

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Subdivision Land Use Authority (SLUA) of the Willard City Corporation will hold a special meeting at Willard City Hall, 80 West 50 South, on Thursday, April 25, 2024. Said meeting shall start at 3:00 p.m.

Agenda is as follows:

1. Call to order:

2. Business:

- a. Consideration of a concept plan for the Fitzgerald Pond Subdivision located at approximately 3700 South 200 West (Parcel Nos. 02-035-0061, 02-035-0063, and 02-035-0079)
- b. Consideration of a concept plan and rezone request from R1/2 to MPC from Heritage Land Development for approximately 48.19 acres located at approximately 300 South 300 West (Parcel Nos. 02-051-0062, 02-051-0085, 02-051-0264, 02-051-0004, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, 02-054-0013)
- c. Consideration and approval of January 18 and March 28, 2024, minutes

3. Adjourn

SLUA Meetings: Held as needed based on applications.

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 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 19th day of April, 2024.

/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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ITEM 2A

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

PLANNING COMMISSION SUBDIVISION APPLICATION

Application Date 04/08/2024

Proposed Subdivision Data

Applicant Lync Construction

Subdivision Name Fitzgerald Pond

Mailing Address

Application Level (check one)

1946 W 5600 S, Roy, UT 84067

Sketch Plan

Date 4/17/24

Project Address

Approval _____

3630 Perry Street

Preliminary Plat *

Perry, UT 84302

*Not required for In-fill subdivisions.

Email Address Pat@lynccconstruction.com

Date _____

Phone 801-710-2234

Approval _____

Cell 801-710-2234

Final Plat

Fax N/A

Date _____

Approval _____

Assessor Parcel Number 02-035-0061, 02-035-0063,
02-035-0079

Number of lots 46

Fee Computation

	Administrative	Engineering	Attorney	Total
Sketch Plan	\$50 + \$2/acre	Billed to developer		<u>\$114.00</u>
Preliminary Plat	\$50 + \$15/lot	Billed to developer	\$100 + \$10/lot	
Final Plat	\$50 + \$5/lot	Billed to developer	\$50 + \$5/lot	

Applicant's Affidavit

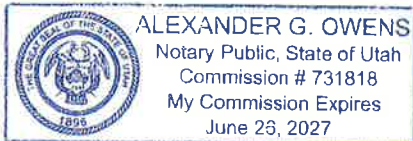
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I (we), Nathan Combes, being duly sworn, depose and say that I (we) am (are) the owner(s)* or authorized agent(s) of the owner of the property located at 3630 Perry Street, Perry, Utah 84302 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 [Signature]

Subscribed and sworn before me this 8 day of April 2024.



[Signature] Notary Public

Residing in Weber County
My commission expires June 26, 2027

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

AGENT AUTHORIZATION

I (we), Nathan Combes, the owner(s) of real property described above, hereby appoint Lync Construction 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 the application.

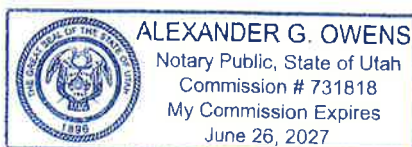
Signed [Signature]
Property Owner(s)

Agent [Signature]

Subscribed and sworn before me this 8 day of April 2024.

[Signature] Notary Public

Residing in Weber County
My commission expires June 26, 2027



XBP Confirmation Number: 170589715

Receipt for Payment to:
Willard City

Date/Time: 04/17/2024 3:22:02 PM
Transaction #: 216884017
Payment Method: Visa
Transaction Status: Successful

Items

DEVELOPER FEES 114.00

Notes: SLUA LINK
CONSTRUCTION FRITZGERAL
PROPERTY

Total: 114.00
Heather Owens 84404

Receipt for Payment to:
Willard City

Date/Time: 04/17/2024 3:22:03 PM
Transaction #: 216884018
Payment Method: Visa
Transaction Status: Successful

Items

SERVICE FEE 3.92

Notes: SLUA LINK
CONSTRUCTION FRITZGERAL
PROPERTY

Total: 3.92
Heather Owens 84404

Payment Service Provided By
www.xpressbillpay.com



REVISIONS	DATE	DESCRIPTION

Concept Plan

Fitzgerald Pond Subdivision

PART OF THE SE 1/4 OF SECTION 10 T.9N., R.2W., S.1B & M., U.S. SURVEY
WILMOT, BOX ELDER COUNTY, UTAH

Project Info
Owner: Pot Burns
Prepared By: Lync Construction
Check By: Lync Construction
Date: 8/21/22
Project: Fitzgerald Pond Subdivision
Number: 6082-18

Sheet	1
Of	1

Revised: Jan. 31, 2024

Developer:
Pot Burns
Lync Construction
1946 W. 5600 S.
Roy, UT. 84067
(801) 710-2234

SITE DATA	
RECORDAL LOTS	44
TOTAL PARCEL AREA	33.62 ACRES
ACRES	3.01 ACRES
WATER SURFACE AREA	10.41 ACRES
WATER SURFACE AREA	10.41 ACRES



Rural Road Section
Not To Scale

THIS PLAN AND SPECIFICATIONS ARE THE PROPERTY OF REEVE & ASSOCIATES, INC. 3110 S. 1000 W., WILMOT, UTAH 84067. NO PART OF THIS PLAN OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF REEVE & ASSOCIATES, INC. ANY CHANGES OR MODIFICATIONS MADE TO THIS PLAN OR THE SPECIFICATIONS SHALL BE INDICATED BY A REVISION NUMBER AND DATE.

ITEM 2B

WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

Application Date

01/04/2024

Assessor Parcel Number *

02-051-0062

0085

Parcel Legal Description

0204

02-051-0004

054-0005

0007

0009

0011

0012

0013

Applicant

HERITAGE LAND DEV.

