots are vacant lots in their current conditions.

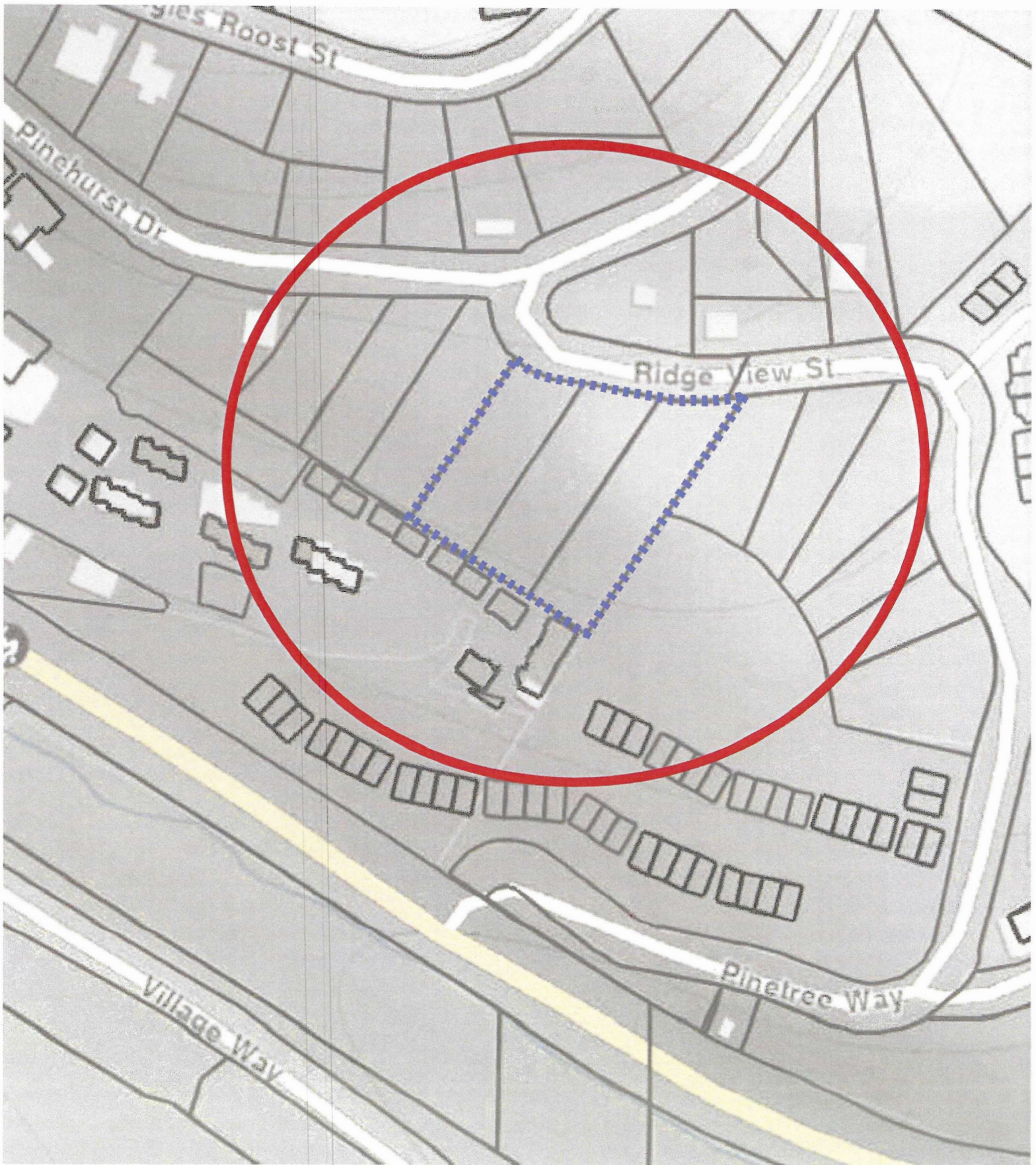
Adjacent parcels directly abutting the north and east sides of the subject lots are current zoned HDR "High Density Residential." The requested Zoning Amendment of the subject three lots will create a transitional land use between "High Density Residential" from the north and east to the "Low Density Residential" land use to the south and west. The requested amendment, with its intended transitional land use, does not violate Brian Head Town's development codes or regulations.

