



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, September 19, 2024 – 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA

(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.

5:30 – 6:30 **WORK SESSION** to discuss proposed amendments to the Table of Uses found in Chapters 12-111-3 and 12-112-3 of the Willard City Zoning Ordinance

1. Prayer
2. Pledge of Allegiance
3. General Public Comments (Input for items not on the agenda. Individuals have three minutes for open comments)
4. Report from City Council
5. Discussion/Action Items
 - a. Consideration of a preliminary plan for Granite Ridge Subdivision Phase 6 located at approximately 675 South 450 East (Parcel Nos. 02-053-0014 and 02-053-0069) (Continued from August 15 and September 5, 2024)
 - b. Review of a conditional use permit issued to Lee Kilpack for multi-family/basement apartment located at 550 North 200 West (Parcel No. 02-046-0046) issued February 16, 2018
 - c. Discussion regarding amending the Table of Uses found Chapter 12-111-3 and 12-112-3 of the Willard City Zoning Ordinance (Continued from August 1, August 15, and September 5, 2024)
6. Consideration and approval of the September 5, 2024, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. Adjourn

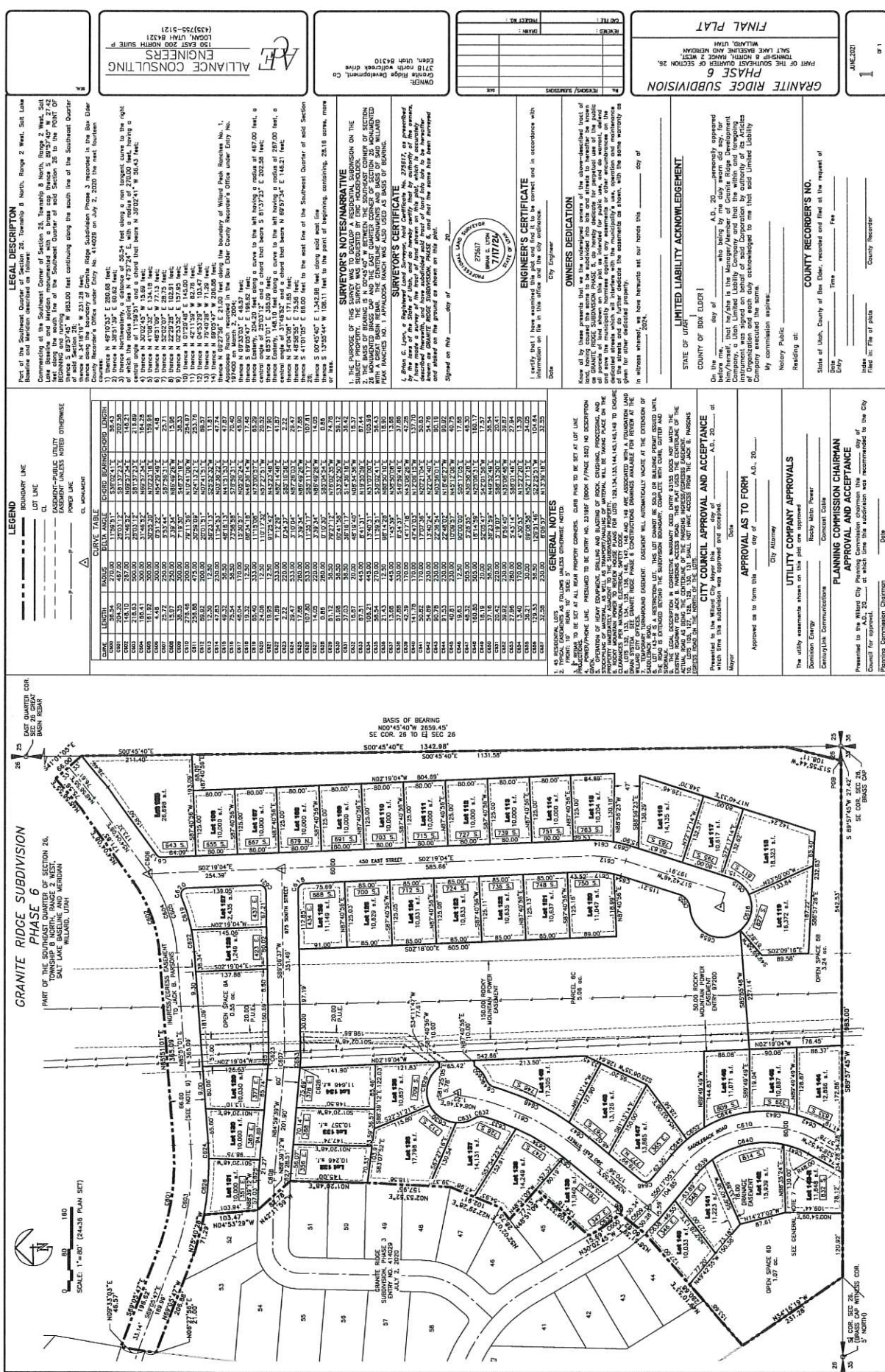
I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 13th day of September, 2024.

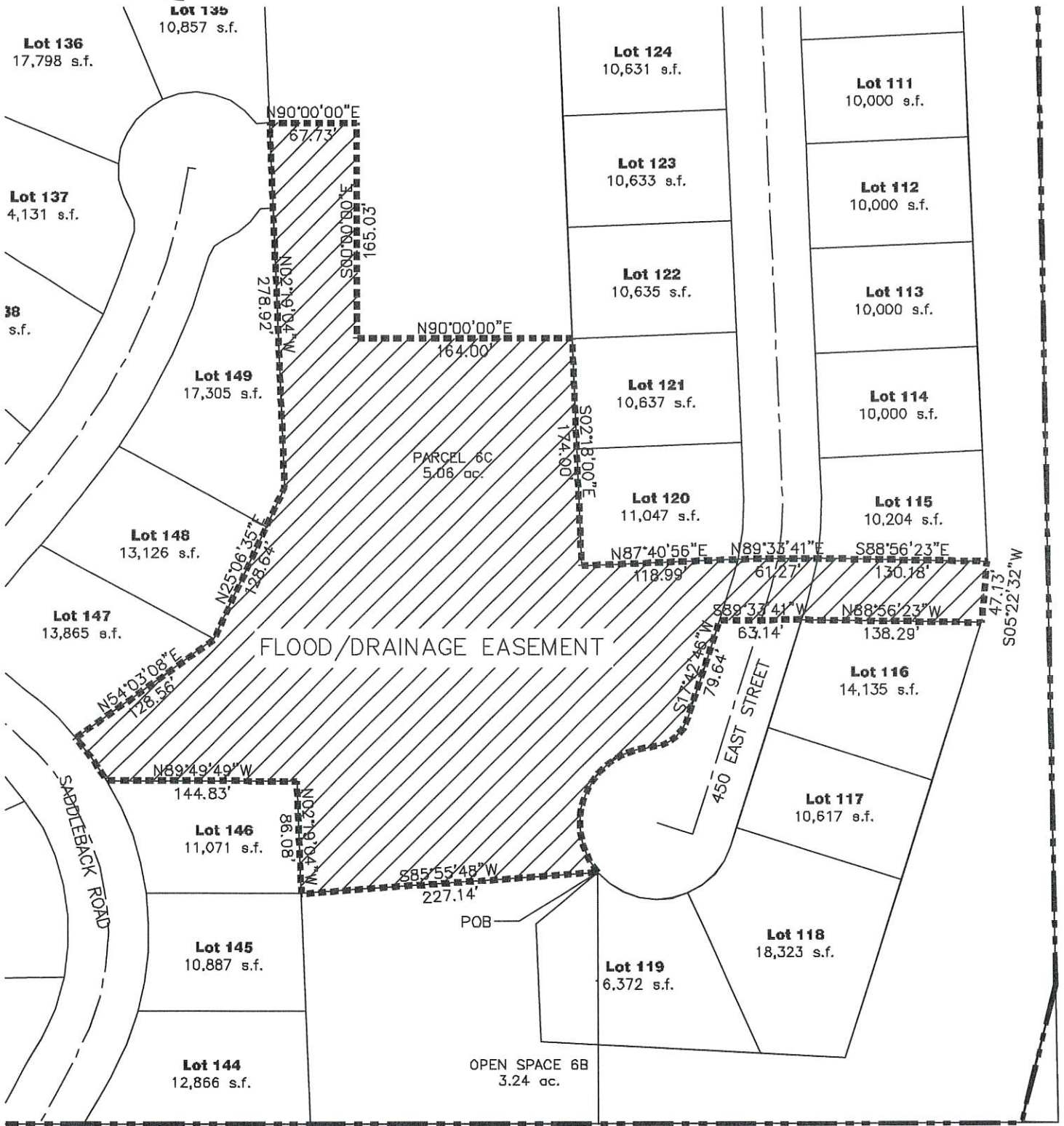
/s/ Michelle Drago

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.