Mailing Address

9W. FOREST ST

BRIGHAM CITY UT.

Present Zone

R-1/2

Proposed Zone

MPC

Phone Number

Cell Phone

435 730 8208

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

Project Summary

(Please use additional pages as necessary to adequately address the answers.)

1. Location Map (showing nearest cross streets):

SEE ATTACHED

2. Site Address/Description:

S-A.

3. Parcel Number(s):

4. Current and Proposed Zoning by parcel number and area in acres:

R-1/2 - MPC

5. Road Access Provided:

SEE ATTACHED

6. Utility Plan:

7. Reason for the requested change:

DEV.

8. Impacts (financial and other) of the change to surrounding properties and the city as a whole:

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Garth Day, 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 200w 400s. Willard 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 _____

AGENT Garth Day U.P. Dev. Heritage Dev.
Subscribed and sworn before me this 4th day of January 2004



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 _____ 200__

Notary Public

Residing in _____
My commission expires: _____



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

XBP Confirmation Number: 162328792

► Transaction detail for payment to Willard City. Date: 01/04/2024 - 9:59:17 AM MT

Transaction Number: 210752413
 Visa — XXXX-XXXX-XXXX-7859
 Status: Successful

Account #	Item	Quantity	Item Amount
	Charges PC	1	\$125.00

Notes: HERITAGE LAND REZONE APPLICATION

TOTAL: \$125.00

► Transaction detail for payment to Willard City. Date: 01/04/2024 - 9:59:18 AM MT

Transaction Number: 210752414
 Visa — XXXX-XXXX-XXXX-7859
 Status: Successful

Account #	Item	Quantity	Item Amount
	Service Fee	1	\$4.25

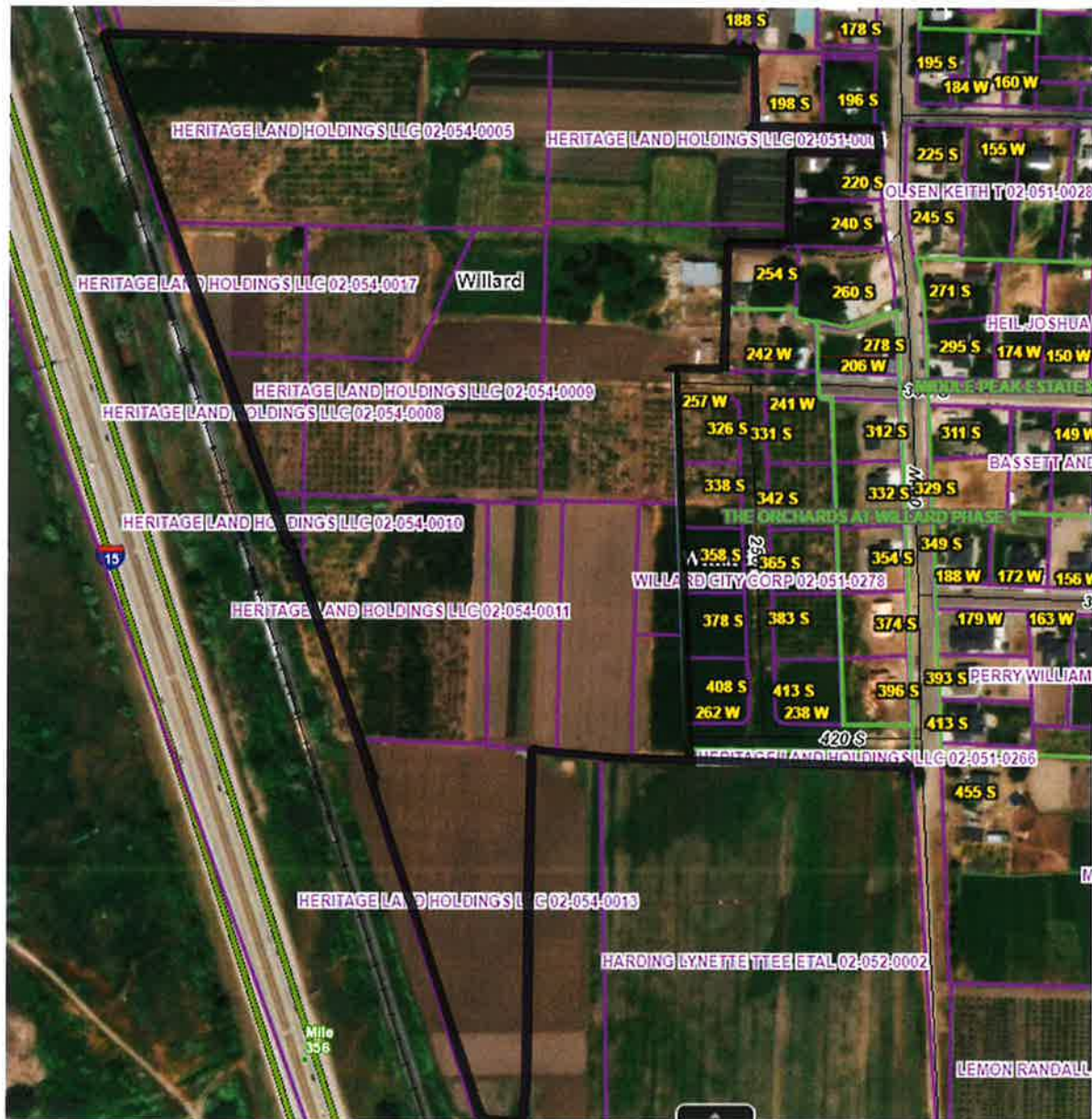
Notes: HERITAGE LAND REZONE APPLICATION

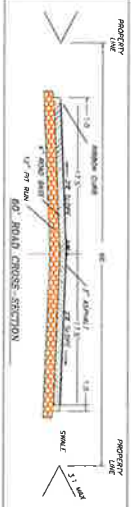
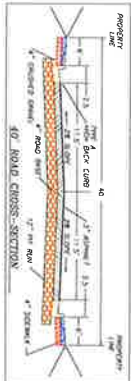
TOTAL: \$4.25

