



Notice is hereby given that the  
**WILLARD CITY PLANNING COMMISSION**  
Will meet in a regular session on  
Thursday, March 7, 2024 – 6:30 p.m.  
Willard City Hall, 80 West 50 South  
Willard, Utah, 84340

## AGENDA

*The meeting will be held in accordance with current COVID-19 guidelines.*

*(Agenda items may or may not be discussed in the order they are listed and may be tabled or continued as appropriate.) Public comment may or may not be taken.*

1. Prayer
2. Pledge of Allegiance
3. General Public Comments (Input for items not on the agenda. Individuals have three minutes for open comments)
4. Report from City Council
5. Discussion/Action Items
  - a. Swear in Ruth Beebee as an alternate Planning Commission member
  - b. Consideration of a lot line adjustment for Marc Anderson for property located at approximately 1094 South Main Street (Parcel Nos 02-055-0010 and 02-055-0011)
  - c. Public hearing to consider a petition from Marc Anderson to rezone approximately 3.16 acres located at approximately 1100 South Main Street from A-5 to R-1/2 (02-055-0010)
  - d. Recommendation to the City Council regarding a petition from Marc Anderson to rezone approximately 31.6 acres located at approximately 1100 South Main Street from A-5 to R-1/2 (02-055-0010)
  - e. Review and consideration of a conditional use permit for Matthew Francom for a welding business located at 432 North Main Street (Parcel No. 02-046-0086)
  - f. Review of a conditional use permit issued to Lindsey B. Hansen for a single-family dwelling located at 188 South 250 West (Parcel No. 02-055-0217) issued in 2006
  - g. Consideration and recommendation to the City regarding an amendment to the General Plan Chapter 12-000 of the Willard City Zoning Ordinance to include a future land use map for the South Willard area included in Willard's Annexation Police Declaration
6. Consideration and approval of the February 1, 2024, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. Adjourn

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website [www.willardcity.com](http://www.willardcity.com), and sent to the Box Elder News Journal this 1st day of March, 2024.

*/s/ Michelle Drago*

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.

# ITEM 5A

**OATH OF OFFICE**  
STATE OF UTAH

I, RUTH BEEBE, *having been appointed to the office of*  
Print Name

PLANNING COMMISSION MEMBER

*do solemnly swear or affirm that I will support, obey and defend the  
Constitution of the United States and the Constitution of this State, and  
that I will discharge the duties of my office with fidelity.*

\_\_\_\_\_  
Signature

*State of Utah,* BOX ELDER  
*County of* \_\_\_\_\_

*Subscribed and sworn to before me this* 7TH *day of* MARCH, 2024

\_\_\_\_\_  
\*Person Administering Oath

MAYOR

\_\_\_\_\_  
Title

\*Utah Code § 78B-1-142: "Every court, every judge, clerk and deputy clerk of any court, every justice, every notary public, and every officer or person authorized to take testimony in any action or proceeding, or to decide upon evidence, has the power to administer oaths or affirmations."

File oath by sending to: Oath of Office, Utah State Archives, 346 S Rio Grande St, Salt Lake City, UT, 84101

**ITEM 5B**

**WILLARD CITY PLANNING COMMISSION  
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 20 December 2023

Assessor's Parcel Number

Applicant:  
Marc Anderson

02-055-0010

Mailing Address  
1094 S Main Street  
Willard, UT 84340

Parcel Legal Description

Attached

Project Address  
1094 S Main Street  
Willard, UT 84340

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

Phone Number 916-270-7161

Conditional Use Permit \$25 Fee

Cell Phone 916-270-7161

Lot Line Adjustment \$25 Fee

Other Fee variable, \$25 Min.

**NOTE:** Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)  
Complete Applicant Affidavit on back of this page.

Lot line boundary adjustment

# APPLICANT'S AFFIDAVIT

STATE OF UTAH )  
 ) SS  
COUNTY OF BOX ELDER) )

I, (we) Marc Anderson, being duly sworn, depose and say that I, (we) am (are) the owner(s)\*, or authorized agent(s) of the owner, of property located at 1094 S Main Street, Willard, UT 84340 in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED [Signature]  
Property Owner(s)

AGENT \_\_\_\_\_

Subscribed and sworn before me this 20 day of December 20023



Morgan Chambers  
Notary Public

Residing in 97 S. Main St Brigham City, UT 84302  
My commission expires: May 23, 2027

\* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

## AGENT AUTHORIZATION

I, (we) \_\_\_\_\_, the owner(s) of real property described above, hereby appoint \_\_\_\_\_, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED \_\_\_\_\_  
Property Owner(s)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_\_\_

\_\_\_\_\_  
Notary Public

Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_



**Willard City**  
80 W 50 S | PO Box 593  
Willard, UT 84340  
(435) 734-9881  
willardcity@comcast.net

**XBP Confirmation Number: 161309646**

▶ Transaction detail for payment to Willard City.		Date: 12/20/2023 - 1:53:54 PM MT	
Transaction Number: 209969732 Visa — XXXX-XXXX-XXXX-3547 Status: <b>Successful</b>			

Account #	Item	Quantity	Item Amount
	Charges PC	1	\$25.00

Notes: Marc Anderson PC Hearing Application

**TOTAL: \$25.00**

**Billing Information**  
MARC L ANDERSON  
, 84340

**Transaction taken by:** Admin mbrown

\* corrective \*

**EXHIBIT "A"**

02-055-0010 (part of)

Parcel 1: A PART OF THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE SOUTH 23°37'19" EAST (SOUTH 26°32' EAST BY RECORD) 80.07 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 87°38'41" WEST (NORTH 88°56' WEST BY RECORD) 764.83 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 12°46'27" WEST 216.13 FEET ALONG SAID EXISTING FENCE LINE TO THE SOUTH LINE OF E&J INVESTMENTS LLC PROPERTY, TAX ID NO. 02-055-0055; THENCE SOUTH 87°33'04" EAST (SOUTH 89°05' EAST BY RECORD) 359.12 FEET TO THE SOUTHWEST CORNER OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST (SOUTH 89°05' EAST BY RECORD) 241.09 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 17°25'15" EAST 148.86 FEET; THENCE SOUTH 87°38'41" EAST 135.62 FEET EAST TO THE POINT OF BEGINNING. .

Situated in Box Elder County, State of Utah

02-055-0011

Parcel 2: A PART OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE NORTH 87°38'41" WEST 135.62 FEET; THENCE NORTH 17°25'15" WEST 148.86 FEET TO THE SOUTH LINE OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST (SOUTH 89°05' EAST BY RECORD) 116.81 FEET ALONG SAID SOUTH LINE TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 23°37'19" EAST 157.98 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

Situated in Box Elder County, State of Utah



# MARC ANDERSON

BOUNDARY ADJUSTMENT SURVEY FOR  
 WILLARD, BOX ELDER COUNTY, UTAH  
 4100 SOUTH TAMS ROAD  
 WILLARD, BOX ELDER COUNTY, UTAH  
 A PART OF THE NORTHEAST & NORTHWEST QUARTERS OF SECTION 35,  
 TOWNSHIP 8 NORTH, RANGE 2 WEST, S.1.1.R.M.

Drawn By: MS Date: 12/26/2023  
 Checked By: [Signature]  
 Approved By: [Signature]  
 Job Number: 23-2-284



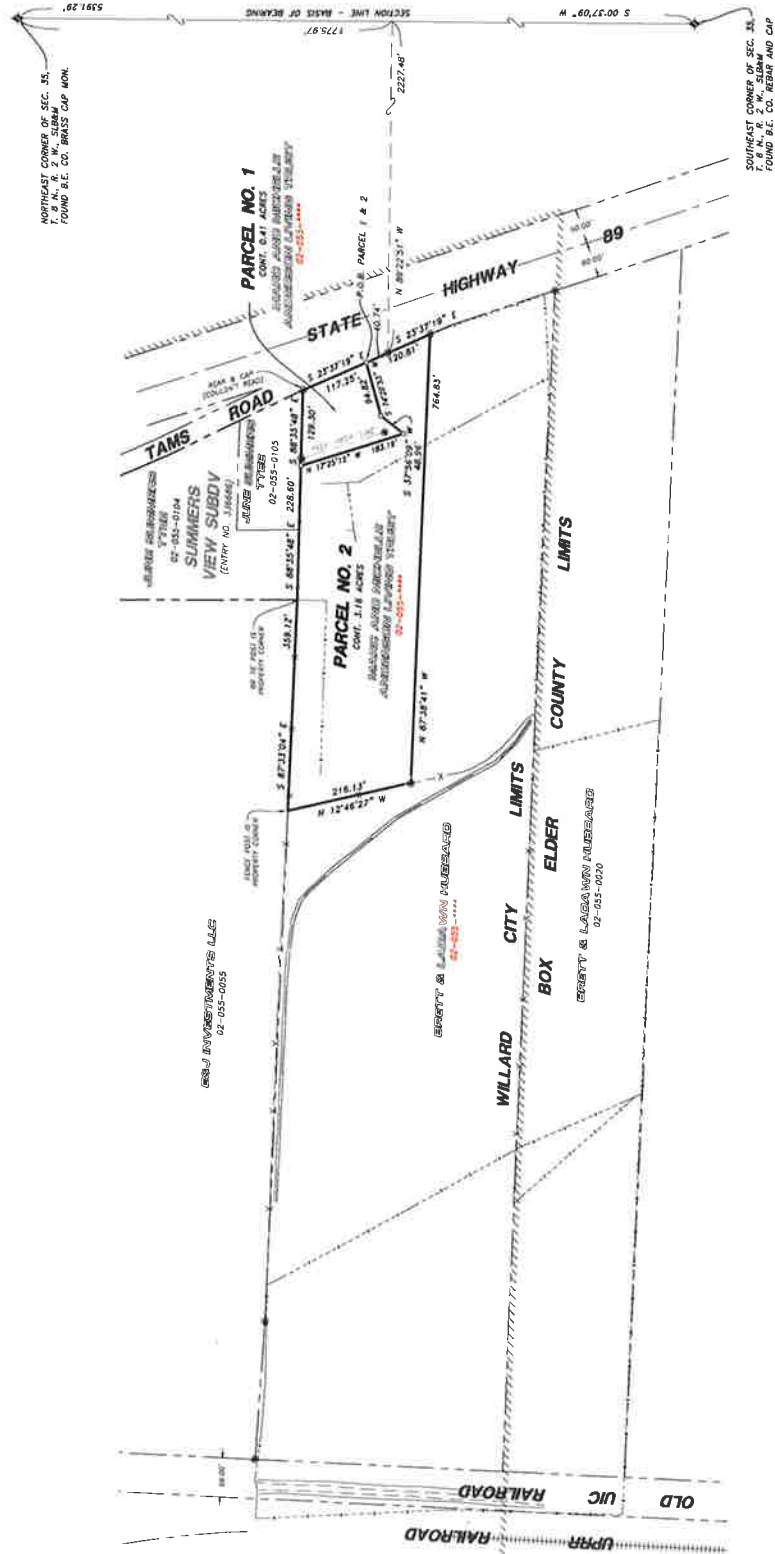
HANSEN & ASSOCIATES, INC.  
 Consulting Engineers and Land Surveyors  
 538 North Main Street, Brigham, Utah 84302  
 Visit us at www.hansen.net  
 Brigham, UT 84302  
 (435) 752-1501 (Fax) 752-4203  
 Creating over 85 years of business

No.	Chg.	By	Approved

Sheet 1 of 1  
 Sheets



**SURVEYOR'S CERTIFICATE**  
 I, ROGER C. SLADE, DO HEREBY CERTIFY THAT I AM A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH. IN ACCORDANCE WITH TITLE 34, CHAPTER 2, PROFESSIONAL LAND SURVEYORS ACT, AND BY THE AUTHORITY OF THE OWNERS, I HAVE COMPLETED A BOUNDARY ADJUSTMENT SURVEY OF THE PROPERTY DESCRIBED IN THE ATTACHED SURVEY MAP DATED 12-23-23 AND HAVE VERIFIED ALL MEASUREMENTS, AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN LOCATED AND/OR PLACED ON THE GROUND AS REPRESENTED ON THE PLAT HEREBIN.  
 SIGNED THIS 20TH DAY OF DECEMBER, 2023.  
 ROGER C. SLADE, PLS  
 UTAH LAND SURVEYOR LICENSE NO. 11506802



NORTHEAST CORNER OF SEC. 35,  
 T. 8 N., R. 2 W., S. 1.1 R.M.  
 FOUND B.E. CO. BRASS CAP MON.

SURVEYOR CORNER OF SEC. 35,  
 T. 8 N., R. 2 W., S. 1.1 R.M.  
 FOUND B.E. CO. REBAR AND CAP

**PARCEL NO. 1 ADJUSTED BOUNDARY DESCRIPTION**  
 A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASIN, WITH METERSHAW

BEGINNING AT THE INTERSECTION OF AN EXISTING FENCE LINE AND THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.57 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST AND 40.74 FEET NORTH 23°27'19" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;  
 RUNNING THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 1°26'43" WEST 764.81 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 12°46'27" WEST 183.19 FEET TO THE SOUTH LINE OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 33686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 86°35'48" EAST 129.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD; THENCE SOUTH 0°00'00" WEST 117.25 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 0.41 ACRES.

**PARCEL NO. 2 ADJUSTED BOUNDARY DESCRIPTION**  
 A PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASIN, WITH METERSHAW

BEGINNING AT THE INTERSECTION OF AN EXISTING FENCE LINE AND THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.57 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST AND 40.74 FEET NORTH 23°27'19" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;  
 RUNNING THENCE SOUTH 23°27'19" EAST 120.81 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 37°34'14" WEST 764.81 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 12°46'27" WEST 183.19 FEET TO THE SOUTH LINE OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 33686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 87°33'54" EAST 158.12 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD; THENCE SOUTH 0°00'00" WEST 117.25 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO AN EXISTING FENCE LINE; THENCE SOUTH 17°25'15" EAST 183.19 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 37°56'09" WEST 117.25 FEET TO THE POINT OF BEGINNING, CONTAINING 1.14 ACRES.

WEST FULL 6' PROPERTY CORNER

WEST FULL 6' PROPERTY CORNER

WEST FULL 6' PROPERTY CORNER

WEST FULL 6' PROPERTY CORNER

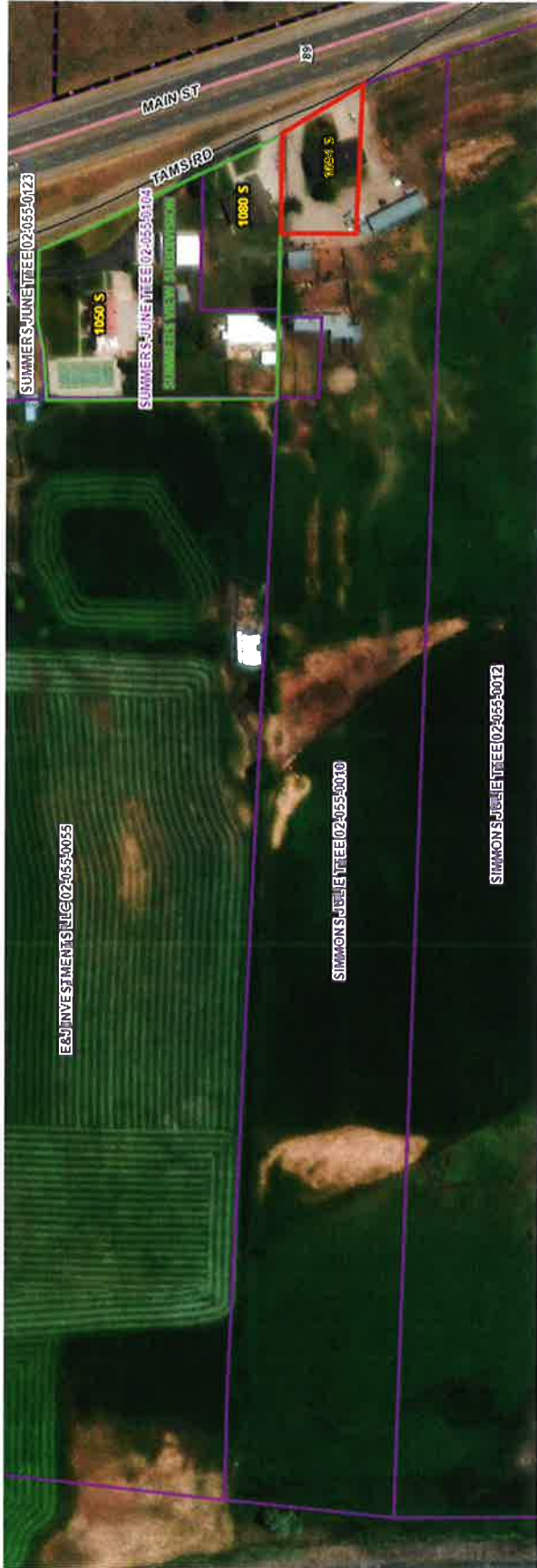
**LEGEND**

- EXISTING PROPERTY LINE
- ADJUSTED PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING PROPERTY LINE
- EXISTING FENCE LINE
- TOP BANK
- RAILROAD TRACKS
- FENCE REBAR SET BY NW SECTION CORNER
- FENCE REBAR SET BY NW SECTION CORNER

**MARRATIVE**  
 THE PURPOSE OF THIS SURVEY WAS TO CORRECT THE PROPERTY CORNERS OF THE PARCELS AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY MARC ANDERSON, THE OWNER OF THE PROPERTY DESCRIBED. THE PROPERTY CORNERS WERE THE EXISTING BOX ELDER COUNTY SURVEY CORNERS. THE SURVEY WAS CONDUCTED ON 12/23/23. THE SURVEY WAS CONDUCTED IN THE NORTH NORTH, STATE PLANE, CALCULATED N.A.D.83 DATUM.  
 THE POINTS OF BEGINNING OF THE SURVEY ARE LOCATED AT THE INTERSECTION OF UTAH NORTH, STATE PLANE, CALCULATED N.A.D.83 DATUM.

SCALE: 1" = 100'  
 0 100 200  
 Feet  
 (Drawn at Normal Scale of 1" = 100')

NORTH ↑





WILLARD CITY  
**Subdivision Land Use Authority (SLUA) – Special Meeting**  
January 18, 2024 – 2:00 p.m.  
Willard City Hall – 80 West 50 South  
Willard, Utah 84340

1 The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours  
2 in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting  
3 Notice Website.

4  
5 The following members were in attendance:

6  
7 Jeremy Kimpton, City Manager  
8 Bryce Wheelwright, City Planner  
9 Chris Breinholt, City Engineer  
10 Van Mund, Fire Chief  
11 Payden Vine, Public Works Director  
12 Michelle Drago, Deputy City Recorder

13  
14 Excused: Colt Mund, City Attorney

15  
16 Others in attendance: Zac Burk, Jones & Associates; Bob Davis; Brett Hubbard; Marshae Stokes; Larry  
17 Holmes; Doug Thompson; Virginia Thompson, Alex Owens, and Commissioner Diana Baker.

18  
19 1. CALL TO ORDER

20  
21 Bryce Wheelwright, City Planner, called the meeting to order at 2:11 p.m. The secretary recorded a roll call  
22 attendance.

23  
24 2A. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR MARC ANDERSON FOR PROPERTY  
25 LOCATED AT APPROXIMATELY 1094 SOUTH MAIN STREET (PARCEL NOS. 02-05-0010  
26 AND 02-05-0011)

27  
28 Time Stamp – 048 01/18/2024

29  
30 Bryce Wheelwright, City Planner, stated that Marc Anderson had requested approval of a lot line adjustment  
31 for two parcels at 1094 South Main Street.

