



The Regular Meeting of the  
**Brian Head Town Council**

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

Via Zoom Meeting ID# 845 1605 7358

**TUESDAY, AUGUST 11, 2026 @ 1:00 PM**

## **AGENDA**

- A. CALL TO ORDER**
- B. PLEDGE ALLEGIANCE**
- C. DISCLOSURES**
- D. APPROVAL OF THE MINUTES:** July 28, 2026, Town Council Meeting
- E. REPORTS / PUBLIC INPUT ON NON-AGENDA ITEMS.** Public input is limited to three (3) minutes on non-agenda items.
- F. AGENDA ITEM:**
  - 1. CAMPING DISCUSSION.** Greg Sant, Planning & Building Administrator. The Council will hold discussion on potential changes to the Town's camping code and receive a recommendation from the Planning Commission.
  - 2. LAND MANAGEMENT CODE AMENDING, TITLE 9, CHAPTER 7.4 ZONE DISTRICT REGULATIONS/GEERAL COMMERCIAL - MIXED USE OVERLAY ZONE; CHAPTER 4.1(B).5, SUBMITTAL REQUIREMENTS FOR MIXED-USE OVRLAY ZONES, AND CHAPTER 12.5(C).6 DESIGN GUIDELINES/FENCING.** Greg Sant, Planning & Building Administrator. The Council will consider an ordinance amending the LMC for submittal requirements for the Mixed-Use Overlay Zone, Ch.7.4 General Commercial - Mixed-Use Overlay Zone and Ch. 12.5(C).6 General Design Guidelines for fencing.
  - 3. TOWN PROPERTY LEASE FOR CONCRETE BATCH PLANT.** Bret Howser, Town Manager. The Council will hold a discussion on the potential lease of Town owned property for a batch plant.
  - 4. BRIAN HEAD DAYS UPDATE REPORT.** Nancy Leigh, Town Clerk. The Council will review an update from the first annual Brian Head Days event and give input for future Brian Head Days events.
  - 5. FUTURE AGENDA ITEMS.** Discussion on potential items for future Council agendas.
- G. ADJOURNMENT**

**Date: August 7, 2026.**

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

### **CERTIFICATE OF POSTING**

I hereby certify that I have posted copies of this agenda on the Brian Head Town website, Utah Public Meeting website, and at the Town Hall according to Utah Code Annotated §63A-20-102 and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

***Nancy Leigh, Town Clerk***



BRIAN HEAD

## STAFF REPORT TO THE TOWN COUNCIL

ITEM:

## PLANNING AND BUILDING DEPARTMENT REPORT

Author: Greg Sant

Date: August 11, 2026

Department: Planning and Building

Type of Item: Informational

**Building Report:**

| <b>2026 Building Permits Summary:</b>        | <b>July</b>        | <b>2026</b>     | <b>YTD 2025</b>  |
|----------------------------------------------|--------------------|-----------------|------------------|
| Issued Permits by Category -                 |                    |                 |                  |
| Single Family Dwellings                      | 3                  | 10              | 5                |
| Townhomes (in Dwellings)                     | 0                  | 0               | 9                |
| Additions/Remodels/Accessory Unit            | 1                  | 3               | 9                |
| Minor Alterations                            | 0                  | 1               | 16               |
| Tree Removal                                 | 9                  | 30              | 20               |
| Commercial                                   | 0                  | 3               | 1                |
| Utilities (Electric, Gas, Water, Sewer)      | 10                 | 13              | 3                |
| <b>Total</b>                                 | <b>23</b>          | <b>60</b>       | <b>63</b>        |
| <b>2026 Land Use Permits Summary:</b>        |                    |                 |                  |
| Issued Permits by Category –                 |                    |                 |                  |
| Winter R.O.W. Permit                         |                    |                 |                  |
| Grading/Excavation Subdivision               | 4                  | 6               | 2                |
| Trenching/Encroachment                       | 2                  | 2               | 7                |
| <b>Total</b>                                 | <b>6</b>           | <b>8</b>        | <b>9</b>         |
| <b>2026 Land Use Submitted Applications:</b> |                    |                 |                  |
| By Category –                                |                    |                 |                  |
| Conditional Use Permits                      |                    |                 |                  |
| Lot Line Adjustment/Minor Plat Amendments    | 1                  | 9               | 1                |
| Preliminary Plat                             | 0                  | 2               | 0                |
| Final/ Amended Plat                          | 1                  | 4               | 1                |
| Vacating ROW/Easement                        | 0                  | 2               |                  |
| Zone Amendment                               | 0                  | 1               |                  |
| <b>Total</b>                                 | <b>2</b>           | <b>18</b>       | <b>2</b>         |
| <b>2026 Summary of Fees Collected:</b>       | <b>July</b>        | <b>YTD 2026</b> |                  |
| By Category -                                |                    |                 |                  |
| Building Permit Fees                         | \$11,955.29        |                 | 28,453.54        |
| Plan Check Fees                              | \$8,786.19         |                 | 18,607.94        |
| Encroachment Permits                         | \$985.00           |                 | 985.00           |
| Winter R.O.W. Permit                         |                    |                 |                  |
| Tree and Grading Permit Fees                 | \$2,250.00         |                 | 9,004.00         |
| Land Use Permit Fees                         | \$1,500.00         |                 | 9,702.00         |
| <b>Sub-Total</b>                             | <b>\$25,476.48</b> |                 | <b>66,752.48</b> |

**2026 Summary of Impact Fees Collected:**

|                                  | July        | YTD 2026   |
|----------------------------------|-------------|------------|
| <u>Impact Fees Collected</u>     |             |            |
| Water Connection and Impact Fees | \$44,952.45 | 69,749.93  |
| Sewer Connection and Impact Fees | \$13,520.33 | 36,828.99  |
| Total Fees Collected             | \$58,472.78 | 106,578.92 |

**2026 Inspections Summary:**

|                                      | July | 2026 | YTD 2025 |
|--------------------------------------|------|------|----------|
| Inspections by Permit Type –         |      |      |          |
| Single Family Homes and Cabins       | 25   | 113  | 125      |
| Multi-Family (Townhomes)             | 9    | 93   | 151      |
| Additions/Remodels/Minor Alterations | 2    | 23   | 15       |
| Commercial                           | 3    | 5    | 10       |
| Utilities                            | 13   | 18   | 5        |
| Fire Mitigation                      |      |      | 4        |
| Grading                              |      |      | 0        |
| Total                                | 52   | 252  | 310      |

23,308.66



## Brian Head Town Council Update

August 1, 2026

### Marshal's Office:

July is always a “fun” month. This July proved to be no different. We were busy chasing fire calls, smoke investigations and illegal fireworks. All is to be expected but when we are under fire restrictions there is a higher level of urgency. We can safely say that we made it through with no major incidents and we educated a lot of people about how dry our area is. We are also grateful for the much-needed precipitation that has come through making it possible for us to shoot a fireworks show for our Brian Head Days/ 250<sup>th</sup> Celebration.

Deputies also handled a “good problem” to have. We had some amazing events at Brian Head this July including the 4<sup>th</sup>, Total Archery Challenge and Brian Head Days. Each of these events brought a lot of visitors to our Town. With these events we handled a few OHV/ATV issues, a few parking issues and increased manpower on a couple of weekends. But with all that happening, we pulled off some amazingly fun and safe weekends in Brian Head.

Deputies handled an irate customer at one of the lodges that got stuck in an elevator. He was intoxicated and quite belligerent, but they were able to extricate him and kindly settled him down. Deputies handled some animal problems involving cattle and some that involved unrestrained dogs. Animal problems are always interesting and challenging with multiple parties always feeling like they are in the right.

Deputy Mathews handled a stolen ATV investigation. With good patrol tactics he was able to locate the stolen ATV and eventually found the suspect. This case has been submitted to the County Attorney for review of charges.

All in all, we had a great month, and Brian Head is still the best place for your summer recreation. We have great deputies who care and work hard to keep our guests and residents safe.