Billing Information
 GARTH DAY
 , 84340

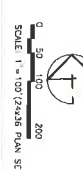
Transaction taken by: Admin mdragoCaselle MD

NORTH ↑





THE ORCHARDS AT WILLARD PHASE 3
PART OF SECTION 26 & 27, TOWNSHIP 8 NORTH,
SALT LAKE BASIN AND WILLOW
PRELIMINARY PLAT



THE ORCHARDS AT WILLARD PHASE 3 PART OF SECTION 26 & 27, TOWNSHIP 8 NORTH, SALT LAKE BASIN AND WILLOW WILLARD, UTAH PRELIMINARY PLAT		OWNER/DEVELOPER HERITAGE LAND DEVELOPMENT LLC ATTN: CARTH DAY 470 N 2450 W TREHENTON, UTAH 84337 435-730-8208	
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ORDINANCE 2021-2

AN ORDINANCE OF THE WILLARD CITY COUNCIL ADOPTING CHAPTER 12-106 OF THE WILLARD CITY ZONING ORDINANCES ESTABLISHING A MASTER PLANNED COMMUNITY ZONE

CHAPTER 12-106. MASTER PLANNED COMMUNITY ZONE

12-106-1. **Purpose.** Each Master Planned Community Zone ("MPC Zone") is intended to allow a master planned, architecturally designed development where customized zoning requirements apply in order to permit flexibility and initiative in a large-scale site development while maintaining the rural nature of Willard City. Each MPC Zone will be developed in accordance with an approved development agreement and compliance with the Willard City Zoning and Land Use Ordinances and with the general requirements outlined herein. Further, this ordinance is intended to provide a benefit to Willard City and is not intended to solely benefit an applicant of an MPC Zone.

12-106-2. **Minimum Size:** Each MPC Zone shall be at least ten (20) acres. Parcels must form one (1) contiguous area and cannot be bisected except by a public right-of-way, easement, or natural barrier.

12-106-3. **Open Space Required:** A minimum of twenty percent (20%) Open Space shall be provided in each MPC Zone to include natural maintained choice Open Space, improved parks as approved by the City Council. Open Space that is unbuildable because of slope, wetlands, flood drainage, or contamination, shall not be considered as Open Space.

1. Detention basins may count as Open Space only if they provide recreational amenities, including but not limited to: Playgrounds, gazebos, exercise stations, or sports fields with parking lots.
2. Park strips, curb, gutter, sidewalks, common yards, private yards and publicly dedicated streets shall not count as Open Space.
3. A method approved by the City Council to maintain Open Space shall be established prior to the sale of any lots in an MPC Zone. Preservation, maintenance, and ownership of required Open Spaces within the MPC Zone may be accomplished by any of the following:
 - a. Dedication of the land as a public park or trails system.
 - b. Granting to the City a permanent Open Space easement on or over any privately owned Open Space to guarantee that the Open Space remains perpetually in public recreational use, with ownership and maintenance being the responsibility of the owner of a Home Owner's Association ("HOA") established by bylaws which are satisfactory to and approved by the City.
 - bi. If an applicant desires to transfer ownership of the Open Space to an HOA, (1) year period, beginning at the time the HOA is controlled by the property the City may provide temporary approval of an HOA for a probationary one

owners within the MPC Zone. During this probationary period, the City Council may monitor the effectiveness of the HOA in preserving and maintaining the Open Space. If at the end of the one (1) year probationary period it is determined by the City Council that the HOA is unable or unwilling to maintain the Open Space within the bylaws established for the HOA and the approved Development Agreement the City may terminate the probationary approval of the HOA and create a special assessment area for the purposes of maintaining the Open Space.. An HOA may have the right to appeal a City Council decision to terminate the approval of the HOA by filing a written notice of the appeal with the City Recorder within 15 days of the City Council's decision. Any such appeal shall be heard the Hearing Officer.

bii. The City may at their discretion, create a special assessment area to provide for the benefit, improvement, and maintenance of the Open Space areas.

c. An agricultural conservation easement in a manner approved by the City Council.

12-106-4. Fee in Lieu of Open Space: As an alternative, the City Council may at its discretion charge a fee in lieu of open space to allow for more centralized parks of other municipal off-site improvements as the City Council determines.

1. A fee in lieu of Open Space may be provided if the following requirements are met:
 - a. The amount of acreage that is required as Open Space shall be reviewed and recommended by the Planning Commission as part of the MPC Zone application process.
 - b. The fee in lieu of Open Space shall be determined by an appraised price per acre and the amount shall be approved by the City Council.

12-106-5. Density: The density of the MPC Zone shall be consistent with the policies of the General Plan.

12-106-6. Preliminary Site Plan: A preliminary site plan shall be submitted and considered concurrently with an application for approval of a MPC Zone. The preliminary site plan shall show at least the following:

1. The proposed zone name and location.
2. A proposed development agreement.
3. Permitted, conditional, accessory uses proposed for and in the MPC Zone.
4. Proposed residential use density.
5. Minimum lot sizes.
6. The range of average lot sizes.
7. Building locations.
8. Building elevations.
9. Open Space in the MPC Zone.
10. Parking.

