



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# 860 6343 0548
TUESDAY, May 7, 2024 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER** **1:00PM**
- B. **PLEDGE OF ALLEGIANCE**
- C. **DISCLOSURES**
- D. **APPROVAL OF THE MINUTES:** April 16, 2024 Planning Commission meeting.
- E. **PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- F. **AGENDA ITEMS:**
1. **DISCUSSION-GENERAL PLAN AND ZONING FOR ASPING MEADOWS.** Bret Howser Town Manager. The Commission will discuss future general plan and zoning for Aspen Meadows.
 2. **DISCUSSION - LAND MANAGEMENT CODE BUILDING DESIGN STANDARDS.** Bret Howser Town Manager. The Planning Commission will discuss existing design standards for buildings contained in Title 9 Chapter 12 of the Town Code and advise staff regarding potential changes.
 3. **DISCUSSION - LAND MANAGEMENT CODE SNOW STORAGE.** Lester Ross Building and Planning official. The Planning Commission will discuss the existing snow storage requirements in Title 9 Chapter 12 of the Town Code and advise staff regarding potential changes
- G. **ADJOURNMENT**

Date: May 3, 2024,

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 and have posted such copy on the Utah Meeting Notice Website and have caused a copy of this notice to be delivered to the Daily Spectrum, a newspaper of general circulation.

Nancy Leigh, Town Clerk



BRIAN HEAD

STAFF REPORT TO THE PLANNING COMMISSION

ITEM: PROPOSED ANNEXATIONS GENERAL PLAN & ZONING

AUTHOR: Bret Howser
DEPARTMENT: Administration
DATE: May 7, 2024
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission will discuss the proposed initial zoning and General Plan map for the pending annexation areas.

BACKGROUND:

The Town is currently in the process of considering annexations for the Aspen Meadows and Brian Head Unit 3 areas. Public hearings are scheduled for Planning Commission on May 21 and at Town Council on May 28 to consider the annexation. Corresponding public hearings are scheduled on the same dates to amend the General Plan map to included these annexed areas and to set the initial zoning.

ANALYSIS:

Aspen Meadows has submitted the attached General Plan map for their 1700+ acres being annexed which is in alignment with their proposed master plan. Staff has then generated the following zoning for the existing parcels based on that General Plan map. The difference is that the General Plan can have multiple potential zones on any given parcel, while for zoning each parcel may only have one zone. Staff zoned each parcel based on the predominant zone for that parcel shown on the General Plan map.



Ultimately, the zoning will be adjusted when each parcel is subdivided, and total density is limited by the signed annexation agreement.

Brian Head Unit 3 annexation is much simpler. This neighborhood is already subdivided as single family lots, so we only need extend the low density residential zone on both the General Plan Map and the zoning map as follows:



The annexation agreement with Aspen Meadows includes some additional allowances specifically for them, which is called in the agreement “Mountain Zoning”. Staff proposes incorporating these allowances in their zoning via an overlay district (see district boundary on the Aspen Meadows zoning map). The proposed ordinance language for the zoning district is as follows:

9-7-12: Aspen Meadows Overlay District (AMOD)

- A. Purpose Statement: The purpose of the Aspen Meadows Overlay District is to guide development in the Aspen Meadows area consistent with the master plan contemplated in the Aspen Meadows Annexation & Development Agreement. This overlay district allows certain deviation from standards in underlying zones in exchange for guarantees to the Town included in the annexation and development agreement.*

- B. *District Locational Criteria: The Aspen Meadows Overlay District will be identified on the Zone District Map as prescribed in Chapter 6 of this title.*
- C. *Eligibility for District: All applicants proposing development of properties located entirely within the Aspen Meadows Overlay District boundary are eligible for allowances under this section.*
- D. *In addition to the allowances in the underlying zones, the following allowances and restrictions are made:*
 - a. *Single Family Residential Zone*
 - i. *Conditional Uses – Mother-in-law/guest house accessory use not to exceed 2,500 square feet*
 - ii. *Physical Restrictions*
 - 1. *Maximum Height - Thirty-five (35') with town requirement, acknowledgment and notary of a required Bonus Request Statement.*
 - 2. *Maximum Building Coverage - Each individual building lot in Aspen Meadows is made up of three (3) zones; the development envelope zone, the driveway corridor zone and the natural open space zone. Building coverage is measured by total site coverage which cannot exceed 20% of the total individual lot size measured in square feet and as identified within the Aspen Meadows development envelope zone only per individual lot.*
 - 3. *Driveways - Minimum Five (5') set back from side corners at road frontage of all driveway edging, pavement or other surface materials. Minimum width allowed twelve feet (12').*
 - b. *Village Commercial Zone*
 - i. *Physical Restrictions*
 - 1. *Maximum Height - Additional heights may be applied for taking into account, design, uses, massing, stepping, commercial and residential mix & ceiling heights such as found within an anchor hotel. This condition applies to only one of the two envisioned Villages, being the Art Village for Aspen Meadows.*
 - c. *Recreation Open Space Zone*
 - i. *Uses*
 - 1. *Outfitter Cabins, Ski Lodges and other resort-planned support buildings may exceed 1,500 SF in size, per Development Agreement.*
 - 2. *Horse boarding is allowed*
 - 3. *Permitted accessory uses - Detached or attached single-family residence used only for the use of ranch /outfitter caretaker, watchman or similar employee of a permitted use, when located upon the same site as said permitted use.*
 - d. *Design Standards*
 - i. *Use of storage or metal cargo containers for either permanent or temporary residential use is not allowed within Aspen Meadows. Tents, yurts, temporary structures or storage needs allowed for use only by the declarant for planned resort amenity site specific uses and development purposes such as planned events, on-hill skier-hubs, field office use or storage of materials on site.*
 - ii. *Perimeter fencing allowed throughout Aspen Meadows development and its boundaries for purposes of providing security, controlled access points and ongoing monitoring and prevention of unauthorized access onto property. All public access points to be controlled, marked and designated for hiking and mountain bike access only into and out of property together with controlled main public road access points. For fencing standards allowed within Aspen Meadows, refer to the Aspen Meadows Design and Development Guidelines.*

STAFF RECOMMENDATION:

Staff recommends the changes contained in the body of this report.

