



BRIAN HEAD

The Regular Meeting of the
Brian Head Planning Commission
Town Hall - 56 North Highway 143 - Brian Head, UT 84719
TUESDAY, June 16, 2026 @ 1:00 PM

Planning Commission Meeting Minutes

Roll Call.

Present: Chairperson Deutschlander, Commissioner Thomas, Commissioner Dever, Commissioner Lee
Commissioner Morgan, Alternate Commissioner Robinson
Staff: Greg Sant; Building and Planning Administrator, Ciera Claridge; Deputy Clerk

A. CALL TO ORDER

Chairperson Deutschlander called the regular Brian Head Town Planning Commission meeting to order.

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Commission and others in the pledge of allegiance.

C. DISCLOSURES

There were no conflicts of interest with today's agenda items. Chairperson Deutschlander stated that disclosure statements are on file with the Town Clerk and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES

The Planning Commission reviewed the June 2, 2026, Planning Commission Meeting Minutes. No corrections were made.

Motion: Commissioner Thomas moved to approved the June 2, 2026 meeting minutes.
Commissioner Lee seconded.

Action: Motion carried 4-0-0 (**Summary:** Yes = 4 **Yes:** Chairperson Deutschlander, Commissioner Morgan, Commissioner Thomas, Commissioner Lee.)

E. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items

Commissioner Dever and Alternate Commissioner Robinson joined the meeting at this time. There were no public comments or reports made at this time.

F. AGENDA ITEMS:

1. PUBLIC HEARING, LMC CHANGE: 9-7-4 – Greg Sant, Planning and Building

Chairperson Deutschlander opened the public hearing at 1:03 PM for the proposed Land Management Code (LMC) Change to Section 9-7-4. Chairperson Deutschlander asked whether anyone was present online or in the audience who wished to comment, and whether any written comments had been received. No public comments were offered, either in person, online, or in writing.

The public hearing for LMC Change 9-7-4 was closed at 1:04 PM with no public comment received.

2. PUBLIC HEARING, LMC ADDITION: 9-12-21 – Greg Sant, Planning and Building Administrator. Adding Guidelines and restrictions for Sports Courts.

Chairperson Deutschlander opened the public hearing at 1:04 PM for the proposed Land Management Code (LMC) Addition to Section 9-12-21. Chairperson Deutschlander again confirmed there were no online participants, no in-person public comments, and no written comments submitted.

The public hearing for LMC Addition 9-12-21 was closed at 1:05 PM with no public comment received.



54 **3. LEGISLATIVE ACTION, LMC CHANGE: 9-7-4 – Greg Sant, Planning and Building**
55 **Administrator. Recommendation to Town Council regarding adding a permitted use to the**
56 **General Commercial Zone.**

57
58 Greg Sant, Planning and Building Administrator, introduced the item, explaining that it was in direct response to
59 a prior Commission request to add language to the General Commercial Zone that mirrors what is already
60 permitted in the Light Industrial Zone. He noted that the attachment reflected only the language being proposed
61 as an addition to the permitted uses. 'Residential dwellings in conjunction with commercial space" and
62 "owner/employee housing,' language which he had taken directly from the Light Industrial Zone provisions.
63

64 The Commission then engaged in a substantive discussion about tightening the proposed language.
65 Commissioner Thomas raised concern about whether an Accessory Dwelling Unit (ADU) might be a more precise
66 term than 'dwelling,' and also suggested refining the phrase "in conjunction with commercial space" to something
67 more specific. The member further proposed that rather than a parenthetical reference to "owner/employee," the
68 language should explicitly read "for owner employee housing only."
69

70 Greg expressed agreement with the proposed refinements. He noted that when reviewing the Light Industrial
71 language. He acknowledged that the only person who had ever approached him about using such a provision
72 intended for the residential unit to be physically part of the commercial building, not a separate structure on the
73 property. Chairperson Deutschlander echoed this concern, noting that the word 'conjunction' does not inherently
74 require the residential use to be contained within the commercial building, and that a property owner could
75 potentially construct a separate house behind their commercial building and call it compliant.
76

