

The Regular Meeting of the
Brian Head Town Council
Town Hall - 56 North Highway 143,
Brian Head, UT 84719
TUESDAY, FEBRUARY 10, 2015 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER** 1:00 PM
- B. **PLEDGE OF ALLEGIANCE**
- C. **DISCLOSURES**
- D. **APPROVAL OF THE MINUTES:** January 13, 2015 Town Council Meeting
- E. **PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- **EMPLOYEE RECOGNITION: Wendy Downland, Public Works Assistant.** Wendy will be recognized for her accomplishment in achieving the “Office Person of the Year” award by Rural Water Association.
- F. **AGENDA ITEMS:**
1. **BRIAN HEAD RESORT SUMMER EVENTS PRESENTATION.** Ron Burgess, Brian Head Resort Marketing Director, will be presenting the Resort’s upcoming summer events.
 2. **TRAILS MASTER PLAN ORDINANCE.** Bret Howser, Town Manager. The Council will consider an ordinance adopting the Brian Head Trails Master Plan.
 3. **BRIAN HEAD PERSONNEL POLICY AND PROCEDURE AMENDMENT.** Cecilia Johnson, Treasurer. The Council will consider an ordinance amending the Brian Head Personnel Policy and Procedure Manual.
- G. **WORK SESSION – LAND MANAGEMENT CODE REVIEW.** The Council will continue their review of the Land Management Code.
- H. **ADJOURNMENT.**

Dated February 6, 2015.

Available to Board Members as per Resolution No. 347 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 three public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall, Post Office and The Mall on this 6th day of February 2015 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.

Nancy Leigh, Town Clerk



Brian Head Public Safety Council Update

01/01/2015

Brian Head Marshal's Office:

Deputies have been working very hard through the month of January. We have focused on the resort and our recent string of thefts. This focus has turned out very beneficial to the victims that were involved and to the solving of many of these thefts. We have also made an earnest effort to have a large visual presence during targeted times that we have noticed the largest number of snowboard thefts occurring. This too has seemed to deter further thefts from occurring as we strive to protect the public from the opportunist thief. This makes any thief in the areas experience more difficult to carry out their desired crime.

Deputies have recovered 7 stolen boards this past month and made 3 arrests connected to these thefts that occurred during the holiday season. We have also made 2 additional theft arrests in connection with people using somebody else's season pass. This is also a reoccurring event that we see every year. We believe that it gets less and less common due to our aggressive approach in making arrests for the theft of services provided by the resort.

As always, medicals are a common occurrence during the ski season. We have seen a decrease however in the severity of the medical incidents with most patients being transported via ambulance. We have only had Life Flight called in twice thus far. Good snow seems to help and we are hoping for more to keep these incidents on the side of less severe.

Although we have had an increase in the number of vehicle accidents this past month, all of them are without injury and most have occurred in the parking lots of the many establishments in town. We have still had a very good year regarding no major accidents during storms on the grade in and out of town. Deputies work very hard to keep traffic flowing in an effort to avoid lane blockage and decrease the possibility of traffic accidents on our highways and roads.

The FBI was here this past month and had an excellent time diving in the Bristle Cone Pond. This is an annual training that they do for new dive members annually. It is called and "Ice Dive" or a "Penetration Dive". It has large potential for things to go wrong and is a great training opportunity for us to watch and learn from their experiences. Hazards include diving at altitude, diving in freezing water, diving through a hole in the ice, the potential for equipment failure due to freezing temps and many more. They expressed great appreciation to the town and we expect this to be an ongoing venue for them in future years. Approximately 35 agents stayed here for the week eating and lodging in the town. We appreciate Deputy Morgan and his contacts that brought this group to town.

2015 has started out being very busy, but it is our pleasure to continue to serve the public and work with the citizens as well as the many visitors that come to our great community.

- Shifts and Numbers of Incidents
 - Day Shift = 33
 - Swing Shift = 38
 - Grave Shift = 5
- **Total Incidents for January = 93**
-
- Types of Incidents
 - Citizen/Motorist Assists- 21
 - Medicals- 14
 - Vehicle Accidents- 9
 - Theft - 6
 - 911/Alarms- 6
 - Fire Calls - 6
 - Trespass – 1
 - Lost and Found Property – 3
 - Drugs – 1
 - Threats – 1
 - Assault – 1
 - Suspicious – 1
 - Parking Problems – 1

Brian Head Fire Dept:

With 3 active fire calls put out over this past month we are pleased to report that there was no displacement of individuals and their residents. Two of the active fires were due to misuse of fireplaces in residence which if gone undetected could have easily turned out to be catastrophic. These two fires were in multi-family condo properties and had potential of rapid growth. The third fire was of an individual on a third floor balcony using a charcoal barbecue grill. This was reported by a neighbor and the on duty Deputy responded within minutes to discover the problem. This fire was extinguished and an educational experience was offered by Deputy Brad Benson to the potential problem.

Firefighters have also been busy with very important training. We have done some OSHA required training regarding blood borne pathogens and toxic substances. We have had some excellent instruction on "Team Building", and Deputy Burton was able to recertify us on CPR. This CPR course was instructed by Deputy Burton and was a combined training with Parowan and Paragonah Fire Departments. This was an excellent training and we appreciate Deputy Burton and his ability to teach this course in-house. This is also a huge savings to the Town due to not having to pay somebody to come in and teach this course for \$35.00 per head. Now we only have to pay for the certification cards from the "American Heart Association".

Our numbers are up and there is a great vibe through the fire department. We are very excited and happy to have so many new members of our department, and have more volunteers living on the mountain than we have had in close to 10 years. We appreciate them and their dedication to Brian Head.

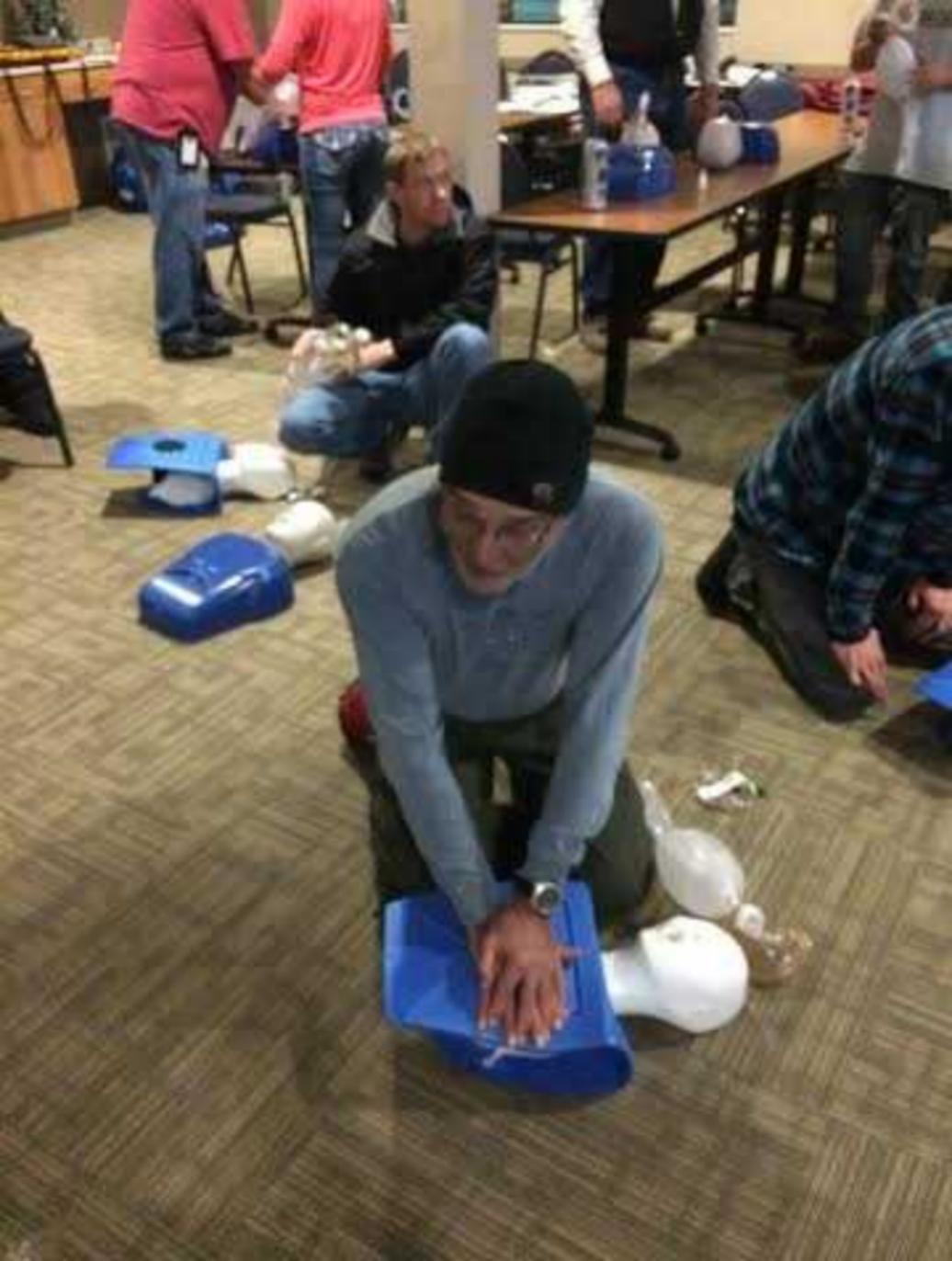
























COUNCIL UPDATE
2-10-15
PUBLIC WORKS DEPARTMENT

STREETS – With this weather we should be asphaltting roads. We are taking advantage of the good weather to try to get as much water off the roads as possible and into drainage ditches. This is one of my biggest concerns for the life of our roads.

We are working with CIB as a test project for them to assist in creating a street and transportation master plan. We also need to consider the development of a storm water master plan.

WATER – The water system continues to work flawlessly, (I know I should not have said that) and noting to report on. We are still pumping water at a rate of 600 gallons per minute (gpm) to the snow making pond.

The new Bear Flat Well has been working flawlessly, and continues to pump water used for snow making as well as culinary use.

It has been in an idle mode as of lately. We have not had to pump a great deal of water to the resort for snowmaking. This is the first year Mac has asked us to turn it off. So far this ski season we have pumped 60,200,000 gallons of water which equals \$49,966.00 for the season.

SEWER – Last week we met with Parowan City Officials for our quarterly sewer meeting which happens once or twice a year. It was determined that we are using 28% percent of the ponds capacity and will be paying 28% of Parowan maintenance budget. This equates to about \$30,000 per year as well as the \$100,000.00 per year bond payment. Aldo Biasi reported that they have enough capacity for the foreseeable future. He didn't say how long that is.

The new Solar Farm in Parowan is completely surrounded the sewer ponds except for the property owned by Biasi's and they will continue to farm it.

I have been informed that the owner of the property just to the south of the sewer grinder, the area that we looked at for a treatment plant, is not interested in selling, leasing or donating any property.

POND – The pond has been a very busy place this last month. We tested the underwater capabilities of a bobcat loader and the FBI used it for a week to train in high altitude and

ice diving. It was interesting to hear the reports they would bring back. Apparently some of the fish are getting quite “large”. Remember this is the Federal Government.

The pond continues to rise every month. It has come up over 2.5 feet since November 1, 2014. We measure the ice thickness in various spots weekly. Friday it was 15” by the dock.

Bear Flat Well – Completed and will now activity will be reported with Water Department Update.

RECYCLING – We are currently sending only paper and cardboard to St. George for recycling. Now that we have our new truck, we will use the old standby by truck to store recycle when just one or two of the cans are full. We can wait until we have a full truck to take off the mountain.

MISC. - Wendy and I are scheduled to take ICC certifications exams the first week of March. She will be certifying as a Building Permit Technician and I will be certifying as Residential Building Inspector. These courses and test will be taken in Salt Lake City.

BEAR FLAT CAMPGROUND – I am continuing to work with the US Forest Service to explore the possibilities of a diverse camping area. As long as the Town is willing to cover all the costs, they are willing to entertain the possibility of the campground.

I am now working on the cost for any required NEPA and Environmental Impact studies in the area. I am receiving construction specs for not only the campground pads, roadways etc. but also water and sewer station. This will assist in preparing cost estimates.



Town Council Staff Report

Subject: Brian Head Resort Summer Events
Author: Bret Howser
Department: Administration
Date: February 10, 2015
Type of Item: Discussion

SUMMARY:

Ron Burgess, Marketing Director for Brian Head Resort, will present to the Council regarding the planned expansion of summer events by the Resort. Council should discuss potential for the Town to assist in this effort, including possible financial contributions.

PREVIOUS COUNCIL ACTION:

N/A

BACKGROUND:

With the cessation of the Chamber of Commerce a few years ago, the Town has begun to pick up some of the roles the Chamber filled. The Town historically contributed \$50,000 per year to the Chamber, and the Chamber largely used the funds to put on a few events during the year. Now, the Town uses the \$50,000 to contribute to a joint-marketing program with the Tourism Bureau and the Resort and to fund a part-time marketing and event coordinator position focused largely on attracting 3rd party event organizers.

In the FY 2015 Strategic Plan, the Town identified its role in events as two-fold: 1) support event organizers (both local event planners such as the Resort, as well as event organizers coming in from the outside such as Red Rock Relay) through public works and public safety, and 2) attract new events to the Town. The Town would continue to plan and execute a limited number of events ourselves. Also, we intended to become experts in marketing regionally for events, and share that knowledge with event organizers to help them be successful.

ANALYSIS:

The Town will certainly be willing, pursuant to our current policy, to provide in-kind support and manpower in assisting with these events. However, the Resort is interested in partnering with the Town and the business community to bring in a large summer event – namely a car show on Pioneer Day weekend. Total expenses for the event are

expected to be \$25,000 to \$30,000. The Resort hopes to have \$15,000 to \$20,000 of that covered between the Town and the business community.

The Town has budgeted the following for marketing and events:

- Snowmobile Rally: \$1,800
- ATV Rally: \$2,350
- 4th of July Fireworks & Program: \$10,700
- New Community Event: \$1,000
- Joint Marketing Program: \$20,000
- Mktg & Event Coordinator: \$12,944
- Online and radio advertising: \$6,250
- Visitor Center (grant funded): \$3,100
- Trail Guide: \$2,500
- Toll Free Phone Number for Chamber: \$1,500
- Miscellaneous: \$1,000

Partnering with the Resort financially on an event such as a car show would be a shift in our current policy. Eventually, staff expected to recommend a budget which included some funds for attracting events financially (maybe small seed-money grants of \$1000 to \$2500 for first-time events, or something like that), but what the Resort is looking for is a whole different level of partnership. This requires a policy discussion.

Staff maintains that the Town should avoid becoming event planners, which would include financial partnerships on events. However, we would recommend designating funds for event attraction. The Council might consider a policy allowing for a startup grant to be awarded to new events which would be set at the level of the anticipated incremental sales tax.

In this case, if a car show were to bring in 2500 additional people, and it is expected that each of those people would spend around \$40 per person on restaurant/retail and 10% would result in a room rental, then incremental sales taxes to the Town would be about \$4,750 (that includes the shuttle fee).

Staff recommends that Council consider a program in FY 2016 for incentivizing new events which would consist of giving one-time startup grants in the amount of the estimated incremental sales tax. If Council wishes to move forward with this, staff would draw up a policy and process for awarding the grants, and budget for it in FY 2016.

DEPARTMENT REVIEW:

Administration

FINANCIAL IMPLICATIONS:

If Council directs staff to pursue a startup grant policy for events, then staff will return with budget implications as part of the FY 2016 budget process.

BOARD/COMMISSION RECOMMENDATION:

N/A

RECOMMENDATION:

Staff recommends that Council consider a special event startup grant policy in the FY 2016 budget year.

PROPOSED MOTION:

N/A



Town Council Staff Report

Subject: Trails Master Plan
Author: Bret Howser, Town Manager
Department: Administration
Date: 2-10-15
Type of Item: Legislative

SUMMARY:

Staff recommends that Council review the proposed Trails Master Plan and adopt by ordinance.

PREVIOUS COUNCIL ACTION:

Council previously adopted an ordinance establishing a Trails Committee to draft and propose a trails master plan.

BACKGROUND:

The Trails Master Plan Committee was established in 2009 with the purpose of developing a Trails Master Plan. The Committee was set to expire after five years or once the TMP was adopted. The Committee developed a draft document but that document never made it to the Council for adoption. It was held up because usage rights for portions of trails on private lands were never obtained.

In early 2014, Council requested that staff bring the Trails Master Plan to the Council for adoption, regardless of the status of easements. Staff brought the draft document to Council for adoption, however the document was incomplete and outdated. Council directed staff to reform the Trails Committee with the intent of completing and updating the document prior to adoption.

Concurrently, the Committee is working with an Alpha Engineering to obtain usage rights for privately owned portions of trails identified in the TMP.

Staff brought the revised TMP back to the Council on 1-27-15. Council asked for a minor change to the document, and requested it be brought back for adoption.

ANALYSIS:

As requested by Council, staff has inserted the following language to the TMP to the Trail Design Guidelines section of the document:

“Each of the guidelines put forth in this section are intended to be a general goal for purposes of establishing consistency in trail construction throughout Brian Head. However, it is recognized that these guidelines may not be ideal in all circumstances. The Town may work outside of these guidelines if it is preferable for being consistent with pre-existing trails, for connecting with trails built or maintained by other entities, for grant or funding purposes, etc.”

DEPARTMENT REVIEW:

Administration

FINANCIAL IMPLICATIONS:

Should Council adopt this Trails Master Plan, staff will begin to include related projects and operating initiatives in the proposed budget. Staff will certainly continue seeking grants or other financial assistance where possible.

BOARD/COMMISSION RECOMMENDATION:

Trails Committee forwards a positive recommendation

RECOMMENDATION:

Staff recommends that Council review the proposed Trails Master Plan and adopt by ordinance.

PROPOSED MOTION:

I move to adopt Ordinance No. 15-003, an ordinance adopting the Brian Head Town Trails Master Plan as presented.



ORDINANCE NO. _____

AN ORDINANCE OF THE BRIAN HEAD TOWN COUNCIL ESTABLISHING A TRAILS MASTER PLAN FOR THE TOWN OF BRIAN HEAD, UTAH AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Brian Head is a resort recreational community in which trails are vital to the economy of Brian Head Town; and

WHEREAS, the Town Council has assessed the need to create a connected and protected trail system for motorized and non-motorized uses within the town; and

WHEREAS, in 2008, the town received a Rivers, Trails, and Conservation Assistance Grant to assist with the development of a Trails Master Plan; and

WHEREAS, a committee was created to develop a Trails Master Plan and has since completed a Master Trail Plan for the Council's review and approval.

WHEREAS, the Brian Head Master Trail Plan is enacted for the purpose of serving and promoting the general welfare to provide for recreational and open space needs of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE BRIAN HEAD TOWN COUNCIL hereby adopts the Brian Head Master Plan, Attachment "A"

Section 1. BRIAN HEAD MASTER TRAIL PLAN Attachment "A" is here by adopted and shall be codified into the Brian Head Town Code

Section 2. 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 or 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 3. REPEALER. All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this Ordinance shall be repealed.

Section 4. EFFECTIVE DATE. This Ordinance shall become effective upon a majority vote of the Town Council.

PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF BRIAN HEAD TOWN, IRON COUNTY, UTAH this _____ day of _____, 2015 with the following vote.

Mayor H.C. Deutschlander	Aye_____	Nay_____
Council Member Jim Ortler	Aye_____	Nay_____
Council Member Larry Freeberg	Aye_____	Nay_____
Council Member Clayton Calloway	Aye_____	Nay_____
Council Member Reece Wilson	Aye_____	Nay_____

BRIAN HEAD TOWN

MAYOR: _____
H.C. Deutschlander, 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 _____, 2015, 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

BRIAN HEAD AREA TRAILS MASTER PLAN

January 2015





This plan is the result of a collaborative planning process by Brian Head Town and its partners with assistance from the National Park Service, Rivers, Trails, & Conservation Assistance Program. The National Park Service provided the Town and partners assistance to complete a collaborative trail and interpretive plan.

The plan goals were to create a consistent, unified, and world-class trail system for the Town's residents and visitors; and to develop and create a Trails Master Plan and mapping system that is easy to use and encourages confident trail navigation. The completion of the Trails Master Plan is due to the commitment made by each partner. The decisions contained in this document were made by the Town and its partners based on a community planning and input process.

The project's vision, based on consensus of the partners, is:

“Brian Head Town and its partners will create and maintain a sustainable, environmentally sensitive, multi-use trail system that physically, intellectually and emotionally connects users with the area's recreational, natural, scenic and cultural resources.”

Through this process, over 44 miles of trails have been located in the Brian Head area and a plan has been developed for sustainable and consistent signing and development of the trails. This planning effort has accomplished the following:

- Creation of a Trails Committee for Brian Head Town that includes agency, organizations, businesses, and citizen representatives;
- Locating and mapping of 44 miles of trails within and surrounding Brian Head Town via mapping-grade GPS units;
- Analysis of the existing trails for tread, sign, and access needs;
- Development of design guidelines for future trail work that are aligned with Utah State Park and national organization standards;
- Development of an interpretation plan for the Brian Head Area and fourteen trailheads; and
- Policy analysis of Brian Head Town's Land Management Code for which of the Town's policies need to be updated to reflect the recommendations within this Trails Master Plan.

The priorities based on these accomplishments are clear. This plan recommends addressing priorities, as further detailed in Chapter 5: Plan Implementation, in the following order:

1. Acquire easements or access rights for the Town's existing trails so the Town may advertise these trails to visitors and residents (as further detailed in Chapter 4: Existing Trails);
2. Clearly communicate the Town's trails, their locations, and difficulty ratings to visitors and residents through multiple media outlets (see Appendix A: Interpretive Sign Plan); and
3. Implement the policy changes recommended within the Trails Master Plan (as further described in Chapter 5: Plan Implementation).

EXECUTIVE SUMMARY



The optimal management solution would be to begin implementing each of these three priorities simultaneously including; 1) obtaining legal access to trails, 2) communicating trail locations, and 3) policy changes which are integral to the success of the Brian Head Area Trail System.

Through this plan, the Brian Head area partners acknowledge what needs to be accomplished to advance the existing and proposed trail system, and the priority mechanisms to implement a successful trail system. This will allow the Brian Head area to become a year-round destination for motorized and non-motorized recreation users, thereby helping the area's long-term economy.

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INTRODUCTION



BRIAN HEAD GEOGRAPHIC AREA

The Brian Head area is located in Southwestern Utah (Figure 1). The closest city, Cedar City, is located 34 miles from Brian Head Town. Brian Head is known as the highest resort town in America. There are drastic changes in elevation allowing visitors to experience five climatic zones as they travel along the Utah Patchwork Parkway Scenic Byway. This creates a unique opportunity for interpretation of cultural and natural history in the area, and a wide variety of motorized and non-motorized recreation opportunities.

NEED FOR A TRAIL SYSTEM IN THE BRIAN HEAD AREA

Brian Head Town boasts an estimated 500,000 visitors annually based on visitor statistics from Cedar Breaks

National Monument, located 3 miles from the Town. The influx of visitation highlights the need for a comprehensive trail plan for the Brian Head area in order to provide recreation opportunities for residents and visitors. The large influx of visitation in the winter is due largely to skiing, snowmobiling, and in the summer due to motorized recreation, mountain biking, hiking, and fishing. Based on the number of visitors to the area, there was a need to develop a coordinated motorized and non-motorized trail system.

In addition to the trail opportunities, the Brian Head area provides for recreation opportunities including:

- The Utah Patchwork Parkway, State Route 143, a State and National Scenic Byway;
- National Forest and National Park administered public lands;
- Abundant, year-round recreational opportunities; and
- Unique history and culture within the State of Utah.

Due to trails and other recreational opportunities, the Brian Head area partners can market the area, keeping visitors in the area for longer periods of time, increasing revenue for local businesses, and helping with economic development.

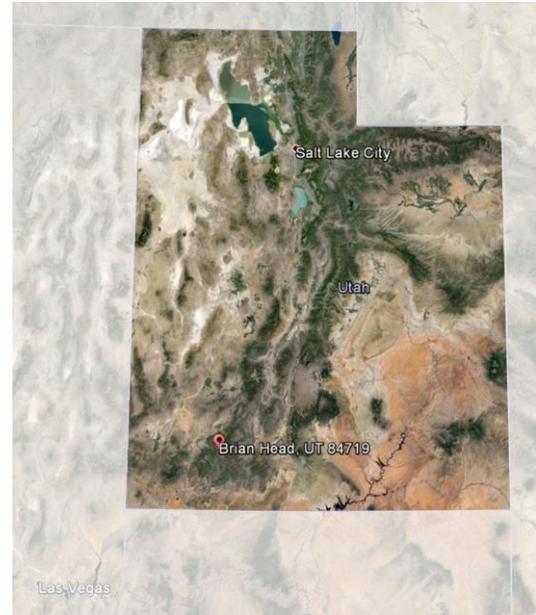


Figure 1: Brian Head Town is located in southwest Utah, just off of I-15 about mid-way between Salt Lake City and Las Vegas

PLAN BACKGROUND & PLANNING



BRIAN HEAD AREA BACKGROUND

In a recounting of the history of Brian Head Town, Yvette Miles (1991) notes the Town (and area) has a diverse history, ranging from early use by the Paiute tribes for small villages, hunting, and gathering to later agricultural operations that largely focused on cheese and butter production, ranching operations for raising sheep and cattle, and sawmill operations.