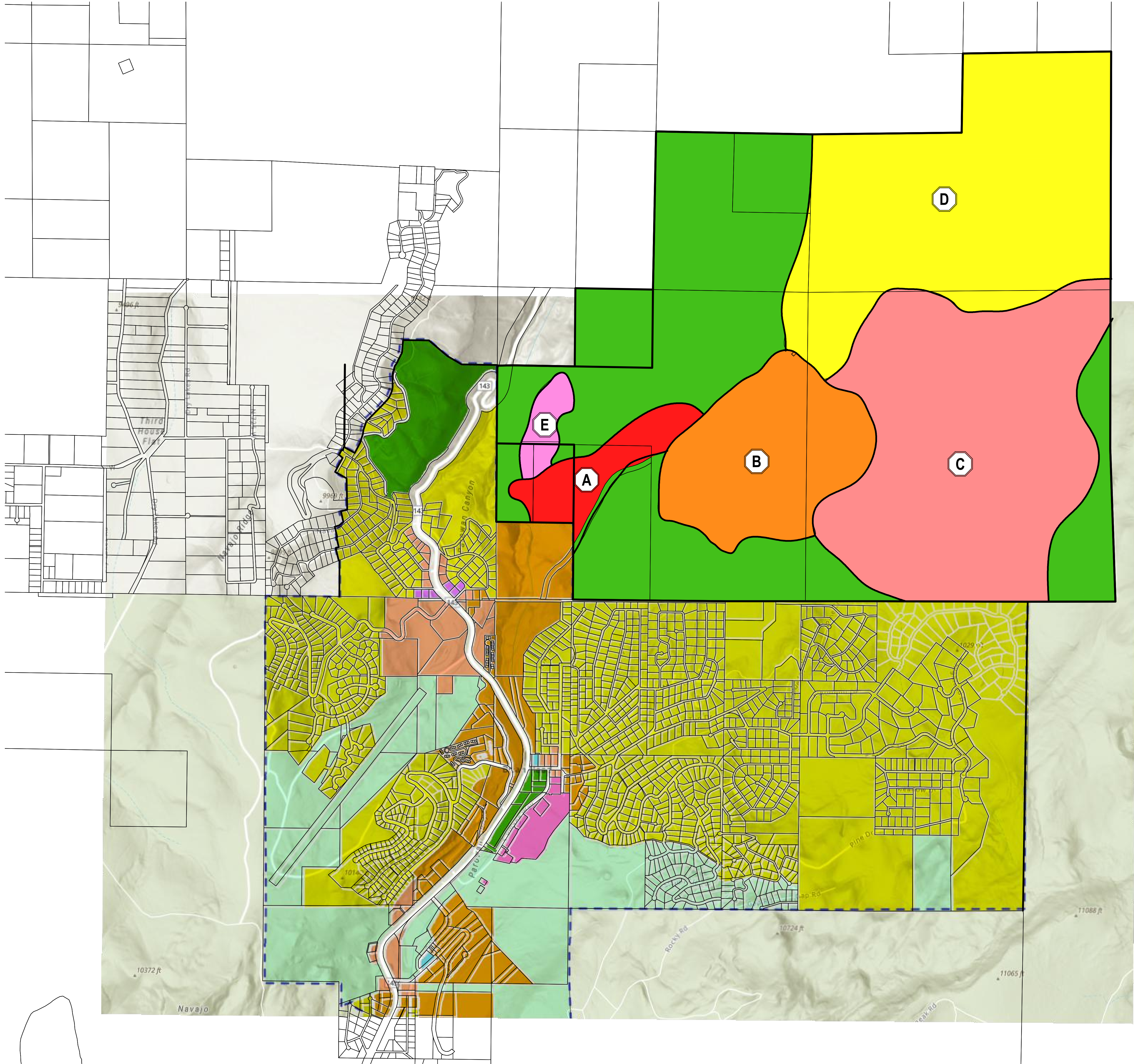
PROPOSED MOTION:

No motion necessary, item is discussion/informational only

ATTACHMENTS:

A - Proposed Aspen Meadows General Plan Map

B - Annexation Agreement Exhibit F: Mountain Zoning



LEGEND	
HIGH DENSITY	
LOW DENSITY	
RECREATIONAL OPENSOURCE	
TOWN OF BRAIN HEAD	
MEDIUM DENSITY	



THE STANDARD IN ENGINEERING

CEDAR CITY
88 E Fiddler's Canyon Rd,
Suite 210
Cedar City, UT 84721
Phone: 435.865.1453

