



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, August 3, 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. Public hearing to receive public input regarding a proposed amendment to Chapter 12-101 of the Willard City Zoning Ordinance to allow for alternate Planning Commission members and to grant alternate members voting rights
 - b. Consideration and recommendation to the City Council regarding a proposed amendment to Chapter 12-101 to allow for alternate Planning Commission members and to grant alternate members voting rights
 - c. Consideration and recommendation to the City Council regarding a Dark Sky Ordinance
6. Consideration and approval of the July 20, 2023, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. Adjourn
9. Work session with City Council regarding the General Plan DRAFT which would amend Chapter 12-000 of the Willard City Zoning Ordinance

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 21st day of July, 2023.

/s/ Michelle Drago

Deputy City Recorder

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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 proposal to amend Chapter 12-101 of the Willard City Zoning Ordinance to provide for alternate Planning Commission members.

The public hearing will be held on Thursday, August 3, 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.

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.

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/s/Michelle Drago
Deputy City Recorder

WILLARD CITY ZONING ORDINANCE

CHAPTER 12-101. PLANNING COMMISSION AND BOARD OF ADJUSTMENT

PART 12-101-1. Planning Commission

This section addresses the duties and responsibilities of a planning commission, hereafter referred to as “the commission,” and other officials and agencies, with respect to the administration of the Willard City Zoning Ordinance.

A. Establishment of the commission.

The establishment of the commission shall be in accordance with the policies and procedures as set forth in state law. The commission shall consist of six members, including the chairperson. Additionally, one member of the legislative body shall be permitted to be appointed as liaison to the commission. Such member shall have the right to attend all meetings and take part in all discussions, but shall not vote on commission decisions.

B. Terms for Members.

The terms of office for the members shall be three years. Members may serve consecutive terms. Term of office begins on February 1, and expires January 31 of the particular year. The designations for the positions on the commission are as shown in Table 1. Members shall be permitted to be removed for cause upon written charges and after a public hearing before the legislative body of the jurisdiction, if such a hearing is requested.

Table 1

POSITION	BEGINS FEB 1	ENDS JAN31
A and B	2000/2003/2006	2003/2006/2009
C and D	2001/2004/2007	2004/2007/2010
E and F (Chairperson)	2002/2005/2008	2005/2008/2011

C. Selection of Members.

All members shall be appointed by the mayor and approved by the legislative body of the jurisdiction served. The terms of office for the commission members shall be staggered at intervals so as to provide continuity in policy and personnel. Members of the commission shall be residents of the jurisdiction served. Compensation of members shall be set by the legislative body of the jurisdiction. Any vacancy for the unexpired term of any member whose term is not completed shall be filled. A member shall continue to serve until a successor has been appointed by the mayor and approved by the legislative body of the jurisdiction. Members appointed to fill vacancies shall serve for the remaining period of the position being filled.

D. Chairperson Election and Rules Adoption.

The chairperson shall be appointed by the mayor and approved by the legislative body of the jurisdiction. The commission shall establish and adopt rules for its organization and transaction of business and shall keep a public record of its proceedings.

CHAPTER 12-101. PLANNING COMMISSION AND BOARD OF ADJUSTMENT

E. Commission Secretary

A secretary to assist the commission shall be appointed by the mayor. The secretary shall keep minutes of the commission meetings for public record and conduct all correspondence including the notification of decisions. The secretary shall also certify records. The secretary shall prepare and submit the minutes of commission meetings to the chairperson and the commission.

F. Duties and powers

(1) General Plan. It shall be the duty of the commission, after holding public hearings, to create and recommend to the legislative body a general plan for the physical development of the jurisdiction, which shall be permitted to include areas outside its boundaries that bear consideration to the planning of the jurisdiction. The general plan shall include at least the following elements:

- a. Official maps
- b. Growth and land use.
- c. Commercial/industrial uses
- d. Transportation and utilities
- e. Community facilities
- f. Housing
- g. Environmental
- h. Geologic/natural hazards

The commission shall be permitted also to recommend amendments to the general plan regarding the administration or maintenance of the Zoning Code.

(2) Zoning Code. It shall be the duty of the commission to develop and recommend to the legislative body a zoning code, in accordance with the guidelines of the general plan, establishing zones within the jurisdiction. Such a code shall be made in regards to the character of each district and the most appropriate use of land within the jurisdiction. The commission shall make periodic reports and recommendations to the legislative body.

(3) Division of Land Regulations. It shall be the duty of the commission to develop and certify regulations governing the division of land. All division of land shall be in accordance with the adopted regulations.

(4) Conditional-Use Permits. It shall be the duty of the commission to review conditional-use permit applications. The application shall be accompanied by maps, drawings or other documentation in support of the request. The granting of a conditional-use permit shall not exempt the applicant from compliance with other relevant provisions of related ordinances.

(5) Official zoning map. The legislative body shall adopt an official zoning map for all areas included within the jurisdiction

(6) Appeals and Hearings. Any person with standing aggrieved by any decision of the commission shall have the right to make such appeals to the city council and as shall be permitted by the zoning code or state law. Such appeals shall be based on the record.

CHAPTER XX-XXXX. Outdoor Lighting Ordinance

XX-XXX-XX-X Purpose.

It is the purpose and intent of this chapter to balance the goals of providing efficient and practical lighting for residents and businesses in Willard City, maintaining the city's rural character, minimizing light pollution that may interfere with Willard City's residents and visitors' enjoyment, health, safety, and welfare, and reduce unnecessary energy consumption.

XX-XXX-XX-X Conformance with Applicable Codes.

All outdoor lighting and lighting fixtures installed after the effective date of this ordinance shall be required to be installed in conformance with the provisions of this ordinance and the applicable building codes currently in effect in Willard City. All existing outdoor lighting that does not meet the requirements of this ordinance and is not otherwise exempted from compliance herein, shall be considered a nonconforming use or part of a nonconforming structure.

XX-XXX-XX-X Definitions.

