



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, March 7, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

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

The following members were in attendance:

Sid Bodily, Chairman
Diana Baker
Chandler Bingham
Chad Braegger
Alex Dubovik
Brian Gilbert

Jeremy Kimpton, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Michelle Drago, Deputy Recorder

Others in attendance:

The meeting was called to order at 6:32 p.m.

1. PRAYER: Brian Gilbert
2. PLEDGE OF ALLEGIANCE: Diana Baker
3. GENERAL PUBLIC COMMENTS

Time Stamp: 02:26 03/07/2024

Bryce Darley, 374 South 200 West, stated that he applied for a building permit to build a shed and was told it had to be ten feet from his property line due to an easement for fire access. However, as he drove through Willard, he noticed that everyone had fences on property lines. How could fire equipment access properties if fences were in the way? He felt the easement requirement was obsolete and proposed that it be repealed.

4. CITY COUNCIL REPORT

Time Stamp: 03:57 03/07/2024

Mayor Travis Mote stated that the City Council had not met since February 8th so there was not much to report. He anticipated that the Council would approve the General Plan at its March 14th meeting.

Mayor Mote updated the Planning Commission on the installation of fiber optic internet in Willard.

Mayor Mote stated that Garth Day from Heritage Land Development had met with him regarding rezoning the Lemon orchard property from R-1/2 to MPC. They discussed density, private roads, and open space. Mr. Day anticipated coming back to the Planning Commission on March 21st.

Mayor Mote stated that later in the meeting, the Planning Commission would discuss future land uses for South Willard. The City was starting to get more annexation requests for properties in South Willard because of Box Elder County's new policy. If Willard was going to annex properties in South Willard, there needed to be continuity between the communities regarding zoning and roads. He did not want to end up



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with two separate cities. He felt Willard needed to initiate a plan about how to blend the communities together.

5A. SWEAR IN RUTH BEEBE AS AN ALTERNATE PLANNING COMMISSION MEMBER

Time Stamp: 09:23 03/07/2024

Mayor Mote stated that Ruth Beebe had graciously agreed to replace Zack Hulseby as an alternate Planning Commission member.

Ruth Beebe was sworn in as an alternate Planning Commission member by Mayor Mote.

5B. 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)

Time Stamp: 11:08 03/07/2024

Bryce Wheelwright stated that the Planning Commission considered a lot line adjustment for this property last September. Marc Anderson recently purchased the property and was requesting another small lot line adjustment to increase the frontage of Parcel 2 to 100 feet.

Marc Anderson stated that he needed 100 feet of frontage to build a home on Parcel 2.

Mr. Wheelwright stated that both parcels would have 100 feet of frontage. Both would be legal. Mr. Anderson also needed to rezone Parcel 2 from A-5 to R-1/2 because it did not contain five acres. That was the next item on the agenda.

Marc Anderson answered questions from the Planning Commission about the locations of existing buildings and a future driveway.

Commissioner Baker asked if the future extension of 200 West would affect this property. Bryce Wheelwright said 200 West would not extend this far south; 400 West would but it would be west of the Anderson property.

Mayor Mote stated that the HOP Trail would be built in 2024, but it would be west of the Anderson property.

Marc Anderson asked what kind of surface the trail would have. Bryce Wheelwright said it would be paved.

Commissioner Bingham moved to approve 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). Commissioner Baker seconded the motion. All voted “aye.” The motion passed unanimously.

Bryce Wheelwright asked that Commissioner Baker report the lot line adjustment to the City Council.



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- 5C. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING 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)

Time Stamp: 19:54 03/07/2024

Commissioner Dubovik moved to open the public hearing at 6:51 p.m. Commissioner Gilbert seconded the motion. All voted “aye.” The motion passed unanimously.

Chairman Bodily read the Planning Commission's Rules of Order Statement.

Bryce Wheelwright stated that Marc Anderson wanted to build a home at approximately 1100 South Main Street. The parcel was currently zoned A-5, but it only contained 3.16 acres. Mr. Anderson wanted to change the zoning to R-1/2 so he could get a building permit. According to the Future Land Use Map, the future land use designation for this property was R-1/2. The property was contiguous with existing R-1/2 zoning along the highway. He felt Mr. Anderson's rezone request met all the city's requirements.