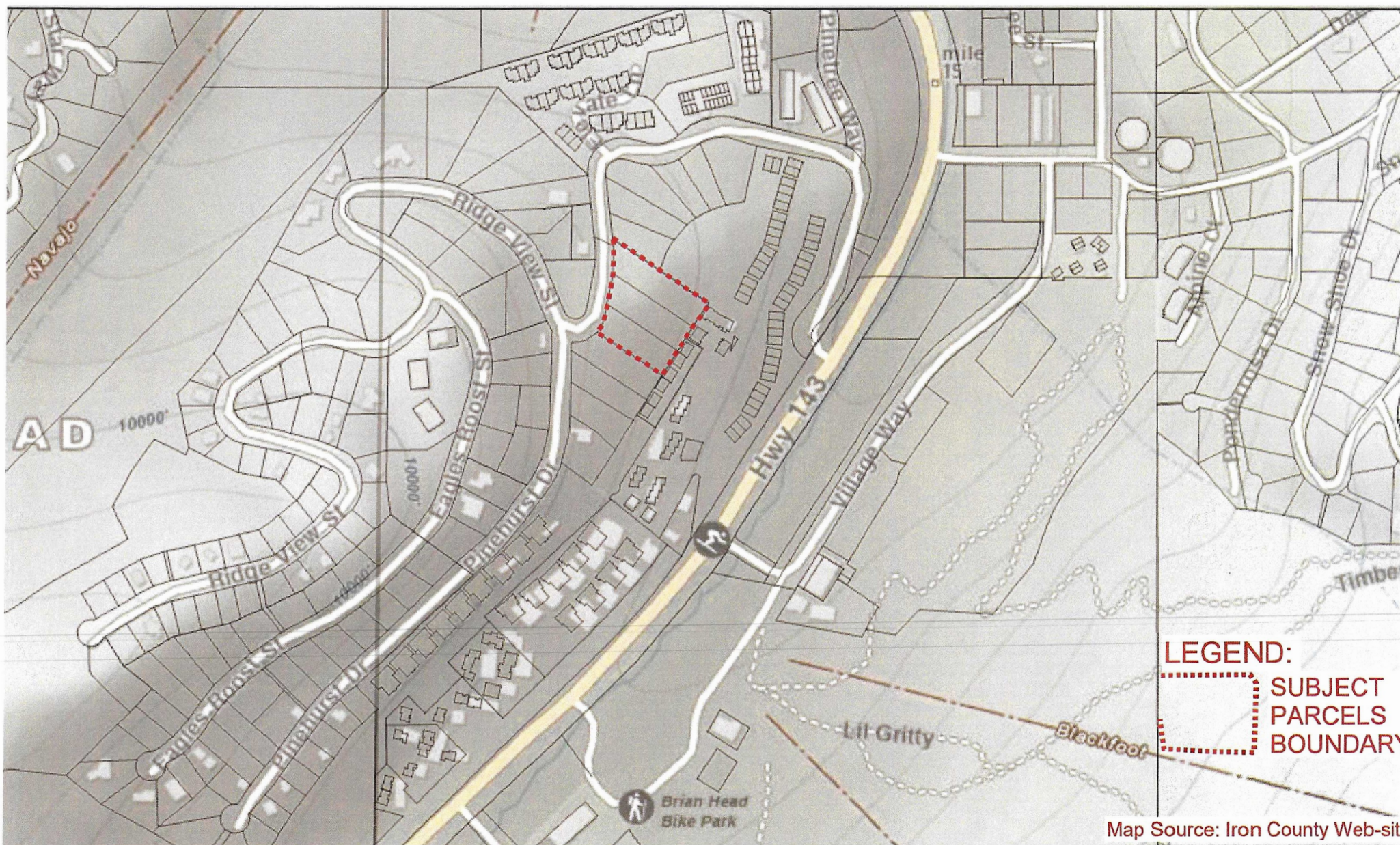
PUBLIC INFRASTRUCTURES:

Public water line and public sanitary sewer line exist along the west side of the subject lots (along Ridgeview Street). Additionally, sanitary sewer line also exists along lot 7's northeast corner, within the adjacent Ridgeview Townhomes proposed development. This zoning amendment request will potentially allow connecting the waterline from Ridgeview Street, through the lots, to the exiting waterline within the Chalet Village Resort development, creating a looped water system, thus enhancing the overall water system within the area.