SANDY
Phone: 801.255.0529

LAYTON
Phone: 801.547.1100

TOOELE
Phone: 435.843.3590

RICHFIELD
Phone: 435.896.2983

WWW.ENSIGNENG.COM

FOR:
GARDNER PLUMB, L.C.
ONE UTAH CENTER SUITE 2000
SALT LAKE CITY, UTAH 84111

CONTACT:
A. FLINT DECKER
PHONE: 435.901.2500

ASPEN MEADOWS

ZONE MAP

BRIAN HEAD, UTAH

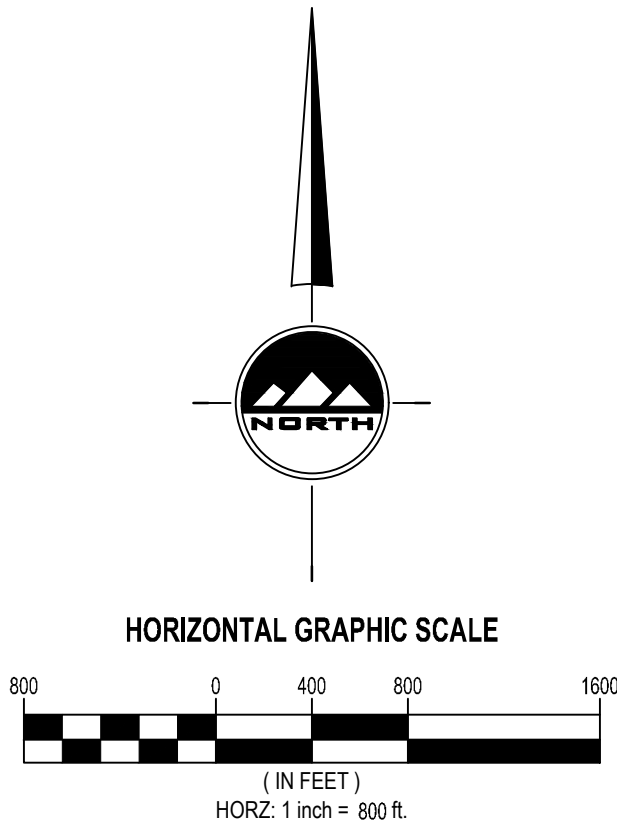
ZONE MAP

PROJECT NUMBER
10752

PRINT DATE
2024-03-21

PROJECT MANAGER
DESIGNED BY

EXHIBIT





Aspen Meadows

BRIAN HEAD

MOUNTAIN ZONING

ASPEN MEADOWS – OF THE MOUNTAIN



A PLANNED MASTER COMMUNITY

FIRST EDITION: JANUARY 1, 2023

INTRODUCTION

Aspen Meadows, a master-planned mountain resort community, located just under the highest peak, at 11,307' (Brian Head Peak) in Iron County, Utah in Brian Head, Utah is a special collection of lands that occupies an area of remarkable natural beauty and local historical reference. With its magnificent forests of aspen and fir, its spacious mountain meadows, and its breathtaking views, Aspen Meadows is unique to the mountain ranges of Brian Head and the Markagunt Plateau.

The project is envisioned as a legacy, multi-decade, master-planned resort and residential neighborhood development that occupies an area comprising of nearly 2,000 acres. Alpine lands with unique soul, sights and solitude, never before seen by most visitors to this region of southern Utah previously, and destined to, triple the skiable acres of the Brian Head Resort from 650 skiable acres to just over 2,000 skiable acres and provide the greater Brian Head community and visitors, the addition of new ski lifts, ski trails, and snowmaking, servicing the expanded terrain. A thoughtfully designed quasi-public-private ski-in/ski-out community comprised of residential, commercial, recreational, resort, and civic uses.

As a part of this history, size, and vision for the many uses common to a master-planned resort such as Aspen Meadows, is the importance placed in applying well defined, Land Use Code and Zoning ordinances which provide consistent and quality oversight for all land development envisioned.

Aspen Meadows, as a part of its Annexation and Development Agreement with Brian Head Town, has adopted both the Brian Head Township Title 9 – Land Management Codes with an overlay of Aspen Meadows Mountain Zoning Code, as a total of these combined requirements.

The following summarizes the additional mountain zoning code requirements, which meet or exceed the Brian Head Township code requirements which govern all residential, civic and commercial development within Aspen Meadows.

ASPEN MEADOWS MOUNTAIN ZONING

The Aspen Meadows Mountain Zoning requirements are referenced within the Aspen Meadows Design and Development Guidelines and are subject locally to the Land Use Code and Zoning ordinances – Title 9 – Land Management Code, adopted within the Brian Head township and as required within the Brian Head planning department, (referred to as “Brian Head Township Zoning”) along with specific regulations overlaid on all development within Aspen Meadows, (referred to as “Aspen Meadows Mountain Zone or Mountain Zoning”), which is an overlay of zoning applicable exclusively to the Aspen Meadows community.

These two land use codes, combined in practice and enforcement, of the Brian Head Township Zoning and Aspen Meadows Mountain Zoning land use conditions and codes, include more

detailed requirements for site conditions, setbacks, building heights, density, uses, etc., in the overall Aspen Meadows' community.

These conditions, are purposely ones, which either, meet or exceed, existing code and zoning criteria and as approved within the Aspen Meadows Annexation and Development Agreement with Brian Head Township and Aspen Meadows.