Marc Anderson stated that he had a three-acre parcel on which he wanted to build a house. The zoning needed to be changed to do so.

Chairman Bodily opened the floor for public comments. There were none.

Commissioner Baker moved to close the public hearing at 6:54 p.m. Commissioner Braegger seconded the motion. All voted “aye.” The motion passed unanimously.

- 5D. RECOMMENDATION TO THE CITY COUNCIL REGARDING 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)

Time Stamp: 23:43 03/07/2024

Commissioner Braegger pointed out that building a home south of the old Hubbard home at 1094 South Main would landlock the land to the west. A city road would not be able to access the ground to the west.

Marc Anderson said they planned to build a road to access their home.

Commissioner Braegger clarified that there was not enough room to build a home and an access road for property to the west. Mr. Wheelwright said that was correct. The future road plan did not include a road in this area. A north/south road could be built as surrounding land developed.

Commissioner Bingham said 100 West could extend to the south. In the past residents had built buildings where roads were planned. He hoped Anderson's would take future road locations into consideration when they built their home.

Michelle Anderson said they planned to build their home close to the existing home.



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Bryce Wheelwright stated that the Planning Commission had three options. It could recommend that the City Council approve the rezone, recommend that the City Council deny the rezone, or it could table the rezone.

Commissioner Baker moved to recommend that the City Council approve the petition from Marc Anderson to rezone approximately 3.16 acres located at approximately 1100 South Main Street from A-5 to R-1/2. Commissioner Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.

Chairman Bodily said the City Council would make the final decision regarding the rezone. Michelle Drago said the rezone would be on the March 28th Council agenda.

5E. 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)

Time Stamp: 29:07 03/07/2024

Bryce Wheelwright stated that in the fall of 2020, Matthew Francom applied for a conditional use permit to operate a welding business at 432 North Main Street. The site plan showed that the building was located on the northeast corner of his property. The building footprint was 42' x 100.' When the Planning Commission considered Mr. Francom's application in 2020, it asked him to bring his building up to commercial code, to supply handicap access, and to install a separator in the building to prevent powder coating waste from going into the City's sewer system. It had been a long process, but Mr. Francom had finally completed all the requirements. The staff had drafted a written conditional use permit. He asked that the Planning Commission review the draft to see if anything should be added or changed.

Commissioner Braegger recused himself from the discussion due to a conflict of interest.

Commissioner Gilbert asked if a handicap accessible restroom had been installed. Mr. Wheelwright said it had, and it had been inspected by Box Elder County. There were also handicap parking stalls. As a commercial business, Mr. Francom had to have hard surface parking. Mr. Francom had a concrete pad next to the building. The rest of the site was not paved, but there was paved parking next to the building.

Matthew Francom, 404 North Main, stated that he had an approved approach from UDOT that he currently was not using due to finances. He had not had the cash flow to complete it. The project had taken so long because he paid for improvements in cash as he moved forward. UDOT was requiring that the approach be piped and asphalted. He had been using the approach to his personal driveway to access the business.

Chairman Bodily asked where the UDOT approach would be located. Mr. Francom said it was a 40-foot approach shared with the property owner to the north. The ditch along Highway 89 on the north side of his property was too deep to drive over. He hoped to complete the approach this spring. Using his personal driveway for the business had not been a problem because he did not have a lot of customers. He had two employees, and a powder coater that came once in a while.

Colt Mund, City Attorney, stated that Mr. Francom's application pre-dated the Conditional Use Permit Review Committee. Had Mr. Francom's application been reviewed by the Fire Department to make sure it complied with the International Fire Code? Mr. Wheelwright said it had. At one point, there had been an



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issue with the sprinkling system, but it was determined that Mr. Francom wasn't large enough to require a sprinkling system.

Matthew Francom stated that he had put in and labeled the fire extinguishers required by the Fire Department.

Commissioner Gilbert asked what kind of work Matthew Francom did. Mr. Francom said he welded a lot of metal railings and spiral staircases.

Commissioner Baker asked about the powder coating issue. Bryce Wheelwright said it was resolved by the installation of the separator on the sewer system.