An 8-inch diameter sanitary sewer line running at a slope rate to generate a minimum scouring flow velocity of 2-½ foot-per-second will have a hydraulic capacity of carrying a flow on the order of 563,161 gallons-per-day, translating to serving approximately 670 residential units (based on sewer flow generation of 100-gallon-per-day-per person, 2.8-person-per-house and a peaking factor of 3.0). As a practical matter and due to the nature of steep mountain-terrain slope rates, sanitary sewer lines in Brian Head Town may run at a minimum slope rate of 1.0%, which translates to serving approximately 930 residential units. Therefore, the proposed zoning amendment of these three lots' impact on the existing sanitary sewer capacity is marginal.

Traffic patterns, in and out of these lots, are consistent with normal daily traffic in the area throughout the day. In conclusion, the characteristics of this proposed zoning amendment is compatible with permitted types of uses in this area.





LEGEND:
SUBJECT
PARCELS
BOUNDARY

Map Source: Iron County Web-site



ORDINANCE NO. 25-____

AN ORDINANCE AMENDING THE BRIAN HEAD LAND MANAGEMENT CODE, CHAPTER 6, ZONE DISTRICT MAP, REGULATING LAND USE WITHIN THE TOWN OF BRIAN HEAD, UTAH CHANGING LOTS 5,6,&7 OF THE BROOKHILL SUBDIVISION FROM LOW-DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ZONES AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Brian Head Town reviews the Land Management Code to ensure smart and attractive growth in Brian Head Town and the Town Council identified a need to revise the Brian Head Land Management Code in order to regulate land use within the Town limits of Brian Head, Utah; and,

WHEREAS, it has been determined that medium density residential zones should be established on the Zone District Map in order to transition areas from single-family residential to med-density residential areas while protecting the single-family neighborhood character; and,

WHEREAS, the Brian Head Planning Commission held a public hearing on November 4, 2025, giving at least fourteen (10) days' notice prior to the public hearing to receive public comment. The Planning Commission hereby forward their recommendation of approval amending the Zone District Map, Chapter 6, Title 9 of the Land Management Code for lots 5, 6, & 7 of the Brookhill Subdivision from low-density residential to medium density residential zone to the Brian Head Town Council for their consideration and adoption; and

WHEREAS, the Brian Head Town Council held a public hearing on November 12, 2025 and giving at least ten (10) days' notice; and

WHEREAS, Brian Head Town desires to incorporate the Zone District Map regulating land use within the town boundaries; and

WHEREAS, it is in the best interests of Brian Head Town and the health, safety, and general welfare of its citizens to adopt this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF BRIAN HEAD, UTAH, COUNTY OF IRON, STATE OF UTAH, AS FOLLOWS:

Section 1. The Brian Head Land Management Code, Chapter 6, Zoning, Zone District Map is hereby amended as Attachment "A".

Section 2. Effective Date. This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town. Upon this Ordinance being adopted by the Brian Head Town Council of Iron County, Utah, all provisions of this Ordinance shall be incorporated into Title 9 of the Brian Head Town Code.

Section 3. Conflict. To the extent of any conflict between other Town, County, State, or Federal laws, ordinances or regulations and this ordinance, the more restrictive is deemed to be controlling.

Section 4. Severability Clause. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 5. Repealer. All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this ordinance shall be repealed.

PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this _____ day of November 2025, with the following vote.

| | | |
|-------------------------------|----------|---------|
| Mayor Clayton Calloway | Yes_____ | No_____ |
| Council Member Larry Freeberg | Yes_____ | No_____ |
| Council Member Duane Nyen | Yes_____ | No_____ |
| Council Member Mitich Ricks | Yes_____ | No_____ |
| Council Member Mitch Ricks | Yes_____ | No_____ |

BRIAN HEAD TOWN COUNCIL
BRIAN HEAD, UTAH

By: _____
Clayton Calloway, Mayor

ATTEST:

Nancy Leigh, Town Clerk

(SEAL)

