

The Regular Meeting of the  
Brian Head Planning Commission  
Town Hall - 56 North Highway 143  
Brian Head, UT 84719  
Zoom Meetings ([click here](#))  
Zoom Meeting ID# 859 4042 4097  
**TUESDAY, December 6, 2022 @ 1:00 PM**

## AGENDA

- A. CALL TO ORDER 1:00PM**
- B. PLEDGE OF ALLEGIANCE**
- C. DISCLOSURES**
- D. PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- E. AGENDA ITEMS:**
- 1. PUBLIC HEARING – CEDAR BREAKS MOUNTAIN ESTATES UNIT C LOTS 45 & 45 LOT LINE VACATION.** Bret Howser, Town Manager. The Commission will hold a public hearing regarding the proposed plat amendment in Cedar Breaks Mountain Estates Unit C.
  - 2. ACTION – CEDAR BREAKS MOUNTAIN ESTATES UNIT C LOTS 45 & 45 LOT LINE VACATION.** Bret Howser, Town Manager. The Commission will review the proposed amended plat for Cedar Breaks Mountain Estates Unit C and may approve, table or deny.
  - 3. R3 TO R2 DOWNZONING DISCUSSION.** Bret Howser, Town Manager. The Commission will discuss potential downzoning of various undeveloped areas currently zoned multi-family residential. No action will be taken.
  - 4. 2023 MEETING SCHEDULE.** Nancy Leigh, Town Clerk. The Commission will discuss and approve a meeting schedule for calendar year 2023.
- G. ADJOURNMENT**

**Date: December 6, 2022**

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

### CERTIFICATE OF POSTING

I hereby certify that I have posted copies of this agenda in two public and conspicuous places within the Town Limits of Brian Head; to wit, Town Hall and Post Office on this 2<sup>nd</sup> day of December 2022 and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk





## STAFF REPORT TO THE PLANNING COMMISSION

**SUBJECT:** Plat Amendment – Lot Line Vacation  
**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** December 6, 2022  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Town recently received an application for an amended plat – lot line vacation of Cedar Breaks Mountain Estates Unit C lots #45 and 46, or 391 & 407 Falcon Ct. The Town requires the owner to provide notice to all property owners within 300' and the Planning Commission must approve the plat prior to recording the change with the County Recorder. The notice was sent out on 11-10-22.

### TOPIC / DISCUSSION:

The Commission will review and make a motion on the amended plat of Cedar Breaks Mountain Estates Unit C.

### ANALYSIS:

The Commission should refer to the Land Management Code Chapter 9-9-3:  
Standards for Review / Findings of Fact:

a. The proposed subdivision and use conform to the Town General Plan, Zoning Regulations, Public Works Standards, Design Standards ([chapter 12](#) of this title) and other relevant sections of this title.

*The lots are within a Single-Family zone and conform to the Town General Plan, Zoning Regulations, Public Works Standards, Design Standards and other relevant sections of the Land Management Code.*

b. The proposed method for fire protection complies with this title, and other regulations as applicable.

*The applicant will be required to connect to water when available per Public Works policy.*

c. The layout/design is responsive to the constraints of topography, soil types, geologic hazards, watercourses and floodplains, visual impacts, and preservation of views.

*The layout does not change any of the above.*

d. Adequate public services are available to meet the needs of the proposed subdivision, including roads, water, sewer, storm water, gas, electric, telecommunications, trails, transit, snow storage areas, police and fire protection, and recreation.

*This section is not applicable. The subdivision already exists.*

e. Provide evidence to show that there is no encumbrance, lien or conveyance restricting the intended use of the lot.

*Staff has reviewed the Iron County records and there are no restrictions for the intended use of the lot.*

f. Provide evidence from the County Treasurer that all ad valorem taxes applicable to the property have been paid.

*The Iron County Treasurer's office has confirmed that taxes have been paid.*

g. Provide signature blocks on the plat signed by a representative of public utilities which identify their approval.