11. Landscaping.
12. Pedestrian and traffic circulation.
13. Drainage and stormwater retention plan.
14. Utility Layout including a plan for the installation of fiber optic lines and a secondary water system.
15. Plans for grading.
16. Proposed development standards providing:
 - a. Lot standards establishing requirements for lot area and dimensions;
 - b. Building, setback standards for front, side and rear yards; and
 - c. Building regulations addressing building height, building orientation, and architectural design guidelines.
17. A conceptual master plan showing:
 - a. The location of any proposed and/or existing easements, and rights-of-way.
 - b. The location, arrangement and configuration of Open Space, including the location, arrangement, and configuration of any parks and/or trails.
 - c. The location and design of street infrastructure and that the proposed street infrastructure is in harmony with the City's Road Master Plan.
18. Impact statement, showing the effect the proposed MPC Zone will have on the environment, city utilities, traffic, and schools. The City Engineer may on their own or at the request of the Planning Commission or City Council conduct a traffic and/or environmental studies to determine the impact the proposed MPC Zone may impose on existing infrastructure and future development. The application shall solely bear the costs of any impact study, either done at the applicant's direction or at the direction of the City Engineer, City Council, or Planning Commission.

12-106-7. **Subdivision Requirements:** Compliance with the requirements of this ordinance does not exempt any applicant from meeting any other applicable requirements of this Chapter and the Willard City Zoning and Land Use Ordinances.

12-106-8. **Phase Development:** If the MPC Zone is proposed to be developed in phases, the preliminary site plan shall also show phase boundaries. Each phase shall be of such size, composition, and arrangement so that construction and operation of each phase is feasible as a unit, independent of any subsequent phase.

12-106-9. **Planning Commission Recommendation:** After consideration of the site plan, application, and proposed development agreement, the Planning Commission shall make a recommendation to the City Council regarding the MPC Zone. At the same time, the Planning Commission shall approve, approve with conditions or recommend the disapproval of the preliminary site plan for the proposed MPC Zone. Planning Commission approval of a preliminary site plan, application, and/or development agreement shall not be effective unless and until a corresponding MPC Zone is approved by the City Council.

12-106-10. **Development Standards:** The development standards may include development regulations regarding processing of applications, common and private Open Space guidelines, natural resource protections, grading, drainage and street standards.

12-106-11. Modification By City Council: In considering an application for an MPC Zone, the proposed site plan, application, and development agreement may be modified by the City Council to meet the intent and requirements of this Chapter and may include regulations and standards other than those proposed by this Chapter.

12-106-12. Development Agreement: An MPC zone shall only be established with the concurrent approval of a development agreement that is mutually agreeable between the applicant of an MPC Zone and the City.

12-106-13. No Guarantee of Approval: Submittal of an application for an MPC Zone does not guarantee the application will be approved. An MPC Zone may be approved only if the City Council, after receiving a recommendation from the Planning Commission, finds the MPC Zone and the associated preliminary plan, application, and development agreement meet the findings required for approval.

12-106-14. Findings Required for Approval: The proposed MPC Zone may be approved only if the City Council makes all of the following findings:

1. The proposed MPC Zone conforms to the guidelines and policies of the General Plan.
2. The MPC Zone provides equal or greater compatibility with surrounding land uses.

12-106-15. Additional Factors Considered but not Required:

1. The MPC Zone is necessary to provide land use or design standards tailored to a specific geographic area and development program that cannot otherwise be provided through conventional zoning.
2. The MPC Zone provides equal or greater protection to sensitive lands than would occur with conventional zoning.
3. The MPC Zone avoids incompatible development on lands subject to natural hazards.
4. The MPC Zone promotes efficient land use by allowing housing and/or commercial develop at densities that are appropriate for the area.
5. The MPC provides equal or greater opportunities for alternative modes of transportation such as walking, bicycling, or transit, than would occur with conventional zoning by:
 - a. Encouraging or requiring significant mixed-use development where appropriate; and

Providing a master plan with direct and convenient pedestrian or bicycle connections between all land uses.

12-106-15. Designation: Upon approval, each MPC Zone shall be given a unique name following the designation "MPC—" and shall be independent of any other MPC Zones.

12-106-16. Permit Approval: Within an MPC Zone, applications for subdivision approval, site plan, conditional use permits and any other needed permits shall be submitted and approved as required to implement the conceptual master plan. The conceptual master plan shall meet the conceptual subdivision review requirements of the Willard City Ordinances.

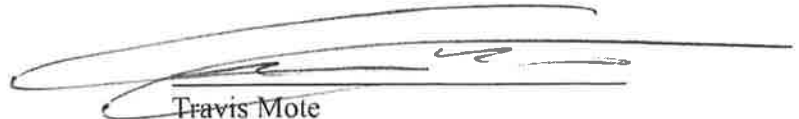
12-106-17. Amendments to Plan: Amendments to an approved preliminary plan and application shall be obtained by following the procedures required for first approval as set forth in this section.

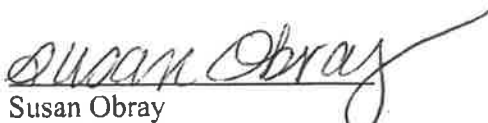
12-106-18. Commencement of Work: Any Developer of an MPC Zone created under this ordinance shall begin and show diligent and consistent work towards the construction of an MPC Zone commenced within one (1) year of the date from which the City Council grants approval of the Zone and the accompanying development agreement; or the MPC Zone application shall be denied and the zone shall revert to the previous zone.

12-106-19. Performance Bonds: Prior to the commencement of "Development Activities" as defined in Utah Code Ann. §10-9A-101 *et seq.*, or the recording of any subdivision plat, a developer must file a cash bond, or an escrow bank account bond, or an irrevocable letter of credit as an improvement assurance in a form approved by the Willard City Attorney.

Section 2. Effective Date. This ordinance shall take effect immediately upon posting and publication in the manner so required by law.

PASSED by the City Council on this 10 day of March, 2022, by a vote of 4 For and 1 against.


