



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, April 4, 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 Ruth Beebe | Madison Brown, City Planner |
| 10 Chad Braegger | Michelle Drago, Deputy Recorder |
| 11 Alex Dubovik | |
| 12 Brian Gilbert | |

13
14 Excused: Chandler Bingham
15

16 Others in attendance: Mayor Travis Mote; Ken Ormond; and Ruth Ormond.
17

18 The meeting was called to order at 6:32 p.m.
19

- 20 1. PRAYER: Sid Bodily
- 21 2. PLEDGE OF ALLEGIANCE: Diana Baker
- 22 3. GENERAL PUBLIC COMMENTS

23
24
25
26 There were no comments.
27

- 28 4. CITY COUNCIL REPORT

29
30 Time Stamp: 04:09 03/21/2024
31

32 Mayor Mote reported that last week he, Jeremy Kimpton, and Madison Brown met with Scott Lyons, the
33 Box Elder County Planner, to discuss the future land use plan for South Willard. Mr. Lyons liked the concept
34 but didn't seem to want to participate. Box Elder County Planning had agreed to attend the open house
35 meetings. The county did give Willard the land use information they had for South Willard. The map for
36 South Willard was really rough. The last input the county received from South Willard residents was in 2006.
37

38 Mayor Mote asked the Planning Commission members to drive through South Willard and note their ideas.
39 Mellonee Wilding was a member of the Box Elder County Planning Commission and a resident of South
40 Willard. He felt Willard City's planner could reach out to her. Ms. Wilding could help draw South Willard
41 residents into the planning process.
42

43 Commissioner Baker suggested that a proposed future land use map for South Willard be posted at the
44 City building where people could view it and make comments.
45

46 Mayor Mote wanted the Planning Commission to take the lead and schedule an open house for South
47 Willard residents where people could view a map and make comments. The staff just needed to know what



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48 the Planning Commission needed for the open house. Whether South Willard residents annexed or not,
49 they needed to know what was going on because they would be affected.

50
51 Commissioner Dubovik said he had emailed his ideas to the staff and other Commission members.

52
53 Commissioner Beebe asked if Box Elder County had a future road plan for South Willard. Mayor Mote felt
54 that was something the City Planner could look into.

55
56 Mayor Mote told Scott Lyons that when Willard’s Planning Commission had finalized a plan for South
57 Willard, it wanted the county to adopt it so residents could not play entities against each other.

58
59 Commissioner Braegger asked that the Planning Commission members receive a large map of South
60 Willard that identified road locations. Mayor Braegger asked Madison Brown to get a PDF road map from
61 Box Elder County for the Planning Commission members.

62
63 Commissioner Gilbert felt it would be nice for 200 West to continue to the south. He asked about the width
64 of the UTA right-of-way. There was further discussion.

65
66 Mayor Mote stated that the City Council approved the Marc Anderson rezone and a resolution surplusing
67 some vehicles. The Council reviewed a letter from Box Elder County informing Willard that Brigham City
68 would not renew its animal control services contract after June 2025. Box Elder County was looking into
69 options for animal control services. The City Council also reviewed and discussed the sewer report, which
70 would probably be approved at the next meeting.

71
72 5A. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO JOHN OLSON FOR A BUSINESS
73 TRAILER LOCATED AT 234 SOUTH 100 EAST (PARCEL NO. 02-051-0126) ISSUED MARCH
74 22, 1989

75
76 Time Stamp: 20:43 04/04/2024

77
78 Madison Brown, City Planner, stated that the conditional use permit was initially approved in 1989 for six
79 months to a year. It had been well over six months. Bryce Wheelwright checked the site. The business
80 trailer was no longer there.

81
82 Chairman Bodily didn’t have an issue with the conditional use permit, but he did ask about the condition of
83 the rest of the property.

84
85 Commissioner Dubovik said the conditional use permit was for a business trailer. Commissioner Braegger
86 said the trailer was gone, so the conditional use permit could be declared inactive and removed from the
87 list.

