



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, January 16, 2025 – 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.

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. Public hearing to receive public input regarding a proposal to amend the Subdivision Ordinance – Chapter 12-400 – of the Willard City Zoning Ordinance
 - b. Consideration and recommendation to the City Council regarding a proposal to amend the Subdivision Ordinance – Chapter 12-400 – of the Willard City Zoning Ordinance
 - c. Consideration and of a preliminary plan for the TJD Estates Subdivision located at approximately 352 West Center Street (Parcel No. 02-057-0010) (Continued from June 20, 2024)
 - d. Review of a conditional use permit issued to Marvin Neff on February 7, 2020, for an RV campground located at 769 South Main (Parcel No. 02-053-0059) (Continued from January 2, 2025)
6. Consideration and approval of the January 2, 2025, 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/pmnn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 10th day of January, 2025.

/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

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE OF PUBLIC HEARING WILLARD CITY PLANNING COMMISSION

Notice is hereby given that the Willard City Planning Commission will hold a public hearing to receive public comment regarding a proposal to amend the Subdivision Ordinance - Chapter 12-400 - of the Willard City Zoning Ordinance.

The public hearing will be held on Thursday, January 16, 2025, at 6:30 p.m. in the Willard City Council Chambers, 80 West 50 South, Willard, Utah, during a regular Planning Commission meeting.

Information regarding this matter is available during business hours by contacting the Willard City Planner at 435-734-9881. Business hours are 8:00 a.m. to 5:00 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Friday.

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

I, the undersigned duly appointed Deputy City Recorder for Willard City Corporation hereby certify that a copy of the foregoing notice and agenda was posted at the Willard City Hall; two other places in the community; on the State of Utah Public Meeting Notice website <http://www.utah.gov/pmn/index.html>; on the Willard City website www.willardcity.com; and sent to the Box Elder News Journal this 3rd day of January, 2025.

/s/Michelle Drago
Deputy City Recorder

ITEM 5B

**WILLARD CITY
ORDINANCE 2025-03**

**AN ORDINANCE OF THE WILLARD CITY COUNCIL AMENDING AND
REVISING WILLARD'S SUBDIVISION ORDINANCE**

WHEREAS, the Willard City Council, pursuant to the provisions of Utah Code Ann. §10-3-707 has the authority to revise ordinances of the municipality of a general and permanent character;

WHEREAS, Willard City has authority to regulate subdivisions in general pursuant to Utah Code Ann. §10-9a-601 et seq.; and

WHEREAS, revisions to the existing subdivision and land use ordinances of the City of Willard are required to comply with Senate Bill 174 (2023) and House Bill 476 (2024); and

WHEREAS, the City of Willard, through its Council, has authority to adopt subdivision regulations and procedures pursuant to Utah Code Ann. § 10-9a-601 in accordance with the Municipal Land Use, Development, and Management Act, Title 10, Chapter 9a, Utah Code, to establish an administrative land use authority for subdivisions and other provisions as necessary and appropriate to comply with Senate Bill 174 (2023) and House Bill 476 (2024); and

WHEREAS, the Willard City Planning and Zoning Commission recommends the adoption of an ordinance revising, amending, and updating the Willard City subdivision ordinances; and

WHEREAS, the Willard City Council deems it necessary to amend its ordinances accordingly, and for the protection and preservation of the public health, safety, and general welfare.

NOW THEREFORE, be it ordained by the Council of the Willard City, in the State of Utah, as follows:

SECTION 1: **REPEAL** "24.80.030 Sketch Plan" of the Willard City Zoning Code is hereby *repealed* as follows:

BEFORE REPEAL

24.80.030 Sketch Plan

- A. Sketch Plan Meeting - Purposes. An Applicant proposing to subdivide any lands located within Willard City boundaries, and having written confirmation from the SLUA of completion of the Pre-Sketch Planning process, shall schedule a Sketch Plan

Meeting with the Planning Commission. The purposes of the Sketch Plan Meeting are to submit the Sketch Plan to the Planning Commission for a decision if the Applicant should be allowed or disallowed to submit the proposed development in a Preliminary Subdivision application.

- B. Sketch Plan Application - Requirements. A completed Sketch Plan Application is required for a Sketch Plan Meeting. Before the Sketch Plan Meeting, the Zoning Administrator or City Planner shall present Sketch Plan Meeting information to the Commission not at a regular Commission meeting, but as a work session item (usually held the day of the regular Commission meeting). Information shall be presented to the Commission including the date when the Pre-Sketch Planning meetings were held, the property owner, or owner's authorized agent or agents, the location of the Subject Property, and any other information related to the proposed subdivision. The Commission may identify items the Applicant should consider with a Preliminary Subdivision Application. The Sketch Plan Application is a discussion document, designed to allow the identification of Application processing and review procedures, requirements and standards, and other items that may be considered in Application review once a complete Preliminary Subdivision Application is received. To achieve these objectives, a Sketch Plan Application shall provide the following information for discussion at the Sketch Plan Meeting: Sketch Plan - The sketch plan shall consist of a drawing on 24 x 36 inch tracing vellum (two hard copies and one electronic copy). Drawings shall have a 1 1/2 inch margin on the left and 1/2 inch margin on the three remaining sides. The drawing may be in pencil but shall be clear and legible. The plan shall include the following:

1. The name of the proposed subdivision.
2. The name, home, and business address of the Applicant and owners authorization.
3. The name and business address of the project designer, Surveyor and Engineer.
4. The dimensions, area, and general location of the site.
5. North point, or arrow, pointing to the left or top of sheet.
6. Locations of existing buildings within the proposed subdivision.
7. Locations and names of existing streets and general location of proposed streets.
8. Public and private easements related to site.
9. Survey monuments.
10. Water courses and impoundments.
11. Location and description of existing vegetation.
12. Storm water disposal facilities; location and size of utility service (water, sewer, power, gas, telephone cable) lines; location and type of proposed sewage disposal facilities; type of water system proposed; location of all other proposed on-site and off-site improvements.
13. Topographic contours from existing data such as U.S.G.S. quads.
14. Soils and geologic map indicating soils types, their boundaries, and any known geologic hazards such as fault zones, unstable soils, etc.
15. Vicinity map.