9-7-12 Aspen Meadows Mountain Zoning

9-7-1: R-1 Single-Family Residential	Topic	Mountain Zone Code
Section C Conditional Uses:	Mother-in-law / guest house accessory use	Not to exceed 2,500 SF.
Section D Physical Restrictions:	4. a. Driveways	Minimum Five (5') set back from side corners at road frontage of all driveway edging, pavement or other surface materials.
	5. Maximum height Refer to 9-7-10.	Thirty-five (35') with town requirement, acknowledgment and notary of a required Bonus Request Statement.
	6. Maximum building coverage. Refer to Aspen Meadows Design and Development Guidelines.	Each individual building lot in Aspen Meadows is made up of three (3) zones; the development envelope zone, the driveway corridor zone and the natural open space zone. Building coverage is measured by total site coverage which cannot exceed 20% of the total individual lot size measured in square feet and as identified within the Aspen Meadows development envelope zone only per individual lot.
	Refer to 9.12.10 B Driveway Standards	Minimum width allowed twelve feet (12') for Residential Single-Family Dwelling (SFD)
9-7-5: VC Village Commercial	Topic	Mountain Zone Code
Section D Physical Restrictions:	5. Maximum height	Additional heights may be applied for though the Town and Aspen Meadows Annexation and Development Agreement, taking into account, design, uses, massing, stepping, commercial and residential mix & ceiling heights such as found within an anchor hotel. This condition applies to only one of the two envisioned Villages, being the Art Village for Aspen Meadows.
9-7-7: ROS Recreation Open Space	Topic	Mountain Zone Code
Section C Conditional Uses: By Town & AM Annexation and Development Agreement.	Square Footage	Outfitter Cabins, Ski Lodges and other resort-planned support buildings may exceed 1,500 SF in size, per Development Agreement.
	Horse Boarding	Allowed.
	Permitted Accessory Uses	Detached or attached single-family residence used only for the use of ranch / outfitter caretaker, watchman or similar employee of a permitted use, when located upon the same site as said permitted use.
9-10-7 Temporary Structures and Tents	Topic	Mountain Zone Code
Section A	Tents, Temporary Structures, Yurts, and Storage or Metal Cargo Containers.	Use of storage or metal cargo containers for either permanent or temporary residential use is not allowed within Aspen Meadows. Tents, yurts, temporary structures or storage needs allowed for use only by the declarant for planned resort amenity site specific uses and development purposes such as planned events, on-hill skier-hubs, field office use or storage of materials on site.
9-12-5: Landscaping and Fences	Topic	Mountain Zone Code
Section C Fences	2. Perimeter Fencing	Perimeter fencing allowed throughout Aspen Meadows development and its boundaries for purposes of providing security, controlled access points and ongoing monitoring and prevention of unauthorized access onto property. All public access points to be controlled, marked and designated for hiking and mountain bike access only into and out of property together with controlled main public road access points. For fencing standards allowed within Aspen Meadows, refer to the Aspen Meadows Design and Development Guidelines.

First Edition: January 1, 2023

Subject to adoption by Brian Head Town Planning Commission and Brian Head Town Council,
Within the Aspen Meadows Annexation and Development Agreement



ITEM: BUILDING DESIGN STANDARDS

AUTHOR: Bret Howser
DEPARTMENT: Administration
DATE: May 7, 2024
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission will discuss existing design standards for buildings contained in Title 9 Chapter 12 of the Town Code and advise staff regarding potential changes to those standards.

BACKGROUND/ANALYSIS:

In early 2023, staff approached Planning Commission and Council to determine if any changes to the building cladding standards were needed in light of disagreements in the community about whether recent developments meet the existing standards (or what those standards even mean). A variety of feedback was given, but consensus was difficult to determine. Staff is now returning with potential alterations to the code based on those conversations.

The design standards for buildings are attached to this report. They cover the following areas:

- Architectural Style
- Height, Mass, Scale and Composition
- Roofs
- Exterior Walls (aka “Cladding”)
- Colors
- Windows/Doors
- Accessory Structures

Staff particularly wishes to address cladding and colors. The following is a summary of current requirements:

- Cladding
 - “Full log or log faced siding, stone (cultured or natural), wood shingles, horizontal wood board and batten siding, or other synthetic material textured to simulate natural materials.”
 - Stucco and non-reflective metal allowed in “limited quantities”. Reflective metal not allowed.
- Colors
 - “Exterior building colors should be subdued, complementary colors found in the natural landscaping. Browns, greys, and greens are encouraged for large mass areas. Trim colors of golds, reds, blues and greens in darker shades found in or around the site are permissible as long as they blend with the overall building design and do not create a strong contrast. Buildings or building materials that stand out against the landscape because of color or light reflection are prohibited.”

Questions to consider:

- Does allowing for “horizontal wood board” create a cladding option or look that is inconsistent with a mountain resort town?
- Should metal (even reflective metal) siding be allowed more prominently consistent with current trends?
- Is “limited quantities” too vague?
- Should the language for colors be strengthened (“should” to “shall” and “encouraged” to “required”).
- Is the phrase “stand out against the landscape” sufficiently clear?
- Might the Town consider stronger requirements for larger buildings such as condos and more flexibility for single family residential?

The Planning Commission held a discussion on the same topic on January 17, 2023. The conversation was wide-ranging and didn’t result in a lot of specific recommendations. The minutes are attached. Some notes that staff recorded include:

- Color is more of an issue than cladding
- Buildings need to be more multi-dimensional (not just one big flat surface)
- Exceptions should be allowed by Planning Commission to allow new buildings to match non-conforming buildings within the same complex
- Building exterior codes should be stricter for R3/Commercial than they are for single-family residential.

The Town Council held a discussion on this matter in May 2023. The following notes were recorded by staff:

- Colors
 - Earth tones means soil and rock
 - Other muted colors in limited quantity (meaning less than 25%) including black and muted reds
 - Multi-family: strict earth tones, can do multi-color if complementary
- Allow covered decks into setback, but just 4’ not 1/3 of the setback, on front setback only
- Allow living space under garage in setback exception

STAFF RECOMMENDATION:

Some of the direction from last year is clear and staff can move forward with it. But staff seeks further clarification and consensus prior to drafting an ordinance and holding a public hearing on May 21, 2024.

PROPOSED MOTION:

No motion necessary, item is discussion/informational only

ATTACHMENTS:

A – Planning Commission Minutes – 1-7-23

**The Regular Meeting of the
Brian Head Planning Commission
56 N. Highway 143, Brian Head, UT 84719
Tuesday, January 17, 2023 @ 1:00 pm**

Roll Call.

Members Present: Chairperson Doug Deutschlander, Commissioner Carrie Dever, Commissioner Jeff Morgan, Commissioner Mitch Ricks, Commissioner Cecile Wallis, Alternate Commissioner Sheri Brown.

Staff Present: Bret Howser, Town Manager; Nancy Leigh, Town Clerk.

SWEARING IN OF MITCH RICKS TO THE PLANNING COMMISSION. Mitch Ricks was sworn in by the Town Clerk as a Planning Commission Member. The Commission congratulated Commissioner Ricks.

A. CALL TO ORDER

Chairperson Deutschlander called the regular meeting of the Brian Head Planning Commission to order at 1:05 pm on January 17, 2023.

