



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, September 7, 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 proposal from Chris Marx to amend the 2017 Future Land Use Map of the Willard City General Plan (Chapter 12-000) by changing the future land designation for approximately 10.84 acres at approximately 297 West 380 North from A-3 to R ½
 - b. Consideration and recommendation to the City Council regarding a proposal from Chris Marx to amend the 2017 Future Land Use Map of the Willard City General Plan (Chapter 12-000) by changing the future land designation for approximately 10.84 acres at approximately 297 West 380 North from A-3 to R ½
 - c. Consideration and recommendation to the City Council regarding a petition from Chris Marx to rezone approximately 10.84 acres located at approximately 297 West 380 North from A-5 to R-1/2 (Parcel Nos. 02-044-0008, 02-046-0010, 02-046-0011, and 02-046-0012) (continued from June 1 and August 17, 2023)
 - d. Set a public hearing to consider a petition from Neldon Kapp to rezone approximately 9 acres located at approximately 620 North 200 West from A-5 to R ½
 - e. Consideration of a lot line adjustment for Norris Hubbard for property located at approximately 1094 South Main (Parcel Nos. 02-055-0010, 02-055-0011, and 02-055-0012)
 - f. Review of conditional use permit issued to Josh Braegger for a basement apartment located at 53 North 100 West (Parcel No. 02-47-0074) on June 19, 2020
6. Consideration and approval of the August 17, 2023, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. Adjourn
9. Work Session with the 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 1st day of September, 2023.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION 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.



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/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 from Chris Marx to amend the 2017 Future Land Use Map of the Willard City General Plan (Chapter 12-000) by changing the future land designation for approximately 10.84 acres at approximately 297 West 380 North from A-3 to R ½.

The public hearing will be held on Thursday, September 7, 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.

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/pmnn/index.html>; on the Willard City website www.willardcity.com; and sent to the Box Elder News Journal this 28th day of August, 2023.

/s/Michelle Drago
Deputy City Recorder

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 8/17/23

Assessor's Parcel Number
02-044-0008, 02-046-0010, 02-046-0011,
02-046-0012

Applicant:
CHRIS MARX

Parcel Legal Description

Mailing Address
297 W 380 N
Willard, UT 84340

Project Address
SAME

~~435~~
Phone Number

Cell Phone 435-720-3085

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.
General Plan Change

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.

WILLARD CITY CORPORATION
80 W 50 S
PO Box 503
Willard UT 84340
435-734-9881
Aug 21, 2023
Receipt No: 1.017961
MARX, CHRIS APP FOR PC HRG
Charges for Services
Charges - PC & B of Adj 25.00
Total: 25.00
Check No: 558
Total Applied: 25.00
Change Tendered: .00
Duplicate Copy
08/21/2023 3:02 AM

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Chris Marx, 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 _____ 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 Chris Marx
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 21st day of August 20 23



Michelle Drago
Notary Public

Residing in Kerry, Utah
My commission expires: 2/2/25

* 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: _____



NORTH
↑

CONCEPT PLANS FOR
Xram Subdivision

WILSON CITY, OHIO
300 WEST & 300 SOUTH

Drawn By: MFL Date: 04/26/23
Checked By: [blank]
Approved By: [blank]
Design: 1 - 100
Drawing Title: 22-124 XRAMS
JOB NUMBER: 22-124

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
530 North Main Street, Dayton, OH 45402
Phone: (937) 233-4441 FAX: (937) 233-4477
www.hansenandassociates.com

Sheet **1** of **1**

Scale: 1" = 100'

North Arrow



CURRENT ZONE A-5, PROPOSED ZONE R-1/2 REQUIREMENTS

MINIMUM LOT SIZE	21,780 S.F.
MIN. LOT WIDTH @ 30' SETBACK	100'
FRONT SETBACK	30'
SIDE YARD SETBACK FACING STREET	30'
SIDE YARD SETBACK	30'
TOTAL OF BOTH SIDE YARDS	60'
REAR SETBACK	30'



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- 6B. CONSIDERATION OF A PETITION FROM LYNC CONSTRUCTION AND CHAD BRAEGGER TO REZONE APPROXIMATELY 32.77 ACRES LOCATED AT APPROXIMATELY 3710 SOUTH 1200 WEST/PERRY STREET FROM A-3 AND A-5 TO MASTER PLANNED COMMUNITY-MPC (PARCEL NOS. 02-035-0061, 02-035-0063, 02- 035-0075, AND 02-035-0079)

Time Stamp 22:43 06/01/2023

Commissioner Dubovik moved to table consideration of a rezone petition from Lync Construction and Chad Braegger until the City received the information required by the MPC Zone, at which time a second public hearing would be held. Commissioner Harrop seconded the motion. All voted “aye.” The motion passed unanimously.

Commissioner Dubovik stated that the City had a Future Land Use plan. This particular petition was not in accordance with the City's Future Land Use Map. He felt the petitioners needed to present a very significant reason for why their rezone request should be considered and the Future Land Use plan altered.

- 6C. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PETITION FROM CHRIS MARX TO REZONE APPROXIMATELY 10.84 ACRES LOCATED AT APPROXIMATELY 297 WEST 380 NORTH FROM A-5 TO R-1/2 (PARCEL NOS. 02-044-0008, 02-046-0010, 02-046-0011, AND 02-046-0012)

Time Stamp 25:08 06/01/2023

Commissioner Harrop moved to open the public hearing at 6:55 p.m. Commissioner Baker seconded the motion. All voted “aye.” The motion passed unanimously.

Bryce Wheelwright stated that the Planning Commission had discussed the rezone petition submitted by Chris Marx at its last meeting. Chris Marx had requested that 10.84 acres he had purchased at 297 West 380 North be rezoned from A-5 to R-1/2. He was proposing to extend 380 North to the west to create nine half-acre lots. Mr. Marx's property was currently zoned A-5, but it was contiguous to an existing R-1/2 Zone. He felt the rezone petition complied with the City ordinance.

Mr. Wheelwright stated that the subdivision proposed by Chris Marx would comply with the R-1/2 Zone. Mr. Marx was hoping to receive approval to build a 'country' road in his subdivision; a road without curb, gutter, and sidewalk. The utilities were available.

Chris Marx, 297 West 380 North, stated that he was not trying to be a big developer. He just wanted a place for his kids to live close by. He would have to sell a few lots to pay for the subdivision improvements. He planned to build a house on one of the lots as well. He loved Willard and wanted to be part of the community. He was asking that the entire 10.84 acres be zoned R-1/2, but he planned to keep the west five acres in the green belt during his lifetime. He wanted to continue the existing look of the neighborhood, which was why he was asking that curb, gutter, and sidewalk be waived. He had discussed a low impact residential road with the City Engineer and SLUA. A low impact road would have swales to collect storm water.

Bryce Wheelwright stated that the subdivision design provided by Chris Marx included a stub for 400 West to continue to the south. The preliminary plan also showed the location for the future 500 West. UTA had asked that their preservation corridor for the future Front Runner be shown on the west five acres.



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Chris Marx stated that the City had asked that is preliminary plan show a place for 400 West to continue south from 380 North. The City Engineer and SLUA determined that 400 West could not continue to the north due to a pond and a conservation easement. He did not plan to build to 500 West because he planned to keep that area in the green belt. However, the future location of 500 West was shown on his preliminary plan.

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

Commissioner Bingham moved to close the public hearing at 7:01 p.m. Commissioner Harrop seconded the motion. All voted “aye.” The motion passed unanimously.

6D. CONSIDERATION OF A PETITION FROM CHRIS MARX TO REZONE APPROXIMATELY 10.84 ACRES LOCATED AT APPROXIMATELY 297 WEST 380 NORTH FROM A-5 TO R-1/2 (PARCEL NOS. 02-044-0008, 02-046-0010, 02-046-0011, AND 02-046-0012)

Time Stamp: 31:04 06/01/2023

Commissioner Bingham stated that the 400 West stub shown on the preliminary plan lined up with a structure on the property to the south. Chris Davis stated that Chris Marx was providing an easement for the future location of 400 West. The location for the stub was based on the City Engineer's recommendation. The stub would not be paved at this time.

Bryce Wheelwright said the location of the 400 West stub was based on the Master Road Plan.

Commissioner Bingham asked about the SLUA's discussion regarding the use of swales versus curb, gutter, and sidewalk. Chris Davis stated that the SLUA's discussion had led to the recommendation that the Subdivision and Zoning Ordinances be amended to comply with the Public Works Standards. In this case, the City Engineer felt the low impact roadway made sense because of the existing improvements. The low impact road would include a cement strip to prevent the asphalt from eroding.

Bryce Wheelwright stated that the Public Works Standards provided the waiver of curb, gutter, and sidewalk if the City Engineer felt it was appropriate. The waiver wasn't included in the ordinances, hence the need for the ordinances to be amended.

Colt Mund stated during the SLUA meeting, the City Engineer said this subdivision would be a low impact development. In the Public Works Standards that were adopted in 2020, swales were allowed in lieu of curb, gutter, and sidewalk. The Planning Commission had amended the Subdivision Ordinance to require a drainage plan that could allow the waiver of curb, gutter, and sidewalk based upon a recommendation from the City Engineer. The proposed amendment to the Zoning Ordinance would provide consistency by eliminating one part of the ordinance that said curb, gutter, and sidewalk *shall* be installed and another saying it *may* be allowed. The Public Works Standards allowed for alternatives to curb, gutter, and sidewalk based on the development.

Commissioner Baker was concerned that the alternative meant there wouldn't be any consistency. She asked who would determine whether curb, gutter, and sidewalk would be required. Mr. Mund said the determination would be made by the City Engineer and the Planning Commission. The Planning Commission had already taken action to waive curb, gutter, and sidewalk based on a storm water detention plan approved by the City Engineer. The Public Works Standards provided for alternatives as well.



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Chris Davis stated that the City Engineer was concerned about swales being filled in. In this subdivision, the lots would be owned by Chris Marx and his family. There wasn't a significant likelihood that Chris Marx would fill in the swales. If they did, they would be flooding each other or themselves. Mr. Marx also planned to construct a detention basin to retain storm water along with proper piping in the driveways that would not be crushed.

Commissioner Bingham felt swales worked great. There were swales all over South Willard. If the County could make swales work in South Willard, he felt Willard could too. The biggest problem the City had was enforcement.

Chairman Bodily felt the Planning Commission needed to consider this as a regular subdivision, not something that would be owned by one family. The family situation could change very quickly.

Chad Braegger stated that in South Willard, Box Elder County required swales to have 24" perforated pipe covered with gravel.

Commissioner Baker felt this subdivision needed curb and gutter.

Commissioner Bingham reminded the Planning Commission that it was considering the rezone, not the subdivision.

Commissioner Dubovik asked if the requested R-1/2 Zone complied with the Future Land Use Map.

Bryce Wheelwright stated that the property was currently zoned A-5. The 2017 Future Land Use Map showed the east part of the property with a future land use of R-1/2; the west portion had a future land use of A-3. The proposed rezone was contiguous to an existing R-1/2 Zone.

Commissioner Harrop didn't want to allow a rezone from A-5 for one subdivision but not another one.

Commissioner Bingham stated that the requested rezone was contiguous to an existing R-1/2 Zone. He felt the contiguous use should allow the rezone. If there wasn't a contiguous zone, then Planning Commission would follow the Future Land Use Map.

Commissioner Baker asked about following the future road plan. Commissioner Bingham said the future roads were shown on the proposed subdivision plan. Commissioner Baker felt the 400 West stub needed to move one way or the other so it didn't run into a structure on the neighboring property.

Commissioner Dubovik asked if there was something in writing that allowed the Planning Commission to approve a rezone that did not comply with the Future Land Use Map if the requested rezone was contiguous to an existing zone. Commissioner Bingham and Bryce Wheelwright did not know if there was something in writing. It had been the City's practice in the past to follow the contiguous zone. Commissioner Dubovik didn't want to change the zoning on something that was in conflict with the Future Land Use Map.

Colt Mund stated that the land use needed to conform to the General Plan. He felt the General Plan would have to be amended before Chris Marx's rezone could be approved. Following a contiguous use would alleviate spot zoning, but the State Code did say the land use had to conform to the General Plan. The Future Land Use Map could be amended because it would not be spot zoning.



WILLARD CITY

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Commissioner Dubovik suggested rezoning the area where Chris Marx wanted the half-acre lots to R 1/2 and rezoning the rest to conform to the General Plan since he wanted to keep the area in the green belt.

Mayor Mote stated that the final draft of the new General Plan was ready for the Planning Commission to review. He believed the new Future Land Use Map showed this area with an R-1/2 use.

Commissioner Dubovik suggested that the rezone be tabled until after the new General Plan was reviewed and adopted.

There was further discussion.

Commissioner Dubovik moved to table consideration of the Chris Marx rezone petition until after the new General Plan was reviewed and adopted. Commissioner Bingham seconded the motion. All voted "aye." The motion passed unanimously.