- A. "Direct illumination" means illumination resulting from light emitted directly from a lamp, luminary, or reflector. This does not include light reflected from other surfaces such as the ground or building faces.
- B. "Display lot or area" means outdoor areas where active nighttime sales activity occurs and where accurate color perception of merchandise by customers is required. To qualify as a display lot, one of the following specific uses must occur: Automobile sales, boat sales, tractor sales, building supply sales, gardening or nursery sales, and assembly lots. Uses not on this list may be approved as display lot or area upon approval by the Planning Commission.
- C. "Foot-candle" means one lumen per square foot; unit of illuminance. It is the luminous flux per unit area in the imperial system. One foot-candle equals approximately one-tenth (0.093) lux.
- D. "Floodlight" means a fixture or bulb designed to "flood" an area with light. A specific form of bulb or fixture designed to direct its output in a specific direction. Such bulbs are often designated by the manufacturer and are commonly used in residential outdoor lighting.
- E. "Fully shielded light fixture" means a light fixture that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted. Fully shielded light fixtures must be shielded in and of themselves. Surrounding structures, like canopies, are not to be considered when determining if the fixture is fully shielded. Fully shielded fixtures must be appropriately mounted so that the shielding prevents light from escaping above the horizontal plane and all light is directed downward.
- F. "Full cutoff light fixture" means fixtures that are independently certified by the manufacturers, and do not allow light to be emitted above the fixture and the fixture reduces glare by limiting the light output to less than 10 percent at and below 10 degrees below the horizontal.

G. "Glare" means the sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on such factors as the size, position, and brightness of the source, and on the brightness level to which the eyes are adapted.

H. "Installed" means a light fixture attached or fixed in place, whether or not connected to a power source, of any outdoor light fixture.

I. "Light pollution" means any adverse effect of manmade light.

J. "Light trespass" means light spill falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.

K. "Lumen" means a unit used to measure the actual amount of visible light which is produced by a lamp as specified by the manufacturer.

L. "Luminary" means the complete lighting assembly, less the support assembly.

M. "Motion sensing security lighting" means any fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter, and switching the lamp off when the detected motion ceases.

N. "Net acreage" means the remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way and undeveloped area.

O. "Nit" means the standard unit of brightness for electronic and digital signage. It is a measure of the light being emitted by the sign, in contrast to foot-candles which measure the brightness of the surface area or object that is being lighted.

P. "Nonessential commercial exterior lighting" means any signs, parking lot lighting, display lighting, exterior building lighting, directional lighting or landscape lighting that is primarily for aesthetic or advertising purposes and does not directly contribute to the safety or security of the premises.

Q. "Outdoor light fixture" means an outdoor illuminating device, outdoor lighting or reflective surface, lamp, or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices shall include, but are not limited to, lights used for:

1. Buildings and structures;
2. Recreational areas;
3. Parking lot lighting;

4. Landscape lighting;
5. Architectural lighting;
6. Signs (advertising or other);
7. Street lighting;
8. Product display area lighting;
9. Building overhangs and open canopies;
10. Security lighting.

R. "Outdoor recreation facility" means an area designed for active recreation, whether publicly or privately owned, including, but not limited to, parks, baseball diamonds, soccer and football fields, golf courses, tennis courts, and swimming pools.

S. "Partially shielded light fixture" means a fixture shielded in such a manner that no more than ten percent (10%) of the light emitted directly from the lamp or indirectly from the fixture is projected at an angle above the horizontal, as determined by photometric test or certified by the manufacturer. Luminaries mounted under canopies or other structures such that the surrounding structure effectively shields the light in the same manner are also considered partially shielded for the purposes of this code.

T. "Seasonal decorations" means strings of holiday lights, uplighting or internally lit inflatable or plastic decorations, or other lighting of holiday or seasonal decorations.

U. "Uplighting" means lighting that is directed in such a manner as to shine light rays above the horizontal plane.

V. "Security lighting" means lighting designed to illuminate a property or grounds for the purpose of visual security.

W. "Unshielded fixture" means any fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

X. "Watt" means the unit used to measure the electrical power consumption (not the light output) of a lamp.

XX-XXX-XX-X Applicability.

A. New Lighting. All outdoor lighting installed after the effective date of the ordinance codified in this chapter shall conform to the standards established in this chapter.

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B. Existing Lighting. All lighting installed prior to the effective date of the ordinance as codified in this chapter shall not be subject to the requirements of this ordinance, except that any existing lighting that is directly impacted as part of a project that requires an application for a Willard City site plan or building permit or any land use application is required to be brought into conformance with this ordinance prior to the approval of any such application. All lighting shall be upgraded to conform to this ordinance prior to the issuance of certificate of occupancy, final inspection, or approval of any land use application.

C. Public Roadways. This chapter does not apply to lights owned or maintained by Willard City, Box Elder County, the State of Utah or the federal government which are within any road rights-of-way or used for traffic or safety purposes.

XX-XXX-XX-X General Outdoor Lighting Standards

A. Unless specifically exempted by this section, all outdoor lighting shall use fully shielded fixtures and shall be installed so light is directed downward with no light emitted above the horizontal plane of the fixture

B. Lamp and Shielding. All permanent light fixtures are required to be full cutoff fixtures with the light source fully shielded for all uses and directed downward, including single-family and multifamily residential uses. In order to qualify as a "fully shielded" fixture, a light fixture must have the top and sides made of completely opaque material such that light only escapes through the bottom of the fixture. Simply placing a light fixture under an eave, canopy, patio cover, or other similar cover does not qualify as fully shielded

C. Low Pressure Sodium Lighting. Due to their high energy efficiency, long life and spectral characteristics, low pressure sodium (LPS) lamps are the preferred illumination source throughout Willard City. Their use is encouraged for outdoor illumination whenever it would not be detrimental to the use of the property.

D. Light Trespass Standard. All light fixtures, including security lighting, shall be aimed, and shielded so that the direct illumination shall be confined to the property boundaries of the source. Care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.