ITEM 5A

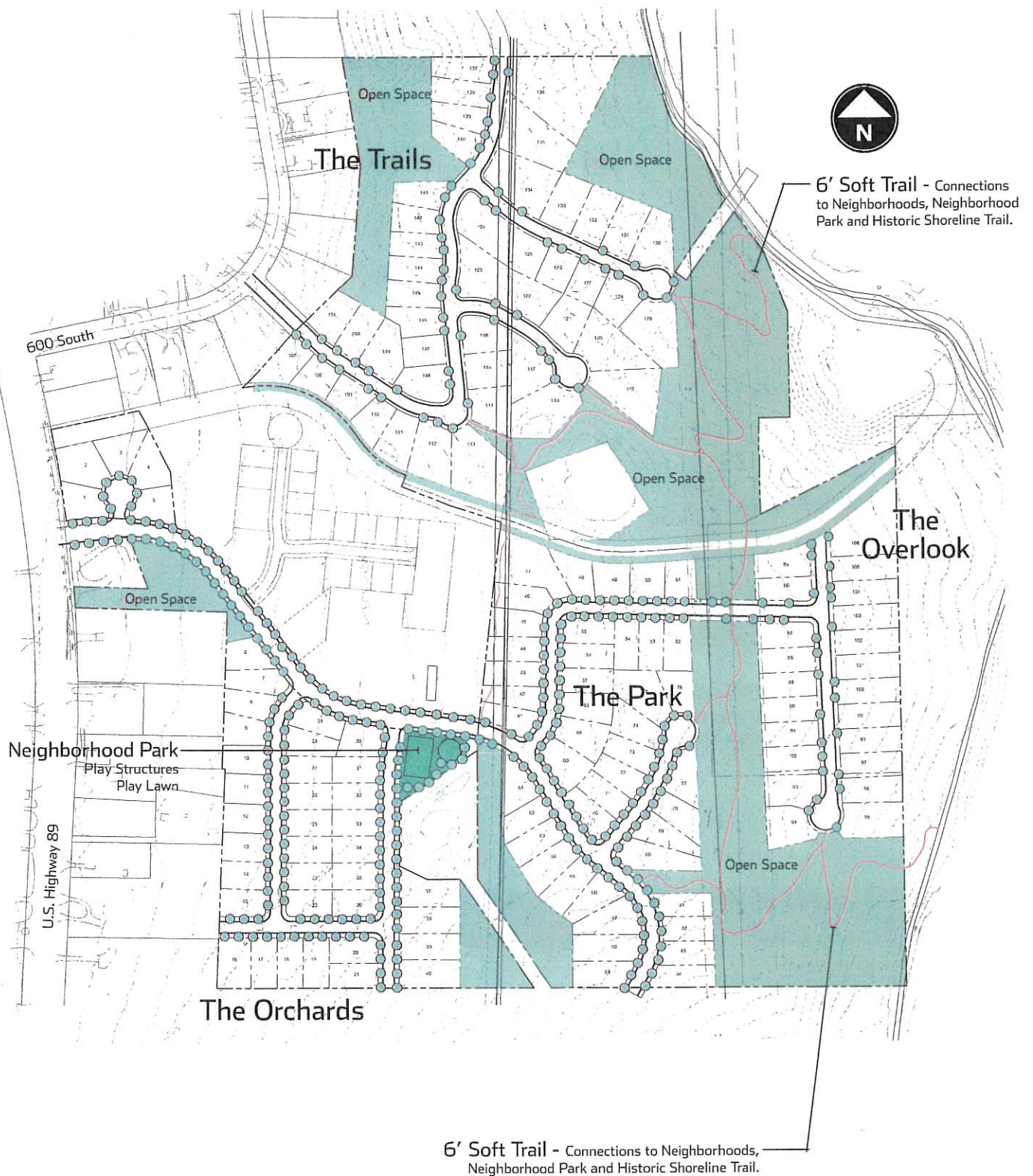




A Flood/Drainage easement located in part of the Southeast Quarter of Section 26, Township 8 North, Range 2 West, Salt Lake Baseline and Meridian described as follows:

Commencing at the Southeast Corner of Section 26, Township 8 North, Range 2 West, Salt Lake Baseline and Meridian monumented with a brass cap thence S 89°57'45" W 350.52 feet along the south line of the Southeast Quarter of said Section 26; thence North 192.29 feet to the POINT OF BEGINNING and running

thence S 85°55'48" W 227.14 feet to the Southeast Corner of Lot 146, Granite Ridge Subdivision, Phase 6;
thence N 02°19'04" W 86.08 feet to the Northeast Corner of Lot 146, Granite Ridge Subdivision, Phase 6;
thence N 89°49'49" W 144.83 feet to the Northwest Corner of Lot 146, Granite Ridge Subdivision, Phase 6;
thence Northwesterly along the right of way line of Saddleback Road, a distance of 39.92 feet along a non tangent curve to the left of which the radius point lies S 59°49'32" W, with a radius of 230.00 feet, having a central angle of 09°56'40" and a chord that bears N 35°08'48" W 39.87 feet to the Southeast Corner of Lot 147, Granite Ridge Subdivision, Phase 6;
thence N 54°03'08" E 128.56 feet to the Northeast Corner of Lot 147, Granite Ridge Subdivision, Phase 6;
thence N 25°06'35" E 128.64 feet ;
thence N 02°19'04" W 278.92 feet to the Southeast Corner of Lot 135, Granite Ridge Subdivision, Phase 6;
thence East 67.73 feet;
thence South 165.03 feet;
thence East 164.00 feet to the Southwest Corner of Lot 122, Granite Ridge Subdivision, Phase 6;
thence S 02°18'00" E 174.00 feet to the Southwest Corner of Lot 120, Granite Ridge Subdivision, Phase 6;
thence N 87°40'56" E 118.99 feet to the Southeast Corner of Lot 120, Granite Ridge Subdivision, Phase 6;
thence N 89°33'41" E 61.27 feet to the Southwest Corner of Lot 115, Granite Ridge Subdivision, Phase 6;
thence S 88°56'23" E 130.18 feet to the Southeast Corner of Lot 115, Granite Ridge Subdivision, Phase 6;
thence S 05°22'32" W 47.13 feet to the Northeast Corner of Lot 116, Granite Ridge Subdivision, Phase 6;
thence N 88°56'23" W 138.29 feet to the Northwest Corner of Lot 116, Granite Ridge Subdivision, Phase 6;
thence S 89°33'41" W 63.14 feet to the west right of way line of 450 East Street;
thence along said west right of way line the next three courses:
1) thence S 17°42'46" W 79.64 feet;
2) thence Southwesterly, 36.21 feet along a curve to the right having a radius of 30.00 feet, a central angle of 69°08'58" and a chord that bears S 52°17'15" W 34.05 feet;
3) thence Southwesterly, a distance of 129.53 feet along a reverse curve to the left having a radius of 58.50 feet and a central angle of 126°51'46" and a chord that bears S 23°25'51" W 104.64 feet to the point of beginning.



Total Project Area - 84.61 Acres
 Total Open Space - 28.23 Acres (33.3%)

II - Open Space, Parks & Trails Plan



Granite Ridge Open Space

ph1	1.18 ac
ph2	0.55 ac
ph3	1.03 ac
	0.75 ac
ph4	0.12
	2.33
ph5	11.14
ph5	1.25
PH6	1.07
ph6	8.35
ph6	0.55

Total Open 28.32

Total area 84.65

33.46%



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

May 30, 2024 – 3:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Mr. Dearden asked how the fee-in-lieu-of would be calculated. Chris Breinholt said the fee would be based on the current cost to construct the improvements.

Joe Adair, Dearden's real estate agent, asked if there was an option to escrow the funds for ten years in case the city didn't put the improvements in. Chris Breinholt said an escrow was similar to a fee-in-lieu of. Escrows had installation time limits. If improvements weren't installed during the allotted time, the city could take the funds and put in the improvements. Mr. Adair explained that in Hooper City, the city took money, based on the engineer's estimate, with the agreement that it would return the money in ten years if it didn't build the improvements. Mr. Breinholt felt that option would have to be approved by the administration because Willard didn't have anything in place to govern that option.

Zac Burk felt such a scenario would mean the Dearden's would be getting something for nothing. They would be circumventing the requirement to install improvements. Mr. Breinholt felt the Dearden's could argue they shouldn't have to pay for improvements the city never put in

Jeremy Kimpton didn't feel there was a mechanism in the Zoning Ordinance to provide that option. It was essentially a development agreement. The SLUA was a recommending body. It could present that option to the City Council. These types of improvements were hard for the city to track; to make sure those improvements were built.

Chris Breinholt stated that SLUA's job was to require the improvements. It did not have the right to defer the improvements.

Jeremy Kimpton agreed. The SLUA would forward a recommendation of approval subject to the engineering requirements along with the developer's request to have the improvements deferred with an agreement or an escrow option.

Joe Adair stated that he would provide a copy of the agreement used by Hooper City.

All voted "aye." The motion passed unanimously.

2B. **CONSIDERATION OF A PRELIMINARY PLAN FOR GRANITE RIDGE SUBDIVISION PHASE 6 LOCATED AT APPROXIMATELY 675 SOUTH 450 EAST (PARCEL NOS. 02-053-0014 AND 02-053-0069)**

Time Stamp -23:04 - 05/30/2024

Madison Brown stated that the city had received a preliminary subdivision plan for Granite Ridge Phase 6 from Granite Ridge Willard LLC, who was being represented by John Newhall.

Zac Burk stated that he had reviewed the plat. He asked if Mr. Newhall had made the requested changes to the storm drain easement. Mr. Newhall said he had.

Zac Burk stated that they still needed to figure out if the storm drain needed an easement or a dedication. John Newhall said he was waiting for input from the city engineer. They had adjusted the lot lines for the channel coming down for the debris basin. They needed to know if it would be an easement or a dedication to Willard Flood Control or Willard City as open space. How did the city want to handle it?



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

May 30, 2024 – 3:00 p.m.

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Zac Burk asked how the berms and open space were handled in Phase 5. Were they owned by Willard Flood Control? Chris Breinholt said the berms were part of the open space, which was owned by the homeowners' association.

Zac Burk was concerned about Phase 6. He didn't want the HOA to build anything in the flood channel. Was an easement needed for a culvert? Mr. Breinholt felt there needed to be an easement for the culvert.

Zac Burk felt Willard Flood Control needed to be able to get in and clean out the basins. Chris Breinholt felt the basins should be owned by the flood control district.

Zac Burk said there were storm drain detention basins throughout Granite Ridge which were separate from the basins owned by Willard Flood Control. In Phase 1, they were dedicated to the city. Mr. Breinholt said at that time, Willard City was taking all the storm water. Now the basins were being given to Willard Flood Control to manage. Mr. Burk said there was talk about making HOA's deal with the storm drain runoff from their own basins and open space. Flood control channels were different than subdivision runoff.

Zac Burk felt an easement should be added to the plat for the culvert. John Newhall said he would get a legal description for the culvert and draft an easement for the flood control district.

Chris Breinholt asked about the main flood control basin. Zac Burk said dedicating the basins to flood control would reduce the amount of open space in Granite Ridge. He leaned more toward an easement with access. Mr. Breinholt felt that decision should be made by Willard Flood Control. Mr. Burk asked John Newhall to contact Willard Flood Control's engineer to verify that they wanted an easement rather than a dedication.

John Newhall said they would get an easement in place. With that last pending issue resolved, they were looking for a recommendation to the Planning Commission.

Zac Burk asked if the SLUA could make a recommendation to the Planning Commission now that the lot size and layout had been determined and the easement question answered. Jeremy Kimpton felt SLUA could make a recommendation subject to the easement being done before it was sent to the Planning Commission.