32  
33 Michelle Drago, Deputy City Recorder, stated that a lot line adjustment for these parcels was approved by  
34 the Planning Commission on September 7, 2023. How was this lot line adjustment different from the  
35 September adjustment?

36  
37 Brett Hubbard, South Willard, stated that his father had passed away. His sister and brother-in-law had  
38 purchased the home and property. They were making another adjustment to allow for a home to be built  
39 on Parcel 2, which was behind the existing home on Parcel 1. The adjustment added frontage to Parcel 2,  
40 so that it complied with the 100-foot lot width requirement.

41  
42 Bryce Wheelwright stated that Parcel 2 would not be a flag lot, because it would be 120.81 feet wide. He  
43 asked about the size of the parcels. Brett Hubbard said Parcel 1 was 0.41 acres; Parcel 2 was 3.16 acres.  
44 The configuration of Parcel 1 had changed, but its size had not.

45  
46 Bryce Wheelwright stated that zoning might be an issue. Parcel 1 was zoned R-1/2. The zoning for Parcel  
47 2 was split. The front portion was zoned R-1/2; the remainder was zoned A-5. Marc Anderson would have  
48



WILLARD CITY  
**Subdivision Land Use Authority (SLUA) – Special Meeting**  
January 18, 2024 – 2:00 p.m.  
Willard City Hall – 80 West 50 South  
Willard, Utah 84340

49 to increase the size of Parcel 2 to five acres or rezone it R-1/2. The issue with Parcel 2 would have to be  
50 resolved before a building permit could be issued.

51  
52 There were not any comments from Payden Vine, Public Works; Chris Breinholt, City Engineer; Michelle  
53 Drago, Deputy Recorder; and Jeremy Kimpton, City Manager.

54  
55 Brett Hubbard asked if they could apply for an A-3 Zone. Bryce Wheelwright said they could request an A-3  
56 Zone, but the property was not contiguous to an A-3 Zone. It was contiguous to the R-1/2 Zone. The City's  
57 General Plan called for zoning to be contiguous to prevent spot zones.

58  
59 Brett Hubbard asked if Marc Anderson could build on the portion of Parcel 2 that was zone R-1/2 and leave  
60 the remainder zoned A-5. Bryce Wheelwright said they could, or they could rezone the entire parcel R-1/2.  
61 There was also the possibility that the new General Plan would blanket zone the entire city R-1/2.

62  
63 There was a discussion about zoning.

64  
65 Chris Breinholt explained that approval of the lot line adjustment did not mean approval for a building permit.  
66 Brett Hubbard understood Marc Anderson would have to resolve the zoning issue before a building permit  
67 could be issued.

68  
69 Van Mund stated that Marc Anderson might also have to run a water line or provide a fire hydrant depending  
70 on how far the home would be set back from the road.

71  
72 **Van Mund moved to recommend that the Planning Commission approve a lot line adjustment for**  
73 **Marc Anderson for property located at approximately 1094 South Main (Parcel Nos. 02-055-0010 and**  
74 **02-055-0011). Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.**

75  
76 2B. CONSIDERATION OF AN ANNEXATION AND A CONCEPT PLAN FOR DAVIS PARK  
77 SUBDIVISION LOCATED AT APPROXIMATELY 7700 SOUTH 1100 WEST (PARCEL NOS.  
78 01-041-0043 AND 01-041-0044)

79  
80 Time Stamp – 10:48 01/18/2024

81  
82 Bryce Wheelwright stated that the City had received an annexation petition from Bob Davis for 45 acres  
83 located at approximately 7700 South 1100 West. Mr. Davis was proposing to divide his property into six  
84 agricultural parcels. One of the parcels would be an 11-acre park.

85  
86 Bob Davis stated that he had met with Willard Flood Control. Willard Flood Control was interested in helping  
87 to build the park. Mr. Davis felt the only impact his development would have on Willard City was emergency  
88 services, which it was already providing. The property would remain agricultural. There would be three lots  
89 for his children. The park would be a memorial park for the Davis name. He wanted to build a bowery in  
90 memory of his wife Ronda. He did not feel the property would be a burden to the City. The property had  
91 adequate water rights. The development would be on a private road, so road maintenance would not be  
92 required.

93  
94 Bryce Wheelwright asked who would maintain the road. Mr. Davis said they would maintain it. Only the  
95 park would need City maintenance. He felt there was plenty of water for a soccer field. Eleven acres would  
96 provide room for a dog park, a nature park, or a compost area until the park evolved.

**ITEM 5C & D**

# WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

Application Date	Assessor Parcel Number *
01 February 2024	Parcel 2 on attachment
Applicant	Parcel Legal Description
Marc Anderson	Attached
Mailing Address	<div style="background-color: yellow; padding: 10px; border: 1px solid black;"> <p style="margin: 0;">02-055-0010 8.42 ac</p> <p style="margin: 0;">02-055-0011 0.41 ac</p> </div>
1094 S Main St	
Willard, UT 84340	
Phone Number	Present Zone
916-270-7161	A-5
Cell Phone	Proposed Zone
916-270-7161	R 1/2

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

- 1) Proof of ownership.\*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)
- 4) List of all property owners within 1/4 mile of the parcel.\*
- 5) Map (Assessor's Plat\* or suitable drawing) of the propose to show the location and boundaries of the parcel to
- 6) If a subdivision is planned, supply sketch of possible subc compatibility with existing and planned infrastructure, water supply and other utilities.

WILLARD CITY CORPORATION  
 80 W 50 S  
 PO Box 593  
 Willard UT 84340      435-734-9881  
 Receipt No: 1.019310      Feb 9, 2024

Marc Anderson Rezone App  
 Charges for Services  
 Charges -- PC & B of Adj      125.00  
 Total:      125.00  
 -----  
 Check  
 Check No: 7484      125.00  
 Total Applied:      125.00  
 -----  
 Change Tendered:      .00  
 =====

\* Available at the office of the Box Elder County Registrar, 01 South Mai

**Ent: 468703 B: 1569 P: 0590**

Chad Montgomery Box Elder County Utah Recorder

10/31/2023 03:22 PM Fee \$40.00 Page 1 of 3

For US TITLE INSURANCE AGENCY

*Electronically Recorded By SIMPLIFILE LC E-RECORDING*

WHEN RECORDED MAIL TO  
AND MAIL TAX NOTICE TO:  
Marc L. Anderson and Michelle J. Anderson  
501 E Peaceful Pines  
Elgin, SC 29045

## **WARRANTY DEED**

File No.: 068932

APN: 02-055-0011 and 02-055-0010 (Part of)

**JULIE SIMMONS, Successor Trustee of The Norris J. Hubbard and Emma Lou Hubbard Family Trust dated February 12, 2009,**

Grantor(s), of North Ogden, Weber County, State of Utah, hereby convey(s) and warrant(s) to

**Marc L. Anderson and Michelle J. Anderson, Trustees, of the Marc and Michelle Anderson Living Trust, dated August 13, 2013 and any amendments thereto,**

Grantee(s), of Elgin, Lancaster County, State of South Carolina, for the sum of ten dollars and other good and valuable consideration, the following tract of land located in Box Elder County, Utah, to wit:


See Exhibit A attached hereto and made a part hereof.

Subject to easements, restrictions, reservations and rights of way appearing of record.

\* Grantor reserves and retains all water rights. All water rights are specifically EXCLUDED and retained by Grantor


Witness the hand(s) of said Grantor(s) this 30th day of October, 2023.


JULIE SIMMONS, Successor  
Trustee of The Norris J. Hubbard  
and Emma Lou Hubbard Family  
Trust dated February 12, 2009

BY: Julie Simmons   
Julie Simmons  
Successor Trustee

STATE OF UTAH )  
  : ss )  
COUNTY OF Davis )

The foregoing instrument was acknowledged before me the 30th day of October, 2023 by  
JULIE SIMMONS, Successor Trustee of The Norris J. Hubbard and Emma Lou Hubbard Family  
Trust dated February 12, 2009.

Chad Phillips   
Notary Public

 Chad Phillips  
Commission No. 724157  
State of Utah - Notary Public  
My Commission Expires April 29, 2026

Online Notary Public. This notarial act involved the use of online audio/video communication technology. Notarization facilitated by SIGNIX®



**EXHIBIT "A"**

Parcel 1: A PART OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1175.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE NORTH 87°38'41" WEST 135.62 FEET; THENCE NORTH 17°25'15" WEST 148.86 FEET TO THE SOUTH LINE OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST (SOUTH 89°05' EAST BY RECORD) 116.81 FEET ALONG SAID SOUTH LINE TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 23°37'19" EAST 157.98 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING.

Situated in Box Elder County

APN: 02-055-0011

Parcel 2: A PART OF THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1175.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE SOUTH 23°37'19" EAST (SOUTH 26°32' EAST BY RECORD) 80.07 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 87°38'41" WEST (NORTH 88°56' WEST BY RECORD) 764.83 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 12°46'27" WEST 216.13 FEET ALONG SAID EXISTING FENCE LINE TO THE SOUTH LINE OF E&J INVESTMENTS LLC PROPERTY, TAX ID NO. 02-055-0055; THENCE SOUTH 87°33'04" EAST (SOUTH 89°05' EAST BY RECORD) 359.12 FEET TO THE SOUTHWEST CORNER OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST (SOUTH 89°05' EAST BY RECORD) 241.09 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 17°25'15" EAST 148.86 FEET; THENCE SOUTH 87°38'41" 135.62 FEET EAST TO THE POINT OF BEGINNING.

Situated in Box Elder County

APN: 02-055-0010 (Part of)

MARC L. ANDERSON  
1094 S MAIN ST  
WILLARD, UT 84340

February 08, 2024

TO: Willard City Planning Commission

RE: Re-Zone application for property at 1094 S. Main St. Willard, UT

Dear Sir,

My name is Marc Anderson, and I am writing to you because I have a desire to build a house on my 3 acre parcel of land. My understanding is that the property is partially zoned A-5 and must all be zoned R ½ in order for a building permit to be approved. I respectfully request that the property be re-zoned.

Sincerely,

The image shows two handwritten signatures in black ink. The first signature on the left is for Marc L. Anderson, and the second signature on the right is for Michelle J Anderson. Both signatures are written in a cursive, flowing style.

Marc L. Anderson & Michelle J Anderson  
Willard City Residents

List of all property owners with ¼ mile.

Brett and LaDawn Hubbard.

June Summers

E&J Investments LLC

Granite Construction Company

Rebecca Lambert

Harry McLeod

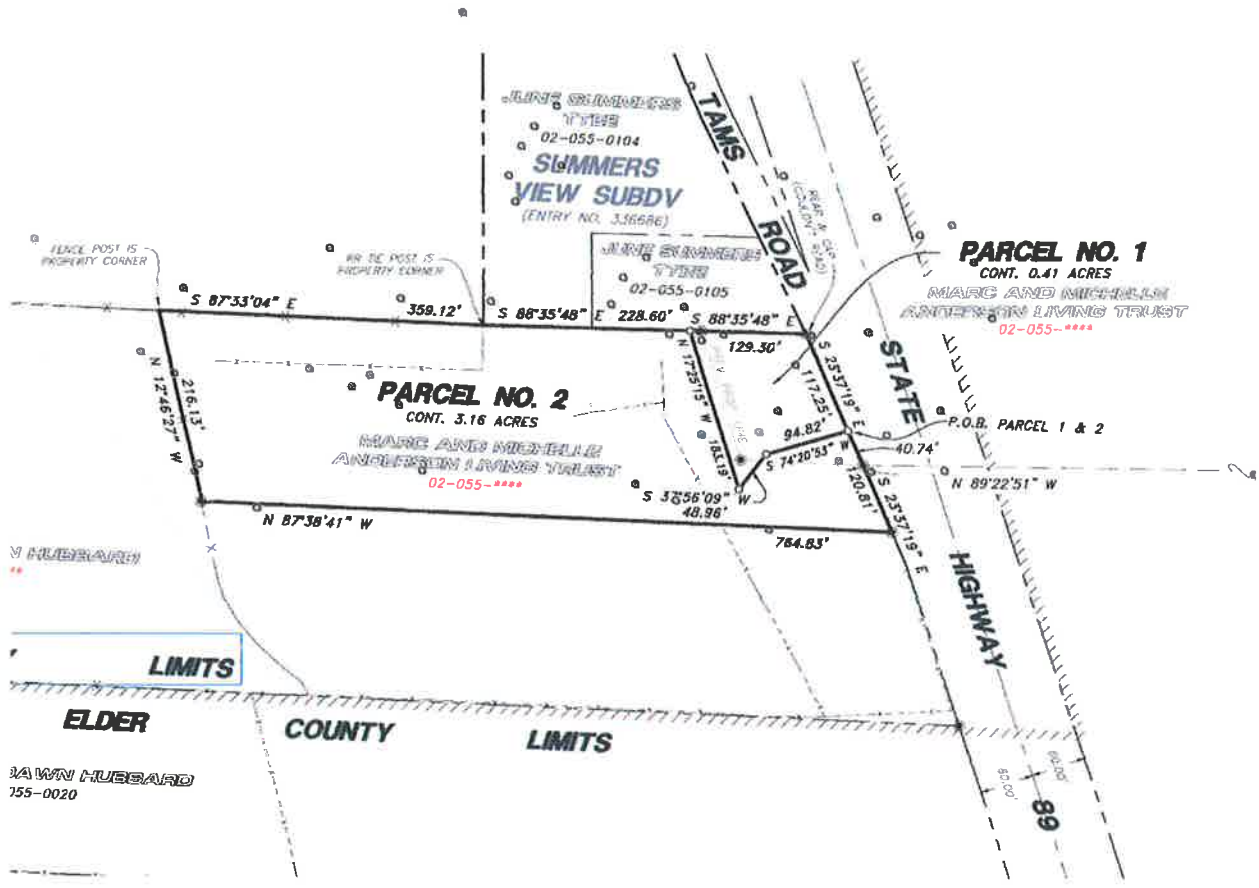
Joel Murray

Jeremy Rose

Jean Reyes

Keith Lammert

Karla Parsons



DAWN HUBBARD  
155-0020

## Project Summary

(Please use additional pages as necessary to adequately address the answers.)

### 1. Location Map (showing nearest cross streets):



The nearest cross streets are Tams Road, and S Main Street, as shown below.



2. Site Address/Description:

1094 S Main Street, Willard, UT 84340

**PARCEL NO. 1 ADJUSTED BOUNDARY DESCRIPTION**

A PART OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF AN EXISTING FENCE LINE AND THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST AND 40.74 FEET NORTH 23°37'19" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTH 74°20'53" WEST 94.82 FEET; AND (2) SOUTH 37°56'09" WEST 48.96 FEET; THENCE NORTH 17°25'15" WEST 183.19 FEET TO THE SOUTH LINE OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST 129.30 FEET ALONG SAID SOUTH LINE TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 23°37'19" EAST 117.25 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. CONTAINING 0.41 ACRES.

**PARCEL NO. 2 ADJUSTED BOUNDARY DESCRIPTION**

A PART OF THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT THE INTERSECTION OF AN EXISTING FENCE LINE AND THE WESTERLY RIGHT-OF-WAY LINE OF TAMS ROAD LOCATED 1775.97 FEET SOUTH 00°37'09" WEST ALONG THE EAST LINE OF SAID SECTION AND 2227.48 FEET NORTH 89°22'51" WEST AND 40.74 FEET NORTH 23°37'19" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 35;

RUNNING THENCE SOUTH 23°37'19" EAST 120.81 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 87°38'41" WEST 764.83 FEET TO AN EXISTING FENCE LINE; THENCE NORTH 12°46'27" WEST 216.13 FEET ALONG SAID EXISTING FENCE LINE TO THE SOUTH LINE OF E&J INVESTMENTS LLC PROPERTY, TAX ID NO. 02-055-0055; THENCE SOUTH 87°33'04" EAST 359.12 FEET TO THE SOUTHWEST CORNER OF SUMMERS VIEW SUBDIVISION, RECORDED AS ENTRY NO. 336686 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°35'48" EAST 228.60 FEET ALONG THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 17°25'15" EAST 183.19 FEET TO AN EXISTING FENCE LINE; THENCE ALONG SAID EXISTING FENCE LINE THE FOLLOWING TWO (2) COURSES: (1) NORTH 37°56'09" EAST 48.96 FEET; AND (2) NORTH 74°20'53" EAST 94.82 FEET TO THE POINT OF BEGINNING. CONTAINING 3.16 ACRES.

3: Parcel Number(s): 02-055-0011 and 02-055-0010 (Part of)

4: Current and Proposed Zoning by parcel number and area in acres:

The property is partially zoned Residential ½ Acre (R ½), and partially Agricultural 5 Acres (A-5)

Parcel 1 is 0.41 Acres Parcel 2 is 3.16 acres for a total of 3.57 acres.

5. Road Access Provided:

Yes, road access is available from Tams road.

6. Utility Plan:

Utilities are presently available at the site.

7. Reason for the requested change:

Desire to build a house on the 3.16 acre parcel.

8. Impacts (financial and other) of the change to surrounding properties and the city as a whole:

Should this proposal be accepted, a new house will be built on the lower parcel. This will lead to increased tax revenue via property tax for the county. It will also lead to jobs for the construction of said house and patronage of local businesses for food and utilities. There will also be additional people and another vehicle or two on the roads. Because this property is remote with plenty of space between neighbors, impacts to existing residents will be minimal. The house will be built on land that previously grazed cattle, so the cattle may feel a little more constricted.

