



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, August 3, 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
Alex Dubovik
Blake Harrop
Zack Hulseley

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

Others in attendance: Mayor Travis Mote; Councilman John Seamons; Councilman Kaleb Kunzler; Chad Braegger; Brian Gilbert; Ken Ormond; Ruth Ormond; Pat Burns, Lync Construction; Rew Wiley; Larry Holmes; Leland Davies; Doug Thompson; Virginia Holmes Thompson; Wade Stobbe; and Clyde Westley.

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

1. PRAYER: Zack Hulseley
2. PLEDGE OF ALLEGIANCE: Diana Baker
3. GENERAL PUBLIC COMMENTS

Time Stamp: 02:39 08/03/2023

Clyde Westley, 221 East 100 South, stated that Page 18 of the General Plan DRAFT talked about Robert J. Baird (in the third paragraph, last full line). He felt the name should be double checked. He believed the correct name was Robert Bell Baird.

Doug Thompson, 1370 North Main, stated that former master plans included a road known as 1550 North. It was supposed to extend all of the way to the railroad tracks. He thought the road had been removed from the current plan. If the plan was being updated, now would be a good time to add that road back in. Before he purchased the property, it was being used as a road by Box Elder County, and it continued to be used as such. Chairman Bodily stated that the current Road Master Plan showed a road in the approximate location of 1550 North. It just didn't have a street designation.

4. CITY COUNCIL REPORT

Time Stamp: 08:03 08/03/2023

Councilman Seamons stated that the July 27th City Council meeting had been canceled due to the lack of a quorum. He didn't have anything to report.

- 5A. 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



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Time Stamp: 08:25 08/03/2023

Commissioner Bingham moved to open the public hearing at 6:39 p.m. Commissioner Hulsey seconded the motion. All voted “aye.” The motion passed unanimously.

Bryce Wheelwright, City Planner, stated that in the past the Planning Commission had had some trouble fielding a quorum. It had been suggested that alternate Planning Commission members would give permanent members some flexibility. However, the Zoning Ordinance did not provide for alternate Planning Commission members. The City Attorney planned to draft an amendment to Chapter 12-101 of the Zoning Ordinance to provide for alternate Planning Commission members and give them the right to vote.

Colt Mund, City Attorney, felt there were a few other amendments that needed to be made to Chapter 12-101 to make sure the Code was consistent. Those minor changes were related to a hearing officer rather than a Board of Adjustment and the addition of the Conditional Use Review Committee. The purpose of the hearing was to receive public input regarding the proposed amendment. After the public hearing, the Planning Commission could make a recommendation to the City Council, or it could wait to review a draft ordinance.

Chairman Bodily opened the floor for public comments.

There were no comments.

Commissioner Harrop moved to close the public hearing at 6:42 p.m. Commissioner Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL 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

Time Stamp 11:52 08/03/2023

Commissioner Dubovik moved to table this item until the Planning Commission could review a draft of the proposed ordinance. Commissioner Baker seconded the motion. All voted “aye.” The motion passed unanimously.

5C. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING DARK SKY ORDINANCE

Time Stamp: 12:45 08/03/2023

Bryce Wheelwright stated that the staff had heard some citizens were concerned that some of the approved street lights were taking away Willard's rural feel and blocking their ability to see the stars. The City Attorney had been asked to draft a Dark Sky Ordinance to require certain styles of street lights that would shine down instead of out.

Colt Mund stated that there was an organization called the International Dark Sky Association, which had resources the City could work with. He thought the International Dark Sky Association worked with Moab and Grant County to draft their ordinances. Moab and Grant County were the trailblazers for having dark



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sky ordinances. The idea behind dark sky ordinances was to reduce light pollution and allow people to see the stars and limit the impact light had at night on a community. Other cities that had dark sky ordinances were Eagle Mountain and smaller cities in Summit County. Researching and preparing the ordinance had been challenging because he had to find middle ground for Willard City. What worked for Moab and Grant County and Eagle Mountain didn't work for Willard, although they were good resources. He welcomed any comments and suggestions the Planning Commission might have.

Commissioner Hulsey asked if the City Attorney had found any statistics regarding increased crime rates after dark sky ordinances were implemented. Mr. Mund said he had not. A few years ago he worked on a hotel ordinance from Brigham City that included lighting. At that time, his research showed a reduction in crime with more lighting for commercial businesses, particularly apartment complexes and hotels. The draft Dark Sky Ordinance was aimed at having sufficient lighting but not overdoing it. He thought there was literature about crime rates on the International Dark Sky Association's website. He wasn't comfortable predicting how the proposed Dark Sky Ordinance would affect Willard's crime rates. It was a good question and worth considering.

Commissioner Dubovik asked if the ordinance would impact the gravel companies that affected the City's dust, noise, and light pollution. Colt Mund said the gravel pits were outside of the City limits.

Rew Wiley, 75 West 825 North, stated that there had been concern about light from the City offices, which the City had responded to. The ordinance needed to address businesses and buildings as well as street lights. Colt Mund said it did.

Bryce Wheelwright said it also addressed light from signage.

Commissioner Dubovik suggested that the 11:00 p.m. enforcement time align with the City's Noise Ordinance. Did the ordinance need to contain content about strings of light bulbs hung in yards?

Commissioner Harrop stated that the draft ordinance talked about lumens. Light had to remain below the net lumens per acre limit.

Commissioner Hulsey felt the direction of the light made a difference too. Light directed downward had less impact.

Commissioner Dubovik felt the ordinance was also about quality of life, not just seeing the stars.

Commissioner Hulsey asked if a public hearing would be necessary. Colt Mund said a public hearing would be needed because the Dark Sky Ordinance was a land use ordinance.