John Newhall asked if the easement had to be recorded and in place. Chris Breinholt felt the easement could be recorded simultaneously with the subdivision plat. It just needed to be prepared and reviewed.

Michelle Drago asked about Lots 105, 127, 128, 129, 130, and 131. They all had frontage on the Parsons ingress/egress easement. Was the ingress/egress easement a public right-of-way? If it wasn't a public right-of-way, could those lots have access to the easement? There were addresses shown along the easement.

Chris Breinholt stated that the easement was not a public right-of-way. The addresses shown on the north side of those lots should be removed. Michelle Drago felt a comment should be added to the plat restricting access to the easement from those lots. Chris Breinholt agreed. There needed to be a verbal restriction that people could not access their lots from the ingress/egress because it was not a public right-of-way.

Michelle Drago stated that General Note 6 required some of the lots to be reviewed by Rocky Mountain Power before building permits could be issued. Willard would have to receive written clearances for those lots before building permits could be issued.



WILLARD CITY

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John Newhall said the easement would be recorded concurrently with the subdivision plat. He would have his engineer remove the addresses on the north side of Lots 105, 127, 128, 129, 130, and 131, and add a comment restricting those lots from having access onto the Staker Parson ingress/egress easement.

Chris Breinholt stated that there was an easement required for Phase 5 which was a separate document from the plat. The easement addressed storm water leaving Phase 5 and entering Phase 6. John Newhall said they had already recorded that easement.

Chris Breinholt felt the city administration needed to check to see if the original PUD required fencing along the ingress/egress. John Newhall asked if required fencing would be applicable in Phase 4. Mr. Breinholt said it wouldn't because the ingress/egress was next to open space. Madison Brown stated that she would read the PUD Ordinance and original development agreement to determine if there were fencing requirements.

Payden Vine asked if it was okay for the city to tie into the ingress/egress easement. Mr. Breinholt said that had already been agreed to.

Madison Brown listed the SLUA findings – an easement to be recorded with the plat for the channel and the basin, removal of address for the six lots fronting the Parson ingress/egress, and addition of a note for those lots restricting access onto the private ingress/egress.

Chris Breinholt asked Zac Burk to determine if the water line needed to be connected with a PRV. Zac Burk said there was a PRV at the bottom of Saddleback Road.

Madison Brown said the west side of Lot 105 did not comply with the minimum 70-foot frontage requirement. She would check frontages and let John Newhall know if there were any that needed to be corrected.

Jeremy Kimpton suggested that this subdivision be tabled so these questions could be answered.

Payden Vine moved to table consideration of the preliminary plan for Granite Ridge Phase 6 until the plat was updated. Michelle Drago 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) (CONTINUED FROM APRIL 25, 2024)

Time Stamp: 0:49:05 - 05/30/2024

Jeremy Kimpton was excused at 3:57 p.m.

Madison Brown stated that Garth Day had made changes to the concept plan for Orchards Subdivision based on his discussion with the SLUA on April 25th.

Garth Day, Heritage Land, stated that the concept plan was associated with their request to rezone the balance of the subdivision from R-1/2 to MPC (Master Planned Community). When he met with SLUA on



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

August 1, 2024 – 3:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

99 have to determine if there was a legal way to work around the improvement requirements. If there was a
100 way to do it, it would have to be approved by the City Council.

101
102 Rod Braegger felt their only option was to pull their application.

103
104 Madison Brown said she would ask for the city attorney's opinion.

105
106 The SLUA did not take any action because the Braegger's pulled their application.

107
108 Madison Brown said the emergency access easement still had to be corrected before Braegger's could
109 build.

110
111 2B. **CONSIDERATION OF A PRELIMINARY PLAN FOR GRANITE RIDGE SUBDIVISION PHASE 6**
112 **LOCATED AT APPROXIMATELY 675 SOUTH 450 EAST (PARCEL NOS. 02-053-0014 AND 02-**
113 **053-0069) (CONTINUED FROM MAY 30, 2024)**

114
115 Time Stamp – 17:24 – 08/01/2024

116
117 Madison Brown stated that the SLUA's findings during its May 30th meeting had been addressed. The
118 easement for the flood channel and basin had been prepared, the addresses for the six lots fronting the
119 Parson ingress/egress road had been removed, and a note had been added to the plat restricting those six
120 lots from accessing the private ingress/egress. Did SLUA have any other comments or concerns?

121
122 John Newhall asked how the city wanted to record the easement for the flood channel and basin. Madison
123 Brown said the city attorney would prepared the easement, which would be recorded with the plat

124
125 Chris Breinholt stated that open space for the entire development was supposed to be 33.3%. He asked
126 what the percentage was. Some lots had been reconfigured into an area that used to be open space. He
127 asked for documentation of the overall open space. The overall plan also included 6-foot soft trails in Phase
128 6. The trails needed to be shown in the construction drawings.

129
130 Zac Burk said a soft trail was a defined trail that could be mulch, wood, gravel, or grass. John Newhall
131 asked if the soft trail could cross Parsons' Haul Road. John Newhall said Parsons required the installation
132 of a sign restricting access to emergency vehicles only. They did not allow pedestrians or motorized
133 vehicles. Chris Breinholt said the trails on either side would have to be independent of one another and
134 have access to the bench/Canal Road.

135
136 Madison Brown asked if the trails needed to be added to the plat. Zac Burk felt the best way to handle them
137 was through the construction drawings. John Newhall did not feel it would be an issue to add the trails to
138 the construction drawings, especially when they were being dedicated with the easement and open space.
139 He would show a trail going from the cul-de-sac on the east side through the open space and connecting
140 on the south up to the canal. He would also provide the open space calculations requested by Chris
141 Breinholt.

142
143 Zac Burk asked if Willard Flood Control had any outstanding items. John Newhall said they did not.

144
145 Chad Braegger asked about water conveyance. Jeremy Kimpton said they had reviewed the water and felt
146 Granite Ridge had conveyed all the required water. Zac Burk said they did an extensive search of the parcel
147 numbers and could not find any existing privately owned water rights that should have been conveyed to



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

August 1, 2024 – 3:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

the city.

Chad Braegger asked who John Newhall represented. John Newhall said he was with Granite Ridge, LLC/Scott Priest.

Chris Breinholt stated that building permits in Phase 6 could not be issued until the waterline in Phase 5 was completed.

Chris Breinholt moved to forward Phase 6 to the Planning Commission with a recommendation of approval subject to overall documentation that there was 33.3% of open space; and that the soft trails shown on the Granite Ridge master plan for his phase be included in the construction drawings, except for pedestrian access onto the Haul Road. Zac Burk seconded the motion.

Chris Breinholt felt the preliminary presentation to the Planning Commission should include the open space documentation. He felt Zac Burk could handle the soft trails in the construction drawings.

All voted “aye.” The motion passed unanimously.

2B. CONSIDERATION AND APPROVAL OF JUNE 27, 2024, MINUTES

Madison Brown moved to approve the June 27, 2024, minutes as written. Zac Burk seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Jeremy Kimpton moved to adjourn at 3:44 p.m. Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc: SLUA 08-01-2024

ITEM 5B

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

Conditional Use Permit

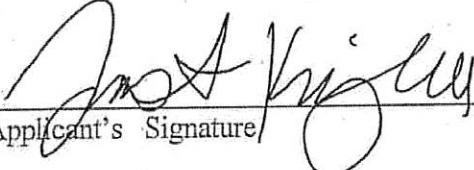
Date Issued: March 1, 2018

Applicant's Name: Lee Kilpack
550 North 200 West
Willard UT 84340

Parcel # 02-046-0046

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

- 1 If the property remains the primary residence of the property owner and if the property owner does not add a second power panel or gas meter, the property will not require a second sewer and water hookup.
- 2 If the property owner is using the property as an income property and not as the primary residence of the property owner, or if the property owner adds a power panel or gas meter to separate the upstairs and the downstairs then a separate sewer and water connection will be required, with the applicable fees for impact and hookup.


Applicant's Signature

3-8-18
Date


City Representative - City Planner

3-8-18
Date

**Notice is hereby given that
THE WILLARD CITY PLANNING COMMISSION
will meet in a regular session on
Thursday March 1, 2018 – 6:30 p.m.**

AGENDA (*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*

Location: Willard City Hall, 80 West 50 South, Willard, Utah, 84340, Council Chambers

1. **Prayer**
2. **Pledge of Allegiance/Roll Call**
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion/Action Items**
 - a. **Lot Line Adjustment for Lots 2,3 and 4 of the JWP Subdivision –Parcel #02-046-0091,0092 and 0093 located at 24 West 400 North**
 - b. **Conditional Use Permit for Lee Kilpack –Parcel #02-046-0046 for Multi-Unit Housing to allow an apartment in basement at 550 North 200 West**
 - c. **Conditional Use Permit for Alexander and Heather Gillespie – Parcel #02-047-0177 for a business license to open an Auto Mechanic shop located at 51 North Main**
 - d. **Lot Line Adjustment for Neil Braegger – Parcel # 02-046-0039 located at approximately 649 North Main**
 - e. **Lot Line Adjustment for Laree Braegger – Parcel # 02-046-0098 located at approximately 700 North Main**
 - f. **Discussion/Action on proposed revisions to Section 12-400 and Section 12-102 of the Willard City Zoning Ordinance to address curb, gutter and sidewalk requirements**
 - g. **Discussion on proposed ordinance for the sale of water and sewer outside Willard City limits**
 - h. **Discussion on creating an Old Town Willard Zone located between 200 North and 200 South and 200 West and 200 East**
5. **Approval of the minutes of the February 15, 2018 Planning Commission meeting**
6. **Commissioner/Staff Comments**
7. **Adjourn**

For additional information please contact the Willard City Offices at 435-734-9881.

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Teri Fellenz at (435) 734- 9881.