# APPLICANT'S AFFIDAVIT

STATE OF UTAH )  
 ) SS  
COUNTY OF BOX ELDER )

I, (we) Marc Anderson, being duly sworn, depose and say that I, (we) am (are) the owner(s)\*, or authorized agent(s) of the owner, of property located at 1094 S. Main St. Willard, UT in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED [Signature]  
Property Owner(s)

AGENT \_\_\_\_\_

Subscribed and sworn before me this 7 day of February 2024



[Signature]  
Notary Public

Residing in Ogden, Utah  
My commission expires: 02-21-2027

\* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

## AGENT AUTHORIZATION

I, (we) \_\_\_\_\_, the owner(s) of real property described above, hereby appoint \_\_\_\_\_, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED \_\_\_\_\_  
Property Owner(s)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_

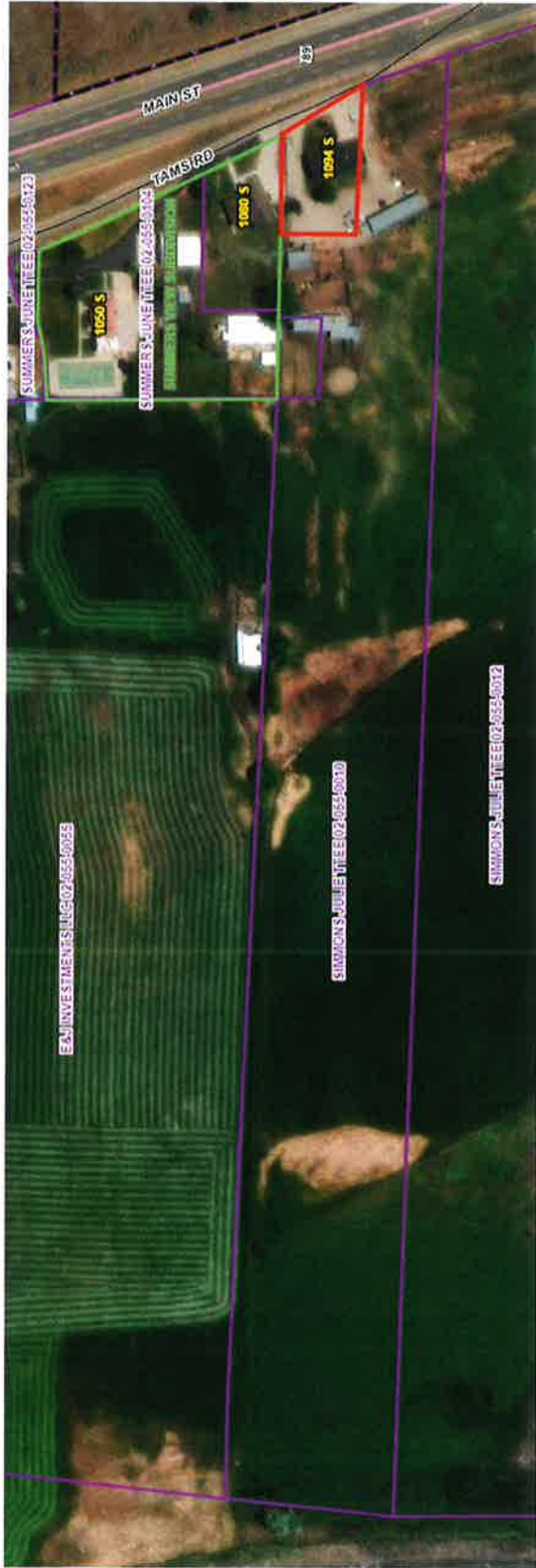
\_\_\_\_\_  
Notary Public

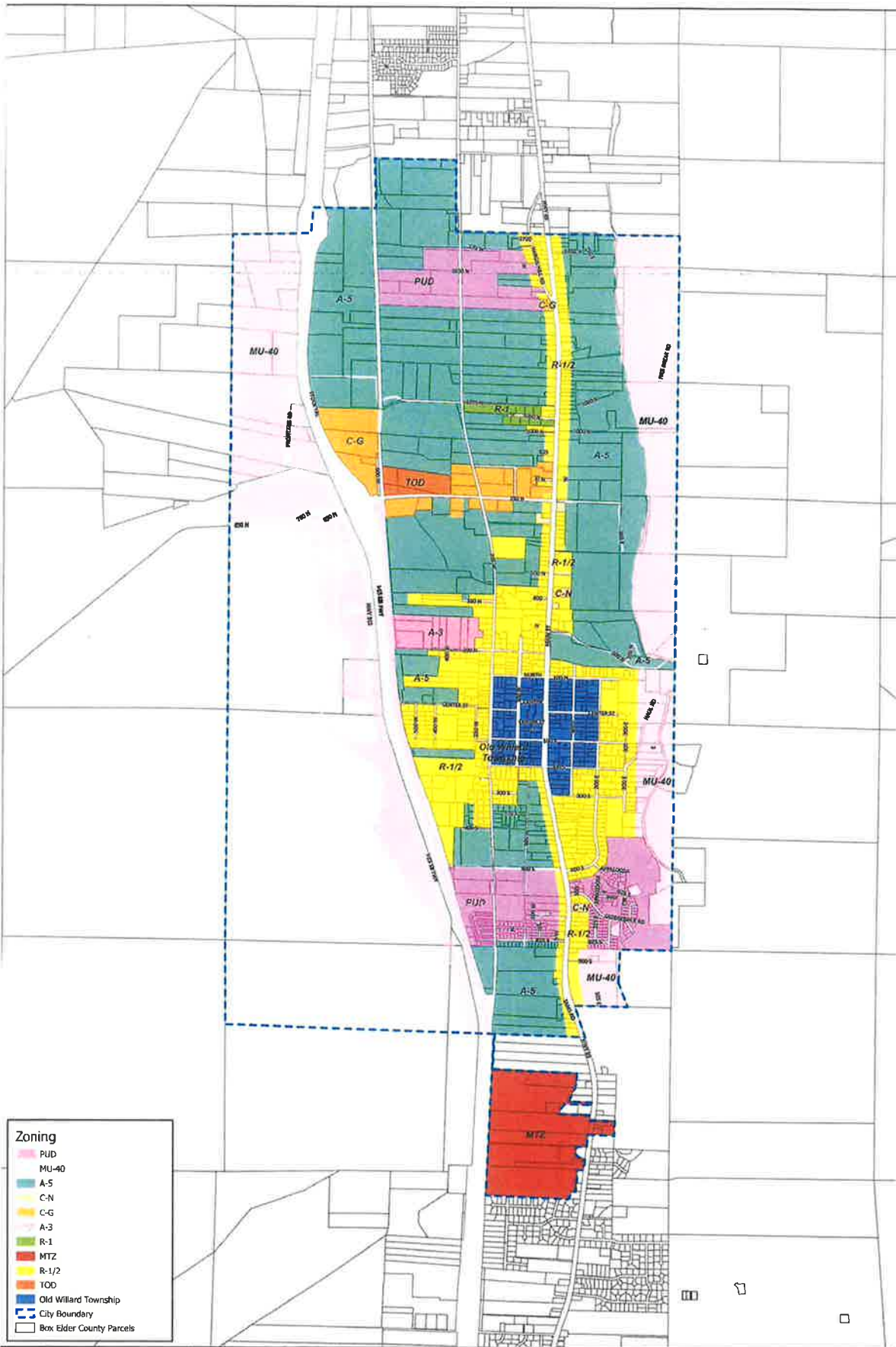
Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_





NORTH ↑





Zoning	
	PUD
	MU-40
	A-5
	C-N
	C-G
	A-3
	R-1
	MTZ
	R-1/2
	TOD
	Old Willard Township
	City Boundary
	Box Elder County Parcels



DESIGNED JTS  
 DRAWN JTS  
 CHECKED CLB

1:100  
 PRINT DATE  
 11/22/2023

**JA JONES & ASSOCIATES**  
 CONSULTING ENGINEERS  
 6000 Fashion Point Dr., South Ogden, UT 84403  
 (801) 476-9297

**WILLARD CITY**  
**GENERAL PLAN**  
**ZONING MAP**



# ITEM 5E

# Willard City Corporation

80 West 50 South  
Box 593



Willard, Utah 84340  
(435)734-9881

March 7, 2024

## CONDITONAL USE PERMIT FOR MATT FRANCOM CUSTOM WELDING SHOP

This Conditional Use Permit is Issued to Matt Francom Welding located at 432 North Main Street Willard Utah 84340.

To operate a welding and powder coating business out of a shop on the property.

The Conditions to operate are that the powder coating booth will have a separator to collect debris and hazardous material from entering the City sewer system and the building will meet the requirements for a commercial building with parking and ADA accessibility.

---

Matt Francom

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Date

---

Bryce Wheelwright City Planner

---

Date

pc 10-22-20  
JH 482  
25<sup>00</sup>

WILLARD CITY PLANNING COMMISSION  
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date: 10-20-20

Assessor's Parcel Number \_\_\_\_\_

Applicant: 404 N. Main St

Parcel Legal Description \_\_\_\_\_

Mailing Address Willard UT 84340

Project Address 432 N. Main St

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

Willard 84340

Conditional Use Permit \$25 Fee

Phone Number 801-458-5244 (mult)

Lot Line Adjustment \$25 Fee

Cell Phone 801-317-3442 (Kelli)

**NOTE:** Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)  
Complete Applicant Affidavit on back of this page.

Steel building for a Fab Shop!

# APPLICANT'S AFFIDAVIT

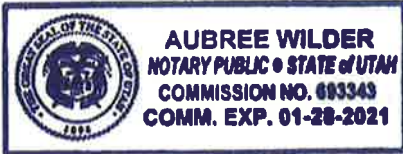
STATE OF UTAH )  
 ) SS  
COUNTY OF BOX ELDER )

I, (we) Matthew & Kelli Franston being duly sworn, depose and say that I, (we) am (are) the owner(s)\*, or authorized agent(s) of the owner, of property located at 432 n main in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED [Signature]  
Property Owner(s)

AGENT \_\_\_\_\_

Subscribed and sworn before me this 21 day of October 2020



[Signature]  
Notary Public

Residing in Weber County  
My commission expires: 01-28-2021

\* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

## AGENT AUTHORIZATION

I, (we) \_\_\_\_\_, the owner(s) of real property described above, hereby appoint \_\_\_\_\_, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED \_\_\_\_\_  
Property Owner(s)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Notary Public

Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_

WILLARD CITY CORPORATION  
80 W 50 S  
PO Box 593  
Willard UT 84340 435-734-9881

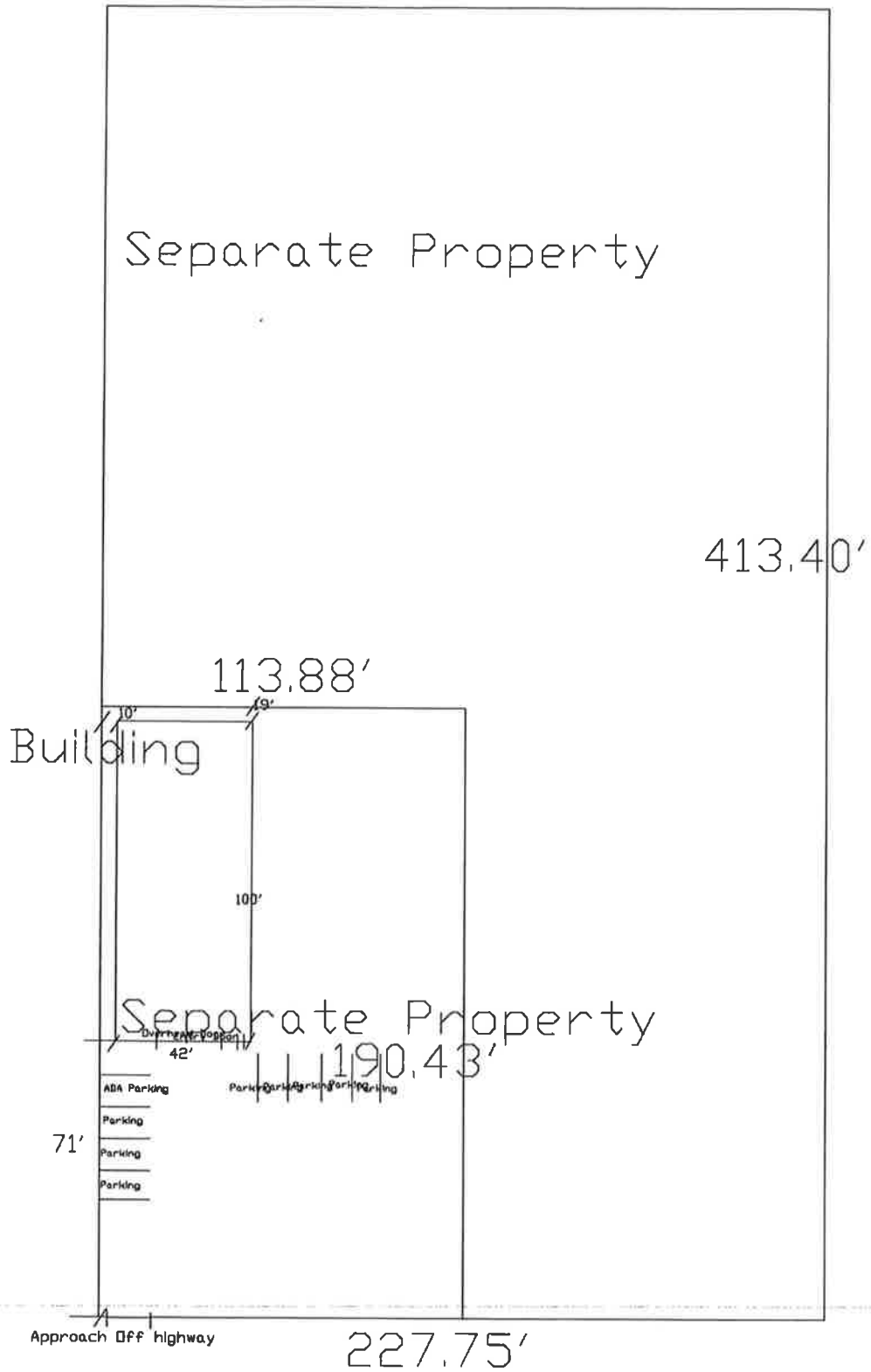
Receipt No: 1.009257 Oct 22, 2020

MATT FRANCOM - PC CUP REVIEW

Charges for Services	
Charges - PC & B of Adj	25.00
	-----
Total:	25.00
	=====
Check	
Check No: 482	25.00
Total Applied:	25.00
	-----
Change Tendered:	.00
	=====

Duplicate Copy  
10/22/2020 3:30 PM





highway 89

# Willard City Corporation

80 West 50 South  
Box 593



Willard, Utah 84340  
(435)734-9881

January 7, 2022

To Whom It May Concern,

This letter is to inform you that Willard City is aware of the Francom Welding Shop that is requesting an access off of Hwy 89.

They have applied to the City for a Conditional Use Permit to operate the business and it is currently under reviewed by the City waiting for a response to some of the conditions.

Respectfully,

Bryce Wheelwright  
City Planner

developer would need to have a traffic study done. Chairperson Bodily stated there is a proposed road up the south side of the Braegger Subdivision. City Planner Wheelwright explained this was the reason that 340 South was put where it was to allow a future road to be built east to the hwy.

Gordon Sleeman 475 North Main asked what the number of houses that could be built before a second access would be required. It was stated under the Fire Code it would be 30 homes. Mr. Sleeman asked if this requirement is for 30 lots on the west of 200 West, 30 lots on the east side of 200 West and how do you restrict 100 lots going in that the restriction does not fall on the first developer only but on subsequent developers having to pay their share of putting in a road. City Planner Wheelwright stated on 200 West there are several roads that go east to the hwy. Mr. Sleeman asked if they have to be potential access or in place before 30 lots are built on. City Planner Wheelwright said there has to be 2 ways in and out. It was asked if there could be 500 homes in the development as long as they have 2 ways in and out. It was stated yes. It was suggested they may need to address after a certain number of houses are built after the 30 another road would need to be put in. City Planner Wheelwright reported the developer is possibly looking at extending 400 and 500 West to his development. Commissioner Harrop asked where you decipher with a new development going in that 200 West is not sufficient and there needs to be another road, stating 200 West has several ways out. Where do you draw the line? Chairperson Bodily stated there is no ordinance to guide the Planning Commission. Commissioner Dubovik asked if there was any provision within the State that allows a city to ask for another north/south artery road that the city could get a grant for like Perry City did to put in 1200 West. City Planner Wheelwright reported there has been discussion on future roads with the annexation possibly coming in. A discussion was held on lot sizes.

## **5. Public Hearing**

### **a. Proposed re-zone request submitted by Matthew Francom for the property located at 432 North Main – Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood) with a possible recommendation to the City Council**

Chairperson Bodily asked for a motion to open the public hearing to discuss re-zone request for Proposed re-zone request submitted by Matthew Francom for the property located at 432 North Main – Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood) with a possible recommendation to the City Council

**A motion was made by Commissioner Baker to open the public hearing at 6:50 p.m. to discuss re-zone request for Proposed re-zone request submitted by Matthew Francom for the property located at 432 North Main – Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood) with a possible recommendation to the City Council. The motion was seconded by Commissioner Dubovik. The motion carried with a unanimous vote.**

City Planner Wheelwright reported several years ago the Future Land Use Map was updated so Hwy 89 could be re-zoned to Commercial Neighborhood (C-N). At the time this was being adopted Matthew Francom had an in home welding business. He

wanted to put a shop on his property and will need to have the property re-zoned to Commercial Neighborhood. Under this ordinance a welding shop and is allowed with a Conditional Use Permit and he meets all the requirements for said shop.

Matt Francom – reported Box Elder County has some issues with the building and he has been in contact with an architect to review the plan. Commissioner Dubovik stated at the last meeting discussion was held on the requirements for sewer and installation of a grease trap. City Planner Wheelwright stated these items would be addressed in the Conditional Use Permit.

Gordon Sleeman – 475 North Main is not opposed to the business going in stating this is what the city wants to see in a commercial neighborhood zone.

Chairperson Bodily asked for any additional comments and a motion to close the public hearing.

**A motion was made by Commissioner Harrop to close the public hearing at 6:55 p.m. The motion was seconded by Commissioner Baker. The motion carried with a unanimous vote.**

## **6. Discussion/Action Items**

### **a. Re-zone request submitted by Matthew Francom for the property located at 432 North Main – Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood)**

Commissioner Baker heard this business had been shut down by the county inspector. Matthew Francom stated they were not shut down but they needed to rethink what was going on. Most of the issues he thought should have been addressed by the county prior to the building permit being issued but felt it was nothing that cannot be fixed. Issues included fire suppression, storm-water drainage, ADA compliance. Commissioner Baker asked where the entrance would be located. Mr. Francom stated the access would be his driveway, he went on to say he has started the process with UDOT for another access but he was not sure he was going to get one. Commissioner Baker asked how close he was to being done. Mr. Francom stated he is close and is working on getting utilities worked out and stated during the last meeting the Mayor expressed concerns about the water pollution from the powder coating portion of his business. He is working with the supplier to get the MSDS sheets but stated none of the chemicals are hazardous and have no fumes. They have a gas burner that will have emissions. There were no further comments and Chairperson Bodily asked for a motion.

**A motion was made by Commissioner Dubovik to approve the request and forward to the City Council. The motion was seconded by Commissioner Harrop. The motion carried with a unanimous vote.**

Chairperson Bodily stated the Conditional Use portion of the agenda will be tabled until more information can be obtained.

### **b. Conditional Use Permit for Matthew Francom for the property located at 432 North Main Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood)**

City Planner Wheelwright stated this item can be discussed prior to tabling. He addressed the issues with the Fire Suppression issues with the building stating the

County Inspector came into the office and talked about them installing a fire sprinkling system. The designer of the building stated the building is too small for a sprinkling system. He also talked about waste that would be going into the sewer system. Mr. Francom stated it is standard procedures to dump powder coating waste into the system. City Planner Wheelwright will need to talk to the sewer plant manager to see if there would be any requirements from him. Discussion was held on traffic into the business. Mr. Francom stated there would only be a few cars a day, and there will only be him and one other employee. Items that will be on the Conditional Use Permit include: the amount of traffic, storage of materials, the amount of hazardous materials that can be stored, MSDS data sheets. Commissioner Harrop asked about requirements for fencing around the property and asked if the fencing will be locked. Mr. Francom stated there is fencing around the area to keep his horses in and will have locks. Chairperson Bodily asked for a motion to table this item to allow for more information to be received and a draft document prepared.

**A motion was made by Commissioner Baker to table the discussion on the Conditional Use Permit for Matthew Francom for the property located at 432 North Main. The motion was seconded by Commissioner Harrop. The motion carried with a unanimous vote.**

**c. Discussion on Planned Development Ordinance and Open Space Requirements**

Chairperson Bodily felt this item should also be tabled until Commissioner Bingham was present at the meeting to discuss some of the issues he has. City Planner Wheelwright asked the Planning Commission members what their thoughts were on this item. He stated Box Elder County did away with their Planned Development Ordinance and went back to ½ acre only. He did not want to see Willard do this though. Chairperson Bodily felt maybe not ½ acre but bigger lot sizes so they do not go to 10,000 sq. ft. He also felt that open space is a big issue and is not something that can or will be used. If a developer puts in open space it needs to be usable space and maintained by the city. Discussion held on making lot sizes larger than 10,000 sq. ft. Gordon Sleeman stated frontage is an issue, stating most homes today have a third car garage that will fit on the frontage that is in Granite Ridge Subdivision. He talked about side yard requirement issues. Chairperson Bodily stated the Planning Commission needed to be diligent on moving forward because of the growth that is expected to come Commissioner Dubovik stated there is a huge demand to build in Willard and felt we could be more restrictive and demanding on what the standards are. City Planner Wheelwright said you cannot go against what is currently in our ordinance and the ordinance would need to be changed prior to new development coming in. Commissioner Harrop stated developers try to get maximum capacity and asked if Willard could put a minimum frontage requirement in place. City Planner Wheelwright said Willard City has a 100 ft. frontage in their ordinance but not for Planned Developments. He hears from individual all the time that want smaller lots but want the space for recreational type vehicles etc. Planning Commission member felt most individual move to Willard because of the open space. Could they look at putting in 1/3 density maximum and not have square frontage requirements. Discussion was held on implementing a High Density Ordinance along with a revamped Planned Development Ordinance. Commissioner Harrop asked if there was a way to ask the public for their opinion. City Planner Wheelwright stated the Planning Commission has held open houses before. This item will be discussed more at the next meetings.