Travis Mote
Mayor


Susan O Bray
City Recorder

Willard City Master Planned Community Zone Review Sheet

1. What elements of the MPZ design enhance or maintain the rural nature of Willard City (12-106-1)?

2. What benefits and costs will the proposed MPZ have in Willard City (12-106-1)?

3. Is the proposed MPZ a minimum of 20 acres (12-106-2)

4. What is the nature of the Open space (12-106-3)

- a. Is it a minimum of 20%?

- b. Are unbuildable area such as wetland and steep slopes excluded from the acreage calculation?

- c. Are all acres of the open space eligible under 12-106-3?

5. Is the MPZ applicant requesting to pay a fee in lieu of open space (12-106-4)?

- a. Has an appraisal of the acreage in question been completed and provide to the city?

- b. What portion of the 20% open space is being removed from the open space?

- c. What will the use of the land that would have been open space be? If housing, what is the increase?

6. Describe how the density is consistent with the policies of the general plan including the future land use map (12-106-5)?

7. Has a complete site plan been submitted (12-106-6)?

8. Will the MPZ will be developed in phases (12-16-8)?

a. Are the phases logically ordered based on existing Willard infrastructure?

b. Are all phases independent of other phases?

9. Has a development agreement been submitted by the applicant (12-106-12)?

a. Does developer agree to bare all costs for improvements required by the MPZ?

b. How does agreement provide for the management of the proposed open space?

c. Does the agreement document the water transfer of water rights required per the Willard City subdivision ordinance?

10. Describe how the proposed MPZ meets the guidelines and policies of the general plan including: the community vision, values, future land use section and map, planned roads and trails (12-106-14).

11. Describe the surrounding land uses and zoning. How does the proposed MPZ provide equal or greater compatibility with the existing land uses than the current zoning or future land use map zoning (12-106-14)?

12. Are any of the additional factors for consideration applicable (12-106-14)? If yes, which ones? Explain:

13. Police, Fire, Engineering, and Public Works departments have all reviewed the plans. List any concerns.



CONSULTING ENGINEERS

MEMORANDUM

TO: Bryce Wheelwright – Willard City Planner

FROM: Zac Burk, P.E.
Municipal Engineer 

CC: Jeremy Kimpton – Willard City Manager
Payden Vine – Willard City Public Works Director
Chris Breinholt – City Engineer

RE: **Orchards Subdivision – Required Water Rights**

Date: January 29, 2024

Bryce,

This memo is to highlight the required water rights that the Orchards Subdivision would need to supply to Willard City, based on city code 12-400-12 (1 Acre-ft/ERC). The Orchards Subdivision has already constructed Phases 1 & 2, with a combined total lot count of 17. This requires 17 acre-ft.

They have also proposed the remaining layout for this subdivision. None of the proposed lots appear to be larger than 1/3 acre. Most are closer to 1/4 acre. This would add an additional 121 lots, and thus another 121 acre-ft of water rights needed to be turned over to the city.

The total water needed for all of the existing *and* proposed Orchards subdivision is 138 acre-ft. Keep in mind that the final water requirement will be based on the final plat and not the concept plan.

ITEM 2C



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

January 18, 2024 – 2:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

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

4
5 The following members were in attendance:

6
7 Jeremy Kimpton, City Manager
8 Bryce Wheelwright, City Planner
9 Chris Breinholt, City Engineer
10 Van Mund, Fire Chief
11 Payden Vine, Public Works Director
12 Michelle Drago, Deputy City Recorder

13
14 Excused: Colt Mund, City Attorney

15
16 Others in attendance: Zac Burk, Jones & Associates; Bob Davis; Brett Hubbard; Marshae Stokes; Larry
17 Holmes; Doug Thompson; Virginia Thompson, Alex Owens, and Commissioner Diana Baker.

18
19 1. CALL TO ORDER

20
21 Bryce Wheelwright, City Planner, called the meeting to order at 2:11 p.m. The secretary recorded a roll call
22 attendance.

23
24 2A. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR MARC ANDERSON FOR PROPERTY
25 LOCATED AT APPROXIMATELY 1094 SOUTH MAIN STREET (PARCEL NOS. 02-05-0010
26 AND 02-05-0011)

27
28 Time Stamp – 048 01/18/2024

29
30 Bryce Wheelwright, City Planner, stated that Marc Anderson had requested approval of a lot line adjustment
31 for two parcels at 1094 South Main Street.

32
33 Michelle Drago, Deputy City Recorder, stated that a lot line adjustment for these parcels was approved by
34 the Planning Commission on September 7, 2023. How was this lot line adjustment different from the
35 September adjustment?

36
37 Brett Hubbard, South Willard, stated that his father had passed away. His sister and brother-in-law had
38 purchased the home and property. They were making another adjustment to allow for a home to be built
39 on Parcel 2, which was behind the existing home on Parcel 1. The adjustment added frontage to Parcel 2,
40 so that it complied with the 100-foot lot width requirement.

41
42 Bryce Wheelwright stated that Parcel 2 would not be a flag lot, because it would be 120.81 feet wide. He
43 asked about the size of the parcels. Brett Hubbard said Parcel 1 was 0.41 acres; Parcel 2 was 3.16 acres.
44 The configuration of Parcel 1 had changed, but its size had not.

45
46 Bryce Wheelwright stated that zoning might be an issue. Parcel 1 was zoned R-1/2. The zoning for Parcel
47 2 was split. The front portion was zoned R-1/2; the remainder was zoned A-5. Marc Anderson would have
48



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to increase the size of Parcel 2 to five acres or rezone it R-1/2. The issue with Parcel 2 would have to be resolved before a building permit could be issued.

There were not any comments from Payden Vine, Public Works; Chris Breinholt, City Engineer; Michelle Drago, Deputy Recorder; and Jeremy Kimpton, City Manager.

