Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, July 20, 2023 – 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA

The meeting will be hold 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 Comment (Input for items not on the agenda. Individuals have three minutes for open comments)
4. Report from City Council
5. Discussion/Action Items
   a. Consideration of a lot line adjustment for Ryan Thurgood for property located at approximately 426 North 200 West, Eagles Nest Subdivision Lots 1 and 2 (Parcel Nos. 02-046-0080, and 02-046-0081)
   b. Public hearing to receive public input regarding a General Plan DRAFT which would amend Chapter 12-000 of the Willard City Zoning Ordinance
   c. Consideration and recommendation to the City Council regarding a General Plan DRAFT which would amend Chapter 12-000 of the Willard City Zoning
6. Consideration and approval of the July 6, 2023, 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, and sent to the Box Elder News Journal this 14th day of July, 2023.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODDTION 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.

Willard City Corporation

80 West 50 South
Box 593

Willard, Utah 84340
(435)734-9881

July 17, 2023

STAFF REPORT RYAN THURGOOD LOT LINE ADJUSTMENT REQUEST

In February of this year Ryan Thurgood came to the Planning Commission with a request for a lot line adjustment to include a shop that he had built, on to the same land parcel as the house that he was living in.

The Shop is located on the parcel of land that is next door to the South where his parents live at 402 North 200 West

The residence that Ryan owns is 426 North 200 West. Both parcels are part of the Eagles Nest Subdivision.

The request for a lot line adjustment was turned down at that time because it would have created a flag lot by reducing the frontage of 402 North 200 West to less than what is required for frontage on a city street.

Ryan has requested another lot line adjustment with a different configuration to keep the frontage on the 402 North 200 West lot the same but jog out the part where the shop is located and add it to the 426 North 200 West lot.

Since both parcels are part of a subdivision, this request becomes more complicated due to State Law which defines this request as an amendment to a subdivision plat.

Also, the shop seems to have been built partially on a Prescriptive Utility Easement that will need to be vacated if approved to move forward.

Section 10-9a-608 of the Land Use Code explains the process of amending a subdivision plat. It will require a petition, notification, and signatures of affected parties. Please refer to the copy in your packet.

Section 10-9a-609.5 part 2 refers to the process to vacate the easement. It requires a petition to vacate the easement and written notification to the utility providers and signatures from adjoining landowners. Please refer to the copy in your packet.

Once this documentation has been received then the City Council has 45 days to set a public hearing on the easement vacation and if approved, to adopt an ordinance approving the changes.

Staff Recommendation:

Staff recommends the requested lot line adjustment is creative but works and if the Planning Commission chooses to move forward with the request then have the applicant submit the Petitions, signature's, and notifications when completed to the city for review and that the City Council hold a public hearing, and adopt an ordinance if they choose to accept the changes.

Bryce Wheelwright
Willard City Planner

WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date: 1-10-23

Applicant: Ryan Thurgood

Mailing Address: P.O. Box 84 Willard UT 84340

Project Address: 426 N 200 W Willard

Phone Number: 801-499-4912

Cell Phone: 801-499-4912

Assessor's Parcel Number: 02-046-0060

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.

APPLICANT'S AFFIDAVIT

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

I, (we) Ryan Thurgood, 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 426 N 200 W 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 _____
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 6 day of Feb 2023

Susan K Obray
Notary Public, State of Utah
Commission # 712181
My Commission Expires
May 25, 2024

Susan K. Obray
Notary Public

Residing in Farr West, Utah
My commission expires: May 25, 2024

* 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: _____

XBP Confirmation Number: 136298605

Receipt for Payment to:
Willard City

Date/Time:	**01/23/2023 8:46:26 AM**
Transaction #:	**191014209PT**
Payment Method:	**Visa**
Transaction Status:	**Successful**

Items

CHARGES PC	**25.00**
Total:	**25.00**

KENDRA THURGOOD 84340

Receipt for Payment to:
Willard City

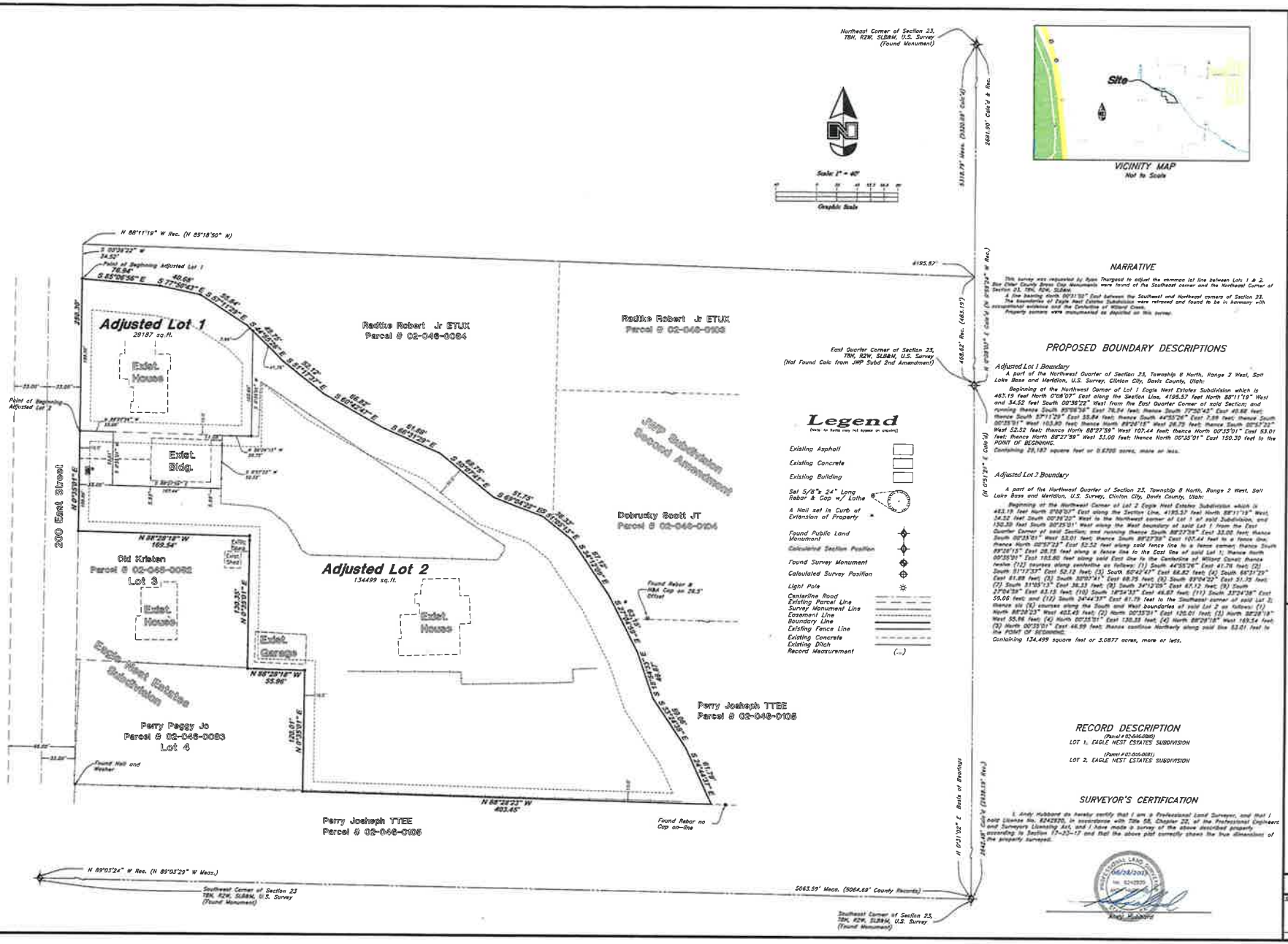
Date/Time:	**01/23/2023 8:46:27 AM**
Transaction #:	**191014211PT**
Payment Method:	**Visa**
Transaction Status:	**Successful**