**d. Report on Capital Facilities Plan for Storm Drain**

There was nothing new to report.

- 7. Approval of October 15, 2020 Planning Commission meeting minutes  
The minutes of the October 15, 2020 Planning Commissioner were individually read and reviewed. A motion was made by Commissioner Dubovik to approve the minutes as corrections. The motion was seconded**

**A motion was made by Commissioner Bingham to approve the Kirk Braegger Lot-line Adjustment for the property located at 304 South Main – Parcel #02-051-0078 and 02-051-0174. The motion was seconded by Commissioner Dubovik. The motion carried with a unanimous vote.**

**b. Conditional Use Permit for Matthew Francom for the property located at 432 North Main Parcel #02-046-0086 to change the zoning from R-1/2 to C-N (Commercial Neighborhood)**

City Planner Wheelwright presented a draft copy of a Conditional Use Permit for Matthew Francom. During the last meeting discussion was held on Mr. Francom having to get architectural comments and they have not been received at the time of the meeting. Mr. Francom reported he talked with him and the only issues he could see was an ADA bathroom and asked if this would require a drawing or if he could build per code and have it inspected that way. It was stated he would need to have an engineered drawing. The other issue was the storm water drain off would need to be engineered. Chairperson Bodily asked about hazardous waste disposal. Mr. Francom stated he would be getting the MSDS data sheets for the powder coating and wash and would submit them. He discussed powder coating is fairly mild and could be dumped into the sewer system. City Planner Wheelwright asked about the new excavation on the south side of the building. Mr. Francom said this was for the driveway. Commissioner Dubovik asked if any welding would be done. Mr. Francom reported only mig welding and there would be no slag only dust and what was gathered would be taken to a recycling business. City Planner Wheelwright talked with Jeff Hollingsworth at the sewer facility and suggested he install a catch system for the heavy metal particulates. Commissioner Bingham asked if they would be washing any metal down the drain. Mr. Francom stated there is only one drain he would use for pressure washing and that would be done outside. Commissioner Dubovik asked about traffic and parking and if we were covered under the city ordinances. City Planner Wheelwright stated the city ordinance requires a certain amount of stalls per sq. ft. of building. Discussion was held on limiting the quantity per acre. City Planner Wheelwright felt we cannot be too restrictive. Commissioner Dubovik asked Mr. Francom how many cars he could safely allow. Mr. Francom said the building is on a ½ acre and could probably have 10 cars safely. Chairperson Bodily felt as the business grows they would be able to adjust or revisit the Conditional Use Permit. City Manager Davis stated the items they would need to have or include on the Conditional Use Permit are: site plan with parking designation, ADA bathrooms, landscaping, EPA filtering system approved by the sewer plant manager. Commissioner Dubovik suggested Mr. Francom be given a list of items and table this item until the list is complete. Chairperson Bodily asked for a motion to table.

**A motion was made by Commissioner Bingham to table the Conditional Use Permit for Matthew Francom until the list is complete with the items listed above. The motion was seconded by Commissioner Dubovik. The motion carried with a unanimous vote.**

**c. Discussion/Decision on re-zone request submitted by Vern and Catherine Price for the property located at approximately 412 West Center – Parcel 02-057-0011 and 0020**

Chairperson Bodily stated during a previous meeting this item was denied. City Attorney Colt Mund said he recommended the item be denied but no formal denial was given. Commissioner Baker asked when they count the allowed 30 homes on a single access where did they start the count from. It was stated at the intersection of 250 West Center. She stated there are 33 houses already built and asked how the one house on 400 West Center Street was allowed to build. City Planner Wheelwright explained it was already a subdivision so they were allowed to build because they owned a 5 acre parcel and built on the 5 acres. He said there is one other lot in the Mountain Shadows Subdivision that will be able to be built on. Commissioner Dubovik

1 Mr. Philpot explained if development like this was coming into the city, they needed to set the impact  
2 fees proportionately. He went on to say they need to make sure they are not double charging  
3 developments. He explained they could include additional improvements but not for the same  
4 improvements. Discussion followed impact fees and how funds could be allocated for such.

5  
6 Council Member Seamons questioned what metrics the city could use to determine if this was a good  
7 thing or not for the city. Mr. Philpot stated that the cost benefits were intended to determine if the  
8 development(s) were worth it or not; however, it is not the only determining factor.

9  
10 Council Member Braegger inquired if this was a snap shot or does it inquired inflation and growth. Mr.  
11 Philpot indicated that it does include long term averages of inflation and growth. He said one of the  
12 main pressures on local government is inflation and basic expenditures. It is a variable that is hard to  
13 calculate. He said that some communities control it by level of service.

14  
15 Council Member Ward indicated the way he looked at it was as the tax base and the city were going to  
16 get bigger. However, the city was there to provide services and there would be more people working for  
17 the city. He stated the level of services would go up; but they are trying to maintain the current level of  
18 service. He pointed out that in 2040 there would be other developments and changes that would happen  
19 and there were a lot of other factors that would also happen that were not included in the analysis.

20  
21 Mr. Philpot said they would appreciate the Council's review and feedback on the documents, and they  
22 would continue to work on the capital facility plan.

23  
24 **Public Hearing**

25 **To take public comment on a rezone request for Matt Francom, parcel number 02-046-0086, 432**  
26 **N Main Street, from R1/2 to Commercial Neighborhood Zone**

27 Mayor Braegger called for a motion to open the public hearing for the rezone request for Matt Francom, parcel  
28 number 02-046-0086, 432 North Main Street, from R1/2 to Commercial Neighborhood Zone.

29  
30 **Motion:** Council Member Braegger moved to open the public hearing. Council Member Seamons  
31 seconded the motion. Council Members voting aye: Kunzler, Seamons, Braegger, and Ward.  
32 Council Members voting nay: none. The motion passed unanimously. Council Member Robb  
33 was not present for the vote.

34  
35 The public hearing opened at 7:21 p.m.

36  
37 Mr. Wheelwright informed the Mayor and Council that Mr. Francom applied for a rezone for the purposed of a  
38 welding business, which he is already in business as a welder. He went on to say the property is within the  
39 City's future land use as commercial land use. Mr. Wheelwright noted that Mr. Francom still had some work to  
40 do on the building side; however, he met all the requirements for the rezone.

41  
42 **Motion:** Council Member Kunzler moved to close the public hearing. Council Member Ward seconded  
43 the motion. Council Members voting aye: Kunzler, Seamons, Braegger, and Ward. Council

1 Members voting nay: none. The motion passed unanimously. Council Member Robb was not  
2 present for the vote.

3  
4 The public hearing closed at 7:23 p.m.

5  
6 **Planning Commission**

7 **Consideration of Ordinance No. 2020-D An Ordinance Approving a Rezone Request for Matthew**  
8 **Francom – for the Property Located at 432 North Main – Parcel #02-046-0086 to Change the Zoning**  
9 **from R1/2 to Commercial Neighborhood Zone.**

10 **Motion:** Council Member Seamons moved to adopt No. 2020-D An Ordinance Approving a Rezone  
11 Request for Matthew Francom – for the Property Located at 432 North Main – Parcel #02-046-  
12 0086 to Change the Zoning from R1/2 to Commercial Neighborhood Zone. Council Member  
13 Ward seconded the motion. Council Members voting aye: Kunzler, Seamons, Braegger, and  
14 Ward. Council Members voting nay: none. The motion passed unanimously. Council Member  
15 Robb was not present for the vote.

16  
17 **Discussion Regarding Proposed Development Agreement for Jared Erickson/Nilson Homes**  
18 **(Kunzler Property)**

19 Mr. Davis informed the Council that the Planning Commission and City Council had previously  
20 reviewed this agreement and approval for a PUD. He noted that the property is still owned by Kunzler;  
21 however, there is a significant likelihood that it will change hands to Nilson Homes. He went on to say  
22 there would be a development agreement that would govern the development. He added that the  
23 agreement would be with Copius and transferred over to Nilson Homes.

24  
25 Mr. Bryan Bayles was present to discuss the agenda item with the Council.

26  
27 Council Member Ward referred to page 5, city owned property, and it indicated the city would be  
28 responsible only through the city's property. Mr. Bayles indicated that was correct, just through Harvest  
29 Hill.

30  
31 Council Member Kunzler inquired how many acres were in the proposed development. Mr. Bayles  
32 indicated it encompassed 74.4 acres.

33  
34 Council Member Ward referred to the water tank. He clarified that the city would provide the land for  
35 the tank and any easements to connect the water tank to existing water lines; however, would the city be  
36 allowed to go through private property to do that? He thought it was only in the developer's interest and  
37 not in the city's interest.

38  
39 Mr. Bayles explained it would help the north end of the city; it would be a city owned tank, and the  
40 developer would be paying for the tank. Council Member Ward's opinion was the developer would also  
41 be responsible for all the piping to the tank. Mr. Bayles indicated that was one of the things that was in  
42 discussion.



**WILLARD CITY CORPORATION  
ORDINANCE NO. 2020-D**

**AN ORDINANCE APPROVING A REZONE REQUEST FOR MATTHEW FRANCOM –  
FOR THE PROPERTY LOCATED AT 432 NORTH MAIN STREET – PARCEL #02-046-0086  
TO CHANGE THE ZONING FROM R1/2 TO COMMERCIAL NEIGHBORHOOD ZONE .**

**WHEREAS**, the City of Willard (hereafter referred to as the “City”) is an incorporated municipality duly existing under the laws of the state of Utah;

**WHEREAS**, *Utah Code Annotated* §10-9A-101(1), 1953, as amended, grants municipalities broad authority to provide for the health, safety, and welfare, and promote the prosperity, improve the morals, peace and good order, comfort, convenience, and aesthetics of each municipality and its present and future inhabitants and businesses, to protect the tax base, to secure economy in governmental expenditures, to foster the state's agricultural and other industries, to protect both urban and nonurban development, to protect and ensure access to sunlight for solar energy devices, to provide fundamental fairness in land use regulation, and to protect property values; and,

**WHEREAS**, *Utah Code Annotated* §10-9a-102, 1953 as amended, grants municipalities broad authority to enact all ordinances, resolutions, and rules and may enter into other forms of land use controls and development agreements that they consider necessary or appropriate for the use and development of land within the municipality, including ordinances, resolutions, rules, restrictive covenants, easements, and development agreements governing uses, density, open spaces, structures, buildings, energy efficiency, light and air, air quality, transportation and public or alternative transportation, infrastructure, street and building orientation and width requirements, public facilities, fundamental fairness in land use regulation, considerations of surrounding land uses and the balance of the foregoing purposes with a landowner's private property interests, height and location of vegetation, trees, and landscaping, unless expressly prohibited by law; and,

**WHEREAS MATTHEW FRANCOM** has completed the proper applications and paid all the associated fees, and;

**WHEREAS**, the Willard City Planning Commission has reviewed the request for compliance with the Willard City General Plan and Willard City Land Use Ordinance and recommends approval by the Willard City Council and;

**WHEREAS**, the residents within 1/4 mile were notified and the required Public Hearing was held on November 5, 2020;

**NOW, THEREFORE**, be it ordained by the City Council of Willard that:

- Section 1: Repealer.** Any word, sentence, paragraph, or phrase in the municipal code that is inconsistent with the Ordinance is hereby repealed and any reference thereto is hereby vacated.
- Section 2. Adoption.** Ordinance 2020-D be adopted approving the rezone of the property located 432 North Main Street – parcel #02-046-0086 to change the zoning from r1/2 to Commercial Neighborhood.
- Section 3: Severability.** If any section, paragraph, sentence, clause or phrase of the

WC-Ord 2020-D

Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

**Section 4: Effective Date.** This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this day 10<sup>th</sup> day of December, 2020.

\_\_\_\_\_  
KENNETH BRAEGGER, MAYOR

ATTEST:

\_\_\_\_\_  
TERI FELLEENZ, City Recorder



MEMORANDUM

TO: MATT FRANCOM – MRF WELDING  
FROM: KEITH BENNETT – KCB ARCHITECTURE  
DATE: 7 FEB 2024  
PROJECT: ACCESSIBILITY AT MRF WELDING  
JOB NO: 23-033  
SUBJECT: ACCESSIBILITY COMPLIANCE

This memorandum is to confirm that the building at MRF Welding, located at 432 North Main Street, Willard, UT meets the requirements for accessibility as required in the IBC building code requirements and ANSI A117.1-2017 requirements. This facility's use is for welding manufacturing and powder coating and has limited interaction with the general public, but is used for employees. There are a maximum of 5 employees at any one shift at the building.

The accessibility requirements have been reviewed with the following that have now been installed and put in place:

1. The entry door width of 36" and path with landing each side and accessible threshold with surrounding push-pull clearances.
2. Accessible lever hardware at the door meeting accessibility requirements.
3. Accessible toilet room with toilet 16-18" from side wall, with
  - a. flush valve at the open side of the room,
  - b. Horizontal grab bars of 36" at rear wall and 42" at side wall mounted 36" above finish floor.
  - c. Vertical grab bar of 18" placed 39"-41" from rear wall,
  - d. Wall hung lavatory at 34" above finish floor with knee clearance underneath of 27".
  - e. Clear floor space for 67" diameter turning radius
  - f. 36" door with level hardware.
  - g. Mirror with bottom reflective surface at 38" to 40" above finish floor.
  - h. Toilet paper dispenser placed below the grab bar in the approved reach zone per ANSI A117.1-2017 requirements.
4. Accessible path for the toilet room from the remainder of the space and entry door.

# Box Elder County Building Inspection Report

Feb 12, 2024 1:00 pm

**Final**

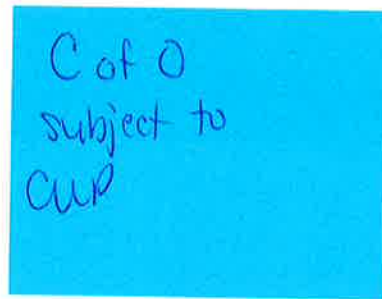
Status  
PASS

Inspector  
Codey Illum

**432 N Main St**

Project Type  
Building Permit

Permit #  
19492



**ITEM 5F**

MASTER CONDITIONAL USE PERMIT SPREADSHEET									
No.	Address	Applicant	Application Date	Fee	Approval Date	Type	Status and Review Date	Parcel No.	
	51 North Main	Moyes, Jeff & Brenda	7/26/2022	\$25.00 PD	9/1/2022	Automobile Repair Shop	Active	02-047-0177	
	53 North 100 West	Braegger, Josh	5/28/2020	\$25.00 PD	Approved 6/19/20	Multi-Family (Basement Apartment)	Active Reviewed 9-12-23	02-047-0074	
	55 South 100 East	Braegger, Kenneth			Approved 2/5/16	Contractor - Home Business	Active Reviewed 10-5-23	02-050-0074	
	105 South 100 East	Loveland, Judy	9/16/1996		Approved 9/20/96	Auto Repair - Home Business	Active Reviewed 10-19-23	02-050-0008	
	110 South 200 West	Gilbert, Brian	4/20/2023	\$25.00	Approved 5/18/23	Detached Accessory Dwelling Units	Active	02-051-0008 and 02-051-0242	
	110 South 250 West	Heath, Trisha	5/18/2018		1/9/2019	Multi-Family Dwelling	Active Reviewed 11-2-23	02-053-0003	
	155 South Spring Street (135 S 100 E)	Dean, Blair & Kathy Davis	6/21/1999		9/23/2005	Single Family Home On Sensitive Land	Active Reviewed 12-7-23	02-050-0077	
	188 South 250 West	Hansen, Lindsey B.	5/3/2006	\$25.00		Single Family Dwelling	Active	02-054-0021	
	234 South 100 East	Olson, John	3/3/1989	\$25.00	3/22/1989	Business Trailer	Active	02-051-0126	
	300 East 750 North	Granite Construction Company			11/3/2015	Concrete Batch Plant	Active	02-045-0005	
	344 East 300 North	Merritts, Bill & Shelley	4/8/1993		5/10/1993	Single Family Dwelling on Sensitive Land	Active	02-048-0005	
	370 North Main	Perry, Peggy Jo	10/28/2005	\$25.00	Approved 11/18/05	Fruit Stand	Active	02-046-0079	
	450 North 200 West	Radtke, Robert and Suzie	9/25/2014	\$25.00 PD	10/6/2014	Alpaca Farm	Active	02-046-0047 & 0084	
	481 North 200 West	Beard, Lynn			Approved 2/5/15	Multi-Family Dwelling/Duplex	Active	02-046-0075	
	500 East 625 South	Nielsen, Darrell (Now Staker Parson)	3/20/1980		4/11/1989	Gravel Removal	Active	02-049-0001 & 02-053-0044	
???	500 South 200 East	Wilkes, Melissa			3/15/2015	Home Occupation	Active	02-053-0029	
	550 North 200 West	Kilpack, Lee	2/16/2018	\$25.00		Multi-Family/Basement Apartment	Active	02-046-0046	
	620 North 200 West	Kapp, Neldon & Jan	6/24/1905		2002	Building Permit	Active	02-046-0005	
	683 North Main	Palmer, Morgan	2/9/2021	\$25.00 PD	Approved 5/6/21	Wedding Reception Center	Active	02-046-0102	
	740 North Main	Grimes, Mike	7/19/1996		9/17/1996	Used Vehicle Sales	Active	02-046-0015	
	747 South Main	Gilbert, Scott; Gilbert, Dustin; Russell, Dee	3/22/2016	\$25.00 PD	4/5/2016	Accessory Building	Active	02-053-0059	

**WILLARD CITY PLANNING COMMISSION  
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date:

LINDSEY B. HANSEN

Applicant:

P.O. Box 488

Mailing Address

WILLARD, UT. 84340

188 So. 200 W.

Project Address

801-725-7364

Phone Number CELL

Cell Phone

Assessor's Parcel Number

~~020510004~~ 020540004

~~02054~~ 020510010

Parcel Legal Description



I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

- Conditional Use Permit \$25 Fee
- Lot Line Adjustment \$25 Fee
- Other Fee variable, \$25 Min.

**NOTE:** Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

**WILLARD CITY PLANNING COMMISSION  
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date:  
5-13-04

Assessor's Parcel Number

Applicant:  
LINDSEY B. HANSEN

Parcel Legal Description

Mailing Address  
P.O. Box 488  
WILLARD, UT. 84340

Project Address  
180 S. 250 W.

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

Phone Number

Cell Phone  
801-725-7364

Conditional Use Permit \$25 Fee

Lot Line Adjustment \$25 Fee

Other Fee variable, \$25 Min.