### Incidents for July= 66

16- Citizen/Motorist Assists

6- Medicals

1- Fire Inspections  
1- 911/alarms  
5- Traffic Control/Traffic Hazards  
7- Animal Problems  
14- Fires  
1-Noise Disturbance  
1-Traffic Accidents  
2-Suspicious  
3-Parking Problem  
1-Juvenile Problem  
1-Drugs/Alcohol  
1-Theft  
1-Lost/Found Property  
1-Littering  
1-Domestic In Progress

## **Fire Department:**

Fire was very busy this month. We had a great number of volunteers who stepped up and assisted with patrols, keeping a real proactive presence throughout town during our Stage 2 Fire Restrictions. On the 4<sup>th</sup> of July I couldn't drive anywhere without running into a marshal truck or a fire truck. This approach has really helped with the safety and security of our community, and I am so thankful for all those who gave up some of their personal time to be out and seen in Brian Head.

The pancake breakfast was a great success. We also set up a hotdog stand during Brian Head Days and found it to be equally successful. The volunteer association is doing a great and has been able to assist some families in our area who have been struck by tragedy. I am so grateful for these men and women who truly volunteer their time for others.

We handled a bunch of illegal fires and chased several smoke investigations. Some were actual fires, others were "water dogs" or a cloud floating up from our canyons with a smoke like appearance.

I am also excited to report that there has been a lot of fuels reduction work on the “Archery Range” off Snowshoe and Toboggan. We will be letting the piles dry for a season and plan on burning them during the winter of 2027.



















## **Public Works Department – Monthly Update**

**August 2026**

Well, the rain came and I'm sure will be back again, but it made a mess! We have been busy cleaning up roads and finding out where we need to install culverts and where we need to reinforce ditches. It was good for all our new Public Works employees to experience what the monsoon season can bring. The crew definitely has work to do for future seasons. Not only will it help to install culverts and make ditches better for the rain but also the future snow melt. Other crews have been busy doing water leaks, setting water meters, sewer repairs and flushing. They continue to clean up our pump and well houses trying to get ready for our sanitary survey with the state. Along with that they also continue general maintenance on PRV's and other Town infrastructure.

The parks crew is staying on top of the trails and keeping the park looking amazing! They are continuing to install signs and trail lights as needed also.

Construction projects are starting to get close to being finished, the street projects are all but wrapped up. The water projects continue to go smoothly and should all be finished and cleaned up in time for the snow.

Just an update also on Public Works Staff, we have had to hire three new people. Anytime there is a staff change it comes with learning curves; we will do our best to pick the top three and get them started ASAP and get to work on the training before snow flies. I am trying my best to retain employees and really make this a great place to work. We did have some good applicants and had a lot more to choose from than we have had in the past. I do feel optimistic that the word is out and Brian Head Town is a great place to work. People reached out through phone calls saying they had heard we had openings and wanted to apply. Fingers crossed we are going in the right direction.

Jared Tubbs

Public Works Director





## ITEM: REVIEW POLICY ON RESIDENTIAL CAMPING ON VACANT LOTS

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** August 11, 2026  
**TYPE OF ITEM:** Discussion

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### SUMMARY:

In 2021 the Town Council discussed their current policy disallowing camping on residential unimproved property. The following report was done by Bret Howser at that time.

### BACKGROUND:

In March 2021 the Town Council discussed the issues with overnight camping in town which led to the adoption of ordinance #21-003 modifying the parking code (Brian Head Town Code §6-2A-5(D)(2)), which now reads as follows:

#### I. Overnight Parking, Camping:

1. It shall be unlawful to park a vehicle (such as a camper van, recreational vehicle, camping trailer, etc.) on a public street, or within a public parking facility, or within public parks, playing fields, or other areas for purposes of overnight camping, sleeping or other habitation without written approval from the Town Manager. The Town Manager may give temporary written approval in conjunction with a special use permit or in times of emergency.
2. Vehicles may be parked on private property for purposes of overnight camping, sleeping or other habitation under the following conditions:
  - a) The vehicle is on a property which has an active building permit associated with it and construction activity is active and ongoing.
  - b) No more than one vehicle per property at any given time is allowed for purposes of overnight camping, sleeping or other habitation. A second inhabited vehicle may be allowed by the Town Manager where no additional ground disturbance is required.
  - c) Generators must comply with the Town's Noise Ordinance. Generator use will be prohibited after 10pm.
  - d) Vehicles are not allowed to be parked in the public right-of-way.
  - e) Vehicles must be properly licensed and registered.
  - f) Vehicles may only be parked for overnight camping, sleeping or other habitation between April 30 and November 1.

A previous iteration of the parking code had allowed for overnight camping for 16 days during the summer. This provision was added in 2019, prior to which the parking code was silent on the matter of camping on private property. However, staff found the 16-day limit to be difficult to enforce since an RV could be parked on a property for the entire summer and staff wouldn't know when it was occupied and when it wasn't. Indeed, this was a common practice on unimproved residential properties – people would use the property for camping, leave their trailer there all summer and come up and camp in it some weekends, basically using it as a temporary structure residence.

During the Council meeting on 9-28-21, a member of the public provided comment asking the Council to reconsider their policy position regarding camping on private property. Three Council members expressed an interest in revisiting the policy.

### ANALYSIS:

It should be clarified that at its core the “new camping law” is not new. The underlying law here is land use: §9-7-1(B) of the Town Code lays out permitted uses in a single-family residential zone. Camping is not, and never has been, one of those uses. The parking code briefly allowed for camping as temporary use between 2019 and 2021, but outside of that, it has never been explicitly allowed. Nor is the policy atypical to curtail camping on private property. Parowan City doesn’t allow living in an RV permanently. Iron County only allows R.V.’s to live outside a travel trailer park, for one year, while they are constructing a house. Even then, they must have a building permit, the water developed (no hauling of water), the wastewater system installed, and an approved source of electricity (they cannot run off a generator).

Throughout the summer of 2021, staff has been educating the public about and enforcing the Council’s policy that our neighborhoods are not campgrounds. Staff developed the flyer shown here and have distributed it to dozens of property owners found camping on their land. Some property owners have expressed serious concerns, claiming that they only purchased the land to camp on it. Some neighbors have called the Town with concerns when groups of dozens of people have showed up to camp for a week on the vacant lot next door. Staff have had some people threaten lawsuit, and we’ve heard of some people selling their lots because of the imminent enforcement of this policy.

### FINANCIAL IMPLICATIONS:

N/A

### BOARD/COMMISSION RECOMMENDATION:

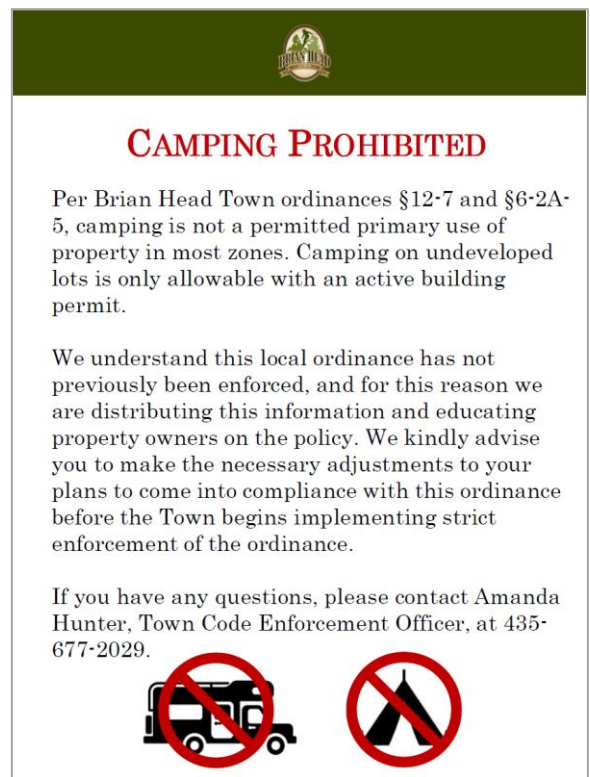
The Planning Commission’s recommendations from 2019 have been incorporated into the existing ordinance. We have not obtained a new recommendation from them.

Planning Commission discussed this at length at their August 4, 2026, meeting and it was a unanimous decision to keep the current policy in place and not change a thing.

### PROPOSED MOTION:

This is a discussion item only, no action is required.

**ATTACHMENTS:** Public Comment - D. Mason



From: **Wdavid Mason**

Date: Tue, Aug 4, 2026 at 3:22 PM

Subject: Camping discussion

To: Greg Sant <[gsant@bhtown.utah.gov](mailto:gsant@bhtown.utah.gov)>

Good afternoon Greg,

After listening to the concerns of the planning commission and town council members over the years, I have decided not to pursue a blanket camping ordinance for the town of Brian Head because I feel that it would infringe upon the peaceful enjoyment of the current residents. If you wish to address property rights and come up with a method for people to temporarily occupy their property during construction, the attached wording may be helpful.