E. Total Outdoor Light Output Standards – Nonresidential and Multifamily Uses. Total outdoor light output shall not exceed 100,000 lumens per net acre for all development except single-family residential uses. This cap is not intended to be achieved in all cases or as a design goal. Instead, design goals should be the lowest levels of lumens necessary to meet the lighting requirements of the site.

F. Total Outdoor Light Output Standards – Single-Family Residential Uses. Outdoor lighting for single-family residential uses is not subject to a lumens per net acre cap, but is subject to the lamp fixture and shielding requirements.

G. Height. Any lighting fixture attached to a structure shall be placed below the eave or parapet, whichever is lower. Different height restrictions may be imposed as a condition of approval by SLUA, or the Planning Commission.

H. Commercial Lighting Time Limitations. All nonessential commercial exterior lighting shall only continue in operation until 11:00 p.m. or for as long as the business is open or area is in active use and shall remain off until the business reopens or until daylight the following day.

XX-XXX-XX-X Outdoor Lighting Standards by Type.

A. Parking Lot Standards. Parking lot lighting poles shall be sized in such a manner that the top of any fixture does not exceed 17 feet above adjacent grade. Parking area lights are encouraged to be greater in number, lower in height and lower in light level, as opposed to fewer in number, higher in height and higher in light level. Low pressure sodium (LPS) lamps are encouraged. Alternatively, in industrial areas, parking lot lighting poles may be allowed to a height of 30 feet above adjacent grade provided full-cut-off light fixtures with built-in motion sensors for each pole are used. Motion sensors must reduce the light level to 50 percent when no motion is detected for 30 minutes.

B. Luminaire Mounting Height. Freestanding luminaires within a residential zone, except street lights, shall be mounted at a height no greater than 12 feet from ground level to the top of the luminaries.

C. Landscape and Accent Lighting. Subject to the approval of the City Planner, SLUA, or Planning Commission, ground-mounted lighting may be allowed to accent unique features of a building and/or surrounding landscaping (such as outstanding architectural features, specimen trees with dense year-round foliage or large native shrub masses). Architectural lighting is allowed; provided, that a full cutoff light fixture is used, and the source of illumination is directed downward.

D. Flagpoles. Uplighting for flags is permitted, provided the flag is of a government and the maximum lumen output is 1,300 lumens.

XX-XXX-XX-X Prohibited Lighting.

A. Searchlights, laser source lights, strobe or flashing lights, illusion lights or any similar high intensity light shall not be permitted except in emergencies by police and fire personnel or for approved special events.

B. Uplighting. Except as specifically allowed by Willard City ordinance, uplighting is prohibited.

XX-XXX-XX-X Special Uses.

A. Outdoor Recreational Facilities. Lighting for outdoor recreation facilities that does not comply with this chapter may be approved with the project site plan based on the following:

1. When the proposed lumens per acre exceed the lumens per net acre limits, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA).
2. Every such lighting system design shall be certified by a Utah registered engineer as conforming to all applicable restrictions of Willard City ordinances, Utah State code or federal regulations.
3. Such lighting shall not include any light trespass as determined by the City Planner or their designee.
4. Fully cutoff light fixtures shall be required for fields designed for amateur, recreational, or nonprofessional sports activity. For professional level sports facilities where full cutoff fixtures are not utilized, acceptable luminaries shall include those which:
 - a. Are provided with internal or external glare control louvers, or both, and installed to minimize uplight and off-site light trespass as determined by the planning director; and
 - b. Are installed and maintained with aiming angles that permit no greater than two percent of the light emitted by each fixture to project above the horizontal.

B. Service Station Canopies. All service station canopies shall comply with the following:

1. **Shielding.** All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers.
2. **Total Under-Canopy Output.** The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total. Fifty percent of the total lumen output of all lamps mounted within or under a canopy shall be included in the lumen per acre cap.

C. Other Special Use Lighting. Lighting for special uses that are not specified in this chapter must be approved by the Planning Commission through a conditional use permit or along with a site plan application.

XX-XXX-XX-X Exemptions and Nonconforming Lights.

A. Emergency lighting, used by police, firefighting, or medical personnel, or at their direction, is exempt from all requirements of this code for as long as the emergency exists.

B. Spotlights are permitted for single-family residential, provided they are fully shielded and directed downward.

C. Swimming Pool and Decorative Water Fountain Lighting. Underwater lighting used for the illumination of swimming pools and decorative water fountains is exempt from the lamp type and shielding standards, though they must conform to all other provisions of this code.

D. Seasonal Decorations. Seasonal decorations are exempt from this chapter.

XX-XXX-XX-X Plan Submittal and Evidence of Compliance.

A. Plan Submittal. Whenever a person is required to obtain a permit for outdoor lighting or signage, a conditional use permit, building permit, subdivision approval or any development plan approved by Willard City, the applicant shall, as part of the application process, submit sufficient information to enable SLUA, the Planning Commission, City Council, or the City Planner (as the case may demand) or their designee to determine whether proposed lighting complies with this code.

B. Applications. All applications shall include the following:

1. A site plan indicating the location of all lighting fixtures, both proposed and any already existing on the site.
2. A description of each illuminating device, fixture, lamp, support, and shield, both proposed and existing. The description shall include, but is not limited to, manufacturer's catalog cuts and illustrations (including sections where required); lamp types, wattages, and initial lumen outputs.
3. Such other information that the planning director may determine is necessary to ensure compliance with this code.

C. Plan Approval. If it is determined that any proposed lighting does not comply with this ordinance, the permit shall not be issued or the plan approved.

D. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the City Planner for their approval, together with adequate information to assure compliance with this ordinance, which must be received prior to substitution.

E. Certification of Installation. For all projects where the total initial output of the proposed lighting equals or exceeds 100,000 lamp lumens, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued. Until this certification is submitted, approval for use of a certificate of occupancy shall not be issued for the project.

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XX-XXX-XX-X Installation/Operation.

A. Approval of Alternatives. The provisions of this ordinance are not intended to prevent the use of any design, material, or method of installation or operation not specifically prescribed by this ordinance, provided any such alternate has been approved by Willard City. Willard City may approve any such proposed alternate if it:

1. Provides at least approximate equivalence to that applicable specific requirement of this ordinance, and
2. Complies with the intent of this ordinance.