77 After discussion, Greg proposed revised language reading: "Residential dwelling within commercial building
78 envelope for owner employee housing only." The Commission found this language to be more precise and
79 reflective of their intent. It was noted that this revision both limits the use to a unit physically within the
80 commercial structure and restricts occupancy to owners or employees – thereby preserving the eventual need for
81 a separate Mixed-Use Overlay Zone for broader residential development in commercial areas.
82

83 Motion: Commissioner Thomas moved to recommend approval of LMC Change 9-7-4 paragraph 'B' to Town
84 Council with the proposed changes read by Greg Sant:
85

86 *"Residential dwelling within commercial building envelope for owner employee housing only."*
87

88 Commissioner Morgan seconded the motion.

89 Action: Motion carried 5-0-0 (**Summary:** Yes = 5 Vote: **Yes:** Chairperson Deutschlander,
90 Commissioner Morgan, Commissioner Dever, Commissioner Thomas, Commissioner Lee,
91 Alternate Commissioner Robinson)
92

93 **4. LEGISLATIVE ACTION, LMC ADDITION: 9-12-21 – Greg Sant, Planning and Building**
94 **Administrator. Recommendation to the Town Council regarding adding a section in Chapter**
95 **12 of the LMC for guidelines and restrictions for Sports Courts.**
96

97 Chairperson Deutschlander opened discussion on the proposed LMC Addition for Sports Courts. Before
98 proceeding to the substance of the item, Chairperson Deutschlander noted a desire to fine-tune the provisions
99 further before advancing a recommendation to the Town Council.
00

01 Greg Sant, Planning and Building Administrator, acknowledged that he had not given this item the level of
02 attention it deserved, as his focus had been drawn to the Mixed-Use Overlay work. He expressed gratitude that
03 one of the Commission members had submitted written concerns in advance and explained that those concerns
04 served as the basis for much of the discussion. Greg noted that the draft was perhaps overly focused on pickleball
05 and tennis courts, when in fact a broader range of sports courts exist and that the language should be more
06 inclusive. He stated that he had identified official standards from USA Pickleball (usapickleball.org) and the US
07 Track and Court Builders Association for tennis courts and basketball courts, which he suggested referencing
08 rather than restating specific measurements directly in the code, so that future changes to those standards would
09 not require code amendments.
10

11 Commissioner Morgan raised the question of whether batting cages should fall under this provision, noting that
12 several such structures exist in private backyards throughout the area.
13

14 The discussion turned to the appropriate scope of the regulations. Commissioner Thomas observed that the



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Commission's original impetus for this item was to address a specific situation — a constituent's request to build a sports court — and questioned whether it was appropriate for the town to dictate that a private sports court meet full regulation dimensions. Commissioner Thomas noted the distinction between a public pickleball facility and something in someone's backyard, and expressed the view that it was outside the town's purview to require a homeowner's driveway-sized court to meet official dimensions. Several members agreed.

The Commission reached general consensus that the primary concern is not court dimensions, but rather permanent fixtures associated with sports courts, particularly fencing, and that the ordinance should focus on regulating those elements. Greg agreed and noted that the question of whether to enumerate specific court types and their associated standards, or instead to address fencing in a more general way, was a key design decision.

Commissioner Thomas suggested a significantly simplified approach: rather than enumerating court types and sport-specific standards, the code should simply state that fencing is allowed for sports courts, and then describe what types and characteristics of fencing are acceptable. Under this approach, applicants would propose their fencing and staff would evaluate it against general standards already in the code, rather than sport-specific regulations. The Commission broadly supported this direction.

Chairperson Deutschlander proposed that the purpose of fencing around a sports court be described as keeping balls within the court during play, and that fencing should be "consistent with the regulations of the sport being considered." Greg affirmed this language and noted it served as an effective catchall for all sports without needing to enumerate each one.