Dave Mason



# STAFF REPORT TO THE TOWN COUNCIL

## ITEM: LAND MANAGEMENT CODE AMENDMENT FOR CHAPTER 7.4. ZONE DISTRICT REGULATIONS -MIXED-USE OVERLAY (MUO)

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** August 11, 2026  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

Council will consider an ordinance amending the Land Management Code for Chapters 7.4 Zone District Regulations/General Commercial for Mixed-Use Overlay Zones; Chapter 4.5(C).6 Submittal Requirements for Mixed-Use Overlay Zones; and Chapter 12.5 Design Guidelines/Fencing. Each Chapter will have an individual staff report and the proposed amendments for that chapter with one ordinance amending all three chapters as the last attachment to Chapter 12 -fencing.

As Staff researched and worked on the Aspen Meadows Mountain Zone, a Mixed-Use Zone designation kept coming up. This was not exactly what we were looking for on that issue, however, it was something that Staff started to look at for the future. Also, Council Member Cruz sent an email regarding the possibility of creating a clear Mixed-Use framework.

### BACKGROUND:

Brian Head Town only hints at a Mixed-Use in the General Commercial and Village Commercial by allowing Lodging, Motels, and Hotels. Neither allows a true residential component. Below are the summaries of those two existing zones:

#### 9-7-4: GC GENERAL COMMERCIAL:

- A. Purpose: The general commercial (GC) district is intended to provide sites outside of the village commercial zone, with a mixture of lodges and commercial establishments in an auto oriented setting. The GC district regulations are intended to ensure light, air, open space, and other amenities appropriate to the permitted types of buildings and uses. The GC district regulations, in conjunction with this title, prescribe site development standards that are intended to maintain the unique character and relationship of the town commercial areas and to ensure an attractive, functional commercial setting.
- B. Permitted Uses: The following uses are permitted in the GC zone:
  - Lodging and nightly rentals (including hotels and motels)
  - Residential dwellings in conjunction with commercial space. It is required that at least seventy-five percent (75%) of the entire main floor, facing the public street or thoroughfares, be dedicated to commercial business residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multibuilding projects, the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public. (amd. ord. 21-006, 5-25-21)
  - Retail, guest services, non-motorized equipment rental (e.g., skis, bicycles, etc.) oriented to tourists and mountain outdoor recreation (including outdoor display).

#### 9 -7-5: VC VILLAGE COMMERCIAL:



- A. Purpose: The village commercial VC district is intended to provide for village core area with a mixture of lodges, business, and commercial establishments in a predominantly pedestrian setting. The VC district regulations are intended to ensure light, air, open space, and other amenities appropriate to the permitted types of buildings and uses. The district regulations, in conjunction with the town design guidelines, prescribe site development standards that are intended to maintain the unique character of the Town commercial areas and to ensure an attractive, functional village resort setting. It is encouraged that development in the village core would be by development agreement. (2010 Code, amd. ord. 15-004, 04-28-2015)
- B. Permitted Uses: The following uses are permitted in the VC zone:
  - Multi-family housing: Hotel type lodging in conjunction with commercial space. It is required that at least seventy-five percent (75%) of the entire main floor, facing the public street or thoroughfares, be dedicated to commercial business with provisions for ADA compliant residential units to be located in the rear or sides of the building to maximize the commercial business exposure. On multi-building projects, the commercial space may be cumulatively oriented toward the vehicle and pedestrian corridors rather than locations typically not accessible or visible to the general public.

#### **ANALYSIS FOR AUGUST 4TH AND 11<sup>TH</sup> MEETINGS:**

At the July 7<sup>th</sup> Planning Commission meeting this LMC Addition was recommended for approval to the Town Council. The Town Council reviewed it thoroughly and had additional items that they wanted to be added or changed. These changes include see what R-2 and R-3 Zones would look like with the Overlay Zone and whether the minimum size of project should be more than than the 1 Acre talked about in Planning Commission. The changes have been completed, and they are back in front of the Commission to review and once again give a recommendation to Town Council. The attached Revised Overlay Zone has the comments and recommendations of the Planning Commission.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of this Revised Mixed-Use Overlay Zone.

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#### **ATTACHMENTS:**

A – Proposed amendments the LMC for Chp. 74.B - General Commercial zone - Mixed-Use Overlay Zone

**Proposed Amendments to LMC**  
**9-7-14 – Mixed Use Overlay Zone (MUO)**

**A. Purpose.**

The purpose of the Mixed Use Overlay (MUO) zoning district is to facilitate the integration of diverse but compatible uses with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choices. Developers are encouraged to offer ownership potential such as a condominiums for both commercial and residential uses. The MUO zoning district shall be applied as an overlay zone in the R-1, GC, VC, and LI zoning district where specifically approved. The uses permitted in the underlying zoning district shall be a priority.

The overlay zone is intended to supplement the standards of the underlying zoning district and shall not replace the underlying zoning designation. All permitted uses, dimensional standards, and development requirements of the underlying zoning district shall remain applicable unless expressly modified by the overlay zone. Where the overlay zone establishes specific additional standards, those standards shall apply in addition to the underlying zone requirements. In all other respects, the underlying zoning district shall govern.

The flexibility in use provided by this zone should help promote "live, work, and play" opportunities within the Town while creating an appropriate transition from surrounding development. A mixed use project can utilize 'horizontal mixed use where commercial, office and residential uses are designed as a single project yet constructed in phases for separate and distinct building footprints. A mixed use project may also employ 'vertical' design strategies where commercial, clean industrial, office and residential uses are designed as a single project and constructed within the same footprint.

**B. Allowed Uses.**

The allowed uses within a project are as follows:

1. When applied in the R-1, **R-2 and R-3** zoning districts:
  - a. The following shall be considered Permitted Uses:
    - i. Multiple-family dwellings, but where the **R-1 underlying** zone limits the number of dwellings ~~to no more than one (1) dwelling per fourteen thousand five hundred (14,500) square feet of property~~, the MUO Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of allowable units.
    - ii. Offices.
    - iii. Retail sales and services.
    - iv. Full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
    - v. Amusement and entertainment facilities.
    - vi. Motels or hotels. **(Except in R-1)**

- b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement. Minimum guidelines for commercial space include:
    - i. Ground floor commercial is required on buildings which front arterial and collector streets.
    - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be commercial space.
    - iii. Parking shall not be counted towards commercial space requirement.
  - c. As determined by the Development Agreement, commercial buildings may be required to be built before or at the same time as residential development.
2. When applied with the GC and VC zoning districts:
- a. The following shall be considered Permitted Uses:
    - i. Multiple dwellings with no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of residential units allowed.
    - ii. Retail sales and services.
    - iii. Offices.
    - iv. Motels and hotels.
    - v. Full-service restaurant, limited-service restaurant, banquet or reception center.
    - vi. Amusement and entertainment facilities.
    - vii. Home Occupation
    - viii. Private swimming pools
    - ix. Accessory uses and accessory buildings customarily appurtenant to a permitted use.
  - b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement.

Minimum guidelines for commercial space include:

- i. Ground floor commercial is required on buildings which front arterial and collector streets.
  - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be commercial space.
  - iii. Parking shall not be counted towards commercial space requirement.
- c. As determined in a Development Agreement, commercial buildings may be required to be built before or at the same time as residential development.
3. When applied with the LI zoning district:
- a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses:
    - i. Multiple-family dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of units allowed.
    - ii. Light industry.
    - iii. Retail sales and services.
    - iv. Offices.

- v. Amusement and entertainment facilities.
  - vi. Home Occupation
  - vii. Private swimming pools and all appropriate amenities.
  - viii. Accessory uses and accessory buildings customarily appurtenant to a permitted use.
- b. Adequate light industrial and/or commercial space within the project shall be provided. The final proportion of light industrial or commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement. Minimum guidelines for commercial space include:
- i. Ground floor commercial is required on buildings which front arterial and collector streets.
  - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be for clean/light industrial space or commercial space.
  - iii. Parking shall not be counted towards commercial space requirement.
- c. Phasing shall be determined by the Development Agreement but generally required commercial space will be constructed before or at the time as residential space.

