BRIAN HEAD

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# 883 7170 4073
TUESDAY, August 20, 2024 @ 1:00 PM

MINUTES OF THE PLANNING COMMISSION

Roll Call.

Members Present: Chairperson Deutschlander, Commissioner Dever, Commissioner Morgan, Alternate Commissioner Lee, Commissioner Wallis, Commissioner Brown.

Staff Present: Ciera Claridge; Deputy Clerk, Nancy Leigh; Town Clerk, Bret Howser; Town Manager, Greg Sant; Planning Administrator

A. CALL TO ORDER

Chairperson Deutschlander called the regular meeting of the Planning Commission to order at 1:03 PM.

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Planning Commission and other attendees in the Pledge of Allegiance.

C. DISCLOSURES

Chairperson Deutschlander stated that the disclosure statements are on file with the Town Clerk and are available for public inspection during normal business hours.

D. APPROVAL OF THE MINUTES:

August 6, 2024 Planning Commission Meeting

Chairperson Deutschlander proposed a change on page two of three lines 86-87 stating "Amanda Hunter, Code Enforcement, presented an application for a Plat Amendment for a lot line adjustment of ten feet to the north in order to do an extension to The Mall building…". Chairperson Deutschlander requested the verbiage 'for a lot line adjustment of ten feet to the north' be removed because there were more adjustments and requirements than the ten feet adjustment.

Alternate Commissioner Lee proposed a change on page three of three item three. "… Kade responded that they were addressed and would fix the spelling that was suggested and made a comment about the condo that went over the boundary." Alternate Commissioner Lee requested for a more in-depth explanation of the comment that Kade made and to expand on what exactly the boundary is that was referred.

Motion: Commissioner Wallis moved to approve the minutes of August 6, 2024with the following changes:

- Removing the verbiage in line 86-87 stating 'for a lot line adjustment of ten feet to the north'
- Expanding on Kade's comment and the condo that went over the boundary.

Commissioner Morgan seconded the motion

Action: **Motion carried 5-0-1 (summary: Yes = 5, No = 0, Abstain = 1 Vote: Yes:** Chairperson Deutschlander, Commissioner Morgan, Alternate Commissioner Lee, Commissioner Wallis, Commissioner Brown. **Abstain:** Commissioner Dever.)

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

Bret Howser, Town Manager, introduced Greg Sant; Planning Administrator. This August 20, 2024 meeting was the first meeting that Greg has been able to attend in person. Bret gave a brief background of Greg and where he was previously.

Bret mentioned an Appeal Hearing that was held regarding a fence that was not approved by the Planning Commission. The owner and individual who came to the Planning Commission to request the approval attempted to appeal the decision. However, it was decided that the decision would remain as is and the Town won the appeal.

There were no other public input or reports.

F. AGENDA ITEMS:

1. **DISCUSSION - LAND MANAGEMENT CODE – Carrie and Doug Items** The Planning Commission will hold further discussion regarding a few different requirements and adjustments of the Land Management code.

   Chairperson Deutschlander wanted to discuss various requirements of the Land management code. Focusing on the topics of setbacks, R3 zones and undisturbed land, parking, and colors. The Planning Commission agreed that they want to prevent Brian Head from looking overdeveloped, however, they wanted to specify how to prevent that and how that would be described with the town code. Chairperson Deutschlander gave some examples of other resort towns and the development that has occurred.

   The Planning Commission discussed and agreed with the following topics
   - In R3 zones leaving a specific amount of landscape that is undisturbed. Creating a policy or adjusting the code to enforce this undisturbed amount of land. Rather than 50% of trees undisturbed and increasing that percentage.
   - The current code does not currently portray the vision that the Planning Commission would like for the Town. In some areas the development is meeting the code but visually seems overdeveloped. The Planning Commission concluded that they will keep discussing how to prevent this overdeveloped visual they are referring to.
   - A discussion of setbacks and alignment of buildings was discussed. It was concluded that more research from other towns that match the vision they are discussing will be researched, as well as other ideas and descriptions that would match the setbacks and alignment of buildings the Planning Commission is expecting.
   - Chairperson Deutschlander requested more research and suggestions to provide solutions to this discussion.
   - For further discussion parking may be rediscussed, reevaluation of the undisturbed land of R3, and setback expectations.

2. **SUBDIVISION CODE UPDATES – Chapters 11 – 13** Further discussions on the proposed changes by Hansen Engineering.

   Mike Hansen from Hansen Planning Group joined the Planning Commission and staff once again to continue the discussion of Subdivision Code Updates. This is a discussion that has been ongoing with the Planning Commission on the proposed changes to the Subdivision Code ordinances proposed by the Hansen Planning Group. The Planning Commission has previously discussed Chapters One through four and Chapter nine. They will continue this discussion reviewing Chapters Eleven through Thirteen.