Items

SERVICE FEE	**1.25**
Total:	**1.25**

KENDRA THURGOOD 84340

Payment Service Provided By
www.xpressbillpay.com



VICINITY MAP
Not to Scale

NARRATIVE

This survey was requested by Ryan Thurgood to adjust the common lot line between Lots 1 & 2, Box Elder County Brass Cap Monuments were found of the Southeast corner and the Northeast Corner of Section 23, T8N, R2W, SLB&M.

A line bearing North 00°31'02" East between the Southeast and Northeast corners of Section 23. The boundaries of Eagle Nest Estates Subdivision were retraced and found to be in harmony with occupational evidence and the Centerline of Willard Creek.

Property corners were monumented as depicted on this survey.

PROPOSED BOUNDARY DESCRIPTIONS

Adjusted Lot 1 Boundary

A part of the Northwest Quarter of Section 23, Township 8 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Clinton City, Davis County, Utah:

Beginning at the Northwest Corner of Lot 1 Eagle Nest Estates Subdivision which is 463.19 feet North 0°08'07" East along the Section Line, 4195.57 feet North 88°11'19" West and 34.52 feet South 00°39'22" West from the East Quarter Corner of said Section; and running thence South 85°05'56" East 76.94 feet; thence South 7°50'43" East 40.68 feet; thence South 5°11'29" East 55.84 feet; thence South 4°53'26" East 7.59 feet; thence South 00°35'01" West 103.80 feet; thence North 89°26'15" West 28.75 feet; thence South 00°52'23" West 52.52 feet; thence North 88°27'39" West 107.44 feet; thence North 00°35'01" East 53.01 feet; thence North 88°27'39" West 33.00 feet; thence North 00°35'01" East 150.30 feet to the POINT OF BEGINNING.

Containing 29,187 square feet or 0.6700 acres, more or less.

Adjusted Lot 2 Boundary

A part of the Northwest Quarter of Section 23, Township 8 North, Range 2 West, Salt Lake Base and Meridian, U.S. Survey, Clinton City, Davis County, Utah:

Beginning at the Northwest Corner of Lot 2 Eagle Nest Estates Subdivision which is 463.19 feet North 0°08'07" East along the Section Line, 4195.57 feet North 88°11'19" West, 34.52 feet South 00°39'22" West to the Northwest corner of Lot 1 of said Subdivision, and 150.30 feet South 00°35'01" West along the West boundary of said Lot 1 from the East Quarter Corner of said Section; and running thence South 88°27'39" East 33.00 feet; thence South 00°35'01" West 53.01 feet; thence South 88°27'39" East 107.44 feet to a fence line; thence North 00°52'23" East 52.52 feet along said fence line to a fence corner; thence South 89°26'15" East 28.75 feet along a fence line to the East line of said Lot 1; thence North 00°35'01" East 103.80 feet along said East line to the Centerline of Willard Canal; thence twelve (12) courses along centerline as follows: (1) South 44°55'26" East 41.76 feet; (2) South 31°17'37" East 52.12 feet; (3) South 60°42'47" East 66.82 feet; (4) South 69°31'29" East 61.88 feet; (5) South 32°07'41" East 68.75 feet; (6) South 89°04'22" East 51.75 feet; (7) South 31°05'13" East 38.33 feet; (8) South 34°12'05" East 85.12 feet; (9) South 27°04'39" East 83.15 feet; (10) South 18°24'33" East 46.87 feet; (11) South 33°24'38" East 59.08 feet; and (12) South 24°44'37" East 61.79 feet to the Southeast corner of said Lot 2; thence six (6) courses along the South and West boundaries of said Lot 2 as follows: (1) North 88°28'23" West 403.45 feet; (2) North 00°35'01" East 120.01 feet; (3) North 88°28'19" West 55.96 feet; (4) North 00°35'01" East 130.35 feet; (4) North 88°26'18" West 169.54 feet; (5) North 00°35'01" East 46.59 feet; thence continue Northerly along said line 53.01 feet to the POINT OF BEGINNING.

Containing 134,499 square feet or 3.0877 acres, more or less.

RECORD DESCRIPTION

(Parcel # 02-046-0082)

LOT 1, EAGLE NEST ESTATES SUBDIVISION

(Parcel # 02-046-0083)

LOT 2, EAGLE NEST ESTATES SUBDIVISION

SURVEYOR'S CERTIFICATION

I, Andy Hubbard do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 8242320, in accordance with Title 58, Chapter 22, of the Professional Engineers and Surveyors Licensing Act, and I have made a survey of the above described property according to Section 17-23-17 and that the above plat correctly shows the true dimensions of the property surveyed.

06/28/2023

Andy Hubbard

GREAT BASIN ENGINEERING

574 South 1475 East Ogden Utah 84403
Main 801.627.1517 Fax 801.627.1516
www.greatbasinengineering.com

NO.	DESCRIPTION	DATE

Lot Line Adjustment

RJT Willard

402 North 200 West
Willard City, Box Elder County, Utah

A part of the West Half of Section 23, T8N, R2W, SLB&M, U.S. Survey

6 June, 2023

SHEET NO.