#### C. Prohibited Uses.

To be applied to all underlying zoning districts: Unless expressly permitted, all other uses that are incompatible with the purpose of this Chapter, including ~~short term rentals (occupancy of residential unit for less than 30 days)~~, public utility substations not owned by the Town and storage units are not allowed. ~~Detached, single-family dwellings are not allowed.~~ Sexually oriented businesses are prohibited in an MUO.

#### D. Height Regulation.

1. The following shall apply in lieu of the height restrictions of the underlying zoning district.
  - ~~a. The main floor of any building fronting an arterial or collector street shall have a minimum ceiling height of twelve feet (12').~~
  - b. No building which is exclusively or primarily for residential use shall exceed thirty-five feet (35') in height, subject to the following exceptions:
    - i. Any portion of a building within fifty feet (50') of a residential dwelling shall not exceed thirty feet (30') in height excepting if there is a public road between the residential district and the building.
    - ii. No accessory building, including any detached accessory dwelling shall exceed the height of the main dwellings(s) on the property.
    - iii. No main building shall be less than thirteen feet (13') in height.
    - iv. No accessory building shall be less than ten feet (10') in height.
    - v. Buildings which are exclusively used for commercial purposes shall not exceed four (4) stories and shall not exceed fifty feet (50') in height.

#### E. Area, Lot Coverage, and Yard Requirement.



1. The lot and yard requirements shall be those of the underlying zoning district. However, variations to setbacks may be determined through the DEVELOPMENT AGREEMENT. Generally, setbacks are to be determined based on the use of the building.
2. Commercial buildings shall have the setbacks set forth in the GC or VC zone.
3. Industrial buildings shall have the setbacks required in the LI zone.
4. Flag lots are not permitted.
5. Minimum Area for this zone is 1 acre. (This allows small convenience type stores to be placed in a walkable neighborhood. Also, by requiring it to be larger, like 5 Acres, it would open it up to more intensive developments.)

F. Development Standards. Please review 9-12 of the LMC for the Development Standards and Guidelines.

G. Project Evaluation / Review Process.

- a. For this Overlay Zone to be applied to a property, it must be done through a legislative action by the Town Council.
- b. All applications and project proposals to include a property within the MUO zone shall be submitted with information and a written narrative indicating compatibility with:
  1. Brian Head General Plan.
  2. The Brian Head Zoning Ordinances.
  3. The purpose of the MUO Zone.
  4. Sound planning practices.
  5. Surrounding land-uses.
  6. All other Town-approved studies and plans.
- c. Submittal Requirements - See 9-4-1(B)5



BRIAR HEAD

# STAFF REPORT TO THE TOWN COUNCIL

**ITEM:** LAND MANAGEMENT CODE AMENDMENT – SUBMITTAL  
REQUIREMENTS: 9-4-1(B)5 FOR MIXED-USE OVERLAY ZONES.

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** August 11, 2026  
**TYPE OF ITEM:** Legislative Action

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## **SUMMARY:**

The Council will consider an ordinance amending the Land Management Code, Chapter 4 (Submittals).1(B)5 as it relates to the Mixed-Use Overlay Zone.

## **BACKGROUND:**

The Planning Commission held a public hearing on July 7, 2026, to receive comment on the proposed amendments and hereby submits their recommendation of approval for the proposed LMC amendment for submittal requirements for the new Mixed-Use Overlay zone.

During the Planning Commission meeting, the commission discussed whether the requirements for the new Mixed-Use Overlay Zone should be identified in Chapter 7, Zone District Regulations, or if it should be in Chapter 4, Submittal Requirements. After a lengthy discussion, the commission determined that it would be better suited in Chapter 4 Submittal Requirements.

## **STAFF RECOMMENDATION:**

It is Staff's recommendation that Council adopt the proposed amendment as presented.

## **ATTACHMENTS:**

A – Proposed amendments for 9-4-1(B)5 Submittal Requirements, Mixed-Use Overlay Zone

## 9-4-1 Submittal Requirements

### B. Land Use Application Type and Requirements

#### 5. Mixed-Use Overlay Zone

##### a. Land Use Authority: Town Council

- b. Submittal Requirements: All projects within the MUO zone shall be approved through a Development Agreement (DEVELOPMENT AGREEMENT) with sufficient project details to show compatibility by providing at a minimum:

1. Title Report.
2. A site plan, Including Preliminary Topography and Proposed Retaining Walls
3. A landscape plan.
4. An amenities plan.
5. Conceptual building elevations and design schemes.
6. Streetscape and building setback diagrams.
7. A traffic study as required by the Public Works Department.
8. A circulation plan and parking study as required by the Public Works Department, justifying the amount of off-street parking being provided if shared parking or parking reduction are proposed.
9. The number, unit types, and general land use categories of building square footage proposed in the mixed use project shall be specified and enumerated in the site and concept plans and shall accompany a proposed Development Agreement.
10. The Town may deny any zone map amendment or development proposal that does not comply with any of these criteria.



BRIAN HEAD

# STAFF REPORT TO THE PLANNING COMMISSION

## **ITEM:** LAND MANAGEMENT CODE AMENDMENT: 9-12-5(C)6 FENCING

**AUTHOR:** Greg Sant  
**DEPARTMENT:** Planning and Building  
**DATE:** August 4, 2026  
**TYPE OF ITEM:** Legislative Action

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### **SUMMARY:**

The Council will consider an ordinance amending the LMC, Chapter 12 Design Guidelines 5(C) fencing. As part of the addition of the Sports Court addition to the LMC, it is necessary to amend this section of the LMC to allow chain link fences as outlined in 9-12-21.

### **BACKGROUND:**

During the last council meeting on July 28, 2026, the Council approved an amendment to the LMC 9.12.21 in the section referred to fencing.

### **ANALYSIS:**

This amendment was also discussed in the last Planning Commission meeting on August 4, 2026, and is just a ratification of that discussion.

### **STAFF RECOMMENDATION:**

It is Staff's recommendation that Council adopt the proposed ordinance amending the LMC 9.12.5(C).6 as presented.

### **PROPOSED MOTION:**

I move to adopt ordinance No. 26-012 amending the Land Management Code Chapters 7.14. Zone District Regulations/General Commercial for Mixed-Use Overlay Zones; Chapter 4.1.B(5) Submittal Requirements for Mixed-Use Overlay Zones and Chapter 12.5(C).6 Design Guidelines/fencing as presented.

### **ATTACHMENTS:**

A - Proposed Amendments for the LMC Chapter 12.5 (C).6 - Fencing  
B - Ordinance Amending the LMC Chapters 7.14 Mixed-Use Overlay Zone; Chapter 4.1.B.5 Submittal requirements for Mixed-Use Overlay Zones; and Chapter 12.5.(C).6 Fencing

9-12-5

C. Fences: Fences and gates should be avoided to preserve a sense of openness and continuity. When fences are implemented for landscaping, safety, animal containment, or privacy they shall comply with the following:

1. Fences and gates shall be set back at least ten feet (10') behind the building's front facade.
2. Perimeter fencing of a property is prohibited without specific Planning Commission approval.
3. Fences shall not exceed four feet (4') in height, except where required for safety reasons (i.e., swimming pool and attractive nuisances) or where necessary to meet screening requirements or where not visible from off-site. (ord. 08-016, 8-12-2008, amd ord. 15-018, 12-8-2015)
4. Fence materials shall be wood, timbers, rock, or materials indigenous to the area. Wrought iron fencing should be used primarily at swimming pools and painted or treated to blend in with the surrounding environment or building facade.
5. Vegetation should be planted in and around fencing to soften the appearance except where no visible from off site. (ord. 08-016, 8-12-2008 amd ord. 15-018, 12-8-2015)
6. Stucco, ~~chain link~~ and vinyl wall fence materials are prohibited. **Chain link fence material is prohibited except for at sports court per 9-12-21.** Use of railroad ties or concrete blocks must be consistent with the General Plan and approved by the Planning Commission. (ord. 08-016, 12-2008, amd ord. 16-007, 12-8-2016, amd. ord. 24-014, 10-8-24).