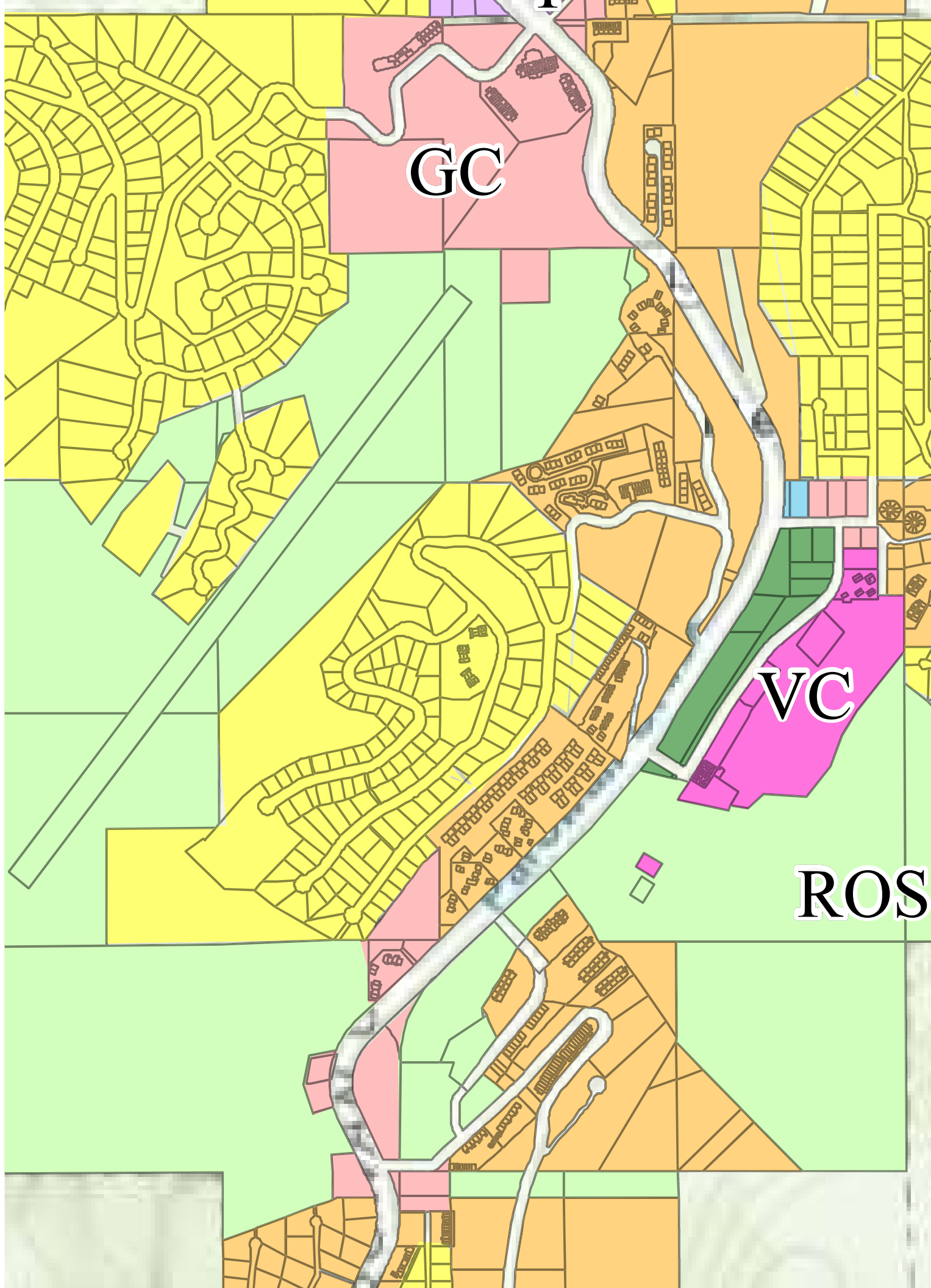
CERTIFICATE OF PASSAGE AND POSTING

I hereby certify that the above Ordinance is a true and accurate copy, including all attachments, of the Ordinance passed by the Town Council on the ____ day of November 2025, and have posted a summary of this ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office, and the Mall.