The discussion then moved to fencing materials. It was noted that the current LMC does not allow chain link fencing in any context. Chairperson Deutschlander indicated that the prohibition on chain link was originally motivated by aesthetic concerns, specifically, the silver metallic appearance and suggested that allowing chain link with a non-metallic coating (such as a powder coat or vinyl coating) in a non-silver color might be permissible and consistent with the underlying rationale. Greg noted that the most common alternatives are coated chain link or rod iron, both of which are typically powder coated.

Members discussed whether to specify acceptable colors for the fencing. The Commission agreed that referring to the existing fencing color standards in Chapter 12 would be more appropriate than writing new color-specific requirements, so as to avoid conflicts and future amendments.

The Commission agreed that the code should include language requiring fencing to be "well maintained" to preserve its safety and color integrity, thereby providing an enforcement mechanism. Several members agreed this language must appear in the code itself, not just in general code enforcement provisions, in order for staff to cite a specific standard when ordering repairs or replacement.

The Commission also discussed setback requirements for sports courts. Chairperson Deutschlander expressed strong concern about allowing courts to be built right up to property lines, citing the broader context in which setbacks were established to maintain vegetative buffers between properties. Chairperson Deutschlander proposed that courts be permitted to intrude into setbacks only up to half the required setback distance. Several Commission members expressed support for this approach. It was also noted that Brian Head property owners are often not permanent residents and may go long periods without seeing neighboring properties, making the buffer especially important when changes appear unexpectedly. The Commission further noted that the setback area is precisely where mature trees tend to be located, and allowing courts to be placed there could result in the removal of those trees, undermining the town's broader landscaping and environmental goals.

The Commission also discussed lighting for sports courts, agreeing that lighting should continue to be governed by the existing lighting standards in LMC Section 9-12-6, and that placement restrictions should address sight lines for vehicle traffic, particularly at corners. Greg indicated that the structure of the new ordinance section would include: (a) fencing, (b) lighting, and (c) placement standards.

The Commission concluded that Greg would revise the draft ordinance based on the direction provided: simplifying the structure, referring to existing standards where possible, adding maintenance and setback language, and addressing fencing in a general rather than sport-specific manner. Greg will then bring an updated draft back at the next meeting.

Motion: Motion carried 5-0-0 (**Summary:** Yes = 5 Vote: **Yes:** Chairperson Deutschlander, Commissioner Morgan, Commissioner Dever, Commissioner Thomas, Commissioner Lee, Alternate Commissioner Robinson)



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77 5. **DISCUSSION ITEM: Mixed-Use Zone Discussion** – Greg Sant, Planning and Building
78 Administrator. Continuation of the previous discussion on possible Mixed-Use Overlay Zone.
79

80 Commissioner Morgan had to excuse himself from the remainder of the meeting due to a poor digital
81 connection at 1:58 PM.
82

83 Greg Sant presented the latest draft of the proposed Mixed-Use Overlay (MUO) Zone for discussion,
84 noting that much of the document was adapted from Kaysville's code but modified to fit Brian Head's
85 context. He acknowledged the draft was quite lengthy and characterized it as a starting point for
86 moving toward a formal ordinance. He noted that the staff report for this meeting attached the full
87 proposed overlay zone text, with the balance of the report being unchanged from prior sessions.
88

89 **Purpose and Relationship to Underlying Zones**

90 Chairperson Deutschlander raised a concern about how the overlay zone interacts with the underlying
91 zone districts. He specifically noted whether the MUO would supersede existing permitted and
92 excluded uses in zones such as Village Commercial or merely add to them. Chairperson Deutschlander
93 gave the example that gas stations and mechanic shops are currently excluded from Village
94 Commercial and asked whether those exclusions would remain intact under the overlay.
95

96 Greg confirmed that the intent is for everything in the underlying zone to remain in effect. He clarified
97 that the overlay only adds permitted uses on top of the existing zone. He acknowledged that the
98 current draft did not make this sufficiently clear and agreed to add language explicitly stating that the
99 uses permitted and excluded in the underlying zoning district shall remain applicable unless expressly
00 modified by the overlay.
01