Skiing came to Brian Head in 1964, when Burt Nichols developed the first chairlift of what would later become the Brian Head Resort. The skiing industry continues to thrive today and is the largest business and tourist attraction within the Town. The Resort is anxious to expand their mountain biking business in the summer. This would provide increased visitation to help local businesses thrive year-round. In 1975, the Town incorporated and has since stayed a small town, with about 80-100 year-round residents.

TRAIL PLANNING

In 2008, Brian Head Town applied to the National Park Service, Rivers, Trails, and Conservation Assistance Program (hereafter RTCA) for planning assistance to develop a Trails Master Plan. To address this need, RTCA and Brian Head formed a committee of interested parties and held several meetings in Brian Head. These interested parties include representatives from the following agencies and organizations:

- Brian Head Town Council;
- Brian Head Planning Commission;
- Brian Head Chamber of Commerce;
- Brian Head Resort;
- Iron County;
- Dixie National Forest, Cedar City Ranger District, US Forest Service;
- Cedar Breaks National Monument, National Park Service; and
- Numerous local businesses and interested citizens.

RTCA provided technical support for this collaborative planning effort. In July 2009, to assess the extent and legality of the existing trails within the Town and surrounding lands, RTCA and Town representatives carried out extensive GPS mapping of the existing trail system on all the partners' administered lands. From this physical assessment, RTCA, Brian Head Town, and its partners have proposed a coordinated system of trails, prepared maps, and spearheaded meetings with the trail committee to plan for trailhead access points and discuss trail design and sign standards.

From this planning process, vision, goal, and objective statements were developed. Additionally, in November 2009, Brian Head Town adopted an ordinance creating a trail committee with the explicit purpose to accomplish the following tasks:

- a. Complete a Trails Master Plan for the Area with maps, sign design standards, and an interpretive plan;



- b. Prepare a proposed budget for the implementation of the Trails Master Plan; and
- c. Recommend proposed projects and ordinances necessary for the proposed adoption and implementation of the Trails Master Plan.

Both the formal vision and goal statements as well as the creation of the Trails Committee have prompted widespread involvement in the planning process.

VISION AND GOALS OF THE BRIAN HEAD AREA TRAILS PLAN

To establish the direction the Trails Master Planning effort would take, RTCA facilitated the development of a series of vision and goal statements for the Brian Head Area Trails Master Plan. This set of vision, goals, and objective statements have guided the planning process since its inception and include the following statements:

Vision for the Brian Head Area Trails Master Plan:

Brian Head and its partners will create and maintain a sustainable, environmentally sensitive, multi-use trail system that physically, intellectually and emotionally connects users with the area's recreational, natural, scenic and cultural resources.

Goal 1: Integrate communities and partnerships into the Brian Head Area trail system vision.

- Objective A: Coordinate with adjacent private & public landowners (e.g. County, Boy Scouts, private landowners, etc.) on trail locations.
- Objective B: Develop Memorandum of Understanding (MOU's) between the following entities:
 - Town and County
 - Town and Ski Resort
 - Town and US Forest Service (USFS)
 - Town and Boy Scouts
 - Town and Utah Department of Transportation (UDOT)
 - Town and Scenic Byway
 - Town and National Park Service (NPS)

Goal 2: Inventory existing trails, identifying land use conflicts and opportunities.

- Objective A: Identify known trails via office data collection.
- Objective B: Field GPS trails to determine ownership, locations, etc.
- Objective C: Create maps illustrating trail locations, land use conflicts, and trail development needs.
- Objective D: Identify all trail licenses, easements, fiscal ownership and potential conservation corridors within the Brian Head area.

Goal 3: With partners, develop a Trails Master Plan for the Brian Head area.



- Objective A: Identify the on-the-ground trail needs, including land ownership, trail maintenance and development needs.
- Objective B: Identify trail easements and/or property necessary to achieve the on-the-ground trail needs.
- Objective C: Develop a sign plan, including interpretive, informational and directional signs, as a component of the Trails Master Plan.
- Objective D: Develop an implementation and maintenance plan (including a budget) that identifies the steps needed to achieve the plan.
- Objective E: Develop a non-motorized and motorized trails map with the plan, that identifies existing trail and future trail needs.
- Objective F: Develop trail construction standards and criteria within the trails plan.
- Objective G: Obtain necessary land use approval for the development of trails.

Goal 4: Implement the Brian Head Area Trails Master Plan.

- Objective A: Identify and create policy changes that will be necessary to meet the goals and objectives of the Trails Master Plan.
- Objective B: Identify funding sources to implement the physical needs, e.g. sign or trail construction, identified in the Trails Master Plan.
- Objective C: Acquire access, easements, and licenses as needed.
- Objective D: Start construction.

CONFORMANCE WITH PLANNING DOCUMENTS

1. Brian Head General Plan (adopted 2010) establishes the basis for an interconnected trail system within Brian Head Town connecting to Cedar Breaks National Monument to the south and the Dixie National Forest, which borders Brian Head on its west, south and eastern borders. The Brian Head General Plan identifies the need for a comprehensive trail system within the following chapters:

Chapter 3 - Description of the Town, Challenges and Opportunities:

- “Expanding the recreational opportunities while ensuring they do not conflict with each other in safety, noise, or needs:
 - Maintain Ski Resort terrain free of motorized vehicles.
 - Establish dedicated cross country ski areas.
 - Clearly identify OHV lay-down areas and trails.
 - Implement a Trails Master Plan for motorized and non- motorized uses, in cooperation with the US Forest Service and National Park Service.
 - Enhance the meadow to include trails, fishing, and educational opportunities” (page 5).
- “Improve the visitor experience through signs, lighting, and information to familiarize them with the community and the variety of recreational opportunities available to them” (page 5);
- “Enhance the integration between nature and development through design standards that are in harmony with the native vegetation, colors and materials” (page 5-6);



- “Develop a four-season resort community through a variety of commercial opportunities that are compatible with the pristine high- mountain area” (page 6); and
- “Integrate recreational uses with the surrounding Dixie National Forest, Cedar Breaks National Monument, and Ashdown Gorge Wilderness Area, and develop programs and opportunities for mutual beneficial uses” (page 6).

Chapter 4 – Goals and Objectives of the General Plan:

- “Goal 4: Promote and encourage commercial development (the backbone of a recreational community) that provides year-round services and products desired and needed by increased populations, both permanent and transient” (page 7);
- “Goal 7: Special consideration should be given to project designs to preserve both the quality and quantity of open space within the community, which can be divided into three categories:
 - Natural open space, the unmodified forest environment provides opportunity for viewing abundant animal and plant species in their natural habitat.
 - Recreational open space, modified to accommodate recreational pursuits such as skiing, biking, and OHV use, provides designated areas to pursue these activities.
 - Urban open space, that space preserved and incorporated into developments for landscaping, winter snow storage, and gathering places, provides spacing within denser areas of development and access to community trails and maintain a quality experience in the community” (page 7);
- “Goal 8: To establish and promote a variety of recreational opportunities that covers a wide range of interests for all seasons. This will increase the number of days people will stay to recreate thus enhancing the visitor experience and commercial viability of the community” (page 7); and
- “Goal 9: Design, implement, and maintain a continuing, comprehensive, and cooperative surface transportation network. The system should facilitate the orderly, efficient, and safe movement of goods and services, pedestrians, and vehicular traffic throughout Brian Head and from outlying communities” (page 7).

Chapter 6, Section 5 – Open Space – Within this section, the following policies and implementation steps support this Trails Master Plan:

Policies:

- “Preserve the quantity and quality of open space within Brian Head Town.
- Ensure that building heights and mass do not clash with Open Space.
 - Implementation:
 - Insure that regulations provide for open space preservation and integrated development.
 - Encourage private property owners to establish preservation zones to maintain open space” (page 14).
- “Establish trails and recreation areas that are intertwined with open space.



- Implementation:
 - Establish a Trails Master Plan that integrates trails with Open Space.
 - Require development to establish trail systems that interconnect with the Town trails” (page 14).

Chapter 7 – Parks and Recreation

- “Goal: To establish and promote a wide variety of recreational opportunities that covers a range of interests for all seasons. This will increase the number of days people will stay to recreate, thus enhancing the visitor experience and commercial viability of the community.”

Policies:

- “Promote Brian Head as an affordable all-season recreation destinations with a wide variety of opportunities in order to draw new visitors to the area” (page 15).
- “Increase convenience and accessibility through the linkage of roads, parking and the creation of paths for pedestrians, motorized and non- motorized uses.

Implementation Steps:

- Adopt a Trails Master Plan and Recreation Master Plan to help focus resources for the greatest returns for all seasons” (page 15)
- “Educate the public on the recreation opportunities in Brian Head and how to safely enjoy them” (page 15).
- “Establish regulations that promote the safe enjoyment of recreational activities without jeopardizing the tranquility and pleasure of others” (page 15)

Implementation:

- “Develop improved signs and information pamphlets to inform visitors of recreation opportunities in the community” (page 15).

Chapter 8 – Traffic and Transportation – Specific implementation actions include the following:

- “Identify locations for recreational vehicle lay-down areas (parking lots) at trailheads” (page 16); and
- “Implement a comprehensive sign project to educate and promote safety and environmental preservation in Brian Head” (page 17).

Chapter 11 – Economic Development – One specific implementation action is identified within this chapter:

- “Promote development of Town trails and all-season recreational opportunities” (page 20).

Document Summary: Thus, with six chapters and numerous policy and implementation action items that support the Trails Master Planning effort, the Town and its partners will plan and implement a comprehensive and consistent trail system within Brian Head Town.



2. Utah Department of Transportation (UDOT) Emerging Areas Plan for Eastern Iron County Transportation (2009)

One of the four scenarios within the Emerging Areas Plan emphasizes the theme “Promote as a Tourist Destination.” The plan identifies the following:

- “The area’s rural character, historical significance, recreational opportunities and academic activities should be enhanced... Beautifying, revitalizing and growing walkable and safe downtowns are also priorities” (page 1).
- Action items that this Trails Master Planning effort are in conformance with include:
 - Develop a biking loop connecting Parowan, Brian Head, Cedar Breaks National Monument and Cedar City” (page 1); and
 - “Evaluate implementing pedestrian and bicycle accommodations when new construction and reconstruction projects are scheduled, such as SR-56” (page 1).

Document Summary: This planning effort by UDOT will assist Brian Head Town and their partners to implement portions of the Trails Master Plan, specifically those trails that are aligned with the UDOT rights-of-way, e.g. the Town Trail.

3. Iron County General Plan (1995)

The Iron County General Plan is the result of a comprehensive planning effort on behalf of Iron County and its incorporated and unincorporated areas. Specific sections of the general plan that support Brian Head Town’s Master Trail Planning efforts include the following:

- General County Goals – Goal 11 – “To encourage a wide variety of recreational activities” (page 2);
- Goal LU6 (Land Use) – “Promote and facilitate public and private recreational, cultural, wilderness and wildlife opportunities compatible with local custom and culture” (page 29); and
- Goal LU10 – “Utilize streams and other bodies of water within Iron County as central recreational corridors and identify other significant natural features to be designated as open spaces, parks, and recreational opportunities” (page 30). Specific policies include the following:
 - Pol. LU 10.1 “Encourage multiple uses of public easements and public lands, such as the flood inundation areas within Iron County for recreational purposes” (page 30);
 - Pol. LU 10.2 “Encourage development of linear greenway systems (page 30);
 - Pol. LU 10.6 “Design trail routes, trailheads, and staging areas and designate trail uses to minimize impact upon adjacent property, neighborhoods, and fragile habitats (page 30).
 - Pol. LU 10.7 “Promote cooperation between local, state, and federal agencies in the extension and expansion of the user” (page 30).
 - Pol. LU 10.8 “Provide safe equestrian, bicycle, and pedestrian trail development along routes which are viable to the health and safety of the user” (page 31);



- Pol. LU 10.9 “Provide trail access to scenic viewpoints and provide scenic overlooks and picnic areas along trail routes” (page 31); and
- Pol. LU 10.10 “Pursue the development of a bike trail within the County which is complimentary to any existing or proposed trails within incorporated areas” (page 31).
- Goal LU12 – “Develop a system of parks and recreational facilities and programs which provide recreational opportunities for all segments of the community through public/private cooperation” (page 31). Specific policies include the following:
 - Pol. LU 12.1 “Promote the development of a variety of park and recreation facilities which satisfy the recreational needs of all age groups and lifestyles and which satisfy the needs of the handicapped through compliance with ADA requirements” (page 31);
 - Pol. LU 12.5 “Encourage cooperation between public agencies and private development regarding the reservation of adequate acreage to satisfy the park and recreational goals of this plan and the community” (page 31); and
 - Pol. LU 12.7 “Require developers to improve and/or construct parks and recreational facilities (see LU 9.4)” (page 32).

Document Summary: Completed nearly 20 years prior to Brian Head Town’s Trails Master Plan, Iron County’s General Plan highlights the need for trails and recreational access in numerous chapters and policies. Following this plan, Iron County completed their Resource Management Plan.

4. Iron County Resource Management Plan (2009) -

The Iron County Resource Management Plan, available at <https://www.ironcounty.net/departments/naturalresource/docs/NRPlan.pdf>, highlights issues of coordination applicable to this trails planning effort within the Town

- Element 3 – Iron County Positions and Policies – this section identifies the following Iron County priorities and considerations. Specifically priorities include, “Iron County cooperation and participation with agency planning and project implementation” (page 43);
- Desired Management Settings and Conditions – Section G – “The County continually seeks opportunities to actively participate with agencies’ project implementation, beyond planning participation. This may be done by bringing other resources to bear, including funding, where possible and in the interest of the County” (page 50); and
- Actions for Achieving the Desired Management Settings – Section G – “The NRAC [Iron County Natural Resources Advisory Council] and NRS [Iron County Natural Resources Specialist] will continually seek opportunities to actively participate with agencies’ project implementation, beyond planning participation. Bringing County or other partner resources to bear, including funding, where possible and in the interest of the County, will guide these considerations” (page 50).



Document Summary: Iron County’s Natural Resources Management Specialist Mike Worthen has participated in the planning process, ensuring coordination across jurisdictional boundaries. Continued coordination and cooperation should be a priority in implementing the Trails Master Plan.

5. Utah’s Patchwork Parkway Scenic Byway Corridor Management Plan (2008)

Two of the eight goals within the Scenic Byway Corridor Management Plan are addressed within this Trails Master Plan:

- “Additional turnouts identified in this plan will be constructed in order to provide interpretive opportunities and locations for slower traffic to pull out of the travel lane” (page 6); and
- “Opportunities to educate the traveling public on the significance of the livestock industry in colonizing/developing the area will be developed through an interpretive plan” (page 6).

More specific strategies for the corridor’s resources are supported via this master planning effort, including the following:

- Recreational resources – Three strategies are provided to protect and enhance the recreational qualities of the parkway:
 - “Work with agencies and related businesses to provide recreational facilities that will accommodate travelers, including the physically challenged” (page 33);
 - “Continue to update and produce comprehensive recreational materials to provide important directional and safety information” (page 33); and
 - “Encourage the extension of the recreational season to a year- round calendar” (page 33).
- Scenic resources – “Work with federal, state, and local agencies to institute common and consistent design and color standards for signs, public and similar facilities, as well as interpretive exhibits and kiosks” (page 39).

ACCOMPLISHMENTS TO DATE

As the planning process between Brian Head Town, RTCA, and the partners was initiated in 2009, accomplishments within the list of goals and objectives have already been achieved. To date, the following objectives, organized by goal, have been completed:

Goal 1: Integrate communities and partnerships into the Brian Head Area trail system vision.

- A draft MOU has been developed and is currently being adapted to meet each partner’s needs; and some trail locations have been documented via GPS and recorded in a Geographic Information System (GIS) database.

Goal 2: Inventory existing trails, identifying land use conflicts and opportunities.

- Some trail locations have been documented via GPS and recorded in a Geographic Information System (GIS) database;



- Ownership and locations of each of the trails within the Brian Head area Trail System have been identified;
- Draft maps have been developed that illustrate trail locations, land use conflicts, and trail development needs; and
- All trail licenses and easements currently documented have been collated into a database.

Goal 3: With partners, develop a Trails Master Plan for the Brian Head area.

- On-the-ground trail needs have been identified for a majority of trails within the Brian Head area trails system;
- Trail easements that are needed to legally advertise the existing trails have been recorded in a database;
- A sign plan, including interpretive, informational, and directional signs, has been developed and is a component of this Trails Master Plan (see Appendices A & B);
- An implementation and maintenance plan is included within this plan;
- A comprehensive map that illustrates motorized and non-motorized trails has been developed and is included within this plan;
- Trail construction standards and criteria have been developed and are included within this plan;
- Concept planning at individual sites within the plan have been provided for site design efforts; and
- Town staff is actively pursuing land use approvals for trail development.



BRIAN HEAD AREA TRAIL TYPES

The table below indicates the six trail types within the Brian Head area trails system. In this chapter, each of the six trail types is described in detail.

Trail Type	User Activities	Surface	Tread Width	Vegetation Clearance
<i>Non-Motorized</i>				
Non-Motorized Summer	Hiking, Biking	Natural	1 ft. minimum Note: trails must be 3-4 ft. minimum width to be eligible for Utah State Park Grant funding. ¹	8 ft. Vertical 24" Horizontal
Paved Non-Motorized (Potentially Town Trail)	Hiking, Biking	Asphalt	10 ft. minimum	8 ft. Vertical 24" Horizontal
Non-Motorized Winter	Snow-shoeing	Natural	3 ft. minimum	8 ft. Vertical 24" Horizontal
Cross Country Ski (groomed)	Cross Country Skiing, Skijoring	Natural	8 ft. minimum	8 ft. Vertical 24" Horizontal
<i>Motorized</i>				
Motorized Summer	OHV	Natural	10 ft. minimum	8 ft. Vertical 24" Horizontal
Motorized Winter	Snow-machines	Natural	10 ft. minimum	8 ft. Vertical 24" Horizontal

NOTES:

1. See Utah State Parks reference in Appendix H
2. Grade and Difficulty adapted from State of Minnesota, Department of Natural Resources, 2007.



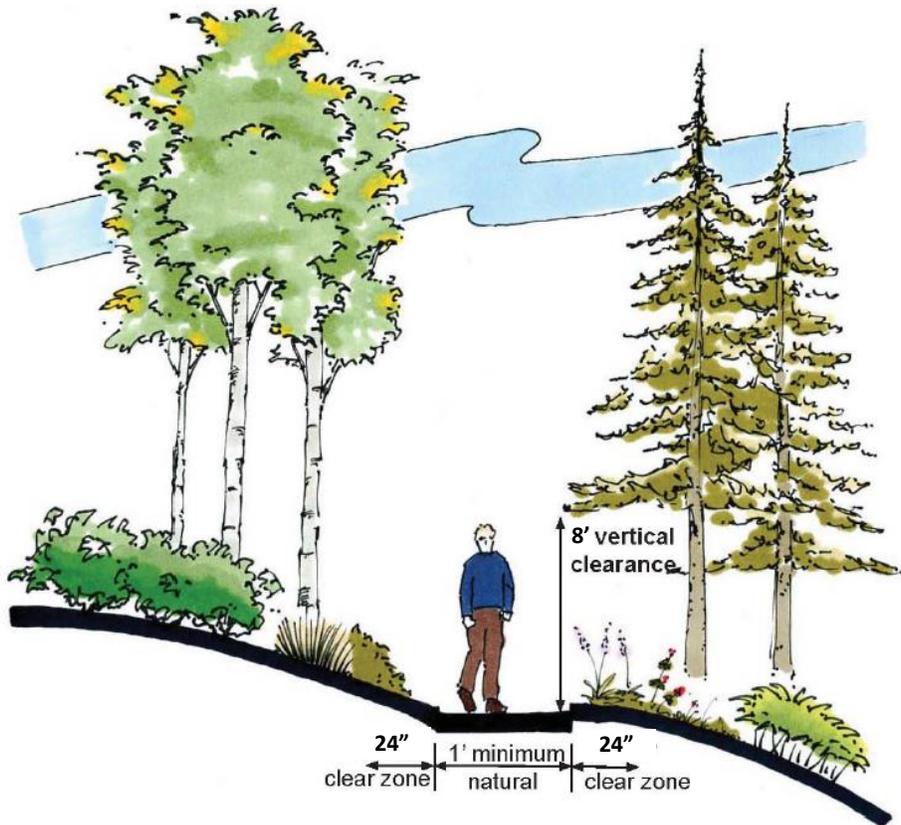
Grade/Difficulty ²	Drainage	Comments
<p>Easy - 5% avg., 15% max Moderate - 10% avg., 15% max Difficult - 15% avg., >15% max Extremely Difficult - > 20% avg.</p> <p>Note: trails must have a sustained grade of 8% or less and a max grade of 10% to be eligible for Utah State Park Grant funding.¹</p>	<p>Sloped 2-5% to the downhill side</p>	<p>Trails must meet water management, switchback construction, and potentially other requirements to be eligible for Utah State Park Grant funding.¹</p>
<p>Easy - 5% avg., 15% max Moderate - 10% avg., 15% max Difficult - 15% avg., 15% or more max Extremely Difficult - 20%+ avg.</p> <p>Note: trails must have a sustained grade of 8% or less and a max grade of 10% to be eligible for Utah State Park Grant funding.¹</p>	<p>Sloped 2% to the downhill side</p>	<p>Trails must meet Sub-base, Asphalt, Weed Barrier, and potentially other requirements to be eligible for Utah State Park Grant funding.¹</p>
<p>Easy - 4-10% avg., 12% max Moderate - 6-12% avg., 18% max Difficult - 12-14% avg., 18-20% max Extremely Difficult - >14% avg., >20% max</p>	<p>Sloped 2-5% to the downhill side</p>	
<p>Easy - 4-10% avg., 12% max Moderate - 6-12% avg., 18% max Difficult - 12-14% avg., 18-20% max Extremely Difficult - >14% avg., >20% max</p>	<p>Sloped 2% to the downhill side</p>	<p>Groomed in Winter</p>
<p>Easy - 8%, 15-25% max Moderate - 12%, 25-35% max Difficult - 15%, 35% max Extremely Difficult - >15% avg.</p>	<p>Sloped 2% to the downhill side</p>	
<p>Easy - 8%, 15-25% max Moderate - 12%, 25-35% max Difficult - 15%, 35% max Extremely Difficult - >15% avg.</p>	<p>Sloped 2-4% to the downhill side</p>	<p>Potentially groomed in winter</p>

Each of the guidelines put forth in this section are intended to be a general goal for purposes of establishing consistency in trail construction throughout Brian Head. However, it is recognized that these guidelines may not be ideal in all circumstances. The Town may work outside of these guidelines if it is preferable for being consistent with pre-existing trails, for connecting with trails built or maintained by other entities, for grant or funding purposes, etc.