XX-XXX-XX-X Violations, Legal Actions and Penalties.

A. Violations and Legal Actions. If, after investigation, the City Planner or their designee finds that any provision of this ordinance is being violated, the City Planner or their designee shall give notice by hand delivery or by certified mail, return receipt requested, of such violation to the owner and/or occupant of such premises, demanding that the violation be abated within 30 days of the date of hand delivery or of the date of mailing of the notice. The City Planner shall be available to assist in working with the violator to correct said violation. If the violation is not abated within the 30-day period, the City Planner or their designee may institute actions and proceedings, either legal or equitable, to enjoin, restrain or abate any violations of this ordinance and to collect penalties for such violations.

B. Penalties. A violation of this chapter, or any provision thereof, shall be punishable by a civil penalty of \$75.00 per day and each day of violation after the expiration of the 30-day period shall constitute a separate offense for the purpose of calculating the civil penalty.

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/s/ Michelle Drago

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Planning Commission Meeting – Regular Meeting
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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
Alex Dubovik
Brian Gilbert
Blake Harrop

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

Excused: Zack Hulsesey

Others in attendance: Mayor Travis Mote; Councilman John Seamons; Chad Braegger; Ken Ormond; Ruth Ormond; Pat Burns, Lync Construction; Rew Wiley; Larry Holmes; Marc Hamson; Rolin Hinrichsen; Ronda Hinrichsen; Kent R. Harding; Wayne Harding; James Settlemire; Blake Crouch; Ryan Thurgood; Kendra Thurgood; Justin Grimes; Mary Grimes; and Virginia Holmes Thompson.

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

1. PRAYER: Chandler Bingham
2. PLEDGE OF ALLEGIANCE: Blake Harrop
3. GENERAL PUBLIC COMMENTS

There weren't any comments.

4. CITY COUNCIL REPORT

Time Stamp: 04:07 07/20/2023

Councilman John Seamons reported that the City Council met on July 13th. During that meeting the Council discussed the animal control services between Willard City Brigham. Willard had never been billed for any animal services, but according to the contract it was possible that the City would receive one. The Council had asked that the staff to pursue some questions, but he felt the Council would approve the contract. The Council received the Planning Commission's recommendation that the Zoning Ordinance regulations regarding curb, gutter, and sidewalk be amended. The Council took the recommendation under advisement, and tabled it for a few weeks in order for a few things to be added. The City Council discussed an interlocal agreement with Perry City regarding ground that needed sewer. The interlocal agreement was tabled because a clause regarding the consumer price index needed to be fixed. The Council discussed adopting fireworks restrictions within City limits on a five-year basis rather than annually. Some of the sewer pumps at the lift station failed. The City did not have a backup so it was down to one pump. There was a long lead time for repair. The Public Works Director had found parts to fix one of the pumps. The Council received updates on the HOP Trail, the Willard Bay right-of-way issue, and the power conduit on 200 West. The Council also received reports about the great 4th of July celebration.



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Commissioner Dubovik asked about the Willard Bay right-of-way issue. Councilman Seamons did not feel it was progressing well. Chris Davis, City Manager, stated that Willard Bay had paved a portion of the right-of-way that turned into the sewer plant. Councilman Seamons didn't feel the paved portion as side enough to accommodate farm equipment.

5A. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR RYAN THURGOOD FOR PROPERTY LOCATED AT APPROXIMATELY 426 NORTH 200 WEST, EAGLES NEXT SUBDIVISION LOTS 1 AND 2 (PARCEL NOS. 02-046-0080 AND 02-046-0081)

Time Stamp: 08:42 07/20/2023

Bryce Wheelwright, City Planner, stated that last February Ryan Thurgood applied for approval of a lot line adjustment at 426 North 200 West. Mr. Thurgood wanted to adjust his south property line to incorporate a shop he had constructed. The property to the south at 402 North 200 West was owned by his parents. The Planning Commission determined that the proposed lot line adjustment could not be approved because it would have made the lot at 402 North a flag lot, and the Willard City Zoning Ordinance did not allow flag lots.

Mr. Wheelwright said that Ryan Thurgood was now proposing a different lot line adjustment. The revised lot line adjustment would not change the frontage of 402 North. Thirty-three (33) feet east of the property line, the property line would shift to the south 53 feet and continue east 107.44 feet before shifting back to the north to the original lot line. The property line would shift only far enough to accommodate the shop.

Mr. Wheelwright said the revised lot line adjustment complied with the lot width requirement, but there were other issues Ryan Thurgood would have to resolve. Mr. Thurgood's lot and the lot owned by his parents were part of a recorded subdivision. In order to revise or adjust the property lines, Mr. Thurgood would have to prepare and submit an amended subdivision plat per State Code Section 10-9a-608. The shop itself encroached onto a recorded utility easement. The easement had to be vacated in order to make everything legal. The process for vacating an easement was outlined in State Code Section 10-9a-609.5 part 2. The revised lot line adjustment proposed by Mr. Thurgood was possible, but it would take some legwork.

Ryan Thurgood, 426 North 200 West, stated that there were a lot of flag lots in Willard City. Technically, his father's lot was already a flag lot because it had less frontage than the required 100 feet. The City had allowed it by allowing the subdivision plat to be recorded. He complained that when the City ran the sewer system his sewer lateral was stubbed into his dad's property. He had to run it to his lot by himself. He didn't understand what the big deal was about this lot line adjustment. He had moved to Mantua and wanted to sell this property, but he had to resolve the lot line adjustment before he could do so.

After a discussion regarding flag lots, Chairman Bodily stated that the Planning Commission had to abide by the laws and ordinances in place now. It appeared that the revised lot line adjustment was doable, but Mr. Thurgood would have to do some work to make it happen.

Commissioner Dubovik asked what vacating the easement meant. Did the easement go away, or did the shop have to be moved? Bryce Wheelwright said the easement would go away.