Nancy Leigh, Town Clerk

ATTACHMENT "A"
BRIAN HEAD LAND MANAGEMENT CODE
ZONE DISTRICT MAP

DRAFT



GC

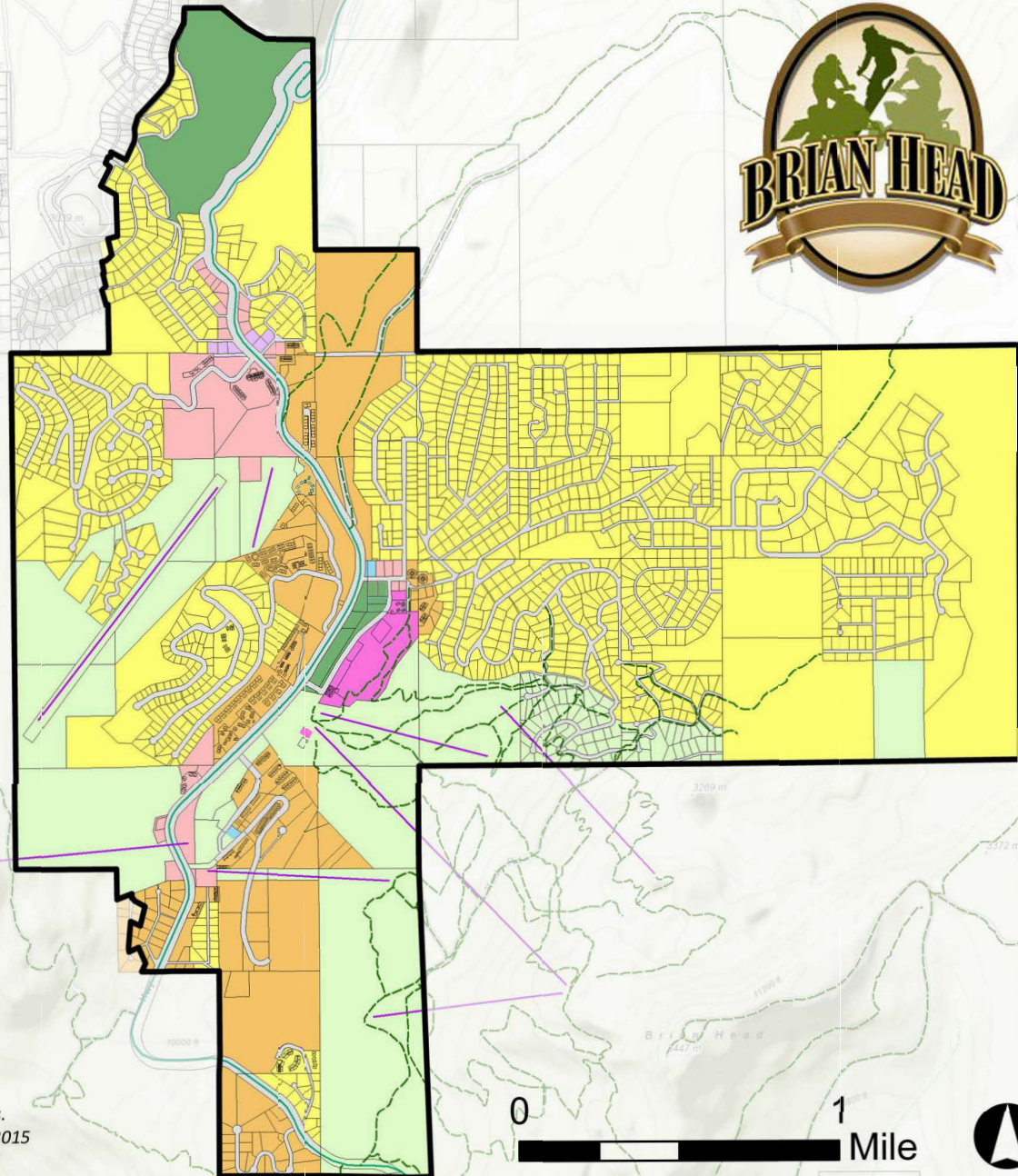
VC

ROS

Brian Head Zoning



- CV - Civic
- COS - Conservation Open Space
- GC - General Commercial
- HDR - High Density Residential
- I - Industrial
- LDR - Low Density Residential
- ROS - Recreation Open Space
- VC - Village Commercial
- Ski Lifts
- Iron Co. Trails
- State Route 143
- Local Roads