**NOTE:** Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)  
Complete Applicant Affidavit on back of this page.

(ATTACHMENT)



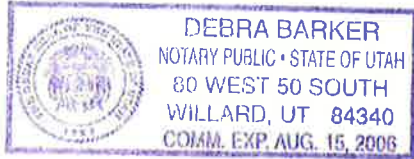
# APPLICANT'S AFFIDAVIT

STATE OF UTAH )  
 ) SS  
COUNTY OF BOX ELDER )

I, (we) LINSEY B. HANSEN, being duly sworn, depose and say that I, (we) am (are) the owner(s)\*, or authorized agent(s) of the owner, of property located at 188 So. 210 St. in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED *Linsy B Hansen*  
Property Owner(s)  
AGENT \_\_\_\_\_

Subscribed and sworn before me this 3<sup>rd</sup> day of May 2006



*Debra Barker*  
Notary Public

Residing in Willard  
My commission expires: Aug 15, 2006

\* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

## AGENT AUTHORIZATION

I, (we) \_\_\_\_\_, the owner(s) of real property described above, hereby appoint \_\_\_\_\_, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED \_\_\_\_\_  
Property Owner(s)

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_ 200\_\_

\_\_\_\_\_  
Notary Public

Residing in \_\_\_\_\_  
My commission expires: \_\_\_\_\_

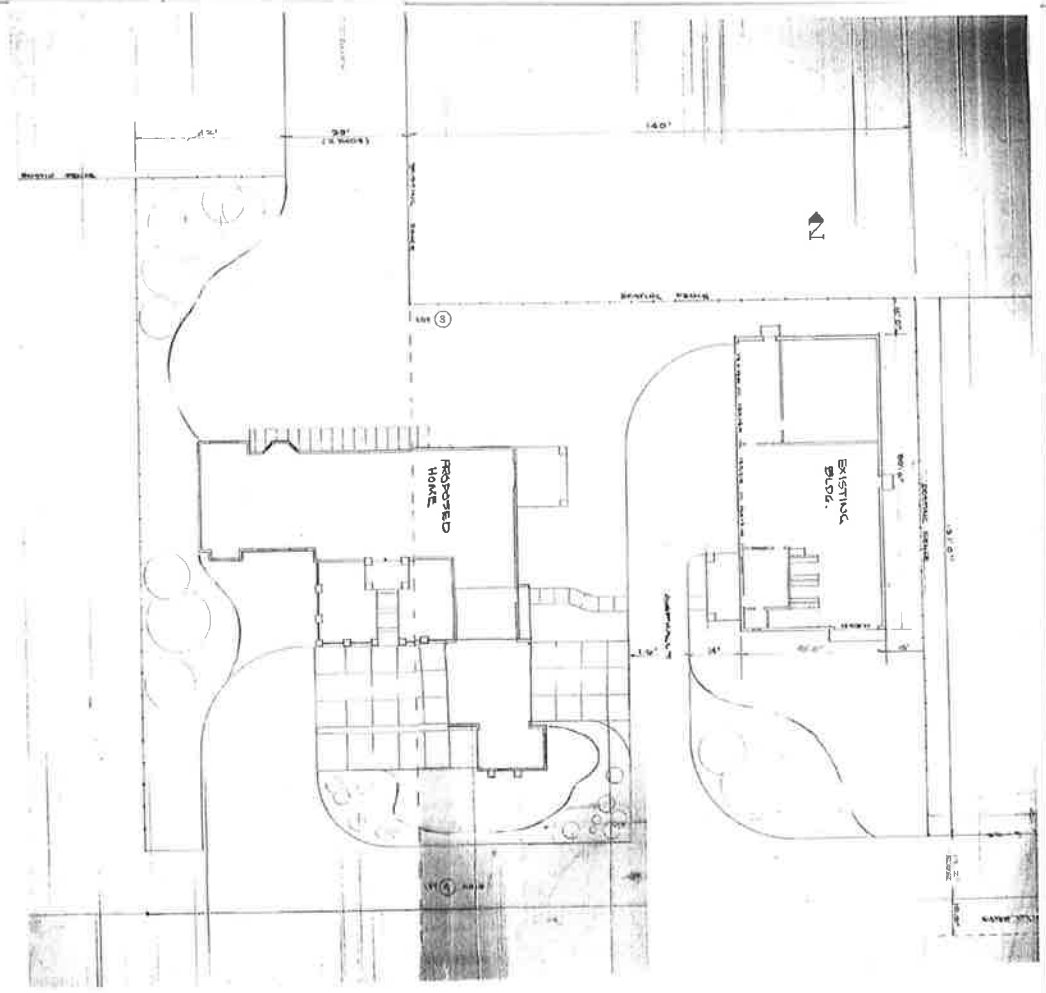
I AM PROPOSING TO THE WILLARD CITY COUNCIL AND THE PLANNING COMMISSION AN AMENDMENT TO THE CITY MASTER PLAN.

RATHER THAN CONTINUING 250 W. AT APPROXIMATELY 150 S. TO THE SOUTH, I PROPOSE THAT A 50 FOOT WIDE ROAD BE ALLOWED RUNNING FROM 250 W. TO THE WEST, ALONG THE BOUNDARY BETWEEN THE PROPERTY OWNED BY LBH TRUST (LINDSEY B. HANSEN), AND THE BARKER PROPERTY.

I AM PREPARED, AS THE TRUSTEE OF LBH TRUST, TO DONATE AT LEAST HALF OF THE NECESSARY RIGHT-OF-WAY TO FACILITATE THE PROPOSED ROADWAY, EXTENDING TO 500 W.

IN ADDITION, I AM ALSO PREPARED TO ALLOW THE CITY A 60 FOOT RIGHT-OF-WAY NORTH/SOUTH ACROSS THE FAR WEST END OF MY PROPERTY FOR THE FUTURE EXTENTION OF 500 W. FROM THE DEVELOPMENT NOW UNDER WAY, KNOWN AS MOUNTAIN SHADOWS SUBDIVISION.

I AM OF THE OPINION THAT THESE PROPOSITIONS WOULD ENHANCE THE DEVELOPMENT OF THE CITY IN AN ORDERLY WAY WITH A MUCH NEEDED EAST/WEST CORRIDOR AND THE FUTURE CONTINUATION OF 500 W. (NORTH/SOUTH). THESE CERTAINLY WOULD HELP ALLEVIATE NUMEROUS PROBLEMS THAT ARE BEGINNING TO SURFACE IN THIS AREA, AND, IN MY OPINION, WOULD , IN THE LONG RUN, BE MUCH LESS COSTLY TO THE CITY THAN THE CONTINUATION OF 250 W. AS IS NOW SHOWN ON THE MASTER PLAN.



**WILLARD CITY CORPORATION PC081706**

DATE: August 17, 2006  
TIME: 7:30 p.m.  
PLACE: Willard City Hall  
ATTENDANCE: Chairperson - Robert Krum,, Commissioners: Sharon Prescott, Cathy Graham, Duane Braegger, Judy Loveland (City Council member non-voting member) Mitch Zundel Zoning Administrator (non-voting members) Gaylene Nebeker - Secretary  
EXCUSED: Travis Mote, Gordon Sleeman  
CITIZENS: See attached sheet

1. Call to order - Robert Krum - Chairperson
2. City Council Action Items Report: there was no City Council action item reports.

**3. Public Hearing**

**To hear public comment on the following:**

**\* Request by Lindsey Hansen to revise the Master Road Plan to eliminate 250 W from approx. 150 S. to 200 S. and add a potential road at approx. 150 S. from 250 W. to 500 W.**

Chairperson Krum opened the Public Hearing at 7:37 p.m. He stated Mr. Hansen was requesting a revision to the Master Road Plan to eliminate 250 West from approximately 150 South to 200 South and to add a potential road at approximately 150 South from 250 West to proposed 500 West. He opened the Public Hearing for comments:

Helen Jane Lemon of 260 South 200 West asked where the location of the proposed 400 West and 500 West would be. Zoning Administrator Zundel showed where the locations would be.

Chairperson Krum stated the proposed 150 South would go west from 250 West across proposed 400 West and intersect with proposed 500 West.

Commissioner Braegger asked if the proposed 500 West street would continue along the railroad tracks. Chairperson Krum stated it may or may not, a public hearing would need to be held to update the Master Road Plan to see where the

road should go. He stated the reason 500 West was moved from what was on the map was that it ran through some parcels and Willard City did not want to do that.

Lindsey Hansen of 188 South 200 West stated he was the one requesting the changes. He stated 250 West is a troubled road, he stated it has never been a 50 ft road and had always been an alley. He also stated the way the proposal is going now 150 ft. south of his property the road would end and stated it was not proposed to become a through street and felt that adding the 150 ft. was not viable to Willard City. It was asked if he has had any opposition from neighbors. He stated David Pischke has talked to neighbors and he is not in favor of 250 West going in. If Helen Jane Lemon put in a road going east and west and with the continuation of 250 West going in she would only lose about 50 ft. on a potential building lot and would not give her any more access. With a 250 South going east and west it would open up the possibility of development for Mrs. Lemon. Mr. Hansen stated it would only benefit him to put in 250 West.

Helen Jane Lemon stated if 200 South were to be put in it would be between the Bart Wade residence and the David Pischke residence. She stated this could provide a second access to the area. She stated 300 West is not a proposed street to Center Street and stated she has seen a plan showing Mountain Shadows bringing over 300 West from their development and not extending to Center Street but then extending over to 150 South and felt two blocks is a long way between access roads and stated 300 West and 400 West would seem like a better plan.

Chairperson Krum stated the Master Road Plan shows 200, 400 and 500 West and would be absolutely required streets for proper flow for that area. He stated 300 West parcels could be accessed from 200 West and 400 West. He also stated if a developer wanted to put in 300 West that would be something that needed to be looked into, but the Planning Commission made a decision not to put in 300 West because 250 was projected to go in.

Helen Jane Lemon stated if 250 West extended to 200 South then 300 West is not so essential and if 250 West does not go in then 300 West would need to be put in and if the plan is going to be made by Mountain Shadow to bring the road to 150 South then the city needs to look into putting in 300 West.

A discussion was held on eliminating 250 West and would this be land-locking parcels. Helen Jane Lemon stated the only individuals it would be affecting

would be Lindsey Hansen, David Pischke and herself. It was stated there may be other individuals living on 250 West that could possibly be land-locked.

Helen Jane Lemon stated she had talked to David Pischke and he told her he did not care one way or the other if 250 West went in.

Jana Vail stated she has also talked to Mr. Pischke and he told her he would like to see 250 West abandoned.

Chairperson Krum asked Kenny Braegger about 300 West. Mr. Braegger stated they were looking into putting in 300 West but it would not continue to Center Street. Kenny Braegger presented a plan of what they would like to see done.

A discussion was held on 300 West not continuing on to Center Street. It was stated when Stillman Harding built his house he placed the house so 300 West could go in but he never gave up the land for the road to go in.

A discussion was held on putting in 150 South. It was stated 150 South would need to be a standard 60 ft street. Lindsey Hansen stated he would give up 25 ft. to put the street in and Kenny Braegger stated Braegger and Sons would also give up 25 ft. for the other half of the street. Kenny Braegger also stated he would give the city a letter stating he would give up 25 ft. for his half of the street.

Chairperson Krum stated he had concerns about having half of a street. He stated Mr. Hansen is willing to give up 25 ft. for a right-of-way on his property and Braegger and Sons are willing to give up 25 ft. and if there is an agreement between property owners he does not feel it would be a problem.

A question was asked on what is going to happen to the Barker property. Mr. Braegger stated Braegger and Sons have purchased the property and there will be room to give the 25 ft. right-of-way and also the 50 ft. road

Mr. Hansen stated the way he wants to put the house on the property encroaches on 250 West.

Commissioner Braegger asked if putting in 300 West was going to gain Willard City anything and do we need it.

Chairperson Krum stated the issue will be answered in the Old Business section of the agenda.

Keith Larsen of 150 South 200 West asked if there was currently a road planned for 150 South and west. Chairperson Krum explained where the proposed road would go. He also stated he was in favor of abandoning 250 West.

A discussion was held on land-locking those individuals on 250 West. It was stated those individuals are already land-locked. It was also stated we were not creating anything new. It was stated no they are land-locked by choice.

Cheryl Harrop of 178 South 200 West also stated she was in favor of abandoning 250 West.

Helen Jane Lemon stated she would be in favor of abandoning 250 West if they looked into putting in 300 West.

**A motion was made by Commissioner Prescott to close the Public Hearing for Lindsey Hansen at 8:15 p.m. The motion was seconded by Commissioner Braegger.**

#### **4. Public Hearing**

**To hear public comment on the following:**

**\*McCormick Subdivision - Final Plat - 40 S. 200 W. - Parcel #02-051-0006**

Chairperson Krum opened the Public Hearing at 8:15 p.m. He stated the McCormick's were requesting a Final Plat Review for a subdivision located at 40 South 200 West parcel # 02-051-0006. He stated this is an In-fill Subdivision with the lots being split in two. He stated lot #1 is .5 acres and is on 200 West and Lot #2 is .69 acres and will face 250 West. He opened the hearing for public comments.

Rebecca Wilkins of 16 South 200 West stated she lives to the north of the requested subdivision and her back yard will be the new front yard for the new parcel. She asked about code set backs and wanted to know if she would keep her setbacks. It was stated yes. Her setbacks would be hers and they would have their own.

It was stated in the previous Planning Commission meeting the landowners would be required to give a 10 ft easement for the street. Zoning Administrator Zundel stated he found a June 13, 1996 city resolution stating 250 West is a 50ft right-of-way and not a 60 ft right-of-way and the McCormick's would

WILLARD CITY CORPORATION PC092106

DATE: September 21, 2006  
 TIME: 7:30 p.m.  
 PLACE: Willard City Hall  
 ATTENDANCE: Chairperson - Robert Krum, Commissioners: Gordon Sleeman, Sharon Prescott, Cathy Graham, Duane Braegger, Judy Loveland (City Council member non-voting member) Gaylene Nebeker - Secretary  
 EXCUSED: Mitch Zundel Zoning Administrator (non-voting members), Travis Mote  
 CITIZENS: See attached sheet

1. Call to order - Robert Krum - Chairperson

2. City Council Action Items Report

\*Request by Lindsey Hansen to revise the Master Road Plan to eliminate 250 West from approx. 150 S. to 200 S. and add a potential road to approx. 150 S. from 250 W. to 500 W.

It was reported there were issues that were being looked into and it was stated the Right-of-way would need to be done legally.

\* McCormick Subdivision - Final Plat Review - 40 S. 200 W. - Parcel #02-051-0006

This item was approved at the City Council meeting.

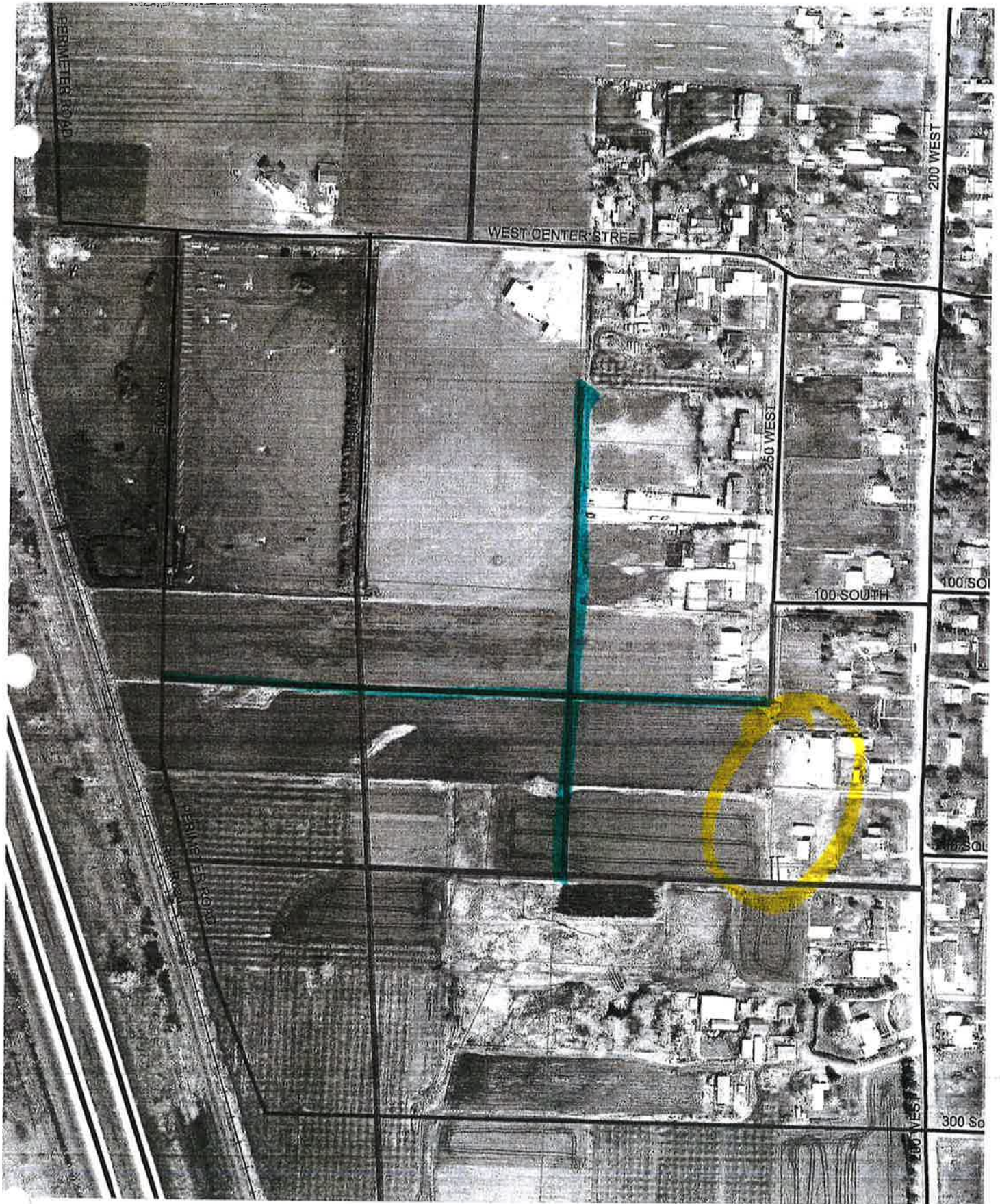
There was a discussion held on Flag Lots and it was stated Commissioner Krum and City Council members Kenny Braegger and Corey Barton along with Zoning Administrator Zundel would be doing research on this item.

3. Old Business -

There was no Old Business for this meeting.

4. New Business





0 0.03 0.06 0.12 Miles



**ITEM 5G**

# WILLARD CITY ANNEXATION POLICY PLAN

2003



## APPENDIX A

### WILLARD CITY RESOLUTION NO. 1-23-03 ANNEXATION POLICY PLAN

**WHEREAS**, the state of Utah has enacted legislation which requires municipalities to adopt an Annexation Policy Plan as a condition precedent to annexing unincorporated territory; and

**WHEREAS**, Willard City desires to adopt an Annexation Policy Plan to declare its policies for annexation of territory contiguous to its boundaries; and

**WHEREAS**, urban development should occur within cities and Willard City desires to allow urban development within its boundaries rather than allowing urban development on the city's periphery.

#### **NOW, THEREFORE, THE CITY COUNCIL OF WILLARD CITY ADOPTS THIS ANNEXATION POLICY PLAN AS AN AMENDMENT TO THE GENERAL PLAN:**

1. The city will consider, upon compliance with all current laws and ordinances, annexation of any of the Expansion Area shown on the attached map.
2. The Expansion Area:
  - (1) does not isolate islands or peninsulas of unincorporated territory;
  - (2) is contiguous with the corporate limits of Willard City;
  - (3) includes those areas for which Willard City is the most efficient provider of services;
  - (4) provides for the equitable distribution of community resources and obligations; and
  - (5) follows the boundary lines of existing water, flood control, and governmental entities.
3. The city does not favor the annexation of unincorporated territory solely for the purpose of acquiring municipal revenue or for retarding the capacity of another municipality to annex. This Annexation Policy Declaration is intended to and hereby does incorporate by reference all of the standards required and suggested by sections 10-2-401.5, et seq., Utah Code Annotated, (2000 Repl. vol.)
4. Willard City presently has no existing special districts for utilities. However, the Box Elder-Willard City Flood Control District and the Willard City Cemetery District are included in the Expansion Area.
5. The Expansion Area includes the area east of the city, and is primarily defined by the drainage basin of Willard Creek. This drainage basin is the major source of the city's water supply. Annexation of this area would be appropriate as a step in protection of this vital resource. The boundary of the Expansion Area follows the county line westward to include Willard Bay and encompasses the South Willard area of the county. South Willard is an unincorporated area of the county, but is cohesive, energetic and growing. Willard City has no plans to acquire this area. Although South Willard is included in the expansion area, it is anticipated that South Willard will incorporate unilaterally.