Commissioner Dubovik asked about hours of operation. Matthew Francom said he was typically open during the day – 7:30 a.m. to 4:30 or 5:00 p.m. Sometimes the powder coaters were there later, but he told them to shut down by 10:00 p.m.

Commissioner Gilbert asked if there had been lighting requirements in 2020. Mr. Wheelwright said there was not. The business parcel had been rezoned to Commercial Neighborhood. Commissioner Baker asked if the building had outside lighting. Mr. Francom said it had two outside lights.

Chairman Bodily suggested that the business be kept neat and clean. It currently did not have a clean appearance.

Matthew Francom asked about putting up a sign. Bryce Wheelwright said a sign would have to comply with the city's Sign Ordinance. Commissioner Gilbert said would also have to comply with the Dark Sky Ordinance.

Commissioner Bingham asked about adding a maintenance requirement to the conditional use permit.

There was a discussion about maintenance. Colt Mund said the Planning Commission could stipulate that no materials be stored on the exterior of the building. He felt a condition about keeping an orderly appearance would be difficult to enforce. Mr. Wheelwright felt the Commission's concerns were covered by the Nuisance Ordinance. Mr. Mund felt language should be added to the conditional use permit to specify compliance with the city codes.

Commissioner Bingham moved to approve a conditional use permit for Matthew Francom to operate a welding business located at 432 North Main Street as amended by the City Attorney. Commissioner Gilbert seconded the motion. All voted "aye," except Commissioner Braegger who abstained. The motion passed.

5F. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO LINSEY B. HANSEN FOR A SINGLE-FAMILY DWELLING LOCATED AT 188 SOUTH 250 WEST (PARCEL NO. 02-055-0217) ISSUED IN 2006

Time Stamp: 46:58 03/07/2024

Bryce Wheelwright stated that the list of conditional use permits compiled by the staff included a conditional use permit for Lindsey Hansen to build a house and do away with the extension of 250 West to the south.



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Michelle Drago had been searching for an approval date and a conditional use permit document. She had found discussions in minutes that had been tabled, but she had not found an approval date. He asked that the review be tabled until the next meeting.

Commissioner Dubovik moved to table review of a conditional use permit for Lindsey B. Hansen until the next meeting. Commissioner Braegger seconded the motion. All voted “aye.” The motion passed unanimously.

5G. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL 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 POLICY DECLARATION

Time Stamp: 48:40 03/07/2024

Mayor Mote referred to comments he made earlier in the meeting. He asked that the Planning Commission begin the process of planning future land uses for South Willard. The City Council would like areas for commercial and high density to be identified.

Bryce Wheelwright stated that South Willard was part of Willard’s Annexation Declaration Policy. It was a big area with several natural barriers, such as I-15 and Highway 89. There were natural spots for high-density and commercial. The City Council wanted to have future land use identified before properties started annexing, which they probably would given Box Elder County’s new policy.

Mayor Mote stated that Willard’s groundwater came from the alluvial fans in what was left of the unincorporated, undeveloped land above the gravel pits. If Willard developed a future land use map for South Willard, it could be taken to Box Elder County so their future land use map could be updated to match. There were groundwater protection areas that needed to be included.

Commissioner Dubovik asked if someone knew where the sensitive areas in South Willard were located. Mayor Mote said he could pull some soil maps that showed sensitive areas. The Planning Commission could also get input from Willard Flood Control and people in South Willard. Some people in South Willard did not want to annex, but properties around them would annex to be able to hook onto the sewer.

Commissioner Braegger suggested holding a public meeting and inviting South Willard residents to give their input. Mayor Mote felt a public open house would be the best format.

Commissioner Dubovik felt the open house should include someone from Willard Flood Control.

Commissioner Braegger suggested that representatives from South Willard Water and Box Elder County be invited as well.

Mayor Mote hoped that in the end Box Elder County would adopt Willard’s plans so that parties could not play the entities against each other.

Chairman Bodily felt residents of South Willard need to be made aware of what was coming so they didn’t think Willard was trying to steal them.



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Mayor Mote said he would reach out to Commissioner Perry who had wanted to hold a meeting and suggested holding it at the Utah State building. He would reach out to Commissioner Perry.