LLA

20#739

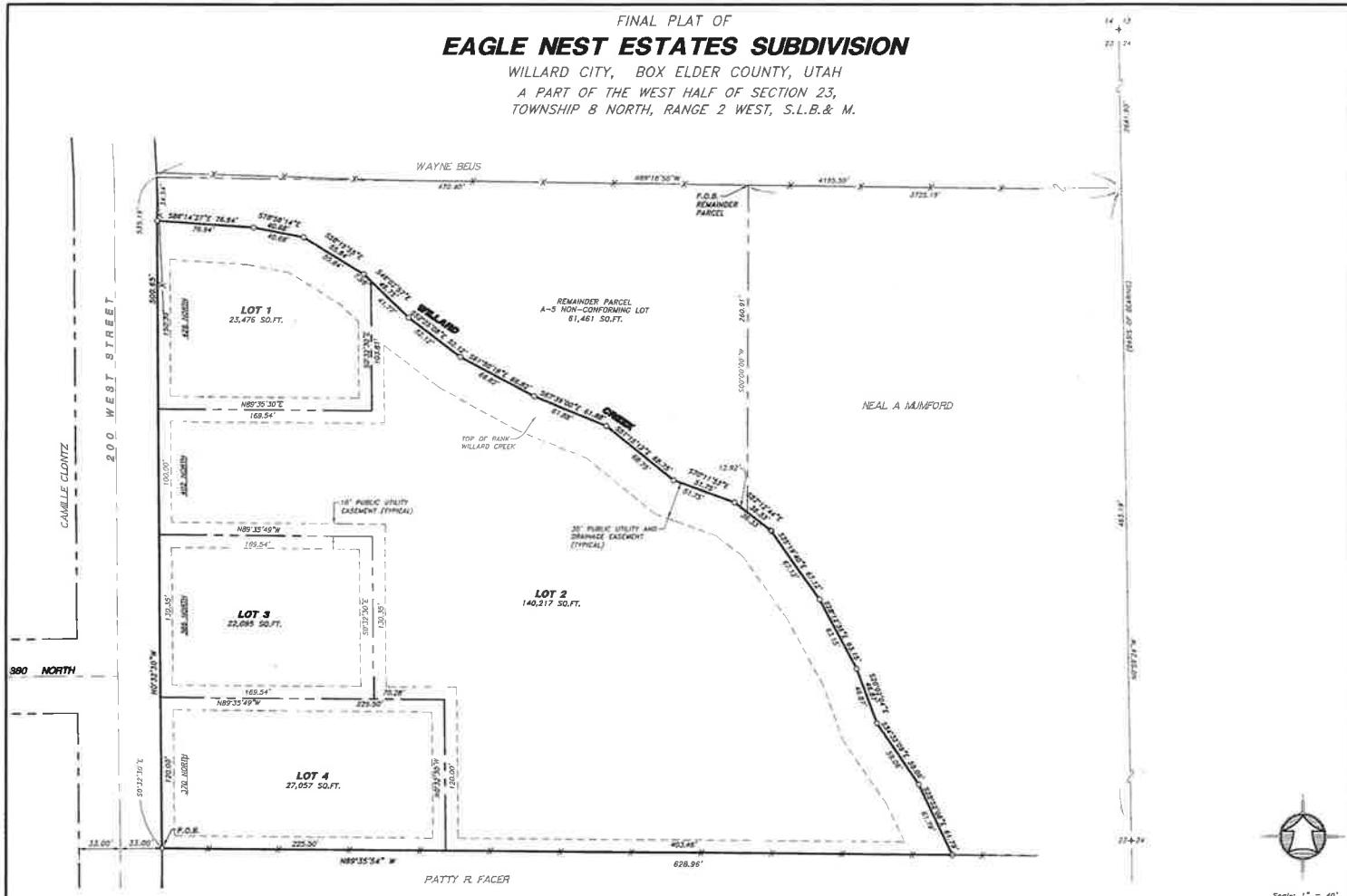
FINAL PLAT OF

EAGLE NEST ESTATES SUBDIVISION

WILLARD CITY, BOX ELDER COUNTY, UTAH

A PART OF THE WEST HALF OF SECTION 23,

TOWNSHIP 8 NORTH, RANGE 2 WEST, S.L.B.& M.



SURVEYOR'S CERTIFICATE

I, K. GREG HANSEN, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 167819 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH, I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS HEREAFTER TO BE KNOWN AS: EAGLE NEST ESTATES SUBDIVISION AND THE SAME HAS BEEN CORRECTLY SURVEYED AS SHOWN.

BOUNDARY DESCRIPTION

A PART OF THE WEST HALF OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.

BEGINNING AT A POINT ON THE EAST RIGHT-OF-WAY LINE OF 200 WEST STREET, SAID POINT BEING LOCATED NORTH 00°59'24" WEST 463.20 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER AND NORTH 89°18'50" WEST 4195.59 FEET, AND SOUTH 00°32'30" EAST 535.19 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION, RUNNING THENCE NORTH 00°32'30" WEST 500.63 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE CENTER OF WILLARD CREEK; THENCE ALONG THE CENTER OF SAID WILLARD CREEK THE FOLLOWING FIFTEEN COURSES; (1) SOUTH 88°14'27" EAST 76.94 FEET; (2) SOUTH 78°58'14" EAST 40.68 FEET; (3) SOUTH 58°19'55" EAST 55.84 FEET; (4) SOUTH 44°02'57" EAST 49.75 FEET; (5) SOUTH 32°25'08" EAST 52.12 FEET; (6) SOUTH 81°50'18" EAST 66.82 FEET; (7) SOUTH 67°39'00" EAST 61.88 FEET; (8) SOUTH 51°15'12" EAST 68.75 FEET; (9) SOUTH 70°11'53" EAST 51.75 FEET; (10) SOUTH 52°13'44" EAST 36.33 FEET; (11) SOUTH 35°19'40" EAST 67.12 FEET; (12) SOUTH 28°12'36" EAST 63.15 FEET; (13) SOUTH 27°02'04" EAST 46.87 FEET; (14) SOUTH 34°32'09" EAST 59.06 FEET; (15) SOUTH 25°52'08" EAST 61.79 FEET; THENCE NORTH 89°35'54" WEST 628.96 FEET TO THE POINT OF BEGINNING. CONTAINING 4.886 ACRES AND 4 LOTS.

REMAINDER DESCRIPTION

A PART OF THE WEST HALF OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN.