Bret Howser, Town Manager, explained that the main purpose of this discussion is to get the subdivision code aligned with the State Statue. After this discussion, the proposed Subdivision Code Updates will be presented at the following Planning Commission Meeting, September 3, 2024. After this is presented by Mike, then the process will continue to the Town Council to review with a Public Hearing at that time.

Chapter Eleven – Flexible Approaches

Chairperson Deutschlander explained that there were no necessary changes that would be recommended for this chapter. The consensus was that there were no changes to this chapter.

Chapter Twelve – Design Standards for Construction and Development

9-12-3: Development Design and Layout
Bret mentioned a spelling error found in section D. Resident's should instead be residents. This was updated. Commissioner Morgan brought up the discussion of 'Reasonable Access' in this section. He asked how to define this phrase and how we could potentially better clarify. Bret explained that this verbiage is often used throughout State Statue and there may not be better clarification.

Mike mentioned that in this section there is the word use of 'shall' while other times there is 'should'. He explained the difference and requested clarification from the Planning Commission on whether they would prefer 'shall' or 'should'.

Bret mentioned section M4 with the question of the phrase "These spaces should blend with the topography…" he recommended to the Planning Commission that the word 'should' remain rather than be replaced with the 'shall'. After discussion from the Planning Commission the consensus was to leave the verbiage as is and 'should' will remain in that section.

9-12-5: Landscaping and Fences
Mike placed a comment under section C for the Planning Commission to have a discussion regarding the fencing policy. Specifically, regarding perimeter fencing of a property and these types of fencing being prohibited without Planning Commission approval. Commissioner Dever recommended editing section C and the description. She explained removing the specifics of fencing and rather list what they need to comply with. Commissioner Wallis agreed with this recommendation because it would prevent any confusion of specifics and would allow for individuals to meet the specifics that are listed under Section C. Chairperson Deutschlander mentioned that it is important to allow some leniency with the approval of fencing because of safety concerns or reasons. This allows for the few understandable scenarios with fencing that would be approved, rather than strictly prohibiting all perimeter fencing.

Bret mentioned making some changes to the wording of section 6. This will prevent any confusion with the materials that are allowed. He recommended to make the wording change from "Inappropriate wall and fence materials are railroad ties, stucco, chain-link, concrete blocks, and vinyl" to "Stucco, chain-link, and vinyl are wall and fence materials are prohibited. Use of railroad ties or concrete blocks must be consistent with the General Plan and approved by the Planning Commission." This change was agreed by the entirety of the Planning Commission.

9-12-6: Lighting
Bret recommended making the change in section C3 clarifying the use of lux with single family buildings rather than just any residential buildings. The Planning Commission agreed with this change.

9-12-7: Buildings
Bret clarified that a recommended change from the Hansen Planning Group to section B should not be added. This would create confusion with our town code and certain policies. This recommendation was removed. Chairperson Deutschlander also noted that in this section the verbiage of 'should' needs to be changed to 'shall'.

Chairperson Deutschlander mentioned that section I would best to be removed. The Planning Commission agreed with this removal of section I.

Bret noticed a recommended change from the Hansen Planning Group to section J. They recommended removing the sections of four through section under J. Bret explained that this should remain because it adds clarification. Bret also discussed some grammatical errors and provided more clarification into the introductory paragraph of J.

9-12-9
Bret mentioned under A4 whether the verbiage needs to be 'should' or 'shall'. The consensus was to change the verbiage to 'shall.'

There were no further changes for this chapter.

Chapter Thirteen – Enforcement

9-13-5: Issuance of Building Permit and Certificates of Occupancy
Bret mentioned that in section D there will be a future discussion and more clarification regarding clean-up bonds. Specifically, wanting to clarify that the clean-up bond will be held if there is any damage.

There were no further changes for this chapter.

Mike explained that he will provide the draft version with the redlines to the Planning Commission and the Town Council and a final version of the Subdivision Code Updates.

G. ADJOURNMENT

Motion: Chairperson Deutschlander moved to adjourn the regular meeting of the Planning Commission. Commissioner Wallis seconded the motion.

Action: Motion carried 6-0-0 **Vote:** Motion carried by unanimous roll call vote (**summary: Yes = 6, No = 0, Abstain = 0 Yes:** Chairperson Deutschlander, Commissioner Dever, Commissioner Morgan, Alternate Commissioner Lee, Commissioner Wallis, Commissioner Brown).

The regular meeting of the Brian Head Planning Commission was adjourned at 3:15 p.m. on August 20, 2024.

9/3/24
Date Approved

Ciera Claridge Deputy Clerk