*This is an existing subdivision*

### **PROPOSED MOTION:**

The Commission can deny, table or approve the lot line vacation.

Recommended motion: I move to approve the amended plat eliminating the lot line between Lots 45 & 46 of Cedar Breaks Mountain Estates Unit C subject to the appropriate signatures and recording of amended plat with the Iron County Recorder.

### **ATTACHMENTS:**

Proposed amended plat

## 1904-321 SYDNEY [August 28, 22]



## STAFF REPORT TO THE PLANNING COMMISSION

**SUBJECT:** R3 to R2 Downzoning Discussion  
**AUTHOR:** Bret Howser  
**DEPARTMENT:** Administration  
**DATE:** December 6, 2022  
**TYPE OF ITEM:** Discussion

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### SUMMARY:

The Planning Commission will discuss the areas in Town which are zoned Multi-Family Residential (R3) that might be more suitable for Medium Density Residential (R2)

### BACKGROUND:

The Brian Head General Plan and Zoning Map provide for the possibility of R2 zoning in the Town. Currently no properties are zoned R2. On the other hand there are large areas of undeveloped land -- sometimes previously unsubdivided parcels, and in some cases areas that have been subdivided as single family residential lots but maintained the R3 zoning.

Earlier in 2022, staff presented the Planning Commission and Town Council with a study of the Town's water rights. The study compared existing Town water rights with potential development, and while inconclusive on whether the Town has "enough" water rights, it did indicate that there are scenarios where the Town may need to require additional water rights of future developments. One aspect noted in the study was that the abundance of unsubdivided/undeveloped land zoned R3 has a substantial impact on available water rights. Due to this, the Town Council asked the staff and Planning Commission to look at the possibility of downzoning some of the undeveloped R3 land to R2.

### ANALYSIS:

The zoning map attached shows various undeveloped areas of Town which are currently zoned R3. The Planning Commission should discuss these areas and the potential to downzone them. In particular staff recommends looking at Crystal Aire subdivision and Brian Head Unit 3, which were apparently subdivided as single family residential lots, but for some reason, likely for the financial benefit of interested parties, have been zoned R3 for some time.

### FINANCIAL IMPLICATIONS:

N/A

### STAFF RECOMMENDATION:

This item is discussion only. Staff only recommends that a decision be made consistent with the General Plan and with appropriate development principles (including the fact of limited water supply). Staff has attached a sample General Plan Map revision to aid the conversation.