Brett Hubbard asked if they could apply for an A-3 Zone. Bryce Wheelwright said they could request an A-3 Zone, but the property was not contiguous to an A-3 Zone. It was contiguous to the R-1/2 Zone. The City's General Plan called for zoning to be contiguous to prevent spot zones.

Brett Hubbard asked if Marc Anderson could build on the portion of Parcel 2 that was zone R-1/2 and leave the remainder zoned A-5. Bryce Wheelwright said they could, or they could rezone the entire parcel R-1/2. There was also the possibility that the new General Plan would blanket zone the entire city R-1/2.

There was a discussion about zoning.

Chris Breinholt explained that approval of the lot line adjustment did not mean approval for a building permit. Brett Hubbard understood Marc Anderson would have to resolve the zoning issue before a building permit could be issued.

Van Mund stated that Marc Anderson might also have to run a water line or provide a fire hydrant depending on how far the home would be set back from the road.

Van Mund moved to recommend that the Planning Commission approve a lot line adjustment for Marc Anderson for property located at approximately 1094 South Main (Parcel Nos. 02-055-0010 and 02-055-0011). Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

2B. CONSIDERATION OF AN ANNEXATION AND A CONCEPT PLAN FOR DAVIS PARK SUBDIVISION LOCATED AT APPROXIMATELY 7700 SOUTH 1100 WEST (PARCEL NOS. 01-041-0043 AND 01-041-0044)

Time Stamp – 10:48 01/18/2024

Bryce Wheelwright stated that the City had received an annexation petition from Bob Davis for 45 acres located at approximately 7700 South 1100 West. Mr. Davis was proposing to divide his property into six agricultural parcels. One of the parcels would be an 11-acre park.

Bob Davis stated that he had met with Willard Flood Control. Willard Flood Control was interested in helping to build the park. Mr. Davis felt the only impact his development would have on Willard City was emergency services, which it was already providing. The property would remain agricultural. There would be three lots for his children. The park would be a memorial park for the Davis name. He wanted to build a bowery in memory of his wife Ronda. He did not feel the property would be a burden to the City. The property had adequate water rights. The development would be on a private road, so road maintenance would not be required.

Bryce Wheelwright asked who would maintain the road. Mr. Davis said they would maintain it. Only the park would need City maintenance. He felt there was plenty of water for a soccer field. Eleven acres would provide room for a dog park, a nature park, or a compost area until the park evolved.



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97 Bob Davis stated that Box Elder County did not accept parks. His objective was a park in honor of his family
98 name.
99

100 Bryce Wheelwright asked about the total acreage. Bob Davis said there was about 45 acres. Eleven of
101 those acres would be a park that would extend from 1100 West to 1500 West. There would be access from
102 the east and west ends. He understood that Willard Flood Control had money to put toward the park.
103

104 Bryce Wheelwright stated that he had spoken with Josh Braegger, chair of Willard Flood Control. According
105 to Mr. Braegger, Willard Flood Control was interested in property west of the interstate in this area.
106 However, they had not shot grades on the property to see if it would work.
107

108 Bob Davis stated that Willard Flood Control already had a three-foot pipe running to his property. Everything
109 flowed to the north and west from the corner of 7800 South where the pipe was located. From his
110 perspective everything worked. Zac Burk, Jones & Associates, said Willard Flood Control had a 36-inch
111 line in 7800 South.
112

113 Bryce Wheelwright understood there was plenty of water for irrigation. What about culinary water? Bob
114 Davis said he had water rights for about 200-acre feet of water. He also had about six artesian wells. He
115 felt the wells could be a real draw for the park. When his water was tested, it was under 100 parts per
116 million.
117

118 Bryce Wheelwright said it sounded like Mr. Davis would have water rights he could turn over to the City.
119 Mr. Davis said there would be water for the park. The lots would have to acquire domestic use permits for
120 their own wells. Mr. Wheelwright said the City's ordinance required one-acre foot of water per lot. Mr. Davis
121 was fine with that. He just did not feel it made sense to run a water line at this time.
122

123 Zac Burk asked what benefit this property would be to Willard. Mr. Davis did propose to turn over some
124 water rights to Willard, but each of the three lots would have their own well and septic systems. The road
125 would be private. Box Elder County maintained 7800 South. Mr. Davis wanted to annex into Willard to
126 create a park because Box Elder County would not accept it.
127

128 Van Mund stated that right now Box Elder County required property owners to apply to the nearest
129 municipality if they wanted to subdivide their property.
130

131 Bryce Wheelwright asked about the size of the proposed lots. Mr. Davis said each parcel would have three
132 acres so they could remain agricultural.
133

134 Bob Davis said it boiled down to whether the park would be beneficial to Willard. Zac Burke asked if the
135 City would maintain the park. Mr. Davis said it would. He did not want to maintain a soccer field.
136

137 Chris Breinholt was concerned about access to the park. If this was going to be a public park, access should
138 be from a public road, not a private one. Bob Davis said the park access would be from public roads on the
139 east and west sides. He planned to shorten the private road shown on the concept plan. It would end at Lot
140 3 rather than extending north into the park. Mr. Breinholt said the public roads – 1100 West and 1500 West
141 – were both dirt roads. They would have to be improved before a park could be built. The City did not have
142 culinary water or sewer services in the area.
143



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144 Zac Burk stated that an 11-acre park maintained by Willard would need a restroom if there were plans for
145 a soccer field. A bathroom on a septic tank would be a cost for the City.
146

147 Mr. Davis felt Chris Breinholt and Zak Burk were making it sound like his proposal would not be good for
148 Willard. Chris and Zac said they were just trying to point out the current conditions. Zac Burk said the
149 proposed annexation and park had possibilities. Chris Breinholt said Mr. Davis's proposal was something
150 that would be long term.
151