6E. DISCUSSION REGARDING AMENDING SUBDIVISION ORDINANCE 12-400-11-10 REGARDING THE REQUIREMENT FOR SIDEWALKS, CURBS, AND GUTTERS IN ALL SUBDIVISIONS AND ZONING ORDINANCE 12-102-18 REGARDING CURBS, GUTTER, AND SIDEWALKS

Time Stamp 52:07 06/01/2023

Chairman Bodily stated that Colt Mund had prepared a draft amendment for 12-102-18 – **Curbs, Gutter, and Sidewalks** of the Zoning Ordinance, which read, "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 conformation with the Willard City Public Works Standards."

Commissioner Baker asked why the discrepancy had not been brought up when the City adopted the Master Planned Community (MPC) Zone last year.

Commissioner Bingham stated that this had always been an issue. The curb, gutter, and sidewalk requirement was in the Subdivision and Zoning Ordinances, not the MPC Zone. So it wouldn't have been addressed when the MPC Zone was adopted. The Planning Commission amended 12-400-11-10 in the Subdivision Ordinance. Now 12-102-18 was being amended so there would be consistency in the City Code.

Colt Mund stated that since he had been the City Attorney, there had been discussions about curb, gutter, and sidewalk. The ordinances said subdivisions *shall* put in curb, gutter, and sidewalk. In 2020, the Public Works Standards were adopted by ordinance. In 2022, based on a recommendation from the Planning Commission, the City Council amended the Subdivision Ordinance to require a storm drainage water plan that could waive the requirement of curb and gutter. That amendment read:

12-400-11-10. Storm water retention and pedestrian travel: The intent of this provision is to provide adequate storm drainage, reduced flood hazard and to protect the health, safety, improvements, property, and the general welfare of the persons residing in the area to be subdivided or developed. An applicant of a proposed subdivision or development shall provide the following to the Planning Commission and SLUA: (1) A proposed storm water retention and drainage plan for the proposed subdivision or development; and (2) a proposed plan to address

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

CORRECTED NOTICE

Notice is hereby given that the Willard City Planning Commission of Willard City Corporation will hold a public hearing at the Willard City Hall, 80 West 50 South, on Thursday, June 1, 2023, at 6:30 p.m.

The public hearing will be held to take public comment on a request from Chris Marx to rezone property located at approximately 297 West 380 North (Parcel Nos.02-044-0008, 02-046-0010, 02-046-0011, and 02-046-0012) from A5 to R1/2.

Written comments will be accepted at the Willard City Offices until June 1, 2023. If you have any questions, please contact Bryce Wheelwright at 435-734-9881.

A copy of the proposal is available for review on the State of Utah Public Meeting Notice Website at the Willard City Hall, 80 West 50 South, Willard, Utah 84340 during regular business hours Monday – Thursday 8:00 a.m. to 5:00 p.m. and Fridays 8:00 a.m. to 12:00 p.m.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 18th day of May, 2023.

A handwritten signature in blue ink, reading "Michelle Drago", is written over a horizontal line.

Michelle Drago
Willard City Deputy Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Officer at 80 West 50 South, Willard, Utah 84340, phone number 435-734-9881, at least working days prior to the meeting.



WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

5/10/23

Application Date

CHRIS MARX

Applicant

297 W. 380 N.

Mailing Address

Willard, UT 84340

435-720-3085

Phone Number

Cell Phone

Assessor Parcel Number *

02-046-0012, 02-046-0011,
02-046-0010, 02-044-0008

Parcel Legal Description*

10.84 acres/approximately

A-5

Present Zone

R 1/2

Proposed Zone

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

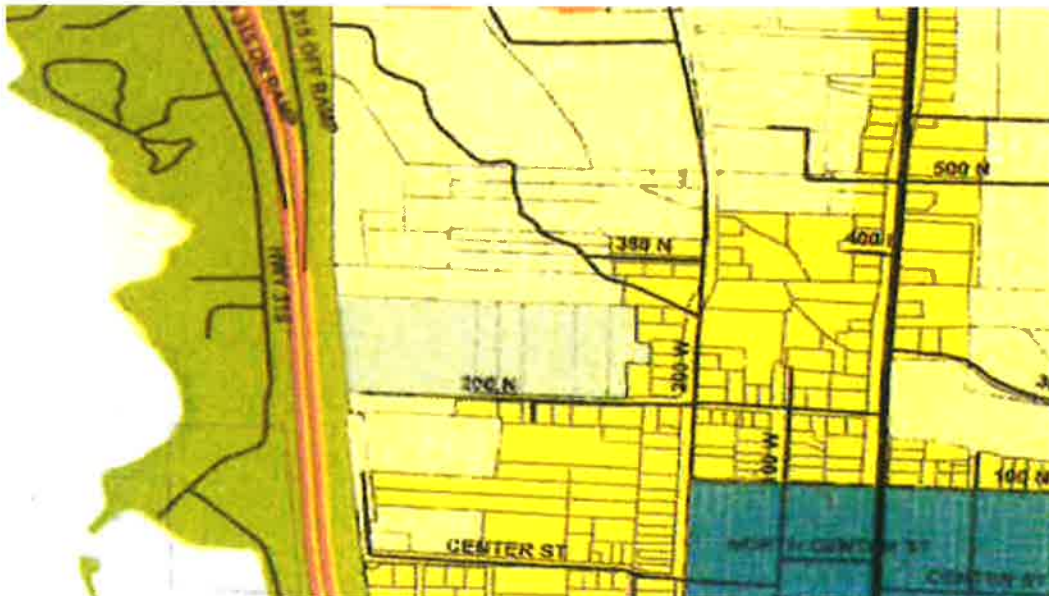
- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)
- 4) List of all property owners within 1/4 mile of the parcel.*
- 5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.
- 6) If a subdivision is planned, supply sketch of possible subdivision, to show compatibility with existing and planned infrastructure, with emphasis on roads, water supply and other utilities.

* Available at the office of the Box Elder County Registrar, 01 South Main Street, Brigham, Utah, 84302



PROPOSED SUBDIVISION PLAN ATTACHED

1. LOCATION MAP - Attached
2. SITE ADDRESS - 297 W 380, Willard
3. Parcel Numbers:
 - a. 02-046-0012
 - b. 02-046-0011
 - c. 02-046-0010
 - d. 02-044-0008
4. CURRENT AND PROPOSED ZONING BY PARCEL NUMBER AND AREA IN ACRES;
 - a. The east section of 380 N is R-1/2, West of it is A-3.
 - b. Requesting to turn A-3 section to R-1/2



- c.
5. ROAD ACCESS PROVIDED:
6. UTILITY PLAN
 - a. Extension of water line
 - b. Sewer line already existing
7. REASON FOR REQUESTED CHANGE
 - a. To allow for 1/2 acre lots

8. IMPACTS (FINANCIAL AND OTHERS) OF THE CHANGE TO SURROUNDING PROPERTIES AND THE CITY AS A WHOLE:
 - a. To have smaller than 3 acre ag parcels

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Chris Mark, 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 400 W 380 N 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 [Signature]
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 14th day of May 20023



[Signature]
Notary Public

Residing in Perry, Utah
My commission expires: 2/2/25

* 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 _____ 200____

Notary Public

Residing in _____
My commission expires: _____



Willard City
80 W 50 S | PO Box 593
Willard, UT 84340
(435) 734-9881
willardcity@comcast.net

XBP Confirmation Number: 144390436

Transaction detail for payment to Willard City.			Date: 05/11/2023 - 10:44:48 AM MT
Transaction Number: 197686961 Mastercard — XXXX-XXXX-XXXX-8464 Status: Successful			
Account #	Item	Quantity	Item Amount
	Charges PC	1	\$125.00
Notes: CHRIS MARX REZONE			

TOTAL: \$125.00

Transaction detail for payment to Willard City.			Date: 05/11/2023 - 10:44:49 AM MT
Transaction Number: 197686963 Mastercard — XXXX-XXXX-XXXX-8464 Status: Successful			
Account #	Item	Quantity	Item Amount
	Service Fee	1	\$4.25
Notes: CHRIS MARX REZONE			

TOTAL: \$4.25

Billing Information
CHRIS MARX
, 84340

Transaction taken by: Admin mdragoCaselle MD

WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

Application Date

Assessor Parcel Number *

02-046-0005

Applicant

Parcel Legal Description*

Nelson Kapp

Mailing Address

620 N 200 W
Willard, UT 84340

Present Zone

Proposed Zone

A-5

R 1/2

Phone Number

Cell Phone

435-740-9016

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)
- 4) List of all property owners within 1/4 mile of the parcel.*
- 5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.

subdivision, to show
re, with emphasis on roads,

Main Street, Brigham, Utah, 84302

WILLARD CITY CORPORATION

80 W 50 S

PO Box 593

Willard UT 84340

435-734-9881

Aug 28, 2023

Receipt No: 1.018038

KAPP, NELSON REZONE APPLICATION

Charges for Services

Charges - PC & B of Adj

125.00

Total:

125.00

KAPP, NELSON SUBDIVISION APP CONCEPT

Charges for Services

Charges - PC & B of Adj

68.00

Total:

68.00

Check

Check No: 9796

Total Applied:

193.00

193.00

Change Tendered:

.00

Duplicate Copy
08/28/2023 2:39 PM

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Neldon Kappedan Kapp, 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 630 N 200W 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

[Signature]
Property Owner(s)

AGENT _____



Subscribed and sworn before me this 28th day of August 2003

[Signature]

Notary Public

Residing in

Reno, Utah

My commission expires:

2/2/25

* 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 _____ 200____

Notary Public

Residing in _____

My commission expires: _____



WILLARD CITY PLANNING COMMISSION SUBDIVISION APPLICATION

Application Date 8/28/23

Applicant
Neldon Kapp

Mailing Address
620 N 200 W
Willard, UT 84340

Project Address
620 N 200 W
Willard, UT 84340

Email Address neldonkapp@yahoo.com

Phone Number _____

Cell Phone 435-740-9016

Fax Number _____

Proposed Subdivision Data

Subdivision Name

Kapp Subdivision

Application Level (Check One)

☒ Sketch Plan

Date

Approval

☐ Preliminary Plat*

*(Not required for In-fill Subdivisions)

Date

Approval

☐ Final Plat

Date

Approval

Assessor Parcel Number 02-046-0005

Number of lots 2

FEES MUST ACCOMPANY APPLICATION SUBMISSION AT EACH LEVEL.

FEE COMPUTATION

	Administrative	Engineering	Attorney	TOTAL
Sketch Plan	\$50 + \$2/Acre <u>\$168.00</u>	Billed to the Developer		
Preliminary Plat	\$50 + \$15/Lot	Billed to the Developer	\$100 + \$10/Lot	
			5/Lot	

or offered for sale until the

\.DOCX

Form SD-1 Rev. 01/11/05

WILLARD CITY CORPORATION

80 W 50 S
PO Box 593
Willard UT 84340

435-734-9881

Aug 28, 2023

Receipt No: 1.018038

KAPP, NELSON REZONE APPLICATION

Charges for Services
Charges - PC & B of Adj

125.00

125.00

Total:

KAPP, NELSON SUBDIVISION APP CONCEPT

Charges for Services
Charges - PC & B of Adj

68.00

68.00

Total:

193.00

193.00

Check

Check No: 9796

Total Applied:

.00

Change Tendered:

Duplicate Copy
08/28/2023 2:39 PM

APPLICANT'S AFFIDAVIT

STATE OF UTAH)

) SS

COUNTY OF BOX ELDER))

I, (we) Nelson Kapp & Jan Kapp, 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 620N 300 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 28th day of August 2023



Michelle Drago

Notary Public

Residing in

My commission expires: 2/2/25

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

WILLARD CITY CORPORATION
80 W 50 S
PO Box 593
Willard UT 84340

435-734-9881

Receipt No: 1.018038

Aug 28, 2023

KAPP, NELSON REZONE APPLICATION

Charges for Services
Charges - PC & B of Adj

125.00

Total:

125.00

KAPP, NELSON SUBDIVISION APP CONCEPT

Charges for Services
Charges - PC & B of Adj

68.00

Total:

68.00

Check

Check No: 9796

Total Applied:

193.00
193.00

Change Tendered:

.00

Duplicate Copy
08/28/2023 2:39 PM

_____, the owner(s) of real property described above, hereby _____, as my (our) agent(s) to represent _____, the above described real property, and do authorize them to appear _____ Boards considering this application.

Owner(s)

Subscribed and sworn before me this _____ day of _____ 20____

Notary Public

Residing in _____

My commission expires: _____

Form PC-2 Rev. 9/19/02

A PRELIMINARY PLAT FOR: **KAPP SUBDIVISION** A PART OF THE NORTHWEST QUARTER OF SECTION 23, T8N, R2W, S1B&M, WILLARD CITY, BOX ELDER COUNTY, UTAH

SURVEYOR'S CERTIFICATE

I, JEFF C. NELSON, DO HEREBY CERTIFY THAT I AM A LICENSED LAND SURVEYOR IN THE STATE OF UTAH, LICENSE NO. 10000, AND THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH. I HAVE ALSO PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH.