02 Commissioner Thomas offered proposed language for this purpose, which was well-received by the
03 group: "The overlay zone is intended to supplement the standards of the underlying zoning district
04 and shall not replace the underlying zoning designation. All permitted uses, standards, and
05 development requirements of the underlying zone district shall remain applicable unless expressly
06 modified by the overlay zone. Where the overlay zone establishes specific additional standards, those
07 standards shall apply in addition to the underlying zone requirements. In all other respects, the
08 underlying zoning district shall govern." The member agreed to email this language to Greg for
09 inclusion in the document under the Purpose section.
10

11 **Allowed Uses**

12 The Commission reviewed the list of allowed uses under the proposed overlay. Commissioner Lee
13 noted that references to "full service restaurant," "limited service restaurant," and "beer only restaurant"
14 needed to be updated to reflect Brian Head's actual context. The Commission agreed that the
15 distinction between full and limited service should be retained but clarified as referring to alcohol
16 licensing. The "beer only" category was flagged as not applicable to Brian Head and was to be removed
17 or revised accordingly.
18

19 The Commission also noted that "private swimming pools" appearing under permitted uses across
20 multiple zone categories seemed to be aimed at allowing residential amenities for multi-family
21 housing. Chairperson Deutschlander suggested replacing the specific reference to swimming pools
22 with broader language such as "private and corporate amenities for residential housing," which would
23 serve as a more comprehensive and forward-looking provision. Greg and the Commission agreed.
24

25 **Prohibited Uses**

26 Chairperson Deutschlander flagged the final line under prohibited uses, which stated that "sexually
27 oriented businesses are prohibited." He noted that by state law, municipalities must permit sexually
28 oriented businesses somewhere within their jurisdiction, and that Brian Head currently allows them
29 only in the Light Industrial Zone. If the overlay is applied to a Light Industrial parcel, that specific
30 parcel would no longer be eligible to host such a business, but the remainder of the Light Industrial
31 Zone would still serve as a permitted location. The Commission agreed to revise this line to clarify that
32 sexually oriented businesses are prohibited only within the MUO zone, not town wide.



Development Standards

The Commission discussed the development standards section at length. Greg noted he had attempted to align these with Brian Head's existing standards in Chapter 12 of the LMC rather than restating Kaysville's standards wholesale. After further review, the Commission broadly agreed that the most efficient approach would be to replace most of the development standards enumerated in the draft with cross-references to existing LMC sections, thereby avoiding conflicts and the need to maintain duplicative standards in two places.

Under area and lot coverage, Greg proposed that a minimum lot size of one acre be required to apply the overlay zone, noting that the combination of parking requirements, the 40 percent undeveloped area requirement, and the requirement for both commercial and residential components would make it practically very difficult to achieve a viable mixed-use project on a smaller lot. The Commission agreed that one acre was a reasonable minimum, while acknowledging that some members thought even one acre might be on the small side. The Commission also agreed that the development agreement process would provide a secondary check, allowing the Commission and Council to evaluate the feasibility of any specific proposal.

Regarding maximum density, Greg explained that the draft does not set a fixed maximum number of residential units; instead, density is constrained by the building envelope, required setbacks, parking ratios, and the minimum percentage of commercial square footage. Greg expressed his belief that in practice, these constraints would keep density well within the limits of the underlying zone. The Commission agreed this approach was workable, particularly given that the development agreement process provides an additional layer of review.

Under the section discussing the minimum commercial component, Greg noted the draft requires that a minimum of 30 percent of the combined total square footage be commercial or light industrial space, in order to prevent the overlay from being used as a backdoor mechanism for purely residential development in commercial or industrial zones.