152 Fire Chief Van Mund did not have any comments.
153

154 Payden Vine, Public Works Director, felt that 11 acres would be a lot to maintain, especially a septic tank.
155

156 Chris Breinholt felt Willard had to consider what was going to happen in the whole area if this was going to
157 be a usable park.
158

159 Jeremy Kimpton agreed with comments about access to the park. It was a little premature to make decisions
160 about what the park would look like.
161

162 Zac Burk said the park could start on one end and grow as the city grew and equipment became available.
163

164 Bob Davis felt this area would end up in Willard if Willard annexed property to the east of him. If Willard did
165 not annex that area, it did not make sense to annex his property. It would not benefit the City.
166

167 Chris Breinholt asked if Mr. Davis had an expected completion date for the park. Mr. Davis said he did not.
168 All he wanted was the name. Willard Flood Control had money to throw at it. He thought the park could be
169 like Willard's Nature Park. Tree Utah could plant trees. Mr. Breinholt asked what was on the property right
170 now. Mr. Davis said it was vacant. It was not being farmed.
171

172 Michelle Drago asked what zone would be assigned to the annexation. Bob Davis requested that his
173 property be zoned A-3.
174

175 Bryce Wheelwright stated that if the Davis property was annexed into Willard, it could sit fallow for 10 to 20
176 years.
177

178 Chris Breinholt asked if the land would be donated to Willard City or Willard Flood Control. Mr. Davis said
179 he would have to check with his tax consultant. He felt he would donate the land at the time of development.
180 He felt Willard Flood Control was the key. Bryce Wheelwright asked if the park parcel be turned over to
181 Willard City. Bob Davis said he was open to donating the land if it was designated as a park and named
182 after his family.
183

184 Bryce Wheelwright said this land was within the City's annexation policy declaration. The SLUA needed to
185 decide what to recommend to the Planning Commission. Would this annexation benefit Willard in the long
186 run?
187

188 Zac Burk felt 11 acres donated to Willard would be a benefit. Paden Vine agreed, especially if the
189 surrounding area developed. Chris Breinholt agreed it would provide facilities on the west side of the
190 interstate. Jeremy Kimpton felt it was worth consideration. Zac Burk felt Willard Flood Control could benefit
191 from 11 acres of donated land.



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Chris Breinholt moved to recommend that the Planning Commission consider the annexation petition from Bob Davis. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

2C. CONSIDERATION OF A CONCEPT PLAN AND REZONE REQUEST FROM R1/2 TO MPC FROM HERITAGE LAND DEVELOPMENT FOR APPROXIMATELY 48.19 ACRES LOCATED AT APPROXIMATELY 300 SOUTH 300 WEST (PARCEL NOS. 02-051-0062, 02-051-0085, 02-051-0264, 02-051-0004, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, 02-054-0013)

Time Stamp – 38:45 01/18/2024

Bryce Wheelwright stated that Heritage Land Development had submitted a concept plan and rezone request for 48.19 acres located at approximately 300 South 300 West. They were asking that the property be rezoned from R-1/2 to Master Planned Community (MPC). Heritage Land had completed Phases 1 and 2 of The Orchards Subdivision. Those phases were zoned R-1/2. Heritage Land wanted the balance of the development to have a higher density.

Marshae Stokes, Heritage Land Development, stated that they would like the majority of the remaining property to be single family lots ranging in size from 10,000 to 14,000 square feet. There would be a few lots that were bigger than that. There would be a patio home section on the northeast corner where the lots would be around 8,000 square feet. There would be some common areas for detention. In the patio home area on 200 South there would be a common space for a park. A preliminary civil plan had been completed to make sure the sewer and water worked. She felt the proposed design worked well. The slightly smaller lots would provide a price range that would allow people to remain in the community. Heritage Land had been working with UTA to secure the right-of-way UTA wanted. The proposed drawing did take UTA's right-of-way into consideration.

Bryce Wheelwright asked about lining up with 400 West coming from the Rod Braegger Subdivision to the north. Ms. Stokes said it would tie into 200 South. Garth Day had told her they would line up the roads when the elevations were shot.

Marshae Stokes stated that they had plenty of water.

Fire Chief Van Mund did not see any issues.

Payden Vine, Public Works, asked if 200 South would be a private road. Chris Breinholt said it would be private until about 400 West. Bryce Wheelwright said the private roads would be part of the HOA's responsibility. The remaining streets would be public.

Zac Burk stated there was a 24-inch flood control line. Chris Breinholt stated that the City had not received detailed utility drawings. Mr. Burk felt the flood control line might run through Lot 220 or 221. Mr. Breinholt said he had spoken with Heritage Land about the flood control line. Mr. Burk asked if the street plan had been laid out with the City's sewer line. Mr. Breinholt said it had.

Chris Breinholt suggested that the concept plan delineate which roads would be public and which would be private before the plan was forwarded to the Planning Commission. Mr. Wheelwright felt that would be advantageous to the Planning Commission.



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Chris Breinholt said he had seen this concept plan many times. His previous concerns had been addressed, although he reserved the right to tweak the road design at the south end of 500 West.

Zac Burk asked if the wells had been capped. Marshae Stokes said they had been capping the wells as development progressed. Until development occurred, Randy Lemon was still farming the land and using the wells. Bryce Wheelwright said there had been discussion about using the wells for a private irrigation system. Ms. Stokes was aware that had been discussed. A final decision had not been made.

Michelle Drago asked when Heritage Land and Willard City would enter into a development agreement. Bryce Wheelwright said approval of the MPC Zone would start the development agreement process. Ms. Stokes said they had a draft development agreement. Mr. Wheelwright thought the City Attorney had reviewed the draft agreement.

Bryce Wheelwright felt the proposed concept plan and rezone were ready to be forwarded to the Planning Commission. He asked if the SLUA felt the plan and rezone complied with City ordinances.