I, the undersigned duly appointed and acting Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 26th day of February 2018

Deputy City Recorder

WILLARD CITY CORPORATION PC030118

DATE: March 1, 2018
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Chairperson – Terry Ross
Commissioner: Sidney Bodily, Gary Hart, Leslie Meyer,
Bryce Wheelwright - City Planner (non-voting member)
Del Freddo – City Council member (non-voting member)
Gaylene Nebeker - Planning Commission Secretary
EXCUSED: John Seamons, Chandler Bingham
CITIZENS: See attached sheet

1. **Prayer** – Terry Ross
2. **Pledge of Allegiance led by** Leslie Meyer
3. **General Public Comment (Input for items not on the agenda)**
4. **Discussion Item**

a. Lot Line Adjustment for Lots 2,3 and 4 of the JWP Subdivision –Parcel #02-046-0091,0092 and 0093 located at 24 West 400 North

City Planner Wheelwright explained Mr. Perry has purchased the whole subdivision and is requesting a lot line adjustment for 2 of the lots. He is in compliance with the current zoning and will not be creating any substandard lots. He discussed location of the irrigation lines. Commissioner Bodily asked what the lot sizes would be. Mr. Perry stated the north lot would be 1.09 acres, the center lot would be 1.09 acres and the south lot would be 1.08 acres. Commissioner Meyer asked about frontage. City Planner Wheelwright said they are good on frontage. Mr. Perry attended a Flood Control meeting and they had concerns about the ditch through the cul de sac and would like to see him put a pipe in to help with erosion. He explained there are two berms that go through the 1 acre lots that he would like to remove to help with irrigation. City Planner Wheelwright stated the berms were put in for flood control and he would need to talk with the city engineer to see if that would be possible. Mr. Perry showed on the map where the berms are located. City Planner Wheelwright stated there were no other issues.

Commissioner Meyer made a motion to approve the Lot Line Adjustment for Lots 2,3 and 4 of the JWP Subdivision. The motion was seconded by Commissioner Bodily. The motion carried with a unanimous vote.

b. Conditional Use Permit for Lee Kilpack –Parcel #02-046-0046 for Multi-Unit Housing to allow an apartment in basement at 550 North 200 West

City Planner Wheelwright explained the Kilpack's live on 550 North 200 West and have a 5 acre parcel of land. They are wanting to remodel their basement to add a

kitchen and mother-in-law apartment. Multi-Unit housing is a Conditional Use Permit and is allowed in that zone. He is not adding power or a gas meter. He was not sure what conditions can be applied other than if it becomes an income property, and they did split the power and gas, he will also have to split sewer and water. He went on to explain he has 5 acres so parking would not be an issue. Commissioner Bodily asked how often the conditional use permit would be reviewed. City Planner Wheelwright felt if there are conditions it could be reviewed whenever, it would be up to the Planning Commission to decide and would need to be put in the Conditional Use Permit. Commissioner Meyer asked for clarification that if they rented it as income property they would need to split all the utilities. It was stated yes and at that time impact fees would be accessed. Lee Kilpack asked what would be reviewed. It was stated if nothing has changed there would be no review. Commissioner Hart suggested adding to the conditions if it is not an income property there would be no review but if they decide to make it an income property they would need to come back to the Planning Commission for review. Commissioner Meyer suggested if it becomes an income property it would require new conditions and will reviewed in 2 years.

A motion was made by Commissioner Bodily to approve the Conditional Use Permit for Lee Kilpack for Multi-Unit Housing to allow an apartment in basement at 550 North 200 West with the conditions if it becomes a non-primary residence they would need to come back to the city for a split in the utilities. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

d. Lot Line Adjustment for Neil Braegger – Parcel # 02-046-0039 located at approximately 649 North Main

City Planner Wheelwright reported that Neil Braegger is requesting to move his property line to the west to make one parcel smaller and his lot bigger. Chairperson Ross asked what parcel #3 was. City Planner Wheelwright explained it is for a potential street. He went on to say it meets all the requirements of the R½ and A-5 zones and is 7 acres.

A motion was seconded by Commissioner Meyer to approve the Lot-line Adjustment for Neil Braegger for parcel #02-046-0039 located at 649 North Main. The motion was seconded by Commissioner Hart. The motion carried with a unanimous vote.

e. Lot Line Adjustment for Laree Braegger – Parcel # 02-046-0098 located at approximately 700 North Main

City Planner Wheelwright showed on the parcel map the request for the lot line to be moved to the east to create a 1 1/2 acre lot with the other one being bigger. Chairperson Ross asked if parcel #3 would be effected. City Planner Wheelwright stated the easement for Parcel #3 would always need to be there. There were questions from the purchaser of the property about the easement and where they were placing their house. City Planner Wheelwright explained that the easement will always have to be there and will never be able to be built on. Neil Braegger said he owns half the easement and the other half is being sold to the person buying the bottom piece. The person buying the bottom piece wanted it so he could get to the

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

Application Date:

2/14/18

Assessor's Parcel Number

Applicant:

Lee Kihack

Parcel Legal Description

Mailing Address

PO Box 483

Willard, OH 44340

Project Address

5501 N. 200th

Phone Number

435-730-0648

Cell Phone

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



Conditional Use Permit \$25 Fee



Lot Line Adjustment \$25 Fee



Other Fee variable, \$25 Min.

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

Pd 2-14-18

APPLICANT'S AFFIDAVIT

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

I, (we) Lee Kipack, 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 550 N. 200 W 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 [Signature]

Property Owner(s)

AGENT _____

Subscribed and sworn before me this 16 day of Feb 2018



[Signature]
Notary Public

Residing in Brigham city Utah
My commission expires: 7-28-2021

* 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) Lee Kipack, the owner(s) of real property described above, hereby appoint Self, 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 16 day of Feb 2018



[Signature]
Notary Public

Residing in Brigham city Utah
My commission expires: 7/28/21

ITEM 5C

24.44.030 Uses *Chapter 12-111-3*

No building, structure or land shall be used and no building or structure shall be hereafter erected structurally altered, enlarged or maintained in the multiple use, rural, or residential districts except as provided in this Ordinance. (See Table I)

TABLE I	MU-40	A-3	A-5	R-1/2	R-1
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C
3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work...	C	C	C	C	C
4. AGRICULTURE AND FORESTRY					
a. Agriculture, except grazing and pasturing of animals	P	P	P	P	P
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P
c. Agriculture, business or industry	C	C	C	C	C
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P
e. Nursery or green house, wholesale or retail	C	P	P	P	P
f. The tilling of the soil, the raising of crops, horticulture and gardening	C	P	P	P	P
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	P	C	C
h. Forestry, except forest industry	P	P	P	P	P
i. Forest industry, such as a sawmill, wood products plant, or others	C	-	-	-	-
5. APIARY	P	C	P	C	C
6. AVIARY	P	P	P	P	P
7. PLANNED UNIT DEVELOPMENT (PUD) OR CLUSTER SUBDIVISION OF SINGLE FAMILY DWELLINGS:					
a. Provided that the residential unit density of the total parcel is not increased above two units per acre.	C	C	C	C	C
b. Provided that the area, in acres, of the total parcel is not less than thirteen acres.	A	A	A	A	A
8. DUDE RANCH; family vacation ranch	C	-	C	-	-
9. DWELLINGS:					
a. Single-family dwelling	C	C	C	P	P

b. Multi-family dwelling	C	C	C	C	C
c. Seasonal Home or Cabin	C	-	-	-	-
d. Farm or Ranch Housing	C	C	C	-	-
e. Manufactured Housing	C	C	C	P	P
f. Mobile Homes					
1) When located in a mobile home park or subdivision	P	P	P	P	P
2) When not located in a mobile home park or subdivision	-	-	-	-	-
10. Home occupation	C	C	C	C	C
11. Household Pets	P	P	P	P	P
12. Kennel	-	-	C	-	-
13. Power generation	C	P	P	P	P
14. Private park or recreational grounds or private recreational camp or resort, including accessory or supporting dwellings or dwelling complexes and commercial service uses which are owned or managed by the recreational facility to which it is accessory	C	-	C	-	-
15. Public and quasi-public					
a. Churches	-	-	-	C	C
b. Parks, golf courses, swimming pools and other recreation areas	-	-	-	P	P
c. Public buildings	-	-	-	C	C
d. Private schools	-	-	-	C	C
16. Public stable, riding academy or riding ring, horse show barns or facilities	C	-	P	-	-
17. Residential Housing Developments					
a. Mobile home park	C	-	C	C	C
b. Mobile home subdivision	C	-	C	C	C
c. Subdivisions and Planned Unit Developments.	C	C	C	C	C
18. Signs (See Sign Ordinance WZC 24.60)					

HISTORY

Amended by Ord. [2022-9](#) on 12/8/2022

24.48.030 Uses Not Listed *chapter 12-112-3*

The Table in this Section provides a listing of permitted and conditionally permitted uses for Commercial and Manufacturing zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the City Planner is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the City Planner may, at their sole discretion, ask the Planning Commission for its review and interpretation.

(See TABLE I)

A. Accessory Buildings/dwellings/manufacturing/storage	M	C-N	C-G
Accessory uses and buildings customarily incidental to the permitted uses.	P	C	P
Single-Family Dwelling	C	P	P
Multi-Family Twin Home	C	P	P
Multi-Family Attached	C	P	P
Multi-Family Stacked	C	P	P
Accessory Dwelling Units	P	P	P
Manufactured and Modular Homes	C	C	C
Manufacturing/Industrial Heavy	P	-	C
Manufacturing/Light	P	C	C
Refineries	C	-	-
Renewable Energy Systems	C	C	C
Storage Facility/Units	P	-	C
Temporary Buildings	C	C	C
Warehousing/Distribution	P	C	C
Warehousing/Distribution Motor Fuels/Propane/Plant/Storage Facilities	C	-	C
B. Public Facilities/Utilities	M	C-N	C-G
Air BNB or any short-term lodging facility	C	C	C
Communication Towers and Antennas	C	C	C
Churches/Places of Worship	P	P	P
Educational Facilities	p	p	p
Public Utility installations	P	P	P
C. Recreations/Entertainment	M	C-N	C-G
Bowling Alley	C	C	P
Dance Studio	C	C	C
Fitness Center	C	C	P
Golf Course	C	C	P
Recreation Center	P	C	P