The Expansion Area is described as:

## EXPANSION AREA

Beginning at the northwest corner of Section 13, Township 8 North, Range 2 West, Salt Lake Base and Meridian, said point being on the east boundary of Willard City and the point of beginning; proceeding thence east along the north section line of said Section 13; thence east along the north section line of Section 18, T8N, R1W, SLB&M, to the northeast corner of said Section 18; thence southeast to the southeast corner of Section 17, T8N, R1W, SLB&M; thence south along the east section line of Section 20, T8N, R1W, SLB&M, to an intersection with the Box Elder County line; thence following said county line southerly and westerly to a point which is located directly south of the west perimeter road of Willard Bay State Park; thence north to the said west perimeter road; thence north and northeasterly along said road to a point on the road located at approximately 112° 04' w. long., 41° 25' n. lat.; thence north 7,000 feet more or less to an intersection with the Bear River Bird Refuge boundary; thence northeasterly along said boundary 3,900 feet, more or less; thence east 3500 feet, more or less, to a point on the northwesterly corner of the Willard City boundary, said point being located on the centerline of Interstate Highway I-15; thence following said Willard City boundary easterly to the northwest corner of Section 13, Township 8 North, Range 2 West and the point of beginning.

### 6. SERVICES.

Willard City is a rural, agriculture-based community. The citizens have traditionally worked to maintain that characteristic. They have never attempted to grow at the expense of another entity. They have, however, sought to protect their community and its rural way of life. Over the years the City has developed traditional municipal services to supply the needs of the citizens. The result has been creation of well-trained, emergency service organizations.

The police department and volunteer fire department are not only of service to the City, but also to the surrounding unincorporated areas of the County. They supply services, in support of the county sheriff's office, to the South Willard area of the county and to Willard Bay State Park. They support the Utah State Highway Patrol in their responsibilities related to Interstate 15, which transects our city.

The culinary water system is adequate to support the city's present and projected needs for the immediate future, with existing culinary water rights providing the potential for expansion for the next 20 years. The expansion area contains the drainage basin of Willard Creek, which is also the water-shed and recharge area for the springs and wells that constitute Willard's present water supply. Willard Creek is also essential to the future water supply.

Facer Creek is important to the economy of the city because it supplies water for the agricultural community. Future development of this source may be required as the community grows..

At present there is no municipal sanitary sewer. Preliminary engineering has been completed showing feasibility of such a project. The city intends to be a part of the sewer district

being planned by Box Elder County. Development of the complete system will be a key part of Willard City Growth.

All services now provided to residents are financed by appropriations from the general fund and from developmental fees except water improvements, which are financed by service charges, impact fees, connection and developmental fees in the Enterprise Fund . It is anticipated that future services will be financed in the same manner.

## 7. GROWTH.

Willard City has considered anticipated population growth in the next 20 years. This estimated figure is derived from growth in the last 10 years, current building permits and development and figures from BRAG. Willard City envisions residential growth continuing at approximately 10-15% a year depending on interest rates and financial stability. This rate could also be influenced by the commercial growth that may occur. With these conditions, Willard City would grow to a population of about 2400 in twenty years.

### WILLARD CITY - PROJECTED GROWTH

YEAR	POPULATION	HOUSEHOLDS	H/H CHANGE	INCREASE (%)
2000	1630*	517	---	---
2005	1736**	551	34	6.5
2010	1931** 171	613	62	11.3
2020	2321**	737	124	20.2
2030	2741**	870	133	18.1
2040	3213***	1020	150	17.2
2050	3717***	1180	160	15.7

\* CENSUS 2000, \*\* BRAG ESTIMATE, \*\*\*LOCAL EXTRAPOLATION.

## 8. TAXATION

It is anticipated that the residents in the Expansion Area would experience an increase in their property tax if they were to be annexed. This increase will equal the Certified Tax Rate imposed by Willard City. Current Willard residents should not be affected by an increase due to annexation.

The following figures are based on the 2001 certified tax rate.

Taxing Entity	Certified Tax Rate	Tax per \$100,000 assessed value	
		County	Willard
Mosquito Abatement	0.000332		
Bear River Water District	0.000168		
School Board	0.006320		
Box Elder County	0.001911		
Box Elder- Willard City Flood Control District	0.000373		
TOTAL COUNTY RATE	0.009104	\$910.40	
Willard	0.001009		
TOTAL WILLARD RATE	0.010113		\$1,011.30

9. Willard City favors the following criteria in considering territory for annexation:
- a. New boundaries, if using a street or a highway as a boundary, should include land on both sides of the street within the boundary (i.e., 200 feet beyond the street or along the property line at the back of the next series of lots bordering the street.)
  - b. Those entities developing territory proposed for annexation should bear their proportionate share of costs associated with the demand on service from increased population. Provisions to assure this objective are part of Willard City Zoning and Subdivision Ordinances.
  - c. The General Plan, as adopted by Willard City, will include the Annexation Policy Plan, as it addresses the need, over the next 20 years, for additional land suitable for residential, commercial and industrial development. Uses within new territory should be compatible or extensions as intended by the plan. The need of new land area is supported by the anticipated population increase.
  - d. New territory is located within the Expansion Area proposed in the Annexation Policy Plan and lies contiguous to the present boundaries of Willard City.
10. Willard City may consider annexation of territory if:
- a. The territory to be annexed is territory included within this policy declaration, or any amendments to the policy; and
  - b. The City is presented with a petition for annexation that complies with Utah State

Law dealing with annexation; and

c. The petitioners satisfy Willard City that the annexation substantially complies with this Policy Declaration; and,

d. Matters relevant to interests of all affected entities being considered are addressed.

Willard City as a municipality may annex an unincorporated area on its own motion, under this section, without an annexation petition if:

a. The area to be annexed consists of one or more islands within or peninsulas contiguous to the municipality;

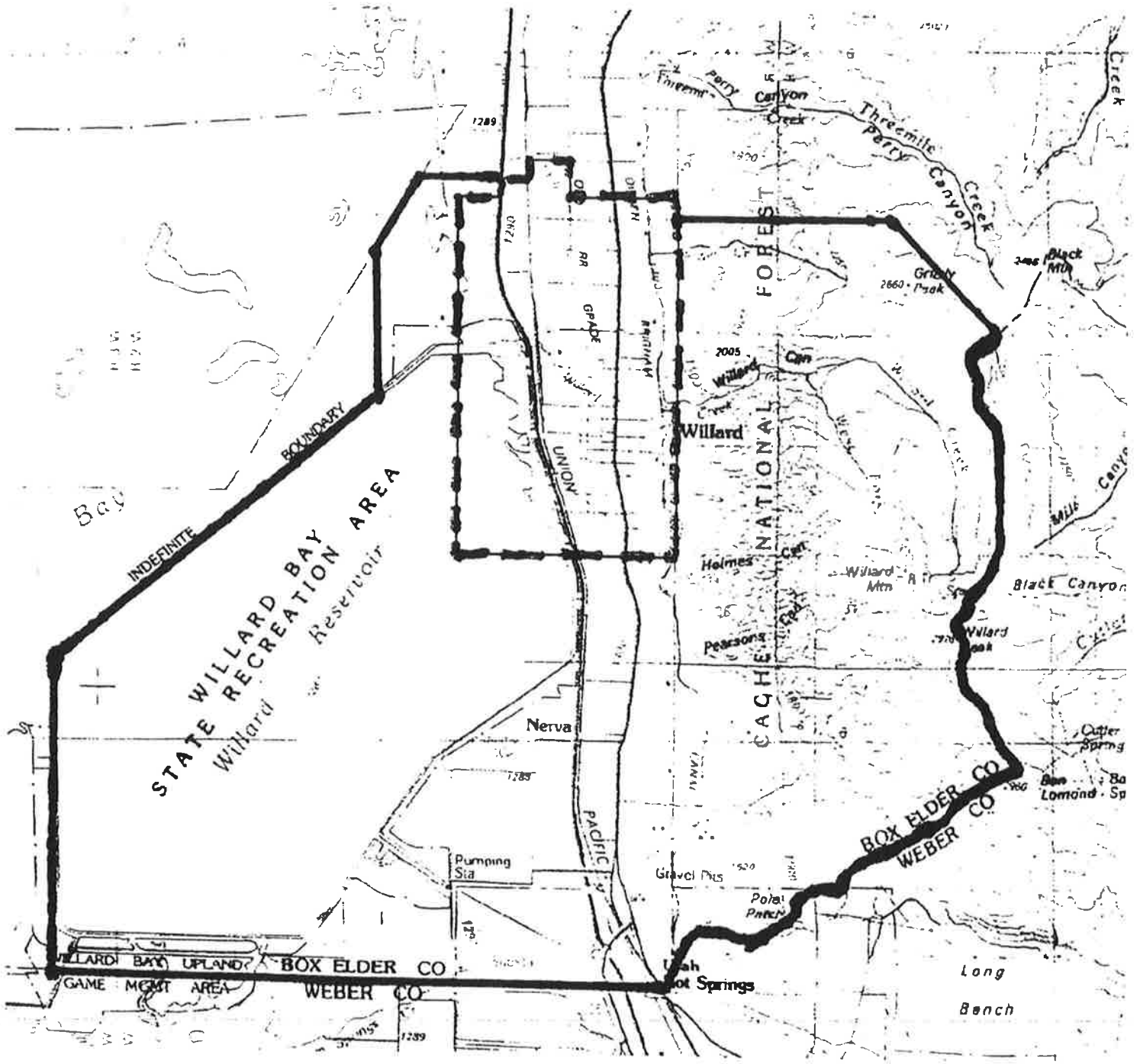
b. The majority of each island or peninsula consists of residential or commercial development;

c. The area proposed for annexation requires the delivery of municipal-type services; and

d. The municipality has provided most or all of the municipal-type services to the area for more than one year.



# WILLARD CITY ANNEXATION POLICY PLAN EXPANSION AREA MAP



PRESENT CITY BOUNDARY = DASHED LINE  
EXPANSION AREA BOUNDARY = SOLID LINE

NOVEMBER 1, 2002

# ITEM 6



WILLARD CITY

**Planning Commission Meeting – Regular Meeting**

Thursday, February 1, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

1 The meeting was a regular meeting designated by resolution. Notice of the meeting was provided 24 hours  
2 in advance. A copy of the agenda was posted at City Hall and on the State of Utah Public Meeting Notice  
3 Website.

4  
5 The following members were in attendance:

6  
7 Sid Bodily, Chairman

Jeremy Kimpton, City Manager

8 Diana Baker

Colt Mund, City Attorney

9 Chandler Bingham

Bryce Wheelwright, City Planner

10 Chad Braegger

Michelle Drago, Deputy Recorder

11 Alex Dubovik

12 Brian Gilbert

13  
14 Others in attendance: Mayor Travis Mote; Councilmember Rex Christensen; Councilmember Jordan  
15 Hulseley; Doug Thompson; Virginia Thompson; Ken Ormond; Ruth Ormond; Clyde Westley; Keith Larsen;  
16 Ana Larsen; Jodi Wade; Bart Wade; Becky Jo Kruitbosch; Justin Kruitbosch; Garth Day, Heritage Land;  
17 James Settlemire; Mary J. Grimes; Justin Grimes; Doug Younger; Mary Younger; Loralee Darley; Mindi  
18 Vandersteen; J. Russell Hurst; C. Hurst; Randy Braegger; Rew Wiley; Alex Owens, Lync Construction; Pat  
19 Burns, Lync Construction; Jeannine Jensen; Dorothy Call; Brinton Neff; Marvin Neff; Bob Davis; Spencer  
20 Davis; Larry Holmes; Crystal Beck; Marc Hamson; Rolin Hinrichsen; and Ronda Hinrichsen.

21  
22 The meeting was called to order at 6:31 p.m.

23  
24 1. PRAYER: Chandler Bingham

25  
26 2. PLEDGE OF ALLEGIANCE: Diana Baker

27  
28 3. GENERAL PUBLIC COMMENTS

29  
30 Time Stamp: 03:00 02/01/2024

31  
32 Clyde Westley, 221 East 100 South stated that a year ago, he thought Granite Construction could not start  
33 mining city material for 10 to 20 years. According to Brad Sweet from Granite, it was closer to 10 years. If  
34 Willard City opened a gravel pit, what would stop anyone else? He planned to protect two parcels of property  
35 around Cook's Canyon that could become a gravel pit in the future. If that gravel pit opened, the entire east  
36 side of Willard City would be a gravel pit. He had been in touch with the habitat group from the Utah Division  
37 of Natural Resources. He had been told that these parcels were the kind the State tried to protect, but it  
38 was an involved process and could take years to complete. The State first had to determine if purchase  
39 was even an option. He felt 10 years would be a reasonable time to complete the process. These parcels  
40 were critical wildlife winter range, and the Bonneville Shoreline Trail passed directly through both. They  
41 were almost surrounded by federally owned property. Just south of the federal property, Utah State had a  
42 wildlife management area, which was jointly managed by the state and federal governments. They kept  
43 ownership of the property separate, but they had a common goal – wildlife management. Both had a stake  
44 in the Bonneville Shoreline Trail. HR2551 was a congressional bill that was aimed at protecting and  
45 preserving natural areas ensuring their conservation for future generations. The Utah Legislature had  
46 created the Bonneville Shoreline program to help fund the development of the trail. With more public  
47 awareness and support these parcels could become a high priority for the State to purchase. He wanted to  
48 see Willard City strive to protect what was left of the mountain to the east by partnering with county, state,



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49 and federal governments. It was the premier view from Willard Bay State Park. A significant number of  
50 people passed through this area daily. What did Willard want them to see in the next thirty to fifty years?  
51 Willard had one of the mountain showcases along the Wasatch Front.

52  
53 **4. CITY COUNCIL REPORT**

54  
55 Time Stamp: 06:56 02/01/2024

56  
57 Mayor Travis Mote welcomed two new members to the Planning Commission – Chad Braegger and Brian  
58 Gilbert. Both had previously served as alternates. Blake Harrop's term had ended, but he had agreed to  
59 serve as an alternate. Zack Hulsey felt he had a conflict of interest but had agreed to serve as an alternate  
60 until a replacement could be found.

61  
62 Mayor Mote reported that one of the biggest topics at the last City Council meeting was the General Plan.  
63 Three members of the Planning Commission attended that meeting and were able to give input about the  
64 Planning Commission's thoughts. He felt the City Council got bogged down in the same issues the Planning  
65 Commission had. To give the three new Council members some time to digest things, the General Plan  
66 was tabled for two weeks.

67  
68 Mayor Mote stated that one issue that made the General Plan more complex was how the Master Planned  
69 Community Zone would relate to the General Plan. He presented a master planned community checklist to  
70 the Planning Commission (see attached copy). He had sent the checklist to the staff to review with  
71 instructions to implement it immediately. He wanted to make sure Master Planned Community Zones were  
72 reviewed in an orderly manner. He encouraged the Planning Commission to read the Master Planned  
73 Community Ordinance and review the checklist. The checklist was open for draft. Master planned  
74 communities were forwarded to the Planning Commission by SLUA (Subdivision Land Use Authority). If  
75 there were things the Planning Commission wanted SLUA to address, the checklist could be modified. He  
76 intended for SLUA to complete the checklist by adding findings according to the code, and then forward it  
77 to the Planning Commission. He asked the Planning Commission to add their comments and findings and  
78 send the checklist to the City Council. He felt the checklist would keep track of comments, drawbacks, and  
79 benefits. He hoped the checklist would ensure all applicants were treated equally and would meet the  
80 ordinance and intent of the General Plan.

81  
82 Mayor Mote stated Willard City was starting to get multiple annexation and subdivision requests from South  
83 Willard property owners because of Box Elder County's new policy requiring all land use changes to come  
84 to the municipality that included the property in its annexation policy declaration. He felt the process needed  
85 to be addressed in an orderly manner. If South Willard was going to become part of Willard, roads needed  
86 to connect, and the zoning needed to be similar. He didn't want to create two separate cities. In the last  
87 City Council meeting, he instructed the staff to work with the Planning Commission to propose a zoning  
88 map for South Willard that could be incorporated into the General Plan. He felt commercial locations needed  
89 to be identified and maintained. He asked Bryce Wheelwright to get a copy of Box Elder County's zoning  
90 map for South Willard for the Planning Commission to review.

91  
92 **5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PETITION FROM HERITAGE**  
93 **LAND DEVELOPMENT TO REZONE APPROXIMATELY 48.19 ACRES LOCATED AT**  
94 **APPROXIMATELY 300 SOUTH 300 WEST FROM R-1/2 TO MPC (MASTER PLANNED**  
95 **COMMUNITY) (PARCEL NOS. 02-051-0004, 02-051-0062, 02-051-0085, 02-051-0264, 02-054-**  
96 **0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, AND 02-054-0013)**



WILLARD CITY

**Planning Commission Meeting – Regular Meeting**

Thursday, February 1, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

97 Time Stamp: 13:10 02/01/2024

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99

Chairman Bodily read the Willard City Planning Commission's Rules of Order statement.

100

101

**Commissioner Bingham moved to open the public hearing at 6:44 p.m. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.**

102

103

104

Bryce Wheelwright stated that Heritage Land had applied to rezone 48.19 acres between 200 West and 500 West and 200 South to approximately 450 South. The property was formerly owned by Helen Jane Lemon. The first two phases of Heritage Land's subdivision, known as The Orchards, had been approved and were being constructed. Those phases were zoned R-1/2. Heritage Land was asking that the remaining property be zoned Master Planned Community to create community living area with a little higher density. The Planning Commission had not received a copy of the development agreement.

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Garth Day, Heritage Land, stated that they were developing the old Helen Jane Lemon orchard. They had completed the first two phases located along and just west of 200 West. All of those lots were half-acre in size. They had been working to find the best use for the rest of the property. The property extended from 200 West west to the railroad tracks. Their concept plan included a road that would line up with 500 West to the north and 600 West to the south. They were proposing a mixed-use development. It would have a mixed use, but the primary use would be single-family residential. Their plan included two different types of lots, or homes, plus recreation. Their concept plan included eight acres of open space. Second West (200 West) was designed as an urban trail, and trails would be included trails throughout the development. There would be a pond with surrounding trails near the center. The corridor along the railroad tracks would ultimately be dedicated to UTA (Utah Transit Authority) for the Front Runner project. Until UTA started the Front Runner project, the corridor would include a trail that would extend from the north to the south end of the development. They were proposing patio homes on the northeast corner of the project. The patio homes would provide single level living on smaller lots approximately 8,000 square feet in size. The patio homes would include a recreation area with pickleball courts and parking. The balance of the development would be single-family lots ranging from 10,000 to 19,000 square feet with an average lot size of 16,000 square feet and an overall density of 2.5 units per acre. This would not be a high-density development. Willard Flood Control wanted to use the regional pond on the southwest corner as a detention basin and open space. Willard Flood Control also had a large, 36-inch drain line which ran through the property and under the interstate. They had designed around that drain line. The roads in the patio homes would be privately owned and maintained. The rest of the roads would be public. The private roads necessitated a homeowners' association. After discussions with the City administration, it did not appear the City was interested in owning the open space. So, they planned for the homeowners' association to cover the entire development to maintain and care for the open space. Modern rules for homeowners' associations required a reserve study to make sure the HOA fees would be appropriate so it would not fail. The development agreement included a one-year review period. One year after the HOA was established, the City would review it to make sure it was functioning properly.

