



## ORDINANCE NO. 26-004

**AN ORDINANCE AMENDING BRIAN HEAD TOWN CODE, TITLE 9, LAND MANAGEMENT CODE, CHAPTER 7.13; ZONE DESIGNATION REGULATIONS FROM ASPEN MEADOWS MOUNTAIN OVERLAY ZONING DISTRICT TO ASPEN MEADOWS MOUNTAIN ZONE AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**WHEREAS**, in review of the Aspen Meadows Development Agreement it was determined there was a conflict with the zone designation name for Aspen Meadows Mountain Overlay Zoning District; and

**WHEREAS**, the Brian Head Planning Commission held a public hearing on April 7, 2026, giving at least ten (10) days' notice before the public hearing to receive public comment. The Planning Commission forwarded their recommendation of approval for the Brian Head Land Management Code, Chapter 7-13, Zone Designation Regulations. Aspen Meadows Mountain Zone to the Brian Head Town Council for their consideration and adoption; and

**WHEREAS**, the Brian Head Town Council held a public meeting on April 24, 2026, giving; 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, Chapter 7-13 Zone District Regulations, Aspen Meadows Mountain Zone is identified in **Attachment "A"**. All changes are identified in red font.

**Section 2.** **Effective Date.** This Ordinance shall take effect upon its passage by a majority vote of the Brian Head Town Council. 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.

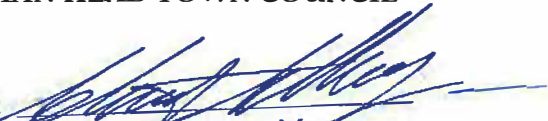
**Section 5. Repealer.** All provisions of the Brian Head Town Code that are inconsistent with the expressed terms of this Ordinance shall be repealed.

**PASSED AND ADOPTED BY THE BRIAN HEAD TOWN COUNCIL OF IRON COUNTY, UTAH this 28<sup>th</sup> day of April 2026, with the following vote.**

**TOWN COUNCIL VOTE:**

Mayor Clayton Calloway	Yes
Council Member Martin Tidwell	Yes
Council Member Logan Cruz	Yes
Council Member Larry Freeberg	Yes
Council Member Duane Nyen	Yes

**BRIAN HEAD TOWN COUNCIL**

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 28<sup>th</sup> day of April 2026, and have posted a copy of the ordinance on the Public Meeting Notice Website and on the Town website: [brianheadtown.utah.gov](http://brianheadtown.utah.gov) as per UCA 63-30-102.

**Nancy Leigh, Town Clerk**

**ATTACHMENT "A"**  
**Land Management Code Amendment Chp. 7-13**

**Proposed Aspen Meadows Mountain Zoning Revision**

**9-7-13: Aspen Meadows Mountain Zone**

**A. Purpose Statement:** The purpose of the Mountain ~~Overlay Zoning District~~ is to guide development in the Aspen Meadows area consistent with the master plan contemplated in the Aspen Meadows Annexation & Development ~~Agreement (See Exhibit C. Conceptual Master Plan)~~. This ~~overlay district Zone~~ allows certain deviation from standards in ~~underlying zones Land Uses listed below~~ in exchange for guarantees to the Town included in the ~~Annexation and Development Agreement~~. ~~Furthermore, the purpose of this Zone is to promote public health, safety and general welfare through provisions designed to establish a Zoning District which will:~~

1. ~~Facilitate a large-scale, mixed-use development incorporating various types of residential, commercial, resort and industrial uses and zoning concepts which may create significant impacts on the Town, while maximizing the public benefit from such a development, and minimizing any adverse impacts of such a development.~~
2. ~~Provide streamlined review procedures for the preliminary and final plats designed to accommodate a multiple phased approach to design and construction of this large residential, mixed-use development.~~

**B. Permitted & Conditional Uses:** ~~The Annexation and Development Agreement dated March 19, 2024, and the Conceptual Master Plan(Exhibit C) were adopted by the Town Council and are intended to be utilized to guide the allowable uses in the Aspen Meadows Mountain Zone.~~ As such, all permitted and conditional uses contained in other zone districts designations detailed in this chapter (§9-7) are allowable as permitted and conditional uses in the Aspen Meadows Mountain Zone. The general location of these uses, and the total resultant density, shall be consistent with the Annexation and Development Agreement and the Conceptual Master Plan. The following exceptions apply:

1. Recreation Open Space uses will follow 9-7-7 with the following exceptions
  - a. Outfitter Cabins, Ski Lodges and other resort-planned support buildings may exceed 1,500 SF in size, per Development Agreement.
  - b. Horse boarding is allowed.
  - c. 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.

**C. Physical Restrictions & Design Standards:**

~~Physical restrictions and design standards approved and adopted by the Town Council (in particular those detailed in chapters 7 and 12 of this title) shall control and regulate the development and construction within the project in concert with the Annexation and Development Agreement and Conceptual Master Plan, and according to their respective uses. In addition to the allowances in the underlying zones Land Uses listed below,~~ the following requirements, allowances and restrictions are made:

1. ~~Single Family Residential uses will follow 9-7-1 with the following exceptions:~~
  - a. ~~Conditional Uses-ADU~~ – Mother-in-law/guest house accessory use are not to exceed 2,500 square feet.
  - b. Physical Restrictions
    - i. Maximum Height: Thirty-five (35') with town requirement, acknowledge,

and notary of a required Bonus Request Statement.

- ii. **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.
  - iii. **Driveways:** Minimum five-foot (5') setback from the side corners at road frontage or all driveway edging, pavement, or other surface materials. Minimum with allowed twelve feet (12').
2. **Multi-Family Residential uses will follow 9-7-2 and 9-7-3 respectively.**
  3. **General Commercial uses will follow 9-7-4.**
  4. **Village Commercial uses will follow 9-7-5 with the following exceptions:**
    - a. **Physical Restrictions**
      - i. **Maximum Height:** Additional heights may be applied for taking into account, design, uses, massing, stepping, commercial and residential mix and 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.
  5. **Light Industrial uses will follow 9-7**
  6. **Conservation Open Space uses will follow 9-7-8.**
  7. **Civic uses will follow 9-7-9.**
  8. **Building Bonuses will follow 9-7-11.**
  9. **Additional Design Standards**
    - a. Use of storage or metal cargo containers for either permanent or temporary residential use is not allowed within Aspen Meadows Mountain Zone. 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 stage of materials on site.
    - b. Perimeter fencing allowed throughout Aspen Meadows Mountain Zone 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 Mountain Zone, refer to the Aspen Meadows Design and Development Guidelines.