Recreational Vehicle Park	-	-	C
Sexually Oriented Businesses: See Willard City General Ordinances Title 9-600	C	-	-
Swimming Pool	C	C	C
Theater/Entertainment	C	C	C
D. Retail	M	C-N	C-G
Alcohol or Tobacco Specialty Store	C	-	C
Art and/or Art Supply	P	C	P
Book Store	P	P	P
Christmas Trees Sales	P	C	P
Clothing/Department Store	C	C	P
Convenience Store	P	C	P
Craft/Hobby Store	P	P	P
Fireworks Stand	C	C	C
Florist Shop/Nursery	C	C	P
Fruit Stand	P	P	P
Grocery Store	P	P	P
Hardware Store/Lawn and Garden	P	C	C
Pet Shop	C	C	P
Retail, Big Box Store	P	P	P
Retail, General	P	C	P
Shoe Store/Repair	P	C	P
Sporting Goods	P	P	P
E. Restaurant/Food Establishments	M	C-N	G-G
Bakery	P	P	P
Candy/Ice Cream Store	C	C	P
Private Club/Bar/Tavern	C	C	P
Restaurant/Fast Food	C	C	P
F. Service	M	C-N	C-G
Agriculture, Existing	P	P	P
Agricultural Industry/Food	P	C	P
Automobile Service and Sales Station (Includes Fuel)	C	C	C
Bank/Credit Union/Financial	P	C	P
Barber/Beauty Salon/Tanning/ Nales	P	P	P
Bed and Breakfast/ Air BNB	-	P	-

Business/ Professional Office	C	C	C
Car Wash	C	C	C
Check Cashing, Payday Lender, Title Loans	C	C	C
Childcare/Preschool: See Willard General Ordinances Title 9-000 for Home Business	C	C	C
Dry Cleaning	P	C	P
Fabrication/Welding	P	C	P
Hospital	P	P	P
Hotel/Motel	C	-	P
Kennel: See Willard City General Ordinances Title 13-00-0-00	C	C	C
Locksmith/Key and Lock	P	C	P
Laundromat	P	P	P
Medical and Dental Clinic	P	C	P
Nursing Home	-	C	C
Pet Grooming	P	P	P
Pharmacy	P	C	P
Residential Facilities for Persons With Disabilities	P	C	P
Slaughterhouse	C	C	C
Tattooing/Body Art	P	C	P
Towing/Impound Yard	P	-	C
Transportation/Trucking	P	C	P

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

24.44.030 Uses (Chapter 12-111-3)

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged, or maintained in the Multiple Use, Rural, or Residential districts, except as provided in this Ordinance (See Table 1)

TABLE 1

	MU-40	A-5	A-3	R-1	R-1/2
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C
3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed from completion or abandonment of the construction work.	C	C	C	C	C
4. AGRICULTURE AND FORESTRY:					
a. Agriculture, except grazing and pasturing of animals (see definition in 24.01.060)	P	P	P	P	P
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P
c. Agriculture, business, or industry (does this include meat processing?)	C	C	C	C	C
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises (subject to number limits found in ?? NEED TO SET LIMITS FOR ENFORCEMENT)	P	P	P	P	P
e. Nursery or green house, wholesale or retail (Need to define)	C	P	P	P	P
f. The tilling of soil, the raising of crops, horticulture and gardening	C	P	P	P	P
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	P	C	C	C
h. Forestry, except forest industry (NEED TO DEFINE)	P	P	P	P	P
i. Forest industry, such as sawmill, wood products plant, or others (see definition in 24.01.060)	C	-	-	-	-
5. APIARY, Private (subject to requirements of Utah State Code) (NEED TO DEFINE)	P	P	C	C	C
6. APIARY, Commercial (subject to requirements of Utah State Code) (NEED TO DEFINE)	C	C	C	-	-
7. AVIARY, Private (NEED TO DEFINE)	P	P	P	P	P
8. AVIARY, Commercial (NEED TO DEFINE)	C	C	C	-	-
7. PLANNED UNIT DEVELOPMENT (moved to Item 18)					
9. DWELLINGS:					
a. Single-family dwelling	C	C	C	P	P
b. Accessory Dwelling Unit, Detached - Per 24.96	C	C	C	C?	C?

[illegible]

24.48.030 Uses Not Listed (Chapter 12-112-3)

The Table in this Section provides a listing of permitted and conditionally permitted uses for **Commercial, Manufacturing and Transportation Oriented Development** zones within the city. The Table in this SECTION IS NOT COMPREHENSIVE. In the event a sought-after use is not listed, the City Planner is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the City Planner may, at **his/her** their discretion, ask the Planning Commission for its review and interpretation.

(See TABLE 1)

	M	C-G	C-N	TOD (Per 24.68)	
A. Accessory Buildings/Dwellings/Manufacturing/Storage					
Accessory uses and buildings customarily incidental to the permitted uses	P	P	P	P	
Single-Family Dwelling	C	P	P	-	
Multi-Family, Twin Home (subject to spacing requirements)	C	C	C	P*	
Multi-Family, Attached (subject to spacing requirements)	C	C	C	P*	
Multi-Family, Stacked (subject to spacing requirements)	C	C	C	P*	
Accessory Dwelling Unit, Detached - Per 24.96	C	C	C	-	
Accessory Dwelling Unit, Interior - Per 24.96	P	P	P	-	
Manufactured and Modular Homes	C	C	C	-	
Manufacturing/Industrial Heavy (NEED TO DEFINE)	P	C	-	-	
Manufacturing Light (NEED TO DEFINE)	P	P	C	-	
Refineries (NEED TO DEFINE)	C	-	-	-	
Renewable Energy Systems (NEED TO DEFINE)	C	C	C	-	
Storage Facility/Units (NEED TO DEFINE)	P	P	-	-	
Temporary Buildings (NEED TO DEFINE)	C	C	C	-	
Warehousing Distribution (NEED TO DEFINE)	P	C	-	-	
Warehousing Distribution Motor Fuels/Propane/Plant/Storage Facilities (NEED TO DEFINE)	P	C	-	-	
B. Public Facilities/Utilities					
Air BNB or any short-term lodging facility (moved to F. Service)					
Commercial Parking Facility (NEED TO DEFINE) (Included in TOD Ord)					
Communication Towers and Antennas (NEED TO DEFINE)	C	C	C	C	
Churches/Places of Worship	P	P	P	C	
Community Garden (NEED TO DEFINE) (Included in TOD Ord)	P	P	C	P	
Educational Facilities, Public or Private (NEED TO DEFINE) <i>secondary schools</i>	P	P	P	C	
Government or Municipal Office	P	P	P	P	
library or Reading Room (NEED TO DEFINE) (Included in TOD Ord)	C	P	P	P	
Parks, Public or Private/Open Space (Included in TOD Ord)	P	P	P	P	
Public Utility Installations (NEED TO DEFINE)	P	P	P	P	

C. Recreations/Entertainment					
Auditorium or Performing Art Center (NEED TO DEFINE) (Included in TOD Ord)	C	C	C	C	
Bowling Alley (NEED TO DEFINE)	P	P	-	C	
Dance Club (NEED TO DEFINE) (Included in TOD Ord)	-	-	-	C	
Dance Studio (NEED TO DEFINE)	P	P	P	C	
Fitness Center (NEED TO DEFINE)	P	P	P	C	
Golf Course (NEED TO DEFINE)	P	P	C	-	
Recreation Center (NEED TO DEFINE)	P	P	-	C	
Recreational Vehicle Park (Per 24.92)	C	C	-	-	
Sexually Oriented Business (See Willard City General Ordinances Title 8.20)	C	-	-	-	
Swimming Pool, Commercial (NEED TO DEFINE)	C	P	C	-	
Theater/Entertainment (NEED TO DEFINE)	C	C	-	P**	
D. Retail					
Alcohol or Tobacco Specialty Shop (NEED TO DEFINE)	P	P	-	-	
Art and/or Art Supply (NEED TO DEFINE A RETAIL BUSINESS)	P	P	P	P	
Book Store	P	P	C	P	
Christmas Tree Sales	P	P	C	-	
Clothing/Department Store	P	P	P	P	
Convenience Store, with drive-through (NEED TO DEFINE)	P	P	P	C	
Convenience Store, without drive-through	P	P	P	C	
Craft/Hobby Store (can this be combined with Art Store?)	P	P	P	P	
Fireworks Stand (NEED TO DEFINE)	C	C	C	-	
Florist Shop/Nursery (NEED TO DEFINE) (Do shop and nursery need to be separate uses?)	C	C	P	P (Florist Only)	
Fruit Stand (NEED TO DEFINE)	P	P	P	-	
Grocery Store (NEED TO DEFINE)	P	P	-	P	
Hardware Store/Lawn and Garden (NEED TO DEFINE)	P	P	C	P?	
Pet Shop (NEED TO DEFINE)	P	P	P	P	
Retail, Big Box Store (NEED TO DEFINE)	P	P	P	P	
Retail, General (NEED TO DEFINE)	P	P	P	P	
Shoe Store/Repair (NEED TO DEFINE)	P	P	P	P (No Repair)	
Sporting Goods (NEED TO DEFINE)	P	P	P	P	
E. Restaurant/Food Establishments					
Bakery	P	P	P	P	
Candy/Ice Cream Store	P	P	P	P	
Food Truck, Temporary (NEED TO DEFINE)	P	P	P	P	
Food Truck, Permanent (NEED TO DEFINE)	C	P	C	-	
Private Club/Bar/Tavern (NEED TO DEFINE)	P	P	-	-	
Restaurant/Fast Food with drive through (NEED TO DEFINE)	P	P	P	C	
Restaurant/Fast Food without drive through	P	P	P	P	
F. Service					

Agriculture, Existing	P	P	P	-	
Agricultural Industry/Food (NEED TO DEFINE)	P	P	C	-	
Automobile Sales and Service Station (includes fuel)	P	C	P	-	
Bank/Credit Union/Financial with drive through (NEED TO DEFINE)	P	P	P	C	
Bank/Credit Union/Financial without drive through(NEED TO DEFINE)	P	P	P	P	
Barber/Beauty Salon/Tanning/Nails (NEED TO DEFINE)	P	P	P	P	
Bed and Breakfast/ Air BND (Replaced by Short-Term Rentals					
Business/Professional Office (NEED TO DEFINE)	P	P	P	P	
Business Services (NEED TO DEFINE) (Included in TOD Ord)	P	P	P	P	
Car Wash (NEED TO DEFINE)	C	C	-	-	
Check Cashing/ Payday Lender / Title Loans (See Bank/Credit Union/Financial					
Childcare/Daycare/Preschool, Commercial (See Willard General Ordinances Title 8 for Home Occupation) (NEED TO DEFINE)	P	P	P	C	
Cultural Service and activities (NEED TO DEFINE) (Included in TOD Ord)	-	-	-	P	
Dry Cleaning (NEED TO DEFINE)	P	P	P	C	
Fabrication / Welding (NEED TO DEFINE) (isn't this covered in manufacturing above?)	P	P	C	-	
Hospital	P	P	P	-	
Hotel/Motel	P	P	-	P	
Kennel (subject to 16.12.060) (See Willard General Ordinances Title 9-000 for Home Occupation)	C	C	C	-	
locksmith/Key and Lock (NEED TO DEFINE)	P	P	P	-	
laundromat (NEED TO DEFINE)	P	P	P	C	
Medical, Dental, and Physical Therapy	P	P	P	C	
Nursing Home	-	C	-	-	
Pet Grooming	P	P	P	P	
Pest Control (NEED TO DEFINE)	C	C	-	-	
Pharmacy (NEED TO DEFINE)	P	P	P	P	
Residential Facilities for Persons with Disabilities (NEED TO DEFINE)	P	P	-	-	
Short Term Rentals (Subject to Short Term Rental Ord)	C	C	C	-	
Slaughterhouse (NEED TO DEFINE does this include meat processing)	C	C	-	-	
Tattooing/Body Art (NEED TO DEFINE) (Could this be included with barber, beauty?)	P	P	P	P	
Towing/Impound Yard (NEED TO DEFINE)	P	C	-	-	
Transit Station (NEED TO DEFINE) (included in TOD Ord)	-	-	-	P	
Transportation/Trucking (NEED TO DEFINE)	P	P	-	-	
Veterinary services (NEED TO DEFINE) (Included in TOD Ord)	P	P	-	C	

*Subject to density limit in 24.58.080					
** TOD requires parking study					

ITEM 6



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, September 5, 2024 – 6:30 p.m.