BEGINNING AT A POINT LOCATED NORTH 00°59'24" WEST 463.19 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER AND NORTH 89°18'50" WEST 3721.19 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION 23, RUNNING THENCE SOUTH 00°00'00" WEST 260.91 FEET; THENCE NORTH 57°12'44" WEST 12.02 FEET; THENCE NORTH 70°11'53" WEST 51.75 FEET; THENCE NORTH 51°15'12" WEST 68.75 FEET; THENCE NORTH 67°39'00" WEST 61.88 FEET; THENCE NORTH 81°50'18" WEST 66.82 FEET; THENCE NORTH 32°25'08" WEST 52.12 FEET; THENCE NORTH 44°02'57" WEST 49.75 FEET; THENCE NORTH 58°19'55" WEST 55.84 FEET; THENCE NORTH 78°58'14" WEST 40.68 FEET; THENCE NORTH 88°14'27" WEST 76.94 FEET TO SAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 00°32'30" WEST 34.54 FEET; THENCE SOUTH 89°18'50" EAST 270.40 FEET TO THE POINT OF BEGINNING. CONTAINING 1.411 ACRES

Narrative

THE PURPOSE OF THIS SURVEY WAS TO ESTABLISH AND SET THE PROPERTY CORNERS OF THE PARCELS AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY ROGER WELLS TO SPLIT THE PROPERTY INTO FOUR (4) RESIDENTIAL PARCELS. THE CONTROL USED TO ESTABLISH THE PROPERTY LINES WAS THE EXISTING BOX ELDER CO. SURVEYOR SECTION CORNER MONUMENTATION SURROUNDING SECTION 23, T8N, R2W, SLB&M WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 23 BEING THE BASIS OF BEARING ASSUMED TO BEAR NORTH 00°59'24" WEST.

COUNTY SURVEYOR'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THIS OFFICE. THIS IN NO WAY RELIEVES THE SUBDIVISION SURVEYOR OF AN LIABILITY.

8/17/05 DATE — COUNTY SURVEYOR

COUNTY RECORDER'S NO. 216965

STATE OF UTAH, COUNTY OF BOX ELDER, RECORDED AND FILED AT THE REQUEST OF ROGER WELLS
DATE AUG 24 2005 TIME 4:57 P.M. FEE $36.00
ABSTRACTED ____ INDEXED ____
INDEX ____
FILED IN: ____ FILE OF PLATS — COUNTY RECORDER

PLANNING COMMISSION APPROVAL

APPROVED THIS 10th DAY OF August A.D., 2005 BY THE WILLARD CITY PLANNING COMMISSION.

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 18th DAY OF August A.D., 2005

ATTORNEY

APPROVAL AND ACCEPTANCE

PRESENTED TO THE Willard City THIS 16 DAY OF Aug. A.D., 2005 AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST Jeri Fellows CLERK — Joan Loveland MAYOR

ACKNOWLEDGMENT

STATE OF Utah
COUNTY OF Box Elder

ON THIS 28th DAY OF July 2005, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, Roger Wells, Peggy Jo Berry THE SIGNERS OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT THEY SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

Jeri D. Fellows MY COMMISSION EXPIRES 8-15-06

NOTARY PUBLIC RESIDING IN Willard, Box Elder COUNTY, UTAH.

BEAR RIVER DISTRICT HEALTH DEPT. APPROVAL

WASTE DISPOSAL SYSTEM & CULINARY SYSTEM APPROVAL

THIS 22 DAY OF July 2005

DISTRICT SANITARIAN

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main, Brigham City, Utah 84302
Brigham City (435)723-3481 — Ogden (801)399-4905 — Logan (435)752-8272

04-149 04-149.DWG 05/31/05

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS AS SHOWN ON THIS PLAT AND NAME SAID TRACT EAGLE NEST ESTATES SUBDIVISION AND HEREBY DEDICATE, GRANT AND CONVEY TO WILLARD CITY, BOX ELDER COUNTY, UTAH, ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY WILLARD CITY. IN WITNESS WE HAVE HEREUNTO SET OUR SIGNATURE THIS 28 DAY OF July, 2005.

Eva Lane Peggy Jo Berry, Attorney in Fact — G. Roger Wells

Peggy Jo Berry

Y:\2004\04-149 JPP Subd\plat\drawings\04-149.dwg, Final, 7/22/2005 12:56:46 PM, Mike Hansen

No excavation, and no grading or re-grading, shall take place on any Subject Property except as required by the City or other governmental entities to meet percolation, geological, or other tests, and no building permits shall be issued by the City, until a Final Subdivision Application has been approved and the Final Subdivision Plat has been recorded in the Office of the Box Elder County Recorder, and a Preconstruction Meeting has been held with the City Engineer to identify the requirements for the construction and installation of all required subdivision improvements, facilities, services, and amenities.

12-400-5-14. Appeal of Final Subdivision Application Decisions:
Any person aggrieved by a decision of the SLUA related to a Final Subdivision Application may appeal the decision to the City Council, the Council acting as the Appeal Authority for Final Subdivision Application decisions by the SLUA.

12-400-5-15. Appeal of Final Subdivision Application Decisions (Scope of Review):
1. In any appeal from any Final Subdivision Application decision, the review by the City Council acting as the Appeal Authority shall be limited to whether the decision of the SLUA complied with the requirements of this Ordinance.

2. The Council's review of a decision by the SLUA shall be strictly limited to the facts, materials, statements, and matters made available on the record to the SLUA, prior to the decision from which the appeal is made.

12-400-5-16. Standard of Review for Appeals:
1. In reviewing the decisions rendered by the SLUA upon any appeal taken, review is limited to whether the decision was made in compliance with the requirements of the Act and this Ordinance.

2. Review shall not include any consideration of issues, materials, facts or other matters where the same were not made available to the SLUA, of record, prior to the decision appealed.

SECTION SIX
12-400-6. VACATING OR AMENDING A RECORDED FINAL SUBDIVISION PLAT, STREET OR ALLEY FINAL

12-400-6-01. Amendment to a Recorded Final Subdivision Plat:
The Council may vacate or amend a recorded Final Subdivision Plat or any portion of a recorded Final Subdivision Plat by following and complying with all requirements for vacating or changing a Subdivision Plat, as identified by Sections 10-9a-608 and 10-9a-609, Utah Code Annotated, 1953, as amended.

12-400-6-02. Vacating or Altering a Street or Alley:
The Council may vacate or alter a street or alley by following and complying with all requirements for vacating or altering a street or alley, as identified at Section 10-9a-609.5, Utah Code Annotated, 1953, as amended.