### PROPOSED MOTION:

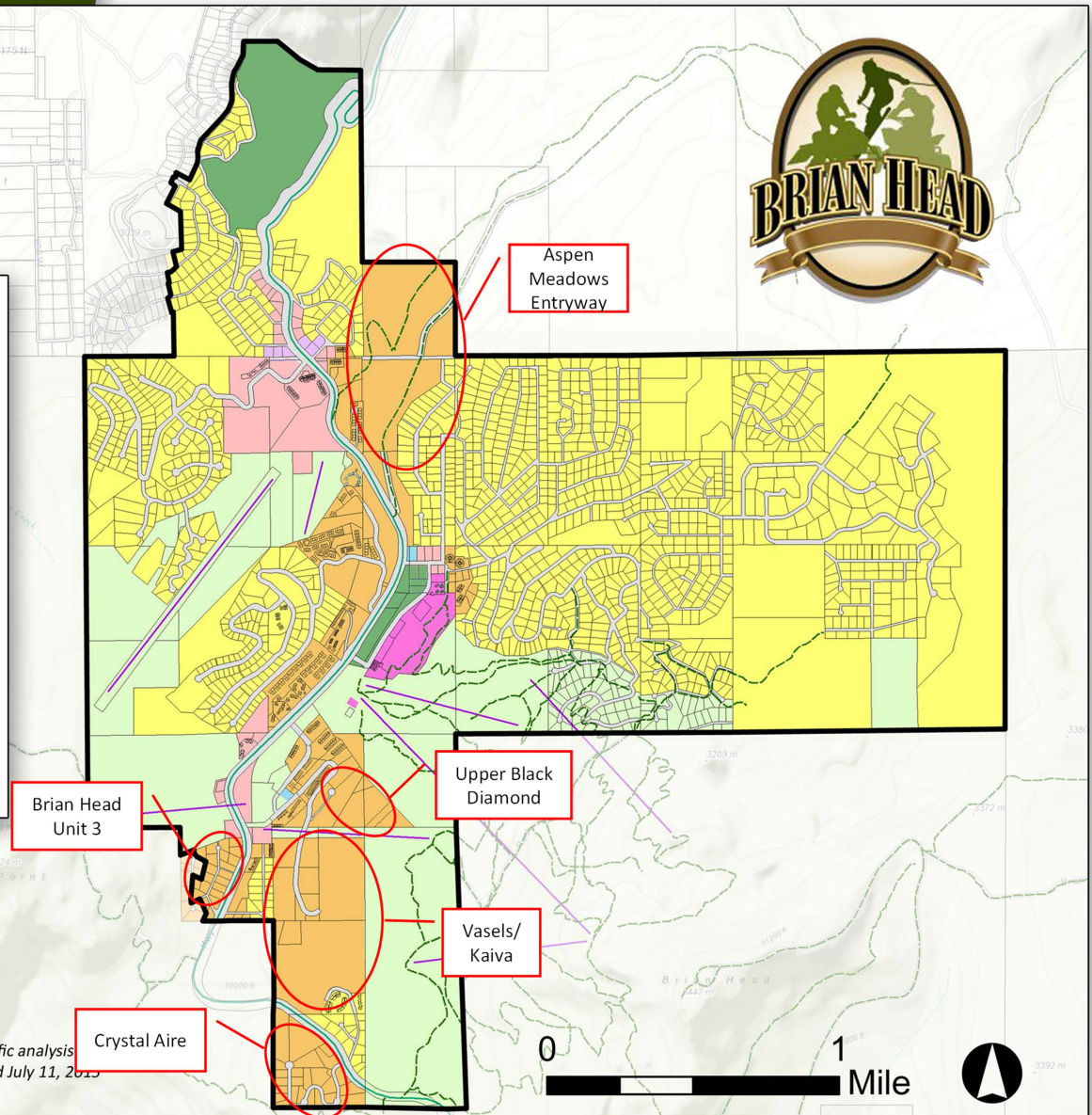
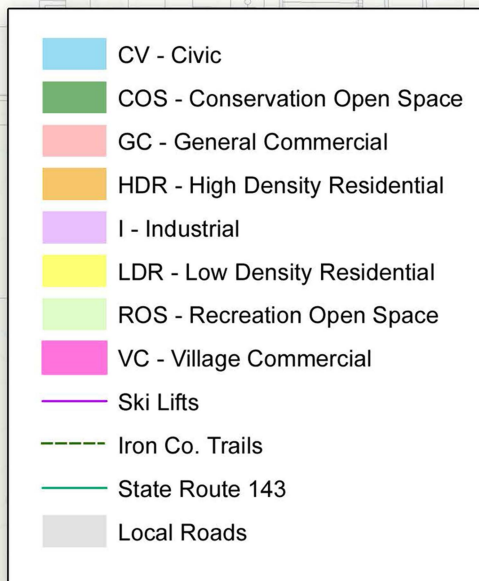
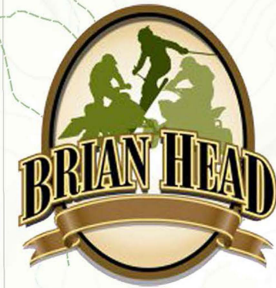
No motion necessary, item is discussion/informational only

**ATTACHMENTS:**

A – Zoning Map with large undeveloped R3 areas indicated

B – Example General Plan Map revisions

# Brian Head Zoning



Base data provided by Iron County and the Utah State AGRC.  
Mapping intended for city wide planning and not for site specific analysis  
Coordinate System: NAD\_1983\_UTM\_Zone\_12N. Last updated July 11, 2019