Subdivision Boundary

A PART OF THE KAPP SUBDIVISION, BEING A PART OF THE NORTHWEST QUARTER OF SECTION 23, T8N, R2W, S1B&M, WILLARD CITY, BOX ELDER COUNTY, UTAH, IS SHOWN ON THE PLAT. THE BOUNDARY OF THE KAPP SUBDIVISION IS SHOWN ON THE PLAT. THE BOUNDARY OF THE KAPP SUBDIVISION IS SHOWN ON THE PLAT.

OWNER'S DEDICATION

THE LAND SHOWN ON THE PLAT IS BEING DEDICATED TO THE PUBLIC FOR THE USE OF THE PUBLIC. THE DEDICATION IS BEING MADE BY THE OWNER OF THE LAND, WHO IS DEDICATING THE LAND TO THE PUBLIC FOR THE USE OF THE PUBLIC. THE DEDICATION IS BEING MADE BY THE OWNER OF THE LAND, WHO IS DEDICATING THE LAND TO THE PUBLIC FOR THE USE OF THE PUBLIC.

ACKNOWLEDGMENT

THE FOREGOING INSTRUMENT HAS BEEN PERSONALLY ACKNOWLEDGED BEFORE ME, THE COUNTY CLERK OF BOX ELDER COUNTY, UTAH, BY THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT.

COUNTY RECORDER'S NO.

STATE OF UTAH, COUNTY OF _____, RECORDED AND FILED AT THE COUNTY CLERK'S OFFICE, BOX ELDER COUNTY, UTAH, ON _____ DAY OF _____, 2005.

WILLARD CITY ENGINEER'S CERTIFICATE

I, _____, ENGINEER, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH.

WILLARD CITY ATTORNEY APPROVAL

I, _____, ATTORNEY, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH.

PLANNING COMMISSION

THE PLAT HAS BEEN REVIEWED BY THE PLANNING COMMISSION OF THE CITY OF WILLARD, UTAH, AND IT IS HEREBY APPROVED BY THE PLANNING COMMISSION OF THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

COUNTY SURVEYOR'S CERTIFICATE

I, _____, COUNTY SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH.



GENERAL NOTES

1. The plat is subject to the provisions of the Utah Land Surveying Act, Chapter 2, Title 20, Utah Code Annotated, and the Rules and Regulations of the Board of Land Surveying, Utah.
2. The plat is subject to the provisions of the Utah Land Surveying Act, Chapter 2, Title 20, Utah Code Annotated, and the Rules and Regulations of the Board of Land Surveying, Utah.
3. The plat is subject to the provisions of the Utah Land Surveying Act, Chapter 2, Title 20, Utah Code Annotated, and the Rules and Regulations of the Board of Land Surveying, Utah.

FORESIGHT LAND SURVEYING

2005 North 800 West, Logan, Utah
 435-753-1910

ACKNOWLEDGMENT

THE FOREGOING INSTRUMENT HAS BEEN PERSONALLY ACKNOWLEDGED BEFORE ME, THE COUNTY CLERK OF BOX ELDER COUNTY, UTAH, BY THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THIS INSTRUMENT.

BEAR RIVER HEALTH DEPT. APPROVAL

THE INSTRUMENT SUBMITTED IN THIS PLAT HAS BEEN APPROVED BY THE BEAR RIVER HEALTH DEPARTMENT, BOX ELDER COUNTY, UTAH, ON _____ DAY OF _____, 2005.

WILLARD CITY COMMISSION

THE PLAT HAS BEEN REVIEWED BY THE WILLARD CITY COMMISSION, WILLARD CITY, UTAH, AND IT IS HEREBY APPROVED BY THE WILLARD CITY COMMISSION, WILLARD CITY, UTAH, ON _____ DAY OF _____, 2005.

WILLARD CITY ATTORNEY

I, _____, ATTORNEY, DO HEREBY CERTIFY THAT I HAVE PERSONALLY CONDUCTED THE SURVEY AND PREPARED THIS PLAT IN ACCORDANCE WITH THE UTAH LAND SURVEYING ACT, CHAPTER 2, TITLE 20, UTAH CODE ANNOTATED, AND THE RULES AND REGULATIONS OF THE BOARD OF LAND SURVEYING, UTAH.

UTILITY COMPANY APPROVALS

THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

UTILITY COMPANY APPROVALS

THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

UTILITY COMPANY APPROVALS

THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

UTILITY COMPANY APPROVALS

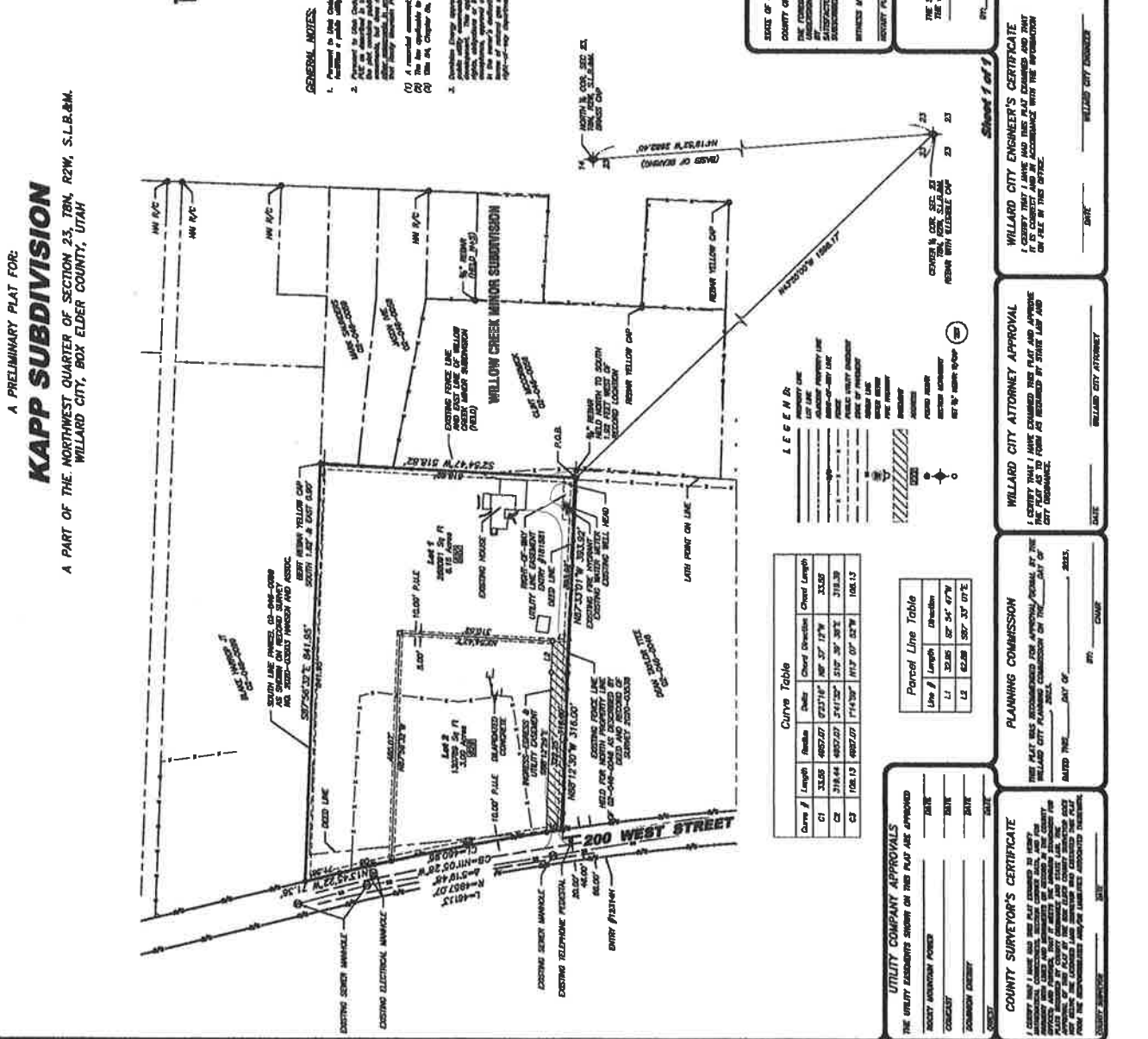
THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

UTILITY COMPANY APPROVALS

THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.

UTILITY COMPANY APPROVALS

THE UTILITY COMPANIES SHOWN ON THIS PLAT ARE APPROVED BY THE CITY OF WILLARD, UTAH, ON _____ DAY OF _____, 2005.



**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date:

08/28/23

Assessor's Parcel Number

Parcel # 2 & #3

Applicant:

Brett Hubbard & Julie Simmons
Mailing Address

Parcel Legal Description

See attached for legal description

2670 North 1325 East

N Ogden, UT 84414

Project Address

1094 South Main
Willard, UT 84340

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.

Phone Number

Cell Phone

801-388-8515

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.

Additional sheets, as required.)
e Applicant Affidavit on back of this page.

WILLARD CITY CORPORATION
80 W 50 S
PO Box 593
Willard UT 84340

435-734-9881

Receipt No: 1.018050

Aug 30, 2023

HUBBARD LOT LINE ADJUSTMENT

Charges for Services	
Charges - PC & B of Adj	25.00
Total:	25.00
Check	
Check No: 1885	25.00
Total Applied:	25.00
Change Tendered:	.00

Form PC-1 Rev. 9/3-02

Duplicate Copy
08/30/2023 9:59 AM

APPLICANT'S AFFIDAVIT

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

I, (we) Norris J. Hubbard & Emma Lou Hubbard Family Trust, 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 1094 South Main, 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 [Signature]
Property Owner(s)
AGENT Tulic Simmons, Executor of Trust

Subscribed and sworn before me this 29th day of August 2023



[Signature]
Notary Public

Residing in Erda, Utah
My commission expires: 11-17-2025

* 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) Norris J. Hubbard & Emma Lou Hubbard Family Trust, the owner(s) of real property described above, hereby appoint Angela Bronson, 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.

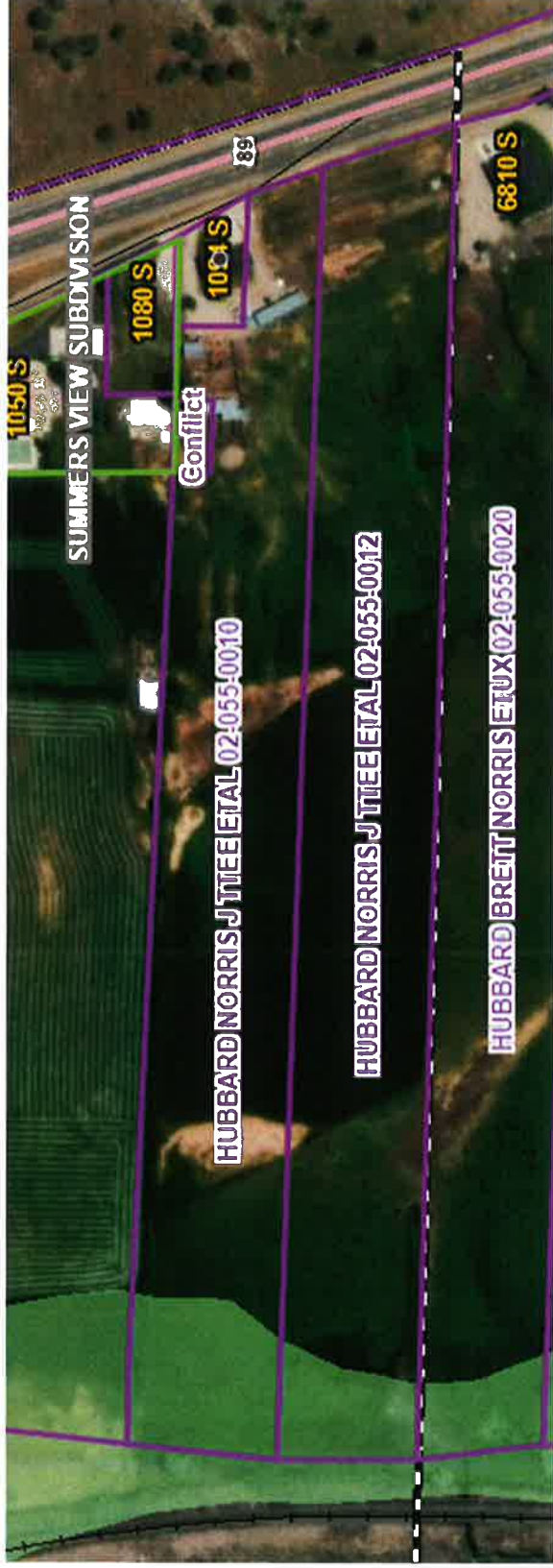
SIGNED [Signature]
Property Owner(s)



Subscribed and sworn before me this 29th day of August 2023

[Signature]
Notary Public

Residing in Erda, Utah
My commission expires: 11-17-2025



DRAWING NUMBER

Book 02 Page 055

SARCO PRODUCTS • NEW HOPE, MINNESOTA
REPRODUCED BY PLAT NUMBER 0552
POSITION LINE OF PLAT ON THIS LINE

DRAWING NUMBER

SARCO PRODUCTS • NEW HOPE, MINNESOTA
REPRODUCED BY PLAT NUMBER 0552
POSITION LINE OF PLAT ON THIS LINE

SECTION 35 TOWNSHIP 8N RANGE 2W

S.L.B.&M.

