



## ORDINANCE NO. 18-006

**AN ORDINANCE AMENDING BRIAN HEAD TOWN CODE, TITLE 9, LAND MANAGEMENT CODE, CHAPTER 7-1-C (Conditional Uses); CHAPTER 12.6 LIGHTING; 12-15-F PARKING AND 12-15 TABLE 1 PARKING; CHAPTER 14.4.4 SIGNAGE, GENERAL PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, the Brian Head Planning Commission held a public hearing on April 17, 2018 giving at least fourteen (14) days' notice prior to the public hearing to receive public comment. The Planning Commission hereby forward their recommendation of approval with modifications of the Brian Head Land Management Code, Chapter 7, Single Family Residential, Conditional Uses and Physical Restrictions, Driveways and Walkways; Chapter 12.6 Design Standards for Construction and Development–Lighting; Chapter 12.15 Design Standards for Construction and Development–Parking; Chapter 14.1 Signage – General Provisions to the Brian Head Town Council for their consideration and adoption; and

**WHEREAS**, the Brian Head Town Council held a public hearing giving at least fourteen (14) day notice, the public hearing was held on April 12, 2018 to receive public comment on the proposed amendments Brian Head Land Management Code; 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, Chapters 7, 12, and 14 of the Brian Head Town Code regulating land use within the Town of Brian Head, Utah. All land uses within the Town of Brian Head shall comply with the Brian Head Land Management Code; and

**Section 2. Effective Date.** This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town Council and following notice and publication as required by law. 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 11<sup>th</sup> day of June 2018 with the following vote.**

Mayor Clayton Calloway	Aye
Council Member Lynn Mulder	Aye
Council Member Larry Freeberg	Aye
Council Member Shad Hunter	Aye
Council Member Kelly Marshall	Aye

**BRIAN HEAD TOWN COUNCIL**  
BRIAN HEAD, UTAH

By:   
Clayton Calloway, Mayor

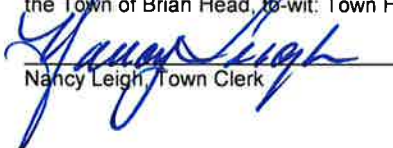
**ATTEST:**

  
Nancy Leigh, Town Clerk



**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 11<sup>th</sup> day of June 2018, and have posted a complete copy of the ordinance in three conspicuous places within the Town of Brian Head, to-wit: Town Hall, Post Office and the Mall.

  
Nancy Leigh, Town Clerk

## Attachment A

# Title 9 - Land Management Code Amendments June 2018

## Title 9 - Chapter 7 – Zone District Regulations

### 9-7-1: R-1 SINGLE-FAMILY RESIDENTIAL:

C. Conditional Uses: The following uses are conditional and require a conditional use permit:

Bed and breakfast rentals.

Churches.

Home occupations identified in subsection [9-10-5C](#) of this title.

**Mother-in-law / guest house is an accessory use on one lot that is equal to or greater than one acre and shall comply with accessory structure requirements in this title.**

Public or private schools.

Public parks.

Public utility uses.

## Title 9 - Chapter 12 – Design Standards for Construction & Development

### 9-12-6: LIGHTING:

It is the intent of this section to encourage lighting practices and systems which will minimize light pollution, glare and light trespass, and will conserve energy while maintaining nighttime safety, utility, security and productivity. All light fixtures, including security lighting **and sign lighting**, except streetlamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source.

### 9-12-15: PARKING:

F. Parking Stall Dimensions: Parking stall dimensions shall be in accordance with this subsection:

1. Width:

a. A minimum width of **nine feet (9') ten feet (10')** shall be provided for each interior (protected from weather) parking stall and ten feet (10') for exterior parking stalls.

b. Exceptions:

i. Parallel parking stalls shall be permitted to be eight feet (8') wide.

ii. The width of a parking stall shall be increased ten inches (10") for obstructions (columns, walls, etc.) located on either side of the stall within fourteen feet (14') of the access aisle.

2. Length: A minimum length of twenty feet (20') shall be provided for each interior stall and exterior parking stalls. Parallel parking stalls shall be a minimum twenty-two feet (22') in length

**9-12-15 TABLE 1**

**OFF STREET PARKING SCHEDULE**

<b>Land</b>	<b>Number Of Parking Spaces Required</b>
Bed and breakfast inn	1 per bedroom
Civic buildings and conference center	Determined by specific review
Commercial outdoor recreation, including skiing, biking, stables/riding academy	1 per 3 persons maximum rated capacity
Financial institution	3 per 1,000 square feet of leasable floor area
Hospital or clinic	3 per bed or patient room
Hotel/motel (2 bed maximum per unit)	1 per guestroom, plus 1 per 500 square feet of interior common area
Indoor entertainment, recreation/theater	1 per 4 seats, or 5 per 1,000 square feet of floor area
Industry	1 per 500 square feet
Multi-family dwelling unit greater than 650 square feet, but less than 1,000 square feet	1.5 per dwelling unit
Multi-family dwelling unit greater than 1,000 square feet, but less than 2,500 square feet	2 per dwelling unit
Multi-family dwelling unit greater than 2,500 square feet	3 per dwelling unit up to 3,500 square feet and 1 additional stall for each 2,000 square feet, or fraction thereof
Multi-family dwelling unit not greater than 650 square feet	1 per dwelling unit
Office	1 per 300 gross square feet
Restaurant/food beverage establishment	1.1 per 100 gross square feet of dining area
Retail	1 per 200 gross square feet

Shopping center or complex of multi-tenant retail spaces	4 per 1,000 square feet of leasable floor area, plus 1 per 500 square feet of interior common area
Single-family dwelling unit and multi-dwelling unit up to 3 units	2 per dwelling unit, plus 1 additional stall per each 2,500 square feet, or fraction thereof, when a single dwelling exceeds 2,500 square feet

## **Title 9 - Chapter 14 – Signage:**

### **9-14-4: GENERAL PROVISIONS:**

- K.. Lighting Restrictions:** All externally illuminated signs, including backlit signs, shall conform to the lighting requirements contained in Chapter 12 of this Title.