## ORDINANCE NO. 26-\_\_

AN ORDINANCE AMENDING BRIAN HEAD TOWN CODE, TITLE 9, LAND MANAGEMENT CODE, CHAPTER 7.14 MIXED-USE OVERLAY ZONE; CHAPTER 4.1.B(5) SUBMITTAL REQUIREMENTS FOR MIXED-USE OVERLAY ZONES; AND CHAPTER 12.5.(C).6 DESIGN GUIDELINES FOR CONSTRUCTION - FENCING AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Brian Head Town has identified a need to amend the Brian Head Land Management Code to regulate land use within the Town limits of Brian Head, Utah; and,

**WHEREAS**, it was determined that an allowance for a new zone to be established for a Mixed-Use Overlay which required submittal requirements for the newly established zone and an amendment to allow certain types of fencing for a sports court should be identified; and

**WHEREAS**, the Brian Head Planning Commission held a public hearing on August 4, 2026, for Chapter 12.5.(C).6 Fencing and a public hearing held on July 7, 2026 for Chapter 7.14 and Chapter 4.1.B Submittal Requirements for Mixed-Use Overlay Zones giving at least ten (10) days' notice before the public hearing to receive public comment. The Planning Commission forwarded their recommendations of approval for the Brian Head Land Management Code, Chapter 12.5(C).6 Fencing; Chapter 7.14 Mixed-Use Overlay Zones; and Chapter 4.1.B(5) for Submittal Requirements for Mixed-Use Overlay Zones to the Brian Head Town Council for their consideration and adoption; and

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

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

**Section 1.** The Brian Head Land Management Code is hereby amended and incorporated herein by reference as Title 9, Chapter 12.5(C).6, Design Guidelines, Fencing is identified in Attachment "A", "B" and "C". All changes are identified in red font.

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

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



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

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

**PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this \_\_\_\_ day of August 2026, with the following vote.**

**TOWN COUNCIL VOTE:**

|                               |          |         |
|-------------------------------|----------|---------|
| Mayor Clayton Calloway        | Yes ____ | No ____ |
| Council Member Martin Tidwell | Yes ____ | No ____ |
| Council Member Logan Cruz     | Yes ____ | No ____ |
| Council Member Larry Freeberg | Yes ____ | No ____ |
| Council Member Duane Nyen     | Yes ____ | No ____ |

***BRIAN HEAD TOWN COUNCIL***

**ATTEST:**

\_\_\_\_\_  
Clayton Calloway, Mayor

\_\_\_\_\_  
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 August 2026, and have posted a copy of the ordinance on the Public Meeting Notice Website and on the Town website: [brianheadtown.utah.gov](http://brianheadtown.utah.gov) as per UCA 63-30-102.

*Nancy Leigh, Town Clerk*

A. Purpose.

The purpose of the Mixed Use Overlay (MUO) zoning district is to facilitate the integration of diverse but compatible uses with the goal of creating a community with more diverse development types providing a broader range in residential and commercial choices. Developers are encouraged to offer ownership potential such as a condominiums for both commercial and residential uses. The MUO zoning district shall be applied as an overlay zone in the R-1, GC, VC, and LI zoning district where specifically approved. The uses permitted in the underlying zoning district shall be a priority.

The overlay zone is intended to supplement the standards of the underlying zoning district and shall not replace the underlying zoning designation. All permitted uses, dimensional standards, and development requirements of the underlying zoning district shall remain applicable unless expressly modified by the overlay zone. Where the overlay zone establishes specific additional standards, those standards shall apply in addition to the underlying zone requirements. In all other respects, the underlying zoning district shall govern.

The flexibility in use provided by this zone should help promote "live, work, and play" opportunities within the Town while creating an appropriate transition from surrounding development. A mixed use project can utilize 'horizontal mixed use where commercial, office and residential uses are designed as a single project yet constructed in phases for separate and distinct building footprints. A mixed use project may also employ 'vertical' design strategies where commercial, clean industrial, office and residential uses are designed as a single project and constructed within the same footprint.

B. Allowed Uses.

The allowed uses within a project are as follows:

1. When applied in the R-1, **R-2 and R-3** zoning districts:
  - a. The following shall be considered Permitted Uses:
    - i. Multiple-family dwellings, but where the **R-1 underlying** zone limits the number of dwellings ~~to no more than one (1) dwelling per fourteen thousand five hundred (14,500) square feet of property~~, the MUO Zone has no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of allowable units.
    - ii. Offices.
    - iii. Retail sales and services.
    - iv. Full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center.
    - v. Amusement and entertainment facilities.
    - vi. Motels or hotels. **(Except in R-1)**

- b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement. Minimum guidelines for commercial space include:
    - i. Ground floor commercial is required on buildings which front arterial and collector streets.
    - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be commercial space.
    - iii. Parking shall not be counted towards commercial space requirement.
  - c. As determined by the Development Agreement, commercial buildings may be required to be built before or at the same time as residential development.
2. When applied with the GC and VC zoning districts:
- a. The following shall be considered Permitted Uses:
    - i. Multiple dwellings with no maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of residential units allowed.
    - ii. Retail sales and services.
    - iii. Offices.
    - iv. Motels and hotels.
    - v. Full-service restaurant, limited-service restaurant, banquet or reception center.
    - vi. Amusement and entertainment facilities.
    - vii. Home Occupation
    - viii. Private swimming pools
    - ix. Accessory uses and accessory buildings customarily appurtenant to a permitted use.
  - b. Adequate commercial space within the project shall be provided. The final proportion of commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement.

Minimum guidelines for commercial space include:

- i. Ground floor commercial is required on buildings which front arterial and collector streets.
  - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be commercial space.
  - iii. Parking shall not be counted towards commercial space requirement.
- c. As determined in a Development Agreement, commercial buildings may be required to be built before or at the same time as residential development.
3. When applied with the LI zoning district:
- a. The uses allowed within the underlying zone and the following shall be considered Permitted Uses:
    - i. Multiple-family dwellings. No maximum residential density prescribed. Instead building form, height, site envelope, yards, open space standards and parking ratios will determine the number of units allowed.
    - ii. Light industry.
    - iii. Retail sales and services.
    - iv. Offices.

- v. Amusement and entertainment facilities.
  - vi. Home Occupation
  - vii. Private swimming pools and all appropriate amenities.
  - viii. Accessory uses and accessory buildings customarily appurtenant to a permitted use.
- b. Adequate light industrial and/or commercial space within the project shall be provided. The final proportion of light industrial or commercial square footage and residential square footage will be determined based on the specific characteristics of the project site and shall be approved by the Town Council in a Development Agreement. Minimum guidelines for commercial space include:
- i. Ground floor commercial is required on buildings which front arterial and collector streets.
  - ii. A minimum of thirty percent (30%) of the combined total of the square footage for all buildings in the project shall be for clean/light industrial space or commercial space.
  - iii. Parking shall not be counted towards commercial space requirement.
- c. Phasing shall be determined by the Development Agreement but generally required commercial space will be constructed before or at the time as residential space.

#### C. Prohibited Uses.

To be applied to all underlying zoning districts: Unless expressly permitted, all other uses that are incompatible with the purpose of this Chapter, including ~~short term rentals (occupancy of residential unit for less than 30 days)~~, public utility substations not owned by the Town and storage units are not allowed. ~~Detached, single-family dwellings are not allowed.~~ Sexually oriented businesses are prohibited in an MUO.

#### D. Height Regulation.

1. The following shall apply in lieu of the height restrictions of the underlying zoning district.
  - ~~a. The main floor of any building fronting an arterial or collector street shall have a minimum ceiling height of twelve feet (12').~~
  - b. No building which is exclusively or primarily for residential use shall exceed thirty-five feet (35') in height, subject to the following exceptions:
    - i. Any portion of a building within fifty feet (50') of a residential dwelling shall not exceed thirty feet (30') in height excepting if there is a public road between the residential district and the building.
    - ii. No accessory building, including any detached accessory dwelling shall exceed the height of the main dwellings(s) on the property.
    - iii. No main building shall be less than thirteen feet (13') in height.
    - iv. No accessory building shall be less than ten feet (10') in height.
    - v. Buildings which are exclusively used for commercial purposes shall not exceed four (4) stories and shall not exceed fifty feet (50') in height.