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 Sid Bodily, Chairman

Colt Mund, City Attorney

8 Ruth Beebe

Madison Brown, City Planner

9 Chandler Bingham

Michelle Drago, Deputy Recorder

10 Chad Braegger

11 Alex Dubovik

12 Brian Gilbert

13
14 Excused: Jeremy Kimpton, City Manager

15
16 Others in attendance: Mayor Travis Mote; Councilmember Jordan Hulsey; Councilmember Jacob Bodily;
17 John Newhall, Granite Ridge; Ken Ormond; Ruth Ormond; David Jackson; Brett Scovill; Natalie Scovill;
18 Dianne Bonnett; Bob Thorsted; Jen Thorsted; Verlene Cox; Josh Stott; Susan Orth-Wright; Jan Nielsen;
19 Kristin Stevenson; Troy Stevenson; Pat Chapman; Greg Sagen; Brianna Sederholm; Kyle Price; Suzi Asay;
20 Debra K. Frey; Janet Valle; Robert Roberts; Cindy Roberts; David Alan Cole; Daryl Frandsen; Karina
21 Queen; Dale Zito; Linda Zito; and Linda Harper.

22
23 The meeting was called to order at 6:31 p.m.

24
25 1. PRAYER: Alex Dubovik

26
27 2. PLEDGE OF ALLEGIANCE: Sid Bodily

28
29 3. GENERAL PUBLIC COMMENTS

30
31 There were no comments.

32
33 4. CITY COUNCIL REPORT

34
35 Time Stamp 03:12 – 09/05/2024 Part 1

36
37 Mayor Mote reported that during the August 15th City Council meeting, the Council presented awards to
38 good Samaritans that helped the city with recent, significant incidents at Willard Bay. Those receiving
39 awards included officers and dispatch personnel. The Police Department provided crime statistics for
40 Willard and South Willard and submitted a proposal for additional officers over the next four years. The City
41 Council discussed vacating the sewer easement on Neil Braegger's property and a deferral agreement for
42 the Xram Subdivision. The Council also certified an annexation request for the Nathan and Brian Rose
43 property in South Willard.



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, September 5, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

- 48 5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PROPOSAL TO AMEND THE
49 GENERAL PLAN FOUND IN CHAPTER 12-000 OF THE WILLARD CITY ZONING ORDINANCE
50 TO INCLUDE A FUTURE LAND USE MAP FOR THE SOUTH WILLARD AREA INCLUDED IN
51 WILLARD'S ANNEXATION POLICY
52

53 Time Stamp: 05:26 – 09/05/2024 – Part 1

54
55 Chairman Bodily read Willard's Rules of Order Statement.
56

57 Mayor Mote stated that in May Willard City invited Willard and South Willard residents to discuss future land
58 use planning for South Willard. Because of changes to state and county code, Willard City was receiving a
59 lot of annexation requests for undeveloped properties in South Willard. The county was concerned that
60 properties west of Highway 89 in South Willard were losing their ability to percolate due to the drainage
61 from properties on the east side. Willard City was opposed to providing sewer services for properties outside
62 its incorporated boundaries. If properties wanted to connect to Willard's sewer system, they were required
63 to annex. He felt that as South Willard built out, it would have to hook onto a sewer system. Willard City
64 provided most of the emergency services to South Willard in the form of police and fire. Providing that
65 service was an expense Willard City could not afford. Willard had informed the county it had to increase the
66 cost of emergency services to South Willard to cover its costs. That increase would be passed on to South
67 Willard residents.
68

69 Mayor Mote stated that Willard City was not trying to annex South Willard. This was a planning event.
70 Willard was trying to handle the annexation requests it was receiving in a reasonable way that would protect
71 Willard's infrastructure and finances. Personally, he didn't want to annex anybody, but the sewer system
72 was built as a regional sewer with state funding. The sewer system was built to handle all the area south
73 of Brigham City to the Box Elder County line. Because of the agreement with Perry City, Willard could not
74 financially allow sewer through its lines unless the property was incorporated. He felt at some point, the
75 county would start pushing South Willard to either annex into Willard or incorporate.
76

77 Mayor Mote stated that when Willard received an annexation request, the only planning tool it had was its
78 own general plan. Willard had some idea what the county had planned for South Willard, but it had not
79 received input from South Willard residents. How did South Willard residents want their surrounding
80 neighborhoods to look? Willard had implemented a planning process for South Willard in order to have a
81 tool when considering annexation requests. Willard needed input from South Willard residents. He hoped
82 that Willard and South Willard would eventually look like one community with good road connections.
83

84 Mayor Mote explained that the area south of the Willard Stake Center at about 8300 South was recently
85 annexed. He felt the proposed design of the property had been forced on the city because of the sewer
86 situation. The property owners had been paying into the sewer system from the beginning and were part of
87 a special service district.
88

89 **Commissioner Braegger moved to open the public hearing at 6:43 p.m. Commissioner Bingham**
90 **seconded the motion. All voted "aye." The motion passed unanimously.**
91

92 Chairman Bodily opened the floor for public comments.
93

94 Brett Scovill, 7379 South 950 West, stated that he recently received a notice that property within 300 feet
95 of his owned by the Mund's had requested annexation into Willard. He was concerned that annexation of



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, September 5, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

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individual properties took away his rights as a property owner. He could not vote in a Willard City election. He could not vote for a Willard City referendum. He loved this country because the people had a right to select their representatives and to have some say in their lives. Chunks of his neighborhood and community were being annexed into a city where he had no say. Owners of these chunks wanted to maximize their property values. He understood that. It was reasonable, but they were maximizing their property values with high density housing and apartment buildings. As far as he knew, there were no plans for apartments inside Willard City. He felt Willard was building its outhouse in his backyard because they didn't want it in theirs, and he had no say whatsoever. He was a mature adult. He understood land developed. The area was going to need commercial and industrial. However, he didn't need his property values tanked in the interest of someone else's. It was extremely frustrating to have no say.

Troy Stevenson, 7355 South 900 West, asked why property owners wanted to annex. Mayor Mote said the answers varied, but he felt the primary reasons were sewer and county code requirements. The county was requiring any South Willard property owners who wanted a land use change to request annexation into Willard City. It was in the county's interest to not be in the municipal business. If South Willard was interested in running its own show, it should incorporate. If South Willard couldn't come up with finances to incorporate, it would either be under the county's direction or Willard's. This situation was happening all over the state because the state legislature had removed the requirement for properties to be contiguous to annex. That change was allowing counties to shed themselves of municipal responsibilities. Counties were set up to run more rural situations. Cities were set up to handle higher densities. Willard City's ordinances provided for a master planned community, which allowed a higher density. However, the higher density was tied to the base density. Willard's lowest base density was a half-acre. Willard did have a plan for tighter densities. However, that plan did not exist in South Willard. When the city received annexation requests, there wasn't a way to tie them back to its own codes or future land use map. Once once there was an amendment tying South Willard's future land use to Willard's general plan, there would be a tie to Willard's ordinances and how Willard did land use planning. That was what Willard was trying to accomplish. He didn't want to see high density housing in South Willard either. South Willard was next door to Willard and would be part of Willard when it annexed.

Mr. Stevenson asked about the plans for the Mund annexation. Mayor Mote said the only information the city had about the Mund annexation was a notice from the county. It had not received an official application. Josh Stott said he had texted the Mund family who said they were only planning to build one home at this time. There might be another home in ten years. Mayor Mote said that was an example of the administrative burden Willard was facing. The county was requiring annexation for any type of land use change.

In answer to a question from Mr. Stevensen about the sewer, Mayor Mote stated that there were areas in South Willard that would not percolate. The affluent water from the east side of South Willard was filling up the drain fields on the west side. Septic systems would not work forever. The health department and county were concerned about septic. The only way to develop some of those properties was to tie into the sewer. Mr. Stevenson asked where the sewer went. Mayor Mote said it went into the sewer processing plant near Willard Bay.