TRAILS DESIGN GUIDELINES



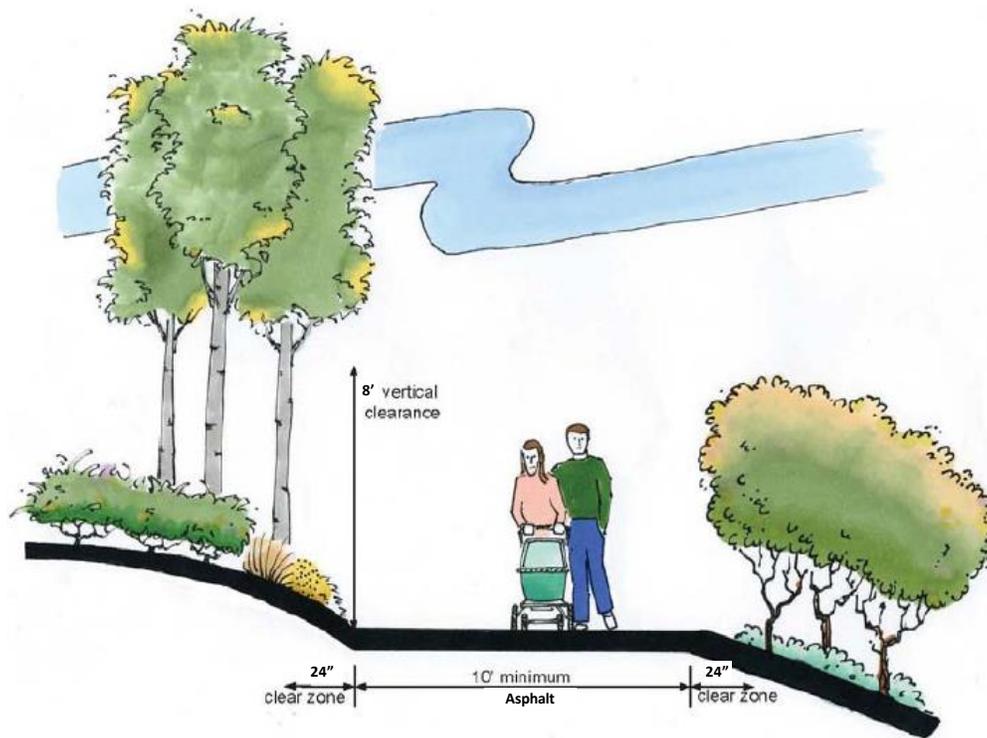
TRAIL TYPE	NON-MOTORIZED SUMMER TRAILS
USER ACTIVITIES	Hiking, Biking
SURFACE	Natural
TREAD WIDTH	1 foot minimum Note: Trails must be 3-4 feet minimum width to be eligible for Utah State Park Grant funding.
VEGETATION	8 feet Vertical
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy - 5% avg., 15% max Moderate - 10% avg., 15% max Difficult - 15% avg., >15% max Extremely Difficult - > 20% avg.
DRAINAGE	Sloped 2-5% to the downhill side
COMMENTS	Trails must meet water management, switchback construction, and potentially other requirements to be eligible for Utah State Park Grant funding



TRAILS DESIGN GUIDELINES



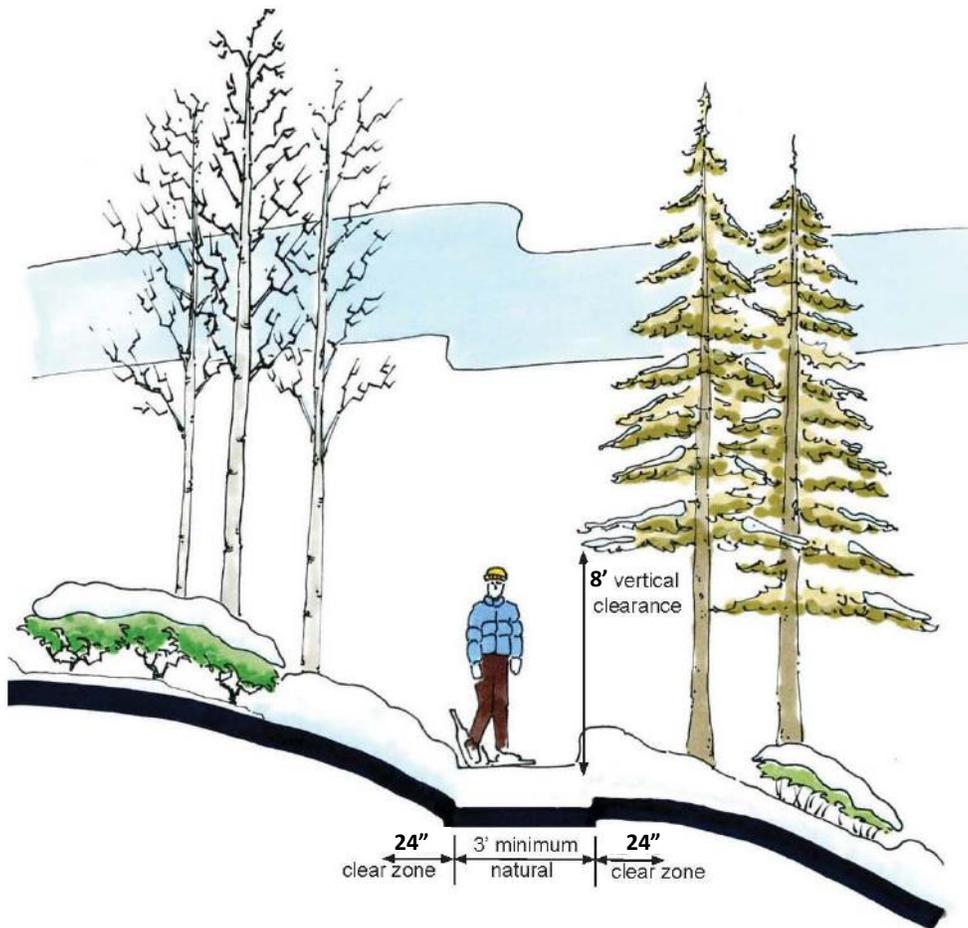
TRAIL TYPE	PAVED NON-MOTORIZED TRAILS
USER ACTIVITIES	Hiking, Biking
SURFACE	Asphalt
TREAD WIDTH	10 feet minimum Note: Trails must be 3-4 feet minimum width to be eligible for Utah State Park Grant funding.
VEGETATION	8 feet Vertical
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy - 5% avg., 15% max Moderate - 10% avg., 15% max Difficult - 15% avg., >15% max Extremely Difficult - > 20% avg. Note: Trails must have a sustained grade of 8% or less and a max grade of 10% to be eligible for Utah State Park Grant funding.
DRAINAGE	Sloped 2% to the downhill side
COMMENTS	Trails must meet Sub-base, Asphalt, Weed Barrier, and potentially other requirements to be eligible for Utah State Park Grant funding



TRAILS DESIGN GUIDELINES



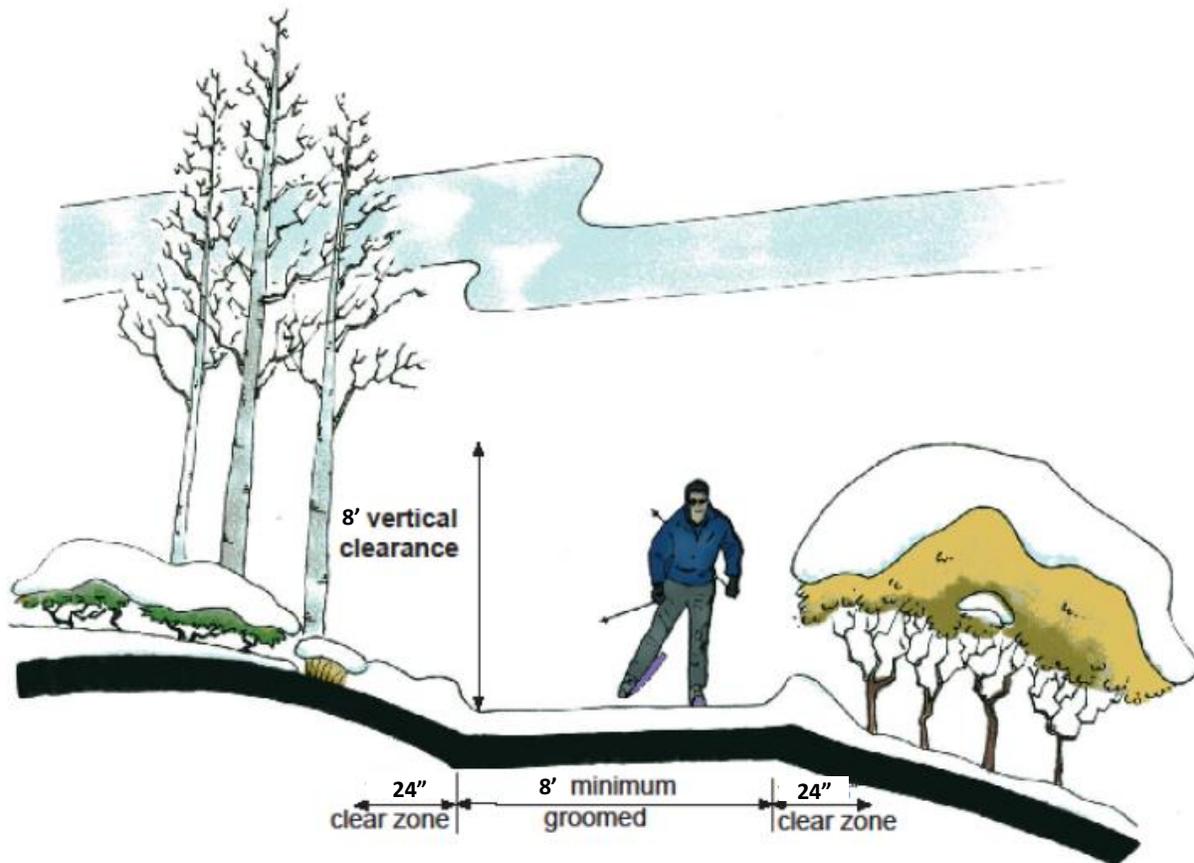
TRAIL TYPE	NON-MOTORIZED WINTER TRAILS
USER ACTIVITIES	Snowshoeing
SURFACE	Natural
TREAD WIDTH	3 feet minimum
VEGETATION	8 feet Vertical (above the snow)
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy – 4-10% avg., 12% max Moderate – 6-12% avg., 18% max Difficult – 12-14% avg., 18-20% max Extremely Difficult - > 14% avg., >20% max.
DRAINAGE	Sloped 2-5% to the downhill side
COMMENTS	None



TRAILS DESIGN GUIDELINES



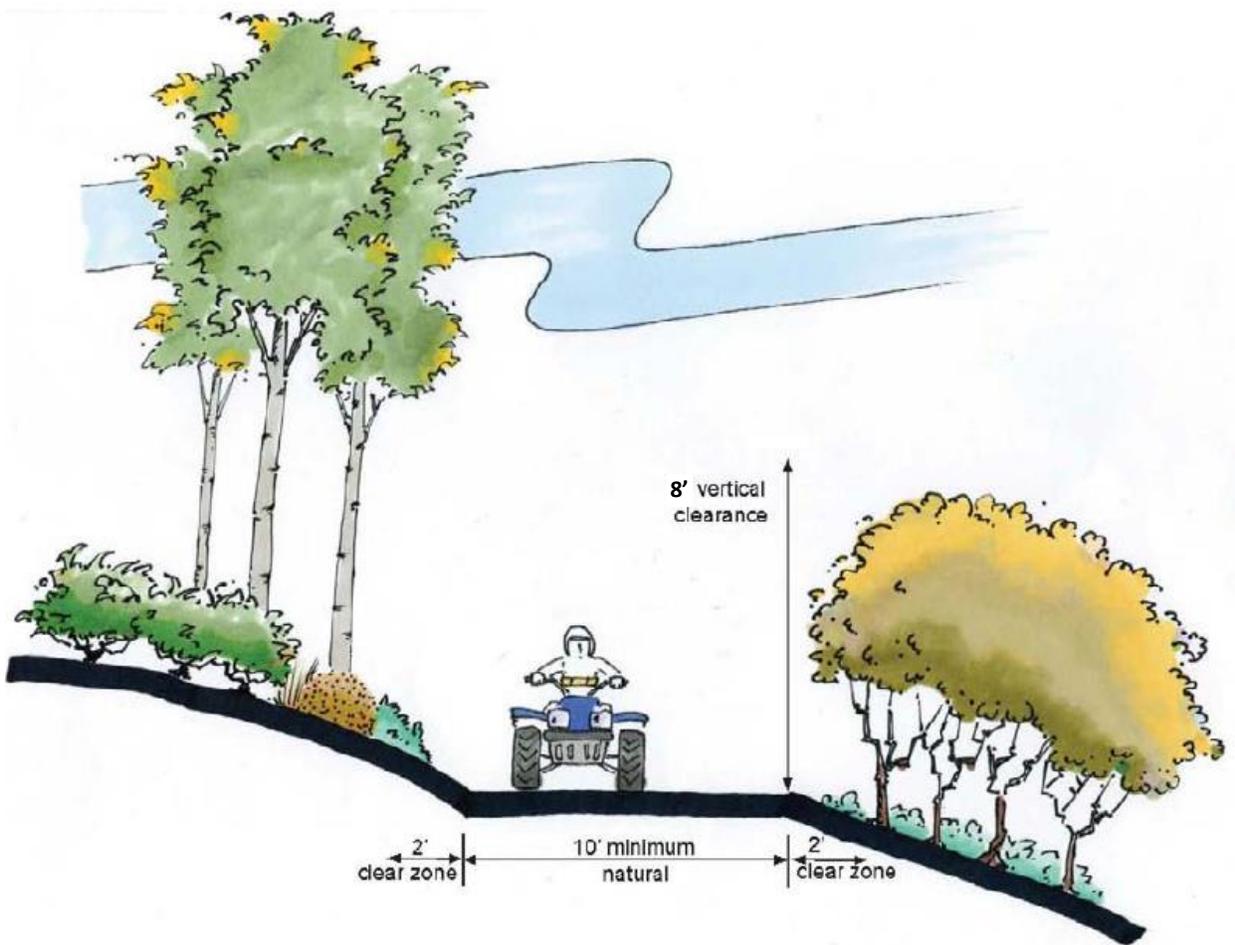
TRAIL TYPE	CROSS COUNTRY SKI (GROOMED)
USER ACTIVITIES	Cross Country Skiing, Skijoring
SURFACE	Natural
TREAD WIDTH	8 feet minimum
VEGETATION	8 feet Vertical (above the snow)
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy – 4-10% avg., 12% max Moderate – 6-12% avg., 18% max Difficult – 12-14% avg., 18-20% max Extremely Difficult - > 14% avg., >20% max.
DRAINAGE	Sloped 2% to the downhill side
COMMENTS	Groomed in winter.



TRAILS DESIGN GUIDELINES



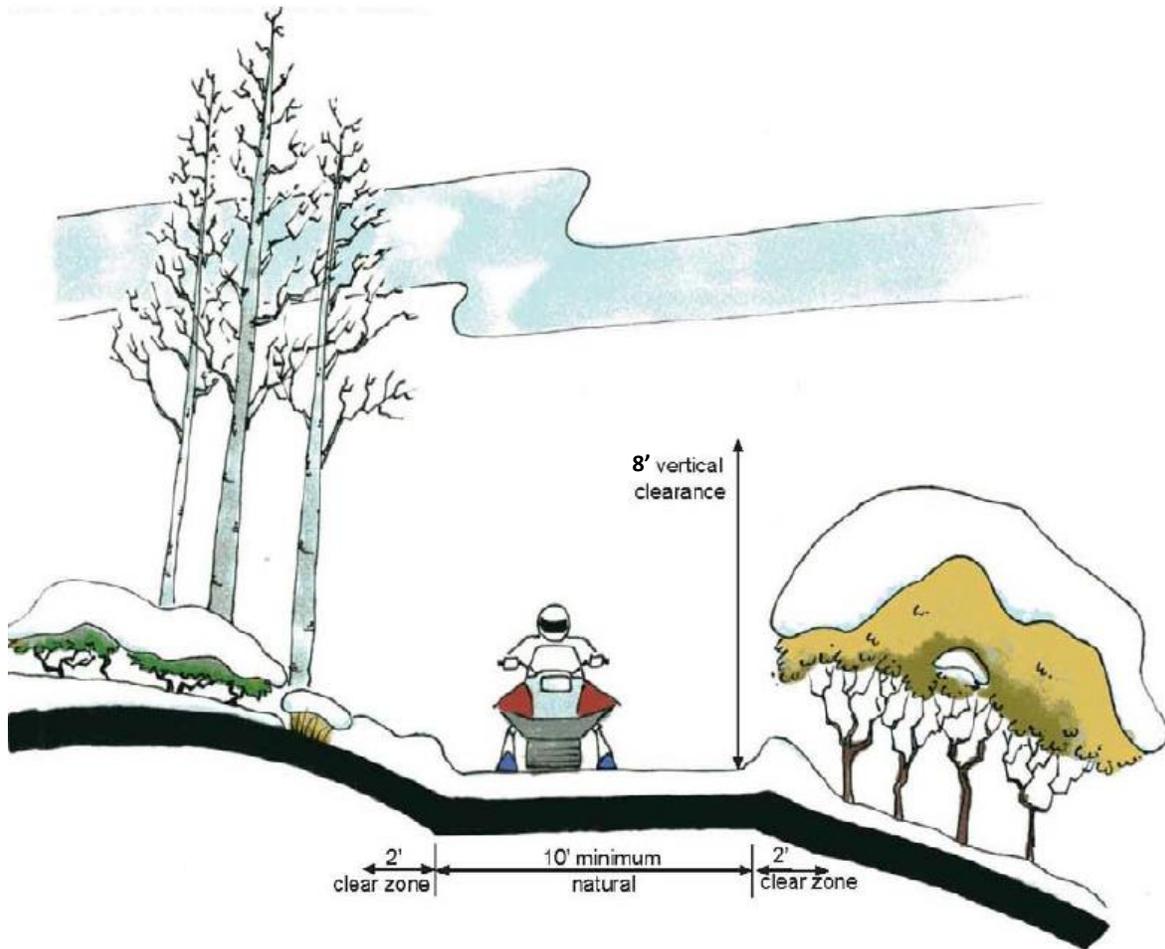
TRAIL TYPE	MOTORIZED SUMMER TRAILS
USER ACTIVITIES	Off-Highway Vehicles (OHV)
SURFACE	Natural
TREAD WIDTH	10 feet minimum
VEGETATION	8 feet Vertical
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy – 8% avg., 15-25% max Moderate – 12% avg., 25-35% max Difficult – 15% avg., 35% max Extremely Difficult - > 15% avg.
DRAINAGE	Sloped 2% to the downhill side
COMMENTS	None



TRAILS DESIGN GUIDELINES



TRAIL TYPE	MOTORIZED WINTER TRAILS
USER ACTIVITIES	Snow machines
SURFACE	Natural
TREAD WIDTH	10 feet minimum
VEGETATION	8 feet Vertical (above the snow)
CLEARANCE	24" Horizontal
GRADE/DIFFICULTY	Easy – 8% avg., 15-25% max Moderate – 12% avg., 25-35% max Difficult – 15% avg., 35% max Extremely Difficult - > 15% avg.
DRAINAGE	Sloped 2-4% to the downhill side
COMMENTS	Potentially groomed in winter





TRAIL SIGNS

Trail signs are one of the most critical parts of trail design. The most important aspect of trail signing is to provide the user with a safe experience. Trail signs can be divided into several categories:

Traffic Control Signs: These signs are typically part of the public works or transportation departments and are not addressed in a trails plan. These signs, however, are important in that they direct, inform, and influence vehicles in finding and safely accessing trails.

These signs include roadside signs that provide direction and route information to key trailheads.

Trailhead Kiosks: These signs provide the “you are here” orientation. They should get the user well oriented to all aspects of the trail including; safety and interpretive information, distance, trail type, and current trail conditions. More detailed information can be found in Appendix B.

Trail Markers: These signs provide more specific information on individual trails. They are further divided into two subcategories: Urban trails, and Backcountry trails. These signs are intended to indicate the route and reassure users that they are on the trail. They can also be used to influence travel by directing people to specific destinations and highlighting special features. More detailed information on Trail Markers can be found in Appendix B.

TRAILHEAD DESIGN

There are many factors that must be taken into consideration when designing trailheads. Many of these factors are focused on the safety of the user. These include:

- Visibility and Crime Prevention;
- Lighting;
- Safe ingress and egress;
- Traffic flow; and
- Surfaces and surface transitions.

Other factors are focused on the user experience. These include:

- Informational signs;
- Directional signs; and
- Amenities present at the trailhead.

Use patterns and usage numbers dictate the potential amenities that are located at the trailhead. These amenities can be extensive for high-use trails, and quite minimal for light-use trailheads. A potential list of amenities to consider would include:

- Trash cans or trash bins;
- Benches;



- Picnic tables;
- Restrooms;
- Water fountains or faucets;
- Bike racks;
- Lighting; and
- Pet waste bag stations.

Finally, there are considerations that are typically transparent to the user. These considerations are focused on the maintenance of trails and trailhead and include:

- Accessibility of maintenance equipment including:
 - Mowing equipment;
 - Snow Plowing equipment;
 - Waste removal vehicles;
- Tree trimming equipment;
- Drainage;
- Surfaces and their maintenance; and
- Traffic control signs.

There is no comprehensive list of trailhead design considerations. Also, the trailhead design should be reevaluated periodically to reassess use patterns, user types, and maintenance considerations.

UNIVERSAL DESIGN & ACCESSIBILITY

The following is an excerpt from a document produced by the U.S. Department of Transportation – Federal Highway Administration regarding Universal Design. While many of trails in the Brian Head area trail system have limited access for persons with disabilities there are many factors that should be considered in general trail design that transcend ability levels.

For user safety and satisfaction, the skills and abilities required to negotiate a trail must match the user's interests and expectations. All trail users, both with and without disabilities, tend to select experiences that suit their interests and abilities. Factors that influence the match between an individual and a particular trail include:

- The desired trail experience;
- The individual's abilities, skills, and expertise;
- The availability of equipment or assistive technology needed;
- The availability of additional expertise such as guides; and
- Whether the individual will be alone or with companions.

Many trail users seek experiences that are beyond the capabilities of most people. There are trails within existing trail systems that provide more than a significant challenge to such users. The challenge is to design trails that provide a unique experience without unique challenges.



The ability to plan, design, construct, and maintain trail experiences that match user needs for access is based on a strong commitment to integrate universal design strategies into every aspect of the trail development process. Focusing on only one aspect, such as the trail tread, is not sufficient. Every aspect of the trail experience must be considered, including the trail corridor, trailhead, and built facilities or amenities.

When planning trails, land management agencies should strive to create environments and experiences that are inclusive of people with and without disabilities. In some instances, this may require looking at the trail from another person's perspective. Designers should consider whether they would be able to enjoy the trail and benefit from all aspects of the trail experience if they were:

- Unable to hear;
- Using crutches;
- Unable to see;
- Using a wheelchair for mobility;
- Using a powered scooter for mobility;
- 90 years old;
- Lacking in energy;
- Not physically fit;
- 8 years old;
- Unable to concentrate; or
- Unable to read or not able to read the local language

For newly constructed trails, the commitment to address accessibility issues should begin during the planning stages of the trail development process. For example, if sufficient right-of-way is not allocated to a trail during the initial stages of development, it is harder for designers to construct a trail that is safe for users traveling at different speeds. When access improvements are made to existing trails, designers should prioritize resources and try to make the most significant changes possible with the resources that are available.



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EXISTING TRAILS



Below is a table of the existing trails within Brian Head Town. In this section, each of these trails and details will be further described.

Trail Name	Trail Length	Trail Type	Ownership Issues	
			Ownership	Access Needed
1. Town Trail	2.31 miles	Unpaved Non-motorized	All in DOT ROW or owned by Brian Head Town	None; the length of the trail has public access
2. Manzanita Trail	2.37 miles	Unpaved Non-Motorized & Motorized	Brian Head Town or within ROW's	0; All within Rights-of-Way, Town Property, or legal easements.
3. Alpine Creek Trail (Short) [Formerly Mosquito Loop Trail]	4.11 miles	Unpaved Non-motorized	Grissinger Holdings, US Forest Service, BSA, and County Rights of Way. Some small private owners .	Licenses or easements needed from private land owners, primarily Grissinger, agreements with Forest Service and BSA needed.
4. Alpine Creek Trail (Long) [Formerly Mosquito Lane/Scout Camp Loop]	9.44 miles	Unpaved Non-motorized	Grissinger Holdings, US Forest Service, BSA, and County Rights of Way. Some small private owners .	Licenses or easements needed from private land owners, primarily Grissinger, agreements with Forest Service and BSA needed.
5. Navajo Loop Trail	3.44 miles	Unpaved Non-motorized	Brian Head Resort, Forest Service, various HOAs, and County roads	Pine Ridge HOA, modify existing easements, licenses/agreements with Resort and Forest Service
6. Town OHV Trail/Dry Lakes Road	7.79 miles	Unpaved Motorized	Easements, Brian Head Town, ROWs, US Forest Service	Gunnoe property or work-around
7. Town Snowmobile Trail	7.78 to 10.96 miles	Unpaved Motorized	Easements, Brian Head Town, ROWs, US Forest Service	No further access needed
8. Mountain Bike Park (Brian Head Resort)	Varies	Unpaved Non-Motorized	Brian Head Ski Resort, US Forest Service	No Town access needed

Notes:

- Note that all directional signs needs are estimates from a 2009 field survey and should be reevaluated each season

EXISTING TRAILS



Trail Development Issues				
Tread Issues	Trailhead Needs	Interpretive Sign Needs	Directional Sign ¹	Priority
Slope issues; Potential for paving	2 – Bear Flat and Aspen/Hwy 143	2 – At both trailheads	11 – Upgrade existing signs for consistency	High
None; Not to ADA standards	1 or 2 – Town gravel pit; potentially at Aspen/143 with tie-in	2 – one at the trailhead and one at the scenic vista	7 – Installation of new directional signs.	Medium
Trail hazards, fallen trees, routing maintenance	1 - Either at Burt's Road or at Town Hall	1 – At the trailhead	These trails needs significant improvements to directional signage.	High
Trail hazards, fallen trees, routing maintenance	1 - Either at Burt's Road or at Town Hall	2 – At the trailhead, and at pioneer cabins	These trails needs significant improvements to directional signage.	High
Tread work is needed	1 – 2; Bear Flat campground and Navajo Lodge	2 – At the trailheads	19– Need to upgrade existing signs for consistency (4) and install additional signs (15).	High
None identified	Needs to be determined; potentially Bear Flat campground or Town Hall	Needs to be determined	Route needs to be assessed for directional sign needs	Medium
None identified	Needs to be determined	Needs to be determined	Route needs to be assessed for directional sign needs	Medium
None identified	Giant Steps Lodge	1 – Giant Steps Lodge entry	Route needs to be assessed for directional sign needs	Low - Cont'd Town Support

EXISTING TRAILS



TOWN TRAIL

TRAIL LENGTH	2.31 miles (12,197 feet)
TRAIL TYPE	Unpaved, Non-motorized
OWNERSHIP	All in the Utah Department of Transportation Right-of Way or owned by Brian Head Town.
ACCESS NEEDED	None; the length of the trail has public access.
TREAD ISSUES	Minimal tread issues on this trail; There are some slope issues (greater than 15% slope at the south end of the trail); and there is potential to put hard surface on this trail and increase portions of the trail to Universal Design standards. The Town should consider clearing the trail for winter pedestrian access.
TRAILHEAD NEEDS	2 trailheads need to be developed at the north and south ends of the trail. At the north end, a small parking area may be created at the intersection of Aspen Drive and Highway 143 with a small trailhead kiosk. At the south end, a redesign of the Bear Flat campground can serve as a trailhead for the Town Trail, Navajo Loop Trail, and US Forest Service trails which could accommodate more parking and significant signage, including interpretive signs, as well as potable water.
INTERPRETIVE SIGN NEEDS	Signs are needed at each newly established trailhead.
DIRECTIONAL SIGN NEEDS	11 signs were identified during the 2009 field season as needed to be upgraded for consistency with the trail system's standard.
PRIORITY	High; This trail is one of the easiest and most frequently used, family-friendly trails within Brian Head Town. The trail doubles as a recreational feature and a pedestrian transportation alternative. The Town should budget for trailhead improvement and directional signage as soon as is possible. Hard surface should be considered in 3-5 years, and interpretive signage in the long term.