Chris Breinholt moved to forward the concept plan and rezone request from Heritage Land Development to the Planning Commission with a recommendation of approval. Zac Burk seconded the motion. All voted "aye." The motion passed unanimously.

2D. CONSIDERATION OF A CONCEPT PLAN FOR THE MARION STOKES SUBDIVISION LOCATED AT APPROXIMATELY 1395 NORTH MAIN (PARCEL NO. 02-040-0004)

Time Stamp 51:38 01/18/2024

Bryce Wheelwright stated that Marion Stokes had lived in the home at 1395 North Main. She passed away almost a year ago, and her family needed to divide the land so the home could be sold.

Larry Holmes, 1561 Hargis Hill, stated that they were originally going to sell the home with one acre of ground. However, they discovered there was more acreage between the highway and 200 West than they thought. The family that submitted the offer for the home had agreed to purchase additional land. The house would now sell with 3.49 acres. Another buyer was going to purchase the remaining nine acres.

Michelle Drago stated that the preliminary plan would have to be revised to reflect the change in lot size. Mr. Wheelwright agreed. The plan which had been submitted was no longer correct. It would have to be updated.

Larry Holmes did not feel this was a subdivision. Bryce Wheelwright said if a parcel was divided into two parcels, it was a subdivision by definition. Mr. Holmes felt the City had already divided the property by building 200 West.

Michelle Drago stated that the front portion of the property was zoned R-1/2. The proposed lot met the requirements of the R-1/2 Zone. If they were just making the lot bigger, she felt the SLUA could forward a recommendation to the Planning Commission subject to submission of a revised preliminary plan.

Zac Burk asked if the remainder parcel was subject to zoning regulations. Michelle Drago said the remainder parcel was zoned A-5 and had more than five acres. It had frontage on 200 West.



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Chris Breinholt stated that a new building lot was not being created. The division would create a remainder parcel. He did not see a problem.

There were not any comments from Van Mund, Payden Vine, or Jeremy Kimpton.

Michelle Drago moved to forward the preliminary/concept plan to the Planning Commission with a recommendation of approval subject to a revised plan being submitted prior to the Planning Commission meeting. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

2E. CONSIDERATION OF A CONCEPT PLAN AND REZONE REQUEST FROM A-3 AND A-5 TO R1/2 FROM LYNC CONSTRUCTION FOR APPROXIMATELY 3700 SOUTH 1200 WEST (AKA 200 WEST) (PARCEL NOS. 02-035-0061, 02-035-0063, 02-035-0075, AND 02-035-0079)

Time Stamp: 1:01:12 01/18/2024

Bryce Wheelwright stated that Lync Construction had submitted a rezone request for 37.22 acres located at approximately 3700 South 1200 West from A-3 and A-5 to R-1/2.

There was a discussion about the address of the lot and the street name. Van Mund asked if the proposed development would have Perry addresses. Bryce Wheelwright said the addressing would have to be changed. Van Mund said Willard Police and Fire would respond, not Perry.

Bryce Wheelwright asked how many lots were proposed. Alex Owens, Lync Construction, said their current concept plan contained 46 lots. Mr. Wheelwright asked if all the lots were half-acre. Mr. Owens said they were. Mr. Wheelwright liked the proposed concept plan. He felt it was a good fit for Willard.

Zac Burk asked about Parcel A and Lot 1. Alex Owens said Lync Construction did not own Lot 1. He wasn't sure why it had been included in the concept plan. Parcel A had been set aside to do a land swap with Chad Braegger. The land swap had not been finalized.

Bryce Wheelwright asked if Chad Braegger's property was included in the rezone request. Mr. Owens said it was. Michelle Drago stated that Chad Braegger had not signed the petition. If he wanted to be included in the rezone, he needed to sign the petition. Mr. Owens said Chad Braegger had been part of the MPC rezone request. Lync Construction needed to have him sign the latest petition.

Fire Chief Mund said his only concern was addressing. The lots needed to have Willard addresses.

Chris Breinholt stated that gravity sewer would not work on this property. The development would need some type of sewer pumping system. Details regarding the pumping system had not been nailed down, which wasn't necessary for a rezone. The requested rezone was not consistent with the 2017 Future Land Use Map nor was it consistent with any surrounding zone.

Bryce Wheelwright stated that the property was currently zoned A-5. The Future Land Use Map designated it as A-3 and A-5.



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Alex Owens stated that they were hoping to amend the 2017 Future Land Use Map. Properties in Willard might not conform with the requested zone, but properties in Perry did. There was also a higher density project in Willard southeast of this property.

Michelle Drago stated that the amendment to the Future Land Use Map needed would have to be approved before the Planning Commission could consider the rezone request. Alex Owens was told to fill out a rezone application. Was there something they needed to do first? Michelle Drago said Lync Construction needed to submit an application to amend the 2017 Future Land Use Map.

Chris Breinholt asked if it made sense to amend the General Plan when the Planning Commission had forwarded a recommendation for half-acre blanket zoning to the City Council.

Alex Owens stated that they wanted to move forward. They needed to get something going. Chris Breinholt felt it made sense to push ahead with a Future Land Use amendment given the uncertainty about the new General Plan.

Jeremy Kimpton did not feel the SLUA could do anything until the Future Land Use Map was amended.

Bryce Wheelwright asked Lync Construction to submit an application to amend the Future Land Use Map. Alex Owens asked if Chad Braegger needed to sign the application too. Michelle Drago said he did if his property was going to be included.

2F. CONSIDERATION AND APPROVAL OF NOVEMBER 2, NOVEMBER 30, AND DECEMBER 7, 2023, MINUTES

Chris Breinholt moved to approve the minutes of November 2, November 30, and December 7, 2023, as written. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Payden Vine moved to adjourn at 3:25 p.m. Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc: SLUA 01-18-2024