16. Name and address of property owners within 300 feet of proposed subdivision.
 17. Adjacent properties and names of owners.
 18. Existing Zoning.
 19. Locations and names of existing trails and general location of proposed trails.
 20. Other documents as deemed necessary by the city staff.
- C. Sketch Plan Meeting - Matters Subject To Consideration. At the Sketch Plan Meeting, the Zoning Administrator or City Planner, and other representatives of the City and public and private service providers attending the Sketch Plan Meeting, as determined necessary by the Zoning Administrator or City Planner, may identify the procedures anticipated for Subdivision Application review, Application requirements, review standards, other applicable City, County, State, and Federal requirements, and any other matters.
- D. Actions following a Sketch Plan Meeting. Following the Sketch Plan Meeting, a Preliminary Subdivision Application may be filed, subject to the limitations imposed by this ordinance, by the Applicant in the Office of the Zoning Administrator or City Planner.
- E. Sketch Plan - Not an Application for Subdivision Approval -- Time Limitation. A Sketch Plan Application does not constitute a Land Use Application for any approval or permit and is not binding on the City, or the Applicant. No Sketch Plan Meeting discussion shall be considered by the Applicant as any indication of a Land Use Application approval or disapproval, either actual or implied. Failure to submit a Preliminary Subdivision Application within one calendar year from the initial submittal of the Sketch Plan Meeting Application shall result in the expiration of the application and shall require the applicant to submit a new land-use application.

AFTER REPEAL

24.80.030 Sketch Plan

- A. ~~Sketch Plan Meeting -- Purposes. An Applicant proposing to subdivide any lands located within Willard City boundaries, and having written confirmation from the SLUA of completion of the Pre-Sketch Planning process, shall schedule a Sketch Plan Meeting with the Planning Commission. The purposes of the Sketch Plan Meeting are to submit the Sketch Plan to the Planning Commission for a decision if the Applicant should be allowed or disallowed to submit the proposed development in a Preliminary Subdivision application. Sketch Plan Application -- Requirements. A completed Sketch Plan Application is required for a Sketch Plan Meeting. Before the Sketch Plan Meeting, the Zoning Administrator or City Planner shall present Sketch Plan Meeting information to the Commission not at a regular Commission meeting, but as a work session item (usually held the day of the regular Commission meeting). Information shall be presented to the Commission including the date when the Pre-Sketch Planning meetings were held, the property owner, or owner's authorized agent or agents, the location of the Subject Property, and any other information related to the proposed subdivision. The Commission may identify items the Applicant should consider with a~~

~~Preliminary Subdivision Application. The Sketch Plan Application is a discussion document, designed to allow the identification of Application processing and review procedures, requirements and standards, and other items that may be considered in Application review once a complete Preliminary Subdivision Application is received. To achieve these objectives, a Sketch Plan Application shall provide the following information for discussion at the Sketch Plan Meeting: Sketch Plan—The sketch plan shall consist of a drawing on 24 x 36 inch tracing vellum (two hard copies and one electronic copy). Drawings shall have a 1 1/2 inch margin on the left and 1/2 inch margin on the three remaining sides. The drawing may be in pencil but shall be clear and legible. The plan shall include the following: Sketch Plan Meeting—Matters Subject To Consideration. At the Sketch Plan Meeting, the Zoning Administrator or City Planner, and other representatives of the City and public and private service providers attending the Sketch Plan Meeting, as determined necessary by the Zoning Administrator or City Planner, may identify the procedures anticipated for Subdivision Application review, Application requirements, review standards, other applicable City, County, State, and Federal requirements, and any other matters. Actions following a Sketch Plan Meeting. Following the Sketch Plan Meeting, a Preliminary Subdivision Application may be filed, subject to the limitations imposed by this ordinance, by the Applicant in the Office of the Zoning Administrator or City Planner. The name of the proposed subdivision. The name, home, and business address of the Applicant and owners authorization. The name and business address of the project designer, Surveyor and Engineer. The dimensions, area, and general location of the site. North point, or arrow, pointing to the left or top of sheet. Locations of existing buildings within the proposed subdivision. Locations and names of existing streets and general location of proposed streets. Public and private easements related to site. Survey monuments. Water courses and impoundments. Location and description of existing vegetation. Storm water disposal facilities; location and size of utility service (water, sewer, power, gas, telephone cable) lines; location and type of proposed sewage disposal facilities; type of water system proposed; location of all other proposed on-site and off-site improvements. Topographic contours from existing data such as U.S.G.S. quads. Soils and geologic map indicating soils types, their boundaries, and any known geologic hazards such as fault zones, unstable soils, etc. Vicinity map. Name and address of property owners within 300 feet of proposed subdivision. Adjacent properties and names of owners. Existing Zoning. Locations and names of existing trails and general location of proposed trails. Other documents as deemed necessary by the city staff. Sketch Plan—Not an Application for Subdivision Approval—Time Limitation. A Sketch Plan Application does not constitute a Land Use Application for any approval or permit and is not binding on the City, or the Applicant. No Sketch Plan Meeting discussion shall be considered by the Applicant as any indication of a Land Use Application approval or disapproval, either actual or implied. Failure to submit a Preliminary Subdivision Application within one calendar year from the initial submittal of the Sketch Plan Meeting Application shall result in the expiration of the application and shall require the applicant to submit a new land-use application.~~

REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

EFFECTIVE DATE This Ordinance shall be in full force and effect from January 9, 2024, and after the required approval and publication according to law.

DIRECTION Staff are authorized and directed to make such non-substantive changes and take other actions to finalize, post, and publish this Ordinance.

PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL JANUARY 10, 2025.

	AYE	NAY	ABSENT	ABSTAIN
Jacob Bodily	_____	_____	_____	_____
Rod Mund	_____	_____	_____	_____
Mike Breager	_____	_____	_____	_____
Rex Christensen	_____	_____	_____	_____
Jordon Husley	_____	_____	_____	_____
Presiding Officer			Attest	

Travis Mote, Mayor, Willard City

Susan Obray, Recorder, Willard City

ITEM 5C

December 9, 2024

Craig Dearden met with me and explained that he wants to subdivide his 5 acre property on Center Street into a two lot subdivision. He asked if I had any concerns if he utilized the emergency access, on my property, that was recently approved as the second access point for Rod Braegger's subdivision as the second access for his subdivision. I see no reason why he should not be able to use the approved second access easement.