Mr. Stevenson asked how Willard benefitted from annexations. Mayor Mote said it was debatable whether Willard benefitted or not. Willard was in good financial shape and had plenty of open ground to develop. Because of its agreement with Perry City, Willard would be hurt by properties in South Willard that hooked onto the sewer without annexation. Willard could not allow sewage to come through its system that would count against its portion of the plant unless it was annexed. In many ways Willard and South Willard were really one community. When he ran for mayor, he was completely opposed to annexations, but he had



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144 realized that together they were really one community. It came down to a matter of financing. In order for
145 Willard to maintain some of the things it was helping South Willard with (such as police and fire services),
146 the county had to pay the city back or properties had to annex into Willard. The county would pass whatever
147 costs it paid to Willard on to the South Willard residents.
148

149 Mr. Stevenson asked if Willard was interested in commercial development. Mayor Mote said Willard was
150 interested in commercial development in Willard and South Willard. It was necessary in both areas. After
151 twenty years, residential development no longer paid for itself. If a city didn't have a commercial base, it
152 would have to increase property taxes or finance itself some other way. Right now, Willard was having
153 discussions with parties interested in development around the freeway. Mr. Stevenson asked if Willard
154 could name any commercial development that had made commitments to build in Willard. There were so
155 many rumors flying around. Mayor Mote said he could not.
156

157 Mr. Stevenson asked if Mayor Mote could stop an annexation. Mayor Mote said he could not. The city
158 council could, but he did not have a vote. Mr. Stevenson asked if an annexation was approved by Willard
159 or the county. Mayor Mote said both parties had to approve the annexation. Colt Mund, the city attorney,
160 said the county approved an annexation before it was approved by the city.
161

162 Mr. Stevenson asked if Willard foresaw flex-warehousing along Highway 89. Mayor Mote said no one had
163 approached the city with that type of request.
164

165 Mayor Mote was concerned that the water shed in Willard and South Willard was in danger due to the
166 gravel pits. He hoped that creating a future land use plan for South Willard would identify water shed
167 protection areas. He hoped the county would adopt the future land use plan for South Willard. Then all
168 parties would be on the same page, which meant roads would be connected and water shed protection
169 areas would be established on the bench. Water shed protection areas would negate gravel pits.
170

171 Brianna Sederholm, 7290 South 600 West, thanked Mayor Mote and the Willard Planning Commission for
172 considering the South Willard citizens. She had looked over the drawings on the Willard website. She
173 personally liked Option 2. It kept the residential areas residential. She asked what an MPC Zone was. It
174 sounded like an MPC Zone limited density to half-acre lots. She also liked the flexibility of commercial on
175 the south end of South Willard. She felt that was a good area because it didn't have as much residential
176 growth. It was close to the freeway. She understood the need for commercial and sales tax revenue to
177 augment property taxes. She didn't like the commercial along Highway 89 in Option 1. Although she did
178 like the commercial on the west side of the freeway in Option 1.
179

180 Commissioner Dubovik provided a brief history of the PUD (Planned Unit Development) and MPC (Master
181 Planned Community) zones. The previous PUD ordinance had loopholes that allowed developers to have
182 more density than the city intended. Willard made the decision to rescind that zone and go back to straight
183 half-acre. Then the MPC Zone was adopted. In the MPC Zone, density had to adhere to the planned density
184 of an area. It incentivized developers to be creative rather than developing a grid, monopoly subdivision. It
185 also included language to allow the city to make qualitative assessments. The city could determine if a plan
186 was or wasn't in the best interest of Willard.
187

188 Chairman Bodily stated that a master planned community had to be at least twenty acres in size.
189

190 Gregory Sagen, 7465 South 425 West, agreed that there needed to be a plan for the growth that was going
191 to happen in South Willard. He felt the plan also needed to consider what Weber County was doing. The



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West Davis Corridor would end at Smith and Edwards. All that traffic would end up at the south end of South Willard. OCA (Ogden Cycle Association), or the dirt bike track, would be going away. If there wasn't a plan, he felt something big would end up on the elk ranch. Was that what everyone wanted? Did people want big apartment complexes like those being built in Brigham City? There was a housing plan for the elk ranch that had a road going up and over the peak. He felt that would be a mess. A lot of work needed to be done to fix the way I-15 and Highway 89 connected.

David Jackson, 7359 South 950 West, thanked Willard for inviting them to do some planning. His subdivision only had one access. If it was blocked, they only had one dirt road, which technically they couldn't use, to get out. He liked the idea of a decent road being planned and built that would be wide enough to accommodate future growth. He also wanted to see some parks on the south end of South Willard for the children.

Dianne Bonnett, 7580 South Highway 89, stated that she didn't want to see houses built behind her because she had a clear view of Willard Bay. She moved to South Willard from Ogden because it was open without a lot of houses. She didn't want to see South Willard become like Ogden. She had a hard time getting out of her driveway now. She was okay with a septic tank. She didn't need sewer. Her neighbors felt the same way.

Natalie Scovill, 7379 South 950 West, stated that they moved to South Willard from Roy where they lived in a cul-de-sac by the golf course. The golf course was sold, and the zoning was changed. They tried to fight it with petitions and hearings. Then the developer claimed discrimination and brought in manufactured homes with one-car driveways, which meant everyone parked in the road. She was concerned about preventing a developer from arguing discrimination and doing what they wanted. She wanted South Willard to stay as rural as possible. She did understand the need for commercial development. She was also concerned about high-density housing. She had seen so many communities overdo high density. She hoped high density housing would not come and ruin their view of the mountains. She agreed with Mr. Jackson. There was a need for roads to be connected.

Josh Stott, 797 West 7425 South, asked if Willard could tell a developer they couldn't have high density if the plan called for one-third to one-half acre density. Commissioner Bingham stated that Willard didn't have any say right now because there wasn't a governing plan. Mr. Stott recommended that South Willard have an overall density of one-half an acre, or one-third at the lowest. Commissioner Dubovik said that the MPC Zone required a developer to stick with the base density. There could be a variety of lots within the zone, but the overall density had to comply with the base density. Willard was asking South Willard residents to help them understand what their desires were so it could be documented in a plan. If there was a plan, Willard would have some teeth to fight higher density proposals.

Mr. Stott agreed there was a need for tax revenue. Was there a way to get revenue from the gravel pits? Mayor Mote stated that sales tax on gravel used to be assessed at the point of sale. Now it was assessed at the point of scale. There were gravel pits that scaled in Willard; there were also a few in the county. However, the sales tax revenue from the gravel pits could only be used on road projects.

Debbie Frey, 8615 South Highway 89, stated that she lived in the mobile home park right next to the elk farm. Was the elk farm requesting annexation? Mayor Mote said it was not. It probably would someday if the codes stayed the same. Ms. Frey asked if they would have any say about what was done with the property. Mayor Mote said public hearing was required for an annexation. The hearing would require public notice. South Willard residents could come to the public hearing, but they could not vote for members of



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the Willard City Council. This planning process was the opportunity for South Willard residents to have a voice unless they were citizens of Willard.

Ms. Frey asked about the property south of the Willard Stake Center. Mayor Mote stated the White farm south of the stake center had been annexed. Willard could or could not have annexed the property. It chose to annex the property with the plan approved by Box Elder County because of the sewer. The property owners had been paying into the sewer system since its inception. The developers planned to pay to run the sewer south to their property. They would be reimbursed through impact fees for sewer over and above their capacity. The approved plan contained a mix of lot sizes. The sewer line had not been constructed; it was still in engineering. The sewer line would run the UTA easement.

Janet Valle, 573 West 7615 South, felt there were still unanswered questions relating to percolation, roads, and density. Willard was taking a lot of input, and South Willard had a lot of input to give. They were starting to understand the type of information Willard needed. How could they know that their input was being heard. Would they have an opportunity to look at an updated map and make further comments? Chairman Bodily said this was the second opportunity Willard had given South Willard residents. Willard had put together a proposed plan based on the comments received in May. Willard wanted to know what South Willard wanted. Where did South Willard want roads, parks, residential, and commercial development? He said Willard would probably provide another opportunity.

Commissioner Bingham stated that if there was a plan, the ordinances in Willard would apply to annexing property. If there wasn't a plan, South Willard residents would be at the mercy of the county commission and the county planning commission. Some of the subdivisions in South Willard had not been planned well. There weren't any connecting roads. Willard was trying to look at everything as a congruent city. Willard had ordinances requiring ingress and egress when a certain number of homes was reached. It had a minimum density of a half-acre. If properties were annexed into Willard, they had to follow Willard's ordinances. Unfortunately, Willard's hands had been tied when the White farm was annexed.

Janet Valle felt everything east of Highway 89 should be low density residential with curb and guttered roads.

Mayor Mote stated that he would make sure maps of South Willard would be provided at the city office for two weeks. Residents could make notes on those maps during business hours. The proposed map was based on the comments received in May.

Madison Brown stated that she would open the website for additional comments and send notifications to those who provided email addresses. The staff and Planning Commission would go through the comments and provide an updated map. There probably would be another public meeting. The county would also be able to provide input.

There was further discussion about notification.

Kyle Price, 990 West 7900 South, asked if there was a state law that would require everyone within a certain distance of the sewer to connect to it. Mayor Mote stated that the sewer would be a trunk line, not a service line. Commissioner Braegger said the distance requirement was 300 feet for a service line, not a trunk line. Mr. Price asked if Willard City had a trail system. Commissioner Braegger said a trail had been started on 200 West. It was called the Historic Orchard Pathway. Willard was working with Box Elder County on a state-funded grant to run the trail south through South Willard to the county line where it would connect with



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trails in Weber County. The trail would extend north through Perry to Brigham City. Mayor Mote said the trail would actually start in South Willard and work toward Willard.

Mr. Price said he was not against annexation. Ultimately change was inevitable. He felt annexation would give him more control. Willard was a lot more receptive than the county was.

Robert Thorsted, 7824 South 875 West, stated that he worked for Rocky Mountain Power. He had fought a lot of builders and developers. He wasn't sure who was hurting them more – developers, crooked contractors, or the county. He felt Willard and South Willard should combine, and the sooner the better. If they fought against combining, both would lose.

Jan Nielsen, 7980 South Highway 89, stated that she served on the original citizens committee formed by Box Elder County to plan South Willard. A professional planner helped them. After ten years, the plan had to be updated. During that time, residents also voted on whether to annex into Willard. The movement lost by eleven votes. She felt it was time to do it again. Both communities were cousins and needed to be united to keep the area as pristine as possible while still allowing property owners to use their properties under the guidelines of a good building plan. She liked the proposed MPC zones with the half-acre density with sewer being determined by percolation tests. She felt it was important to keep the fruit way. Both communities needed to be cautious about what laws and restrictions they chose. She would love to see the communities join because they did not have a very strong voice with the county. If the communities were joined, South Willard residents could give input and participate in elections.

Mayor Mote stated that if the residents of South Willard wanted to join Willard, they would have to instigate the movement. He and the city would help in any way he could.