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Chairman Bodily opened the floor for public comments.

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Bart Wade, 220 South 200 West, understood some of the reasons for proposal. He understood housing prices were ridiculous. However, patio homes and smaller lots were already available in Willard in the Deer Run and Granite Ridge Subdivisions. The most compelling argument against this development was the results of a recent survey that showed the citizens wanted half-acre lots. He felt that was what the City needed to stick to.

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WILLARD CITY  
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Willard, Utah 84340

145 Mindi Vandersteen, 202 South Main, read that the developer was going to have an impact statement  
146 addressing how the development would impact the community. She couldn't find an impact statement in  
147 the Planning Commission packet. Was an impact study completed? She had a lot of concerns; one was  
148 traffic. She lived on 200 South and saw the traffic. The Wells Subdivision brought in 12 houses; the  
149 Braegger Subdivision brought in ten. There are already 17 homes in this area. When the development was  
150 being constructed, there would be a lot of gravel and cement trucks driving up and down 200 South. Only  
151 one road fed all this area. The proposed subdivision contained 120 lots. If each lot had two cars, there  
152 would be another 276 cars on 200 South. A family of two adults and three children would add 690 new  
153 residents. She spoke with a school board member who said they have no plans to build a school on the  
154 Kunzler property. The school board couldn't find people to work. If more students were added, what would  
155 it do to the infrastructure? As she looked at how this development would impact the community, the traffic  
156 was the one that irritated her the most. There were several school bus stops for elementary and junior high  
157 students on 200 South. She had seen cement trucks and gravel trucks run through the stop sign on 100  
158 West. Those drivers were not aware of the community. Residents walked and biked on 200 South. She  
159 was also stressed about property taxes. Growth in the school district meant bonds and increased property  
160 taxes. Subdivisions were affecting everyone's pockets. She was concerned the development would raise  
161 property taxes, which was very hard for those on fixed incomes. She didn't like developments or neighbors.  
162 That was why she had an acre of land.  
163

164 Keith Larsen, 150 South 200 West, stated that he and his wife were retired and on a fixed income. His  
165 property taxes had gone up every year for 24 years. If it continued, they would be priced out of their home.  
166 They also walked around the community. He was concerned about their safety when they walked on 200  
167 South. It was terrifying as a pedestrian because it was so narrow. He felt traffic should be counted on 200  
168 South and 200 West. They had become the busiest roads in Willard. The people who had moved into the  
169 new subdivision were wonderful people, and he was glad they were here. However, he asked about the  
170 reason or motive for the zoning change. He understood the master plan was for half-acre lots. They were  
171 proposing to move away from the plan. What good do it do to have a master plan, if no one followed it?  
172 Heritage Land had already rezoned this land from agricultural to half-acre lots. Now they wanted to have  
173 smaller lots. He did not feel that was part of the master plan. If Willard was going to have a plan, it needed  
174 to follow the plan, stick to its guns and keep the community a place where residents could feel safe and  
175 comfortable. He was all for the bike path on 200 West, but he was afraid to walk across the highway  
176 because of the additional traffic. The highway didn't have crosswalks or stop lights to manage the traffic.  
177 Big cities were looking for open space. The open space proposed on the concept plan wasn't open. It was  
178 closed space that wouldn't be accessible because of the private roads. There were four parks on the east  
179 side of town. There was only one park on the west side - the school playground. He didn't feel the city plan  
180 should be changed willy nilly every time a contractor came in who wanted to make money by putting in lots  
181 and lots of housing and adding congestion. He felt Willard needed to keep its lifestyle. He realized there  
182 needed to be growth, but he felt Willard needed to make and follow its plan.  
183

184 Jordan Hulsey, 10 South 100 West, stated that she was speaking as a private citizen not as a Council  
185 member. She wanted to record her opposition to the rezone request. It already had a reasonable half-acre  
186 zone. Changing this area to Master Planned Community with its attached concept plan, would allow most  
187 of the lots to have less than 14,000 square feet. She felt that decision required careful consideration. There  
188 were three key reasons she felt the rezone should be denied. First, the rezone was likely to exacerbate the  
189 existing traffic issues the Planning Commission had already heard about. A higher housing density tended  
190 to bring increased vehicles, which would compromise the safety of the community and undermine the  
191 quality of life that Willard valued. Second, the shift to the Master Planned Community Zone contradicted  
192 the current vision statement of Willard City. Introducing a zoning change that did not align with the City's



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193 vision jeopardized the essence of what made Willard a desirable place to live. It misaligned with our love  
194 and desire to keep Willard rural, open, and beautiful. Third, the General Plan Draft that she believed was  
195 on the brink of adoption reflected the collected aspirations of the citizens and carefully laid out strategies  
196 for Willard's future. One of those aspirations was the strong desire to keep at least half-acre lots. The  
197 proposed Master Planned Community Zone stood in stark contrast to the Future Land Use Map that was  
198 outlined in the draft. Approving the rezone request would not only undermine the efforts put into the General  
199 Plan, but it would also send conflicting signals about the City's commitment to a well-thought-out  
200 development strategy. In light of recent discussions, the City Council had had about addressing requests  
201 for MPC Zones, the General Plan, and the Planning Commission's responsibility as representatives of  
202 Willard City, she urged the Commission to reject the rezone proposal and prioritize the long-term well-being  
203 of the community over short-term gains.  
204

205 Lorelee Darley, 374 South 200 West, said she had lived in Willard a little over a year. They moved to Willard  
206 to get out of Lehi traffic. She felt the proposed development would make traffic in Willard worse than Lehi.  
207 In 15 years, Lehi had grown from nothing to what it is today. Infrastructure in Lehi was terrible. Putting the  
208 proposed development behind her house would result in a big mess coming up 200 South. It was the  
209 smallest road in the town. If 200 West was meant to be a main road, why were the homes built so close  
210 together? Why wasn't it wider to accommodate the proposed trail? She didn't want bicycles in front of her  
211 house. Why were homes being added without stores, schools, and churches? Highway 89 was not  
212 developed for commercial growth to accommodate these homes. She moved here to get away from growth,  
213 she didn't want it in her back yard. Half-acre lots would be fine. She didn't feel Willard was big enough for  
214 the proposed development.  
215

216 Marc Hamson, 240 North 200 West, realized the proposed plan was not super high density. He hoped the  
217 Planning Commission would stay in line with the current zoning and future land use maps that had been  
218 considered and were being considered. He asked the Planning Commission to consider infrastructure  
219 needs Willard might already be low on, such as traffic, and future water use. He felt Willard needed to focus  
220 on better infrastructure, such as a 650 South entrance to Highway 89, before it allowed more growth. That  
221 would allow for better traffic flow.  
222

223 Brinton Neff, 423 North 200 West, stated that his perspective was different. All this ground was in the green  
224 belt. He felt the proposed subdivision would lower property taxes, not raise them. If Willard wanted people  
225 to work and build businesses, Willard had to welcome the growth. He felt the Master Planned Community  
226 Zone was a good tool. It gave the Planning Commission some control. If this was just a straight half-acre,  
227 it would be gridded out without parks or ponds or preservation of green space. The Master Planned  
228 Community Zone allowed Willard to get what it needed, such as parks. The way to fix traffic wasn't to stop  
229 future growth. Willard needed growth to provide needed funding to improve infrastructure.  
230

231 Becky Kruitbosch, 396 South 200 West, lived in the first phase of The Orchards Subdivision. She moved  
232 to Willard for the quality of life and had loved it. They were against the proposed Master Planned Community  
233 Zone. Infrastructure was strained. Two Hundred South (200 South) was the only way to get out of the  
234 neighborhood. She felt most of the traffic would pass the bus stop her children used, which was a big  
235 concern for her. She wanted her children to be safe. A surge in growth could strain water and sewer  
236 services. The school district would be left to figure out what to do with the children. What about the strain  
237 on emergency services? A higher population would mean an increased demand for emergency services.  
238 Willard only had four police officers. What would it take to get more officers? There has been a recent  
239 increase in break-ins. Would higher density mean a higher crime rate? They relocated from the Roy/West  
240 Haven area. West Haven was promised nothing less than half-acre lots. When West Haven allowed smaller



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241 lots, they had not been able to keep up with the growth, and there was a huge infrastructure strain. She  
242 was concerned about the quality of life. She urged the Planning Commission to consider the long-term  
243 implications of such a substantial housing increase; to prioritize the well-being of the existing community;  
244 and to be thoughtful about collaborative planning to ensure sustainable growth while preserving the great  
245 qualities of Willard.

246  
247 Subsequent to the meeting, Mayor Mote asked that this email be entered into the record: "I am a Willard  
248 resident living on 200 West, and I am unable to attend the public hearing tonight. I want on record my strong  
249 opposition to the rezone request. I believe that the proposed rezone will cause high traffic through the  
250 neighborhood and create an unsafe environment for families with children. It would cause overpopulation  
251 of the area, thus undermining the quality of life that we so desperately love here in Willard." – Kristian  
252 Pearce.

253  
254 **Commissioner Dubovik moved to close the public hearing at 7:13 p.m. Commissioner Bingham**  
255 **seconded the motion. All voted "aye." The motion passed unanimously.**  
256

257 5B. RECOMMENDATION TO THE CITY COUNCIL REGARDING A PETITION FROM HERITAGE  
258 LAND DEVELOPMENT TO REZONE APPROXIMATELY 48.19 ACRES LOCATED AT  
259 APPROXIMATELY 300 SOUTH 300 WEST FROM R-1/2 TO MPC (MASTER PLANNED  
260 COMMUNITY) (PARCEL NOS. 02-051-0004, 02-051-0062, 02-051-0085, 02-051-0264, 02-054-  
261 0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, AND 02-054-0013)

262  
263 Time Stamp: 45:50 02/01/2024

264  
265 Chairman Bodily asked for the Planning Commission's thoughts. He felt the plan was pretty busy.

266  
267 Commissioner Brian Gilbert wanted to see the development agreement before a decision was made.

268  
269 Garth Day appreciated all the public comments. He felt they needed to go back and relook at their concept  
270 plan. Heritage Land was required to complete a traffic study. He could provide that study to the City.

271  
272 Chairman Bodily realized that the streets were getting busier, but Willard was long way from having a full  
273 traffic capacity.

274  
275 Garth Day stated that tonight was the first time he had heard about an impact statement. He would like the  
276 opportunity to prepare one. He wanted to take the public comments back to his design team. He thanked  
277 the Planning Commission for holding the public hearing and asked that the rezone be tabled to give them  
278 time to address some of the public's concerns.

279  
280  
281 Commissioner Bingham stated that there wasn't a specific density in the Master Planned Community  
282 Ordinance. He felt the intent of the Planning Commission and City Council was to have an overall density  
283 right around half-an-acre. Heritage Land had approximately 48 acres. An overall half-acre density would be  
284 96 homes; Heritage Land was proposing 120. He asked that Heritage Land look at the density.

285  
286 Garth Day stated that developers did not create a market. They responded to a need. It would be the  
287 dumbest thing in the world for them to build something and hope it would work. There was a huge amount  
288 of pressure; there was a housing crisis. Box Elder County hadn't felt it like other places, such as West





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289 Haven, but it was growing. They were planning for the future. They couldn't plan for 50 years ago; those  
290 times were gone. Everyone had had families that now needed a place to live. Heritage Land was responding  
291 to a market. They provided shelters for people. As interest rates started to come down, he did not feel the  
292 pressure for Willard would go away. He felt it would get worse.  
293

294 Mr. Day said they had tried to do the best they could on density, but they would go back and look at it. He  
295 heard Chairman Bodily's comment that this was a busy plan. He had also heard comments about open  
296 space. Heritage Land would be happy to have the city own the open space, but in their discussions with  
297 the City administration, it became clear that Willard wasn't ready for that. Willard didn't have the staff or  
298 resources to care for the proposed open space. Their remedy was an HOA, because somebody had to take  
299 care of it. They were more than happy to have discussions with the City about dedicating the open space  
300 in the development agreement. If he had a little time, he felt he could address the issues raised by the  
301 public.  
302

303 Commissioner Baker asked how many houses were proposed in their original concept plan. Mr. Day  
304 thought it was 148. Commissioner Baker referred to a memo from the City Engineer, Zac Burk. The memo  
305 said there were 17 lots in Phases 1 and 2, and that the proposed MPC Zone would add 121 lots that were  
306 closer to a quarter-of-an-acre than a third of an acre. Mr. Day said there would be a variety of lot sizes. The  
307 average was around 16,000 square feet. Lots for the patio homes would be around 8,000 square feet.  
308 Some of the single-family lots would be around 10,000 square feet. The UTA corridor had reduced the size  
309 of the lots along the west side. Most of the 10,000 square foot lots were located along the UTA corridor.  
310 The lots in the middle of the development would range from 13,000 to 20,000 square feet.  
311

312 Commissioner Baker asked about the private road between 200 West and 400 West. Garth Day explained  
313 that they were trying to take advantage of a private lane to provide additional access to their development.  
314 The proposed road did not have the right-of-way width required by Willard's Public Works Standards.  
315 Commissioner Baker asked if the patio homes would be gated. Mr. Day said they would not. A private street  
316 meant the right-of-way width was a little smaller. The asphalt width would be the same as a regular street,  
317 so most drivers wouldn't notice the difference. The private roads would be privately maintained, but they  
318 would be accessible for public use. Emergency services would be able to use the private roads. They would  
319 never be gated or closed. There would be a full width public street in the middle of the patio homes to  
320 accommodate Willard Flood Control's 35-inch storm drain line. The City Engineer did not want the line in a  
321 private road.  
322

323 Commissioner Baker asked if 500 West would line up with 500 West on West Center? Garth Day said it  
324 would.  
325

326 Commissioner Baker said she did not like the proposed concept plan.  
327

328 Commissioner Baker once again asked how many homes Heritage Land originally proposed. Mr. Day said  
329 they originally planned to propose quarter acre lots throughout the entire development. The original plan  
330 included patio homes because there was a need for them.  
331

332 Commissioner Dubovik said the MPC Zone was attractive to him because it allowed a developer to be  
333 flexible and creative and provide some compelling benefit to Willard. It also allowed the City to have a  
334 qualitative review to see if the benefits were worth allowing a little higher density or shifting density to one  
335 spot. The proposed concept plan had an overall higher density. He did not see a compelling reason to lower  
336 the density from the existing half-acre. What was the net benefit to the community at large?



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337 Garth Day felt the proposed concept plan would provide variety and diversity in Willard's housing stock. Not  
338 everyone wanted a half-acre lot, and half-acre lots could waste a lot of resources. He felt the proposed  
339 development would provide a net tax increase. When the density increased, commercial retail and  
340 amenities would follow. Large businesses would not build here until the demographics were here. A third-  
341 acre lot was not a small lot. He did not feel third acre lots would take away from what was already in Willard.  
342 They were just smaller than a half-acre lot. Mr. Day reminded the Planning Commission that half-acre lots  
343 only came to be when septic tanks were needed. In the 1960's and 1970's, the health department decided  
344 20,000 square feet was needed to put in a septic tank. Half-acre lots became the standard. Sanitary sewer  
345 was now available, and there was no longer a need for such large lots. Their plan included sewer. They  
346 would actually be increasing Willard's infrastructure.  
347

348 Commissioner Bingham felt a half-acre density would be third acre lots when the land for streets was taken  
349 out. Mr. Day said a half-acre density was 1.85 units per acre. They were proposing a density of 2.5 units  
350 per acre, which was about a 25% increase in density. The trails would be public spaces. Part of the  
351 development agreement negotiations dealt with how to preserve the pond and whether it would be a public  
352 space. The HOA was not in place to keep open space private and keep people out. The HOA was meant  
353 to provide a way to pay for the open spaces. If the City wanted to establish a Parks Department and take  
354 over maintenance of the open spaces, they would be more than happy to build them and turn them over.  
355

356 Garth Day felt all the open space would be a benefit to Willard. Two Hundred West (200 West) had been  
357 designed as an urban trail. The sidewalks they were proposing on 200 West were designed for an urban  
358 trail and would connect to trails throughout the development.  
359

360 Mary Grimes, 175 West 200 South, stated that everyone's main concern was traffic on 200 West 200 South.  
361 Did this plan have another outlet? Were there other streets going to Highway 89? Garth Day said there  
362 would eventually be six streets connecting to Highway 89, but they had not been built yet. Ms. Grimes felt  
363 there needed to be consideration for evacuation. Mr. Day said it would take seven to eight years for the  
364 development to be built out.  
365

366 Jodi Wade, 220 South 200 West, stated that there would still be a traffic problem in seven or eight years  
367 unless 200 South was widened. Garth Day said Deer Run had an obligation to build 200 West and 600  
368 South. Another part of the development agreement was their offer to create a public infrastructure district  
369 to help pay for some of the offsite improvements.  
370

371 A woman asked if the private road was a way to get around not being able to put in a city road because it  
372 was not wide enough. If the road was private, how could it be accessible to the public?  
373

374 Commissioner Dubovik stated he lived on the east side of Willard and understood the difficulty of turning  
375 left onto Highway 89. He realized that the school density was not something Heritage Land could control,  
376 but it was something to consider and led him to lean toward a less dense neighborhood. He had been told  
377 that Willard would never be able to slow down traffic on Highway 89 to 35 mph or get another entrance onto  
378 Interstate 15. If Heritage Land and their colleagues wanted more favorable decisions, they needed to put  
379 their money where their mouth was and petition the State legislature to relieve some of Willard's concerns.  
380 Mr. Day said he couldn't do anything about the school district. Other communities were dealing with the  
381 same issues. For school districts it was a chicken and egg situation. Did they build a school thinking  
382 students would come, or wait until the students were there before? The State legislature had given them  
383 some tools, such as a public infrastructure district. Homes inside this development could be taxed differently  
384 to put in needed infrastructure. That was an option he wanted to explore with the city administration.



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385 Commissioner Braegger felt the Planning Commission needed a copy of the development agreement  
386 before it could even begin to consider the MPC Zone for Heritage Land. Willard was not a fan of HOA's.  
387 There had been issues with HOA's in the past. He had worked with a lot of HOA's and felt they were a  
388 nightmare. If the citizens wanted parks on the west side of the community, Willard would have to pony up  
389 and establish a Parks Department to care for them. He also felt the patio homes needed to provide sufficient  
390 guest parking. According to Box Elder County, each unit should have 1.5 guest parking spaces. He agreed  
391 that traffic was an issue.

392  
393 **Commissioner Bingham moved to table consideration of a rezone petition from Heritage Land**  
394 **Development to allow them time to address concerns of the residents and Willard City.**  
395 **Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.**  
396

397 5C. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PETITION FROM LYNC  
398 CONSTRUCTION, LLC TO AMEND THE 2017 FUTURE LAND USE MAP OF THE WILLARD  
399 CITY GENERAL PLAN (CHAPTER 12-000) BY CHANGING THE FUTURE LAND USE  
400 DESIGNATION FOR APPROXIMATELY 32.77 ACRES LOCATED AT APPROXIMATELY 3700  
401 SOUTH 1200 WEST FROM A-3 AND A-5 TO R1/2 (PARCEL NOS. 02-035-0061, 02-035-0063,  
402 AND 02-035-0079)  
403

404 Time Stamp: 1:08:57 02/01/2024  
405

406 **Commissioner Baker moved to open the public hearing at 7:39 p.m. Commissioner Dubovik**  
407 **seconded the motion. All voted "aye." The motion passed unanimously.**  
408

409 Commissioner Braegger stated that this item might be a conflict for him. He recused himself from the  
410 discussion.