 Rod Braegger  Craig Dearden

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

PLANNING COMMISSION

SUBDIVISION APPLICATION

Application Date MAY 22, 2024 Proposed Subdivision Data
Applicant CRAIG & Story / Dearden Subdivision Name TJD ESTATES
Mailing Address Application Level (check one)
352 W. Center ST Sketch Plan
Willard, UT 84340 02-057-0010 Date 5/23/24
Project Address Approval _____
SAME AS ABOVE Preliminary Plat *
*Not required for In-fill subdivisions.
Email Address CLDEARDEN@gmail.com Date _____
Phone 801-726-7011 Approval _____
Cell _____ Final Plat
Fax _____ Date _____
Approval _____
Assessor Parcel Number _____
Number of lots _____

Fee Computation

	Administrative	Engineering	Attorney	Total
Sketch Plan	\$50 + \$2/acre	Billed to developer		<u>\$400</u>
Preliminary Plat	\$50 + \$15/lot	Billed to developer	\$100 + \$10/lot	
Final Plat	\$50 + \$5/lot	Billed to developer	\$50 + \$5/lot	

pd 5/23/24
Rec # 1.020180

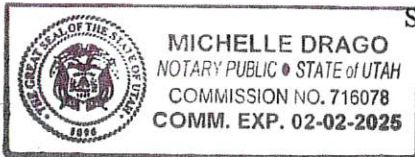
Applicant's Affidavit

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I (we), CRAIG & SHERYL DEARDEN, 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 352 W. CENTER STREET, WILLARD, UTAH 84340 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 Sheryl Dearden Craig Dearden
Property Owner(s)

Agent _____



Subscribed and sworn before me this 23rd day of May 2024.

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 the other legal control of property.

AGENT AUTHORIZATION

I (we), CRAIG & SHERYL DEARDEN the owner(s) of real property described above, hereby appoint Joe Abair 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 _____
Property Owner(s)

Agent Joe Abair

Subscribed and sworn before me this 23rd day of May 2024.

Michelle Drago

Notary Public

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



↑ NORTH

Willard City Road Master Plan

Legend

- Potential 66 Ft Road
- Potential 60 Ft Roads

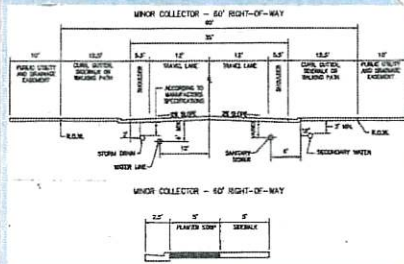
All roads are potential roads in their approximate location.

Minor Collector - 60' Right-of-Way

10'	10.0'	5.0'	12'	12'	5.0'	15.0'	10'
PARKING LOT	SEAL, CURB, SIDEWALK OR BIKEWAY	BIKEWAY	TRAVEL LANE	TRAVEL LANE	BIKEWAY	GRASS, TREE, SIDEWALK OR BIKEWAY	PARKING LOT
STORM DRAIN		BIKEWAY		BIKEWAY		BIKEWAY	
BIKEWAY		BIKEWAY		BIKEWAY		BIKEWAY	

Minor Collector - 60' Right-of-Way

2.5'	5'	5'
BIKEWAY	BIKEWAY	BIKEWAY



As of: September 2007





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

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 Madison Brown, City Planner
9 Chris Breinholt, City Engineer
10 Payden Vine, Public Works Director
11 Michelle Drago, Deputy City Recorder

12
13 Excused: Colt Mund, City Attorney, and Van Mund, Fire Chief.

14
15 Others in attendance: Zac Burk, Jones & Associates; Joe Adair; Craig Dearden; Sheryl Dearden; John
16 Newhall; and Garth Day, Heritage Land.

17
18 1. CALL TO ORDER

19
20 Madison Brown, City Planner, called the meeting to order at 3:08 p.m. The Deputy Recorder recorded a roll
21 call attendance.

22
23 2A. **CONSIDERATION OF A CONCEPT PLAN FOR THE TJD ESTATES LOCATED AT**
24 **APPROXIMATELY 352 WEST CENTER STREET (PARCEL NO. 02-057-0010)**

25
26 Time Stamp – 1:01 – 05/30/2024

27
28 Madison Brown stated that Craig and Sheryl Dearden had submitted a concept plan for the TJD Estates
29 Subdivision located at approximately 352 West Center Street (Parcel No. 02-057-0010). The subdivision
30 contained a total of about 4.89 acres. Only two lots were proposed. After research, the staff determined
31 that their property was zoned R-1/2 in January 2007. The city's maps had been corrected to reflect the
32 rezone.

33
34 Craig Dearden, 352 West Center Street, stated that they currently owned a home in the middle of the
35 property. They wanted to split the property and build a new home on the west two acres.

36
37 Zac Burk asked if 300 West was already dedicated. Chris Breinholt and Craig Dearden said it wasn't.

38
39 Craig Dearden stated that when they built their home, Bryce Wheelwright, the former city planner, told them
40 to leave an easement for 300 West.

41
42 Payden Vine, Public Works Director, asked if Dearden's were aware they would have to pay water and
43 sewer impact and connection fees for the new lot. Mr. Dearden realized they would have to pay all the
44 normal fees.

45
46 Zac Burk asked about the alignment of 300 West. It would have to curve to the west to conned with 400
47 West. Craig Dearden stated that originally the right-of-way was supposed to have been located between
48 him and the property to the west owned by Vern Price. When he applied for a permit to build his home,
49 Bryce Wheelwright told him the location of the road had been moved to the east of his property. Chris



WILLARD CITY

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Breinholt stated that the Transportation Master Plan showed the curve to connect 300 West and 400 West.

Chris Breinholt stated that this subdivision complied with the zone's lot size and width requirements. This subdivision invoked the Subdivision Ordinance, which required frontage improvements.

Craig Dearden hoped the frontage improvements could be deferred because there weren't infrastructure improvements on Center Street. The closest improvements were at 200 South 300 West.

Chris Breinholt agreed that deferring the improvements was the right thing to do because none of the street had improvements. He felt the city needed to require a fee-in-lieu or a deferral agreement. He asked how the city handled the 400 West street stub in the Xram Subdivision. The city should do the same thing here. It was the same situation. Was Chris Marx required to pay a fee-in-lieu of? Michelle Drago and Payden Vine thought the city simply required Chris Marx to dedicate the stub street to Willard.

Zac Burk said the subdivision proposed to dedicate 60 feet for 300 West and 13 feet on the north side of Center Street. Chris Breinholt explained that the current half width of Center Street was only 17 feet. The city standard was 30 feet. Dearden's were being required to dedicate 13 feet to comply with the city standard.

Chris Breinholt stated that this subdivision would require the installation of a fire hydrant. The closest fire hydrant was 900 feet away. The city's spacing requirement was 500 feet. Craig Dearden said he had expected the fire hydrant requirement. He was surprised he didn't have to put a hydrant in when he built his home in 2016. Mr. Breinholt said a fire hydrant was a subdivision requirement. Now the property was being subdivided, the city could require it.

Zac Burk asked how storm water would be handled. Chris Breinholt said there should be a swale along the frontage. Storm water detention would not be required because this subdivision would not change the storm water situation.