SCALE 1" = 400'

Book 2 Page 55

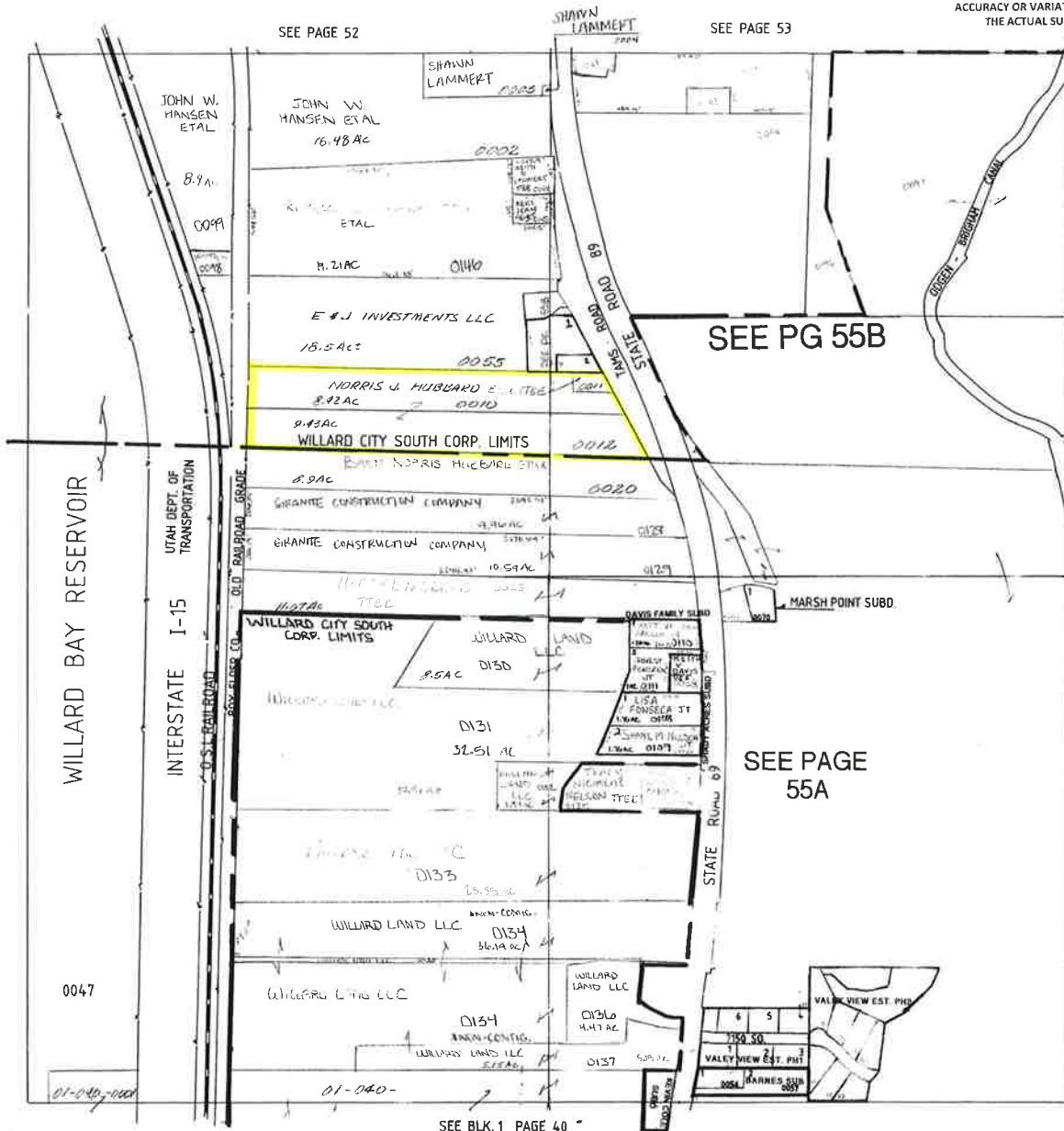
PREFIX 02-055 TAX UNIT 32.33

THIS OWNERSHIP PLAT IS FOR
REFERENCE PURPOSES ONLY.
NO LIABILITY IS ASSUMED FOR
ACCURACY OR VARIATIONS WITH
THE ACTUAL SURVEY.



MAP NUMBER: 02-055

SEE PAGE 6



SEE PAGE 6

MASTER CONDITIONAL USE PERMIT SPREADSHEET								
No.	Address	Applicant	Application Date	Fee	Approval Date	Type	Status and Review Date	Parcel No.
	51 North Main	Moyes, Jeff & Brenda	7/26/2022	\$25.00 PD	9/1/2022	Automobile Repair Shop	Active	02-047-0177
	53 North 100 West	Braegger, Josh	5/28/2020	\$25.00 PD	Approved 6/19/20	Multi-Family (Basement Apartment)	Active	02-047-0074
	55 South 100 East	Braegger, Kenneth			Approved 2/5/16	Contractor - Home Business	Active	02-050-0074
	105 South 100 East	Loveland, Judy	9/16/1996		Approved 9/20/96	Auto Repair - Home Business	Active	02-050-0008
	110 South 200 West	Gilbert, Brian	4/20/2023	\$25.00	Approved 5/18/23	Detached Accessory Dwelling Units	Active	02-051-0008 and 02-051-0242
	110 South 250 West	Heath, Trisha	5/18/2018		1/9/2019	Multi-Family Dwelling	Active	02-053-0003
	105 South 100 East	Loveland, Judy	9/16/1996		Approved 9/20/96	Auto Repair - Home Business	Active	02-050-0008
	110 South 250 West	Heath, Trisha	5/18/2018		1/9/2019	Multi-Family Dwelling	Active	02-053-0003
	155 South Spring Street (135 S 100 E)	Dean, Blair & Kathy Davis	6/21/1999		9/23/2005	Single Family Home On Sensitive Land	Active	02-050-0077
	188 South 250 West	Hansen, Lindsey B.	5/3/2006	\$25.00		Single Family Dwelling	Active	02-054-0021
	234 South 100 East	Olson, John	3/3/1989	\$25.00	3/22/1989	Business Trailer	Active	02-051-0126
	300 East 750 North	Granite Construction Company			11/3/2015	Concrete Batch Plant	Active	02-045-0005
	344 East 300 North	Merritts, Bill & Shelley	4/8/1993		5/10/1993	Single Family Dwelling on Sensitive Land	Active	02-048-0005
	370 North Main	Perry, Peggy Jo	10/28/2005	\$25.00	Approved 11/18/05	Fruit Stand	Active	02-046-0079
???	426 North 200 West	Thurgood, Ryan			1/24/2007	Home Occupation - Construction Business	Active	02-046-0080
	450 North 200 West	Radtke, Robert and Suzie	9/25/2014	\$25.00 PD	10/6/2014	Alpaca Farm	Active	02-046-0047 & 0084
	481 North 200 West	Beard, Lynn			Approved 2/5/15	Multi-Family Dwelling/Duplex	Active	02-046-0075
	500 East 625 South	Nielsen, Darrell (Now Staker Parson)	3/20/1980		4/11/1989	Gravel Removal	Active	02-049-0001 & 02-053-0044
???	500 South 200 East	Wilkes, Melissa			3/15/2015	Home Occupation	Active	02-053-0029
	550 North 200 West	Kilpack, Lee	2/16/2018	\$25.00		Multi-Family/Basement Apartment	Active	02-046-0046
	620 North 200 West	Kapp, Neldon & Jan	6/24/1905		2002	Building Permit	Active	02-046-0005
	683 North Main	Palmer, Morgan	2/9/2021	\$25.00 PD	Approved 5/6/21	Wedding Reception Center	Active	02-046-0102
	740 North Main	Grimes, Mike	7/19/1996		9/17/1996	Used Vehicle Sales	Active	02-046-0015
	747 South Main	Gilbert, Scott; Gilbert, Dustin; Russell, Dee	3/22/2016	\$25.00 PD	4/5/2016	Accessory Building	Active	02-053-0059
	769 North Main				2/7/2020	RV Campground	Active	02-041-0067

[illegible]

135 East Center	Rose, Nonna Mae	11/4/1988	\$25.00	11/16/1988	In Home Day-Care	Closed 2022 Expired January 2023	02-048-0029
155 East 100 South	Shropshire/S & K Trucking			7/18/2002	Home Business-Trucking Business	Expired	02-050-0085
155 South 100 West	Braegger, Tammy	2/13/2003		3/3/2003	In Home Day Care	Closed 2021 Expired January 2023	02-051-0107
250 East 100 North	Condie Construction	1/12/2009	\$25.00		Construction Trailer	Closed 2010 Expired 2011	02-048-0038
369 South Main	Mitchell, Craig	3/29/2016		4/5/2016	Temporary Residential Use	Closed Expired	02-051-0099
432 North Main	Francom, Matthew & Keldi	10/20/2020	\$25.00 PD	Tabled 11/19/20	Welding Shop	Tabled	02-046-0086
595 West 750 North	Zundel, Robert	6/8/1978		Denied 6/28/78	Campground	DENIED	02-044-0007
683 North Main	Palmer, Damon & Morgan	4/1/2018		4/12/2018	Temporary Residential Use	Expired 2/14/19	02-046-0102
725 North Main	Cox, Udiue	8/1/2005			In Home Day Care	Expired	02-046-0055
769 North Main	Wellison, Virginia	5/4/1990	\$25.00	6/15/1990	RV Park	Closed	02-041-0067
769 North Main	Gibbons, Gary			Approved 10/15/02	RV Campground	Closed	02-041-0067
781 North 200 West	Sanders, Jeff & Marshall, Brice			2/2/2009	Truss Manufacturing	Closed	02-041-0030
845 North Main	Neeley, Andrew	4/28/2014		6/20/2014	Small Engine Repair	Closed	02-041-0046
1494 North Main	Parrott, Anniece	1/19/1999		2/11/1999	In Home Day Care	Expired	02-040-033
1590 Hargis Hill Road	Hunsaker, Adrienne	4/20/2005		Approved 05/12/05	In Home Day Care	Expired	02-038-0049

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9681

CONDITIONAL USE PERMIT

Date Issued: June 19, 2020

Applicant's Name: Josh Braegger
53 North 100 West
Willard UT 84340

Parcel # 02-047-0074

A conditional Use Permit is issued for multi-unit housing, (basement apartment), with the following conditions.

1. The property is to remain the primary residence of the owner
2. If a second gas meter or electrical meter is installed, then sewer and water impact fees will be required.
3. No on street parking for rental unit.

Applicant Signature

Date

City Representative – City Planner

Date

Chairperson Pro-Tem Bingham asked Mr. Lemon to explain what is behind the Lemon house. Randy stated there is a paved lane running along the north side, the front lot is the Helen Jane Lemon house, with a lane running to the original house, to the west is an existing barn, labor house and mobile home. The original house was built in 1948 and the newer house in 1962. They are not wanting to do anything with the existing structures on the property but thought they would eventually be gone.

Commissioner Harrop asked why they were separating the lot. Mr. Lemon stated their intent is to sell the house. Mr. Lemon stated he has lived here his entire life and there have never been any issues at the house.

Commissioner Hart asked City Planner Wheelwright prior to the flag lot ordinance would this proposal be ok. City Planner Wheelwright stated yes.

Commissioner Harrop asked about grandfathering. Willard City Attorney Mund stated with the initial grandfathering it prevents the city from applying current ordinances retroactively. Moving forward with the lot line adjustment the grandfather status no longer exists. It would be up to this body to see if they violated our ordinances which he stated it does. He also stated the Planning Commission cannot deviate from what the ordinance state. The Planning Commission can deny the Lemons their request and they would then be able to appeal to the City Council for a variance.

Commissioner Dubovik asked what the purpose of the Flag Lot Ordinance was. City Planner Wheelwright state on west Center Street there was a few flag lots that were created and public safety personnel have expressed concerns about being able to access those properties and the city decided to do away with flag lots.

Commissioner Baker reported there was an application for a flag lot a few months previously and the Planning Commission denied them their request.

Commissioner Hart asked if they had the option of going south around the second house. Mr. Lemon stated they did not want to go that direction. He also asked if the Planning Commission could approve the variance. Attorney Mund stated no. Chairperson Pro-Tem Bingham felt the only option was to deny and ask for a variance with the City Council.

A motion was made by Commissioner Hart the deny the proposed Lot Line Adjustment submitted by Kenneth Lemon/HJ Lemon Family Trust for the property located at 254 South 200 West – Parcel #02-051-0237. The motion was seconded by Commissioner Harrop. The motion carried with a unanimous vote.

c. Conditional Use Permit for Josh Braegger for Multi-Unit Housing to allow an apartment in basement at 53 North 100 West – Parcel #02-047-0074

City Planner Wheelwright reported Josh Braegger is requesting a Conditional Use Permit to allow him to rent out his basement. The Planning Commission will need to address what conditions need to be applied. Josh Braegger stated there is plenty of parking in the back and there would be no parking out front.