#### E. Area, Lot Coverage, and Yard Requirement.



1. The lot and yard requirements shall be those of the underlying zoning district. However, variations to setbacks may be determined through the DEVELOPMENT AGREEMENT. Generally, setbacks are to be determined based on the use of the building.
2. Commercial buildings shall have the setbacks set forth in the GC or VC zone.
3. Industrial buildings shall have the setbacks required in the LI zone.
4. Flag lots are not permitted.
5. Minimum Area for this zone is 1 acre. (This allows small convenience type stores to be placed in a walkable neighborhood. Also, by requiring it to be larger, like 5 Acres, it would open it up to more intensive developments.)

F. Development Standards. Please review 9-12 of the LMC for the Development Standards and Guidelines.

G. Project Evaluation / Review Process.

- a. For this Overlay Zone to be applied to a property, it must be done through a legislative action by the Town Council.
- b. All applications and project proposals to include a property within the MUO zone shall be submitted with information and a written narrative indicating compatibility with:
  1. Brian Head General Plan.
  2. The Brian Head Zoning Ordinances.
  3. The purpose of the MUO Zone.
  4. Sound planning practices.
  5. Surrounding land-uses.
  6. All other Town-approved studies and plans.
- c. Submittal Requirements - See 9-4-1(B)5

## 9-4-1 Submittal Requirements

### B. Land Use Application Type and Requirements

#### 5. Mixed-Use Overlay Zone

##### a. Land Use Authority: Town Council

- b. Submittal Requirements: All projects within the MUO zone shall be approved through a Development Agreement (DEVELOPMENT AGREEMENT) with sufficient project details to show compatibility by providing at a minimum:

1. Title Report.
2. A site plan, Including Preliminary Topography and Proposed Retaining Walls
3. A landscape plan.
4. An amenities plan.
5. Conceptual building elevations and design schemes.
6. Streetscape and building setback diagrams.
7. A traffic study as required by the Public Works Department.
8. A circulation plan and parking study as required by the Public Works Department, justifying the amount of off-street parking being provided if shared parking or parking reduction are proposed.
9. The number, unit types, and general land use categories of building square footage proposed in the mixed use project shall be specified and enumerated in the site and concept plans and shall accompany a proposed Development Agreement.
10. The Town may deny any zone map amendment or development proposal that does not comply with any of these criteria.

## Attachment C

9-12-5

C. Fences: Fences and gates should be avoided to preserve a sense of openness and continuity. When fences are implemented for landscaping, safety, animal containment, or privacy they shall comply with the following:

1. Fences and gates shall be set back at least ten feet (10') behind the building's front facade.
2. Perimeter fencing of a property is prohibited without specific Planning Commission approval.
3. Fences shall not exceed four feet (4') in height, except where required for safety reasons (i.e., swimming pool and attractive nuisances) or where necessary to meet screening requirements or where not visible from off-site. (ord. 08-016, 8-12-2008, amd ord. 15-018, 12-8-2015)
4. Fence materials shall be wood, timbers, rock, or materials indigenous to the area. Wrought iron fencing should be used primarily at swimming pools and painted or treated to blend in with the surrounding environment or building facade.
5. Vegetation should be planted in and around fencing to soften the appearance except where no visible from off site. (ord. 08-016, 8-12-2008 amd ord. 15-018, 12-8-2015)
6. Stucco, ~~chain link~~ and vinyl wall fence materials are prohibited. **Chain link fence material is prohibited except for at sports court per 9-12-21.** Use of railroad ties or concrete blocks must be consistent with the General Plan and approved by the Planning Commission. (ord. 08-016, 12-2008, amd ord. 16-007, 12-8-2016, amd. ord. 24-014, 10-8-24).



# STAFF REPORT TO THE TOWN COUNCIL

BRIAN HEAD

## ITEM: LEASE OF TOWN PROPERTY FOR CONCRETE BATCH PLANT

**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** August 11, 2026  
**TYPE OF ITEM:** Administrative Action

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### SUMMARY:

The Council will consider leasing a space on Town-owned property in Cedar Breaks Mountain Estates Unit B (the Archery Range) for private use of a temporary concrete batch plant.

### BACKGROUND:

John Stark is working on various residential building projects around Town, including on Ponderosa Drive. He owns a property adjacent to the Archery Range on which he intended to locate a temporary concrete batch plant for his various permitted projects over the next handful of building seasons. However, that project is not properly graded yet, and his temporary batch plant has arrived. So, he has discussed with the Town locating the batch plant on a property on Ponderosa that has an active building permit. The neighbors there have concerns about nuisance. The Town suggested keeping the plant at the original location next to the archery range, but that would delay installation.

[§9-10-4](#) of Town Code allows the following:

*The operation [of a concrete batch plant] 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.*

Mr. Stark has proposed that the batch plant be located on an already cleared and graded piece of land, approximately 6,500 square feet, on the Archery Range which was used last year for staging on the Snowshoe & Toboggan Water/Sewer project.



### **ANALYSIS:**

[§2-2-2](#) of the Town Code deals with disposal (or in other words “use or sale”) of Town owned property. The policy doesn’t have much guidance when it comes to leasing a portion of Town property, but it does state that the Council may lease out a property. The process to do so is governed by whether the property is considered significant or not. Significant property is defined as being over 5 acres. The Archery Range is over 5 acres, but the portion we’re looking at to lease is well under. If the process is to be followed for significant parcel, we should notice the public for 14 days and provide public comment in a Council meeting.

Having consulted with the Town Attorney, we are not aware of any State statute or case law that would bar the leasing of Town Land for private use, even if that use is for-profit. Indeed, the Town has leased Town Hall and other Town facilities for religious services and other events, some of which might be deemed for-profit. We also lease space in rights-of-way for for-profit utility activities under franchise agreements. While it is good practice to make availability of town-owned land open to the public via a Request for Proposals or the like, we’re not aware of a legal requirement to do so.

If the Council wishes to lease a space on the Archery Range to Mr. Stark, the Council should require just consideration in return. This could be in the form of a lease payment, or it could be some other consideration in the public interest. Based on quick research of what minimal comparable data exists (and admittedly with some help from AI), staff believe that \$500-\$750/mo. is a reasonable lease payment on the piece of property. Alternatively, Council could ask for a guaranteed price for and available to the Town for material from the batch plant as a reasonable return to the public for usage of publicly owned land. That said, the Town’s concrete projects are largely concluded for this building season.

### **FINANCIAL IMPLICATIONS:**

Nothing significant

### **BOARD/COMMISSION RECOMMENDATION:**

N/A

### **STAFF RECOMMENDATION:**

Staff recommends allowing the lease in the short-term, through October 15, 2026, and revisiting next season. If Mr. Stark chooses to locate the batch plant on his own property (Lot 8) next season, then so be it. If he wishes to continue leasing the property next season, then we should issue an RFP for use of the property and make it publicly available for a longer term lease and hold a hearing on the proposed use of the property.

### **PROPOSED MOTION:**

I move that we direct staff to prepare a lease agreement in a form authorized by the Town Attorney for the location of a private temporary concrete batch plant on approximately 6,500 square feet of space on the Town-owned “Archery Range” and enter into that agreement for a term not to exceed October 15, 2026.