EXISTING TRAILS



MANZANITA TRAIL

TRAIL LENGTH	2.37 miles (12,514 feet)
TRAIL TYPE	Unpaved, Non-motorized or Motorized
OWNERSHIP	All in the Road Right-of Way or owned by Brian Head Town.
ACCESS NEEDED	None; the length of the trail has public access. Minor rerouting in 2010 removed any easement conflicts.
TREAD ISSUES	None noted during the 2009 field inventory.
TRAILHEAD NEEDS	A trailhead should be developed at the Town gravel pit. The trailhead could have a kiosk with trail-specific signage and trails system interpretive signs, as well as parking and potential for potable water. The Town should also consider creating a connection to this trailhead from the Town Trail and include the trailhead at Aspen Drive and Highway 143 as a potential starting point for the Manzanita Trail.
INTERPRETIVE SIGN NEEDS	Signs are needed at the trailhead as well as at the scenic vista along the non-motorized portion of the trail.
DIRECTIONAL SIGN NEEDS	7 new signs were identified as needed for this trail during the 2009 field inventory.
PRIORITY	Medium; The Manzanita Trail is another easier trail option within the Town with great scenic views. However, much of it goes along roads in front of cabins, making it a slightly less desirable trail for visitors. The Town, and the trailhead is out of the way. The Town should consider scheduling directional signage improvements in 3-5 years and trailhead improvements in the next 5-7 years.

EXISTING TRAILS



ALPINE CREEK TRAIL (SHORT& LONG)

TRAIL LENGTH	Short - 4.11 miles (21,701 ft) Long – 9.44 miles (49,843 ft)
TRAIL TYPE	Unpaved, Non-motorized (potentially for Motorized winter use)
OWNERSHIP	Grissinger Holdings, US Forest Service, Boy Scouts of America, and County Rights of Way. Some small private owners (Crofts, Kemp, Gunnoe, Bruneau).
ACCESS NEEDED	Licenses or easements needed from private land owners, primarily Grissinger, agreements with Forest Service and BSA needed. Some workarounds possible.
TREAD ISSUES	Some trail hazards were noted along the trail in the 2010 field season, including fallen trees. Routing maintenance along this trail is recommended.
TRAILHEAD NEEDS	Trailhead would ideally be located at the first gate on Burt’s Road (Grissinger property). However, an alternate trailhead could be located at Town Hall to accommodate parking. Trailhead should include kiosk with information on full trail system, sufficient parking, and interpretive signage. Potable water and restrooms are an eventual possibility. Along with the Bear Flat campground trailhead, this should become the primary trailhead in Town.
INTERPRETIVE SIGN NEEDS	There are abundant opportunities for interpretive signs along these trails, including the pioneer cabins along the longer loop.
DIRECTIONAL SIGN NEEDS	These trails needs significant improvements to directional signage. A needs assessment should be performed in 2015.
PRIORITY	High; These two loops offer potentially the greatest recreational hiking experience without leaving Brian Head Town. However, they are probably the least developed of the existing trails. The Town should place a high priority on resolving access issues, and plan to develop the directional signage in 1-3 years and the trailhead in 3-5 years, with the interpretive signage to follow in 5-7 years.

EXISTING TRAILS



NAVAJO LOOP TRAIL

TRAIL LENGTH	3.44 miles (18,163 feet)
TRAIL TYPE	Unpaved, Non-motorized
OWNERSHIP	Brian Head Resort, Forest Service, The Lofts, Sojourn, Copperchase, Brook Hill homeowners, Pine Ridge Association, and County roads
ACCESS NEEDED	Existing easements through private property exist, but should be modified to reflect where trail actually goes. Agreements with Resort and Forest Service should be secured. Need access from Pine Ridge HOA, along with Sojourn. Some workarounds are possible, including re-routing lower portion of the trail to the Town Trail.
TREAD ISSUES	Some trail hazards were noted along the trail in the 2010 field season, including fallen trees. Routing maintenance along this trail is recommended.
TRAILHEAD NEEDS	Main trailhead should be located at Bear Flat campground (see specifications in Town Trail section), with an alternate trailhead located at Resort's Navajo Lodge.
INTERPRETIVE SIGN NEEDS	Signs should be located at trailheads.
DIRECTIONAL SIGN NEEDS	19 signs were identified during the 2009 field inventory as needed for this trail; 4 of these 19 were identified as needing to be upgraded for consistency, whereas 15 were identified as new signs that are needed. Reassessing these numbers after the tread is completed along this trail is recommended.
PRIORITY	High; This is a great recreational feature for the Town, and along with the Town Trail and Forest Service trails, should be part of the high priority trailhead development at Bear Flat. Directional signs should be developed as soon as possible as it's fairly easy to lose the trail.

EXISTING TRAILS



TOWN OHV TRAIL (DRY LAKES ROAD)

TRAIL LENGTH	7.79 miles (41,131 ft)
TRAIL TYPE	Unpaved, Motorized
OWNERSHIP	Town and County Roads, Forest Service, and Gunnoe property
ACCESS NEEDED	Town should pursue an easement for the Gunnoe property, however a workaround is possible.
TREAD ISSUES	No tread issues were identified in the 2009 field study.
TRAILHEAD NEEDS	Trailhead needs for the Town OHV trail were not assessed in the 2009 field season; the Town will need to assess if trailhead needs exist and where the appropriate locations would be. Options include Bear Flat campground and Town Hall.
INTERPRETIVE SIGN NEEDS	Interpretive signs were not assessed for the OHV trail.
DIRECTIONAL SIGN NEEDS	Route needs to be assessed for directional sign needs.
PRIORITY	Medium; Brian Head Town remains OHV friendly, and the Town OHV trail is a big part of that. The trail is currently used heavily, and directional signage should be reevaluated in the next 1-3 years. The Town should assess the need for a trailhead in the next 5-7 years.

EXISTING TRAILS



TOWN SNOWMOBILE TRAIL

TRAIL LENGTH	7.78 – 10.96 miles
TRAIL TYPE	Unpaved, Motorized
OWNERSHIP	Town and County Roads, Forest Service, and existing easements
ACCESS NEEDED	No further access needed.
TREAD ISSUES	No tread issues were identified in the 2009 field study.
TRAILHEAD NEEDS	Needs to be determined.
INTERPRETIVE SIGN NEEDS	Interpretive signs were not assessed in the 2009 field study.
DIRECTIONAL SIGN NEEDS	Route needs to be assessed for directional sign needs.
PRIORITY	Medium; Brian Head Town remains OHV friendly, and the Town Snowmobile trail is a big part of that. Directional signage should be reevaluated in the next 1-3 years. The Town should assess the need for a trailhead in the next 5-7 years.

EXISTING TRAILS



MOUNTAIN BIKE PARK

TRAIL LENGTH	Varied
TRAIL TYPE	Unpaved, Non-motorized
OWNERSHIP	Brian Head Resort & Forest Service
ACCESS NEEDED	No Town access needed.
TREAD ISSUES	No tread issues were identified in the 2009 field study.
TRAILHEAD NEEDS	None identified.
INTERPRETIVE SIGN NEEDS	An interpretive sign that tells the history of the Brian Head Ski Resort, which would be placed at the Giant Steps Lodge entrance, has been identified as a need.
DIRECTIONAL SIGN NEEDS	Route needs to be assessed for directional sign needs.
PRIORITY	Low; The trails are privately owned and maintained by the Resort. They will be responsible for signage, construction, and maintenance of these trails. The Town should continue to support the Resort's efforts to foster summertime mountain bike visitors by including the Resort's trails in all Town produced trails brochures and signage.

PLAN IMPLEMENTATION



ADDITIONAL PLANNING NEEDS

As the partners move from community-scale planning of their trails to site design, additional planning needs will arise. Specifically, the following items should be addressed:

- As per the Iron County Supplement No. 1, 12-05 (page 129), Iron County will need to be provided with the location and dimensions of all property to be set aside for easements, including “equestrian, pedestrian and bicycle trails.”
- Federal planning, in accordance with the National Environmental Policy Act (NEPA) will need to be conducted on all trails that cross federal lands.
- Coordinate with State/Local/Federal agencies for trail connections

In addition to these specific needs, it is timely to address Brian Head Town’s Land Management Code to reflect the priorities and strategies identified in this Trails Master Plan.

TRAIL DEVELOPMENT PRIORITIES

As seen in Chapter 4, numerous trails within the Brian Head area trail system have minimal development needs and have no ownership issues. These trails, including the Town Trail and the Manzanita Trail, should be prioritized for construction and sign needs, as noted in Chapter 4. However, from a community-wide perspective, the number one priority for Brian Head Town and its partners should be to acquire easements or other access options on the remaining trails within its system.

Adequately communicating the trails within the Town of Brian Head and their locations and levels of difficulty is a second high priority for the Town. These communications should take the form of interpretive signs, directional signs, and trailhead kiosks to inform the trail systems’ users.

Finally, without a strong Land Management Code to support the vision expressed in Brian Head Town’s General Plan, continued trail development in the Town will be limited. Thus, implementing the policy recommendations developed in this chapter should be a high priority for the Town.

PUBLIC EDUCATION

Educating the various visitor interfaces within the community on the trails system is critical to proper implementation of this plan. The Town should organize free training for lodging front-desk operations, concierge services, property management, and all other customer service personnel working at private businesses in the Town. The training should go over the information in the Trails Master Plan and enable these groups to help visitors identify trailheads, Town trail signage, distinguish between Town trails, Forest Service Trails, etc. The training should also touch on consistent marketing of the trails, including using centrally planned pamphlets. The Town should offer the training at regular intervals,

PLAN IMPLEMENTATION



such as annually. The Town may consider offering an incentive, such as a discount on the business license renewal, to encourage attendance.

ESTIMATED CONSTRUCTION COSTS

Many factors influence the cost of constructing or improving trails.

- Type of trail,
- Type of terrain,
- Location of trail,
- Hand or mechanized tools,
- Professional or volunteer labor,
- Trail structures.

The type of trail has the most significant impact on trail cost, with separated path paved trails having the highest cost. Recent projects in Utah have seen costs ranging from \$235,000 to \$300,000 per mile for these types of paths.

IMBA provides the following table for estimates of constructing single track trails. These estimates are from 2004 and should be used as a guide only.

These cost ranges mirror those given by private trail construction companies as well as by the US Forest Service Enterprise Resource Team – Trails Unlimited.

Project	Cost
Trail Construction by Machine	Easy conditions: \$1 per foot/\$5,000 per mile Typical conditions: \$2.50 per foot/\$13,000 per mile Hard conditions: \$5 per foot/\$26,000 per mile
Trail Construction by Hand	Easy conditions: \$1 per foot/\$5,000 per mile Typical conditions: \$5 per foot/\$26,000 per mile Hard conditions: \$10 per foot/\$52,000 per mile
Switchback Construction	\$300 to \$1,000 per switchback
Wooden Bridge	\$20 to \$25 per square foot of decking
Metal Bridge	\$50 and up per square foot of decking
Trail Markers	\$5 to \$20 apiece

MAINTENANCE NEEDS

Annual maintenance needs include:

- Repair winter damage
- Divert runoff
- Clear obstructions, fallen trees, etc.
- Periodic maintenance as required due to climatic conditions



The Town should consider using volunteer labor where possible to perform early season maintenance, supplying equipment and other materials and supplies needs from the Public Works operating budget. However, the Town may also need to budget annual operating funds for part-time, or eventually full-time, personnel dedicated to ongoing trails maintenance through the summer season.

POLICY NEEDS

Policy 1: Institutionalize a standard terminology to discuss trails within Brian Head Town.

In a review of Brian Head Town’s Land Management Code, trails are referred to in nine different ways. Establishing a consistent language within this document will ensure future development projects can uniformly apply the Town’s Land Management Code.

Action 1.1: Amend Chapter 2: Definitions of the Brian Head Town Land Management Code to include the term “trail.” Further, define trail by separating the categories into the trail types provided in Chapter 3 of the Brian Head Area Trails Master Plan.

Action 1.2: Amend Chapter 7: Zone District Regulations to only refer to trails, non-motorized trails, or motorized trails as defined in the revised Chapter 2 of the Land Management Code (as per Action 1, above).

Policy 2: Increase consistency across all review stages for subdivisions with Brian Head Town.

Brian Head Town already requires trails to be dedicated as a part of new subdivision developments, therefore, the Town is doing an excellent job to increase recreational opportunities within the region. Increasing consistency across all policies and ensuring that all trails connect into the existing trail system will reinforce the concept of an integrated trail system the Town and associated partners have worked toward.

Action 2.1: Planning Commission should review LMC for consistency with Trails Master Plan

Policy 3: Work with Iron County to amend their ordinances and planning documents to recognize the Brian Head Area Trails Master Plan and align with the standards contained within the area plan.

Policy 3.1: As the Brian Head Area Trails Master Plan goes beyond the Town’s boundaries, Brian Head Town should work with Iron County to ensure the policy and trail recommendations put forth in the area plan are continued when developments occur in the County. As soon as Brian Head Town adopts the Brian Head Area Trails Master Plan, the Town should work with Iron County to petition County council to adopt the Brian Head Area Trails Master Plan which includes portions of Iron County. This would require any development that occurs within the mapping boundaries of the Brian Head Area Trails Master Plan to follow the design and planning guidelines associated with the plan. This will assist developers and the



Town in providing a consistent trail system and standard development practices for development in areas covered in the plan.

Action 3.1a: The Town will work with Iron County to have the Brian Head Area Trails Master Plan adopted as an area plan.

Policy 3.2: The Town will work with Iron County to have the County adopt similar ordinances to Brian Head in respect to trails to ensure trails are incorporated into all future development projects. In this manner, future trail systems can extend even beyond the boundaries of the trail planning effort.

Action 3.2: The Town will work with Iron County to share ordinance language so similar language is used in both the Town and County ordinances. This will create consistency among the partners involved with the trail plan and encourage the use of the same standards outside the boundaries of the planning area.

Policy 3.3: Ensure trail and regulation consistency across jurisdictions for motorized users. Currently, Iron County's Ordinance 195 limits OHV use on Iron County roads to motor vehicles 52 inches or less in width. However, the US Forest Service allows for vehicles up to 68 inches in width. The Town will petition the County to adopt the US Forest Service standard motorized vehicle width to ensure a consistent approach to motorized recreation, so ordinances and regulations do not conflict.

Policy 4: Identify all possible funding sources for building and strengthening the Brian Head area trail system.

Brian Head Town and associated partners will continue to work with the area's private and public landowners. Collaboration amongst these entities will increase the Town and Area's funding for the Brian Head Area Trail System.

Action 5.1: Establish a Town sponsored funding source dedicated to building and strengthening the Brian Head Area Trail System. Possible sources include the Town's capital improvement program or profits from the sale or lease of the Town's property.

Action 5.2: Pursue funding opportunities from federal, state, and private grants. The Town and its partners should submit funding requests for the Area's high priority trail projects.

Action 5.3: Continue to establish private and public partnerships to strengthen the Brian Head Area Trail System. Many organizations and agencies illustrated their commitment to the Brian Head Area Trail System throughout the planning process; the Town and its partners should continue to capitalize on this commitment through volunteer labor or funding to increase the trail systems' capacity in the future.

Policy 5: Maintain a current Brian Head Area Trails Plan.



Any planning document should be considered dynamic in order to respond to the changing needs of the area. As the recommendations within this plan are implemented and the Town continues to grow, the priorities for the Brian Head Area Trail System will change.

Action 6.1: Update the Brian Head Area Trail System Master Plan every five years.

Policy 6: Incorporate these policies and recommended actions into the Brian Head General Plan.

Action 6.1: Incorporate the policies identified in the Master Plan policy section into the Brian Head General Plan.

Additional Recommendations

1. Formalize the planning committee for trails within the Town to meet on a negotiated schedule. The committee will be charged with updating the plan every five years, annually reviewing the priorities and making recommendations to the planning commission.
2. Increase media methods for informing residents and visitors of trails within the Brian Head Area.

Action – Develop a website on the city and chamber’s website that include PDFs. Action – Involve residents and visitors in trail events and activities, such as National Trails Day. This will provide an opportunity for residents to participate in trail maintenance and provide a sense of community ownership.

Action – Continue to work with local businesses to provide information about the area’s trails as the Master Plan is updated.

Action – Create a trails information link on the Town’s website that will provide the most up-to-date information on the area’s trail conditions.

APPENDICES





Interpretive Plans

The Brian Head Area Interpretive Plan was as a separate document by RTCA in 2010. This document, along with the Utah's Patchwork Parkway Interpretive Plan, created in 2013, should be used as guidelines for interpretive signage development consistent with this Trails Master Plan.

Brian Head Area Interpretive Plan may be found at:

http://siterepository.s3.amazonaws.com/2643/bh_interpretive_plan_final_10052010_withoutborders.pdf

Utah's Patchwork Parkway Interpretive Plan may be found at:

http://siterepository.s3.amazonaws.com/2643/finalinterpretiveplan_highres.pdf



Trail Marking Standards

Introduction

This appendix describes sign and marking standards for trails maintained and/or managed as part of the Brian Head Area Trail System (BHATS). It is meant to bring some uniformity to trail marking, make trails easy to identify, enhance user 'enjoy-ability' and increase safety when recreating on trails.

The BHATS markers will be consistent in appearance, providing information that is easy to understand. The markers will also be as unobtrusive as possible yet useful for trail identification, maintenance and safety.

Two types of trail marking standards are discussed in this appendix:

- Urban trails that are generally more heavily used and managed; and
- Backcountry trails, which need less management and marking.

Standards for urban trails differ from backcountry trails due to the reassurance some people need - to know they are on the right path and the distance to their next destination. Backcountry trail marking is placed less frequently, giving the user the sense they are in the backcountry, while still providing critical information, such as trail junctions and safety information. Many people think that marking a trail has one purpose: to indicate the route and reassure users they are on the trail. But, along heavily traveled trail sections, it serves to actually influence travel. In other words, blazes, signs, metal markers, posts, cairns when thoughtfully placed, can help guide people along the same path, especially in open woods or in alpine zones. Markers guide users along a single route, which in turn prevents trailside trampling and resource damage.

Types of Trail Markers

Standard trail markers:

The BHATS trails shall be marked with composite fiberglass flat posts available from several U.S. manufacturers listed below. These flexible and durable markers come in a variety of lengths (1' to 8' feet), are 4" inches wide (an industry standard), and provide a recessed surface for the application of 3" wide decals. The longer markers can be fitted with anchors to deter removal by vandals.

Potential Sources:

Rockart Signs and Markers	www.rockartsigns.com
Carsonite Composites	www.carsonite.com
Rhino Markers	www.rhinomarkers.com
Omega Marking Company	www.omegamarkingcompany.com

The information placed on these markers, in the form of decals or lettering has many functions and must carry several messages.

Examples of the markers signs are shown in the figure below. Their purpose is to achieve the following:

- Indicate what usage is allowed;
- Identify the trail and/or trail segment;
- Describe the accepted right-of-way hierarchy in which, for example, cyclists yield to runners and both yield to walkers and hikers;
- Indicate the distance and direction to the trailhead or other destination;
- Provide regulatory information when necessary.

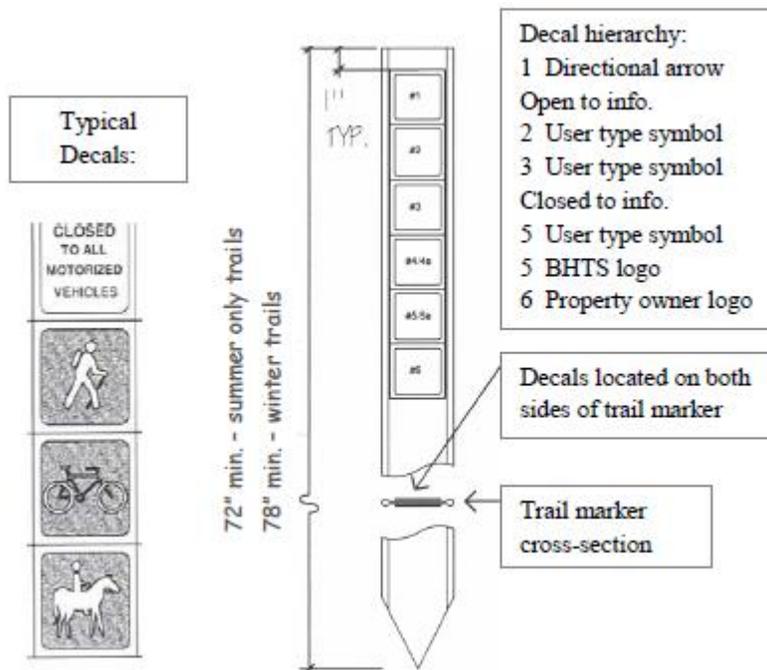


Figure 1. Typical Trail marking sign detail

The following are the types of information the BHTS may provide when marking trails:

Directional

- Arrows showing where trail goes;
- Colored or numbered markers that indicate trail routes within a system of trails.

Informational

- Example: “Private property - please stay on trail”;
- Example: “Seasonal closure”.

Reassurance



- Example: "Trailhead 1 mile " or "Trailhead" with an arrow pointing the way;
- Colored or numbered markers that indicate trail routes within a system of trails;
- Distance markers;
- GPS location (longitude and latitude).

Regulatory

- Example: "Winter use only";
- Example: "Seasonal closure".

Marking Trails

Marking Urban Trails

Placement of trail markers is a bit discretionary, but as a rule trail markers along urban trails are spaced more frequently than backcountry trails. They guide trail users along a route and provide detailed information about the hazards and trail use.

To start with, trailheads for urban trails have a standard kiosk/bulletin board type sign at the trailhead. In addition to the trailhead sign the entrance to the trail will be clearly marked and include the trail name, BHTS Logo, types of trail uses allowed, trail difficulty and special instructions. Markers along the trail or within a trail system need to provide direction and information, such as mileage to the trailhead or trail closures.

Direction and information:

At a minimum, directional and informational markers shall be placed in the following locations:

- Where the trail intersects with other trails or roads;
- Where the trail enters/leaves private property, informing users to stay on the trail; and
- Every 2 tenths (1000 feet +/-) of a mile along the trail route.

Trail segments within a trail system are marked with the name of the segment and directions, in text and/or graphic form (arrows) and are placed along the trail for quick recognition.

Trail closures:

Place "Trail Closed" markers at the trailhead and/or along the trail segments which are closed.

Marking Backcountry Trails

Trail markers for backcountry trails have just enough information to guide users along a selected route. The chance of a missed intersection is dramatically increased without trail markers; and in the backcountry it may cause dangerous consequences. Backcountry trailheads have a kiosk sign similar to the urban trails that identifies the trail name and shows the minimum information recommended for



trailhead sign. Special considerations are made in backcountry areas. "Directional" signs, and signs showing trail names and destinations should be used sparingly; "interpretive" signs, those that label items or provide information of an historical or scientific nature, should not be used or limited in use.

For trails which cross large open areas and which are heavily used in winter it may be necessary to place markers more frequently and apply reflective tape or stickers that make the trail markers visible at night or in inclement weather.

Markers are spaced less frequently and allow for some sense of adventure. GPS locations may be included on the markers at trail intersections or important features

Directional signs and/or trail name markers are placed in the following locations:

- Wherever there are intersections with other trails;
- Wherever there is trail braiding;
- Wherever the trail enters and departs private land; and
- About 1 mile apart.

Side trails that dead end at cabins (private or public), viewpoints, campsites or water sources should have a sign labeling that indicates that there is a dead end. Mark the main trail clearly in areas where there is trail braiding or confusing intersections.

Logo Design

As mentioned earlier, providing a consistent message is major priority for trail signs. Developing a logo that can be placed on kiosks as well as trail markers goes far in maintaining this consistency.

Logo costs can vary depending on the complexity. For example the following logo was chosen by the Brian Head Trail Committee and has a cost of \$.95-\$1.00. Adding another color to this logo increased the price to \$1.25-\$1.30.



Brian Head Logo designed by: Rivers, Trails, & Conservation Assistance Program



Difficulty Ratings

Difficulty ratings are subjective. They vary by user type and are often put into context of local conditions. There is a spectrum of methods used to determine difficulty ratings. They range from local knowledge and committee consensus to very detailed criteria that are more universally recognized.

In meeting with the Brian Head Trails Committee it was decided that difficulty ratings would be based on both local knowledge and some general criteria. The following table can be used as the basis for determining difficulty.

This table establishes general guidelines for difficulty ratings associated with hiking trails. Ratings used for individual trails should include additional descriptors consistent with their particular setting.