Commissioner Baker asked if there would be separate utilities. Mr. Braegger stated no.

Commissioner Hart asked if there was a requirement for rentals to have separate utilities. City Planner Wheelwright stated it would be up to the homeowner if they wanted to have separate utilities.

Commissioner Harrop asked if there are any other emergency vehicle issues other than on street parking. City Planner Wheelwright stated no.

Commissioner Hart felt the only condition would be no on street parking.

Chairperson Pro-Tem Bingham stated the only condition he would have would be the owner should be one of the primary occupant. He asked for a motion.

A motion was made by Commisisoner Harrop to approve the Conditional Use Permit for

Josh Braegger for the property located at 53 North 100 West with the following conditions.

1) No on street parking allowed

2) Owner of property must be the primary occupant.

The motion was seconded by Commissioner Baker. The motion carried with a unanimous vote.

d. Discussion on proposed design to meet the Planned Development requirements for possible Annexation of the Old Farms Subdivision submitted by Willard Land LLC located at 7090 South Main for Parcels 01-040-0227, 02-055-0024, 02-055-0112 and 02-053-0051

City Manager Chris Davis gave an overview of proposal. He has had meeting with Brent Bailey and Lew Swain on a petition for Annexation and they are working through some issues. One issue is where they will be putting the sewer line the right of way is owned by UDOT. UDOT wants to sell the right of way to UTA and are working on an agreement with UTA and UDOT. They are also working on a retainment agreement with the 3 developers looking at annexing. The property is located in southern Box Elder County. The subdivision being discussed tonight meets the requirements of a Planned Unit Development as far as density and will meet the requirements for green space. This meeting will only be a discussion and no action will be taken tonight. If they can work out the pre-annexation agreement and the sewer agreement would they be able to move forward with the development. The sewer is a 1.8 million dollar project that will be paid for by the 3 developers and will not affect Willard City. The line will go to the south almost to the county line. He and Attorney Mund have spent a large amount of time reviewing the Development Agreement and will not be discussed tonight. They are only looking for feedback. The State Legislature has passed a statute with in the last year to allow the annexation of property that is not contiguous to the city. This proposal is 134 acres and will consist of 264 homes. They will bring with them water rights and will need to address how to get water to them and is currently working with their engineer.

Lew Swain and Brent Bailey are present at the meeting to discuss the proposal and answer questions.

Lew Swain – stated there are a variation of lot sizes ranging from 1/3 to ½ acre. The open space will be a well maintained 3.84 acre soccer field/city park with trees around the perimeter. The CCR's will address the height, setbacks and the type of materials used. The houses will not be built by EK Bailey but by the homeowners. The price range will be \$450,000-\$550,000. There will be multiple points of access into the development. They will connect the roads to the subdivision to the south and will put in stub roads to the north.

They have submitted documents to the City Attorney and City Manager. They will bring water rights with them for culinary and will be putting in secondary water from Pineview for outside watering. An 18" sewer line running north and south at the far west portion of property that will continue 20,000 ft. from 8300 South to the existing lift station. They will install the lines and preform upgrades to the lift station to accommodate the 3 proposed developments. This will allow the sewer treatment plant to have significant increase in sewer connections.

They have submitted the pre-annexation development agreement to the City Attorney and City Manager outlining the conditions they will be bound to and the different phases and the nature of the development. He showed the phasing plan for the development and stated they are looking at 25-30 homes per year with 10 total phases in the development. Incorporation of trails on the west side and they have an agreement with UTA to sell them 66' for an extension of the

**WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING**

Application Date: 5/28/20

Assessor's Parcel Number

Applicant:

Josh Braegger
Mailing Address

02-047-0074

Parcel Legal Description

PO Box 374
Willard UT 84340

Project Address

53 N 100 W

Phone Number

Cell Phone 801-940-1031

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:



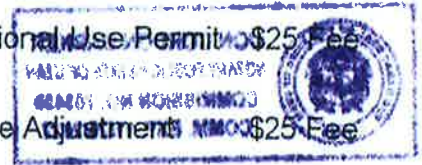
Conditional Use Permit \$25 Fee



Lot Line Adjustments \$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.

WILLARD CITY CORPORATION

80 W 50 S

PO Box 593

Willard UT

Receipt No: 1.007880

JOSH BRAEGGER

Charges for Services

Charges - PC & B of Adj

Total:

Cash

Total Applied:

Change Tendered:

25.00

25.00

25.00

25.00

.00

Duplicate Copy
05/29/2020 4:27 PM

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Joshua J Bruegger, 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 53 N. 100 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 Joshua J Bruegger
Property Owner(s)
AGENT Don Barker

Subscribed and sworn before me this 24 day of May 2020



Don Barker
Notary Public

Residing in Brigham City
My commission expires: 11/26/2021

* 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: _____



WILLARD CITY
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Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

4
5 The following members were in attendance:

6
7 Chandler Bingham, Vice Chairman Colt Mund, City Attorney
8 Chad Braegger, Alternate Bryce Wheelwright, City Planner
9 Alex Dubovik Michelle Drago, Deputy City Recorder
10 Brian Gilbert, Alternate
11 Blake Harrop
12 Zack Hulsey

13
14 Excused: Sid Bodily, Diana Baker, Chris Davis

15
16 Others in attendance: Mayor Travis Mote; Councilman John Seamons; Chris Marx; Rew Wiley; Doug
17 Thompson; Virginia Thompson; Pat Burns, Lync Construction; Morgan Palmer; Ken Ormond; and Ruth
18 Ormond.

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

21
22 1. PRAYER: Alex Dubovik

23
24 2. PLEDGE OF ALLEGIANCE: Chad Braegger

25
26 3. GENERAL PUBLIC COMMENTS

27
28 There were no comments.

29
30 4. CITY COUNCIL REPORT

31
32 Time Stamp: 03:36 08/17/2023

33
34 Councilman Seamons reported on the August 10th City Council meeting.

35
36 The City recently had the opportunity to test its emergency preparedness with the flooding that resulted
37 from the August 3rd rainstorm. He felt the City was well prepared, although some people in the community
38 suffered severely. One of those residents, Mike Wetzel, spoke with the Council about his place. The Council
39 determined that Willard Flood Control needed to be involved because they were responsible for controlling
40 surface water. Councilman Mike Braegger, who was on the Flood Control Board, reported that all of the
41 canyons were prepared, but Cooks Canyon. Everyone had counted on the Cooks Canyon trench to direct
42 storm water to the culvert and the storm drain on 1st South. However, in the past few years, homes had
43 been built over the top it. Storm water had found another route that ended up in Mike Wetzel's front yard.
44 The City Council was waiting for a report from the Flood Control about what can be done.

45
46 Councilman Seamons said the City Council reviewed an amendment to Chapter 12-101 regarding alternate
47 Planning Commission members. It tabled discussion about the Willard/Perry Interlocal Sewer Agreement
48 due to legal issues.
49



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50 The City Council discussed the joint work session with the Planning Commission regarding the General
51 Plan. Councilman Seamons felt the City was headed in the right direction, but the City had spent a lot of
52 time, money, and delay getting the General Plan DRAFT from the planning consultant. During the past
53 week, he reviewed a copy of the City's current General Plan. He personally felt that with a few tweaks the
54 City would have a plan that made sense. It seemed every time the draft General Plan was brought up, there
55 was a lot of discussion about density and other issues. He wasn't sure the plan should be density driven. It
56 was a plan for how Willard should look in 20 years. He wasn't sure the proposed draft provided that plan.

57
58 Councilman Seamons stated that the City Council reviewed the Dark Sky Ordinance. Then it discussed the
59 City's Annexation Policy Plan and Box Elder County's new policy regarding development in the
60 unincorporated areas. Anytime the County received a land use request in the unincorporated areas, they
61 were dumping it back on the closest city. Willard was being inundated, and property owners were incurring
62 a lot of extra time and money. The City was planning to do a chip and seal road project. Rocky Mountain
63 Power was installing a line on the west side of the HOP Trail on 200 West. They had bashed up the trail
64 pretty badly. The City met with Rocky Mountain Power about needed repairs. The City wouldn't get
65 everything it had asked for, but most of it would be repaired. The Council scheduled the Annual Day of
66 Service for Saturday, September 16th.

67
68 Councilman Seamons stated that he had asked the staff and Planning Commission to pursue a small
69 subdivision ordinance. The objective of the ordinance would be to simplify the process for one, two, and
70 three lot subdivisions so they didn't have the engineering expense of larger subdivisions. The small
71 subdivision would still need to be reviewed by SLUA. Right now small subdivisions had to submit the same
72 paperwork and engineering that a large development did.

73
74 Councilman Seamons stated that the Planning Commission would be receiving information about the
75 Annexation Policy Plan. According to the legislation he had reviewed, the Planning Commission put
76 together the Annexation Policy Plan and recommended it to the City Council. The Council would be asking
77 the Planning Commission to review that document because there were issues that weren't being
78 addressed, and it didn't seem that Box Elder County wanted to address them.

79
80 Commissioner Harrop asked about the Council's feelings regarding the annexation plan. Councilman
81 Seamons stated that the current Annexation Policy Plan needed to be updated. In light of the new MPC
82 and General Plan, he felt the City could come up with a decent policy that would protect the City and simplify
83 some of the issues being thrown at the City.

84
85 Commissioner Dubovik asked if the County wanted the City to annex areas south of the City. Councilman
86 Seamons stated that the City's current Annexation Policy Plan extended south to the Weber County line,
87 then swooped west of I-15, and back north to Willard Bay. The City needed to decide if it really wanted to
88 annex those areas. His neighbor owned property near Anderson Livestock Auction. In order for his neighbor
89 to create a one-acre lot, Box Elder County wanted him to proceed with full annexation into Willard City after
90 which he would have to complete and submit full engineered drawings. Box Elder County wouldn't have
91 anything to do with his neighbor's property until Willard City told him it would not annex his property. Bryce
92 Wheelwright had already received five similar requests.

93
94 Colt Mund, City Attorney, stated that the City Council had asked if other municipalities in Box Elder County
95 were also dealing with the same issue. His research indicated that other cities in Box Elder County were
96 dealing with the same annexation issues. It wasn't just Willard.



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Commissioner Dubovik asked if this was the County's way of pushing Willard to annex more land. Councilman Seamons felt it was the County's way of getting out of the municipal business. Unincorporated residents were receiving municipal services without having to pay for them. They were being subsidized by all of the residents in Box Elder County.

5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PROPOSED AMEND THE
WILLARD CITY ZONING ORDINANCE BY ADDING OUTDOOR LIGHTING (DARK SKY)
REGULATIONS

Time Stamp: 15:44 08/17/2023

Commissioner Hulsey moved to open the public hearing at 6:46 p.m. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

Vice Chairman Bingham opened the floor for public comments.

Rew Wiley, 75 West 825 North, felt the City needed a dark sky initiative to keep the skies in Willard darker. Well lighted businesses actually invited theft. He realized that businesses needed to worry about safety and security, but when lighting was so bright that nearby residents were impacted, it was too much. A previous mayor had promised him that lighting would not impact him. However, he couldn't find a written record of that promise so he didn't have a way to legally require the adjoining business to turn its light down. He felt the dark sky ordinance regulations should be retroactive so that businesses would have to comply within five years and keep their light within their boundaries. Residents should be able to watch meteor showers from their own yards. Dark sky regulations should address street lights and businesses.

Commissioner Braegger asked if perimeter lighting could be directed back toward a business establishment. Mr. Wiley felt perimeter lighting could be taken out by a criminal, which would leave a business vulnerable. If light was projected toward a business, he didn't feel the light would disturb him. He felt light needed to be limited to what was needed for security. A business did not have to broadcast its location to the whole world.

Pat Burns/Lync Construction, North Ogden, liked the dark sky ordinance. Several of the cities and towns he worked in had dark sky regulations. Technology now allowed light to be guided to within inches of a property line. He owned several businesses. There were programs that paid businesses to change their lighting.

Ken Ormond, 150 North Main, and 186 West 750 North/Ormond Construction, stated that they used lighting on their properties to prevent theft. Since they had installed lighting, the amount of theft had been reduced. Lighting did provide protection. Lighting allowed police officers to see if something was going on. Lighting, whether it was residential or commercial, helped with police enforcement.

Morgan Palmer, 683 North Main, did not feel lighting should be restricted. Her lights were motion activated and shone down. She did not understand how the dark sky regulations would restrict residents and businesses. Commissioner Harrop stated that the goal to have light directed down, not up and out. Morgan Palmer asked about Christmas lights. Commissioner Hulsey said the ordinance contained a lumen restriction. Colt Mund said there were regulations for landscaping lighting; seasonal lighting was excluded.



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Morgan Palmer asked if there was a particular light that was in question. Commissioner Dubovik stated that property owners could light up their property, but they needed to prevent light spillage. Commissioner Gilbert stated that the proposed ordinance was meant to prevent light pollution.

Morgan Palmer asked if there would be another public hearing. Colt Mund stated that there would be another public meeting with the City Council, but there may not be another public hearing. At the Council meeting, the mayor would determine whether further public comments would be allowed.