12-400-6-03. Appeal of Subdivision Amendment Decisions:
Any person aggrieved by a decision of the Council concerning a vacation or amendment of a recorded Final Subdivision Plat, or any portion of a recorded Final Subdivision Plat, or the decision of the Council concerning the vacation or alteration of a street or alley may appeal such decision to District Court, the Court acting as the Appeal Authority.

SECTION SEVEN
12-400-7. SUBDIVISION ORDINANCE AMENDMENTS

12-400-7-01. Intent and Purpose:
It is the intent of this Ordinance that a decision related to a Subdivision Ordinance Amendment Application be a discretionary action by the Council, acting as the Land Use Authority. A decision by the Council related to a Subdivision Ordinance Amendment Application shall be accompanied by findings of fact, following the receipt of a Commission recommendation, such recommendation also being accompanied by findings of fact. For the purposes of this Ordinance, the procedures and requirements for the consideration of a Subdivision Ordinance Amendment Application are provided to promote the full consideration of all items related to the proposed Subdivision Ordinance Amendment Application. The Commission shall identify and address all items applicable to a Subdivision Ordinance Amendment Application prior to providing a recommendation to the Council. The Council shall identify and address all items applicable to a Subdivision Ordinance Amendment Application prior to approving, approving with requirements, or

Effective 5/3/2023

10-9a-608 Subdivision amendments.

(1)

(a) A fee owner of land, as shown on the last county assessment roll, in a subdivision that has been laid out and platted as provided in this part may file a written petition with the land use authority to request a subdivision amendment.

(b) Upon filing a written petition to request a subdivision amendment under Subsection (1)(a), the owner shall prepare and, if approved by the land use authority, record a plat in accordance with Section 10-9a-603 that:

(i) depicts only the portion of the subdivision that is proposed to be amended;

(ii) includes a plat name distinguishing the amended plat from the original plat;

(iii) describes the differences between the amended plat and the original plat; and

(iv) includes references to the original plat.

(c) If a petition is filed under Subsection (1)(a), the land use authority shall provide notice of the petition by mail, email, or other effective means to each affected entity that provides a service to an owner of record of the portion of the plat that is being vacated or amended at least 10 calendar days before the land use authority may approve the petition for a subdivision amendment.

(d) If a petition is filed under Subsection (1)(a), the land use authority shall hold a public hearing within 45 days after the day on which the petition is filed if:

(i) any owner within the plat notifies the municipality of the owner's objection in writing within 10 days of mailed notification; or

(ii) a public hearing is required because all of the owners in the subdivision have not signed the revised plat.

(e) A land use authority may not approve a petition for a subdivision amendment under this section unless the amendment identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the subdivision.

(2) The public hearing requirement of Subsection (1)(d) does not apply and a land use authority may consider at a public meeting an owner's petition for a subdivision amendment if:

(a) the petition seeks to:

(i) join two or more of the petitioner fee owner's contiguous lots;

(ii) subdivide one or more of the petitioning fee owner's lots, if the subdivision will not result in a violation of a land use ordinance or a development condition;

(iii) adjust the lot lines of adjoining lots or between a lot and an adjoining parcel if the fee owners of each of the adjoining properties join in the petition, regardless of whether the properties are located in the same subdivision;

(iv) on a lot owned by the petitioning fee owner, adjust an internal lot restriction imposed by the local political subdivision; or

(v) alter the plat in a manner that does not change existing boundaries or other attributes of lots within the subdivision that are not:

(A) owned by the petitioner; or

(B) designated as a common area; and

(b) notice has been given to adjoining property owners in accordance with any applicable local ordinance.

(3) A petition under Subsection (1)(a) that contains a request to amend a public street or municipal utility easement is also subject to Section 10-9a-609.5.

(4) A petition under Subsection (1)(a) that contains a request to amend an entire plat or a portion of a plat shall include:
(a) the name and address of each owner of record of the land contained in the entire plat or on that portion of the plat described in the petition; and
(b) the signature of each owner described in Subsection (4)(a) who consents to the petition.
(5)
(a) The owners of record of adjoining properties where one or more of the properties is a lot may exchange title to portions of those properties if the exchange of title is approved by the land use authority as a lot line adjustment in accordance with Subsection (5)(b).
(b) The land use authority shall approve a lot line adjustment under Subsection (5)(a) if the exchange of title will not result in a violation of any land use ordinance.
(c) If a lot line adjustment is approved under Subsection (5)(b):
(i) a notice of lot line adjustment approval shall be recorded in the office of the county recorder which:
(A) is approved by the land use authority; and
(B) recites the legal descriptions of both the original properties and the properties resulting from the exchange of title; and
(ii) a document of conveyance shall be recorded in the office of the county recorder.
(d) A notice of approval recorded under this Subsection (5) does not act as a conveyance of title to real property and is not required in order to record a document conveying title to real property.
(6)
(a) The name of a recorded subdivision may be changed by recording an amended plat making that change, as provided in this section and subject to Subsection (6)(c).
(b) The surveyor preparing the amended plat shall certify that the surveyor:
(i) holds a license in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act;
(ii)
(A) has completed a survey of the property described on the plat in accordance with Section 17-23-17 and has verified all measurements; or
(B) has referenced a record of survey map of the existing property boundaries shown on the plat and verified the locations of the boundaries; and
(iii) has placed monuments as represented on the plat.
(c) An owner of land may not submit for recording an amended plat that gives the subdivision described in the amended plat the same name as a subdivision in a plat already recorded in the county recorder's office.
(d) Except as provided in Subsection (6)(a), the recording of a declaration or other document that purports to change the name of a recorded plat is void.

Amended by Chapter 501, 2023 General Session

Section 609.5 Petition to vacate a public street. *(Effective 5/5/2021)*

Effective 5/5/2021
10-9a-609.5.
Petition to vacate a public street.

(1) In lieu of vacating some or all of a public street through a plat or amended plat in accordance with Sections 10-9a-603 through 10-9a-609, a legislative body may approve a petition to vacate a public street in accordance with this section.

(2) A petition to vacate some or all of a public street or municipal utility easement shall include:

(a) the name and address of each owner of record of land that is:

(i) adjacent to the public street or municipal utility easement between the two nearest public street intersections; or

(ii) accessed exclusively by or within 300 feet of the public street or municipal utility easement;

(b) proof of written notice to operators of utilities and culinary water or sanitary sewer facilities located within the bounds of the public street or municipal utility easement sought to be vacated; and

(c) the signature of each owner under Subsection (2)(a) who consents to the vacation.