B. PLEDGE OF ALLEGIANCE

Chairperson Deutschlander led the Commission and others in the Pledge of Allegiance.

C. DISCLOSURES

Chairperson Deutschlander stated he may have a potential conflict of interest with Agenda item: F-2, Aspen Meadows Development Agreement, in which his family business, Brianhead Sports, rents office space to the developer.

There were no other conflicts of interest with today's agenda items. 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**January 3, 2023 Planning Commission Meeting**

Motion: Commissioner Dever moved to approve the January 3, 2023 Planning Commission minutes. Commissioner Wallis seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote: Yes:** Commissioner Dever, Commissioner Morgan, Commissioner Wallis, Commissioner Ricks, Chairperson Deutschlander).

E. PUBLIC INPUT / REPORTS – Limited to three minutes of non-agenda items**Bret Howser, Town Manager**

1. Reported the annual Strategic Planning Retreat is scheduled for January 24 and 25, 2023 beginning at 9:00 am at the Public Safety Building and the public is invited to attend. Bret reported the Council will be discussing workforce housing which may be referred back to the Planning Commission.
2. Reminded the Commission that the next Planning Commission meeting is scheduled for February 7, 2023, since there is a fifth Tuesday in January.

F. AGENDA ITEMS

1. PUBLIC HEARING – ASPEN MEADOWS DEVELOPMENT AGREEMENT

Chairperson Deutschlander recessed the regular meeting of the Planning Commission and opened the public hearing to receive comments on the Aspen Meadows Development Agreement at 1:09 pm. Chairperson Deutschlander reminded the public to state their name and any comments are limited to three minutes.

No comments were given, and no written comments were submitted. Chairperson Deutschlander closed the public hearing and reconvened the regular meeting at 1:10 PM.

2. ASPEN MEADOWS ANNEXATION & DEVELOPMENT AGREEMENT

Bret Howser, Town Manager, gave a brief background on the Aspen Meadows development. Bret explained the Town is currently working on an annexation development agreement for Aspen Meadows and requested the Planning Commission's input on the draft Development Agreement presented today (see attached). Bret explained this is the first draft of the Development Agreement which the Commission will be reviewing for the first time and giving input. This agenda item is also scheduled for the February 7, 2023, Planning Commission meeting where a recommendation will be forwarded to the Town Council.

Bret explained there will be two legal processes the Town will go through with the Aspen Meadows Development. The first process is annexation which will follow state statute for annexations. The second process is the development agreement in which the Town and developer meet to discuss what conditions each party is requesting before the legal process begins. Bret explained that the development agreement will be addressed first and then will be put on hold for adoption until the annexation process is completed at which time both will be adopted.

Bret reported that Flint Decker, Aspen Meadow Developer, and Josh Peterson, Ensign Engineering, are present to answer any questions. Flint Decker requested a moment of silence for an Ensign employee that was killed yesterday in a tragic accident in Logan, Utah.

The Planning Commission discussed the following:

1. Bret explained the Commission will want to focus on the development agreement process which is outlined in the Land Management Code, Chapter 11 Flexible Approaches.
2. The property currently identified as Aspen Meadows was previously known as Alpine Creek which was owned by a previous Brian Head Resort owner. A previous development agreement was identified between the owner and Iron County since the Alpine Creek project was identified outside the Town's boundaries.
3. Bret explained the submittal requirements that are submitted by the developer will follow the Land Management Code requirements, but there may be some conditions that are identified in the development agreement that requires an amendment to the Land Management Code.
4. Bret explained there could be certain vested rights given to the developer before they submit a formal application.
5. The draft development agreement identifies the developers are entitled to 1,467 residential units. This would allow the Town to plan for the infrastructure of those units.
6. Aspen Meadows development will be built in phases over several years.
7. Flint reported that a press release will be released at the end of today's meeting.
8. The Aspen Meadows development began with the Aspen Meadows Southeast subdivision which is located within the Town boundaries and has already started construction in 2022.
9. Flint reported the Aspen Meadows CC&Rs are included in the Commission's meeting packet along with a draft of the Design and Development Guidelines and the Aspen Meadows Mountain Zoning concept.

10. Bret explained there may be a joint meeting with the Town Council and Planning Commission soon.
11. Chairperson Deutschlander inquired as to the number of water rights that would be included in the agreement. Bret reported that Aspen Meadows currently has a total of 600 acre-feet of water but will transfer 467 acre-feet of water rights for this development. The remaining water rights will be reserved for themselves. This also includes the snowmaking for the resort as well as the development. The water rights are identified as part of the exhibit on the demand chart that is included in the agreement.
12. Bret explained there is a mention of a water rights holding agreement which is a new concept for the Town, but he is unsure if it is identified in the draft agreement. Flint explained they are still in the process of calculating the numbers and studies in conjunction with the Town's Engineer, Alpha Engineering, for a feasibility study.
13. Bret explained the Town will receive a certain number of acre-feet of water rights that will be transferred to the Town to support the units and will be considered a vested right. These may be phased in as the units are built, however, the Town would hold the water rights for the development for future use and expansion. Bret reported that details will be forthcoming.
14. Chairperson Deutschlander inquired as to the designated ski trails that were addressed in a previous meeting in which they discussed designating hiking, biking, and horse trails but he did not see a reference to the deeded trails. Flint responded that the trails are identified in the exhibits that are part of the packet. The Christmas Tree Trail was installed in 2022 by a professional trail crew behind the homes of the Southeast neighborhood into the Aspen Meadows development and runs to the #2 well that is identified on the edge of Aspen Meadow's property.
15. The existing Alpine Creek Loop Trail will be a walking trail through Aspen Meadows that will identify short and longer loops in the future. Bret presented a map that outlines the Alpine Creek Loop Trail (see attached). Bret explained this trail could change names in the near future.
16. There are future designs for other walking trails that would go through Aspen Meadows. They are working towards a connection of trail networks. The equestrian trails are identified towards the northwest edge of the Aspen Meadows development.
17. Bret explained that the agreement identifies the restoration of both sides of the Alpine Creek Loop Trail, formally known as the Scout Camp Loop Trail. Language is identified in the agreement that if Aspen Meadows chooses to install any additional trails, it would be at their own expense and vice versa with the Town.
18. Chairperson Deutschlander recommended a change in the CC&Rs that refers to ingress and egress, which identifies Iron County instead of Brian Head Town. This is in the Master Declaration Section 2, 6.3, page. 23.
19. Chairperson Detuschlander commented he would like to see the past trails and walking lanes identified for pedestrian traffic be deeded to the Town so that there can not be any changes in the future.
20. Commissioner Dever inquired if water would be set aside for employee housing. Flint responded they will bring water in for workforce housing.
21. Commissioner Dever inquired if the Town wants to identify a percentage for workforce housing for each commercial building structure, they build to ensure that the employee housing numbers match up with the development that comes in since it is not identified as part of the 1,467 residential units.
22. Commissioner Dever inquired as to the amount of water identified for the density units. Flint responded that they have calculated 0.20 per unit x 1,467 which was the average. Flint explained they have planned for three well locations that were test holes drilled over ten years ago. They have invested in the first well which is identified as Well #2 in the agreement. Wells #1 and #3 are identified as future wells and will come online when needed. Well #2 is in full operation and they currently have well logs along with the test results.