Commissioner Bingham moved to close the public hearing at 7:39 p.m. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PROPOSAL TO AMEND THE GENERAL PLAN FOUND IN CHAPTER 12-00 OF THE WILLARD CITY ZONING ORDINANCE TO INCLUDE A FUTURE LAND USE MAP FOR THE SOUTH WILLARD AREA INCLUDED IN WILLARD'S ANNEXATION POLICY DECLARATION (CONTINUED FROM APRIL 4, APRIL 18, MAY 2, MAY 16, AND JUNE 20, 2024)

Time Stamp: 01:09:00 – 09/05/2024 Part 1

Chairman Bodily suggested that this item be tabled to provide two weeks for South Willard residents to provide more input.

Commissioner Dubovik wanted the audience to know that once a plan was established, if a developer wanted to annex and do high density housing, it would have to follow the Willard City code. Willard's base density was a half-acre. He felt South Willard's concerns would be addressed by enforcement of Willard's standards.

See comments made in Item 7.



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- 5C. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PROPOSAL TO AMEND THE DEFINITION OF THE SUBDIVISION LAND USE AUTHORITY (SLUA) FOUND IN CHAPTER 12-400-41 OF THE WILLARD CITY ZONING ORDINANCE TO INCLUDE A MEMBER OF THE PLANNING COMMISSION

Time Stamp: 01:02 – 09/05/2024 Part 2

Commissioner Bingham moved to open the public hearing at 7:41 p.m. Commissioner Beebe seconded the motion. All voted “aye.” The motion passed unanimously.

Madison Brown said this item related to Willard’s SLUA, which stood for Subdivision Land Use Authority. The proposed amendment would add a member of the Planning Commission to the SLUA as a voting member. The Planning Commission had assigned Commissioner Braegger as a liaison, but he had not been able to vote. She felt it would be helpful to have another voting member.

Chairman Bodily opened the floor for public comments. No comments were made.

Commissioner Dubovik moved to close the public hearing at 7:42 p.m. Commissioner Gilbert seconded the motion. All voted “aye.” The motion passed unanimously.

- 5D. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PROPOSAL TO AMEND THE DEFINITION OF THE SUBDIVISION LAND USE AUTHORITY (SLUA) FOUND IN CHAPTER 12-400-41 OF THE WILLARD CITY ZONING ORDINANCE TO INCLUDE A MEMBER OF THE PLANNING COMMISSION

Time Stamp: 02:35 – 09/05/2024 Part 2

Madison Brown stated that Colt Mund had prepared a proposed draft to the definition of the SLUA.

Commissioner Gilbert asked about an alternate for Commissioner Braegger. Commissioner Bingham felt any Planning Commission member could serve on the SLUA.

Chairman Bodily felt the voting right applied to whatever Planning Commission member was attending as a liaison.

Commissioner Bingham made a motion to forward a recommendation to the City Council to amend the definition of the Subdivision Land Use Authority (SLUA) found in Chapter 12-400-41 of the Willard City Zoning Ordinance to include a member of the Planning Commission. Commissioner Beebe seconded the motion. All voted “aye.” The motion passed unanimously.

- 5E. CONSIDERATION OF A PRELIMINARY PLAN FOR GRANITE RIDGE SUBDIVISION PHASE 6 LOCATED AT APPROXIMATELY 675 SOUTH 450 EAST (PARCEL NOS. 02-053-0014 AND 02-053-0069) (CONTINUED FROM AUGUST 15, 2024)

Time Stamp: 04:24 – 09/05/2024 Part 2

Madison Brown stated that during its August 1st meeting, SLUA forwarded Granite Ridge Phase 6 to the Planning Commission for preliminary approval subject to documentation that there was an overall 33.3%



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of open space and that the soft trails shown on the master plan be shown on the Phase 6 construction drawings. John Newhall, from Granite Ridge, was in attendance to answer questions.

Chairman Bodily asked if the open space had been verified. Ms. Brown stated that Granite Ridge had provided tabulation of the open space in each phase. There was also a map showing the open spaces Granite Ridge had also provided verification that the soft trails had been added to the construction drawings.

Commissioner Bingham asked if the surface of the soft trail was bark. John Newhall, Granite Ridge, said it could be. Chairman Bodily thought there was a list of possible surface types in the construction plans. Commissioner Bingham did not feel soft trails would be easy to maintain. Mr. Newhall said the soft trails would be 6 feet wide and would be maintained by the homeowners' association.

Commissioner Braegger asked why Granite Ridge had chosen to use a soft trail. Mr. Newhall said the soft trails had been planned since the subdivision's inception. Commissioner Braegger felt it would be difficult for someone pushing a stroller or riding a bike to use a soft trail. Mr. Newhall said the trails were intended to access the Canal Road.

Chairman Bodily felt a second access for the Granite Ridge development was needed. Willard needed to determine if a second access was required in an earlier phase. The city had turned down developments on the west side of Willard because they didn't have a second access. Why was Granite Ridge being allowed to proceed?

Commissioner Braegger stated that he spoke with the previous mayor who thought there was a requirement for Granite Ridge to build a second access on 300 East. He also felt there needed to be some research to determine what Granite Ridge had agreed to.

Chairman Bodily thought there was a requirement for a second access when Phase 3 was approved.

Commissioner Dubovik stated that Willard required a second access when there were 30 or more homes. Granite Ridge now had 40 or 50 homes.

Chairman Bodily felt the city needed a written agreement from Parsons, if their road was the emergency access for Granite Ridge. The question about access needed to be answered before the subdivision proceeded.

Mayor Mote felt the city needed access that was legal.

Commissioner Braegger felt the Planning Commission needed to know what the actual agreement was.

Madison Brown said she would research the Granite Ridge records.

John Newhall asked for clarification. Chairman Bodily stated that Willard required a second access when a development had more than 30 homes. The Planning Commission needed to know if Granite Ridge was required to provide a second access. Mr. Newhall asked if he needed to work with the city attorney. Chairman Bodily said he needed to work with the city planner.

Chairman Bodily tabled this item pending staff research.



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- 5F. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO LYNN BEARD FOR A DUPLEX LOCATED AT 481 NORTH 200 WEST (PARCEL NO. 02-046-0075) ISSUED FEBRUARY 5, 2015 (CONTINUED FROM AUGUST 1 AND AUGUST 15, 2024)

Time Stamp: 15:30 – 09/05/2024 Part 2

Chairman Bodily stated that the staff had researched the February 5, 2015, minutes. During the meeting Commissioner Bingham asked that the conditional use be terminated if the property was sold. The motion to approve the conditional use did not include Commissioner Bingham's concern. The February 2015 draft of the conditional use permit needed to be signed without any changes. The city had not had any problems with the duplex.

Madison Brown stated that Lynn Beard still owned the duplex, and part of the duplex was occupied by a family member.

Commissioner Bingham asked if the conditional use could be amended to include language to terminate the use if the property was sold. Chairman Bodily said it could not, because that condition was not included in the motion to approve the conditional use permit.

Madison Brown agreed that the conditional use permit had to remain as it was drafted and approved. She would ask Mr. Beard to sign the permit.

- 5G. DISCUSSION REGARDING AMENDING THE TABLE OF USES FOUND IN CHAPTER 12-111-3 AND 12-112-3 OF THE WILLARD CITY ZONING ORDINANCE (CONTINUED FROM JUNE 6, JUNE 20, AND AUGUST 1, 2024)

Time Stamp: 19:51 – 09/05/2024 Part 2

Chairman Bodily suggested that the Commission hold a work session to go through the Table of Uses.

The Planning Commission agreed to hold a work session from 5:30 to 6:30 p.m. on August 19th.

6. CONSIDERATION AND APPROVAL OF THE AUGUST 15, 2024, REGULAR PLANNING COMMISSION MINUTES

Commissioner Beebe moved to approve the August 15, 2024, minutes as corrected. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 25:15 – 09/05/2024 Part 2

Commissioner Bingham

Did not have any comments.



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Commissioner Dubovik

Did not have any comments.

Commissioner Beebe

Did not have any comments.

Commissioner Gilbert

Did not have any comments.

Commissioner Braegger

Commissioner Braegger asked about the possibility of another open house or work session with South Willard when the map was ready. The Planning Commission felt that was a good idea.

Mayor Mote felt the plan needed to be finished sooner rather than later because of the number of pending annexations. He felt the density had been determined. Willard's lowest density was a half-acre. The questions that needed to be answered were commercial locations. He was concerned that allowing multi-family in commercial zones could eat up the commercial areas. Acceptable areas for high density housing needed to be determined. Governor Cox had said that if cities did not allow areas for multi-family housing, the state would take over the zoning.

Commissioner Bingham felt South Willard residents had been open to what was proposed. Madison Brown felt a final map could be prepared and presented to South Willard in an open house or public meeting. Commissioner Braegger asked Ms. Brown to let South Willard residents know maps were available.

Commissioner Dubovik felt a final map should be prepared based on the two-week comment period. Then a final version could be presented. Mayor Mote felt the city might have to make some educated guesses on road locations. Willard needed to make sure 400 West could extend as far south as possible.

Madison Brown suggested a zoomed in road map for comments.

Colt Mund stated that the state code said that because Willard was modifying its Annexation Policy Plan, it had to hold a public meeting to allow input from impacted entities, such as the county, Bear River Water Conservancy District, the school district, and Willard Flood Control. At that point, the Planning Commission had to hold a public hearing to make a recommendation to the City Council. The City Council had to hold another public hearing as well.

Commissioner Braegger stated that when the sewer was constructed the city approached Lindsey Hansen about an easement for a road and on 300 West. Mr. Hansen said he never signed anything. While he was out of town, he received a call from a city representative asking if he would trade 300 West for 400 West. When he returned, the sewer was in 300 West. There was confusion about whether there was a road easement for 300 West or 400 West. There was a sewer easement for the sewer main. Commissioner Braegger didn't feel 300 West was feasible when there was a road at 250 West. Heritage Homes was stubbing in 300 West, which could be an issue if there wasn't a road easement through Lindsey Hansen's property. He felt it made more sense to have a road at 400 West. It didn't make a lot of sense to have roads



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at 250 West, 300 West, and 400 West all in the same area. He didn't want to see Heritage Homes stub in a road that wasn't going to go anywhere.

Mayor Mote said that Rod Braegger had been required to put in 400 West. Commissioner Braegger said putting in 400 West would open up development on Center Street.

Madison Brown

Did not have any comments.

Mayor Mote

Did not have any comments.

Colt Mund

Did not have any comments.

Chairman Bodily

Did not have any comments.

8. ADJOURN

Commissioner Braegger moved to adjourn at approximately 8:16 p.m. Commissioner Bingham seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 09-05-2024