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95 5B. DISCUSSION REGARDING AMENDING CHAPTER 12-105 OF THE WILLARD CITY ZONING
96 ORDINANCE TO ALLOW SHORT-TERM RENTALS IN RESIDENTIAL ZONES
97

98 Time Stamp: 23:11 04/04/2024
99

100 Jeremy Kimpton, City Manager, stated that he had sent the Planning Commission members a copy of
101 Richmond City's short-term rental ordinance. This was a discussion item to see if there was any interest in
102 a similar ordinance for Willard City. Should Willard allow short-term rentals in residential zones?
103

104 Commissioner Baker liked Richmond's ordinance.
105

106 Commissioner Gilbert asked if Richmond's ordinance addressed a homeowner living in the home. Mr.
107 Kimpton said it did not. Commissioner Gilbert felt a homeowner should be required to live on the premises
108 if the use was going to be allowed.
109

110 Chairman Bodily asked if a short-term rental would need a business license. Mr. Kimpton said it would.
111

112 Michelle Drago, Deputy City Recorder, asked if a short-term rental would require a conditional use permit.
113 Mr. Kimpton said it would. She felt there should be a limit on the number of short-term rentals allowed in
114 the city.
115

116 Colt Mund, City Attorney, stated that he had read the ordinance. He didn't have an issue with it. He did
117 want to make sure that the city could collect the transient room tax it had recently passed. A short-term
118 rental was the same as a hotel; it was less than 30 days. He agreed that a business license would be
119 needed. Owners would have to provide up-to-date contact information and adequate insurance.
120

121 Chairman Bodily asked if the proposed parking requirements matched Willard's parking requirements. Mr.
122 Kimpton said they might not. Chairman Bodily felt the parking and other requirements needed to comply
123 with Willard's requirements.
124

125 Mayor Mote felt parking was definitely something that needed to be considered.
126

127 Colt Mund said that during his research, it was clear that cities ran into problems and lawsuits when there
128 weren't clear guidelines. Whatever the city decided needed to be clear. Was it going to allow short-term
129 rentals or not? If so, what would the conditions and requirements be? There needed to be clear rules either
130 for or against.
131

132 Commissioner Braegger was concerned about enforcement. Whatever route the city decided, needed to
133 be enforced.
134

135 Mayor Mote stated that if the code included a criminal violation, police officers could issue tickets. He felt
136 that would be a better enforcement method.
137

138 There was further discussion about code enforcement.
139

140 Colt Mund stated the city prosecutor could file an information against a person. That would reduce some of
141 the conflict for the city staff. Mr. Mund said an information was like an indictment. If an information was filed,



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142 a summons would be sent. A person could be charged with a nuisance or violating a land use ordinance.
143 He felt that process worked better than civil remedies.

144
145 Commissioner Dubovik asked that the city attorney write an enforcement provision that would allow officers
146 to enforce violations and to file an information. He also asked that *Richmond* be replaced with *Willard*. Then
147 it could be reviewed further at the next meeting.

148
149 5C. DISCUSSION REGARDING AMENDING CHAPTER 12-106 OF THE WILLARD CITY ZONING
150 ORDINANCE THE MASTER PLANNED COMMUNITY ZONE

151
152 Time Stamp: 38:43 04/04/2024

153
154 Mayor Mote stated that Commissioner Bingham had asked that the MPC Ordinance be placed on the
155 agenda. Commissioner Bingham was concerned that it did not match the new General Plan. As
156 Commissioner Bingham wasn't in attendance, he suggested that this item be forwarded to the next meeting.

157
158 Commissioner Dubovik stated that the approved draft of the MPC Ordinance had some formatting errors
159 that needed to be corrected. The Planning Commission also needed to clarify whether the minimum size
160 was ten acres or twenty.

161
162 Colt Mund stated that he was not at the March 2023 City Council meeting when the ordinance was adopted.
163 He wasn't sure what was approved. He agreed some clarification was needed.

164
165 Mayor Mote stated that he had met with Heritage Land twice regarding their rezone request from R-1/2 to
166 MPC. They had reduced the proposed density, combined some parks, and did away with 200 South. He
167 also talked to them about the city's concerns about private roads.

168
169 Chairman Bodily asked that the Planning Commission members read through the MPC Ordinance and be
170 prepared to discuss it when Commissioner Bingham was in attendance.

171
172 Colt Mund said he would send a copy of the MPC Ordinance in Word format to all the commissioners.

173
174 Commissioner Braegger felt the Planning Commission needed to discuss whether to drop the minimum
175 size down to ten acres.

176
177 Commissioner Dubovik felt ten acres would give the Planning Commission more ability to put its will on
178 more parcels.

179
180 Mayor Mote stated that the issue with ten acres versus twenty acres was the open space. The open space
181 for ten acres would have to be more private. The city did not want a bunch of small parks to manage, and
182 the citizens wanted to have access to open space. In the revised General Plan, he worked with the Council
183 to strengthen the tie of the base density to the underlying zone. Then an MPC could not be any density.