(3) If a petition is submitted containing a request to vacate some or all of a public street or municipal utility easement, the legislative body shall hold a public hearing in accordance with Section 10-9a-208 and determine whether:

(a) good cause exists for the vacation; and

(b) the public interest or any person will be materially injured by the proposed vacation.

(4) The legislative body may adopt an ordinance granting a petition to vacate some or all of a public street or municipal utility easement if the legislative body finds that:

(a) good cause exists for the vacation; and

(b) neither the public interest nor any person will be materially injured by the vacation.

(5) If the legislative body adopts an ordinance vacating some or all of a public street or municipal utility easement, the legislative body shall ensure that one or both of the following is recorded in the office of the recorder of the county in which the land is located:

(a) a plat reflecting the vacation; or

(b) (i) an ordinance described in Subsection (4); and

(ii) a legal description of the public street to be vacated.

(6) The action of the legislative body vacating some or all of a public street or municipal utility easement that has been dedicated to public use:

(a) operates to the extent to which it is vacated, upon the effective date of the recorded plat or ordinance, as a revocation of the acceptance of and the relinquishment of the municipality's fee in the vacated public street or municipal utility easement; and

(b) may not be construed to impair:

(i) any right-of-way or easement of any parcel or lot owner;

(ii) the rights of any public utility; or

(iii) the rights of a culinary water authority or sanitary sewer authority.

(7) (a) A municipality may submit a petition, in accordance with Subsection (2), and initiate and complete a process to vacate some or all of a public street.

(b) If a municipality submits a petition and initiates a process under Subsection (7)(a):

(i) the legislative body shall hold a public hearing;

(ii) the petition and process may not apply to or affect a public utility easement, except to the extent:

(A) the easement is not a protected utility easement as defined in Section 54-3-27;

(B) the easement is included within the public street; and

(C) the notice to vacate the public street also contains a notice to vacate the easement; and

(iii) a recorded ordinance to vacate a public street has the same legal effect as vacating a public street through a recorded plat or amended plat.

(8) A legislative body may not approve a petition to vacate a public street under this section unless the vacation identifies and preserves any easements owned by a culinary water authority and sanitary sewer authority for existing facilities located within the public street.

Willard City Corporation

80 West 50 South
Box 593

Willard, Utah 84340
(435)734-9881

NOTICE OF PUBLIC HEARING
WILLARD CITY PLANNING COMMISSION

Notice is hereby given that the Willard City Planning Commission will hold a public hearing to receive public comment regarding a General Plan DRAFT which would amend Chapter 12-000 of the Willard City Zoning Ordinance.

The public hearing will be held on Thursday, July 20, 2023, at 6:30 p.m. in the Willard City Council Chambers, 80 West 50 South, Willard, Utah, during a regular Planning Commission meeting.

Information regarding this matter is available during business hours by contacting the Willard City Planner at 435-723-9881. Business hours are 8:00 a.m. to 5:00 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Friday. There will also be an opportunity to review the General Plan DRAFT for one hour (5:30 to 6:30 p.m.) prior to the public hearing on July 20th.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communications, aids, and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah, phone number (435) 734-9881, at least three working days prior to the meeting.

I, the undersigned duly appointed 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; two other places in the community; on the State of Utah Public Meeting Notice website http://www.utah.gov/pmn/index.html; on the Willard City website www.willardcity.com; and sent to the Box Elder News Journal this 7th day of July, 2023.

/s/Michelle Drago
Deputy City Recorder

WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, July 6, 2023 – 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
Zack Hulsey

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

Excused: Chris Davis, City Manager; Brian Gilbert; and Blake Harrop

Others in attendance: Mayor Travis Mote; Councilman John Seamons; Ken Ormond; Ruth Ormond; Pat Burns, Lync Construction; Rew Wiley; Chris Marx; and Nate Bradshaw.

The meeting was called to order at 6:3 p.m.

1. PRAYER: Alex Dubovik

2. PLEDGE OF ALLEGIANCE: Diana Baker

3. GENERAL PUBLIC COMMENTS

There weren't any comments.

4. CITY COUNCIL REPORT

Time Stamp: 2:28 07/06/2023

Councilman John Seamons stated that during the June 22nd City Council meeting, the City Council reviewed and approved the FY23-24 budget. A good summary of the budget could be found in *The Box Elder Journal*. The City was in fairly good shape. The Utility Enterprise Fund was in really good shape. The Council had

Councilman Seamons stated that the Council had a long discussion regarding Box Elder County's new policy regarding unincorporated properties that wanted to develop. The County was telling them that they had to request annexation from the incorporated entity that included their property in an Annexation Policy Declaration. As a result, the City was receiving annexation requests that it didn't know what to do with. The City Council had determined that the City wouldn't accept annexation requests that didn't comply with its annexation policy. It also felt there should be a joint work session with the Planning Commission to decide what the City's annexation policy should be. Box Elder County had dumped a load on the City that it did not know what to do with.

Bryce Wheelwright, City Planner, stated that the annexation process was quite lengthy and costly. It put a big burden on the individual property owners. It didn't make sense for Willard to annex property that was located on the west side of the freeway by the Weber County line. It would not benefit the City, and it would

be expensive for the City to provide such property with police and fire protection. Only after an incorporated entity turned down an annexation request could the property owner subdivide or develop in the County.

Mayor Mote hoped to hold a joint work session in August after the City Attorney had had a chance to review the state's annexation policy. Councilman Seamons suggested that the Planning Commission review the City's Annexation Policy Declaration.

Colt Mund, City Attorney, said he also planned to meet with the County Attorney in order to understand the reason for the new policy.

Councilman Seamons stated that the City Council had received a petition for permission to run a sewer line from Perry along 200 West and connect to Willard City's sewer line that ran into the Waste Water Treatment Plant. The City needed to iron out a wheeling agreement to outline how Willard would be compensated for Perry sewage in the City line. He provided the Planning Commission members copies of the documentation provided by the City Engineer.

Councilman Seamons also provided the Planning Commission with a copy of the monthly status report from the Police Department. The City Council appointed two alternates to the Planning Commission – Chad Braegger and Brian Gilbert. Both planned to regularly attend the Planning Commission meetings and be available if a Planning Commission member was unable to attend.

Councilman Seamons stated that the City Manager had reported that UDOT would charge Willard City $2,400 for an engine brake sign.

Councilman Seamons asked Bryce Wheelwright to provide an update on the HOP Trail. Bryce Wheelwright stated that Willard City had to come up with a large portion of the required matching funds. The property itself could be used as the matching amount, but the City had to come up with an appraisal for that property. Councilman Seamons said the City wasn't done rattling the cage. The appraisal would cover 2.5 miles of property that was 16 feet in width. There would be a cost involved so the City was trying use someone else's appraisal.