411  
412 Bryce Wheelwright stated that the property in question was located on the north end of Willard City. It did  
413 have a Perry address, but it was located on 200 West. It was currently zoned A-5. The current Future Land  
414 Use Map designated the property as both A-3 and A-5. Lync Construction had submitted a petition to amend  
415 the Future Land Use Map to change the future land use designation from A-3 and A-5 to R-1/2. Lync  
416 Construction proposed a development of half-acre lots.  
417

418 Pat Burns, Lync Construction, stated that he had attended the work sessions during which the Planning  
419 Commission and City Council had discussed the draft General Plan and Future Land Use Map. He was  
420 trying to follow the future land use the Planning Commission and City Council had proposed. He would like  
421 to rezone this property for a half-acre density. The first step was to amend the future land use map.  
422

423 Chairman Bodily opened the floor for public comments.  
424

425 Bart Wade, 220 South 200 West, stated that Willard did not need a mass of houses. He was not opposed  
426 to growth, but he hoped Lync Construction didn't come back and request something less than R-1/2. He  
427 felt the current Planning Commission would impact the future of Willard more than any other Planning  
428 Commission ever would now or in the future. He asked the Planning Commission not to fall for the notion  
429 that half-acre lots were old-fashioned. There wasn't anything wrong with half-acre lots.  
430

431 Rolin Hinrichsen, 3580 South 1200 West, Perry, stated that he had addressed the Planning Commission  
432 numerous times. In this meeting he had heard only one person support growth. He hoped the Planning



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433 Commission was paying attention to that. The representative from Heritage Land said they were filling a  
434 need. He heard the same claim from other developers. It simply was not true. If houses were built, people  
435 would come. If houses were not built, people would not come because there would not be places to live,  
436 and the community would not increase in size. The developers were in it for the money. There had been a  
437 lot of comments about traffic and infrastructure. Property taxes from new houses would not pay for new  
438 schools, new infrastructure, and more maintenance. He moved here over 35 years ago for peace and quiet.  
439 He had been happy, but he had watched the growth and increase in traffic. Everyone drove past him to get  
440 to shopping in Brigham City. The roads in front of him were not wider like they were in Willard, and drivers  
441 sped past his property. Would everyone that moved in be bad? No, but there would be some. It would be a  
442 mixed bag. Crime had gone up. Traffic would be bad; so, would infrastructure. In this case, Willard did not  
443 have infrastructure to take care of this property, but this developer wanted to put more homes there! Lync  
444 Construction was proposing to build next to the pond, which was a wetland area. Lync Construction wanted  
445 to add 55 more homes to the high-density Willard was already dealing with. He disagreed with the argument  
446 that the homes wouldn't be built for another ten years. If the City approved the development, the growth  
447 would happen either today or in ten years. It would strain and hurt Willard. In this case, it would hurt him  
448 because it was next to him. He would be the lone voice and would lose against the many new homeowners.  
449 Why did every square inch in Willard need to be developed? Willard needed to have some open space.  
450 The pollution haze had slowly crept north until it was past Brigham City. Farms grew green leafy plants that  
451 turned pollution back to clean air. More people meant more pollution. If density and the number of people  
452 were increased, Willard could not go backward. Perry had approved a development next to him, and he  
453 was living with the problems. Willard was going to do the same thing to its residents. It had to stop  
454 somewhere. Someone needed to grow up and be the one to not do it.

455  
456 Jeannine Jensen, 1155 West 3600 South, Perry, realized that growth was going to happen. She was  
457 concerned about where the water was coming from. Willard did not have water lines in this area. Where  
458 was the sewer going to go? The Planning Commission needed to make sure those improvements were  
459 installed before the development was. Another developer had purchased property in this area and spent  
460 the past four years trying to get water and sewer. Growth was going to happen, but Willard needed to make  
461 sure it had the infrastructure to support it.

462  
463 Jordan Hulsey, 10 South 100 West, stated that she was once again speaking as a private citizen. Lync  
464 Construction's requested amendment to the Future Land Use Map specifically targeted the 32 acres on  
465 1200 West. It was seeking to change the A-3 and A-5 designations to R-1/2. She felt this move contradicted  
466 the core values of Willard City and changed the vision that had guided the community. In the past, Willard  
467 had thrived on a delicate balance between development and the preservation of its rich agricultural heritage.  
468 Throughout the 30 years she had been in Willard, she had watched that balance change in different sections  
469 of town. The proposed amendment threatened to disrupt that equilibrium. The proposed change to R-1/2  
470 did not conform to the character of the surrounding agricultural lands, which were already diminishing. This  
471 departure from Willard's roots jeopardized the unique charm that defined it. The current vision statement in  
472 the draft of the General Plan, that would hopefully be adopted in the near future, was crafted to guide the  
473 growth of Willard. It was at risk of being compromised. Approving the proposal to amend the current Future  
474 Land Use Map would undermine the principles that had made Willard a great place to be and a place she  
475 had been proud to call home. It would also send the message that Willard was willing to compromise its  
476 values for very short-term gains. In the face of such challenges, she asked the Planning Commission to  
477 reject the proposal in the best interest of the City and its neighbors. Everyone needed to stand united in  
478 safeguarding the values and vision that had guided Willard through the years. The Planning Commission's  
479 decision today would shape the community. She hoped the Planning Commission understood its  
480 responsibility to prioritize and represent the community's well-being, its identity, and its integrity.



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481 James Settlemyre, 3630 South 1200 West, stated that the rules of the Master Planned Community Zone  
482 said its goal was to keep Willard rural. He did not feel this proposal checked the boxes. Where was the  
483 water going to come from? Where would the sewer go? Yes, the zone would be R-1/2, but some of the  
484 proposed lots didn't even have 100 feet of frontage, which was a Willard requirement. Because this did not  
485 check the boxes, he felt it was a waste of everyone's time. If a proposal was being brought to the table, it  
486 should check every box. As a community, Willard had already said, "Here are our bylaws and ordinances."  
487 This proposal did not even check the minimum boxes of the MPC Zone. Developers had an obligation to  
488 bring their plans to the City. Willard had a general plan and a map to follow. Just follow the map. He felt  
489 half-acre lots across all of Willard was super dangerous. That kind of blanket was not worth it. If Willard  
490 started chipping away at land, it would seem normal and okay. If Willard was going to stay rural, he did not  
491 feel half-acre farms would do well. He felt Willard needed to make developers stick to the plan it had.

492  
493 **Commissioner Bingham made a motion to close the public hearing at 7:59 p.m. Commissioner**  
494 **Gilbert seconded the motion. All voted "aye." The motion passed unanimously.**  
495

496 5D. RECOMMENDATION TO THE CITY COUNCIL REGARDING A PETITION FROM LYNC  
497 CONSTRUCTION, LLC TO AMEND THE 2017 FUTURE LAND USE MAP OF THE WILLARD  
498 CITY GENERAL PLAN (CHAPTER 12-000) BY CHANGING THE FUTURE LAND USE  
499 DESIGNATION FOR APPROXIMATELY 32.77 ACRES LOCATED AT APPROXIMATELY 3700  
500 SOUTH 1200 WEST FROM A-3 AND A-5 TO R1/2 (PARCEL NOS. 02-035-0061, 02-035-0063,  
501 AND 02-035-0079)  
502

503 Time Stamp: 1:30:36 02/01/2024  
504

505 Pat Burns, Lync Construction, stated that he was proposing an R-1/2 Zone, not an MPC Zone. He hadn't  
506 proposed any plans or lot sizes. He wasn't sure where information about 55 lots and lot widths had come  
507 from. He was simply requesting an amendment to the Future Land Use Map.  
508

509 Commissioner Dubovik stated that his consistent thought was that Willard had a current Future Land Use  
510 Map. Until a different plan was approved, he felt the Planning Commission should stick with the current  
511 zoning and designated future land use. They were there for a reason. He felt there should be a compelling  
512 reason to make a change, or something really beneficial to Willard.  
513

514 Chairman Bodily agreed. The Planning Commission had turned down previous rezone requests for this  
515 property. He realized there might be an adjacent development to the north, but that development was in  
516 Perry. There wasn't half-acre lots to the south. He was not in favor of changing the use of this property. He  
517 felt the Planning Commission should stick with the current land use map.  
518

519 Commissioner Bingham had heard a lot of arguments, and it was all against development. He had lived in  
520 Willard a long time. These changes would not come overnight. There had to be a demand for a home to be  
521 built. He totally understood the desire to keep Willard rural feel. At the same time, there was property without  
522 anyone to farm it. In attempting to keep a rural feel, land could be priced so high that the only people coming  
523 in would be those that could afford multi-million-dollar homes. That would raise property taxes. Pretty soon  
524 people would not be able to afford their property taxes. There were things that had to be juggled. If there  
525 wasn't anyone to farm the land, it would become a weed-growing heritage. Willard was famous for fruit, not  
526 alfalfa. A property owner had the right to sell his property for as much as he could. It was not easy for the  
527 Planning Commission. The Planning Commission was also trying to preserve the ability of everyone to live  
528 in their home and pay property taxes for the next 50 years. Most of the people in attendance lived in Willard



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529 because someone sold their farm. He didn't have a problem zoning this property R-1/2 other than the fact  
530 there were farms on every side. There wasn't an adjacent R-1/2 Zone.  
531

532 Pat Burns reminded the Planning Commission that the Future Land Use Map was a living document. It was  
533 supposed to be adjusted. In the last meeting, six out of six Planning Commission members voted to support  
534 half-acre lot density. The Planning Commission and City Council held a work session and collaboratively  
535 agreed on a half-acre density. The general plan survey was in favor of half-acre density. Five of the  
536 residents had spoken voiced support for half-acre lots. He had tried to listen to everyone. That is why he  
537 was requesting an R-1/2 Zone. Townhomes were going across the street in Perry.  
538

539 Commissioner Dubovik stated that the proposed general plan and land use map were still being discussed.  
540 They had not been approved.  
541

542 Commissioner Gilbert did not feel any changes should be made until the Council made a decision regarding  
543 the proposed general plan and land use map.  
544

545 Commissioner Baker felt the request for half-acre lots was great, but there were still other issues going on,  
546 such as sewer and water. Chairman Bodily said those would be the developer's problem to solve.  
547

548 Commissioner Bingham felt half-acre lots would help preserve the rural feel and would be the best solution.  
549

550 After further discussion, Commission Dubovik asked if it would be better to reject the amendment request  
551 or to table it until the land use was figured out. Commissioner Bingham felt it would be better to table it. If  
552 the petition was denied, Mr. Burns would have to wait a year before he could submit a new petition.  
553

554 Mayor Mote reminded the Planning Commission that this was a request for an amendment to the master  
555 plan, not a rezoning petition. A master plan amendment would not have to wait a year.  
556

557 Colt Mund, City Attorney, stated that the State Code required the Planning Commission to give  
558 substantive review to an application based on the law that was currently in effect, not what the general  
559 plan might be in a month or two. He was not sure about the legal grounds to table an application because  
560 the city might amend the general plan. The application still fell under the current general plan. The current  
561 general plan had goals and policies reflecting a number of things the community wanted to see. He advised  
562 the Planning Commission to process the application based on the existing general plan. The Planning  
563 Commission could not retroactively change the application down the road. The applicant could withdraw  
564 his application and then resubmit an application when there was a new general plan. He did not advise  
565 tabling application just because Willard might amend its general plan.  
566

567 Bryce Wheelwright felt that there was a waiting period in the ordinance if the application was denied.  
568

569 Chairman Bodily asked if the application could be withdrawn. Colt Mund felt it was up to the Planning  
570 Commission to allow that option. If the applicant withdrew his application, no action would be taken, and  
571 the Planning Commission could move on to the next agenda item.  
572

573 Chairman Bodily asked if Pat Burns wanted to withdraw his application. Pat Burns felt it would be best if his  
574 application was withdrawn.  
575  
576



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577 5E. RECOMMENDATION TO THE CITY COUNCIL REGARDING ZONING FOR AN ANNEXATION  
578 PETITION FROM BOB DAVIS FOR APPROXIMATELY 45 ACRES LOCATED AT  
579 APPROXIMATELY 7700 SOUTH 100 WEST (PARCEL NOS. 01-041-0043 AND 01-041-0044)  
580

581 Time Stamp: 1:45:10 02/01/2024  
582

583 Bryce Wheelwright stated that Bob Davis had approached Willard City because of Box Elder County's new  
584 policy that any land use changes be considered by the municipality with the annexation policy declaration.  
585 Mr. Davis's property was located in Willard City's future annexation plan. Mr. Davis wanted to improve his  
586 property and provide the Willard Flood Control District with an area for a detention pond. His goal was to  
587 create a park and several building lots. Box Elder County was not interested in any parks. Bob Davis had  
588 submitted a petition to annex into Willard City.  
589

590 Bob Davis, 7700 South 1100 West, stated that Box Elder County did not have a Parks Department. He  
591 wanted to create a park in memory of his grandfather, who built a house in Willard in 1861, and his wife.  
592 He felt his proposal would be an asset to Willard. It might be premature if Willard didn't plan to go all the  
593 way to the county line. He was asking for three three-acre lots, and he wanted to donate 11 acres to Willard  
594 City for a park. The park would be a nature park, a habitat for wildlife. He felt the park could be a draw for  
595 the community.  
596

597 Chairman Bodily asked if Willard City would maintain the park. Bob Davis said it would not. He felt there  
598 would be a formal organization that would maintain the park who would work hand-in-hand with Willard  
599 Flood Control. He planned for the three lots to be a PUD with a private road, so Willard wouldn't have to  
600 maintain the road. He had over 200-acre feet of water. He felt it might be premature to delegate the water  
601 right now.  
602

603 Chairman Bodily asked if this would create an island. Bob Davis said it would. Mayor Mote said that Mr.  
604 Davis's property was kitty-corner to Willard, but it was across the interstate.  
605

606 Commissioner Baker stated that Bob Davis had talked to Willard Flood Control. The flood board was really  
607 interested in the property. Bryce Wheelwright agreed. Willard Flood Control was very interested in this  
608 property. This annexation would be an advantage.  
609

610 Commissioner Dubovik said it seemed like annexations had a negative connotation because of the roads and  
611 emergency service demand that went along with them. This annexation seemed like a net benefit.  
612

613 Colt Mund stated that technically the next step in the process was for the City Council to decide whether to  
614 accept or reject the petition for annexation. Because there was zoning involved, he felt it was helpful for the  
615 Planning Commission to give input.  
616

617 The Planning Commission felt this annexation would benefit Willard.  
618

619 5F. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR MARC ANDERSON FOR PROPERTY  
620 LOCATED AT APPROXIMATELY 1094 SOUTH MAIN STREET (PARCEL NOS 02-05-0010 AND  
621 02-05-0011)  
622

623 Time Stamp: 1:54:35 02/01/2024  
624



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625 Bryce Wheelwright stated that Marc Anderson had asked that this item be tabled because he was unable  
626 to attend the meeting.

627  
628 **Commissioner Dubovik moved to table this item until the applicant could be in attendance.**  
629 **Commissioner Braegger seconded the motion. All voted “aye.” The motion passed unanimously.**  
630

631 5G. CONSIDERATION OF A PRELIMINARY PLAN FOR THE MARION STOKES SUBDIVISION  
632 LOCATED AT APPROXIMATELY 1395 NORTH MAIN (PARCEL NO. 02-040-0004)  
633

634 Time Stamp: 1:55:16 02/01/2024  
635

636 Bryce Wheelwright stated that the Marion Stokes Estate was selling her home at 1395 North Main. Her  
637 home was part of a large tract of land consisting of about 12 acres.  
638

639 Larry Holmes, 1561 Hargis Hill Road, stated that the City already divided the land once when it built 200  
640 West, but the tax identification numbers were not changed. There was a parcel on the east side of 200  
641 West and a parcel on the west side of 200 West with the same tax identification number. They wanted to  
642 sell the house along with 3.65 acres. That would leave nine acres on the east side of 200 West and 11.88  
643 acres on the west side of 200 West.  
644

645 Bryce Wheelwright stated that the house itself was zone R-1/2. The proposed lot size and width complied  
646 with the R-1/2 Zone regulations.  
647

648 Commissioner Bingham asked how big the lot with the house would be. Larry Holmes said it would be 3.65  
649 acres.  
650

651 **Commissioner Bingham moved to recommend that the City Council grant preliminary approval of**  
652 **the Marion Stokes Subdivision located at approximately 1395 North Main (Parcel No. 02-040-0004).**  
653 **Commissioner Baker seconded the motion. All voted “aye.” The motion passed unanimously.**  
654

655 6. CONSIDERATION AND APPROVAL OF THE DECEMBER 7, 2023, REGULAR PLANNING  
656 COMMISISON MINUTES  
657

658 **Commissioner Baker moved to approve the December 7, 2023, minutes as corrected. Commissioner**  
659 **Gilbert seconded the motion. All voted “aye.” The motion passed unanimously.**  
660

661 7. COMMISSIONER/STAFF COMMENTS  
662

663 Time Stamp: 1:58:55 02/01/2024  
664

665 Bryce Wheelwright  
666

667 Did not have any comments.  
668

669 Jeremy Kimpton  
670

671 Did not have any comments.  
672





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Thursday, February 1, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

673 Colt Mund

674

675 Did not have any comments.

676

677 Commissioner Bingham

678

679 Commissioner Bingham asked about the status of the Thurgood lot line adjustment on 200 West. Bryce  
680 Wheelwright stated that only part of the requirements had been completed before the property was sold. It  
681 was now in the hands of the prosecuting attorney.

682

683 Commissioner Dubovik

684

685 Commissioner Dubovik concurred with Commissioner Bingham's earlier comments. The Planning  
686 Commission had to strike a balance. If the City kept lot sizes too big, it could lead to \$1 to \$2 million dollar  
687 homes that would drive property values and property taxes up. Willard was valuable. He didn't feel the City  
688 had to roll over and take any offer on the table. The City wasn't desperate. There was growthy coming. He  
689 felt everyone needed to work together and do it smartly. Not everyone was going to get what they wanted  
690 every time. The Planning Commission needed to work hard to satisfy the intent.

691

692 Commissioner Gilbert

693

694 Commissioner Gilbert agreed with Commissioner Dubovik.

695

696 Commissioner Baker

697

698 Commissioner Baker was concerned about the bright lights installed by FIZZ at 30 North Main. She felt the  
699 adjoining property owners would begin complaining. Chairman Bodily felt a fence would be needed to help  
700 block the light. Mayor Mote felt the owner would have to comply with the City's Dark Sky Ordinance before  
701 he could receive an occupancy permit. Bryce Wheelwright stated that the lights would be addressed during  
702 the final inspection.

703

704 Commissioner Braegger

705

706 Did not have any comments.

707

708 Mayor Mote

709

710 Mayor Mote stated that several comments had been made about Willard's lack of a Parks Department.  
711 Willard had a Public Works Department that handled maintenance of city parks. Willard didn't want a bunch  
712 of tiny parks. Consolidated, larger parks were easier to maintain. The City's Public Works and Police  
713 Departments would have to grow as Willard grew.

714

715 Chairman Bodily

716

717 Did not have any comments.

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720



WILLARD CITY  
**Planning Commission Meeting** – Regular Meeting  
 Thursday, February 1, 2024 – 6:30 p.m.  
 Willard City Hall – 80 West 50 South  
 Willard, Utah 84340

721 8. ADJOURN

722

723 **Commissioner Dubovik moved to adjourn at 8:32 p.m. Commissioner Braegger seconded the**  
 724 **motion. All voted in favor. The motion passed unanimously.**

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729 Minutes were read individually and approved on: \_\_\_\_\_

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735 Planning Commission, Chairman  
 736 Sid Bodily

737

dc:PC 02-01-2024

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Planning Commission Secretary

Michelle Drago

DRAFT