Aspect	Easiest	More Difficult/Intermediate	Very Difficult/Advanced
Grade	5% or less average 15% max. for short distance	10% or less average 15% for longer distance	15% or less average 15% or more
Tread Surface	Firm and stable	Mostly stable, with some variability	Widely variable, with some less stable footing
Obstacles	Avoidable or small, easy to get around	Larger and more frequent; requires some maneuvering to get around	Numerous and unavoidable, must be maneuvered around
Distance			
Elevation Gain			
Bridges	Minimum of 36" wide with railings where needed	Bridges minimum of 24" wide with railings where needed; short crossings may use stepping stones	Bridges 24" wide or narrower; often rustic design and more limited railings

The following example could be the result of using this method:

Town Trail

Rating: Easiest

Length: 2.31 miles

Elevation gain: 502 ft

The Town Trail is a gravel trail that parallels State Highway 143 through Brian Head Town and the numerous amenities the area offers. On the north, the Town Trail connects with Aspen Drive and has a picnic bench at its northern terminus (just north of Aspen Drive). On the south, the trail terminates at Bear Flat (US Forest Service land), connecting to the Marathon Trail and other

US Forest Service trails. The trail maintains a gentle grade throughout, with only one or two short, steep sections at the northern end of the trail.



Funding & Assistance Resources

There are several funding sources available to the Brian Head Area that could help to implement various parts of this Trails Master Plan. The largest source of funding comes at the state level. However there are many local and National sources as well. Following is a list that is by no means exhaustive:

Utah State Parks

Off-Highway Vehicle Trails Program

Program Coordinator: Fred Hayes
fredhayes@utah.gov
801-538-7435
<http://stateparks.utah.gov/grants/ohv>

Applications postmarked by May 1 of each year

Utah State Parks

Trails & Pathways Program

Program Coordinator: John Knudson
johnknudson@utah.gov
801-538-7344
<http://stateparks.utah.gov/grants/pathways>

Applications postmarked by May 1 of each year

Utah State Byways

State Coordinator: Gael Hill
gael.hill@gmail.com
435-826-4584
<http://www.bywaysonline.org/grants/>

Utah Department of Transportation

Transportation Enhancements

Program Contact Info: Tom Boschert
tboschert@utah.gov
801-965-4175
[http://www.udot.utah.gov/main/f?p=100:pg:0::::T,V:192,](http://www.udot.utah.gov/main/f?p=100:pg:0::::T,V:192)

Utah Cultural Heritage Tourism Grants

Potentially for interpretation

Contact Info: Debbie Dahl
ddahl@utah.gov
801-533-3537
<http://culturalheritage.utah.gov/>



Local Contacts

Cedar City Chamber of Commerce
581 N. Main St.
Cedar City, UT 84721

Iron County
82 N 100 E
Cedar City, UT 84720
435-865-5370

Cedar Breaks National Monument
2390 W. Hwy. 56, Suite 11
Cedar City, UT 84720
435-586-9451
Superintendent – Paul Roelandt

State Contacts

UDOT Region 2
2010 South 2760 West
Salt Lake City, UT 84104
Evelyn Tuddenham
801-964-4564

Utah State Parks
1594 West North Temple
Salt Lake City, UT 84116
801-538-7220

Utah Office of Tourism
300 North State
Salt Lake City, UT 84114
801-538-1900

Utah Governor's Office of
Planning & Budget
Utah State Capitol - Suite 150
P.O. Box 132210
Salt Lake City, UT 84112
801-538-1027

National Contacts

National Park Service
Rivers, Trails, & Conservation
Assistance Program – Utah
Marcy DeMillion – Community Planner
324 South State Street
Salt Lake City, UT 84111
801-741-1012 ext. 125

International Mountain Bicycling Association
Ryan Schutz, Mountain States Regional Director
303-545-9011 ext. 112
Ryan.schutz@imba.com

Trails Unlimited
Enterprise Resource Team –US Forest Service
Trail Design, Construction, and Maintenance
105A Grand Avenue
Monrovia, CA 91016
626-233-4309

Commercial Contacts

Alpine Trails, Inc.
Trail Design, Construction, and Maintenance
P.O. Box 2782
Park City, UT 84060
Troy Duffin, President
435-655-0779



Sample MOU

Agreement Number: IR-12-02



**Memorandum of Understanding
Between the
Utah Division of Forestry, Fire, and State Lands
and the
Brian Head Fire Department**

This memorandum of understanding is made by and between Brian Head Fire Department, hereinafter referred to as the "Department" or "District" as appropriate, and the State of Utah, Department of Natural Resources, Division of Forestry, Fire and State Lands, hereinafter referred to as "Division" as an addendum to the Iron County Cooperative Agreement. "Department" or "District" and "Division" shall hereafter be referred to jointly as "the parties".

PURPOSE OF THIS Memorandum of Understanding (MOU): to provide a mechanism for procurement, use and compensation for services provided by the fire department or district outside its jurisdictional area of responsibility to the State of Utah and its cooperators; pursuant to cooperative agreements, operating plans, closest forces agreements and suppression resource needs in support of fire suppression.

This MOU may also be used for the purposes of procuring personnel and equipment for the purposes of other fire management activities under the direction of the Division such as fuels mitigation and prescribed fire projects both inside and outside of the department or district's jurisdictional area. Any project work done for federal agencies must be done under the conditions of a separate agreement.

WITNESSETH:

WHEREAS it is in the best interest of the State of Utah and it's cooperators to have wildland fires detected and suppressed quickly before they become large and more difficult to control; and

WHEREAS the Department or District may have the capability to respond and suppress fires under the jurisdiction of the Division and/or its cooperators in a more timely and effective basis than any other assets or resources in the state; and

WHEREAS the Department or District may have the capabilities and resources to assist the Division with fire hazard mitigation projects that mutually benefit both parties;

WHEREAS the Department or District represents that it is a duly constituted fire department, fire district, or non-profit association or political subdivision of the State of Utah authorized to provide fire protection within the boundaries of the **map attached** hereto and by reference made a part hereof (Appendix A); and

WHEREAS the Department or District may also have a limited number of units of firefighting equipment that can be made available to the Division for fire management work.
NOW THEREFORE, the parties to this agreement do hereby agree as follows:



Service for loan to one of the 50 States or the Territories for use in the State's rural or wildland fire protection program. As a result, the equipment stays in service to the United States, protecting lives and property across the nation. The Federal Government retains the title. The property must be returned to Federal Government when no longer used within the fire program.

Independent Action: Action taken on lands under the protection responsibilities of another agency/entity without the notification and approval, of that agency or entity.

Fire Management: all activities required to manipulate wildland fire in order to protect values at risk, enhance public safety and meet land management objectives. Activities may include but are not limited to: fire suppression, prescribed fire, prevention and education, hazardous fuel mitigation, training, planning and preparation.

SIGNATURES

Department or District: <i>Brian Head Fire Department</i>	Division of Forestry, Fire and State Lands
Address: <i>PO Box 19066 Brian Head Ut. 84719</i>	Address: 585 N. Main Cedar City, UT 84721
Phone #: <i>435-677-2029</i>	Phone #: (435) 586-4408
Authorized Agent: <i>Mayor</i> <i>H.C. Deutschlander</i>	Authorized Agent: Ronald S. Wilson
Authorized Signature: <i>[Signature]</i>	Authorized Signature: <i>[Signature]</i>
Date: <i>04/23/12</i>	Date: <i>4/24/12</i>

County Representative: _____

Date: _____

List of Appendixes:

- A. Department or District Jurisdictional Boundary Map
- B. Completed Cooperative Rate Agreement



Ordinances

Adopted October 13, 2009

Page 1 of 3

**ORDINANCE NO. 09-015****AN ORDINANCE OF THE BRIAN HEAD TOWN COUNCIL PROVIDING FOR THE CREATION OF A TRAILS MASTER PLAN DEVELOPMENT COMMITTEE**

WHEREAS, Brian Head Town received a Rivers, Trails, and Conservation Assistance Grant on November 21, 2008 to assist with the development of a Trails Master Plan; and

WHEREAS, a committee is needed to formulate the policies and strategies to develop a Trails Master Plan for consideration of adoption by the Town Council.

NOW, THEREFORE, BE IT ORDAINED BY THE BRIAN HEAD TOWN COUNCIL that:

1. Trails Master Plan Committee

Is hereby created as "Trails Master Plan Committee". The Committee shall consist of up to 11 members. They shall consist of two Town Council members, two Planning Commission Members, the RTCA Program Director, a Cedar Breaks National Monument employee, a Dixie National Forest employee, Brian Head Public Works Director, Brian Head Town Manager, Brian Head Chamber of Commerce Director, and a Brian Head Resort employee. The Town shall appoint a secretary which shall not be a voting member of the Committee. The members shall serve without any additional compensation from the Town for this position.

2. Term of Service, Removal and Vacancies

Members of the Trails Master Plan Committee shall be appointed by the Town Manager with the advice and consent of the Town Council. They shall serve for a term of not more than five years or until the Brian Head Trails Master Plan is adopted by ordinance (whichever comes first). Vacancies in the Committee occasioned by removals, resignations, or otherwise shall be filled for the unexpired term in the same manner as the original appointments. Ex-officio member may include individuals that the Town Manager deem necessary. They shall serve by the invitation of the Town Manager and shall have no vote.

3. Officers and Their Duties

At its first meeting, and annually at the first meeting of a new year, the Committee shall elect a Chairman, Vice-Chairman and any additional officers as necessary. The Chairman shall preside at the meetings, appoint sub-committees with the concurrence of the Committee, and generally perform the duties of a presiding officer. The Chairman shall have the right to vote. The Vice-Chairman or a Board member designated by the Chairman shall preside when the

Proposed Ordinance No.09-015



Chairman is absent. The agenda for meetings shall be prepared by the Town Manager and RTCA Program Director.

4. Purpose and Duties of the Committee

The purpose and duties of the Committee are as follows:

- a. To prepare a Trails Master Plan for the Town with associated maps, sign design standards, and associated information relevant to a Trails Master Plan.
- b. Prepare a proposed budget for the implementation of the Trails Master Plan.
- c. Recommend proposed projects, and ordinances necessary for the proposed adoption and implementation of the Trails Master Plan.

5. Meetings and Procedures

The Committee may adopt rules and regulations not inconsistent with the law applicable to public bodies for governing of its meeting. The committee shall abide by the Utah Open Public Meeting laws as outline in U.C.A. Special meetings may be called at the request of the Town Manager or RTCA Program Director. A quorum for the transaction of business shall be a simple majority of the Committee Members. When vacancies occur, a simple majority of the remaining Committee members shall constitute a quorum. Minutes shall be kept at all meetings. Closed meetings may only be held for purposes authorized by U.C.A. 52-4-5, as amended.

6. Effective Date

This Ordinance shall become effective upon a majority vote of the Town Council or 20 days after publication.

IN WITNESS WHEREOF, this Ordinance is passed by a majority vote of the Brian Head Town Council on this 13th day of October, 2009 by the following vote of its members:

Mayor H.C. Deutschlander	Aye
Councilperson Jim Ortler	Aye
Councilperson Tony Cocchia	Aye
Councilperson Hans Schwob	Aye
Councilperson Stewart Fausett	Aye

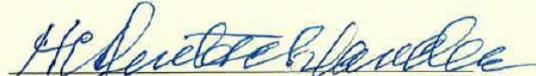
Dated this 13th day of October, 2009.



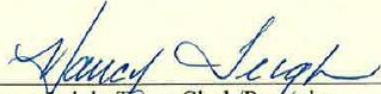
Adopted October 13, 2009

Page 3 of 3

BRIAN HEAD TOWN


H.C. Deutschlander, Mayor

ATTEST:


Nancy Leigh, Town Clerk/Recorder





**IRON COUNTY, UTAH
ORDINANCE 195**

AN ORDINANCE TO DESIGNATE AND REGULATE THE USE OF OFF-HIGHWAY VEHICLES, PURSUANT TO UTAH CODE 11 ANNOTATED, SECTION 41-22-10.1 UTAH CODE ANNOTATED, 1953 AS AMENDED.

WHEREAS, Iron County claims right and ownership of Class B and Class D roads designated on the County Road System (Iron County General Plan adopted by Ordinance 137 and dated October 10, 1995. Iron County RS2477 map- un-numbered p.51), pursuant to the right of ways granted in accordance with Public Law (Revised Statute) 2477 and Title 72, Utah Code Annotated, and

WHEREAS, the County desires to designate said Class B and Class D roads under their jurisdiction, on a map describing said roads, trails, and ways, as either open or closed to off-highway vehicle (OHV) use, and

WHEREAS, authority to designate such roads, trails and highways is given the County pursuant to Title 41 Chapter 22 Utah Code Annotated 1953 as revised 11/03, Section 41-22-1, and

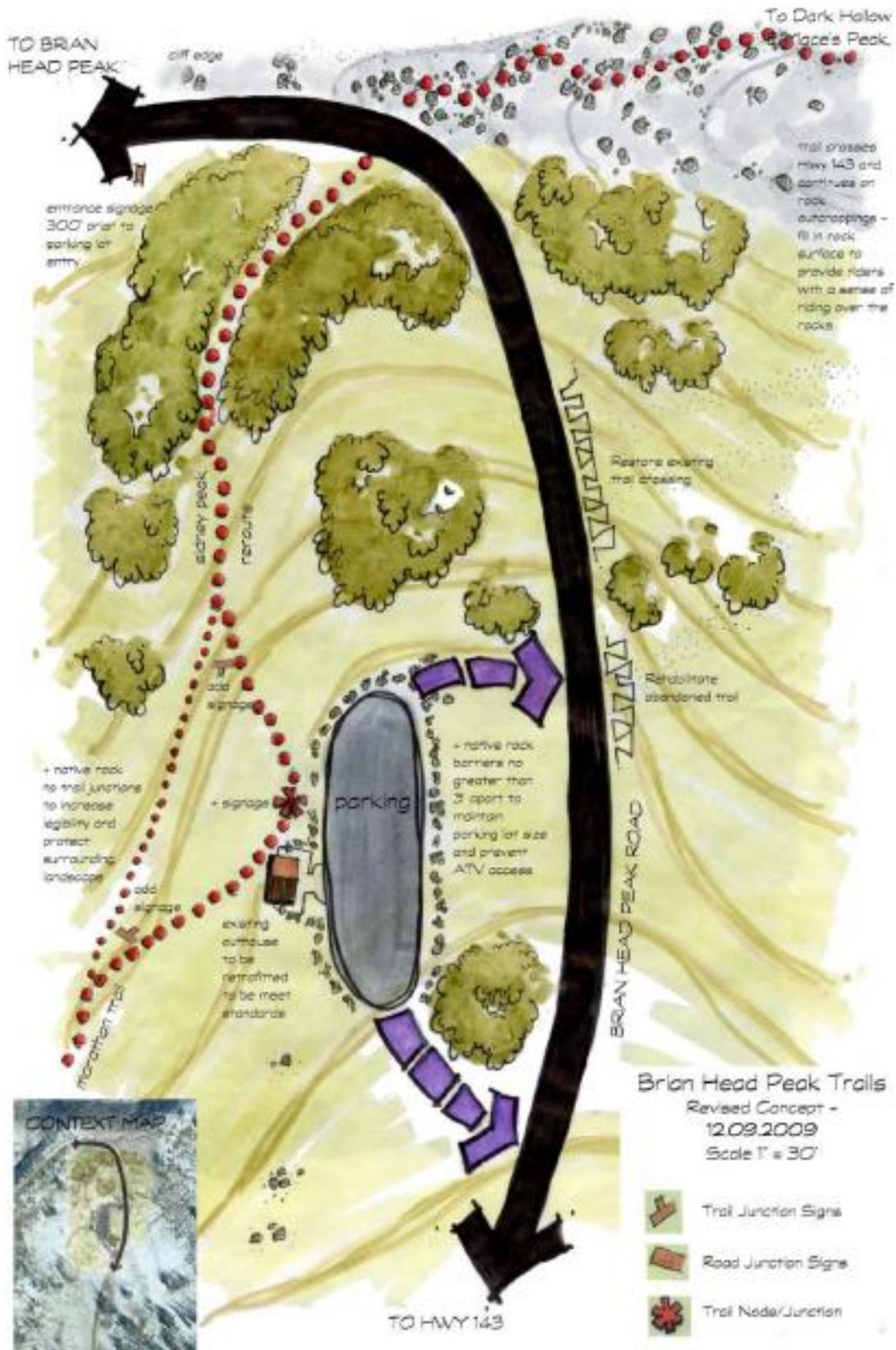
WHEREAS, the County does hereby intend pursuant to Utah Code Section 41-22-10.5 to designate which County Class B and Class D roads are open or closed to public use for the purpose of allowing OHV operation as part of a county wide system of OHV roads.

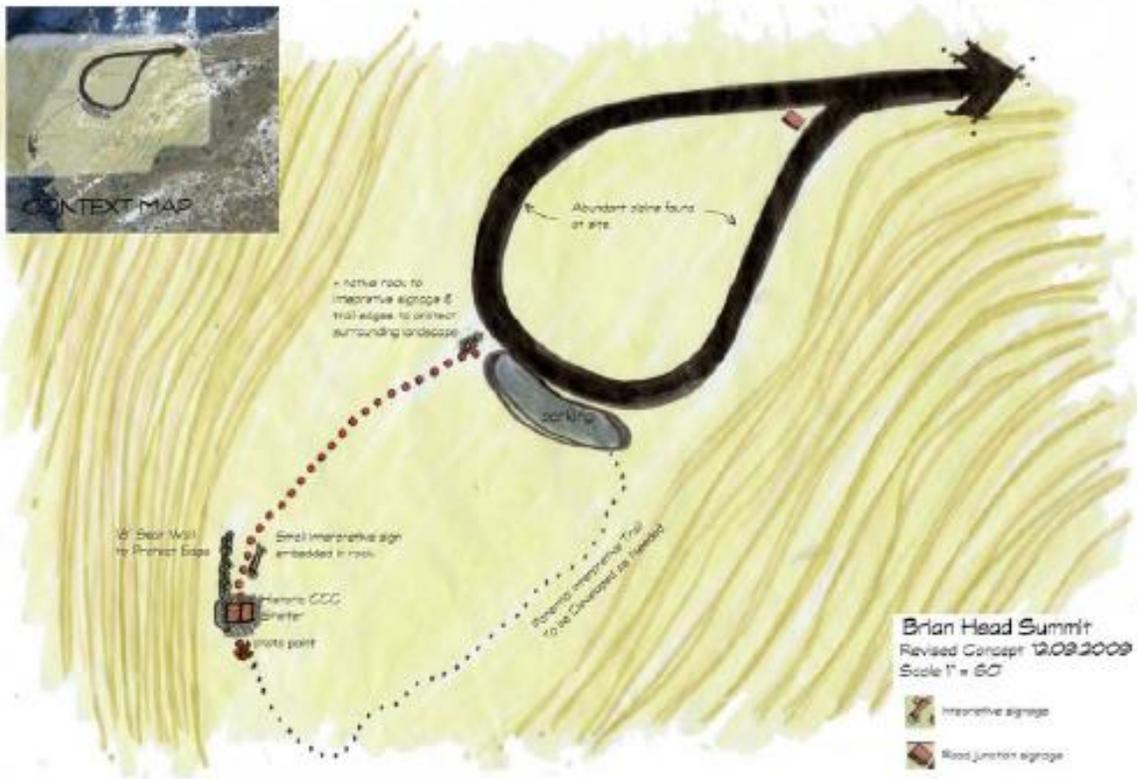
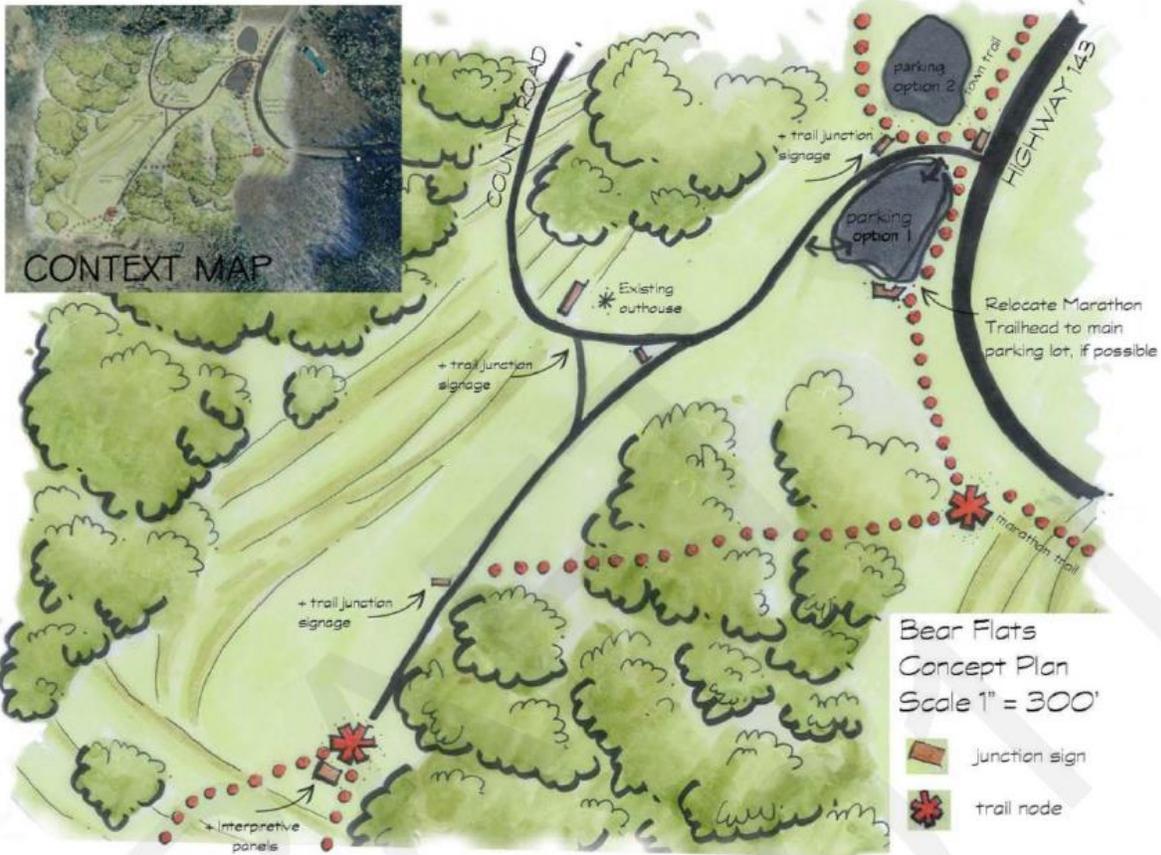
WHEREAS, Iron County is desirous of cooperating with State and Local Agencies and with public land administrative agencies pursuant to their regulations and in accordance with State law to:

1. Designate roads open to OHV use;
2. Develop and maintain trails;
3. Develop and maintain parking areas;
4. Develop and maintain other related facilities appropriate to off-highway vehicle use;
5. Promote the safety, enjoyment, and responsible use of all forms of this recreational activity (Utah Code Annotated, Section 41-22-20).



Trailhead Concept Plans







References

International Mountain Bicycling Association, Trails Solutions – IMBA’s Guide to Building Sweet Singletrack. 2007. Johnson Printing, Boulder , CO.

Matanuska-Susitna Borough, AK. MSB Trail Marking Standards. 11-15-05.

Minnesota Department of Natural Resources. Trail Planning, Design, and Development Guidelines. Minnesota Department of Natural Resources. 2006.



Town Council Staff Report

Subject: Ordinance No. 15-004 Amending Title 8 – “Drug Testing Policy” of Brian Head Town’s Personnel Policies and Procedures Manual

Author: Cecilia Johnson

Department: Administration

Date: February 10, 2015

Type of Item: Legislative

SUMMARY:

The Brian Head Town Department Heads hold monthly safety meetings. At the meetings, different safety issues are reviewed. At the meeting held on January 27, 2015, Brian Head Town’s Drug Testing Policy was reviewed. Staff felt a new option should be added to the Drug Testing Policy in the Personnel Policies and Procedures Manual.

PREVIOUS COUNCIL ACTION: N/A

BACKGROUND: Brian Head Town has a drug testing policy in place to protect the health, safety, and welfare of its citizens and visitors and to also protect its employees. The Town takes random drug tests on those employees that have Commercial Drivers Licenses and who drive the Town equipment. **All** employees are required to take drug tests whenever they are driving a Town vehicle involved in an accident resulting in injury to a person and/or vehicle.

However, sometimes there are circumstances when accidents happen that may not require a urine test. It depends on the severity of the accident. Town department heads feel like they should be able to make a judgment call on minor incidents. It is also felt that maybe a field sobriety test could be an option as opposed to a urine test. Example: if an accident happens at 2:00 a.m. and it involves a snow plow running into a tree, it is felt that the driver could have a field sobriety test by a Law Enforcement Officer in lieu of a urine test. Depending on what the Officer finds, the employee may or may not be required to take a follow-up urine test. It is felt field sobriety tests can determine if a person is under the influence of drugs or alcohol.

ANALYSIS: Adding the part about “under exigent circumstances a field sobriety test may be administered by a Law Enforcement Officer in lieu of a urine test . . .” will give another option to drug testing. This option will probably not be used very frequently, however, it will be in place in case exigent circumstances ever arise when an accident happens.