Councilman Seamons reported that there would be a fence installed at the mount of Willard Canyon to delineate the Wells property. It would have a gate that would be accessible by the City for Fire and Public Works, but not the general public.

5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PROPOSAL TO AMEND THE CURB, GUTTER, AND SIDEWALK REGULATIONS FOUND IN CHAPTER 12-102-18 OF THE WILLARD CITY ZONING ORDINANCE TO CONFORM TO THE WILLARD CITY PUBLIC WORK STANDARDS

Time Stamp: 12:48 07/06/2023

Chairman Bodily read the Willard City Rules of Order Statement.

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

Bryce Wheelwright stated that the Planning Commission was aware that the curb, gutter, and sidewalk had been a hot topic for quite some time. The Subdivision Ordinance stated that all roads would have curb,

gutter, and sidewalk. The Supplementary and Qualifying regulations found in the Zoning Ordinance said curb, gutter, and sidewalk could be waived in certain circumstances approved by the Planning Commission. The Public Works Standards provided for an alternative low impact roadway that used swales instead of curb and gutter where approved by the City Engineer. The City was trying to establish uniform requirements that would provide the leeway necessary to determine if curb, gutter, and sidewalk should be required. The Subdivision Ordinance was amended last year. If the Zoning Ordinance was amended, there should be harmony between all three regulations.

Chairman Bodily opened the floor for public comments.

Nate Bradshaw, 565 South 200 East, preferred low curb with no sidewalk. The Granite Ridge Subdivision had curb, gutter, and sidewalk, which directed storm water down 200 East that caused damage. Willard was rural. He felt owners should be able to pull a trailer into any spot along their property. Curb and gutter was too high and restrictive for the types of vehicles found in Willard. Sidewalk seemed too urban.

Chris Marx, 297 West 380 North, stated that having curb and gutter everywhere did not give the Willard feel. Curb and gutter was a function. If the City was really worried about drainage, it could be handled in other ways just as well as curb and gutter. He moved here because of the Willard feel. If the City required curb and gutter everywhere, that feel would be lost.

There were no further comments.

Commissioner Dubovik moved to close the public hearing at 6:49 p.m. Commissioner Hulsey seconded the motion. All voted "aye." The motion carried.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PROPOSAL TO AMEND THE CURB, GUTTER, AND SIDEWALK REGULATIONS FOUND IN CHAPTER 12-102-18 OF THE WILLARD CITY ZONING ORDINANCE TO CONFORM TO THE WILLARD CITY PUBLIC WORK STANDARDS

Time Stamp 20:05 07/06/2023

Chairman Bodily felt it was a good idea to get all of the City's regulations on the same note. He also felt it was important for the City to have some leeway. He didn't feel it made sense to have curb and gutter everywhere in Willard. What would the City do with the storm water collected by the curb and gutter? The City did not have a storm drain system. He felt the City Engineer should determine the drainage needs and requirements for each situation.

Commissioner Baker was in favor of an amendment to make everything uniform.

Colt Mund stated that the proposed draft read: ***12-102-18. Curbs, Gutters, and Sidewalks.*** *In accordance with Chapter 12-400-11-10, the installation of curbs, gutters, and sidewalks may be required with any residential or commercial subdivision on both sides of all existing or proposed streets in conformance with the Willard City Public Works Standards.* The proposed amendment was consistent with the Subdivision Ordinance, which was amended last year, and the Public Works Standards that were adopted in 2020.

Chad Braegger felt there were areas on the east side where curb and gutter might be helpful. In other places, storm water drained off well with swales. His only concern about swales was about proper pipe sizing under driveways to prevent crushing and collapsing.

Commissioner Hulsey felt proper pipe sizing could be addressed in the storm drain plan approved by the City Engineer.

Commissioner Hulsey moved to recommend that the City Council consider an amendment to the curb, gutter, and sidewalk regulations found in Chapter 12-102-18 of the Willard City Zoning Ordinance, as written, to conform with the Willard City Subdivision Ordinance and Public Works Standards. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.

5C. REVIEW THE MAY 2023 GENERAL PLAN DRAFT AND SET A PUBLIC HEARING

Time Stamp 25:27 07/06/2023

Chairman Bodily asked if the Planning Commission had any comments.

Commissioner Dubovik felt everything that the City Council and Planning Commission discussed in the February 20th work session had been addressed.

Commissioner Baker wished the general plan had a better map of the City streets. Mayor Mote stated that after the General Plan was adopted, the City needed to tackle a transportation plan. Bryce Wheelwright stated that the City had a master road plan.

Bryce Wheelwright suggested that the Planning Commission members carefully review the Future Land Use Map.

Commissioner Hulsey that Chandler Bingham pointed out that Willard was famous for its fruits and its orchards, yet most of the places that the Future Land Use Map preserved were agricultural lands, not orchards. The Planning Commission might want to consider preserving some of the orchards.

Commissioner Baker hoped that children of local farmers would not end up with only one option – to sell to developers. Chairman Bodily stated that someone had to be willing to operate the farm. The City could not make that call.

Chris Marx stated that the proposed Future Land Use Map designated all of the land in his area, even existing neighborhoods, as A-3. He felt that needed to be reviewed. Designating everything as A-3 would make all of the existing homes illegal, or non-conforming. He felt that was an error that should be looked at.

Bryce Wheelwright stated that the yellow area on the new Future Land Use Map (found on Page 54 of the General Plan Draft) was Residential with lot sizes of one to three acres. It included Old Town Willard.

Commissioner Hulsey didn't feel there was an error. This area had been discussed. The City Council and Planning Commission realized that Old Town Willard would have lots smaller than one to three acres. What was already there was there. However anything new would be one to three acres in size. The public hearing would help the Planning Commission and City Council determine if that was the right approach.

Chad Braegger asked if the map should be changed to orange to reflect the existing half-acre lots. Then the map would be accurate.

Commissioner Hulsey felt that might be difficult because there were so many pockets of smaller lots.

Commissioner Dubovik felt the Future Land Use Map was a tool that would guide the Planning Commission and City Council in the future. He realized that there would be consternation about why someone could not have half-acre lots if there were already half acre lot there. The City had made a decision about what the future would look like, and that is what would happen going forward.

Commissioner Hulsey was having a hard time reconciling the Future Land Use Map with the Master Plan Community Zone. The MPC Zone could be applied to the different land uses and create its own zone/land use. If an MPC was approved in the middle of an agricultural area, the Future Land Use Map would no longer be useful.