Ryan Thurgood said the easement was there before the shop was built. Mr. Wheelwright did not know why a building permit for the shop had been approved without resolving the easement. Regardless of what had happened in the past, something had to be done now. There weren't any utilities in the easement, so he didn't feel it would be difficult to have it vacated.



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Chairman Bodily stated that it appeared the State Code required a petition, notification, and signatures of the affected parties in order to amend the subdivision plat. Vacating the easement also required a petition, as well as written notification to the utility providers and signatures from adjoining landowners. The easement vacation also required that the City Council hold a public hearing. After Mr. Thurgood had done all of that work, the City Council might decide not to vacate the easement.

Ryan Thurgood asked if he needed to involve his attorney.

Commissioner Dubovik stated that regardless of what had happened in the past, this Planning Commission followed the code. He asked if there was a way for Mr. Thurgood to receive a preliminary approval from the City Council.

Colt Mund, City Attorney, felt that was a possibility if Mr. Thurgood wanted to pursue that route. Everything Mr. Wheelwright had included in his staff report was consistent with State Code. When Mr. Thurgood submitted a land use application, it triggered a re-evaluation of the flag lot. He might have been grandfathered in, but any alterations meant the lot had to come into conformance with the City Code. Any claim to a grandfathered use was lost when a land use application was submitted.

Chairman Bodily stated that if the Planning Commission approved a lot line adjustment for Mr. Thurgood it would be subject to him amending the subdivision plat and vacating the easement. The City Council would then make the final decision.

Bryce Wheelwright reminded the Planning Commission and Ryan Thurgood that it would be necessary for the City Council to hold a public hearing to vacate the utility easement. The Council did not have to hold a public hearing to approve the amended subdivision plat.

Ryan Thurgood wanted some assurance that his efforts would not be wasted.

In answer to a question from Commissioner Baker, Bryce Wheelwright stated that the revised lot line adjustment would not create a flag lot.

Commissioner Harrop agreed that it was a lot line adjustment, but it would not affect the frontage of 402 North 200 West. He did not see a problem with the revised lot line adjustment. It complied with the ordinances. Unfortunately, Mr. Thurgood would have to do some leg work to make it happen.

Chairman Bodily said the proposed lot line adjustment was a little crafty, but it was legal.

Colt Mund reminded the Planning Commission that the staff did not have any concerns about the revised lot line adjustment as long as Mr. Thurgood followed the steps to amend the subdivision plat and vacate the easement.

There was further discussion.

Commissioner Dubovik moved to approve the revised lot line adjustment subject to Ryan Thurgood complying with 10-9a-608 of the State Land Use Code to amend the subdivision plat and 10-9a-609.5 Part 2 to vacate the utility easement. Commissioner Bingham seconded the motion. All voted “aye.” The motion passed unanimously.



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Chairman Bodily advised Ryan Thurgood to work with Bryce Wheelwright to make sure all of the necessary steps were followed.

5B. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A GENERAL PLAN DRAFT WHICH WOULD AMEND CHAPTER 12-000 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp 27:21 07/20/2023

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

Commissioner Bingham moved to open the public hearing at 7:00 p.m. Commissioner Baker seconded the motion. All voted "aye," The motion passed unanimously.

Bryce Wheelwright stated that Willard City was in the process of updating its General Plan. The City had contracted with Bruce Parker from Planning and Development Services to update the plan. Mr. Parker had prepared a draft for the Planning Commission to review. The City was now seeking public comments.

Chairman Bodily opened the floor for public comments.

An unidentified gentleman from the audience asked the staff to provide a history of the updating process. Bryce Wheelwright said the State required that cities update their general plans about every five years. It had been quite a while since Willard's plan had been updated. He thought the last update was approved in 2008. About two years ago, Willard City put the general plan update out to bid. The bid was awarded to Bruce Parker from Planning and Development Services. Mr. Parker had conducted a public survey and held several public open houses to receive public input. All of the public information was used to draft a general plan that included zoning and land use ideas. Mr. Wheelwright said that the General Plan was not just a book; it was a living document. It was designed to be amended as time went on and things changed.

Mayor Mote said Bruce Parker had indicated there was a very good response to the survey. The public was invited to a public open house where they drew on maps. All of that data was compiled by Bruce Parker and his partners into a map, which came back to the Planning Commission and City Council. Those bodies made additional changes. Those edits were reflected in the current draft document.

Commissioner Baker stated that the General Plan was a guide for road locations and developments.

The gentleman asked how many special meetings between the Planning Commission, City Council, and the planning contractor took place. Chris Davis estimated that Bruce Parker, and/or his staff, came up about half a dozen times. He met with the Planning Commission and City Council separately about three times. Those were all publicly noticed meetings.

Larry Holmes, 1561 Hargis Hill Road, stated that things had changed in their family life. His mother had passed away. Her will stated that her property, consisting of over 75 acres, had to be sold. The proposed Future Land Use Map limited her property to five to six acre lots. A subdivision with much smaller lots had been approved in the same area, although it had not been started yet. Mr. Holmes did not feel anyone would purchase the property for what it appraised for unless it was zoned for half-acre lots. Mr. Holmes didn't want to sell the property, but he couldn't come up with the money necessary to buy it. The five-acre lot size would leave his family in limbo.



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Chairman Bodily stated that Larry Holmes and his family would have to submit a rezone petition when they were ready to sell.

Bryce Wheelwright stated that there was an approved development, and the developer had been working with the City to make water available.

Commissioner Dubovik stated that the future land use designation was five acres agricultural. He asked if Mr. Holmes was talking about half-acre residential. Mr. Holmes said he was. The property appraised as subdivided land.

Commissioner Dubovik didn't want Mr. Holmes to feel all he had to do was submit a rezone application. In the recent past, he had voiced that if the Future Land Use Map designated an area as agricultural, he did not see a way to change it to residential. The Future Land Use Map had to be changed to designate an area as residential before he would be willing to consider a rezone.

Larry Holmes wanted to make sure the Future Land Use Map could be adjusted.