Chris Breinholt said his total recommendations were a fee-in-lieu of for frontage improvements (which would include curb, gutter, and sidewalk; and a little asphalt for widening Center Street) and a fire hydrant. The Dearden's would also have to stub services to the new lot.

Payden Vine did not have any issues.

Zac Burk said there was a note on the subdivision plat that said, "Build to avoid flooding." There was a concern about groundwater in this area. It appeared the sewer was about 10 feet deep, which was deep enough that the home wouldn't have to be constructed on a raised foundation. Craig Dearden said they did not plan to have a basement.

Payden Vine made a motion to forward this subdivision to the Planning Commission with a recommendation of approval subject to the engineering conditions. Jeremy Kimpton seconded the motion.

Craig Dearden asked about the fee-in-lieu of. Chris Breinholt felt deferral agreements were difficult. When it came time to build, cities always had a hard time getting people to pay for the improvements. In addition, the improvement cost in the future could be a lot higher for the property owner. He felt the city should take the money and set it aside for future installation.



WILLARD CITY

Subdivision Land Use Authority (SLUA) – Special Meeting

May 30, 2024 – 3:00 p.m.

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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

Planning Commission Meeting – Regular Meeting

Thursday, June 20, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Council member Hulsey felt changing the zoning of 48 acres in the 200 West area from R-1/2 to Master Planned Community was a decision that required a lot of consideration. She felt the request should be denied because the proposed rezone would exacerbate existing traffic issues, which the Planning Commission had heard about. People who lived on that road had brought traffic to everyone's attention. Increased traffic compromised the safety of the community and undermined the quality of life valued in Willard. She felt the proposed MPC Zone in this particular area contradicted the vision statement of Willard City. Willard had long thrived on the principles of responsible planning. She understood there were benefits to MPC Zones in some areas. She did not feel this area aligned with that zone. The proposed rezone would jeopardize what made Willard a desirable place to live, such as large lots and open spaces. Willard recently adopted a new general plan. The proposed future land use map designated this area for half-acre density. The proposed MPC Zone stood in stark contrast to the Future Land Use Map. Approving the rezone would undermine the effort that went into the general plan. It would send conflicting signals about Willard's commitment to a coherent, well-thought-out development strategy. She was also frustrated because she was personally looking for a half-acre or larger lot in Willard. They were hard to find. She called this particular development company and was told their future phases would not have half-acre lots. They were moving forward as if the city had already approved the rezone. That did not show good faith on the developer's part and their willingness to work with the city. The developer already had reasonable half-acre lots, and people were moving to Willard for those lots.

Corinn Hunt, 393 South 200 West, said she lived across the street from the proposed rezone. They moved to Willard from Ogden, where they had lived for a long time, because she wanted to retire someplace nice, and her husband wanted land. They wanted a half-acre lot, but they had a hard time finding one. The Deer Run Subdivision to the south reminded her of Ogden. The houses were so close together. She felt Willard was turning into Ogden. There could have been a lot more people here, but people said it would not make a difference. They did not feel the city listened. Last February, the developer said they were fulfilling a need for houses. Their neighbor did not want a corner lot, but he wanted a half-acre, so he took a corner lot.

Commissioner Bingham read a letter from Bart and Jodi Wade, 220 South 200 West, who were unable to attend the meeting (see attached copy).

David Pischke, 196 South 200 West, stated that he had lived in Willard for a long time. He loved the rural feel. He hoped there was a way to maintain half-acre lots.

4. CITY COUNCIL REPORT

Time Stamp 21:32 – 06/20/2024

Council member Jordan Hulsey reported that sewer rates would be increasing by \$8.50 in October.

Madison Brown, City Planner, said the City Council had a long discussion about whether to join the Utah Inland Port Authority. The Council wanted to investigate it further.

5A. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PRELIMINARY APPROVAL OF THE TJD SUBDIVISION LOCATED AT APPROXIMATELY 352 WEST CENTER STREET (PARCEL NO. AND 02-057-0010)

Time Stamp: 22:34 – 06/20/2024



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, June 20, 2024 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Madison Brown stated that Craig and Sheryl Dearden owned a home at 352 West Center Street. They were seeking preliminary approval to divide their five-acre parcel into two separate lots. They were being represented by their real estate agent Joe Adair. Ms. Brown said there were improvement details that would have to be resolved before final approval could be granted, which would be handled at the staff level.

Chairman Bodily asked if it would be a regular subdivision with half acre lots. Ms. Brown said one lot would contain 2.89 acres; the second lot would have two acres. The property was zoned R-1/2, and the lots complied with the 100-foot frontage requirement.

Commissioner Bingham stated that Vern Price, a property owner down the street, tried to do the same thing a few years ago. Vern Price had been turned down because there were too many homes on Center Street without a second emergency access.

Commissioner Dubovik asked if the Dearden's would have the same problem. Commissioner Bingham said they would because it was on the same road.

Commissioner Braegger asked if the city was planning on 400 West going through to the north. Commissioner Bingham said it was, but the road had not been built yet. Madison Brown said that according to the city's road master plan, 300 West would extend north from Center Street and curve west to connect with 400 West, which would intersect with 100 North and 200 North.

Chairman Bodily asked if Dearden's planned to extend 300 West to the north. Madison Brown said they planned to dedicate right-of-way for 300 West, but they were working with the city to determine whether they would have to build the road or request a deferral agreement.

Commissioner Bingham stated that the Subdivision Ordinance limited a single access to only 30 homes. There were already more than 30 homes on Center Street. Dearden's were proposing to add another lot but not a second access.

Commissioner Braegger stated that Kenny Braegger was in the same position.

Chairman Bodily agreed that the proposed subdivision wasn't feasible without a second access.

Commissioner Bingham stated that Rod Braegger was allowed to divide his property because he provided a second emergency access.

Commissioner Braegger felt this condition should have been caught in the SLUA meeting.

Commissioner Bingham stated that newer members of the SLUA were not aware of the history regarding second emergency access in this area.

Commissioner Dubovik felt there were basic subdivision criteria that should be considered. A second emergency access was one of them.

Commissioner Bingham stated that a second emergency access was supposed to have been built when the Mountain Shadows Subdivision was developed, but for some reason it was never constructed. Because it wasn't built, the whole area was locked up. No one could develop.



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Commissioner Dubovik asked how a second access would be built. Did property owners have to wait until the city put it in, or did they build it themselves? Commissioner Braegger said the city would not put it in. It would be a development expense for whoever wanted to build.

Commissioner Dubovik felt the Planning Commissioner either had to deny preliminary approval of the TJD Subdivision or approve it subject to construction of a second access.