DEPARTMENT REVIEW: N/A

FINANCIAL IMPLICATIONS: If the Department Heads are allowed to use their judgment when sending an employee to get a drug test and if a field sobriety test could be used in place of a urine test, the Town will save on drug testing costs. As stated above, the field sobriety testing will probably be used rarely.

BOARD/COMMISSION RECOMMENDATION: N/A

STAFF RECOMMENDATION: It is the recommendation of staff, that Ordinance No. 15-004 be approved as written.

PROPOSED MOTION: "I hereby move to adopt Ordinance No. 15-004 amending Brian Head Town's – "General Policy and Definitions" of Title 8 – "Drug Testing Policy" of the Brian Head Town Personnel Policies & Procedures Manual by giving the option of a field sobriety test in lieu of a urine test in exigent circumstances.



Brian Head Town, Utah

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE BRIAN HEAD TOWN PERSONNEL POLICIES & PROCEDURES MANUAL BY ADDING SECTION B – TO CHAPTER A – “GENERAL POLICY AND DEFINITIONS” OF TITLE 8 – “DRUG TESTING POLICY”

WHEREAS, Brian Head Town is a body politic who protects the health, safety and welfare of its citizens; and

WHEREAS, Brian Head Town reviews and amends its policies and procedures from time to time as needed; and

WHEREAS, the Town’s drug testing policy states a drug test should be obtained as soon as an accident involving an employee happens; and

WHEREAS, the department heads of the Town feel that there are certain circumstances when it is not possible to have an immediate drug test; and

WHEREAS, the Town Council feels the Drug Testing Policy should be amended to have a different option (such as a field sobriety test by Law Enforcement) when circumstances are exigent and it is not convenient for the employee(s) to obtain a urine test when an accident occurs. This would be for minor accidents not involving injury to a person.

THEREFORE, IT IS HEREBY ORDAINED by the Brian Head Town Council that the following Section B (italicized) be added to Chapter A – “General Policy and Definitions” of Title 8 – “Drug Testing Policy” of the Brian Head Town Personnel Policies and Procedures Manual:

SECTION 1. Title 8: Drug Testing Policy

Chapter A. General Policy and Definitions.

1. Policy. It is the policy of the Brian Head that the unlawful manufacture, distribution, possession or use of a controlled substance or illegal drug, and/or the distribution, dispensation, possession, or use of alcohol in the workplace is expressly prohibited.

a. In order to achieve a drug-free work place, employees and applicants shall be required to participate in all of the following alcohol and drug testing:

1. When an applicant has been extended a conditional offer of employment but before beginning work.
2. When there is a reasonable suspicion to believe that the employee has used illegal drugs, has illegally used legal drugs, or has the presence of illegal drugs in his or her system.

DRAFT

3. When the employee has been involved in an “on duty accident” or unsafe work practice.
4. On a random basis if the employee is in a safety-sensitive position.
5. As a condition to return to duty after testing positive for controlled substances or alcohol.
6. As part of follow-up procedures to employment related drug or alcohol violations.
7. As part of preannounced periodic testing.

b. Under exigent circumstances, a field sobriety test may be administered, in lieu of a urine test, by a Law Enforcement Officer (with the approval of the Town Department Head).

SECTION 2. Effective Date. 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. Repealer: All provisions of the Brian Head Town Code that are inconsistent with the express terms of this ordinance shall be repealed. All other provisions of the Brian Head Town Code shall remain in full force and effect as codified.

SECTION 4. Conflict. To the extent of any conflict between other Town, County, State, or Federal ordinances or regulations, and this ordinance, the more restrictive is deemed to be controlling.

SECTION 5. 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 or 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.

PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF BRIAN HEAD TOWN, IRON COUNTY, UTAH this _____day of _____, 2015 with the following vote.

Mayor H.C. Deutschlander	Aye_____	Nay_____
Council Member Jim Ortler	Aye_____	Nay_____
Council Member Larry Freeberg	Aye_____	Nay_____
Council Member Clayton Calloway	Aye_____	Nay_____
Council Member Reece Wilson	Aye_____	Nay_____

BRIAN HEAD TOWN

By: _____
H. C. Deutschlander, Mayor

ATTEST:

Nancy Leigh, Town Clerk

(SEAL)



Town Council Staff Report

Subject: Land Management Code Work Session
Author: Nancy Leigh, Town Clerk
Department: Administration
Date: February 10, 2015
Type of Item: Work Session

SUMMARY:

The Council will continue their review of the Land Management Code (LMC), beginning with Chapter 8 (Bldg. Permits) and working towards completing Chapter 9 (Subdivisions) and Chapter 10 (Other Permits).

Please let me know if you need a hard copy of chapters 8, 9, & 10 prior to the meeting.

PREVIOUS COUNCIL ACTION:

The last Council action taken on the LMC was in 2008 when it was revised.

BACKGROUND:

For several months the Council has been reviewing the LMC for revisions prior to adopting the entire title 9 as a whole. During the last work session in November 2014, the Council reviewed Chapter 7, Zoning District Regulations. The Council will begin with Chapter 8, building permits.

ANALYSIS:

In an effort to complete the revision of the LMC and look at having it adopted prior to the upcoming building season, the Council will need to focus on completing at least three chapters (8, 9, & 10).

Once the LMC is reviewed by the Council, staff will finalize the LMC for adoption by the Council. We would like to have the adoption of the LMC ready no later than the end of March, 2015.

DEPARTMENT REVIEW:

The Administration Department has reviewed this item.

FINANCIAL IMPLICATIONS:

None at this time.

BOARD/COMMISSION RECOMMENDATION:

The Planning Commission has submitted its recommendations to the Council for consideration.

STAFF RECOMMENDATION:

Staff encourages the Council to complete at least three chapters of the LMC in this work session in order to stay on time with adopting the LMC by end of March.

PROPOSED MOTION:

N/A

Chapter 8

BUILDING PERMITS

9-8-1: PURPOSE:

9-8-2: BUILDING PERMIT AND CONFORMANCE WITH TERMS REQUIRED:

9-8-3: DESIGN REVIEW:

9-8-4: FINAL REVIEW:

9-8-5: ACCEPTANCE OF IMPROVEMENTS AND OCCUPANCY:

9-8-1: PURPOSE:

The purpose and intent of the building permit review process is to secure the general purposes and objectives of this title to ensure that the general appearance and public safety of buildings, structures and development are harmonious with and complement the neighborhood. Projects are evaluated to ensure that they are consistent with this title, the town general plan, zoning map and general design standards (chapter 12 of this title); and meet applicable health, safety and public welfare standards. (Ord. 08-016, 8-12-2008)

9-8-2: BUILDING PERMIT AND CONFORMANCE WITH TERMS REQUIRED:

- A. Construction, alteration, repair (4-1-14) or removal of any building or structure, or any part thereof, as provided for or restricted in this title and the uniform codes, shall not be commenced without a valid building permit and other permits as required.
- B. Land, buildings or premises in any zoning district shall be used only for the purposes permitted in such district and in accordance with an occupancy permit issued by the building department. The use, building or premises must conform to the provisions of the occupancy permit and all related ordinances, regulations, resolutions and requirements of this title. A new occupancy permit must be obtained prior to a change in use or character of any building.
- C. A building permit shall only be issued after a design review process. Single family dwelling, accessory structures, and commercial additions, (4-1-14) remodels and/or expansions– that does not change the footprint (4-1-14) that are permitted uses and in compliance with the LMC may be reviewed and approved by Town Staff. All other types of building projects shall follow a two-step process: Project Design Review by the Planning Commission and Building Permit Review by Town Staff.

(If language is accepted, correct tables 1 and 3 of Chapter 4 for consistency).

- C. ~~Except for single-family dwellings and minor commercial interior remodels, a building permit shall be issued only after a two (2) step review process: 1) design review; and 2) final review. Single-family dwellings require only a final review by the building department.~~

D. Any construction, alteration or repair (4-1-14) of any building or structure, or any part thereof, requiring a building permit, shall require the submission of engineered building plans if required by applicable law. These building plans shall also require electrical, plumbing and heating design calculations and schematics. (Ord. 08-016, 8-12-2008)

(Note: Changes must also be reflected in 8.3.4).

9-8-3: DESIGN REVIEW:

A. Purpose: The purpose and intent of the design review is intended to be an abbreviated submittal, to provide an opportunity to verify the project is consistent with applicable regulations and requirements, to obtain general feedback from the public or review boards, to ascertain special requirements and make changes in design (if necessary) before incurring the time and expense of preparing a complete (final) building permit submittal.

B. Review And Process:

1. Application: An applicant shall submit a complete design review application, signed by an owner or legal representatives of the subject property, to the building department. If the subject property is a condominium project or is owned by a corporation, the signature of an officer of the entity with authority to bind the entity shall be sufficient.
2. Town Staff Review:
 - a. After a complete design review application has been received by the building department, the town manager, or designee, will determine if the project, as submitted, is consistent with the requirements of this title. The developer will be notified, in writing, of deficiencies and inconsistencies.
 - b. The applicant will then be given the opportunity to make the necessary corrections, revisions or redesign of the project so as to conform to the requirements of this title. If, in the judgment of the town manager, or designee, a variance is required, the staff shall so notify the applicant. The applicant may either apply for a variance pursuant to section 9-11-1 of this title, or redesign the project to avoid the variance requirement. After a complete, conforming application has been received, the town manager, or designee, shall make a final review of the design review application, and shall forward a written recommendation to the planning commission.
 - c. The town manager, or designee, shall recommend to the planning commission, in writing, any conditions the town staff deems reasonable and necessary under the circumstances to carry out the intent of this chapter and title.
3. Planning Commission Review: Within a reasonable time after a complete submittal, the town manager, or designee, shall present the design review application to the planning commission. The planning commission shall review the application and approve the project as presented, approve the project with modifications, or deny the application with the specified deficiencies of this code that when corrected may be brought before the planning commission for review.

C. Standards For Review:

1. The proposed uses, structure and site improvements shall conform to the following:

- a. Town general plan;
 - b. Zoning regulations and other relevant sections of this title;
 - c. Applicable building codes as adopted by the state;
 - d. General design standards of chapter 12 of this title; and
 - e. Other applicable laws.
2. The design shall be sensitive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts and preservation of views.
 3. Utilities and services shall be available and adequate to meet the needs of the proposed structure and uses, including, but not limited to, roads, gas, electric, storm drainage, telecommunications, public safety, schools and recreation.

D. Modifications:

1. When a commercial project contemplates a modification to the plan and it is deemed by the staff to be minor in scope (unseen structural modifications, interior floor layout not resulting in increased density, facade repairs, landscaping, etc.), the project may be approved by the town manager or designee. Modifications deemed "significant" in nature by the town manager, or designee, shall be submitted to and reviewed by the town staff, which shall then forward its recommendation to the planning commission for review.
2. If, following the town staff review, and before being presented to the planning commission for consideration, the project is significantly modified, the town staff must again review the modification before it is presented to the planning commission. Significant modifications may include, but are not limited to, a change of configuration of buildings on the lot, lot layout or configuration, a change in the number of rooms or number of units, or other change that raises significant new issues, questions or problems as to the project's conformity to the general plan or this title.

E. Plan Modification Fee: A fee as indicated on the consolidated fee schedule for modification of plans or permits shall be paid when a design modification is requested, prior to any review of modifications, to cover the cost of processing and review.

F. Expiration: A design review approval expires after one year from the date of the planning commission approval if a building permit has not been issued. (Ord. 08-016, 8-12-2008)

9-8-4: FINAL REVIEW:

A. Review Process:

1. Application: Following design review by the planning commission, if required, application shall be made to the building department for final review.

2. Town Staff Review: The town staff, upon receipt of a completed application and all fees, shall review the application and shall approve, approve with conditions, or deny the final building permit application.

B. Standards For Review:

1. The proposed uses, structure and site improvements shall be reviewed subject to the following:

a. Town general plan;

b. Zoning regulations, town design standards and other relevant sections of this title;

c. International building code (IBC) and all current applicable codes as currently adopted by the state.

2. The design shall be sensitive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts and preservation of views.

3. Utilities and services shall be available and adequate to meet the needs of the proposed structure and uses, including, but not limited to, roads, gas, electric, storm drainage, telecommunications, public safety, schools and recreation, or bonding provided for subject to sections 9-13-5 and 9-13-7 of this title.

C. Plan Revisions: After a building permit is granted, a project may not be altered without the approval of the town manager, or designee. In order to ensure that the proposed modification is consistent with this title, and that the redesign is still in conformity with design and final review, the town manager, or designee, may then require any documents deemed reasonably necessary to evaluate the modification. For violations of this requirement, the town manager, or designee, may suspend the building permit and construction on the project.

D. Expiration:

1. Every permit issued shall expire if the building or work authorized by such permit is not commenced within one hundred eighty (180) calendar days from the date of issuance of such permit.

2. Once a building permit is granted and construction commenced, the approval shall continue for a period of twenty four (24) months, unless otherwise revoked or extended. The building permit shall expire upon a permanent occupancy permit being issued. (Ord. 08-016, 8-12-2008)

9-8-5: ACCEPTANCE OF IMPROVEMENTS AND OCCUPANCY:

A. Occupancy Permit: An occupancy permit shall be issued only for a single building (a single permit may not be issued for multiple buildings) upon compliance with the following conditions:

1. A notice of completion has been issued by the building department verifying that the building project is completed and in compliance with all applicable codes for occupancy, including all on site and off site improvement work.

2. A set of "as built drawings", as defined in section 9-2-1 of this title, has been filed with the building department.

- B. Temporary Occupancy: The building official is authorized to issue a temporary occupancy if the space to be occupied has been noted on approved plans stating occupiable space before the completion of the entire work covered by the permit; provided, that such a portion or portions shall be occupied safely and sanitarily. The building official shall set a time period during which the temporary certificate of occupancy is valid, not to exceed one year.
- C. Inspection: The town manager, member of the building department, public safety director or other designated official shall, upon presentation of evidence of authority, have the right of access to any premises at any reasonable hour for the purpose of inspecting all buildings, structures and other construction projects during the course of their construction, modification or repair, and to inspect land uses to determine compliance with the provisions of this title.
- D. Acceptance Of Improvements: On or off site improvements shall be deemed accepted by the town only after complete inspection by the building official, public works director and director of public safety for their area of discipline and responsibility; for buildings and structures, the issuance of an occupancy permit; and for on or off site public improvements, upon the issuance of a certificate of acceptance by the town manager, or designee. (Ord. 08-016, 8-12-2008)

Chapter 9 SUBDIVISIONS

9-9-1: PURPOSE:

9-9-2: SUBDIVISION CONTROL:

9-9-3: SCHEMATIC PLAN REVIEW:

9-9-4: PRELIMINARY PLAT:

9-9-5: FINAL PLAT:

9-9-6: ACCEPTANCE OF SUBDIVISION IMPROVEMENTS:

9-9-7: LOT OR PARCEL SPLIT:

9-9-8: SUBDIVISION BY METES AND BOUNDS:

9-9-9: VACATION OR ADJUSTING LOT LINES WITHIN SUBDIVISION PLAT:

9-9-10: CONVERTIBLE OR EXPANDABLE AREA FOR CONDOMINIUMS:

9-9-11: APPEAL OF LAND USE AUTHORITY DECISION:

9-9-1: PURPOSE:

It is the town's intent to promote growth and development of subdivisions to meet local and state codes, and to conform to the town general plan, this title and design standards. (Ord. 08-016, 8-12-2008)

9-9-2: SUBDIVISION CONTROL:

Subdivision of land must comply with the provisions of this chapter and Utah Code Annotated section 10-9a-601 et seq. Until a final plat is recorded according to these provisions, the following may not occur: land transferred, sold or offered for sale, contracted for sale, deeded or conveyed, building permit issued on said land; terrain altered; any vegetation removed from the proposed subdivision site; or engaging in any site development. The steps of the subdivision process are as follows:

- A. Pre-application Conference/Staff; Developer Meeting: Prior to submission of formal materials for a proposed subdivision and one week prior to each planning commission meeting, a subdivider shall participate in a pre-application conference with the town staff. This will provide the subdivider an opportunity to consult with and receive assistance from the town regarding the regulations and design requirements applicable to the subdivision of the property prior to a significant investment in technical/engineering and legal work.
- B. Plan, Plat Review: A schematic plan review, preliminary plat and a final plat of such subdivision are approved in accordance with the process set forth in this title.
- C. Plat Recorded: The approved final plat is recorded in the office of the county recorder by the town clerk/recorder, with all recording costs paid by the subdivider.

D. Improvements: The improvements required in connection with the subdivision have been constructed or guaranteed as provided herein.

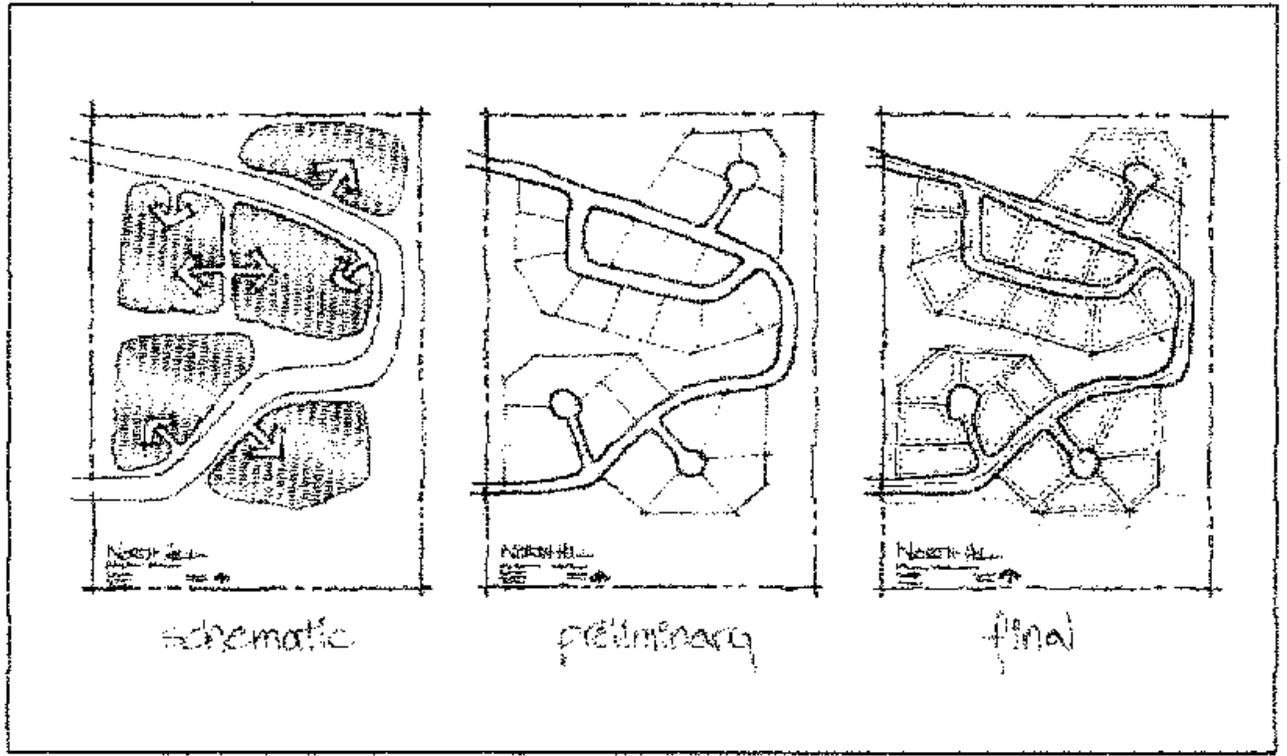


Figure 9.1: The three stages of a subdivision approval require increasing levels of detail in design.

(Ord. 08-016, 8-12-2008)

9-9-3: SCHEMATIC PLAN REVIEW:

A. Purpose: The schematic plan is intended to be an abbreviated submittal, to allow the applicant and the review boards to determine the basic feasibility of the proposal before incurring the time and expense of the preliminary and final plats.

B. Review Process:

1. Submittal: See chapter 4 of this title, tables 2 and 3, for the information to be included on or with the schematic plan.
2. Town Review: The town manager and/or staff shall review the documents submitted for schematic plan review to determine if they are complete as required in chapter 4 of this title and meet the standards for review of subsection C of this section. The application and staff comments are then forwarded to the planning commission.

3. Planning Commission Review: Within a reasonable time after the town review, the town manager shall present the schematic plan to the planning commission at a regular meeting. During this review, the planning commission shall provide additional comments and input as they pertain to this title, to assist the applicant in preparing the preliminary plat application.

C. Standards For Review: The applicant shall demonstrate that:

1. Conformance To General Plan: The proposed subdivision conforms to the town general plan, zoning regulations, public works standards, design standards (chapter 12 of this title) and other relevant sections of this title.

2. Water: The proposed water source has adequate capacity and an adequate method of distribution within the subdivision. If applicable and also required, the applicant shall also demonstrate the existence of an agreement to provide water from the water provider and/or evidence of availability of water.

3. Sewer: The proposed sewage system meets state and town standards and regulations.

4. Fire Protection: The proposed method for fire protection complies with this title, and other regulations as applicable.

5. Appropriate Use: The proposed uses for the property are appropriate to the zone district and the layout/design is responsive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts and preservation of views.

6. Public Services: Adequate public services are available to meet the needs of the proposed subdivision, including roads, gas, electric, telecommunications, mail, police and fire protection, schools and recreation. If adequate services do not exist at the time of application, provision must be made for expansion of services concurrent to the subdivision development.

D. Staff Cannot Bind Town: The schematic plan review is intended to help the subdivider identify important issues and concerns before he or she incurs the expense and time involved in preparing more detailed plans. Town staff and planning commission recommendations, suggestions and interpretations are advisory and shall not be considered binding on the town.

E. Vested Rights: Submission of a schematic plan does not constitute the beginning of any vested rights for the applicant. Vested rights shall accrue only upon the filing of a complete preliminary plat application with all required information and fees. However, if there is a compelling, countervailing public interest or the town has initiated proceedings to amend this title or other applicable ordinances at the time of the preliminary plat application, then there shall be no vesting as it pertains to the compelling, countervailing public interest or pending ordinance change.

F. Expiration; Extension: Application shall expire one year from completion of review with a one year extension available from staff, upon written request by the applicant submitted prior to the one year deadline. The developer shall pay all costs incurred with the extension. (Ord. 08-016, 8-12-2008)

9-9-4: PRELIMINARY PLAT:

A. Purpose: The purpose of the preliminary plat is to review and resolve most of the technical details of the subdivision design in order to minimize changes and revisions which might otherwise be necessary on the final plat. The preliminary plat, and all information and procedures relating thereto, shall in all respects be in compliance with the provisions of this title and any other applicable ordinances.

B. Standards For Review: The applicant shall demonstrate that:

1. Compliance With Schematic Plan: The proposal complies with schematic plan review comments by both staff and planning commission.
2. Water: The proposed water supply meets with the requirements of the town; the proposal includes a schematic design of the water distribution system and, if applicable, well pump tests.
3. Sewer: Provision has been made for a public sewer system, or another method of sewage disposal proposed meets with town, county and state regulations.
4. Public Services: Preliminary engineering plans provide evidence that public services (roads, trails, fire, police, gas, electricity, telecommunications, schools and recreation) meet the requirements of this title and applicable codes.

C. Review Process:

1. Application: After completing the schematic plan review required in this title, the subdivider shall file an application for preliminary plat approval. See chapter 4 of this title, tables 2 and 3, for the information required to be included on or with the preliminary plat. The applicant shall provide the town with sufficient information so that it can provide notice by transmittal letter to such public agencies and utilities as deemed appropriate by the town manager, or designee, and in accordance with Utah Code Annotated section 10-9a-207, as amended. In the transmittal letter, the town shall request that each of the affected entities, as set forth in Utah Code Annotated section 10-9a-103(1), as amended, forward a report of its findings and recommendations to the town staff and planning commission by the date of the public hearing set for the preliminary plat approval. The developer shall pay for all costs incurred.
2. Town Staff Review:
 - a. Within a reasonable amount of time, the town manager and/or staff shall review the preliminary plat application for general compliance with these regulations, public works standards, design standards and other applicable ordinances. If the preliminary plat is not complete or not in general compliance, the town manager and/or staff shall notify the subdivider in writing and specify the respects in which it is deficient. When the submission is complete and in general compliance, the town manager, or designee, shall forward the preliminary plat to the planning commission.
 - b. The public works department and/or town engineer shall review submittals, plans and plats as to engineering requirements for street widths, grades, alignments, snow removal and storage, surface water flow and flood control, and for consistency of the proposed public improvements with this title and other applicable ordinances.
3. Planning Commission Review: When the filing of a preliminary plat of a subdivision and any other information required is deemed complete and accurate by the staff, the planning commission shall

hold a public hearing (commission with documentation as prescribed in chapter 4 of this title) to review and recommend thereon. If the planning commission finds that the proposed plat complies with the requirements of this chapter and it is satisfied with the plat of the subdivision, it shall forward to the town council a recommendation to approve, or approve with conditions, the plat. If the planning commission finds that the proposed plat does not meet the requirements of this title or other applicable ordinances, it shall deny such plat.

4. Town Council Review: Upon receipt of a recommendation from the planning commission, the town council shall meet to approve as recommended, approve as modified by the town council, or deny the proposed preliminary plat.

