



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# 817 5999 0173
TUESDAY, MARCH 5, 2024 @ 1:00 PM

AGENDA

- A. **CALL TO ORDER** **1:00PM**
- B. **PLEDGE OF ALLEGIANCE**
- C. **APPROVAL OF THE MINUTES:** February 6, 2024 Planning Commission meeting.
- D. **PUBLIC INPUT/ REPORTS (Limited to three (3) minutes) Non-Agenda Items**
- E. **AGENDA ITEMS:**
 - 1. **DISCUSSION - ZONING FOR INCOMING ANNEXATIONS** Bret Howser, Town Manager. The Commission will discuss potential zoning for areas currently in the process of being annexed.
- F. **ADJOURNMENT**

Date: March 1, 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



ITEM: ZONING FOR INCOMING ANNEXATIONS

AUTHOR: Bret Howser
DEPARTMENT: Administration
DATE: March 5, 2024
TYPE OF ITEM: Discussion

SUMMARY:

The Commission will discuss potential zoning for areas currently in the process of being annexed, and may give informal recommendations to guide staff in preparing draft zoning ordinances.

BACKGROUND/ANALYSIS:

The Commission is familiar with the pending annexation of Aspen Meadows and has reviewed the requested "Mountain Zoning" designations included in the approved Annexation & Development Agreement with Aspen Meadows. However, there are three additional parcels which will be annexed into the Town along with Aspen Meadows (see attached map):

- Parcel #C-1115-0004-0001 (40 acres owned by Brian Head Town)
- Parcel #C-1120-0003-0000 (20 acres owned by MR Crofts Associates LLC)
- Parcel #C-1120-0003-0001 (20 acres owned by Pura Vida Base Camp LLC)

Each of these parcels are currently undeveloped and are currently zoned as A-20 by Iron County, which is described as follows:

The agriculture (A-20) district is provided and designed to protect and preserve lands suited for farming, ranching, the production of food and fiber, open space, recreation, services or related purposes and minimal rural estate living, and to protect from encroachment of incompatible uses. Other purposes of this district include protection and enhancement of the economic base of the county, as well as the protection of environmentally sensitive lands, such as areas subject to flooding, wetlands, unstable soils and areas with steep slopes or other geologic conditions. This zone anticipates limited commercial uses that have similar impacts to agricultural uses and provides services in rural areas that are compatible and commensurate with typical commercial agricultural uses. The permitted and conditional uses identified in the "Table of Uses" (Section 17.16.030) for the A-20 zone are intended to be compatible with agricultural uses while encouraging economic growth and reasonable options for the use of private property. The district accommodates more intense uses when the required services are made available and the potential cost to Iron County residents of providing the services necessary to support more intense development and activities is minimal.

Staff believes that the most analogous existing zone to A-20 in the Town Land Mgt Code is Recreation Open Space (ROS). We anticipate annexing these properties with ROS designation.

Mr. Hernan Capdevila, representing Pura Vida Base Camp LLC, has requested that his property be annexed into the Town under the condition that he retains some of the uses available to him under A-20 zoning, in particular the option to have private (non-commercial) OHV trails/tracks accessory to the residential use on his neighboring property (which is already in the Town). OHV trails on the property would potentially be allowed under A-20 in the County as a conditional use ("Outdoor Recreation"). The Town's ROS zone also explicitly allows "multi-use roads/trails or OHVs, biking, hiking and equestrian use (motorized and non-motorize roads and trails)" as a permitted use.

If Mr. Capdevila is not comfortable with the allowances of ROS zone as written, we may consider adding language identical to Iron County's A-20 into a an overlay zone which gives additional flexibility above and beyond the underlying ROS zone and apply that overlay zone to all three of the parcels coming in with this annexation. This overlay zone concept is the same mechanism we are likely to use to implement the additional allowances in "Mountain Zoning" we have agreed to in the Aspen Meadows Annexation Agreement. Indeed, we would likely make those changes at the same time.

STAFF RECOMMENDATION:

Staff believes it is appropriate to consider any additional allowances requested by parcels being annexed into the Town at the time of annexation and potentially include those in the zoning designations applied at the time of annexation. In this particular case, we believe that ROS zone already accommodates the use requested by Mr. Capdevila. However, if he desires further uses or more explicit assurance of his desired use, this could be done via an overlay zone which we could implement at the same time we implement the Aspen Meadows "Mountain Zoning" at the time of annexation.

PROPOSED MOTION:

No motion necessary, item is discussion/informational only

ATTACHMENTS:

A – Proposed annexation map