Commissioner Braegger felt the subdivision would have to be denied until The Orchards at Willard Subdivision was built and connected some roads.

Commissioner Bingham asked if the second emergency access for the Rod Braegger Subdivision would count for the Dearden's. Commissioner Braegger did not feel it would count. Rod Braegger had an agreement with his neighbor.

Commissioner Bingham did not feel this subdivision, or others, could be considered until Rod Braegger had built his emergency access.

Commissioner Bingham moved to recommend that the City Council deny preliminary approval for the TJD Subdivision because it did not comply with the second access requirement. Commissioner Braegger seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A PETITION FROM HERITAGE LAND DEVELOPMENT TO REZONE APPROXIMATELY 48.19 ACRES LOCATED AT APPROXIMATELY 300 SOUTH 300 WEST FROM R1/2 TO MPC (MASTER PLANNED COMMUNITY) (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) (CONTINUED FROM FEBRUARY 1, 2024)

Time Stamp: 34:50 – 06/20/2024

Madison Brown stated that the public hearing for this rezone was held on February 1st. There had been public comments made regarding this rezone earlier in the meeting. Mr. Day had submitted several renditions of the proposed subdivision since February. SLUA reviewed the latest version on May 30th. The City Engineer was concerned about the width of the roads in the patio homes. The width of the patio home roads had been increased from 40 feet to 43 feet. The City Engineer was also concerned about the lack of curb and gutter on the west road, which did not meet city standards. Mr. Day wanted the Planning Commission to review the subdivision as proposed.

Garth Day, Heritage Homes, stated that this project had a fairly long history. Heritage Homes started Phase 1 in 2019 and had completed Phases 1 and 2. Both phases had half-acre lots. They really wanted to do something creative and innovative on the rest of the property. When they started in 2019, the city had a PUD Zone, like the zone in Deer Run. Heritage Homes had applied for the PUD Zone but withdrew their application because they felt an MPC Zone would allow something more creative. They had worked with the city administration on the development of the MPC Zone. Over time, the proposed subdivision changed. The current plan presented to the Planning Commission complied with the MPC Zone.

Mr. Day stated that during the public hearing on February 1st, he heard what the public said. Heritage Homes had made significant changes to the proposed plan. Their original density was 150 units. The

ITEM 5D

MASTER CONDITIONAL USE PERMIT SPREADSHEET								
No.	Address	Applicant	Application Date	Fee	Approval Date	Type	Status and Review Date	Parcel No.
	51 North Main	Moyes, Jeff & Brenda	7/26/2022	\$25.00 PD	9/1/2022	Automobile Repair Shop	Active	02-047-0177
	53 North 100 West	Braegger, Josh	5/28/2020	\$25.00 PD	Approved 6/19/20	Multi-Family (Basement Apartment)	Active Reviewed 9-12-23	02-047-0074
	55 South 100 East	Braegger, Kenneth			Approved 2/5/16	Contractor - Home Business	Active Reviewed 10-5-23	02-050-0074
	105 South 100 East	Loveland, Judy	9/16/1996		Approved 9/20/96	Auto Repair - Home Business	Active Reviewed 10-19-23	02-050-0008
	110 South 200 West	Gilbert, Brian	4/20/2023	\$25.00	Approved 5/18/23	Detached Accessory Dwelling Units	Active	02-051-0008 and 02-051-0242
	110 South 250 West	Heath, Trisha	5/18/2018		1/9/2019	Multi-Family Dwelling	Active Reviewed 11-2-23	02-053-0003
	155 South Spring Street (135 S 100 E)	Dean, Blair & Kathy Davis	6/21/1999		9/23/2005	Single Family Home On Sensitive Land	Active Reviewed 12-7-23	02-050-0077
	300 East 750 North	Granite Construction Company			11/3/2015	Concrete Batch Plant	Active	02-045-0005
	344 East 300 North	Merritts, Bill & Shelley	4/8/1993		5/10/1993	Single Family Dwelling on Sensitive Land	Active Reviewed 4-18-24	02-048-0005
	432 North Main	Francom, Matthew	10/20/2020	\$25.00	Approved 3/7/24	Welding Shop	Active	02-046-0086
	450 North 200 West	Radtke, Robert and Suzie	9/25/2014	\$25.00 PD	10/2/2014	Additional dogs	Active Reviewed 6/20/24	02-046-0047 & 0084
	481 North 200 West	Beard, Lynn			Approved 2/5/15	Multi-Family Dwelling/Duplex	Active Reviewed 9/5/24	02-046-0075
	500 East 625 South	Nielsen, Darrell (Now Staker Parson)	3/20/1980		4/11/1989	Gravel Removal	Active	02-049-0001 & 02-053-0044
	550 North 200 West	Kilpack, Lee (now owned by Dean Taylor)	2/16/2018	\$25.00		Multi-Family/Basement Apartment	Active Reviewed 9/19/24	02-046-0046
	620 North 200 West	Kapp, Neldon & Jan	10/15/05?		2/11/2003	Building Permit for Single Family Dwelling	Active Reviewed 10/03/24	02-046-0005
	683 North Main	Palmer, Morgan	2/9/2021	\$25.00 PD	Approved 5/6/21	Wedding Reception Center	Active Reviewed 5/18/23	02-046-0102
	740 North Main	Grimes, Mike	7/19/1996		9/17/1996	Used Vehicle Sales	Active Reviewed 11/7/24	02-046-0015
	755 South Main	Gilbert, Scott; Gilbert, Dustin; Russell, Dee	3/22/2016	\$25.00 PD	4/5/2016	Accessory Building	Active Reviewed 12/5/24	02-053-0059

	769 North Main	Marvin Neff			2/7/2020	RV Campground	Active	02-041-0067
	781 North 200 West	Barthlome, Shane	10/31/2013	\$25.00	12/9/2013	Truss Manufacturing	Active	02-041-0030
	850 North Main (filed in 960 N Main)	Venture Outdoor Advertising		\$25.00	8/27/1990	Off-Premise Sign (Billboard)	Active	02-043-0013
	875 North Main	E. K. Bailey			5/15/2008	Home Furnishings Store	Active	02-041-0045
	1348 North Main	Dorothy Call & Garrick Call	4/18/2023	\$25.00	5/18/2023	Detached Accessory Dwelling Unit	Active	02-039-0055
	1357 North Main	Qwest & Maurice Roche			4/19/2001	Communications Tower	Active	02-040-0005

Willard City Corporation

60 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

Conditional Use Permit

Issued to Still Water Ranches for the Willard Peak Campground 769 North Main

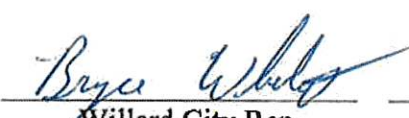
This Conditional Use Permit is issued to Still Water Ranches to operate the Willard Peak Campground and may be revoked at any time for noncompliance.

