



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, November 21, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Commissioner Dubovik clarified that the Planning Commission would give their recommendation to the City Council who would make a final decision. Then the preliminary plan would come back to the Planning Commission. Garth Day said that when it came back to the Planning Commission, the preliminary plat would have densities, a basic layout and road design, and a final landscaping plan.

Commissioner Gilbert stated that the Planning Commission had seen the proposed development plan enough. If the language proposed by the City Attorney was in the development agreement, he was comfortable moving the rezone to the City Council as long as the city and Planning Commission could see the phases and what the city would be given in the long run.

Commissioner Bingham agreed.

Commissioner Bingham moved to recommend that the City Council approve the petition from Heritage Land Development to rezone approximately 48.19 acres located at approximately 300 South 300 West (Parcel Nos. 02-051-0004, 02-051-0062, 02-051-0085, 02-051-0264, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, and 02-054-0013) from R-1/2 to Master Planned Community subject to the development agreement being amended to stipulate that the preliminary plat with phasing be brought back to the Planning Commission for preliminary approval; that each phase be brought back to the Planning Commission for review and approval; more details regarding the open space, including asphalt trails, a medium service level (a mix of grass and natural vegetation), a hybrid HOA, and commencement of park construction after Phase 4 was complete; and that the 50-foot strip on 200 West be divided between the property owner to the south and a trail between 200 West and the subdivision (30 feet to the property owner and 20 feet for the trail).

Commissioner Braegger asked if the motion needed to address the dead end by Lot 131. Garth Day said he would address that on the preliminary plat. Commissioner Gilbert asked about the HOA and the sunset provision. Garth Day said Heritage Homes would not be creating the HOA until it got to the park construction. The length of the sunset provision could be negotiated at that point. He anticipated the sunset provision would be four to five years.

Commissioner Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.

Commissioner Bingham suggested that the MPC Ordinance be amended to require preliminary plat approval by the Planning Commission after the zoning was approved. He could understand it was hard for developers to spend money on engineering for a project they were not sure would be approved, and the Planning Commission didn't like to recommend a project that never came back. Colt Mund said the staff had talked about several appropriate changes needed in the MPC Zone.

5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A REVISION OF THE SUBDIVISION REGULATIONS FOUND IN CHAPTER 12-400 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp: 1:07:52 – 11/21/2024 – Part 1

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

Commissioner Bingham moved to open the public hearing at 7:39 p.m. Commissioner Braegger seconded the motion. All voted “aye.” The motion passed unanimously.



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Madison Brown stated that the state legislature had stipulated that all municipal subdivision ordinances had to be revised to comply with new state regulations by the end of 2024. The Planning Commission had received the proposed revisions for Willard's Subdivision Ordinance. The Planning Commission was required to hold a public hearing to receive public comments regarding the proposed amendments.

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

Commissioner Beebe moved to close the public hearing at 7:41 p.m. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A REVISION OF THE SUBDIVISION REGULATIONS FOUND IN CHAPTER 12-400 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp: 00:00 – 11/21/2024 – Part 2

Madison Brown stated that the main change to the Subdivision Ordinance was the approval process. The current Subdivision Ordinance required that improvement plans, or construction drawings, be submitted with the preliminary plan. The staff felt improvement drawings should be submitted with a final plat.. Engineering for improvement plans was expensive. It was a large expense for a plan that could be changed or not approved. She recommended that the Subdivision Ordinance be amended to require improvement plans with a final subdivision plat.

Jeremy Kimpton stated that the City Engineer agreed with Ms. Brown's recommendation.

Commissioner Bingham agreed as well. Commissioner Dubovik felt it was reasonable.

Madison Brown shared a checklist from the City Engineer (see attached copy). She planned to add the checklist to the city's subdivision application. The checklist showed that Willard asked an incredible amount of detail on a preliminary plan.

Commissioner Gilbert felt the recommended change made sense.

Jeremy Kimpton asked if the Planning Commission had any concerns or questions about the revised Subdivision Ordinance. The substance of the ordinance itself was not changing, but the order was because it did not flow very well.

Commissioner Gilbert said the city was now using a software system for submittals. An applicant could see what information was missing and why a project was not progressing.

Jeremy Kimpton said applying the subdivision was a work in progress. Additional changes might be needed after it has been adopted.

Chairman Bodily asked if the ordinance had to be adopted by the end of the year. Madison Brown said that was correct, and there would only be one City Council meeting in December due to the holiday.

Madison Brown said the proposed changes to the Subdivision Ordinance would not affect the Master Plan Community Zone.



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The Planning Commission didn't have any other changes.

Commissioner Braegger moved to recommend that the City Council approved the revised Subdivision Ordinance found in 12-400 of the Willard City Zoning Ordinance subject to improvement plans being required with a final subdivision plat rather than a preliminary. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.

5D. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO SCOTT AND DUSTIN GILBERT ON APRIL 5, 2016, FOR AN ACCESSORY BUILDING LOCATED AT 747 SOUTH MAIN (PARCEL NO. 02-053-0059))

Time Stamp: 7:57 – 11/21/2024 – Part 2

Madison Brown stated that Box Elder County showed that the address for this parcel was 755 South Main, not 747. She felt the conditional use permit needed to be updated to reflect the correct address. The conditional use permit was still active. The Gilbert's were still using the building.

Commissioner Gilbert asked if there had been any issues. Ms. Brown was not aware of any.

Commissioner Braegger asked what the building was used for. Madison Brown said the Gilbert's fixed up cars.

Michelle Drago, Deputy Recorder, asked if the Gilbert's were running a business. If they were, they did not have a business license.

Madison Brown did find that an accessory dwelling unit had been added to the building. She asked that this item be tabled until the next meeting. She would contact the Gilbert's to make sure a business was not being operated and to verify the address.

6. CONSIDERATION AND APPROVAL OF THE NOVEMBER 7, 2024, REGULAR PLANNING COMMISSION MINUTES

Commissioner Dubovik moved to approve the November 7, 2024, minutes as written. Commissioner Beebe seconded the motion. All voted "aye." The motion passed unanimously.

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 12:10 – 11/21/2024 – Part 2

Colt Mund

Did not have any comments.

Jeremy Kimpton

Did not have any comments.