D. Effect Of Approval Of Preliminary Plat: Approval of the preliminary plat shall in no way relieve the applicant of his responsibility to comply with all ordinances, all issues identified during the schematic plan review (unless formally waived by the town council), and to provide all improvements and easements necessary to meet town standards and specifications.

E. Expiration Of Preliminary Plat Approval: Application for final plat approval shall be made within twelve (12) months after approval or conditional approval of the preliminary plat by the town council. This time period may be extended for no more than an additional twelve (12) months if the subdivider petitions for and the planning commission grants an extension prior to the expiration date. Only one extension may be granted. Failure to submit the application for final plat within the allotted time period shall cause the previous approvals to be null and void. Fees previously paid by the applicant shall not be refunded. (Ord. 08-016, 8-12-2008)

9-9-5: FINAL PLAT:

A. Purpose: The purpose of the final plat is to require formal approval of detailed engineering and legal requirements by the planning commission before a subdivision plat is recorded. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of this title. The final plat and improvement plans submitted shall conform in all respects to those regulations and requirements specified during the schematic plan and preliminary plat procedures. Pursuant to Utah Code Annotated sections 10-9a-603 and 10-9a-604, as amended, the town manager shall sign the final plat following planning commission approval.

B. Standards For Review: The applicant shall:

1. Comply with all conditions of schematic and preliminary plat approval.
2. Include acceptable final engineering plans for the water distribution system, final agreements from the water provider, and provisions for perpetual maintenance for the water system.
3. Meet all planning, engineering and surveying requirements of the town for maps, data, surveys, analyses, studies, reports, plans, designs, documents, wetlands designations, and other supporting materials.
4. Provide evidence to show that there is no encumbrance, lien or conveyance restricting the intended use of the lot.

5. Provide evidence from the county treasurer that all ad valorem taxes applicable to the property have been paid.
6. Include all dedications for streets, roadways, easements, trails and/or rights of way, as necessary.
7. Meet the requirements of chapter 4 of this title, table 3.
8. Provide signature blocks on the plat signed by a representative of public utilities which identify their approval as required by Utah Code Annotated.

C. Review Process:

1. Application: The subdivider shall file an application for final plat approval with the town manager or staff in such form and quantities as prescribed by the town, including one reproducible Mylar copy for recording. See chapter 4 of this title, table 3, for the information required on or with the final plat.
2. Town Staff Review: The town manager shall ensure that the final plat and associated documents have been checked by the applicable town departments (public works, public safety), town engineer and town attorney for completeness and general compliance with this title and for incorporation of any changes required during the preliminary plat procedure, and that other applicable approval agencies have granted approval. If the submission is not complete, not in general compliance with or does not incorporate conditions of previous approvals, the town shall notify the applicant in writing and specify the respects in which it is deficient. When the submission is complete, in general compliance with applicable ordinances, and incorporates all prior conditions of approval, the town manager, or designee, shall forward the final plat to the planning commission for review.
3. Planning Commission Review: Upon receipt of the final plat, the planning commission shall examine the plat to determine whether the plat conforms to the preliminary plat, all applicable town ordinances and codes, the standards of the town, and with all requirements imposed as conditions of previous acceptances. If the planning commission shall thereupon determine that the plat is in conformity therewith, it shall approve the plat. If the planning commission shall determine that the final plat does not fully conform to the preliminary plat, standards and prior conditions of approval, it shall: a) disapprove the final plat and advise the subdivider in writing of the changes or additions that must be made for approval; or b) table or continue the application to allow the subdivider to make revisions. The subdivider shall be responsible for notifying the town that he or she is ready to go to the planning commission for final plat approval. If such notification is not given within twelve (12) months from the date of the last action by the planning commission, all prior approvals shall be null and void. This time period may be extended for no more than an additional twelve (12) months if the subdivider petitions for and the planning commission grants an extension prior to the expiration date. Only one extension may be granted.

D. Security Agreement: Prior to recording a final plat, the subdivider shall obtain sufficient financial guarantee consistent with chapter 13 of this title. The accompanying agreement may contain such provisions as approved by the town attorney and town engineer.

E. Recording Final Plat: After final approval, filing of the bond agreements described in chapter 13 of this title, and signing of the plat by the town manager, planning commission chairperson, town engineer, town attorney, utility companies and other required entities, the plat and covenants, conditions and restrictions (CC&Rs) for the subdivision shall be presented by the town to the county recorder for recording. The subdivider shall pay all recording costs.

F. Expiration Of Final Plat Approval: If the requirements set forth above are not met by the subdivider within six (6) months from the date of final plat approval, such approval shall be null and void. This time period may be extended for good cause shown, for additional six (6) month periods by the town manager. The subdivider must petition for an extension prior to the expiration of the original six (6) months, or an extension previously granted. Up to two (2) extensions may be granted, if the town manager finds that each extension will not be detrimental to the town. If any of the fees charged as a condition of subdivision approval, including, but not limited to, inspection fees, park fees, flood control fees, as well as the amounts the town uses to estimate bonds to ensure completion of improvements, have increased, the town manager may require the subdivider pay such increases as a condition of granting the extension. If the final plat is not recorded within the required time frame, the applicant will be required to work within the time constraints of the approved preliminary plat phase.

G. Amending Or Vacating Recorded Plat:

1. Any landowner whose land has been platted as provided in this title may, upon application to the town, have such plat, or portion thereof, or any street or alley therein contained, altered, amended or vacated.
2. The procedure for amending, altering or vacating a subdivision plat is the same as that provided by Utah Code Annotated sections 10-9a-608 and 10-9a-609, as amended.
3. The planning commission is the land use authority designated to hear and act on proposals to alter or amend a subdivision plat.
4. Fees shall be charged per the consolidated fee schedule or, if not specifically defined, a fee that most closely resembles the requested change. (Ord. 08-016, 8-12-2008)

9-9-6: ACCEPTANCE OF SUBDIVISION IMPROVEMENTS:

A. Final Inspection; Acceptance Required: Subdivision improvements (see chapter 12 of this title) or such conditions imposed under this title shall be deemed accepted by the town only upon complete final inspection by the appropriate town official and the issuance of a certificate of acceptance by the town manager, or designee.

B. Conditions For Acceptance: In order for the subdivision public improvements such as streets, sewer and water to be accepted, the following shall occur:

1. Upon substantial completion of the subdivision improvements, the developer shall submit a written request for the town to conduct a substantial completion inspection.
2. Within a reasonable time of the request, and weather permitting, the town shall conduct an inspection of the improvements to ensure that they have been installed per the approved plans and specifications, and requirements of the town. The town shall issue a letter to the developer identifying required corrections to be completed prior to the one year warranty period beginning. The public improvement as built drawings shall be submitted to (in Mylar and approved electronic format) and accepted by the town prior to the commencement of the one year warranty period. At the beginning of the warranty period, the town shall release all funds, except for a retention bond as allowed per Utah Code Annotated. During the one year warranty period, the town may provide services to the subdivision such as water, sewer, snow removal and garbage collection.

3. At the end of the one year warranty period, the developer may submit a written request to the town for a final acceptance inspection of the subdivision improvements. Upon completion of any required corrections or repairs, the town shall issue a letter of final acceptance and release any retention due to the developer. (Ord. 08-016, 8-12-2008)

9-9-7: LOT OR PARCEL SPLIT:

A. Purpose: The purpose and intent of the minor subdivision procedure is to allow owners of property located in R-1, R-2 and R-3 zones to divide their property into no more than two (2) legal sized parcels with a minimum of time and expense.

B. Review Process:

1. The subdivider shall file an application form (obtained from town) accompanied by the information specified in chapter 4 of this title, table 2, for lot split and the appropriate fee as indicated on the consolidated fee schedule.
2. The town staff and other appropriate agencies shall review the proposed subdivision. The developer shall pay all costs incurred.
3. The parcel split may be approved, approved with conditions, or denied by the building official, the designated land use authority. The decision shall be made within a reasonable time period after receipt of the application.
4. When the final plat is in compliance with all applicable ordinances and conditions, the plat shall be signed by the town manager.
5. The resulting lots, including existing structures, must be consistent with current setback, height and other zoning district restrictions.

C. Standards For Review: Approval of a lot or parcel split shall be based on the following standards:

1. The proposed lot or parcel split will result in parcel sizes and uses that are consistent with the town general plan.
2. The lots created as provided under this section shall retain their existing zoning.
3. The proposed lot or parcel split will create lots consistent with current requirements of the applicable zone.
4. The proposed lot or parcel split shall comply with the applicable regulations of this title.
5. The lot or parcel split may create no more than one new lot or parcel (a total of 2 lots, including original lot).
6. A further lot or parcel split may not be requested for either resulting parcel sooner than three (3) years from the previous lot or parcel split, except as provided for in sections 9-9-3, 9-9-4 and 9-9-5 of this chapter. (Ord. 08-016, 8-12-2008)

9-9-8: SUBDIVISION BY METES AND BOUNDS:

A. Purpose:

1. The intent of subdivision by metes and bounds is to streamline the subdivision review and approval process for commercial or industrial lots in coordination with the street system, existing and proposed utility easements, sewer and water lines, storm drainage easements, and plans for future lot divisions.
2. When the subdivider is prepared to sell specific parcels of property not previously subdivided, he or she must demonstrate to the satisfaction of the town the following:
 - a. That proposed lots conform to the previously approved general plan and this title;
 - b. That the utility and/or vehicular access to remaining undeveloped property will not be impaired;
 - c. The proposed lots will have access to necessary utilities, unless otherwise approved by the town and applicable authority;
 - d. That remnant parcels are not created which, due to size, configuration or location, do not meet current zoning requirements and/or are not able to be developed; and
 - e. The proposed subdivision meets the criteria for exemption from the plat requirement set forth by the Utah Code Annotated section 10-9a-605, as amended.

B. Review Process:

1. Prior to the subdivision of any parcel or tract by metes and bounds, such subdivision shall be approved by the zoning administrator. The approval shall be based on the compliance of the proposed subdivision with the laws and ordinances of the town with respect to street improvements, installation of utilities, zoning requirements and flood control requirements.
2. If streets are to be dedicated to the public, a dedication plat shall be approved and recorded before specific lots are approved. If dedication is required for existing streets, a warranty deed shall be submitted for such dedication before lots are approved.
3. The subdivider shall submit a complete application, which shall include one reproducible copy and two (2) prints of the property survey and legal description certified by a licensed land surveyor, and any necessary improvement plans and bond agreements. At the time application is made, the owner shall pay an application fee as published in the consolidated fee schedule.
4. The town staff, along with other appropriate departments and agencies, shall review the proposed subdivision.
5. The subdivision may be approved, approved with conditions, or disapproved. The decision shall be made within a reasonable time period after receipt of the application. If the subdivision is not approved, the town staff shall notify the subdivider in writing and provide the reasons for the disapproval.

6. If the survey is in compliance with all applicable ordinances and conditions, the plat shall be signed by the town manager. (Ord. 08-016, 8-12-2008)

9-9-9: VACATION OR ADJUSTING LOT LINES WITHIN SUBDIVISION PLAT:

A. Approving Body: The planning commission is hereby designated and appointed to hear and consider, with or without a petition, any proposed vacation of a lot line contained in a final recorded subdivision plat.

B. Who May File Petition: Any fee owner of land within a subdivision plat, as shown on the last county assessment rolls, that has been laid out and platted as provided in this title, may, in writing, petition the town through the planning commission to have a lot line within the plat vacated as provided in this section.

C. Petition Requirements: Each petition to vacate a lot line within a plat shall include:

1. The names and addresses of all owners of record of the land contained in the entire plat;
2. The names and addresses of all owners of record of land adjacent to any street that is proposed to be vacated, altered or amended;
3. The signature of each of the owners under subsection C1 of this section who consents to the petition; and
4. Payment of applicable fees per the town consolidated fee schedule.

D. Requirements For Hearing Following Petition: If a petition is filed, the planning commission shall hold a public hearing within forty five (45) days after receipt of the petition if:

1. Any owner within the plat objects in writing to the petition within ten (10) days of mailed notification; or
2. A public hearing is required because all of the owners have not signed the revised plat.

E. Lack Of Consent Of All Owners: A petition that lacks the consent of all owners referred to in subsection C of this section may not be considered at a public hearing before the planning commission until the notice required by this section is given. The town shall give the notice with the petitioner paying all costs of such notice.

F. Proposal By Town: If the town proposes to vacate a lot line within a subdivision plat, the planning commission shall consider the issue at a public hearing after giving notice as required by this title and in accordance with Utah Code Annotated section 10-9a-208, as amended.

G. Notice Of Hearing For Lot Line Vacation: Whenever a hearing is required with regard to a proposed lot line vacation, the town staff shall give notice in compliance with section 9-1-8 of this title, of the proposed lot line vacation by mailing the notice to each owner of property located within three hundred feet (300') of the property that is the subject of the proposed lot line vacation, and addressed to the owners' mailing addresses appearing on the rolls of the county assessor. The town staff shall ensure that the notice includes the date, place and time when a

hearing will be held, if one is required, to consider the lot line vacation when written objections are received, or to consider any petition that does not include the consent of all landowners as required by subsection C of this section.

H. Grounds For Vacation Of Lot Lines:

1. Within thirty (30) days after any public hearing required by this section, the planning commission shall consider the petition.
2. If the planning commission is satisfied that neither the public nor any person will be materially injured by the proposed vacation and that there is good cause for the vacation, the planning commission may vacate the lot line.
3. The planning commission may approve the vacation by amended plat, administrative order, or deed containing a stamp or mark indicating approval by the planning commission.

I. Petitions To Adjust Lot Lines:

1. The chief building official is appointed to hear and consider any proposed adjustment of any lot line of adjacent parcels described by either metes and bounds description or contained in a final recorded plat. Petitions to adjust lot lines between adjacent properties shall be approved without a hearing if:
 - a. No new dwelling lot or housing unit results from the lot line adjustment;
 - b. The adjoining property owners consent to the lot line adjustment;
 - c. The lot line adjustment does not result in remnant land that did not previously exist; and
 - d. The adjustment does not result in violation of applicable zoning requirements.
2. If a lot line adjustment is approved, a notice of approval shall be recorded by the town in the office of the county recorder. The notice of approval shall:
 - a. Be executed by each owner of property included in the lot line adjustment and by the chief building official;
 - b. Contain an acknowledgment for each party executing the notice of approval in accordance with the provisions of Utah Code Annotated title 57, chapter 2a; and
 - c. Recite the descriptions of both the original parcels and the parcels created by the lot line adjustment.
3. Upon approval of a lot line adjustment, the parties involved shall record an appropriate document exchanging title to the portions of the parcels involved in the lot line adjustment.

J. General Provisions:

1. Applications for lot line vacations or lot line adjustments are not finalized until the approval of such is recorded in the office of the county recorder.

2. An aggrieved party may appeal the planning commission or chief building official's decision to the appeal authority. (Ord. 08-016, 8-12-2008)

9-9-10: CONVERTIBLE OR EXPANDABLE AREA FOR CONDOMINIUMS:

Land use approvals depicted with convertible or expandable space shall comply with the requirements of Utah Code Annotated title 57, chapter 8, and the declaration associated with the project. Conversions and expansions of projects shall go through a plat amendment process unless the original plat approval specifically identifies the proposed conversions and expansions of the project, and the amended plat and declaration are in harmony and conformance with the original project approval. In such cases, the amendment documents may be recorded when they have been reviewed, signed and approved for recordation by appropriate town staff.

9-9-11: APPEAL OF LAND USE AUTHORITY DECISION:

Appeal may be made to the appeal authority of any final decision of the designated land use authority applying this chapter by an aggrieved person or by any officer, department, board or agency of the town affected by such action. Appeals shall be made by filing, in writing, with the town clerk/recorder within ten (10) days after the decision is made. The appeal shall be scheduled for hearing by the appeal authority within a reasonable time period and as agreed upon by both parties. The appeal authority may affirm, modify or overrule the decision being appealed. The filing of an appeal shall stay all proceedings and actions in furtherance of the matter appealed, pending a decision of the appeal authority. (Ord. 08-016, 8-12-2008)

Chapter 10

OTHER REQUIRED PERMITS

9-10-1: LOGGING AND TREE REMOVAL:

9-10-2: GRADING PERMIT:

9-10-3: TRENCHING PERMIT:

9-10-4: HORSE BOARDING:

9-10-5: TEMPORARY CONCRETE BATCHING FACILITIES:

9-10-6: HOME OCCUPATIONS:

9-10-7: BURN PERMITS:

9-10-8: TEMPORARY STRUCTURES, TENTS AND VENDORS

9-10-1: LOGGING AND TREE REMOVAL:

A. Purpose:

1. It is the intent of the town to keep the forest atmosphere while allowing needed growth and landscaping to continue. It is the desire of the town that when possible new growth trees should be saved, while encouraging a safe fire zone around structures and all areas within town limits.
2. It is unlawful for any entity or person to log, harvest, cut down, remove, relocate, or cause any such to be done, or knowingly damage so as to require the cutting down or removal of any live tree with a diameter at breast height (dbh) of six inches (6") or greater without a permit. Permits may be issued for the cutting down or removal of diseased or dead trees and relocation or removal of live trees for the clearing of residential or commercial building sites with the appropriate approvals and building permits, or to accommodate the installation of pipelines with the appropriate approvals and permits. Any such cutting or tree removal shall require a tree removal permit as provided in this section.

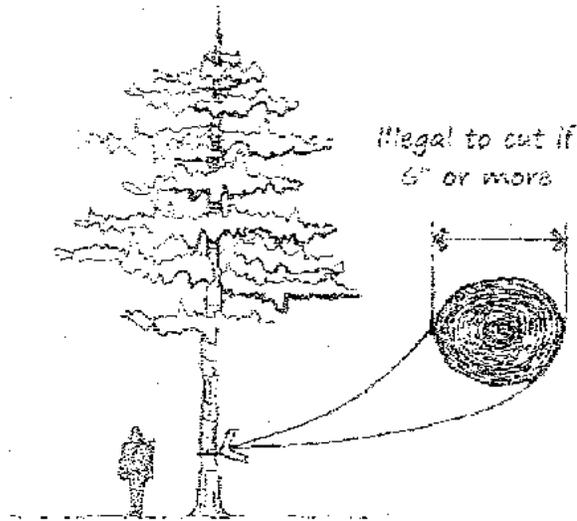


Figure 10.1: Diameter at average breast height.

B. Permits:

1. Permits to cut down, relocate, or remove a tree as provided under this title shall be issued by the town manager, or designee. An applicant shall provide such information as the town deems necessary to adequately evaluate the permit application, including, but not limited to, the following:
 - a. The general location of any diseased or damaged trees, the time when the commercial operator will be performing tasks, and an estimate of the total board feet per acre represented by the diseased trees proposed to be cut.
 - b. The location of any temporary roadways or skidways necessary to effect the tree removal and designation of all areas on the site plan which shall remain undisturbed.
2. The permit application shall be accompanied by the appropriate fee as indicated on the consolidated fee schedule and reviewed by the town manager, or designee, and any other staff deemed necessary to assist in application review.
3. A tree removal permit is not required for routine maintenance, or removal of vegetation or trees as part of fire mitigation or general landscape improvements on residential lots.

C. Standards For Review: Permit applications shall be reviewed pursuant to the following standards:

1. The intended removal or relocation of a tree will have an acceptable impact on flooding, snow slide and landslide hazards, watershed areas, spring protection zones, water runoff and erosion areas, public rights of way, wind breaks, and other trees and vegetation.

2. The tree removal is necessary to eliminate or minimize disease, a danger of tree fall, danger to utility lines or structures, dangers to public rights of way, dangers to buildings or other structures, including fences or other trees, and will generally contribute to desired decrease in fire hazard in the forest.
3. The removal of the subject tree will not significantly diminish the aesthetics or historical character of the site, adjoining properties or neighborhood.
4. The removal or relocation of a tree is reasonably necessary for the development, installation or construction on the subject property or site, or is otherwise necessary or important to the reasonable use or enjoyment of the site property, or adjacent properties.
5. The removal or relocation of the subject tree is warranted by good forestry practice, including the consideration of the number, spacing and species of trees on the site or adjoining properties.
6. The removal of the subject tree will not negatively impact the privacy or architectural relationships between existing or planned structures on the site with other structures, trees or tree groupings.
7. Full consideration has been given to the relocation, rather than removal, of healthy trees.
8. Slash shall be removed, burned (with permit required), or chipped on site.
9. Re-vegetation and/or reforestation are required.

D. Inspections: All tree removal shall be subject to inspection at all reasonable times by the town manager, or designee. The permittee shall notify the town manager, or designee, within three (3) business days of completion of the tree removal allowed under the permit.

E. Security For Completion: The permittee shall furnish and file with the town clerk/recorder appropriate security pursuant to section 9-13-7 of this title. The security shall cover costs of cleanup, restoration and/or re-vegetation of the area where trees are to be removed.

F. Forester's Opinion: The town manager, or designee, may request the forester's opinion regarding the appropriateness of the selection of the trees to be removed and the need for reforestation of the site. The appropriateness of the trees selected for removal shall consider the purpose of the tree removal, the fire danger before and after the removal, and the alternatives to tree removal to accomplish the stated purpose of the tree removal, such as the relocation of trees or redesign of a project.

G. Expiration: Unless a shorter time is stated in the tree removal permit when it is issued, all tree removal permits shall expire six (6) months after they are issued. All activities required or allowed by the permit, including cleanup, must be completed while the permit is in effect. Except with regard to required revegetation, upon expiration of the permit, all tree removal activities shall cease and a new tree removal permit must be obtained by the applicant, before engaging in further tree removal activities. (Ord. 08-016, 8-12-2008)

9-10-2: GRADING PERMIT:

A. Purpose: The purpose of a grading permit is to document when earth is being graded, removed or placed in an effort to change the original site topography. Because soil material is a valuable resource within the town, it is desirable to use the resource in town where possible, so that

additional material does not have to be imported unnecessarily. A grading permit shall also ensure that material is properly placed and compacted. In cases where it is temporarily stored for use on another site, the storage site must be permitted for such use and restored to original condition within a reasonable time to prevent erosion. This permit is not intended to authorize commercial gravel operations or long term storage of materials for which there is no known use. Grading permits will only be issued in conjunction with a building permit, when applicable, to reduce cases of lots being left unfinished.

B. Permit Required: No person shall commence or perform any grading or filling or clearing of land without first having obtained a permit from the building department and ascertained the existence and location of any underground utilities. This section shall not restrict a soils test or utility location pit up to six feet (6') in depth. Any person undertaking utility location shall comply with the applicable Blue Stakes regulations and standards. No permit will be required for grading associated with landscaping on residential lots when it does not affect utility locations, require retaining walls over four feet (4') high, or change the site drainage from historical patterns.

C. Review Process:

1. Application Form: Application forms are available from and shall be submitted to the building department with the appropriate fee as outlined in the consolidated fee schedule. A list of additional information that may be required may be obtained from the building department.
2. Application Packet: The applicant shall submit a permit packet, which includes:
 - a. Site plan, showing surface drainage flow patterns and a report of subsurface investigation if it appears that there is a history or appearance of potential landslide or erosion that may be caused or exacerbated by the proposed grading or filling;
 - b. Agent authorization to use the land if it is not owned by the applicant;
 - c. List of materials and quantities to be removed from or brought to the site for the work;
 - d. List of equipment to be used on the site to complete the job;
 - e. Written explanation as to how the applicant will comply with this section regarding noise, dust, smell, safety and other nuisances;
 - f. The source of water to be used for compaction and dust abatement;
 - g. Restroom facilities;
 - h. Insurance and bond information (if work is to be in the public right of way);
 - i. Storm drain and erosion control plan;
 - j. Site restoration and vegetation plan;
 - k. Other information that will show how the operation will be conducted and site restored after use;

I. In cases where earth material is to be stored for relocation to another site, the application shall identify the approximate quantity to be stored, the receiving site it will be permanently placed on, and a time frame by which it will be completed, not to exceed one year.

D. Town Review: The building department shall determine the adequacy of the application and may require the submission of further information where necessary. If grading is planned for a commercial or multi-family use greater in area than two thousand (2,000) square feet, a grading plan must be prepared and presented to the planning commission for review, except for the approval of temporary storage sites described in subsection A of this section, which may be permitted on an administrative basis.

E. Inspections: All construction or work for which a permit is required shall be subject to inspection at all reasonable times by the building department. The building department may make any inspections of any construction work deemed necessary to ascertain compliance with the provisions of this chapter and other ordinances which are applicable. The permittee shall notify the building department at least twenty four (24) hours in advance when grading reaches completion and prior to being covered or concealed by additional work. Whenever any work on which inspections are required is covered or concealed by additional work without first having been inspected, the building department may require, through written notice, that such work be exposed for examination. The work of exposing and recovering shall be an expense of the permittee requiring the inspection.

F. Performance Bond: The town may require a performance bond in such form and amounts as may be deemed necessary to assure the work will be corrected to eliminate hazardous conditions. In lieu of a performance bond, the applicant may file a cash bond or instrument of credit with the town in an amount equal to that which would be required in the performance bond and in conformance with section 9-13-7 of this title.

G. Security For Completion: Security in a form consistent with section 9-13-7 of this title and the accompanying agreement shall be completed prior to permit approval to ensure the cleanup and restoration of the permit area.