The following conditions will apply:

1. The campground has 18 months to come into compliance with length of stay for all guests as outlined in Willard City Ordinance 12-504 paragraph 11
2. Approved privacy fence on property with landscape and surfaces per submitted drawings.

These conditions are agreed to by Still Water Ranches and Willard City


Still Water Ranches Rep. 2/6/20
Date


Willard City Rep. 2-7-20
Date

City Planner Wheelwright gave an overview of the property. He reported this is the Jean Waite property located at 1127 North Main. It is a narrow 11 acre parcel of land that runs from Hwy 89 to 200 West. There is a home on the south side of the property in the R ½ Zone and they would like to cut off the house and ½ acre parcel and keep the remaining 10.5 acres intact for possible future development. It meets all the criteria of the Subdivision Ordinance. The Planning Commission determines if it meets all the criteria of the Subdivision Ordinance would then make a recommendation to forward the proposal to SLUA (Subdivision Land Use Authority). Commissioner Dubovik asked if it would maintain the frontage needed along the hwy. City Planner Wheelwright stated they have approx. 130 ft. of frontage. Commissioner Bingham stated it would be hard to put a road off of the Hwy into the subdivision unless they worked with their neighbors. City Planner Wheelwright stated they would have 100 ft. with the home with 131 ft. left over. There are no plans to do anything with the remaining parcel. Chairperson Bodily stated 200 ft. off the highway the property changes to the A-5 zone and asked how this would come into play when they subdivide the remaining parcel. City Planner Wheelwright state they would have to go through a re-zone. Chairperson Bodily asked for additional comments and a motion.

A motion was made by Commissioner Dubovik to recommend approval of the concept plan for the White Rock Ranch 2 Lot Subdivision and move it forward. The motion was seconded by Commissioner Bingham. The motion carried with a unanimous vote.

c. Discussion/Action on proposed changes to Conditional Use Permit for Willard Peak Campground located at 769 North Main – Parcel #02-041-0055 submitted by Brinton Neff

City Planner Wheelwright reported he has talked with legal counsel and property rights ombudsman and was told the Planning Commission cannot require an applicant to do more than what is required in the ordinance but you can allow less. They have agreed to meet the ordinance with their design. The previous design did not meet the requirements of the ordinance. The new design shows the 15' buffer zone around the property and also installation of a privacy fence. They have also agreed to meet the 18 month compliance with the existing residents if the Planning Commission agrees. The handouts are only a draft and can be changed if needed. Commissioner Bingham asked if it would be a full height privacy fence. City Planner Wheelwright stated it would be up to the Planning Commission to decide what they want. He asked Marv Neff to explain what he is proposing. Mr. Neff presented pictures and stated they would be continuing the north/south privacy fence with slats and then by the road would be a rail type fence.

Commissioner Baker asked how many acres there were. Mr. Neff stated 3 acres. Commissioner Bingham asked about the plans for the storage units. Mr. Neff said he has submitted plans for review.

Commissioner Baker stated she likes the plan and cannot wait to see what they have planned for the area to bring business into town.

City Planner Wheelwright asked for input on the 18 months to come into compliance and read an email from Commissioner Hart expressing concerns about the approval of the Conditional Use Permit. Commissioner Dubovik felt to add those terms into the

CUP would be violation of the ordinance. The Planning Commission felt they were ok with allowing 18 months to come into compliance for the existing residents and look at changing the ordinance.

Commissioner Dubovik felt the applicant was in the business to make money so they would be formatting their rules and policies in order to attract business.

Commissioner Baker suggested for the existing residents they need to have addresses on their trailers so medical or police can find them easier. Mr. Neff stated he would be adding pedestal with numbers.

Commissioner Bingham made a motion to approve version #2 Conditional Use Permit for Steelwater Ranches LLC Parcel #02-041-0055 submitted by Brinton Neff. The motion was seconded by Commissioner Baker. The motion carried with a unanimous vote.

d. Discussion/Action on revisions to Section 12-105 Conditional Use Ordinance and Section 12-112 Commercial and Manufacturing Zones with a possible recommendation to the City Council

Willard City Attorney Colt Mund presented two versions of the Conditional Use Permit Ordinance. One that is alphabetical and one by use category. He has taken the current ordinance and cut it down 175 uses to 70 uses to make it easier to read and understand. Commissioner Dubovik stated in reviewing the ordinance the disclaimer was still written in the ordinance stating "that if something is not listed in the table it would be at the sole discretion of the City Council to approve or disapprove." The Planning Commission member liked the by category use the best. There was discussion held on the blank areas within the document. Attorney Mund stated some of the blanks were not previously listed and would need to be resolved. Chairperson Bodily suggested the Planning Commission table this item to allow the Planning Commissioners time to review the document and come back with proposed changes for the next meeting.

A motion was made by Commissioner Dubovik to table discussion on Section 12-105 Conditional Use Permit and Section 12-112 Commercial and Manufacturing with a possible recommendation to the City Council. The motion was seconded by Commissioner Bingham. The motion carried with a unanimous vote.

e. Report on Capital Facilities Plan for Storm Drain

The Flood Control is still working on this. Mayor Braegger reported they will be discussing this issue at the next Flood Control meeting. He has been in discussion with the City Engineer and Flood Control Engineer and will be working to get more information.

6. Approval of Minutes

Commissioner Bingham had questions on the minutes but did not have a copy of the minutes with him. Chairperson Bodily suggested to table this agenda item until the next meeting.

A motion was made by Commissioner Bingham to table the approval of the January 16, 2020 Planning Commission meeting. The motion was seconded by Commissioner Dubovik. The motion carried with a unanimous vote.

ITEM 6



WILLARD CITY

Planning Commission Meeting – Regular Meeting

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

4
5 The following members were in attendance:

6
7 Chandler Bingham, Vice Chairman

Jeremy Kimpton, City Manager

8 Ruth Beebe

Colt Mund, City Attorney

9 Chad Braegger

Madison Brown, City Planner

10 Brian Gilbert

Michelle Drago, Deputy Recorder

11 Ken Ormond, Alternate

12 John Pierce, Alternate

13
14 Excused: Sid Bodily and Alex Dubovik

15
16 Others in attendance: Mayor Travis Mote and Ruth Ormond.

17
18 Vice Chairman Bingham called the meeting to order at 6:30 p.m.