Building Height

Greg reported that he had spoken with the town's fire chief, who indicated that the department's ladder truck can reach approximately 75 feet. The Kaysville model had retained a 50-foot height limit. Chairperson Deutschlander, speaking from firefighting experience, cautioned that while 75 feet is the theoretical maximum reach of the truck there are practical constraints, such as snow conditions, available access, and the need to position the truck, mean that 75 feet cannot reliably be achieved in real-world conditions. Chairperson Deutschlander expressed comfort with maintaining the 50-foot limit for now, while acknowledging that the Town Council would have the opportunity to revisit this question with further input from the fire department. The Commission agreed to retain 50 feet as the proposed height limit.

Commissioner Lee had to excuse herself from the meeting at 2:15 PM.

Connectivity

Concerns were raised about the practical challenges of sidewalks in Brian Head's high-altitude, high-snowfall environment, noting that sidewalks become covered in snow for much of the winter, create snow storage conflicts, and sustain damage from plowing operations. However, the Commission agreed that the concept of connectivity was appropriate to retain in the overlay because mixed-use developments specifically benefit from it. Commissioner Thomas argued persuasively that this language also belongs in the overlay rather than the underlying zones, because it is the mixed-use context that creates pedestrian activity between uses. The Commission agreed to retain a connectivity provision that is flexible and evaluative in nature, rather than mandating specific sidewalk configurations, and to allow staff and the development agreement process to address specific pedestrian infrastructure on a case-by-case basis.

Snow Storage



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Chairperson Deutschlander raised snow storage as a significant concern that had not been adequately addressed in the draft. He noted that in the Village Commercial context, the town had required buildings to set back 10 feet from the front property line to allow for pedestrian movement, but had not simultaneously addressed where snow removed from that area would go. Greg agreed and indicated he would add language to the development standards requiring applicants to demonstrate how snow storage will be accommodated on the site.

Minimum Lot Size and Flag Lots

The draft had included a prohibition on flag lots. After brief discussion, the Commission agreed this restriction should be removed. Members noted that in mountainous terrain like Brian Head's, flag lots and irregularly shaped lots are sometimes unavoidable, and that prohibiting them categorically could unnecessarily limit the applicability of the overlay. The Commission agreed to delete this provision.

Project Evaluation and Review Process

Greg briefly reviewed the final section of the draft, which outlines the criteria by which applications will be evaluated and the materials applicants must submit for staff and Commission review. He noted that the evaluation criteria include general plan compliance, applicable zoning ordinances, the MUO requirements, surrounding land uses, sound planning practices, and all other town-approved studies and plans.

Greg proposed that rather than including a full submittal checklist within the overlay ordinance itself, this material should be relocated to Chapter 4 of the LMC, with a cross-reference here. This approach would mean that if the submittal requirements ever changed, the revision would only need to be made in one place. The Commission agreed.

General Drafting Notes

Several additional drafting corrections were identified during the discussion. The draft consistently used the word "city" rather than "town," and the Commission directed Greg to conduct a word search and replace all instances of "city" and "city council" with "town" and "town council" to reflect Brian Head's municipal designation. Commissioner Thomas also flagged grammatical awkwardness in the very last sentence of the Purpose section — specifically the use of a double negative when describing when the overlay may be applied — and asked that it be reworded for clarity. Additionally, a reference to "research" as a permitted use under the Light Industrial component of the overlay was noted as having no counterpart in the existing LMC. The Commission agreed that if research is to be allowed in Light Industrial, it should first be added to the underlying Light Industrial Zone through a separate amendment; it should not be introduced via the overlay. Greg agreed to remove the reference from the overlay draft and flag it as a potential future addition to the Light Industrial Zone.

The Commission concluded the discussion with a general sense that the draft was substantively close to ready for formal ordinance development, and directed Greg to incorporate all of the feedback from this session before the next meeting.

G. ADJOURNMENT

Motion: Commissioner Thomas moved to adjourn. Alternate Commissioner Robinson seconded.

Action: Motion carried 5-0-0 (Summary: Yes = 5 Vote: Yes: Chairperson Deutschlander, Commissioner Dever, Commissioner Thomas, Alternate Commissioner Robinson)

07/07/2020

Date Approved

Ciera Claridge, Deputy Clerk