Aspen Meadows Drive  
expected to be a major road  
– leave area along road R3  
and change rest to R2

Properties along  
Hwy R2, interior to  
neighborhood R1

Just bisected properties for  
now, once road is identified,  
properties along main road R3,  
properties off main road R2

Larger properties in lower part of  
neighborhood R2, smaller  
properties deeper in neighborhood  
R1

MAP LEGEND

|                               |  |
|-------------------------------|--|
| HR - HIGH DENSITY RESIDENTIAL |  |
| LR - LOW DENSITY RESIDENTIAL  |  |
| CC - GENERAL COMMERCIAL       |  |
| VC - VILLAGE COMMERCIAL       |  |
| CV - CIVIC                    |  |
| I - INDUSTRIAL                |  |
| ROS - RECREATION OPEN SPACE   |  |
| COS - CONSERVATION OPEN SPACE |  |
| WPS - WATER PROTECTION ZONES  |  |
| TB - TOWN BOUNDARY            |  |
| HWY 143                       |  |
| SE LIPS - EXISTING            |  |

SCALE

1" = 100'



## STAFF REPORT TO THE PLANNING COMMISSION

**SUBJECT:** 2023 Planning Commission Meeting Schedule Approval  
**AUTHOR:** Nancy Leigh, Town Clerk  
**DEPARTMENT:** Administration  
**DATE:** December 6, 2022  
**TYPE OF ITEM:** Legislative Action

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### SUMMARY:

The Commission will approve their 2023 meeting schedule.

### BACKGROUND:

During the last meeting of the year, the Planning Commission will review and approve its 2023 meeting schedule. Once the schedule is approved, it is posted for the public.

### ANALYSIS:

For 2023, the Commission meetings are identified with the following:

- Meetings begin at 1:00 pm or shortly thereafter.
- The meeting anchor location is the Brian Head Town Hall Council Chambers located at 56 North Highway 143, Brian Head, UT 84719
- Planning Commission meetings are scheduled for the first and third Tuesday of each month except for November and December where there will be one meeting on the first Tuesday of the month.

Attached is the 2023 meeting schedule identifying each date scheduled for Commission meetings, also attached is a calendar showing the dates along with holidays for 2023. The Commission meeting dates on the calendar are highlighted in yellow for reference.

Conflicting dates: for 2023, the only conflicting date we show is July 4<sup>th</sup>. The staff has chosen to identify only one meeting date in July, the third Tuesday. If the Commission chooses to identify a meeting on July 5<sup>th</sup> (Wednesday), please make the change in the motion and staff will update the meeting schedule that will be posted for the public



Several holidays are the day before the scheduled Commission meetings but are not in direct conflict like the 4<sup>th</sup> of July holiday.

### STAFF RECOMMENDATION:

Staff recommends the Commission approve the 2023 meeting schedule as presented.

### PROPOSED MOTION:

I move to approve the 2023 Planning Commission meeting schedule as presented.

### ATTACHMENTS:

A – 2022 Meeting Schedule & Calendar.



## BRIAN HEAD PLANNING COMMISSION MEETING SCHEDULE

# 2023

### LOCATION:

BRIAN HEAD TOWN HALL - COUNCIL CHAMBERS  
56 NORTH HIGHWAY 143, BRIAN HEAD, UT 84719

### TIME:

ALL MEETINGS ARE SCHEDULED TO BEGIN AT 1:00 P.M. (MST) OR SHORTLY  
THEREAFTER UNLESS OTHERWISE NOTICED.