Rew Wiley, 75 West 825 North, understood that the City wanted to keep agricultural land, but his friend Larry Holmes could not afford to keep the land and continue to farm. What was the City proposing to do to make sure agricultural land sold at agricultural prices? The Holmes' property appraised at \$4.2 million. A farmer could not afford that kind of money and keep farming. The agricultural land and orchards would not remain unless the City came up with some way to subsidize the farmers. If the City couldn't come up with a solution, Willard would be a bedroom community.

Commissioner Harrop asked if the residents would be willing to pay more taxes to subsidize the farmers. It would take a lot of money to do so.

Larry Holmes stated that he couldn't even afford to buy and farm the land for \$25,000 an acre, which is the value assessed by Box Elder County.

Justin Grimes, 740 North Main, stated that he had lived in Willard his entire life. He wanted to stay in Willard, but he couldn't find property he could afford. He had just purchased two acres of farmland west of Brigham City to build a home on for \$65,000 an acre. There was only so much land between Willard Bay and the mountains, and it was disappearing. Someone needed to talk to the County about its appraising system. There wasn't any land being sold for \$25,000 an acre.

Blake Crouch, 680 North Main, expressed appreciation for the service and efforts of the Planning Commission. Land use was a tough topic. He had grown up running around the hills of Perry and Willard. He had lived here his whole life. He loved the atmosphere. It was a wonderful place to grow up. He watched sewer go into Perry. Perry was no longer a rural community. He saw the lovely community of Willard disappearing. He was opposed to the growth and the change. The congestion would just get worse and worse. He felt the traffic on Highway 89 had gotten worse over the past four years. How was the City going to handle Highway 89? What was Willard going to become? He was opposed to the half-acre zoning being proposed on the east side of the highway.

Pat Burns, Lync Construction, North Ogden, stated that the General Plan survey said residents wanted single family lots with at least half-an-acre. Residents were worried about emergency services. Residents were not opposed to growth as long as it was done responsibly. Residents wanted to preserve the small-town, Willard feel and open space. He owned 35 acres adjacent to the Larry Holmes' property. North of his



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property, Perry had approved townhomes, and one-third and one-quarter acre lots. There weren't any half-acre lots. He realized that was in Perry, but it was part of master planning a community. Willard City's proposed Future Land Use Map said this area should have three to five-acre lots across the street from townhomes. Willard City had already approved a master planned community in the vicinity with townhomes and quarter acre and third acre lots. Now the City was saying it wanted to buffer that master planned community with three to five acre lots. It didn't make good planning sense to have three to five acre lots in the middle. He was proposing half acre lots on his property; so was Mr. Holmes. He was seeking to rezone his property to R ½, which he felt would be a much better fit for the surrounding area. He was not trying to cram in a lot of homes. Half-acre lots were not teeny, tiny. He wasn't looking for high density. Half-acre lots were low density. He was also proposing to provide six acres of open space that would connect to the trail on 200 West/Perry Street. It would maintain a rural feel. There would be good road connectivity for emergency services. His proposal matched everything that the residents asked for in the general plan survey. He felt his proposal made good planning sense. Three to five acre lots in between townhome projects did not make good sense. Land owners had property rights as well. He was asking that the Future Land Use Map be changed from agricultural three to five acres to residential half acre. The proposed Future Land Use Map did not make good planning sense. As a land owner, he didn't want the agricultural use. The Planning Commission had heard from another land owner that didn't want it either.

Rolin Hinrichsen, 3580 South 1200 West, Perry, stated that he has spoken to the Planning Commission before. He lived next to the Lync Construction property. He purchased his property from a polygamist family that was very much against development. They wanted to leave everything rural. He promised to keep it that way. He felt he had been true to his word. He didn't like development. He didn't like the traffic on the highway. There wasn't peace and quiet. He had caught people doing drugs by his property. He had become the local Nazi guy. He tried to keep things on track, and he did call the police. Crime had gone up. It wasn't the innocent, quiet place he purchased. When people used the trail in front of his place, they threw garbage over the fence. The police had told him they had caught someone doing 84 mph in front of his place. Traffic didn't obey laws, which was dangerous. He had grandchildren. He didn't want them getting hurt. Development would bring in a mixed bag of people. Some would be good; some would be bad. Perry had already made changes to allow higher density. He felt that was a huge mistake. He hoped Willard didn't make the same one. He was concerned that houses next to him would make his farm life miserable. Willard did not need to roll over and let the bedroom community happen. Farmland was needed. It was needed for the environment, for the green space, and for the quiet. It was all going away. He understood people had financial issues, but there had to be other ways to find answers without changing the lives of people who lived in the neighborhood. The neighbors he had talked to didn't want things to change. Development would devalue his property. There were limited resources. It was getting crowded. There were cars everywhere now. He didn't know how they would get utilities. He asked about the road proposed across his property. No one had spoken to him. Townhomes and high density didn't make sense. In any confrontation between people and his farm, he would lose because he would be the lone holdout.

Mary Grimes, 740 North Main, felt Willard needed to look at other older cities experiencing growth, particularly Ogden. Ogden was building high density in retail areas. When there was a lot of people, they needed places to shop. Willard needed green area and places to see the sky and trees. Willard was growing, and their children needed places to live. However, right now they couldn't afford to live here. Even one-bedroom apartments were out of sight. She saw the reason for townhouses in commercial areas close to transit and close to the freeway. She felt there would be a need for more than one spot. She felt the time had come to consider residential in retail areas in order to keep the open areas and green spaces.

Randy Lemon, South Willard, owned property on the Haul Road at 600 South next to Granite Ridge. He thanked the Planning Commission. It was a thankless job. The Planning Commission did the best it could.