***SITE LOCATION - PROPOSED CONCRETE BATCH PLANT  
BRIAN HEAD TOWN LOT - A-1210-0HRA-0000 - AKA DOG PARK***



SITE LOCATION  
BRIAN HEAD TOWN LOT  
A-1210-0HRA-0000  
AKA DOG PARK

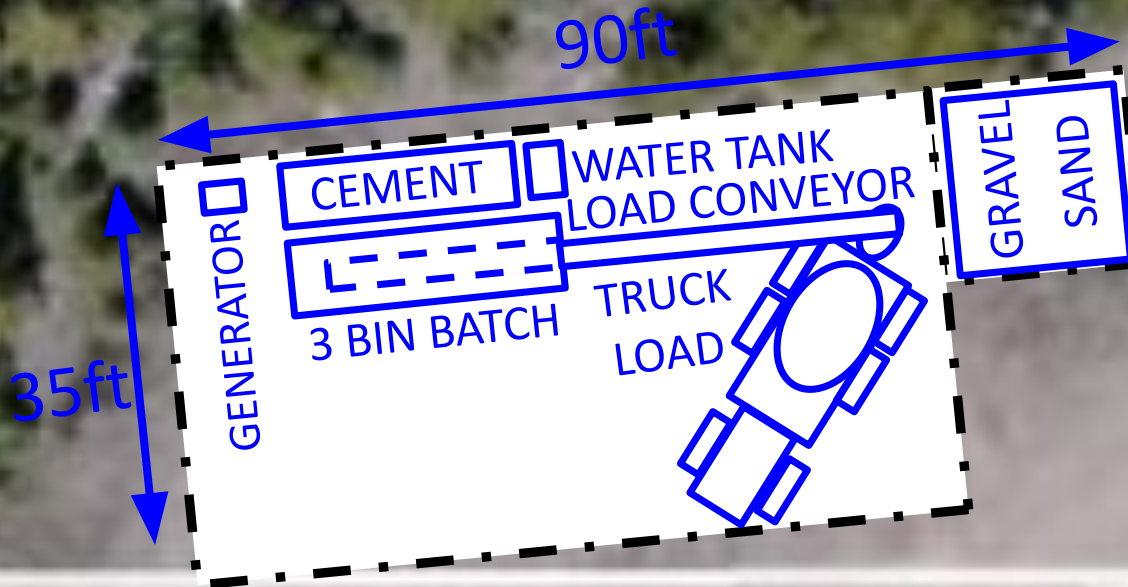


***SITE LOCATION - PROPOSED CONCRETE BATCH PLANT  
BRIAN HEAD TOWN LOT - A-1210-0HRA-0000 - AKA DOG PARK***



SITE LOCATION  
BRIAN HEAD TOWN LOT  
A-1210-0HRA-0000  
AKA DOG PARK

**SITE LOCATION PLAN - BATCH PLANT LAYOUT**  
**BRIAN HEAD TOWN LOT - A-1210-0HRA-0000 - AKA DOG PARK**





# **SITE LOCATION - TO NEAREST CABINS**

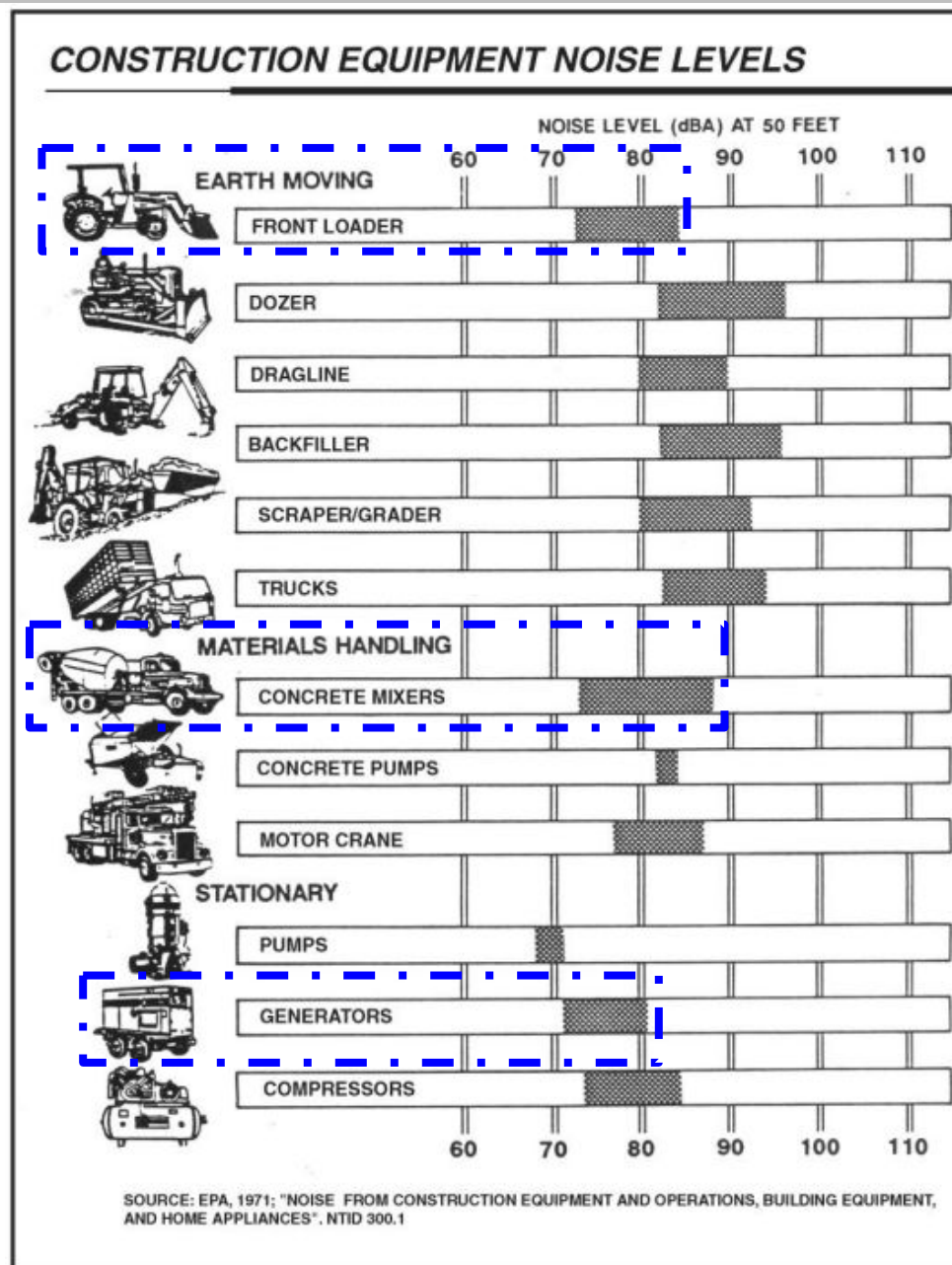
**535ft to S.E., 620ft N., 1055ft N.E.**





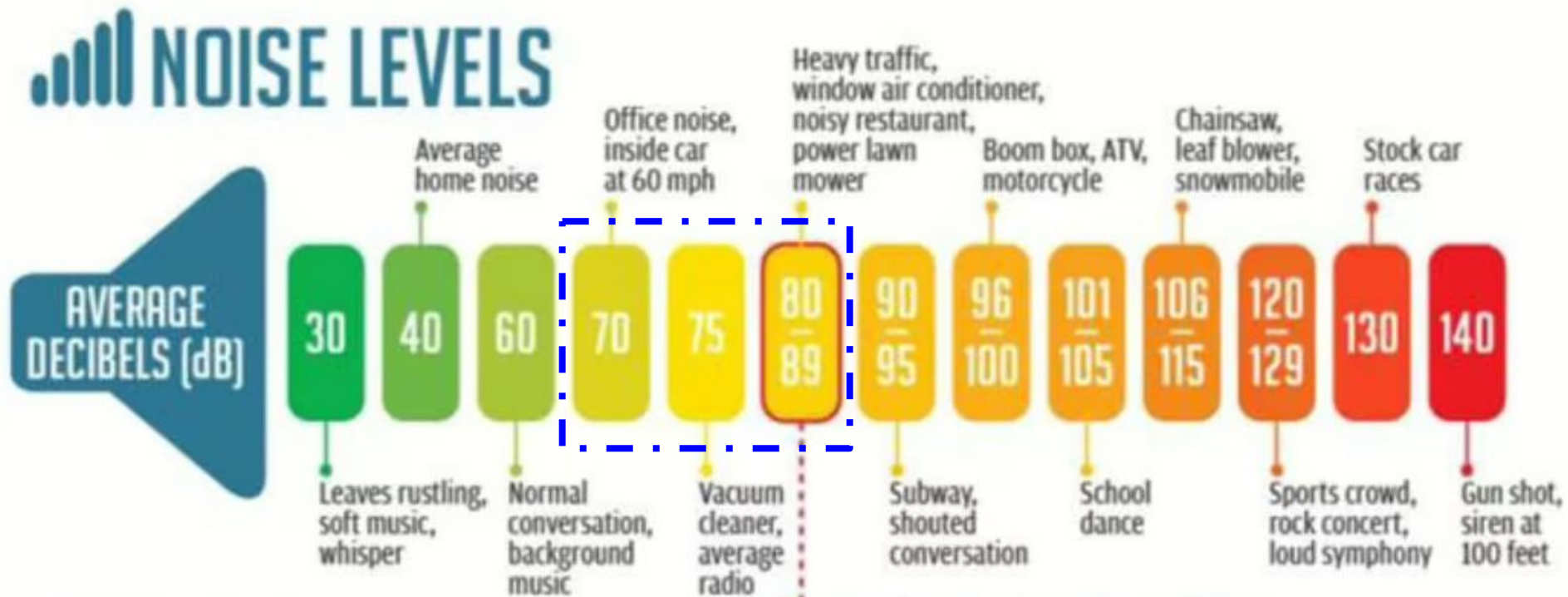
# CONSTRUCTION EQUIPMENT NOISE LEVELS at 50ft