Commissioner Harrop read from Section C of the Outdoor Lighting Standards by Type, "...may be allowed to accent unique features of a building and/or surrounding landscaping" as long as there wasn't a negative impact. The City wasn't planning to do away with low-lumen accent lighting, but it didn't want spot lights all over.

Morgan Palmer asked about motion lighting. Her lights were directed down, but they were her security. Commissioner Dubovik stated that in Paragraph D of the Section on General outdoor Lighting Standards, it said, "Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases."

Commissioner Hulsey said the biggest thing was to keep your light on your own property.

Colt Mund stated that all existing lighting in the City was essentially grandfathered in. There was not a requirement to bring lighting into compliance until a property owner submitted a land use application, such as a rezone or a development, or building permit. Then the owner would have to bring his property into compliance.

Morgan Palmer asked about street lighting. Commissioner Dubovik stated that all street lighting was exempt.

Commissioner Harrop moved to close the public hearing at 7:10 p.m. Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PROPOSAL TO AMEND THE WILLARD CITY ZONING ORDINANCE BY ADDING OUTDOOR LIGHTING (DARK SKY) REGULATIONS

Time Stamp 29:50 08/03/2023

Vice Chairman Bingham asked how the Planning Commission felt about the proposed outdoor lighting (dark sky) regulations.

Commissioner Hulsey was in favor of the proposed ordinance. Turning light downward made a huge difference.

Commissioner Gilbert stated that most of the cities he worked and developed in required a photometric plan completed by an electrical engineer to show the lighting and the foot candles to make sure there would not be light pollution on adjoining properties. He recommended that the submission of a photometric plan be required for any new businesses. He felt the cost of a photometric plan would be prohibitive for residences.



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Colt Mund stated that photometric plans were common in a lot of cities. He felt that was a good and appropriate suggestion. There was an application process in the ordinance that would allow the requirement of a photometric plan.

Councilman Seamons stated that the proposed ordinance limited the total outdoor light output to 100,000 lumens per next acre. That was not a lot of illumination. He asked where that number came from. He wanted the ordinance to be defensible. Colt Mund stated that it came from Eagle Mountain's outdoor lighting regulations. The Planning Commission's role was to determine if an ordinance made sense for the community.

Commissioner Gilbert felt the City should move away from low pressure sodium lighting. It was old technology. LED lighting provided the same lighting with a higher efficiency and lower cost.

Rew Wiley asked that existing, grandfathered businesses be advised to change their lighting so that they didn't impact adjoining residents. Commissioner Harrop wasn't sure the ordinance could retroactively require compliance. Colt Mund said some cities had required that every business or residence come into compliance within two to three years. It was something for the Planning Commission to consider. As an attorney, he was uncomfortable with that. That would put a lot of burden on the City's enforcement staff of one.

Commissioner Dubovik said the International Dark Sky Association probably had awards that recognized businesses for compliance. If a business did come into compliance, the City could present an award the business could display. Colt Mund felt that was a good idea.

Commissioner Harrop asked about residential requirements. Colt Mund stated that the standards for residential outdoor lighting were slightly different than commercial, but generally speaking the ordinance applied to all outdoor lighting.

Commissioner Harrop asked if residential homes would be required to submit a photometric plan. Colt Mund said the ordinance did not specifically require a photometric plan. It did require a lighting plan that met the requirements of the City Planner and the Planning Commission. Commissioner Gilbert had suggested that photometric plans apply to businesses and developments. Photometric plans were expensive. Commissioner Gilbert felt a photometric plan for a residential home would be cost prohibitive.

Commissioner Dubovik felt a photometric plan should be added to the list of options in the Plan Submittal Section. Colt Mund felt the ordinance provided the discretion for the City Planner, SLUA, or the Planning Commission to require a photometric plan, or the Planning Commission could require a photometric plan for certain types of development.

Commissioner Braegger asked Pat Burns if a photometric plan was a reasonable requirement. Pat Burns said it absolutely was. He had provided photometric plans before. He understood what the dark sky requirements were and ordered lights that were dark sky compliant. They weren't that expensive. They were lights that were shielded and shone down.

Bryce Wheelwright, City Planner, stated that there was a street light design in the City's Public Works Standards. It was a 14-foot cobra design with a 14-foot pole. Willard City had contracted with Rocky Mountain Power to install those lights. The lights were owned by the power company, and they were dark sky compliant. All contractors had to do was let the City know they were ready for street lights. Then the



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City created a work order to have the lights installed by Rocky Mountain Power. It was up to the Planning Commission if they wanted to be more restrictive than that.

Commissioner Dubovik suggested that street lights be handled similar to the curb and gutter. Street lights would be required to comply with the Dark Sky Ordinance Compliance would be determined by the City Engineer according to certain criteria.

Colt Mund stated that the proposed ordinance required the submission of a site plan that indicated the location of all lighting fixtures, both proposed and existing, and a description of each device that included lamp types, wattages, and initial lumen outputs. The planning director could determine if other information was necessary to ensure compliance of the code. The ordinance did provide flexibility.

The Planning Commission agreed that the proposed language did provide the flexibility to require a photometric plan.

Commissioner Dubovik wanted to make sure that the commercial lighting time limitation of 11:00 p.m. coincided with the City's Noise Ordinance. He felt the lighting and noise should both be reduced at the same time. Colt Mund stated that he could not find a time limit in the City's Noise Ordinance. He had verified that fact with Bryce Wheelwright, the City Planner. The City's Noise Ordinance did not include a time restriction. Generally the time restriction had thought to be 11:00 p.m., and that time was even included in some conditional use permits. However, the City's Noise Ordinance did not include a specific time. Bryce Wheelwright stated that the City's Nuisance Ordinance was very broad.

Commissioner Dubovik stated that Prohibited Lighting Section A talked about *approved special events*. What was an approved special event? Colt Mund stated that it could be something similar to a concert in the park. An event approved by the City that would be accompanied by a lighting plan. Commissioner Hulsey asked if the City had a special event permit process. Bryce Wheelwright said it did. Colt Mund said he could add language that said a City approved special event.

Colt Mund listed the changes recommended by the Planning Commission: Willard City approved special events in Prohibited Lighting; removal of low-pressure sodium lighting in General Outdoor Lighting Standards; the Planning Commission felt the current language in Plan Submittal and Evidence of Compliance provided the discretion to require a photometric plan; and making sure the time restriction in commercial lighting time limitation coincided with the City's Noise Ordinance.

Commissioner Harrop moved to recommend that the City Council approve the outdoor lighting (dark sky) regulations with the changes listed by the City Attorney. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

5C. 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

Time Stamp: 46:00 08/17/2023

Colt Mund stated that the need for alternate members had been discussed. He had prepared a draft to the revise existing code that would allow two alternate members to sit on the Planning Commission and to be voting members. The additional changes in Subsection F (4) and (6) were to clean up the existing Planning Commission Code. Changes had been made regarding consideration of conditional use permits through a



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Conditional Use Permit Review Committee, and in (6) the Board of Adjustment had been replaced with a Hearing Officer who heard land use appeals regarding decisions made by the Planning Commission.

Commissioner Hulsey said the Planning Commission had talked about periodically reviewing conditional use permits. Should that be included in the amendment? Cold Mund stated that when the Conditional Use Permit Code was amended, a review clause was added. It said, "The Planning Commission may review compliance with an issued conditional use permit at regular intervals at the discretion of the Planning Commission, or upon recommendation of the City Planner."

There was a discussion about the conditional use permit review process. Commissioner Hulsey stated that the Planning Commission was asking that the conditional use permits be reviewed regularly. Commissioner Braegger felt the fairest way to do it was start at the top of the list and work down.

Commissioner Hulsey moved to recommend that the City Council approve the proposed amendment to Chapter 12-101 to allow for alternate Planning Commission members, to grant alternate members voting rights, and duties and powers of the Planning Commission as drafted. Commissioner Harrop seconded the motion. All voted "aye." The motion passed unanimously.

Mayor Mote arrived at 7:24 p.m.

5D. 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 52:44 08/17/2023

Vice Chairman Bingham stated that this item was a continuation of the work session held at the last meeting.

Commissioner Hulsey stated that he made some rough density calculations based on the discussion from the work session. Councilman Kunzler said he liked the density of Old Town Willard. He had suggested counting the number of houses in Old Town Willard and repeating that density in the rest of the community. Using aerial imagery, he counted the number of houses and calculated that Old Town Willard had a rough density of 1 acre. He looked at a blanket density based on the current zoning map, excluding the existing PUD's, commercial, industrial, and TOD and came up with 1.75 acres per lot. He then looked at the map from the draft plan, and again excluded the PUD's, the commercial, industrial, and TOD. He came up with a .66 to .75 acre density. (See attached calculations).

Vice Chairman Bingham felt the .66 to .75 was the density he was thinking about. By the time land was taken out for roads, it would leave about a half-acre lot. Half-acre lots always seemed to be the number Willard revolved around. He liked the idea of a blanket density, with the exception of the commercial and industrial areas. It would be an even playing field for everyone. If a blanket density was applied, the Planning Commission needed to revise the MPC Zone to allow developments smaller than 20 acres, such as five to 10 acres, in order to get clustering and various lot sizes. Then the blanket density could be utilized more effectively.

Commissioner Hulsey understood that the Commission was worried about being fair to property owners, but there was also something to be said for property owners who had purchased a large property based on the current zoning map because they didn't want neighbors. If the City did away with the large lot size



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requirement, it wasn't fair to them either. There were different types of property owners. Some purchased property to maximize it. Others wanted to keep open space.

Vice Chairman Bingham stated that he was looking at the lots and houses already in the 1-3 acre area shown on the Draft Future Land Use Map. A lot of that area was already in half-acre lots or different variations. He had always felt that property owners shouldn't rely on City ordinances to ensure open space around them. If you wanted it to remain open around you, you should purchase the property because you can't dictate what someone does with their property.

Commissioner Hulsey said people could choose to live somewhere based on a zoning map.

Commissioner Dubovik didn't feel the City had to sell the farm. It didn't have to make future land use equitable. If the City planned for an area to have quarter acre lots hoping there would be a varied lot size, developers would come in and do nothing but quarter acre lots. The General Plan narrative talked about a rural feel. He didn't feel a half-acre grid from Willard to Brigham City would have a rural feel. The hard part was trying to balance everything. He liked the idea of varied lot sizes. How did the City ensure them?

Vice Chairman Bingham felt encouraging the MPC Zone would provide varied lot sizes. He didn't feel there weren't going to be large farms in Willard anymore. That was one of the things that was going away. There weren't going to be many left who made their sole living by farming. However, there would be people with smaller farms. The only way to keep open space was to have varied lot sizes.

Commissioner Braegger stated that he was running for City Council. He had been asked to answer a question about affordable housing. He wasn't sure what that was anymore. He didn't feel current rent prices was affordable. The only affordable housing he could see in Willard right now was an ADU. Things were going to get hard, and people would have to look out for their kids. Having space in your backyard was not a bad thing. The land had been purchased, and the utilities were there.

Commissioner Dubovik felt the work session was open ended. He asked if there would be another one. Commissioner Harrop said there wasn't a definite closure. Councilman Seamons didn't feel there was closure either. He had taken good notes during the work session. The Commission and City Council were focused on density. The point was property rights. How did the City tell a property owner he couldn't sell the farm?

Commissioner Hulsey said the City wasn't telling property owners they couldn't sell land, but City was saying the lot size had to be larger than half-an-acre. Councilman Seamons said the City was telling a property owner he could only get so much for his land. Commissioner Hulsey the lot size was dictated by the Future Land Use Map. If an area was designated for large lots, that was the minimum lot size.

Commissioner Harrop didn't want to be the one to dictate what someone's land was worth. He could see the issue from the landowner's perspective.

Commissioner Hulsey stated that he would tell a property owner what the zoning was. Councilman Seamons said that would determine what land was worth. The Planning Commission had to consider property rights.

Vice Chairman stated that the DRAFT Future Land Use Map in its current configuration made the MPC Zone useless.



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Commissioner Hulsey felt the MPC Zone would be most applicable in the area designated for 3 to 5 acres. Vice Chairman said it was also the area that couldn't utilize the MPC Zone.

Commissioner Dubovik asked what would stop the City from rezoning an agricultural property to the MPC Zone if someone brought in a compelling plan. Vice Chairman stated that if a property owner submitted a rezone petition in the A-5 Zone, the entire density could only be five acres. Commissioner Dubovik said an MPC would be a new zone. Vice Chairman Bingham said the MPC referred back to the density of the Master Plan. Commissioner Dubovik thought the MPC gave the applicant the opportunity to have a different density. Vice Chairman Bingham said the MPC was tied to the density in the master plan.

Vice Chairman Bingham didn't want Willard to be a half-acre grid. He wanted to provide a way for there to be a variety of lot sizes.

Commissioner Dubovik asked if the MPC Zone could be reworded to allow a density that wasn't tied to the master plan if a compelling development plan was submitted.

Commissioner Hulsey felt that would make the review process too subjective. It would be hard to make sure it was fair for everyone. He felt decisions needed to be tied to something concrete.