Chairman Bodily stated that an applicant could apply for an MPC Zone, and the Planning Commission and City Council would determine if the application benefitted Willard.

Commissioner Hulsey felt the MPC would only apply to areas the City wanted to keep agricultural because that was the only area left with more than 20 acres.

Commissioner Dubovik felt there should be more green/agricultural on the east side of Highway 89.

There was a discussion about how much notice was required for a General Plan hearing. The City Attorney said the City only needed to provide a 10-day notice.

Commissioner Dubovik moved to schedule a public hearing to receive public input on the General Plan Draft for July 20, 2023, at 6:30 p.m. Commissioner Hulsey seconded the motion. All voted "aye." The motion unanimously.

There was a discussion about making the Future Land Use Map and General Plan draft available for the public to review. Mayor Mote asked that a copy of the Future Land Use Map be posted on the City's website. Hard copies were available in the City office. Mayor Mote asked that the administration contact Bruce Parker to determine if a link to the General Plan could be shared.

Chad Braegger suggested that bigger prints of the Future Land Use Map be posted at the public hearing.

The Planning Commission decided to have the map and draft plan available for the public to review from 5:30 to 6:30 p.m. on July 20th.

6. CONSIDERATION AND APPROVAL OF MAY 18 AND JUNE 1, 2023, REGULAR PLANNING COMMISSION MINUTES

Commissioner Baker moved to approve the May 18 and June 1, 2023, minutes as written. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 46:38 07/06/2023

Mayor Mote

Mayor Mote stated that he discussed the MPC Zone with the Planning Commission a few weeks ago. Since then he had met with Chris Davis, the City Manager, Colt Mund, the City Attorney, and Bryce Wheelwright, the City Planner. The City Attorney had clarified that the MPC Ordinance tied density to the master plan in two different places. The buyback clause was imbedded in the open space section. Because of the way the ordinance was crafted, a developer could not buy down density infinitely. There was a 20% minimum open space. A developer had the potential to buy down only some of the open space.

Colt Mund stated that the open space issue was different from the density issue. After an MPC submitted and received preliminary approval of a plan, a developer could reduce the amount of open space he was required to provide, or dedicate, by buying some back, or by paying a fee in lieu of. If a developer only wanted to have 10% of open space, he could pay a fee in lieu of. The City could then use those funds for other amenities it deemed necessary. The MPC Ordinance said density was tied to the goals and policies of the general plan. The Planning Commission and City Council would have to determine if an MPC plan fit the goals and policies of the general plan.

Commissioner Hulsey asked if open space was factored into the density calculations. Colt Mund said density was calculated on the entire acreage. The MPC Ordinance said open space had to be buildable land. A developer could not give or dedicate to the City open space land that was not buildable. For example, a wetland area would not count as open space because it was not buildable. Commissioner Hulsey clarified that open space was based on overall buildable acreage while density was calculated on the entire acreage.

Chad Braegger asked if a developer could buy down the entire open space. Colt Mund stated that the MPC Ordinance did not limit the amount of open space that could be bought back.

Pat Burns, Lync Construction, asked why a developer would buy down open space if it didn't increase the density.

Mayor Mote felt the open space and MPC Zone allowed the density to be clustered, which would save on infrastructure costs.

Commissioner Hulsey explained that if acreage was unbuildable, it still counted toward the density. If open space could be bought down, a developer could gain back that acreage.

Pat Burns stated that the MPC Zone allowed lot size to be decreased to get the number of lots needed for the density. So, why would a developer buy back open space if it didn't increase the density? In his opinion an MPC Zone meant increased density. He asked how much density could be increased. If he had 20 acres with a 1 acre lot size and a 20% open space requirement, he could put 20 homes on 16 acres. If he bought down the open space, he wouldn't get any more homes. So why would he want to buy down the open space?

Colt Mund stated that the whole idea of the MPC Zone was to allow high density development.

Mayor Mote felt the MPC Zone was meant to allow flexibility by allowing homes to be clustered. That would save on infrastructure costs. He agreed the density would not be increased a lot, because the only land to buy back was the open space. A developer didn't have to do an MPC Zone. The City wasn't twisting anyone's arms. The MPC Zone was just a tool. This was a brand new ordinance. There were questions that would have to be wrestled with. The buyback clause had been confusing to him. He originally thought the ordinance was more flexible than it was.

There was further discussion.

Pat Burns stated that he developed land for a living, and the MPC ordinance confused him. In other cluster ordinances and master planned communities buying back open space meant getting a bonus density.

Commissioner Hulsey said the City's goal was not to have a bunch of high density areas.

Commissioner Dubovik felt an MPC should be something that was thoughtful; something that would benefit the community. He felt there was verbiage in the MPC ordinance to allow the Planning Commission and City Council to make a decision that would be in the best interest of the community.

Bryce Wheelwright

Bryce Wheelwright felt the 4th of July had gone well. The City had appreciated everyone's help. He was impressed with the use of a helicopter to hang the flag on Willard Peak.

Colt Mund

Did not have any comments

Commissioner Dubovik

Did not have any comments.

Commissioner Braegger

Commissioner Braegger stated that Rocky Mountain Power had started to install the underground power line on 200 West, which would provide more power to the City. He was worried there would be damage to the shoulder of the trail when they were done. The City would have to make a good inspection before Rocky Mountain Power left to make sure the trail and shoulder were repaired.

Commissioner Braegger asked if he would have a vote when he was acting as an alternate. Mayor Mote said that he was a full voting member when he was filling in for someone.

Commissioner Baker

Commissioner Baker reported on the July 5th Box Elder County Commission meeting.

Commissioner Baker asked about the home being built on 4th West. Did all of the roads have to be completed before a building permit could be issued? Mr. Wheelwright said they did.

Commissioner Hulsey

Commissioner Hulsey asked about the status of The Orchards Subdivision. Bryce Wheelwright said Sierra Homes was in the process of doing Phase 2, which would another street with eleven lots. Commissioner Hulsey asked if Sierra Homes would have to go through the approval process again. Mr. Wheelwright said the Planning Commission approved the half-acre density. Phases 1 and 2 had been approved. If Sierra Homes wanted to do more phases, they would have to come before the Planning Commission.

Chairman Bodily

Did not have any comments.

There was a discussion about the fireworks location for the 4th of July celebration.

8. ADJOURN

Commissioner Braegger moved to adjourn at approximately 7:39 p.m. Commissioner Hulsey seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

_____	_____
Planning Commission, Chairman	Planning Commission Secretary
Sid Bodily	Michelle Drago

dc:PC 07-06-2023