LOADER - 70 to 84dBA, CONCRETE MIXER - 70 to 89dBA, GENERATOR - 70 to 80dBA



## CONSTRUCTION EQUIPMENT NOISE LEVELS at 50ft

LOADER - 70 to 85dBA, CONCRETE MIXER - 70 to 89dBA, GENERATOR - 70 to 80dBA





# ***CONCRETE BATCH PLANT LEAVING FACTORY***



## ***CONCRETE BATCH PLANT MATERIALS STORED ONSITE***

- ASTM C33 Aggregate (Sand): Less than 4.75 mm - 15 yards
- ASTM C33 Aggregate (Coarse Aggregate) 4.75 mm to 75 mm - 15 yards
- LEHIGH Type I / II Cement - 30 yards
- Water Storage - 1000 gallons
- BASF - Add Mix Air Entrainment - 55 gallons
- BASF - Add Mix Water Reducer - 55 gallons

## ***CONCRETE BATCH PLANT ONSITE MITIGATIONS***

- Hours of Operations - 7am to 4pm
- Batch only 1 to 2 days per week
- Batch 4 to 6 loads per day
- Noise
  - Only run generator when batching - 10 minutes per batch
  - Loading Sand & Gravel - 15 minutes per batch
  - Do not idle mixer truck
- Dust
  - Water down all dirt areas daily
  - Water all gravel & sand stockpiles
  - Reduce vehicle travel speed to 15mph or less
  - Offloading cement to horizontal silo with bag filter running
- Storm water run off - Keep water retain to site with waddles



## ITEM: BRIAN HEAD DAYS EVENT RECAP AND FUTURE PLANNING

**AUTHOR:** Nancy Leigh, Town Clerk  
**DEPARTMENT:** Administration  
**DATE:** June 23, 2026  
**TYPE OF ITEM:** Informational

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### SUMMARY:

Staff will provide the Town Council with a recap of the inaugural Brian Head Days event held July 24–25, 2026, including highlights, events, and a preliminary financial summary comparing the approved budget with actual revenues and expenditures. Staff will also seek Council input on potential signature events and opportunities to expand community participation for the 2027 Brian Head Days celebration.

***Please note:** The financial information presented is preliminary, as several vendor invoices have not yet been received and final costs may vary slightly.*

### BACKGROUND:

In 2025, Brian Head celebrated its 50th Anniversary with events held in both March and July. The success of those celebrations demonstrated strong community interest and participation.

During the FY2027 Strategic Retreat, the Town Council directed staff to establish a new annual community celebration known as **Brian Head Days**. Staff worked with local businesses, community members, and volunteers to form an event committee and develop activities that would appeal to both residents and visitors over the Pioneer Day holiday weekend. Public input was also solicited through a community survey to help identify potential signature events and supporting activities.

### ANALYSIS:

The long-term vision for Brian Head Days is to develop a community-driven event where local businesses, organizations, and residents take the lead in organizing and hosting activities, while the Town continues to coordinate and provide support for key community events.

The inaugural Brian Head Days included a combination of returning favorites and new activities.

#### FRIDAY, JULY 24

- Manzanita Trail Hike (Town Staff)
- Brian Head Arbor Day (Town Staff)
- Fly Fishing Demonstration & Lessons (Local Business)
- Paddleboard Races (Town Staff)
- Village Way Vendor Fair & Beer Garden

#### SATURDAY, JULY 25

- 5K Run Through the Decades (Town Staff)
- Village Way Vendor Fair
- Firefighters Lunch (Brian Head Fire Department)
- Beer Garden & Live Music (Brian Head Resort)
- FMX Stunt Show – Main Event (Town Staff)

- Line Dancing (Town Staff)
- Sunset Chairlift Rides (Brian Head Resort)
- Fireworks Display (Town Staff)
- OHV Parade (Thunder Mountain Motorsports)
- Drone Show (Town Staff)

#### SEASON-LONG: BRIAN HEAD FISHING DERBY • MAY-SEPTEMBER 30

Two tagged fish valued at \$250 each were released into Bristlecone Pond, along with additional prize fish. One of the \$250 tagged fish was caught by an enthusiastic eight-year-old participant, generating positive community interest in the program.

Overall, six events were organized and hosted by local businesses or community organizations, while the Town coordinated eight events. Certain events – including the fireworks display, drone show, Arbor Day activities Head, and the Fishing Derby – will likely remain Town-led due to their logistical, financial, operational, and safety requirements.

#### WHAT WE LEARNED FROM 2026

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The inaugural event provided valuable experience for future planning. Staff recommends strengthening the following areas as Brian Head Days continues to develop:

- **Marketing / Advertising:** Work with the Tourism Bureau and other professional tourism resources to strengthen advertising, reach visitors more effectively, and develop a repeatable marketing plan.
- **Community Involvement:** Increase participation from residents, businesses, organizations, and volunteers, with an emphasis on community members hosting events and taking ownership of activities.
- **Scheduling & Public Updates:** Establish a quick, efficient process for adding, changing, or removing events and use an electronic schedule as the primary method for communicating last-minute changes.
- **Shirt Orders & Sales:** Reduce inventory ordered by the Town and explore having local retail businesses sell Brian Head Days shirts and hoodies before and during the event.
- **Employee Time / Cost:** Consider employee overtime and staffing costs when selecting future dates and event structures, particularly if the celebration continues over Pioneer Day weekend.
- **Information Booth:** Seek Council direction on whether a staffed information booth is needed for both event days, particularly if its primary purpose is merchandise sales.
- **Early Department Involvement:** Bring key department heads into planning early for events requiring public safety, traffic control, emergency services, operations, or other specialized resources.

#### COMMUNITY-DRIVEN EVENT MODEL

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The long-term vision for Brian Head Days is to develop a community-driven celebration where local businesses, organizations, and residents take the lead in organizing and hosting activities, while the Town continues to coordinate and support key community events. In 2026, six events were organized and hosted by local businesses or community organizations, while the Town coordinated eight events. Events such as the fireworks display, drone show, Arbor Day activities, and Fishing Derby will likely remain Town-led because of their logistical, financial, operational, and safety requirements.



As the event grows, increasing community ownership can expand the activity schedule, reduce demands on Town staff, and further establish Brian Head Days as a signature annual celebration.

#### FUTURE BRIAN HEAD DAYS MAIN EVENTS

*Potential ideas for Council consideration:*

- Logging Show – staff contacted several providers and was advised many are booked at least two years out.
- Video Premier
- Carnival
- Motocross Stunt Show – 2026 event
- Motocross Enduro Race
- Other signature-event concepts identified by Council, residents, businesses, or community partners.

**Planning Goal:** Confirm and partially fund the main event in advance, with the goal of being 2–3 years ahead in event planning.

#### FINANCIAL IMPLICATIONS:

##### FINANCIAL SUMMARY as of 8-7-26

| Proposed Expenses | Proposed Off-set Revenue | Actual Expenses | Actual Revenue |
|-------------------|--------------------------|-----------------|----------------|
| \$47,950          | \$21,750                 | \$33,053.58     | \$13,230       |

**Preliminary:** Not all vendor invoices have been received. Final expenditures will be updated after all invoices are processed and reconciled.

**Revenue note:** Tourism Bureau grant funds and Parowan/Brian Head Chamber sponsorship funds have not yet been received at the time of this report but anticipate a grant from the Tourism Bureau in the amount of \$5,500 and \$1500 from the Parowan/Brian Head Chamber for sponsorship donations for a total of \$7,000 in revenue.

#### STAFF RECOMMENDATION:

##### RECOMMENDATION / COUNCIL DIRECTION

This item is presented for information and discussion. Staff recommends that the Council review the 2026 recap, provide direction on potential signature events for future Brian Head Days celebrations, and support continued efforts to increase community and business participation.

Staff are specifically seeking Council input regarding potential main events, and the Council's preference on whether the information booth should be staffed for both days or eliminated altogether, and any additional ideas or priorities the Council would like incorporated into the 2027 planning process