Commissioner Dubovik felt the MCP Zone was written to provide some levity so the Planning Commission could pick ideas it felt were better for the City.

Councilman Seamons stated that landowner incentives were discussed in the work session.

Commissioner Harrop asked if there was a way to implement incentives without showing favoritism. Commissioner Dubovik felt qualitative statements with a weighted scale could be added to the MPC Zone.

Vice Chairman Bingham wanted to provide as many tools as possible to get the density the City was looking for without telling a property owner they had to have five acres here, three acres here, or one acre over there. He felt the City wanted to have varied lot sizes that could provide affordable housing.

Commissioner Hulsey wasn't sure lot sizes had much to do with affordable housing. He felt house size was what really dictated the value. His greatest fear about a blanket density was a big grid that maximized the land as much as possible.

Vice Chairman Bingham felt the MPC Zone would allow various lot sizes. Commissioner Hulsey asked why clustering lots would allow a developer to save on infrastructure costs. He agreed with clustering, but what would give a developer incentive to do that? Pat Burns, Lync Construction, stated clustering homes did save on infrastructure costs. However, he felt a developer needed to be able to get more density for clustering and leaving open space. A developer needed a reason not to develop an entire piece of property.

Commissioner Hulsey asked if a developer would cluster solely to have on infrastructure costs. Pat Burns felt the Planning Commission was talking about two different animals – the price of a lot and density. Density was everything. The price of the land was one cost. If you get ten lots out of it, the price of the land didn't change. Land cost one one-third the cost of a development. Infrastructure costs was another third. Infrastructure costs could change and go up. Density made it worth it to change a development. It was the key. A developer could to a three-acre lot and get more money for the bigger lot. But, could he still put in the infrastructure in, pay for the land, and still get a return out of it? The cost to develop a big lot with a large frontage was huge, but if a developer could cluster lots and get more density, open space could be



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created, which is what everyone wanted. Density allowed a landowner to be able to sell land for more money. It gave the developer the ability to pay for the infrastructure and the land. In the MPC Zone, if he had a 20-acre parcel, and he could only have 20 lots, there wasn't a benefit. If he could have 30 lots on 20 acres if he got creative, everyone got what they wanted – open space, density, or buying back. He thought the option to buy back was a great idea. An appraiser did not care about zoning. An appraiser looked at other uses within a half-mile to a mile.

Commissioner Braegger asked who took care of the open space in developments. Pat Burns stated that the open space was the responsibility of an HOA, a city, or a county. They were setting up HOA's that were run by a management company.

Commissioner Gilbert asked if the rural feel was more parks, or was it small farms. Open space was a broad term. He didn't want more parks. He wanted small farms. The Planning Commission agreed.

Commissioner Hulseley wanted to figure out how to get more agricultural conservation easements. If open space was in a conservation easement, it could be sold or leased at a much more reasonable price. That would keep the rural feel. Mayor Mote said that was what Dr. Beard was doing. He explained how conservation easements worked. Commissioner Hulseley asked if a property owner made money by selling agricultural rights to a conservation easement. Mayor Mote said there were some programs that might help offset some of the cost of a conservation easement.

Vice Chairman Bingham felt the only agricultural easement the City would get was someone willing to purchase property and work it. That was why he felt the City needed a tool to get large and small lots over the entire city. The City had to do something to incentivize people to sell larger lots. The intention of blanket zoning wasn't to have everything be the same. Maybe the Planning Commission needed to change the MPC Ordinance so that it wasn't tied so tightly to the Future Land Use Map. He didn't feel the proposed Draft Future Land Use Map made sense, except for the commercial and industrial areas. It inhibited the MPC Zone. Open space wasn't just parks. It was land without houses. He didn't feel the City would be able to maintain that kind of open space. If a property owner could put all of his property in half-acre lots, the five acre lot would never be for sale.

Commissioner Dubovik stated that if the City established a blanket density to encourage MPC developments, what would prevent developers from just developing a half-acre grid.

Vice Chairman Bingham hoped an MPC would encourage clustering of homes to save on infrastructure costs. He felt that was the only way to get the best of both worlds. Otherwise, the City was going to get a grid of houses, no matter what. Once property was in an MPC Zone, the property would be locked up. It was the only way everybody wins.

Commissioner Braegger stated that the City could not require a property owner to do an MPC Zone.

Commissioner Harrop stated that a land owner needed to make money, and so did a developer. There was a need for developers, but it had to be financially feasible or they would walk away. If the City provided an incentive, a developer could capitalize. The City would get the open space, the developer could make money, and so could a landowner.

Vice Chairman Bingham felt the Planning Commission needed to work on the MPC Zone. There needed to be a density bonus, but the City didn't want a loophole that would make everything go crazy. The City didn't want anything like the old PUD Ordinance.



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Pat Burns stated that a developer/property owner would still have to apply for a rezone. He suggested that the rezone be accompanied by a preliminary plan and a development agreement. The City could then dictate through the development agreement. The rezone and plat would be tied to the development agreement. That would stop developers from a bait and switch. A rezone with a development agreement was a tool that would provide the City with teeth.

Commissioner Dubovik felt there would be subjectivity in that process. The Planning Commission would be making a subjective decision on whether or not a plan benefitted the community. He didn't feel the City could get away from subjectivity if it wanted to do an incentive program. The Planning Commission would have to be consistent. The Planning Commission would need objective criteria. It was easier to say than do.

Commissioner Gilbert felt there was some subjectivity with every development.

After further discussion, Commissioner Dubovik said he wanted to pitch these ideas to the City Council.

Commissioner Braegger asked if the City was sure it had set aside enough commercial land. There wasn't a lot of room for commercial on Highway 89 or 750 North. In 20 years would the City lack the commercial area it needed to support the City? There was a lot of wet ground west of 200 West that wasn't ideal for building, but might be good for commercial.

Councilman Seamons stated that there was land west of I-15 north of Willard Bay that needed to be addressed.

The Planning Commission discussed scheduling another work session with the City Council.

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

5E. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PETITION FROM CHRIS MARX TO REZONE APPROXIMATELY 10.84 ACRES LOCATED AT APPROXIMATELY 297 WEST 380 NORTH FROM A-5 TO R-1/2 (PARCEL NOS. 02-044-0008, 02-046-0010, 02-046-0011, AND 02-046-0012) (CONTINUED FROM JUNE 1, 2023)

Time Stamp: 1:43:37 08/17/2023

Bryce Wheelwright stated that in June, the Planning Commission held a public hearing regarding a rezone request from Chris Marx. After the hearing, the Planning Commission tabled consideration of the rezone until the General Plan was updated. Chris Marx wanted to move forward with the rezone process and approval of his development concept. He planned to have half-acre lots on the east part of his property. The west end would remain a larger parcel.

Commissioner Dubovik asked if the rezone area matched the existing Future Land Use Map. Bryce Wheelwright said part of the east side did. The west half had a future designation of A-3. The east part was contiguous with half-acre development.

Chris Marx, 297 West 380 North, stated that he was asking for half-acre lots 300 feet west into the area designated for future A-3 zoning. He planned to leave a five-acre lot on the west side for himself, which



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would comply with the designed A-3. Part of his land was already zoned R ½. He was just asking to stretch that area a little further to the west. He felt his concept plan fit the criteria the Planning Commission had been discussing. It had a variety of lot sizes with half-acre lots for his kids and a large open lot for himself. He had listened to input from the City. His concept plan included a stub road to the south and showed where a future 500 West would be, as well as the future UTA corridor.

Commissioner Harrop asked about the total acreage. Chris Marx said he had 11.45 acres, which included his current home.

Commissioner Braegger asked about water rights. Chris Marx said he had both water rights and water shares. Commissioner Braegger asked if the road had been designed around the location of the sewer trunk line. Mr. Marx said it had. Commissioner Braegger asked if the sewer line running north had been lined up with the future 500 West. Mr. Marx felt it was actually west of the future 500 West. Commissioner Braegger felt Mr. Marx needed to be aware of the sewer's location so it didn't mess up plans for the large 5-acre parcel.

Commissioner Dubovik was concerned that making a decision that did not follow the Future Lane Use Map would set a legal precedence.

Colt Mund stated that his previous concern regarding the rezone petition was that the current Future Land Use Map did not contemplate half acre lots on all of Chris Marx's property. Under State Code, a general plan was an advisory document. A city could put as much weight on it as it wanted. However, Willard City's General Plan was mandatory. It said that when the City considered a rezone application, it had to conform to the General Plan. Although the City was in the process of updating the General Plan, there was an existing plan.

Vice Chairman Bingham asked if being contiguous to other half-acre lots carried any weight. Colt Mund didn't feel contiguous zoning was relevant unless the City was discussing spot zoning.

Colt Mund stated there were ways to make the rezone work while protecting the City. A Future Land Use Map could be amended. In situations like this one, an applicant could submit a request to amend the General Plan in conjunction with the rezone. Chris Marx could request that the Future Land Use Map be changed from A-3 to R ½. He preferred to have the Future Land Use Map updated in conjunction with the rezone to avoid setting a precedent.

Commissioner Hulsey felt the City needed to stick to the map, which made this situation hard. The concept presented by Chris Marx had various lot sizes. In order to be fair to everyone, the City had to stick to the Future Land Use Map. He would be more open to amending the map. In this circumstance, the planned subdivision met the spirit and intent of what the City was trying to do.

Commissioner Gilbert felt Chris Marx's proposal felt rural.

Commissioner Harrop liked the plan as well. He realized that amending the Future Land Use Map meant a longer process for Chris Marx.

Chris Marx asked if the Planning Commission could make a double recommendation to the City Council regarding a Future Land Use Map amendment and his rezone petition so he didn't have to wait. The Planning Commission just stretched out the approval of the proposed Future Land Use Map another month. He felt it would be December or January before it as actually approved.



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Colt Mund stated that public notice and a public hearing was necessary to amend the General Plan. Mr. Marx could submit an application to amend the General Plan, the Planning Commission could hold the required public hearing, and it could forward a recommendation regarding the General Plan amendment to the City Council along with a recommendation to approve the rezone subject to the General Plan amendment.

There was a discussion about setting a public hearing and the application process.

Commissioner Hulsey clarified that Chris Marx would submit an application for a General Plan amendment, the Planning Commission would hold a public hearing at the next meeting, and then the Planning Commission would make a recommendation regarding the General Plan amendment and the rezone petition to the City Council. Mr. Mund said that was correct.

Commissioner Dubovik was concerned that would set a precedence for more amendment requests. How could the Planning Commission document criteria used to decide whether to amend the General Plan? Colt Mund stated that there was criteria for a rezone. Amending the General Plan was more discretionary. There wasn't criteria in the Zoning Ordinance.

Commissioner Hulsey felt the role of the Planning Commission was to interpret the intent of the plan.

Mayor Mote stated that the General Plan included a vision statement. Any amendment should support that vision statement.

Commissioner Hulsey moved to table consideration of the rezone petition submitted by Chris Marx and set a public hearing to consider a General Plan amendment at the next meeting subject to Chris Marx submitting an application. Commissioner Harrop seconded the motion. All voted “aye.” The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF AUGUST 3, 2023, REGULAR PLANNING COMMISSION MINUTES

Commissioner Dubovik moved to approve the August 3, 2023, minutes as written. Commissioner Harrop seconded the motion. All voted “aye.” The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 2:08:40 08/17/2023

Colt Mund

Did not have any comments.

Bryce Wheelwright

Bryce Wheelwright stated that he had attended the August 16th Box Elder County Commission meeting. During that meeting, the County Commission approved the recommendation that the Mike Bastian property in South Willard be annexed into Willard City. That would probably be coming before the Planning Commission.



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Commissioner Braegger

Did not have any comments.

Commissioner Dubovik

Commissioner Dubovik was concerned about the number of cars being parked in front of J & B Auto. Bryce Wheelwright stated that he had spoken with Jeff Moyes about the amount of cars. Mr. Moyes said he would take care of the cars.

Commissioner Hulse

Commissioner Hulse asked if there was a plan to move the fire station to the east side of the community. Bryce Wheelwright said there wasn't a plan. Mayor Mote stated that the City had been given some land on the east side, and he had spoken with the Fire Chief about the possibility prior to the budget year. Chief Mund was going to look into a design and a cost.

Commissioner Gilbert

Did not have any comments.

Commissioner Harrop

Did not have any comments.

Vice Chairman Bingham

Vice Chairman Bingham stated that there was a campground in Willard operating without a conditional use permit. They weren't charging, but there were four or five people camping there year-round. Bryce Wheelwright stated that the property owner was running an agricultural business. Commissioner Dubovik said they were probably part of Harvest Hosts, which was a national organization. Upon payment of a membership, members could stay at a farm for a day and then move on. It was supposed to promote patronization of businesses. The benefit for the camper was a free spot for the night. Mayor Mote stated that the City code allowed a property owner to have a guest stay in a motor home up to a week. It appears to be within the City's code.