19
20 1. PRAYER: Brian Gilbert

21
22 2. PLEDGE OF ALLEGIANCE: John Pierce

23
24 3. GENERAL PUBLIC COMMENTS

25
26 There were no comments.

27
28 4. CITY COUNCIL REPORT

29
30 Time Stamp: 1:49 – 01/02/2025

31
32 Mayor Mote reported that during the December 12th City Council meeting, the Council passed the new
33 Subdivision Ordinance and accompanying water plan. He explained that Willard had hired a water
34 consultant to determine how many water rights it actually owned. By state law, a city could not hold water.
35 Willard had to come up with a plan to use the water it had or turn excess water rights over to the state. The
36 proposed water plan reserved water for current use and future growth, including residential, commercial,
37 and parks. The plan allocated, across the board, about one acre foot of water per acre for new development.
38 Developers who needed more water than had been allocated would have to provide it. Available water was
39 only for property in the city limits. All annexed property would have to provide all needed water.

40
41 Mayor Mote discussed the water plan with the Planning Commission.

42
43 Mayor Mote said the City Council also discussed dog licensing. It directed the staff to redraft Willard's dog
44 ordinance to remove the requirement for an annual dog license and to make dog licensing optional. All dog
45 licenses sold by Willard would be good for the life of the dog. Microchips would be encouraged. The draft
46 ordinance would be considered by the City Council on January 9th.



WILLARD CITY

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- 48 5A. PUBLIC HEARING TO RECEVE PUBLIC INPUT REGARDING A PROPOSAL TO AMEND
49 REQUIREMENTS FOR ACCESSORY DWELLING UNITS FOUND IN WILLARD CITY ZONING
50 ORDINANCE CHAPTER 12-102-23-6
51

52 Time Stamp: 13:44 – 1/2/2025
53

54 **Commissioner Braegger moved to open the public hearing at 6:44 p.m. Commissioner Beebe**
55 **seconded the motion. All voted “aye.” The motion passed unanimously.**
56

57 Vice Chairman Bingham opened the floor for public comments. No public comments were made.
58

59 **Commissioner Braegger moved to close the public hearing at 6:45 p.m. Commissioner Beebe**
60 **seconded the motion. All voted “aye.” The motion passed unanimously.**
61

- 62 5B. CONSIDERATION AND RECOMMENDATION TO THE CITY COUNCIL REGARDING A
63 PROPOSAL TO AMEND REQUIREMENTS FOR ACCESSORY DWELLING UNITS FOUND IN
64 WILLARD CITY ZONING ORDINANCE CHAPTER 12-102-23-6
65

66 Time Stamp: 14:44 – 1/02/2025
67

68 Vice Chairman Bingham stated that Ordinance 2025-2 contained the Planning Commission's
69 recommended changes for detached accessory dwelling units.
70

71 Commissioner Braegger felt the size table was unclear. Did it mean a half-acre lot was limited to a 1,000
72 square foot detached ADU, or could it have an ADU with 1,250 square feet? Jeremy Kimpton suggested
73 that the parcel size in the table be defined by square footage.
74

75 Vice Chairman Bingham asked that a typo in 24.96.60.B.1 be corrected. Commissioner Beebe felt the word
76 or was missing from the last line of 24.96.60.B.
77

78 Mayor Mote stated that some people wanted to put ADU's on top of their garage. If the main structure was
79 a ranch, an ADU above the garage would be prohibited because of its height. Jeremy Kimpton, City
80 Manager, said that if the garage was attached to the main structure, an ADU above the garage would
81 become the highest point of the main structure. If the garage was detached, it could not be higher than the
82 main structure. Mayor Mote suggested limiting ADU's to two stories rather than the height of the main
83 structure. The city's building code and zoning ordinance limited the height of a structure.
84

85 There was a discussion regarding how the height of an ADU was calculated.
86

87 Mayor Mote asked what the goal of an ADU was. Commissioner Braegger said it was to provide affordable
88 housing. Living space above a garage would be the cheapest way to build an ADU.
89

90 Vice Chairman Bingham asked if the Planning Commission wanted to recommend a change to the height
91 restriction.
92

93 Jeremy Kimpton said the height restriction could be removed from the ADU regulations. Then the Zoning
94 Ordinance would apply.
95



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Madison Brown, City Planner, said the maximum height allowed by the Zoning Ordinance was 2 ½ stories or 35 feet.

The Planning Commission suggested that the ADU height restrictions be changed to no more than two stories or 25 feet.

Commissioner Braegger moved to recommend that the City Council approve the proposal to amend requirements for Accessory Dwelling Units found in Chapter 12-102-23-6 of the Willard City Zoning Ordinance to allow larger ADU's on larger lot sizes with the corrections suggested by the Planning Commission and to change the height restriction to two stories or a maximum of 25 feet. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.

5C. DISCUSSION REGARDING AMENDING THE TABLE OF USES FOUND IN CHAPTERS 12-111-3 AND 12-112-3 OF THE WILLARD CITY ZONING ORDINANCE (CONTINUED FROM AUGUST 1, AUGUST 15, SEPTEMBER 5, SEPTEMBER 19, AND OCTOBER 3, 2024)

Time Stamp: 27:01 – 1/02/2025

Madison Brown stated that she had made the changes and added the definitions requested by the Planning Commission. The definitions would be added to the definitions section of the Zoning Ordinance as well.

Commissioner Gilbert felt the changes reflected what was discussed by the Planning Commission.

Commissioner Beebe moved to set a public hearing for February 6, 2025, to receive public input regarding proposed amendments to the Tables of Uses. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.

5D. DISCUSSION REGARDING AMENDING CHAPTER 12-106 OF THE WILLARD CITY ZONING ORDINANCE REGARDING THE MASTER PLANNED COMMUNITY ZONE (CONTINUED FROM APRIL 4, APRIL 18, AND DECEMBER 5, 2024)

Time Stamp: 31:12 – 1/02/2025

Vice Chairman Bingham stated that his feelings regarding master planned communities had evolved. He felt it would be better to have a complete application, including engineering, upfront.

Commissioner Beebe agreed that it would be better to have more details from applicants.

Commissioner Gilbert also agreed that more details were needed. Engineering was a big expense for developers. He wondered if there was a way for a developer to present a concept that could be reviewed by the Planning Commission. Developers took a risk when they purchased property. He felt Heritage Homes was a good example. The Planning Commission wanted to see more detail that Heritage Homes didn't want to provide because it would be expensive. Part of being a developer was providing cities with required information.

Commissioner Braegger didn't feel the detailed information Willard was asking for was too much.



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Commissioner Gilbert said Willard wasn't asking anymore than any other city asked for. The Planning Commission was supposed to review an application and make a recommendation to the City Council. If the Planning Commission didn't have all the information, how could it make a recommendation?