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A lot of people came before the Planning Commission that worked really hard to provide the infrastructure for Willard (the sewer system and upgrades to the water system). He was opposed to the Future Land Use Map. It didn't make use of the infrastructure that was in place. If there was a minimum half-acre lot size throughout Willard, there wasn't a need for a sewer system. He was concerned that by limiting the density to half an acre, the City would limit the amount of money generated by hook-up fees. The financial cost to the City to keep and maintain the sewer system was substantial. If lot size was limited, there would be a financial burden to the residents. The high density PUD's were a mistake, and everyone had learned lessons. He felt that half-acre lots were substantial and took a lot of work to finish and landscape. The half-acre lots were being watered with culinary water because the City didn't have secondary water. If a lot of developments were coming, and they were, there weren't too many generations left who would stay and farm. Something needed to be done about half-acre lots and culinary water, and people paying hundreds of dollars per month to water a half-acre. There needed to be an allowance for somewhere in the middle between half-acre lots and PUD's, such as quarter-acre or one-third lots with no super high density. That made a lot of sense to him. It used the infrastructure correctly. It kept a maintainable lot. It provided for a respectable city. It put the price point of the homes where they needed to be. He was opposed to a half-acre minimum.

James Settlemyre, 3630 South 1200 West, stated that the proposed subdivision would but up against him on two sides. He asked what the difference was between the zoning and the future land use. What did the different colors mean, specifically the purple area in the northwest corner? Commissioner Dubovik said the future land use meant future intent. The purple color designated an industrial area. If a property owner in that area wanted to rezone from the current zone to industrial, it would be in accordance with the Future Land Use Map. The rezone would most likely be approved.

Commissioner Harrop stated that the Future Land Use Map provided a guidance for the future.

Mr. Settlemyre could not understand how the City could go from three to five acres to industrial. Commissioner Dubovik stated that there was a corridor along I-15 that was away from the City center that would be a good location for an industrial use. If there was going to be an industrial use in the City that would be a logical place to put it.

The Planning Commission responded to further questions from Mr. Settlemyre.

James Settlemyre felt the Planning Commission's job of trying to look into the future was tough. He had purchased a two acre lot in an area that was zoned for three to five acre lots. That was what they wanted. Smaller lots made sense closer to town. It seemed like developers were putting the cart before the horse. They purchased property before they knew where utilities were coming from. That seemed backward. He understood the Future Land Use Map was a guideline, but it needed to be strong guideline. If the plan was approved, it shouldn't be changed easily. Changes should be required to prove why it would benefit the City. Would it elevate the surrounding property values? He was in favor of three to five acres to keep the rural feel, especially outside of town. He wasn't against growth and development, but its cost needed to be calculated.

Chad Braegger, 3790 South 1200 West, stated that he had purchased 13 acres to have some elbow room. He had the backup offer on the property purchased by Lync Construction. He had planned three to five acre lots with maybe eight homes instead of 50. Having a subdivision between the two farms would be rough. He thought the Holmes would always be farmers, but he understood that circumstances changed. He had paid a price to live where he lived and to have some elbow room.



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Commissioner Harrop moved to close the public hearing at 7:45 p.m. Commissioner Baker seconded the motion. All voted “aye.” The motion passed unanimously.

5C. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A GENERAL PLAN DRAFT WHICH WOULD AMEND CHAPTER 12-000 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp 1:15:00 07/20/2023

Chairman Bodily asked if the Planning Commission had any comments.

Commissioner Bingham still wanted to look at and make a few changes to the Future Land Use Map. A lot of the zoning had half-acre lots. In the main part of the community the Future Land Use Map had a minimum lot size of one to three acres. He wanted open space.

Commissioner Harrop asked if one acre lots created open space.

Commissioner Bingham stated that he was looking at the east side of the highway where there was environmentally sensitive areas. The Future Land Use Map was proposing half-acre lots in the area that was probably the most difficult to build on. It was also where the orchards were. Willard wasn't famous for alfalfa; it was famous for its fruit. He hated to have blocks of one to three acres. He wished there was a solution for the best way to mix it all up. If land had to be sold, the only person who could afford to buy it was a developer. The whole point was to try to keep as much farmland, or rural area, as possible. He wasn't sure half-acre lots in environmentally sensitive areas with three to five acres across the street was the solution. He didn't feel the proposed Future Land Use Map was even close to the best solution. He didn't even know where to go with it. The City had just annexed an area that was comparable in size to the Holmes' property, and granted it an R ½ Zone. Mr. Holmes had lived in Willard his whole life. His family had helped establish Willard. If anyone deserved to sell their property for what they wanted, it would be the Holmes family. He also realized that the value of the land was the retirement plan for the farmers in Willard. Development on the east side of the highway was a lot easier than the west side. He felt the lot sizes needed to be dispersed better.

Ryan Thurgood, 426 North 200 West, stated that as a contractor he had watched a lot of cities go through the same struggle. By requiring three to five acre lots, all the City was doing was kicking the problem down the road to the next generation. Then there would be small five acre subdivisions.

Commissioner Baker had a questions about the agricultural area as well.

Commissioner Bingham stated that there needed to be an attempt to be fair to property owners. The City couldn't try to tell everyone what they could do with their property. He wondered if the City was going too far. Was the City kicking the can down the road? A large subdivision could program in open space, but a small three to five acre subdivision could not be that flexible.

Commissioner Dubovik thought the MPC Zone would allow someone to propose an MPC on an agricultural parcel. Colt Mund stated that the MPC Zone was a distinct zone. It would require a rezone. Requirements in the MPC Ordinance tied back to the General Plan. Certain findings had to be made.

Commissioner Dubovik stated that the Planning Commission could not change what had happened in the past. It did have a little bit of perceived control about what would happen in the future. For a developer it



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didn't make sense to not have every square inch developed. To someone who wanted to have farmland it didn't make sense to develop and bring in thousands of people, the noise, the pollution, and the crime. The Planning Commission's job was to balance the two. He thought the MPC Zone was a balancing tool. If someone wanted to put in a creative development, not a monotonous, every-house-looks-the-same subdivision, there might be a compelling reason for the Planning Commission to approve a 30-acre master planned community.

Commissioner Bingham said the MPC Zone was tied directly to density in the Future Land Use Map. He didn't feel the very low densities on the Future Land Use Map would allow the MPC Zone to be utilized.