There was a discussion about who to include in the meeting – Willard City SLUA, Public Works, Fire Department, and Police Department, Willard Flood Control, South Willard Water, and Box Elder County.

Commissioner Gilbert asked that a digital copy of the South Willard map be sent to the Planning Commission members.

Commissioner Dubovik asked that the staff contact the appropriate entities about providing information regarding a future plan for South Willard and attending the public open house. He asked that the staff report back to the Planning Commission on March 21st. Then a date could be set for the open house.

Commissioner Dubovik felt Willard's hand was being forced toward annexation by Box Elder County's new policy regarding development and rezones in unincorporated areas. Chairman Bodily felt that was what the residents of South Willard needed to realize.

Mayor Mote hoped to have an open house in mid-April.

Chairman Bodily asked the Planning Commission to begin reviewing the map of South Willard. This would be a big project.

Mayor Mote encouraged the Planning Commission members to be more cognizant of South Willard as they drove through it; to look at potential areas for commercial development. Areas along Highway 89 were disappearing fast.

6. CONSIDERATION AND APPROVAL OF THE FEBRUARY 1, 2024, REGULAR PLANNING COMMISSION MINUTES

Commissioner Dubovik moved to approve the February 1, 2024, minutes as written. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 1:13:44 03/07/2024

Colt Mund

Did not have any comments.

Jeremy Kimpton

Jeremy Kimpton stated that the updated ordinances were now online. However, the chapter numbers did not match the city's current code. The information was there, but it still needed some work. He asked the Planning Commission members to look through the online ordinances to see if anything had been left out.

Commissioner Gilbert asked that a link to the ordinances be sent to the Planning Commission members.



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Bryce Wheelwright

Bryce Wheelwright reported that Next Construction planned to build an office in the Bailey V Industrial Subdivision at approximately 315 West 750 North. The Fiiz store would open in a few days. A grand opening was planned for March 30th.

Chairman Bodily asked if Fiiz needed a conditional use permit. Bryce Wheelwright said the site was zoned commercial. A conditional use permit was not needed, and the Planning Commission had already reviewed the site plan. Chairman Bodily was concerned about how lighting would affect the property owner to the north. A fence had been installed, but he was not sure it would block car lights. Mr. Wheelwright said he would check the fencing. The traffic pattern was approved by UDOT. Commissioner Baker was concerned about foot traffic crossing Highway 89. Would UDOT allow a crosswalk? Mayor Mote said UDOT would not put a crosswalk in unless there was a stop light.

Bryce Wheelwright said he had had many discussions with UDOT about pedestrian access across Highway 89 in the form of an overpass or an underpass. UDOT said it was too expensive.

Commissioner Bingham

Commissioner Bingham felt the R-1/2 zoning on the east side of Highway 89 would lead to more roads in the unincorporated area. If houses started going up, there would be more dust for the residents to deal with. He realized it was a long way in the future. He felt the city needed to think about whether it really wanted houses up there. Mayor Mote said that was another reason to create a plan that could be followed by Box Elder County.

Commissioner Dubovik

Did not have any comments.

Commissioner Gilbert

Did not have any comments.

Commissioner Baker

Commissioner Baker reported on the Box Elder County Commission meeting. A representative of the bird refuge complained about lighting from the Love Truck Stop. They said it interfered with the bird migration route. He hoped the county would start regulating lighting. She felt that was something Willard needed to consider. Lighting needed to be directed downward instead of lighting up the sky.

Commissioner Braegger

Commissioner Braegger stated that sinkholes had formed on the trail. Willard's Public Works Director called the contractor who came and fixed it. However, he noticed other sinkholes were forming. He felt the city needed to carefully inspect the trail just prior to the end of the contractor's one-year warranty period.



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Chairman Bodily

Did not have any comments.

8. ADJOURN

Commissioner Bingham moved to adjourn at 7:54 p.m. Commissioner Braegger seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: 3/21/24

Sid Bodily
Planning Commission, Chairman
Sid Bodily

Michelle Drago
Planning Commission Secretary
Michelle Drago

dc:PC 03-07-2024