23. Chairperson Deutschlander inquired about a maintenance building location for the snow removal equipment and who would be responsible for snow removal services. Flint responded they are in discussion with Brian Head Resort on a location for a second maintenance building. The equipment will be housed in this location and would service the Aspen Meadows Southeast neighborhood as well as Aspen Meadows.
24. Commissioner Dever commented on the mountain zoning in which there is no true definition of mountain zoning. Aspen Meadows is such a large parcel of property and can change the requirements depending on what they plan for that parcel of property.
25. Chairperson Detuschlander commented that mountain zoning is proposed to be included in the Land Management Code as a separate zone. Josh explained that the intent is to create an additional zone and would be able to adjust some things such as the minimum driveway widths and building heights and would be more restrictive than the current zoning the Town has. It is a way to help maintain certain viewsheds.
26. Commissioner Dever commented that since this is proposed to be a new type of zone for the Town if the Town should consider a certain minimum lot size. Bret responded that as long as the Town doesn't identify that zone on other private properties it would only be available for the Aspen Meadows Development. Bret went on to explain that it would have to be available to a property owner if it is identified on the General Plan Land Use Map and their property butts up to a buffer area that is adjacent to the mountain zone for another property owner to rezone their property to the mountain zone. Flint explained the intent of the mountain zone is to utilize and benefit from the existing Land Management Code and have an area of call out that would identify different criteria for the Town. Flint explained they are looking to have the ability to close off their boundaries to trespassing and they are looking to work within the Town Code.
27. Josh reported there are three different lot sizes identified: 1) ½ acre to 2 acre lots; 2) 2-5 acre lots which will be estate lots; 3) 5+ acres which will be ranch lots. As the property goes south towards the Scout Camp, the ranches will be last developed since they will be larger parcels.
28. Chairperson Deutschlander recommended they leave reasonable access for the elk herds that migrate through the Aspen Meadows property. Flint responded they plan to identify this access in their plans.
29. Chairperson Deutschlander referred to the Design Development Guidelines, Section 3, Page 17, Slope Coverage, and if this would be the location for the ranch area and the maintenance building. Flint explained that with a multitude of acres, a purchaser is acknowledging that the site plan identifies where the driveway entrances, the homesite location, and the open space are specifically located. The intent is to eliminate steep driveways and give additional privacy to the homeowner along with identifying the usage of the property. Flint explained the property owner would not be able to build beyond the Town Code. The commercial is identified under a different set of plans.
30. Commissioner Ricks commented that in reviewing Section 7 under tab 1, page 9, Roads. This section identifies the developer who will build the roads and then maintenance would be turned over to the Town. Flint explained the main roads into Aspen Meadows will be constructed by the developers to the Town's Road standards. The main road and trails will be dedicated to the Town which is identified in the exhibits. They are currently looking at a second location for a public works facility in which the Town would maintain this location, otherwise, the neighborhoods would be maintained by the Homeowners Association.
31. Commissioner Ricks inquired as to the gated neighborhoods. Flint explained there will be one gated road off Peak Drive which would be maintained by the HOA. The main road, Spine Road, is the entrance into Aspen Meadows and will identify two entrance gates, one will be a public access road and the other will be a private road for the homeowners.
32. Commissioner Ricks inquired as to the amount of traffic that would be using Steam Engine Drive. Flint explained they do not want additional traffic and believe they will be able to control that with a manned gate.

33. A ski parking area is identified in the Southeast neighborhood area for a ski lift which will be a third ski area.
34. Commissioner Morgan inquired if the intent of the manned gate is to stop every vehicle and ask where they are going. Flint explained it will be two-lane entrances with residents coming in and they would have their own FOB system, the other entrance would be accessible to the public where they would be greeted at the gate and would receive information on the trails, roads, resort facilities, etc.
35. Commissioner Morgan inquired if they anticipate long travel lanes if every vehicle is stopped for public use. Flint responded they do not anticipate any issues with two lanes, and they have identified a long runway at the entrance area.
36. Flint reported they plan to man the gate at Peak Drive year-round.
37. The main road into Aspen Meadows is scheduled to be constructed within the first five years but it could begin as soon as summer of 2024. Spine Road is five miles long and they are currently in the process of roughing the road out.
38. Commissioner Ricks commented that once the Spine Road is constructed, the Town should experience less traffic through Steam Engine Meadows. Flint responded they will move the construction traffic in year two or three.
39. Commissioner Wallis referred to the main utilities and who would be responsible for the ongoing costs. Flint responded it would be the same intent as the Aspen Meadows Southeast neighborhood.
40. Commissioner Wallis commented that the agreement identifies the Town would be responsible for snow removal on the three access roads up to the gates. Bret responded the Town would be responsible for anything that has public access. Flint commented they donated \$150,000 to the Town for the paving of Highland Drive.
41. Spine Road will be dedicated to the Town and will be open to public safety 24/7 regardless.