8. ADJOURN

Commissioner Harrop moved to adjourn at approximately 8:46 p.m. Commissioner Dubovik seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily
dc:PC 08-17-2023

Planning Commission Secretary
Michelle Drago

Total Area (AC)	4531.2 AC	Online Research
Total Households	563 741.3333333	
Current AC/Houses	8.048312611 6.112230216	

Draft Map	AREA (SF)	AREA (ACRE)	Density (MIN)	Density (MAX)	Density (MID)
R 1-3	19051720	437.3673095	145.7891032	437.3673095	218.6836547
R1/2	51459707	1181.352319	2362.704637	2362.704637	2362.704637
Ag 3-5	19728550.6	452.905202	90.5810404	150.9684007	113.2263005
Comm Gen	23151217	531.4788108			
Comm Ret	2670696	61.3107438			
Oldtown	5686130	130.5355831	395.562373	395.562373	395.562373
TOD	1353460	31.07116621			
PUD	11181067	256.6819789			
ENV Sens	59384360	1363.277319			
Ind	6967154	159.9438476			
Total	200634061.6	4605.924279			
Total Residential (Excluding PUD and TOD)	95926107.6	2202.160413	1.359863312	1.519690709	1.403247896
	<u>Acres per Lot --></u>		<u>0.74</u>	<u>0.66</u>	<u>0.71</u>

Current Map	AREA (SF)	AREA (ACRE)	Density
R 1	751645.36	17.25540312	17.25540312
R1/2	24254767	556.8128329	1113.625666
Ag 3	1474467	33.84910468	11.28303489
Ag 5	64858126.3	1488.937702	297.7875404
Comm Gen	3815102.8	87.58270891	
Comm Nei		0	
Oldtown	5788553	132.8868916	402.6875504
PUD	8756653.1	201.0250941	
Multi-use 40	44430590	1019.985996	25.49964991
Total	154129904.6	3538.335734	
Total Residential (Excluding PUD and TOD)	32269432.36	3249.727931	0.574860076
	<u>Acres per Lot --></u>		<u>1.74</u>

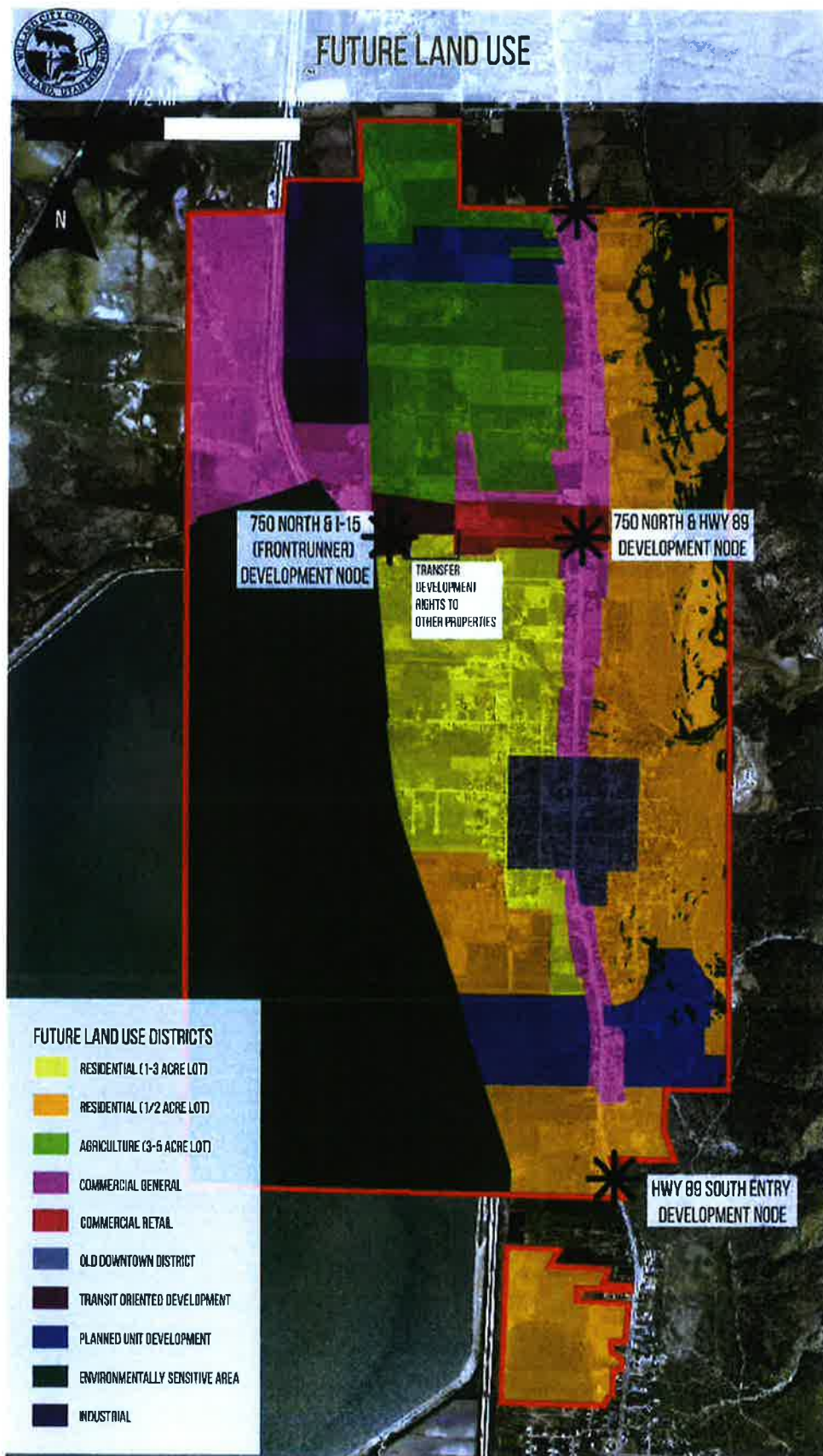


Figure 15: Willard Future Land Use Map (2023)

Residential:

The Future Land Use Map provides two (2) residential districts, Residential (1–3-acre lot) and Residential (0.5- 1 acre lot). For each residential district, the lots sizes identified are minimum required standards.

The purposes of the two (2) residential districts are similar, to recognize existing development patterns and provide residential settings that are safe, attractive, convenient, and in desirable locations for long-term residential enjoyment, uses and associated activities. As these areas continue to develop, they must provide access to required transportation and circulation systems, including active transportation facilities, including trails, and biking routes.

Residential 1–3-acre lot – Recommended Use/Density – Residential (and associated activities) / One Dwelling Unit per 1-3 acres, and larger for owners seeking property assessment under the Utah Farmland Assessment Act or Greenbelt Act.

Residential 0.5-acre lot – Recommended Use/Density – Residential (and associated activities) / One Dwelling Unit per 0.5 acres – 1 acre, and larger for owners seeking property assessment under the Utah Farmland Assessment Act or Greenbelt Act.

Agriculture:

"Willard City has a rich rural, agricultural history. The citizens have worked to maintain the rural and small-town qualities of the City" (Annexation Policy Plan). Residents desire to continue to recognize that heritage of areas where rural pursuits, agricultural activities, and the grazing of animals are allowed and protected.

Maintaining the small-town and rural ambiance will not be easy as the City faces constant growth pressures from the north and south. City officials and residents must remain committed to protecting the small-town qualities of their City and protecting the City's agricultural heritage. This Plan provides various policy statements to guide future land use and community decisions applicable to the City's Agricultural Heritage Areas.

The Agriculture District (Future Land Use Map) provides areas of the City determined appropriate to provide opportunities for low density residential development patterns (minimum lot size 3 – 5 acres) and the protection of viable agricultural soils. The Agriculture area promotes agriculture, as determined by the landowner, based on the area used for viable agriculture, the opportunity to qualify such areas under farmland, or green belt, property taxation assessments. Agriculture provides protection for existing agricultural and rural activities and uses, including alfalfa and other cropping, orchards, and associated fruit and produce stands, vegetable gardens, and the keeping of animals.

Recommended Use/Density – Residential (and associated activities) / One Dwelling Unit per 3 to 5 acres, and larger for owners seeking property assessment under the Utah Farmland Assessment Act or Greenbelt Act.

Commercial:

Two (2) "Commercial" districts are provided. "Commercial General" provides opportunity for the establishment of various nonresidential uses. These uses may include professional

and government offices, light industrial, and various other nonresidential activities that are determined compatible with their adjacent Agriculture and Residential Use categories. The "Commercial Retail" district is provided for the exclusive use of retail sales of commercial goods and services. Both the Commercial General and Commercial Retail districts required that any uses proposed to be located on Highway 89 and 750 North Street must demonstrate and include necessary vehicular and pedestrian safety strategies in all site development plans.

Recommended Use/Intensity – Commercial uses, complying with the intensity standards of the City's ordinances, as adopted.

Old Town District:

The area bounded by 200 North, 200 South, 200 East, and 200 West Streets is recognized as the City's historic core. Presently, this area includes a mix of uses, including residential, commercial, and civic activities, including the elementary school and City Hall. This area contains historic buildings and features, including excellent examples of the City's rock-built homes and the City's original "grid pattern" of streets and lots.

Willard's Old Town District is centrally located. All efforts must be made to protect the continued integrity and amenity of this area. Designated on the National Register of Historic Places, the City shall work closely with various historic preservation agencies, including the Utah Division of State History, to protect, preserve, and enhance this area. The Old Town District must continue to be fully recognized and acknowledged in the City's history and as a centrally located civic gathering place.

Recommended Use/Density – Residential (and associated activities) / One Residential Dwelling Unit per 15,000 square feet.

Transit Oriented Development:

The Utah Transit Authority (UTA) has determined the location at the Interstate 15 (I- 15) and 750 North Street as a location for UTA's FrontRunner station. The UTA desires to work with Willard City to promote this area as a desired location for a transit- oriented neighborhood.

The provision of higher density residential uses associated with various compatible nonresidential activities is reminiscent of the nation's historical development patterns with residential dwellings with convenient access to required supporting services. This pattern encourages efficiencies in providing necessary utilities and services, supporting pedestrian and biking convenience, and avoiding inefficiencies in the use of land, water, and other services.

The City provides a Transit-Oriented Development Zone (TOD). This zone is intended to provide a variety of uses in proximity to various public transit services, including the UTA's Willard City Front Runner Station. A variety of residential uses and dwelling unit types can be offered, including providing moderate-income and affordable housing opportunities. Residential use areas will integrate commercial uses, including compatible local and regional shopping and professional offices.

Recommended Use/Intensity – A variety of compatible residential and nonresidential uses. Density and intensity of use is not predetermined but shall be established during

the project and site plan approval processes, complying with the intensity standards of the City's ordinances, as adopted.

Planned Unit Development – Master Planned Zoning:

The Future Land Use Map, 2022, provides three (3) areas for Master Planned Development opportunities. With the required General Plan amendment other areas of the City may also be appropriate for flexibly designed projects. For Willard City the Master Planned Zone can foster innovative subdivision and development designs by providing opportunities for a variety of residential densities and housing unit types. The Master Planned Zone allows development flexibility. In exchange, development must provide beneficial amenities for the development itself, the neighborhood, and for the City. Such amenities may include the protection of sensitive areas, parks and open spaces, infrastructure enhancements, design, and other benefits determined advantageous by City officials.

Recommended Use/Density – A variety of residential uses and housing types are allowed. Density shall be determined in conjunction with the project, neighborhood, and City benefits voluntarily being provided, complying with the intensity standards of the City's ordinances, as adopted.

Environmentally Sensitive Areas:

Lands designated as Environmentally Sensitive are so designated because of a naturally occurring landscape feature. These include the waters of Willard Bay, areas of steep slopes, high groundwater, and lands subject to seasonal or intermittent flooding. The waters of Willard Bay are managed by the authorities of the State of Utah. Included are the areas managed by Utah State Parks immediately adjacent to Willard Bay and including the Willard Bay State Park and its associated recreational and camping areas. An area of steep slopes exists on the eastern most boundary of the City. If any private parcels exist in these steep slope areas, and access is safely available, the allowed residential density is one (1) dwelling unit per 40 acres. If any area is identified as suitable for any residential use several goals must be achieved, the most important being to protect the personal safety and property of all persons residing in any environmentally sensitive area. As secondary goals, activities occurring on any environmentally sensitive area shall; (a) reduce requirements for public utility and service expenditures, (b) avoid placing residents in harm's way, and (c) minimize damage to natural slopes, watershed areas, groundwater, and associated wildlife habitats, soil erosion, and avoidance of degradation uses and activities.

Recommended Use/Density – Recreation and in areas that are privately owned – Residential (and associated activities) / One Residential Dwelling Unit per 40 acres if access and a safe building location can be determined. All publicly owned areas shall be preserved in their existing state.

Industrial:

One (1) "Industrial" area is provided, located in the north-western portion of the City. It is envisioned that this area will provide opportunities to establish light manufacturing activities and provide associated light industrial, manufacturing, and warehousing services employment. This area provides immediate access to the interstate freeway system via the 750 North-Interstate-15 (I-15) interchange.

Recommended Use/Intensity – Light Industrial complying with the intensity standards of the City's ordinances, as adopted.

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