184
185 Commissioner Dubovik asked about the *fee in lieu of*. Commissioner Beebe and Mayor Mote didn't like it.
186 Commissioner Dubovik felt the *fee in lieu of* should be tied to an account or specific park project. The fees
187 could be collected and applied to that project. Mayor Mote wasn't sure how to bankroll funds in the budget.
188



189 Mayor Mote said that the *fee in lieu* of needed to be clarified. Developers felt the value was the value of
190 raw land, not the value of a developed lot. There needed to be clarification about when and how the value
191 was assessed.

192
193 There was a discussion about whether funds could be applied to an underpass or overpass over Highway
194 89.

195
196 Commissioner Braegger suggested getting rid of the *fee in lieu* of and establishing a park impact fee. Mayor
197 Mote said there would have to be a study before a park impact fee could be adopted. He asked Jeremy to
198 check on the status of a park impact fee study.

199
200 5D. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING AN
201 AMENDMENT TO THE GENERAL PLAN CHAPTER 12-000 OF THE WILLARD CITY ZONING
202 ORDINANCE TO INCLUDE A FUTURE LAND USE MAP FOR THE SOUTH WILLARD AREA
203 INCLUDED IN WILLARD'S ANNEXATION POLICY DECLARATION

204
205 Time Stamp: 50:13 04/04/2024

206
207 Chairman Bodily felt this had been discussed earlier in the meeting. He suggested that the Planning
208 Commission set a date for the open house.

209
210 Mayor Mote wanted to have the open house before the end of the school year. Commissioner Dubovik
211 suggested May 16th. It was the date of the Planning Commission's second meeting in May. The Commission
212 agreed.

213
214 Mayor Mote asked the administration to invite Commissioner Perry and county officials to the open house.

215
216 Mayor Mote felt the county would tell South Willard residents that it could not afford to provide services at
217 the level it was. The county would have to raise the municipal tax because Willard would probably raise its
218 rates for fire services based on the outcome of a fire study. Then there was the sewer issue for property
219 owners between Highway 89 and I-15. Willard would now allow them to connect to the sewer line unless
220 they annexed. There were a lot of reasons property owners would start annexing. It was just a matter of
221 how soon and at what scale. He felt it would be difficult for the city to annex everything all at once because
222 of manpower issues.

223
224 There was a discussion about notification requirements and how to notify the public about the open house.

225
226 Commissioner Dubovik asked about the future of the land between I-15 and Willard Bay. Should it remain
227 agricultural? Was it a flood plain? Mayor Mote and Commissioner Gilbert felt the ground water was probably
228 high. Mayor Mote didn't know of any long-term plans. He felt Mr. Larkin would continue to farm it for the
229 remainder of his life.

230
231 Commissioner Dubovik said future land use didn't mean the use had to change immediately. Mayor Mote
232 felt the community needed to look at future land uses that would be good for the community.

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234
235



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236 6. CONSIDERATION AND APPROVAL OF THE MARCH 21, 2024, REGULAR PLANNING
237 COMMISISON MINUTES
238

239 **Commissioner Baker moved to approve the March 21, 2024, minutes as written. Commissioner**
240 **Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.**
241

242 7. COMMISSIONER/STAFF COMMENTS
243

244 Time Stamp: 1:03:36 04/04/2024
245

246 Colt Mund
247

248 Did not have any comments.
249

250 Jeremy Kimpton
251

252 Jeremy Kimpton introduced Madison Brown, the new City Planner.
253

254 Jeremy Kimpton stated that the economic development plan process would start as soon as the agreement
255 had been signed.
256

257 Madison Brown
258

259 Did not have any comments.
260

261 Commissioner Beebe
262

263 Did not have any comments.
264

265 Commissioner Dubovik
266

267 Did not have any comments.
268

269 Commissioner Braegger
270

271 Commissioner Braegger stated that he spoke with Payden Vine yesterday regarding another spot on the
272 trail. He hoped to block it off with cones as it was a hazard. Jeremy Kimpton said he had spoken with
273 Payden about it. Payden had called Black and McDonald.
274

275 Commissioner Baker
276

277 Commissioner Baker asked what was happening with the fence on the Bay Road. Mr. Kimpton had not
278 heard about anything.
279

280 Commissioner Gilbert
281

282 Did not have any comments.
283



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284 Chairman Bodily

285
286 Did not have any comments.

287
288 8. ADJOURN

289
290 **Commissioner Baker moved to adjourn at 7:37 p.m. Commissioner Braegger seconded the motion.**
291 **All voted in favor. The motion passed unanimously.**

292
293
294 Minutes were read individually and approved on: _____

295
296
297
298
299 _____
300 Planning Commission, Chairman Sid Bodily
301 _____
302 Planning Commission Secretary Michelle Drago

dc:PC 04-04-2024

DRAFT