Commissioner Harrop didn't want the ordinance to become too technical. Colt Mund stated that Grant County's ordinance was very technical. The ordinance needed to be technical, but it also needed to be enforceable.

Commissioner Hulsey felt it would be easy for new construction to comply with the ordinance, but what about existing lighting. Colt Mund stated that all existing lighting would become non-conforming, and therefore, grandfathered in. Anyone who submitted a land use application would have to comply with the ordinance.



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Someone from the audience asked if the ordinance would apply to single-family homes too. Mr. Mund said it would.

Colt Mund felt he could incorporate changes to make the evening curfew coincide with the Noise Ordinance. He could also make any changes that might be needed after the public hearing.

Commissioner Baker asked about the International Dark Sky Association's mission statement. Commissioner Dubovik read from their website, "Dark Sky International restores the nighttime environment and protects communities from the harmful effects of light pollution through outreach, advocacy, and conservation." Colt Mund encouraged the Planning Commission members to visit their website.

Rew Wiley stated that the State of Utah had more dark sky national and state parks than any other state in the union.

Commissioner Baker felt the Dark Sky Ordinance was the result of new subdivisions who wanted to know what kind of street lights they could put in.

Commissioner Harrop understood the need for commercial businesses to protect their property, but it would be nice for them to have shields to direct light downward.

Chairman Bodily felt a public hearing needed to be scheduled for August 17th.

Commissioner Bingham moved to set a public hearing on August 17th to receive public comments regarding the Dark Sky Ordinance. Commissioner Hulse seconded the motion. All voted "aye." The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF JULY 20, 2023, REGULAR PLANNING COMMISSION MINUTES

Commissioner Baker moved to approve the July 20, 2023, minutes as corrected. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 27:40 08/03/2023

Bryce Wheelwright

Bryce Wheelwright reported on damage caused by the day's severe rainstorm. On 3rd East quite a bit of material came off the mountain. It was impressive to see how the citizens came together to clean it up.

Mr. Wheelwright reported that the Fizz Store was moving forward. Commissioner Baker asked if the Fizz Store would need a business license or a conditional use permit. Mr. Wheelwright said it would need a business license.

Chris Davis

Did not have any comments.



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Colt Mund

Did not have any comments.

Commissioner Bingham

Commissioner Bingham stated that the street light in front of his house was taken down by the power company. Were they taking down a lot of street lights? Mr. Wheelwright didn't know it had been taken down. The power company was moving forward with the power lines on 200 West.

Commissioner Dubovik

Commissioner Dubovik commented on the impressive berm installed all of the way up Cooks Canyon. He complimented those involved for its flood mitigation.

Commissioner Hulsey

Commissioner Hulsey asked about the status of fiber internet. Bryce Wheelwright stated that two companies had requested encroachment permits from the City, which the staff had responded to. However, nothing had been submitted. Box Elder County received a grant for fiber internet which was being installed by Beehive Broadband. They started in Bothwell and ran into snags with easements from irrigation companies. They said they were going to get to Willard this year, but nothing had happened so far. Councilman Kunzler stated Connex had told him they hoped to start in October. They were running a line from 2700 North in North Ogden.

Commissioner Baker

Commissioner Baker asked about the status of getting ordinance books updated and getting the ordinances on the City's website. Chris Davis said the first section of updated titles had been sent to the City Council. A work session was needed to go over them.

Commissioner Harrop

Commissioner Harrop asked if there was a possibility that the HOP Trail could be narrowed from eight feet to five feet. Chris Davis said the trail was eight feet wide in Willard. He wasn't sure how wide the D&RG Trail was in Davis and Weber Counties. He didn't know if there was a standard width. The staff could check.

Chairman Bodily

Chairman Bodily thanked all of the residents who came out earlier in the day to help with sandbags.

Chris Davis stated that Payden Vine, Public Works Director, planned to contact a street sweeping company to come and clear up some of the gravel on the east side left by the rainstorm.

8. ADJOURN

Commissioner Baker moved to adjourn at approximately 7:08 p.m. Commissioner Hulsey seconded the motion. All voted in favor. The motion passed unanimously.



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9. WORK SESSION WITH CITY COUNCIL REGARDING THE GENERAL PLAN DRAFT WHICH WOULD AMEND CHAPTER 12-000 OF THE WILLARD CITY ZONING ORDINANCE

The Planning Commission held a work session with the City Council to discuss the Future Land Use Map of the General Plan DRAFT. The work session began at 7:16 p.m. Those in attendance were:

Planning Commission – Sid Bodily, Chairman; Diana Baker; Chandler Bingham, Alex Dubovik, Blake Harrop, Zack Hulsey, Chad Braegger/Alternate, and Brian Gilbert/Alternate.

Staff – Chris Davis, City Manager; Colt Mund, City Attorney; Bryce Wheelwright, City Planner, Michelle Drago, Deputy City Recorder.

City Council – Mayor Travis Mote, Councilman Kaleb Kunzler, and Councilman John Seamons.

Others – Ken Ormond, Ruth Ormond, and Pat Burns, Lync Construction.

During the work session, the Planning Commission and City Council members discussed how to amend the Future Land Use Map of the General Plan to make future land use equitable for all property owners in Willard City. They talked about a blanket zone tied to density. They also discussed whether the amount of available water could be used as a tool to determine overall density.

During the work session Mayor Mote stated that the City Engineer had calculated there were 1,800 developable acres left in Willard City.

The Planning Commission decided to discuss a recommendation regarding the Future Land Use Map and the General Plan DRAFT at their next meeting on August 20th.

The work session adjourned at 8:37 p.m.

Minutes were read individually and approved on:

8/17/23



Planning Commission, Chairman
Sid Bodily



Planning Commission Secretary
Michelle Drago

dc:PC 08-03-2023