Motion: Commissioner Dever moved to table the Aspen Meadows Development Agreement until additional details of the agreement are provided and the Town Engineer has provided their recommendations. Commissioner Morgan seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote:** Commissioner Dever, Commissioner Morgan, Commission Ricks, Commissioner Wallis, Chairperson Deutschlander).

Bret inquired if the Commission would like to further discuss the Development Agreement during the next regular meeting on February 7, 2023. Chairperson Deutschlander recommended it be identified on the agenda as a discussion item.

3. DISCUSSION – LAND MANAGEMENT CODE, CHAPTER 12.7 BUILDING COLORS.

Bret Howser, Town Manager, explained that he wanted to bring this topic to the Commission for input on existing building exteriors, colors, and materials and if the Commission is satisfied with the current language identified in the Land Management Code.

Bret explained he brought this item before the Commission due to complaints he has received for the Crooked Creek building colors and building materials.

The Commission discussed the following:

1. Chairperson Deutschlander reported asked a Town employee why the Crooked Creek condos were able to install colors that were prohibited by the Land Management Code (LMC) he was informed that it was approved by the County Building Inspector. Bret explained that this was misinformation.

Approved February 7, 2023

2. Commissioner Dever commented that she did not think the cladding was the issue but believes it needs to be multi-dimensional. She believes the colors are the biggest issue and would like the LMC language to be more specific and should be amended. Words such as “encourage” instead of “required” can make a big difference. The current trim colors of gold, red, and blues conflict with what the Town wants, and the colors should be more in line with nature. She would like the Commission to be provided with a larger picture of what they are planning along with a sample of materials they plan to use.
3. Commissioner Wallis commented she would recommend the natural look and exclude the red color from the LMC language. She also recommended the Town put a positive statement instead of identifying negative statements to bring developments into compliance. She agrees with Commissioner Dever on the colors.
4. Bret explained the Town can regulate commercial and R3 buildings, but single-family residential has more challenges due to recent state law changes. The Town has identified a bonus section that would apply to single-family residences that are above 1,000 square feet, in which the Town can apply regulations to the colors, cladding, etc. to those R1 buildings that apply the building bonus.
5. Chairperson Deutschlander commented that he believed the intent of the LMC is that buildings would be the same type but could identify different colors.
6. Bret explained the definition of colors would be a challenge since it is very subjective. If the Commission wants to limit the spectrum of colors, he suggests identifying RBGs instead of identifying specific colors.
7. Commissioner Dever commented that commercial and R3 buildings should be more restrictive and incorporate the colors with the mix of the exterior for a multi-dimensional look.
8. Bret explained that certain materials can be used in a limited quantity, but it also becomes a challenge as to what are limited quantities. He would suggest the Town identify percentages.
9. Commissioner Dever inquired as to what leeway the Town has for additional phases of a project if the first phase is no longer allowed. Bret responded that the Town would not have much leeway unless it was identified in the LMC. Language could be drafted that would allow for some flexibility, but he would need to work with the attorney on the language.
10. Chairperson Deutschlander commented that Chalet Village broke into three different HOA in which each HOA has a different color.

G. ADJOURNMENT

Motion: Commissioner Morgan moved to adjourn the regular meeting of the Brian Head Planning Commission for January 17, 2023. Commissioner Dever seconded the motion.

Action: **Motion carried 5-0-0 (summary: Yes = 5 Vote:** Commissioner Dever, Commissioner Morgan, Commission Ricks, Commissioner Wallis, Chairperson Deutschlander).

The regular meeting of the Brian Head Planning Commission was adjourned at 3:00 pm on January 17, 2023.

Approved February 7, 2023

Date Approved

Nancy Leigh, Town Clerk



AUTHOR: Lester Ross
DEPARTMENT: Admin
DATE: May 7, 2024
TYPE OF ITEM: Discussion

SUMMARY:

The Planning Commission will discuss the current snow storage requirements in Title 9 chapter 12 section 15 K of the Land Management Code (LMC) and advise staff regarding potential changes to the standards.

BACKGROUND:

During past Planning Commission meetings concerns have been brought up about the current snow storage requirements in the LMC. The current requirements state the following;

K. Snow Storage: All parking lots, sidewalks and other hard surface areas requiring snow removal shall provide twenty percent (20%) additional area to accommodate snow storage (15 percent for parking with snow melting equipment). Snow storage shall be provided on the subject property within the parking lot, adjacent landscaping or other area that allows for safe snow storage without damage to the structures or landscaping.

It has been the opinion of the commission that an average snow year the 20% requirement is not adequate for the snow storage needs of Brian Head. It was also felt that there a need for some language to be added to the the LMC regarding the landscaping requirements of the snow storage areas.

ANALYSIS:

The standards for calculating snow storage vary depending on your environment. It is recommended that in heavy snow areas use between 15% to 30% of the snow removal area for snow storage. In looking and other cities and towns snow storage requirements are as follows:

- Park City, Utah: 15%
- Vale, Colorado: 30% with 15% if heated
- Tahoe ,California: 20%
- Anchorage, Alaska: 20%

Most of the cities and towns that were researched had adequate snow storage that is required. Tahoe had a extensive snow storage flyer on how to design snow storage. (see attached flyer).

With the Town's current standard of 20% on the minimum driveway width of 16 feet, there would need to be three feet two inches of snow storage along the edge of the driveway. If you increase the storage requirement to 30% for on a 16-foot driveway, then it would be 4 foot 9 inches. The numbers would increase as the parking and driveway area gets bigger.