H. Standards For Review: All grading, filling and clearing operations which are performed under this chapter shall be consistent with section 9-12-11 of this title, and shall be designed to:

1. Minimize cuts and fills on steep or hazardous terrain. Ensure that all excavation work, including spoil piles, do not create an attractive nuisance or hazard to the general public.
2. Eliminate scars from cuts and fills, and preserve the natural scenic beauty of the area, such as by rounding off sharp angles at the top, toe and sides of cut and fill slopes to preserve, match or blend with the natural contours and undulation of the land, and by retaining trees and other native vegetation.
3. Limit clearing of vegetation or disturbances of the soil to areas of proven stability, taking into consideration geologic hazards and soil conditions, and ensure revegetation and restoration within one year of completing the grading work, and that all new vegetation survives for one year following the planting.
4. Assure that the natural runoff capacity of hillsides, slopes, graded areas, cleared areas, filled areas or streams shall not be exceeded, causing flooding, erosion or silting greater than that which would have occurred if the land had been left in its natural state.

5. Ensure that the equipment and machinery (i.e., excavators, compactors, trucks, shakers, crushers, etc.) used to excavate and process the material will only be used for the duration of the excavation or grading process, will only be used on a permitted site, and will not create a nuisance according to other provisions of this code.

I. Discharge Prohibitions:

1. No solid or liquid materials shall be discharged into any creeks or streams, onto lands below the high water level of the same, or onto adjoining property.
2. In order to prevent such discharges from occurring, approved erosion and silt control devices may be required for all grading and filling. Control devices and measures which may be required include, but are not limited to, the following:
 - a. Energy absorbing devices to reduce the velocity of runoff water.
 - b. Sedimentation controls such as desilting basins and catch basins. (Any trapped sediment shall be removed to a disposal site approved by the building department.) Dissipation or discharge of water runoff from developed areas into drainage fields to dissipate the runoff into the subsoil.
 - c. Multiple discharge points to reduce the volume of runoff over localized discharge areas.
 - d. Physical erosion control devices (e.g., culverts, rock banks, etc).
 - e. Approved temporary erosion and sedimentation control devices, facilities and measures shall be required during construction.

J. Waste Materials, Including Soil, Silt, Clay, Sand And Other Organic Or Earthen Dust Control:

Whenever the native ground cover is removed or disturbed, or whenever fill material is placed on the site, the exposed surface shall be treated to eliminate dust arising from the exposed material. The building department must approve dust control methods.

K. Disposal Of Cleared Vegetation: Vegetation removed during grading or clearing operations shall be disposed of in a manner approved by the building department. See section 9-10-1 of this chapter.

L. Water Flow Diverters: The town engineer may require diverters, as necessary, at the top of all cut and filled slopes where there is a surface runoff potential.

M. Protection Of Non-constructed Areas:

1. There shall be no excavation on the site before the building department has approved the location (stakeout) of the drives, parking sites, building sites and other areas to be graded or filled.
2. Construction equipment shall be limited to the actual area to be graded according to the approved plans. No vehicle of any kind shall pass over areas to be left in their natural state according to the approved plans.
3. Appropriate barriers shall be placed around all native vegetation proposed for retention, trails, public rights of way, etc., as may be required to be erected during construction to prevent a hazard or damage to property or persons.

4. The permittee shall be fully responsible for any damage caused to existing trees or other vegetation. The permittee shall carry the responsibility both for their employees and for any and all subcontractors from the first day of construction until the notice of completion is filed.

N. Protection Of Any Existing Underground Public Utilities: The contractor shall ascertain and verify the location of any public underground utilities that may be on the property by contacting Blue Stakes, or other applicable agency, before doing any grading excavation. Once such are located, the permittee shall take reasonable care to protect and avoid damage to any such underground utilities by contacting Blue Stakes, or other applicable agency, for such utilities to be located. Any and all damage caused to public utilities by any act or negligence of the contractor's employees shall be repaired at the contractor's expense to the satisfaction of the utility company and the town.

O. No Grading Near Historic Or Prehistoric Ruins:

1. No grading, filling, clearing of vegetation, operation of equipment or disturbance of the soil shall take place in areas where any historic, prehistoric ruins, monuments or objects of antiquity are present.

2. The grading plan shall indicate all such historic or prehistoric areas on the site and shall indicate the measures that will be taken to protect such areas. Should excavation uncover or discover any historic or prehistoric ruins or monuments or object of antiquity which were not known at the time of the submittal of the grading plan, all work in the immediate area shall cease until the town manager, or designee, shall determine what precautions should be taken to preserve the historic artifacts. (Ord. 08-016, 8-12-2008)

9-10-3: TRENCHING PERMIT:

A. Permit Required For Trenching On Public Or Private Property: No person shall perform any trenching or other excavation on public property, public right of way, public easement or private property within the town limits before completing the following items. This section shall not restrict a soils test, utility location pit up to six feet (6') in depth, or general landscaping activities. Any person undertaking utility location shall comply with the applicable Blue Stakes regulations and standards:

1. For any trenching, such as that for water pipes, sewer pipes, gas pipes or culverts, file a written application with the building department and obtain a written permit;

2. For utility trenching such as for power, telephone or television, obtain a permit from the building department;

3. Contact Blue Stakes, utility companies or other applicable agency to field locate any coinciding underground utilities;

4. Review a copy of the American Public Works Association (APWA) Utah edition or current code for water and sewer piping materials and installation; and

5. After review from the appropriate departments, state or federal office, if applicable, a permit may be issued.

B. Review Process: Application forms are available from and shall be submitted to the building department. See chapter 4 of this title for information required with the application. A list of additional information that may be required may be obtained from the building department. Included shall be the following:

1. Site plan. The site plan shall show all property boundaries, existing and proposed new underground utility mains, laterals, manhole inverts, piping grades, valves, meters, thrust blocks, and any other known appurtenances.
2. Material and installation specification and connection details. Underground piping shall comply with the current adopted code.
3. As built drawings. These drawings shall be furnished to the building department for record purposes within thirty (30) days after the work is completed, or forfeit any outstanding bonds. An extension period may be granted for a sufficient reason.

C. Barricades: All open trenches and excavations shall have approved barricades to protect pedestrians and vehicles. Appropriate barriers shall also protect vegetation.

D. Shoring Required: Trench shoring, in accordance with OSHA regulations, is required for all trenches.

E. Inspection: All trenches and excavations for which a permit is required shall be kept open until the utility within the trench has been inspected and tested by the appropriate personnel. Any results of any inspection reports shall be forwarded to the building department. All pavement and easement repairs shall also be subject to inspection and approval before final acceptance is given. When required by the town, the contractors shall employ a special inspector during the construction.

F. Pavement Repair; Performance Security: When required by the town, the contractor shall furnish and file with the town clerk/recorder appropriate security pursuant to section 9-13-7 of this title. A cleanup security bond shall also be required and posted prior to issuance of the permit, as indicated on the consolidated fee schedule. If the inspection of the completed work shows that the standards and specifications have been met, the security completion bond shall be released upon acceptance by the town after the one year warranty period. Paving repair materials shall comply with the town specifications and/or the state department of transportation specifications, as applicable.

G. Easement And Right Of Way Repair: The surface of all disturbed areas within easements or rights of way shall be returned to its original good condition and properly backfilled and compacted per AWPA Utah edition, or current code. Excess excavated material and vegetation debris shall be removed from the site. Property adjoining the easement or right of way shall be protected from damage during trenching, utility installations and backfilling, and all work shall stay within the easement or right of way limits. All damage to adjoining or neighboring property caused by any act or neglect on the part of the contractor shall be repaired at the contractor's expense to the satisfaction of the town and/or the property owner.

H. Protection Of Any Existing Underground Public Utilities: The contractor shall ascertain and verify the location of any public underground utilities that may be on the property by contacting Blue Stakes, or other applicable agency, before doing any grading or excavation through Blue Stakes, or other applicable agency. Once such are located, the contractor shall take reasonable care to protect and avoid damage to any such underground utilities. Any and all damage caused to

public utilities by any act or negligence of the contractor's employees shall be repaired at the expense of the contractor, or its employees, to the satisfaction of the utility company and the town.

I. No Trenching Near Historic Or Prehistoric Ruins:

1. No trenching, filling, clearing of vegetation, operation of equipment or disturbance of the soil shall take place in areas where any historic, prehistoric ruins, monuments or objects of antiquity are present.
2. The trenching plan shall indicate all such historic or prehistoric areas on the site and shall indicate the measures that will be taken to protect such areas. Should excavation uncover or discover any historic or prehistoric ruins or monuments, or any objects of antiquity which were not known at the time of the submittal of the grading plan, all work in the immediate area shall cease until the town manager, or designee, shall determine what precautions should be taken to preserve the historic artifacts.

J. Fees: Trenching permit fees shall be submitted according to the consolidated fee schedule. Said fees are payable upon submission of the application. (Ord. 08-016, 8-12-2008)

9-10-4: HORSE BOARDING:

A. Requirements:

1. Residential Horse Boarding:

- a. Purpose: Residential horse boarding is intended to provide for short term boarding of horses in an approved residential zone with adequate property size and in such a way as to limit any negative impact on adjoining properties and maintain the harmony and residential character of the neighborhood.
- b. Permitted Zones; Limitations: Horse boarding is permitted in an R-1 zone only, outside of any zone 1 and 2 water source protection zone, and shall be subject to the following limitations:
 - (1) A horse enclosure area shall have a fence structure of at least forty two inches (42") in height and shall enclose at least one hundred forty four (144) square feet per horse. Such enclosure area shall be located at least fifty feet (50') from any property line or residential structure.
 - (2) The horses shall be used for the riding/packing pleasure of the property owner and his guests and shall not be available to the public for hire.
 - (3) The site shall be maintained in a sanitary condition and shall conform to all public regulations. Appropriate fly control methods must be demonstrated.
 - (4) Drainage from the boarding area shall be maintained on the property and shall not be directed toward public street rights of way, adjoining property or any creek or stream.

(5) Each animals' physical description, together with its owner's name and phone number, shall be filed with the public safety department so that the owner may be contacted in the event of escape or other emergency.

2. Commercial Horse Boarding Permit:

a. Purpose: A commercial horse boarding permit is intended to allow for the boarding, riding and enjoyment of horses on a for hire, commercial basis in such a way as to not create a negative or detrimental impact on associated properties, and to maintain the harmony and character of the zone.

b. Permitted Zones; Limitations: A horse boarding permit issued in ROS, GC and LI zones shall be subject to the following limitations:

(1) The property owner shall send a request by certified mail to each adjoining property owner within three hundred feet (300') of the boarding corral/structure. If the adjoining property is owned by multiple owners (i.e., a condominium development, etc.), the notice shall be mailed to each individual property owner.

(2) A horse enclosure area shall have a fence structure of at least forty two inches (42") in height and shall enclose at least one hundred forty four (144) square feet per horse. Such enclosure area shall be located at least fifty feet (50') from any property line or occupied structure.

(3) The site shall be maintained in a sanitary condition and comply with all town, county, state and federal applicable rules and regulations.

(4) Drainage from the boarding area shall be maintained on the property and shall not be directed toward public street rights of way, adjoining property or any creek or stream.

(5) A commercial horse boarding operation must have a current valid business license.

B. Revocation Or Discontinuance: A boarding permit may be revoked by the town after an opportunity for a hearing if the provisions of this section or the limitations prescribed as a condition of the permit are being violated, or if the horses are not being properly cared for as determined by the state Humane Society guidelines or in violation of the town nuisance ordinance. A permit shall become void if not used within one month from the date of issuance.

C. Appeal: Any resident or property owner may file with the appeal authority an appeal of any action of the town staff in connection with issuance or denial of a boarding permit, or the conditions attached thereto, within ten (10) days following such action. In the event of appeal, the appeal authority, after receiving a report from the town staff, may confirm, reverse or modify the action of the town staff. A public hearing shall not be required. (Ord. 08-016, 8-12-2008)

9-10-5: TEMPORARY CONCRETE BATCHING FACILITIES:

A. Purpose: The purpose of this section is to allow temporary concrete batch plants to be erected and used during a limited time of the year, on any property that conforms to these requirements, to provide concrete batching facilities in the town where industrial zoned land is unavailable for such use. The batch plant shall be associated with an assigned building permit of a chosen project to limit the time it can be in use, but does not need to be on the same property as the permitted project. This license does not exclude the batch plant from delivering concrete to other

projects on a commercial basis. This permit does not grant any vested rights for this use to the property it is located on.

B. Permits:

1. A permit shall be required for any concrete batch plant that is erected or conducted within the town limits if it: a) loads any type of truck or equipment with concrete materials for the purpose of delivering them on site or to another location for final use; b) stores concrete materials or equipment, such as sand, gravel, cement powder, water, delivery trucks or equipment, batching equipment or anything related to the process.
2. A permit is not required when concrete batching is conducted in quantities of less than one cubic yard at a time (delivered in bags, or small bulk quantities), to be used only in the location of the batching, and not delivered to any off site location.
3. The town manager, or designee, shall review all applications submitted under this section and ensure that the application and the operation represented thereby strictly complies with each requirement of this section and will not create a nuisance, negative effect or safety hazard on the proposed site, surrounding property or to the citizens of the town. The town manager, or designee, shall have the authority to approve, deny or revoke any application or permit obtained under this section.

C. Permit Application: The applicant shall submit a permit packet, which includes:

1. Permit application;
2. Site plan;
3. Agent authorization to use the land if it is not owned by the applicant;
4. List of materials to be stored on the property, along with quantities;
5. List of equipment to be used on the site for delivery of raw materials, loading and processing of concrete, and delivery and placement of concrete materials;
6. Written explanation as to how the applicant will comply with this section regarding noise, dust, smell, safety and other nuisances;
7. The source of water to be used for concrete batching;
8. Restroom facilities;
9. Insurance and bond information;
10. Town indemnification agreement;
11. Storm drain and erosion control plan;
12. Site restoration plan;
13. Other information that will show how the operation will be conducted, and site restored after use.

D. Inspections: All approved permit locations shall be subject to inspection at all reasonable times by the town manager, or designee. The permittee shall notify the town manager, or designee, within three (3) business days of completion of the project and removal of the equipment under the permit.

E. Permit Standards:

1. The operation may be located on town owned or leased property deemed fit by the town council for such facilities. The license shall be tied to one single building permit only, but may be transferred to another permit, one time only.
2. The facility shall only be operational from May 1 until November 1 of any given year, weather permitting. The town staff may grant a one month extension, weather permitting.
3. Operation of equipment, trucks and motors shall only be conducted between the hours of seven o'clock (7:00) A.M. to eight o'clock (8:00) P.M.
4. The facilities shall be maintained in a clean and orderly condition and the operator of the facility shall ensure that all dust, dirt, mud and excess water from any material, trucks, land, roads and facilities leading to, from and on the facility site are controlled.
5. No structure or portion of the facilities or any equipment used in connection with the facilities or their operation shall exceed fifty feet (50') in height above natural grade. The facilities shall be completely fenced and locked during nonbusiness hours. All hazardous materials stored on site must be properly contained and legally disposed of.
6. At the time of filing its application for approval of a facilities site and operation, the operator shall file with the town a cash deposit of five thousand dollars (\$5,000.00). This is to ensure the operation of all facilities in compliance with this section, ensuring cleanup and restoration of the property upon which the facilities are to be located, and ensuring that the operator pay for any damages to private or public property or improvements which result in any way from the operation of or related to the facilities. Interest earned from the cash deposit will accrue to the benefit of the applicant.
7. At the time of filing its application for approval of a facilities site and operation, the operator shall provide the town with proof of general liability insurance in the sum of one million dollars (\$1,000,000.00) per occurrence, naming the town as an additional insured. Such insurance shall not be subject to cancellation except upon thirty (30) days' prior written notice to the town.
8. The lot, property or parcel of land on which the facilities are to be located or operated shall be large enough to accommodate all facilities, equipment, concrete trucks, vehicles and employee vehicles. No public roads may be used for any part of or for any use associated with the facilities or their operation.
9. The operator shall be required to meter all water used with regard to the facilities or their operation and shall pay to the town, as required by the town, the rate established by the town for bulk water sales.
10. Facilities shall be allowed and permitted by the town on a first come, first served basis. No more than three (3) concrete batching plants shall be allowed or permitted within the town boundaries at any one time.

11. Any facilities or operations proposed to be located within any well protection zone shall submit with their application a plan specifically identifying the measures which will be taken to protect against contamination of the well protection zone or the associated water or water source. The operator of any facility or operation approved for location within any well protection zone shall agree in writing, prior to the application being approved, to pay any and all costs and damages incurred as a result of any contamination of such well protection zone or the associated water and water source.
12. A facility shall identify and follow a plan to protect adjoining properties and the general citizenry from unreasonable nuisances and hazards relating to the operation of the batch plant in comparison to typical construction processes or similar process that may become an attractive nuisance.
13. An adequate number of temporary restroom and construction material container facilities shall be located on the facility site and shall be properly and regularly serviced and maintained. (Ord. 08-016, 8-12-2008)

9-10-6: HOME OCCUPATIONS:

A. Purpose: It is the purpose and intent of this section to allow persons residing in dwellings to use their mental or physical expertise and talent in providing a service, developing a product for sale to the public, operating certain kinds of small businesses or maintaining a professional or business office work space in the dwelling, or in an attached or detached garage or accessory building, or yard space, while at the same time maintaining the peace, quiet and domestic tranquility within all residential areas of the town. It is further the purpose and intent of this chapter that home occupations shall be clearly accessory and subordinate to the principal use of the property for dwelling purposes.

B. Permitted Standards For Home Occupations When Conducted Entirely Within Residence: The following standards shall be observed in the operation of all home occupations to be approved by town staff:

1. The home occupation shall be conducted primarily by residents of the premises. A home occupation may have employees; however, only one employee who does not live in the home may come to the home at any one time for purposes of employment. One additional off street parking stall shall be provided for any employee coming to the home who is not a resident of the premises.
2. The home occupation shall not physically change the dwelling or yard space to the extent that it would alter the residential or aesthetic character of the dwelling, yard or neighborhood.
3. The home occupation shall be allowed one nameplate sign, which shall be consistent with chapter 14 of this title. Temporary signs shall not be permitted for home occupations.
4. The home occupation shall not generate pedestrian or vehicular traffic in excess of that customarily associated with the zone in which the use is located, as determined by the zoning administrator and appropriate regulatory authorities. "Occupancy load", as defined by the currently adopted building code, shall not be exceeded.
5. The home occupation shall not cause a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential use, as determined by the zoning administrator and appropriate regulatory authorities.

6. Sale of commodities produced on the premises shall be permitted. The sale of all commodities shall be by prior individual invitation only.
7. Home occupations shall conform to business license requirements of title 3 of this code.
8. There shall be complete conformity with all applicable town, county, state and federal laws and ordinances.

C. Conditional Use Standards For Home Occupations Using Attached Or Detached Garages, Accessory Structures Or Yard Space: The following standards shall be observed in the operation of all home occupations using garages, other accessory structures or yard space, which shall be approved by conditional use, in addition to the standards specified in subsection B of this section:

1. An occupation may be considered as a conditional use only under the following conditions:
 - a. The planning commission finds that the proposed home occupation will be clearly accessory and subordinate to the principal use of the property for dwelling purposes; and
 - b. The planning commission finds that the proposed home occupation will not adversely affect the residential nature and aesthetic quality of the neighborhood; and
 - c. Any off street parking displaced by the home occupation is relocated elsewhere on the lot or parcel; and
 - d. The planning commission may impose any conditions it deems necessary to mitigate impacts of the home occupation on the neighborhood.
2. In determining whether to grant a conditional use approval for the use of an attached or detached garage, accessory structure or yard space for a home occupation, the planning commission shall consider the effect of such use on the residential character of the property upon which the home occupation is proposed to be located. In making a determination, the planning commission may consider factors including, but not limited to:
 - a. Displacement of normally residential functions of yard space and building or structure usage;
 - b. The potential for generation of noise, dust, vapors, fumes, odors and light;
 - c. The potential for generation of excess traffic;
 - d. The potential impact of the proposed home occupation on the aesthetic quality of the neighborhood and the property upon which the home occupation is proposed to be located.
3. Due to the special nature of home occupations, their potential to create adverse impacts to the neighborhood, and the potential for significant unforeseen impacts to occur, the planning commission reserves the right to review any home occupation granted conditional use approval pursuant to this subsection. The conditional use permit for the home occupation may be reviewed and modified or revoked by the planning commission due to failure of the owner or operator of the home occupation to observe all conditions specified in issuing the permit; failure to observe the purpose and intent of this section or other requirements of this title in regard to the maintenance of improvements and conduct of the home occupation as approved; or significant unforeseen impacts

resulting from the operation of the home occupation in conflict with the purpose and intent of this section and as explained in the application.

D. Permitted Uses: Home occupations which may be considered under subsection B of this section may include the following uses, or uses which are similar in character, origin or impact, as determined by the building official/zoning administrator:

Animal grooming services conducted entirely within the home.

Architectural service.

Artist, author.

Barber shop, beauty service.

Childcare services in compliance with state and federal standards.

Consulting service.

Craft sale.

Dance studio; aerobic exercise, music lessons, tutoring and general educational instruction.

Data processing, computer programming.

Direct sales distribution;

Food preparation in compliance with state and federal standards.

Garden plants and produce.

Home crafts.

Insurance sales or broker.

Interior design.

Janitorial service.

Mail order (not including retail sales from site).

Real estate sales or broker.

Sales representative.

E. Conditional Uses: Home occupations which shall not be considered under subsection B of this section include the following uses, or uses which are similar in character, origin or impact, as determined by the building official/zoning administrator:

Agricultural uses that involve the keeping of animals, unless in a zoning district where the keeping of such animals is allowed.

Agricultural uses that use more than twenty five percent (25%) of the area of the lot when the lot is less than one acre in size.

Automatic or manual car wash.

Building material sales, lumber yard.

Contractor storage yard.

Kennel, animal hospital.

Machine shop.

Manufacture, curing, compounding, processing, packaging, and treatment uses which utilize yard space or which generate noise, smoke, fumes or odors.

Mortuary.

Rock crusher.

Saw mill.

Secondhand shops and pawnshops.

Storage and warehousing.

Uses which involve the storage, display or repair of motor vehicles, or body and fender work on such vehicles. (Ord. 08-016, 8-12-2008)

9-10-7: BURN PERMITS:

- A. Purpose: Burn permits are intended to act as a notification process to public safety personnel and dispatchers of scheduled burn operations to avoid unnecessary dispatching of fire crews, and to review the proposed burn in order to establish controls and safe practices for the preservation of life and property.
- B. Opening Burning And Recreational Fires: Open burning and recreational fires shall be done in compliance with the international fire code as currently adopted by the state, Utah Code Annotated title 11, chapter 7, and any current town public safety burn policy as enacted for general public safety.
- C. Issuing Burn Permits: A burn permit or town public safety approval is required prior to any open burning or recreational fire by contacting the town public safety office or county dispatch. (Ord. 08-016, 8-12-2008).

9.10.8: TEMPORARY STRUCTURES, TENTS AND VENDORS

Prior to the issuance of an Administrative Permit for any temporary structure, tent or vendor, the following requirements shall be met.

1. APPLICATION. An Application must be submitted to the Town including the following information:

- a. **Use.** A Temporary structure used in accordance with these provisions may be erected in any zone if the Use is consistent with the Permitted Uses of that zone or Conditional Uses as approved under Section 9-11-2.
- b. **General Description.** An overview of the proposed activity. Include hours of operation, anticipated attendance. Use of speakers, beer or liquor licenses, any sign or lighting plan, and any other applicable information.
- c. **Site Plan.** The site plan shall be scale indicating in detail how the proposal will comply with the International Building Code (IBC). It should indicate the location of the tent or temporary structure on the property and distances from property lines and other structures. A separate plan for the interior of the tent or temporary structure is required. This plan will indicate any chairs, tables, exits, sanitation, heating, food services/handling etc. A snow removal plan must be included.
- d. **Structural Information and Calculations.** For all temporary structure greater than 200 sq. ft. in floor area, structural calculations, wind and snow load information, fire rating, etc. must be submitted.
- e. **Fees.** All applicable fees.
- f. **Building Permit.** A permit issued by the Town is required for temporary structures greater than 200 sq. ft. in area, or as determined by the Chief Building Official upon review of size, materials, location, weather and proposed use.
- g. **Special Event Permits.** See Section 3.3 for regulations related to special events.
- h. **Duration.** In no case shall a tent be installed for a duration longer than twenty-one (21) days and for more than five (5) times per year on the same property or site, unless a longer duration or greater frequency is approved by the Planning Commission consistent with Condition Use criteria in Section 9-11-2 and Design Standards in Section 9-12.

2. REVIEW CRITERIA

- a. Lease agreement with Brian Head Town.
- b. The Use shall not violate the Health or Fire Code regulations or any State Regulations on mass gatherings.
- c. The Use must meet all applicable International Building Code (IBC) requirements.
- d. The Application shall adhere to all applicable Town and State licensing ordinances.
- e. If the proposed Use is on private property the Applicant shall provide written notice of the property owner's permission.
- f. If proposed Use should not diminish existing parking. Any net loss of parking shall be mitigated in the Applicant's plan.
- g. The proposed Use shall not impede pedestrian circulation, emergency access, or any other public safety measure.
- h. The Use shall not violate the Town Noise Ordinance.
- i. The Use and all signing shall comply with the Municipal Sign and Lighting Codes.
(4-22-14 – Council directed staff to review other communities regulations regarding tents, temporary structures and report back to Council).