Base data provided by Iron County and the Utah State AGRC.
 Mapping intended for city wide planning and not for site specific analysis.
 Coordinate System: NAD_1983_UTM_Zone_12N. Last updated July 11, 2015



STAFF REPORT TO THE TOWN COUNCIL

ITEM: 2025 MUNICIPAL ELECTION CANVASS

AUTHOR: Nancy Leigh, Town Clerk
DEPARTMENT: Administration
DATE: November 12, 2025
TYPE OF ITEM: Legislative Action

SUMMARY:

The Council will convene as the Canvass Board to canvass the 2025 Brian Head Municipal Election results as required by state law UCA 20A-4-301(2). Staff will present the final canvass report during Council meeting on Wednesday.

BACKGROUND:

The Town Council will act as the Canvassing Board to finalize the municipal election results for the November 4, 2025, election. This year we had two Council seats and mayor seat up for election.

State law requires that an election be canvassed no earlier than seven days and no later than 14 days after an election.

This year the mayor's seat went uncontested and will continue to be held by Clayton Calloway for another four-year term. The two council seats that were up this year were Council Member Ricks and Council Member Tidwell.

We saw a lot of interest with the general election in which began with Council Member Marshall resigning her seat in July and the Town receiving several letters of interest from individuals. Council Member Nyen was appointed to Council Member Marshall's seat for the remainder of the term. Council Member Nyen then withdrew from the 2025 general election with his appointment that was decided by a coin toss.

Council Member Tidwell has decided to withdraw his name from the general election and allow his term to expire as of December 31st. Council Member Ricks decided to run again in the 2025 election along with Logan Cruz who submitted his name as a write-in candidate. With Martin Tidwell's withdraw from the general election, it left the two council members seat as uncontested.

The Town had the option to officially cancel the 2025 election, but decided to allow the election to run with all three candidates running uncontested this year

ANALYSIS:

The unofficial 2025 Municipal Election had a total of 40 ballots cast in this election. As of the date of this report listed below are the unofficial results of the 2025 Brian Head Municipal Election:

Mayor: Clayton Calloway: 40 votes or 100% of the vote

Town Council:

Mitch Ricks: 30 votes or 62.50% of the vote

Logan Cruz (Write-in): 15 votes or 31.25 of the vote

I will have the official election canvas report for Wednesday's meeting in case any additional ballots come in between now and Wednesday's Council meeting.

Staff will present a statement of votes casted in which all Council Members and the Mayor will need to sign. This will be sent to the Lt. Governor's office as the official canvass of the 2025 Brian Head Municipal Election as well as to the Iron County Clerk.



FINANCIAL IMPLICATIONS:

Typically, our elections cost approximately \$500 in which the County will invoice their portion to the Town. The Town has not yet received a final invoice for the 2025 election but anticipates it will be approximately \$300-\$400. This cost includes the ballots and postage along with any advertising the County Clerk may have done on behalf of Brian Head Town. The other costs are associated with the Town's requirement to advertise as part of the election process.

BOARD/COMMISSION RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends the Board of Canvassers approve the 2025 Municipal Election as presented.

PROPOSED MOTION:

I move to approve the 2025 Brian Head Municipal Election as presented. (The Mayor may read the final votes counted on the statement).

ATTACHMENTS:

A – Unofficial Election Summary Report as of November 6, 2025.

Brian Head Town Mayor

Vote for 1

Candidate

| | | |
|-------------------------|---------------------------|-----------------|
| CLAYTON CALLOWAY | Percentage 100.00% | Votes 40 |
|-------------------------|---------------------------|-----------------|

Brian Head Town Council

Vote for 2

Candidate

Percentage

Votes

Candidate

| | | |
|-----------------------------|--------------------------|-----------------|
| MITCHELL ALLEN RICKS | Percentage 62.50% | Votes 30 |
|-----------------------------|--------------------------|-----------------|

Candidate

Adjudicated Write-Ins

| | | |
|------------------|--------------------------|-----------------|
| LOGN CRUZ | Percentage 31.25% | Votes 15 |
|------------------|--------------------------|-----------------|