Commissioner Dubovik didn't feel that eliminating all agricultural future land use was in accordance with what the community was looking for and valued. He agreed with Commissioner Bingham about the need to preserve the orchards on the east side of Highway 89. Did the Residential R ½ on the Future Land Use Map send a signal to the farmers and orchard owners that the City didn't want them? Would the future land use make it hard for them to receive subsidies for their land? Was the City sending a negative signal to the fruit stands? It seemed that there might be some unintended negative consequences of blanket zoning the whole east side to R ½. He felt it made sense to meet with the City Council to discuss changes to the proposed Future Land Use Map. If some of the R ½ was moved to the west side of Highway 89 both sides might win.

Mayor Mote suggested that the Planning Commission schedule a work session with the City Council.

Commissioner Harrop stated that the commercial on 750 North could be turned into high density. North of 750 North there was the three to five acre agricultural. South of 750 North there was one to three acres. He felt there needed to be a cushion between the high density and the five acre area. He hated that the Planning Commission got to dictate what land was worth. He hated being in that position. He heard that people wanted to keep Willard rural, and he did too. However, land in the City would be burned up if everything was zone for half-acre. He didn't feel the Planning Commission would ever please everybody.

Chairman Bodily didn't feel there was a win.

Commissioner Harrop felt Old Town Willard should be made ground zero and phase out from there. He personally was not a big proponent of half-acre zoning. It was a lot of ground, but it wasn't enough for animals. A half-acre lot used a lot of water versus a quarter-acre or third-acre lot. Growth was coming. There would be a need for more homes in the coming years. If 500 homes were needed, 250 acres would be burned up with R ½ zoning versus 125 or 165 acres with quarter-acre or third-acre zoning. If the City wanted open space, it needed to allow smaller lots. Then farms could be saved. At a later date, that would probably be changed too. It was a never ending evolution.

Mary Grimes stated that over 30 years ago, she attended an Ogden City planning meeting where it was stated that the gateway to Ogden would be 25th Street and Union Station. At that time, she thought, "No way!" At that time 25th Street was a slum. Today it was the gateway to Ogden. It was where people came. She asked where the gateway to Willard was. Was it the freeway entrance? Was it Highway 89? That was how the future should be planned. Where would the entrance to Willard be 30 years down the road? It would not happen overnight.

There was further discussion.



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Commissioner Baker stated that she had been attending the Box Elder County Commission meetings. The County Commission was approving six to seven developments a month. That was over 60 developments in a year. Growth was happening all over Box Elder County.

Commissioner Dubovik felt Willard could learn from what other people did, but it didn't have to do what other people did.

Commissioner Dubovik felt the Planning Commission needed to have a work session with the City Council. Other Planning Commission members agreed.

Commissioner Baker thanked the public for attending and voicing their opinions.

Commissioner Bingham moved to table consideration of the General Plan DRAFT and to schedule a work session with the City Council. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

The Planning Commission decided to hold a work session on August 3rd and to invite the City Council.

6. CONSIDERATION AND APPROVAL OF JULY 6, 2023, REGULAR PLANNING COMMISSION MINUTES

Commissioner Baker moved to approve the July 6, 2023, minutes as corrected. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 1:42:34 07/20/2023

Bryce Wheelwright

Bryce Wheelwright welcome Brian Gilbert to the Planning Commission. He would be serving as an alternate.

He provided an update on the Fizz project.

Chris Davis

Chris Davis stated that Section 101 in Chapter 12 of the Zoning Ordinance discussed the makeup of the Planning Commission and voting rights of its members. Because the Zoning Ordinance was a land use ordinance, the Planning Commission would have to hold a public hearing and make a recommendation to the City Council before the ordinance could be amended. He asked the Planning Commission to make a motion to hold a public hearing at the next Planning Commission meeting on August 3rd. By that time, the City Attorney would have an amended ordinance to allow the alternate members to vote while they were filling in.

Commissioner Baker moved to schedule a public on August 3rd to receive public input regarding a proposed amendment to Chapter 12-101 to allow for alternate Planning Commission members and to grant alternate members voting rights. Commissioner Harrop seconded the motion. All voted "aye." The motion passed unanimously.



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Colt Mund

Colt Mund stated that the Mayor and City Council had directed the staff to prepare a Dark Sky Ordinance. He had prepared a draft. He asked that it be placed on the next agenda for discussion and review.

Colt Mund stated that he had been directed to have a conversation with the Box Elder County Attorney regarding the County's new policy regarding annexations. Box Elder County was now requiring anybody in the unincorporated county to submit an annexation petition to the closest incorporated community before a land use application could be considered. The County Attorney had confirmed that Box Elder County did have an ordinance that required anyone that was located in a municipality's Annexation Policy Declaration to apply for annexation. If a developer in South Willard wanted to pursue a development, he would first have to seek annexation into Willard City. There would probably be annexation petitions coming because Box Elder County was strongly encouraging cities to annex the properties within their Annexation Policy Declarations. The County didn't want to manage urban development. Although the Planning Commission did not have a formal role in annexations, he wanted the Planning to be aware of what was coming.

Chris Davis said the County felt urban development should happen within cities. The same thing was happening in Davis and Weber Counties. Residents of urban developments in unincorporated county ended up being subsidized by all county landowners because they were receiving emergency and maintenance services that were normally provided by cities. In Davis and Weber Counties, residents of developed areas were being assessed a special tax for municipal services.

Commissioner Bingham

Commissioner Bingham stated that his neighbor's dog just killed his daughter's cat. He asked that the next newsletter include a plea for people to control their dogs.

Commissioner Dubovik

Commissioner Dubovik asked that the public be careful and respectful about using the Canal Road. It was a privilege. He asked that the community police the use of the Canal Road. It was a dead zone. The County didn't own it; the City didn't own it. The road was owned by Pineview. He didn't want someone to get hurt.

Commissioner Gilbert

Did not have any comments.

Commissioner Baker

Did not have any comments.

Commissioner Harrop

Did not have any comments.



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8. ADJOURN

Commissioner Bingham moved to adjourn at approximately 8:22 p.m. Commissioner Harrop seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 07-20-2023