For the landscaping requirements for the snow storage areas, most cities and towns do not address it at all. The ones that do address snow storage, state that landscaping needs- to be salt resistant and also needs to meet state and federal storm water protection guidelines.

STAFF RECOMMENDATION:

No Staff recommendations

PROPOSED MOTION:

No motion area necessary commission will give staff directions

ATTACHMENTS:

A - Tahoe snow storage flyer

4.2-c SNOW STORAGE

DESCRIPTION

Snow is removed from streets, roadways, and parking areas to ensure public safety and to accommodate transportation. Plowed snow can contain pollutants such as salt, sand, oil, grease, heavy metals, and trash, which can accumulate in the area where the snow is stored and can be released when the snow melts.

In the Lake Tahoe Region snow storage practices vary dependent upon land use conditions: 1) in residential areas snow is plowed from roads onto road shoulders, and from driveways to pervious areas adjacent to driveways; 2) in commercial areas snow is commonly plowed to the corners of a parking lot; and 3) in the most densely developed areas (e.g., Lake Tahoe Boulevard in the City of South Lake Tahoe), snow is removed and stored at an off-site location. The guidance provided for this BMP primarily targets appropriate snow storage practices for commercial areas and densely developed areas.



This snow storage area is ideal because it is on a paved surface, upslope of drainage BMPs and the sign clearly indicates the area is dedicated for snow storage.

APPLICABILITY

- Appropriate snow storage practices are necessary for all properties and facilities where snow is plowed and stored.
- Snow should not be stored within a Stream Environment Zone (SEZ) or an SEZ setback.
- Snow should not be stored in stormwater treatment BMPs. Exceptions may be temporarily granted by the permitting authority on a case-by-case basis for dry basins or infiltration basins installed as part of a BMP Retrofit with severe space constraints. Refer to Design and Installation Considerations below for more details.

BMP DESIGN APPROACH

☒ Pollutant Source Control

☒ Hydrologic Source Control

☐ Stormwater Treatment

SCALE OF APPLICATION

☒ All SFR and MFR < 1 acre

☒ MFR 1-5 Acre and CICU < 5 acres

☒ MFR and CICU > 5 acres and all WQIPs

BMP TYPE

☐ Temporary

☒ Permanent

- Snow should not be stored within BMPs defined in this Handbook as a Wet Basin or a Media Filter.
- Snow may be stored above a vegetated Filter Strip as defined in this Handbook.

Advantages

- If properly sited and designed, snow storage practices can prevent the surface discharge of poor quality melt water.
- Regional snow storage facilities, where applicable, provide locations where pollutants in plowed/hailed snow can be directed through large scale stormwater treatment BMPs.

Disadvantages

- Requires designated locations for snow storage that may take up parking or other useful space.
- Can damage landscaping and vegetation.

DESIGN AND INSTALLATION CONSIDERATIONS

- Snow storage areas should be sited and designed to minimize pollutant and runoff impacts.
- Size the area designated for snow storage to accommodate the expected volume of snow. As a rule of thumb, size snow storage areas to be roughly 20 percent of the plowed area.
- Do not locate snow storage areas on top of drain inlets.
- Snow storage within dry basins and infiltration basins may be acceptable if the following conditions are met:
 - Drainage design standards for the responsible jurisdiction allow the practice.
 - The limits of snow storage within the basin are clearly designated and do not encroach on the inlet and outlet structures of the basin.
 - Basin capacity has been increased to accommodate expected snow storage amounts in addition to the design storm (typically the 20-yr/1-hr storm). The basin must retain the capacity to hold the design storm at all times during snow storage operations.
 - Stabilized access for snowplowing equipment is provided.
 - Maintenance is conducted annually after spring snowmelt to remove material and debris from the basin, rehabilitate the infiltration capacity of the basin, and to confirm conveyance facilities are functional.
- Clearly identify the boundaries of the snow storage area to be visible under winter conditions.
- Site pervious snow storage areas so that plowing and snowmelt will cause the least disturbance to soils and vegetation. Avoid siting snow storage on compacted or poorly draining soils.
- When storing snow in close proximity to an SEZ setback or other sensitive areas, construct a berm around the perimeter of the snow storage area to contain the

snowmelt. Alternatively, construct a vegetated filter strip between the SEZ setback and the snow storage area.

- For snow that may contain elevated levels of pollutants (e.g., commercial parking lots or roads), site snow storage on an impervious surface that drains to a stormwater treatment BMP described in this Handbook.
- If an appropriate on-site snow storage area cannot be sited or designed, make arrangements for removal of snow and off-site storage.
- When storing snow in landscaped areas, plant with native and adapted species tolerant of snow storage (perennials that die back annually and shrubs/trees that can bend with weight, but not break).
- Employ concave landscaped areas rather than mounded landscapes for snow storage.
- Locate snow storage areas to maximize solar exposure and away from primary roadways to the greatest extent feasible.



Snow shall not be stored in the shorezone where polluted snowmelt can go directly into Lake Tahoe.

- For unpaved snow storage areas where snowplowing equipment will operate, the snow storage area should be covered with gravel or plowed to maintain 12 inches of packed snow to reduce soil disturbance and soil compaction.
- Site basins outside of the jurisdictional snow storage ROWs – usually 15-20 feet off of roadway.

INSPECTION AND MAINTENANCE

- Before and after winter, clean the designated snow storage area of accumulated sand, trash, and debris, and inspect any associated drainage outlets or conveyance facilities for damage or erosion.

- Before and after winter, repair any damage or erosion that may have occurred to the snow storage area from snow removal equipment or other snow storage activities.

EFFECTIVENESS CONSIDERATIONS

When properly sited, designed, and maintained, snow storage areas can significantly reduce the discharge of poor quality melt water to receiving waters and other sensitive areas.