### DATES:

ALL MEETINGS ARE SCHEDULED FOR THE 1<sup>ST</sup> & 3<sup>RD</sup> TUESDAY OF EACH MONTH  
ON THE FOLLOWING DATES, UNLESS OTHERWISE NOTICED:

JANUARY: 3<sup>rd</sup> & 17<sup>th</sup>  
FEBRUARY: 7<sup>th</sup> & 21<sup>st</sup>  
MARCH: 7<sup>th</sup> & 21<sup>st</sup>  
APRIL: 4<sup>th</sup> & 18<sup>th</sup>  
MAY: 2<sup>nd</sup> & 16<sup>th</sup>  
JUNE: 6<sup>th</sup> & 20<sup>th</sup>

JULY: 18<sup>th</sup>  
AUGUST: 1<sup>st</sup> & 15<sup>th</sup>  
SEPTEMBER: 5<sup>th</sup> & 19<sup>th</sup>  
OCTOBER: 3<sup>rd</sup> & 17<sup>th</sup>  
NOVEMBER: 7<sup>th</sup>  
DECEMBER: 5<sup>th</sup>

THERE WILL BE ONE PLANNING COMMISSION MEETING SCHEDULED FOR THE  
MONTH OF NOVEMBER AND DECEMBER 2023 ON THE 1<sup>ST</sup> TUESDAY OF THESE  
MONTHS:

Dated this \_\_\_\_ day of December 2022

In compliance with the Americans with Disabilities Act, persons needing auxiliary communications aids and services for this meeting should call the Brian Head Town Hall @ 435-677-2029 giving at least three (3) days notice prior to the meeting.

### CERTIFICATE OF POSTING

I hereby certify that on \_\_\_\_\_, 20\_\_\_\_, I have posted copies of this 2021 Meeting Schedule in three public and conspicuous places within the Town limits of Brian Head, to wit: Town Hall, Post Office, and The Mall and have caused a copy of this notice to be delivered to the Daily Spectrum and have posted it on the Utah Public Meeting Notice Website.

Nancy Leigh, Town Clerk

# 2023 PLANNING COMMISSION MEETING SCHEDULE

## JANUARY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

## FEBRUARY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 |    |    |    |    |

## MARCH

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 |    |

## APRIL

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 |    |    |    |    |    |    |

## MAY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    | 1  | 2  | 3  | 4  | 5  | 6  |
| 7  | 8  | 9  | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 |    |    |    |

## JUNE

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    | 1  | 2  | 3  |
| 4  | 5  | 6  | 7  | 8  | 9  | 10 |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 |
| 25 | 26 | 27 | 28 | 29 | 30 |    |

## JULY

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    |    | 1  |
| 2  | 3  | 4  | 5  | 6  | 7  | 8  |
| 9  | 10 | 11 | 12 | 13 | 14 | 15 |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 |
| 30 | 31 |    |    |    |    |    |

## AUGUST

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    | 1  | 2  | 3  | 4  | 5  |
| 6  | 7  | 8  | 9  | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 |    |    |

## SEPTEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

## OCTOBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
| 1  | 2  | 3  | 4  | 5  | 6  | 7  |
| 8  | 9  | 10 | 11 | 12 | 13 | 14 |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 |
| 29 | 30 | 31 |    |    |    |    |

## NOVEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    | 1  | 2  | 3  | 4  |
| 5  | 6  | 7  | 8  | 9  | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 |    |    |

## DECEMBER

| S  | M  | T  | W  | T  | F  | S  |
|----|----|----|----|----|----|----|
|    |    |    |    |    | 1  | 2  |
| 3  | 4  | 5  | 6  | 7  | 8  | 9  |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 |    |    |    |    |    |    |

Jan 01 New Year's Day  
 Feb 14 Valentine's Day  
 Apr 09 Easter Sunday  
 Jun 02 National Donut Day  
 Sep 04 Labor Day  
 Nov 11 Veterans Day

Jan 02 New Year's Day Holiday  
 Feb 20 Presidents' Day  
 May 14 Mother's Day  
 Jun 18 Father's Day  
 Oct 09 Columbus Day  
 Nov 23 Thanksgiving Day

Jan 16 M L King Day  
 Apr 07 Good Friday  
 May 29 Memorial Day  
 Jul 04 Independence Day  
 Oct 31 Halloween  
 Dec 25 Christmas