Commissioner Braegger felt it was frustrating to have a developer say he wasn't worried about the Planning Commission because the City Council was the body with the real approval authority. He felt it was the Planning Commission's job to make sure an application was in line before it made a recommendation to the City Council.

Commissioner Pierce didn't feel Heritage Homes had been willing to put in the effort to satisfy the Planning Commission. He felt a developer had to satisfy the Planning Commission before he could move on to the City Council.

Commissioner Gilbert felt most developers wanted to spend as little as possible.

Vice Chairman Bingham said a developer wanted to know his zoning change had been approved before spending a lot of money.

Commissioner Pierce didn't feel a developer could move forward without investing some money.

Commissioner Gilbert asked if there was a way for a developer to present a concept plan that the Planning Commission could provide feedback on.

Commissioner Braegger suggested a work session where a developer could receive feedback from Public Works and administration, as well as the Planning Commission. Then the Planning Commission wouldn't be making long term maintenance commitments for the city.

Jeremy Kimpton stated that he and Colt Mund, the City Attorney, had discussed how to require a master planned community to go through the subdivision process as it was written. There had to be a reasonable balance between information wanted and required by the city and engineering expenses. It was difficult when a developer presented a new development proposal to the Planning Commission and expected a decision made by the end of the meeting. He felt the Planning Commission could be as specific as it wanted.

Commissioner Gilbert stated that in most cities he worked in, a lot of the frontend work was done at the staff level. The staff had the ordinances and knew what the city wanted. The staff could tell developers what the Planning Commission was going to ask for. Jeremy Kimpton stated that the way the MPC Zone was written made the Planning Commission and City Council responsible for determining answers regarding density and amenities. Because it was objective, the MPC Zone was tough for the staff to pin down.

Commissioner Gilbert asked if the MPC process could require a work session. Colt Mund, City Attorney, said it could.

Vice Chairman Bingham felt there should be a work session with the staff, Planning Commission, and the developer.



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Madison Brown stated that an application could be created that required submission of information, including maps, plans drawings, and development agreement before it came before the Planning Commission.

Mayor Mote stated that every time a developer came before city, they were trying to sell something a little bit different. Development proposals were always a moving target. He felt it would be helpful if the MPC ordinance provided more guidance regarding lot sizes. The ordinance had been left loose to incentivize creativity, which was causing an issue. If the MPC ordinance said what the minimum lot size was, he felt there would be less back and forth until the city and developer were comfortable. The city needed to determine how flexible it was willing to be and put it in the ordinance. If the Planning Commission wanted the staff to handle more up front, the MPC Ordinance needed more *side bars*.

Jeremy Kimpton felt more guidance would be helpful for the staff. The way the ordinance was written, an applicant could request to go around the staff. There wasn't anything that said an application stopped at the staff level because it didn't meet the city's ordinance. If an applicant wanted to proceed, the staff had to allow it. An applicant was entitled to due process.

There was a discussion regarding lot sizes, density, open space, and agricultural easements.

Commissioner Gilbert asked if the Planning Commission was asking for information that was outside the bounds. Colt Mund said it wasn't. The MPC Zone was designed to give a lot of flexibility to the Planning Commission and the City Council. The ordinance wasn't asking for anything that was arbitrary or outside what someone doing a subdivision would be asked to provide. The biggest difference was the city was asking for all the information upfront. One concern was that a plan would change between the time it was presented to the Planning Commission and the City Council. The Planning Commission wanted to see what a development was going to look like and not be completely modified by the City Council.

Jeremy Kimpton said Heritage Homes had agreed to submit preliminary and final plans for The Orchards. The Planning Commission would be able to see the subdivision again before it was approved.

Commissioner Gilbert felt the city and Planning Commission needed a more definitive direction for any development that came in. Jeremy Kimpton stated that developers and landowners wanted the city to tell them what they could do. Commissioner Gilbert said good developers did their homework before they ever purchased property.

Vice Chairman Bingham stated that when the Deer Run development was presented it was planned down to the types of trees on the streets. Unfortunately, it had not turned out the way it was planned. That was one of the reasons Willard repealed the PUD Ordinance.

Commissioner Pierce agreed that the MPC Ordinance was too loose.

Commissioner Gilbert felt having a work session with a developer would be beneficial.

Mayor Mote stated that the MPC Ordinance was written to allow maximum negotiation between the city and a developer. It was difficult for the staff to administer because the staff couldn't make negotiation decisions. He felt the ordinance needed some negotiation boundaries so the staff could give direction to developers.



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Vice Chairman Bingham didn't want to tie things so tight that all Willard got was a regular subdivision. Jeremy Kimpton agreed that there needed to be room for give and take on both sides.

There was discussion about mixed use developments.

Commissioner Gilbert suggested that the staff provide the Planning Commission with suggestions about what it would like the MPC Ordinance to have.

Mayor Mote felt side bars would help the staff and Planning Commission say no up front.

Commissioner Braegger felt the ordinance should stipulate the minimum square footage of a lot.

Jeremy Kimpton stated that he would research ordinances from other cities and discuss possibilities with the City Attorney. Parameters would help the staff.

5E. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO MARVIN NEFF ON FEBRUARY 7, 2020, FOR AN RV CAMPGROUND LOCATED AT APPROXIMATELY 769 NORTH MAIN (PARCEL NO. 02-041-0067))

Time Stamp: 1:06:35 – 01/02/2025

Vice Chairman Bingham stated that when Marvin Neff purchased the campground, it had some long-term residents, which did not comply with Willard's ordinances. It was way past the 18 months Marvin Neff was given to come into compliance. Vice Chairman Bingham knew there was at least one person that had been living in the campground for more than 90 days. He wanted to know what Neff's were doing to prevent tenants from staying in the campground for more than 90 days in a year.

Commissioner Braegger thought Neff's were supposed to keep a log.

Jeremy Kimpton said the campground could not tie up more than 25% of its spaces with long-term occupants. The ordinance regulated the conditions for someone to stay beyond the initial 90 days.

Mayor Mote felt the Neff's should be notified that their conditional use permit had come up for regular review and ask them to provide their logs for the past year.

Vice Chairman Bingham stated that the park was being managed better, but he didn't want Willard to have the same problems it had with the previous owner.

Jeremy Kimpton suggested that the review be tabled until the next meeting to allow the Neff's to be contacted.

6. CONSIDERATION AND APPROVAL OF THE NOVEMBER 21 AND DECEMBER 5, 2024, REGULAR PLANNING COMMISISON MINUTES

Commissioner Gilbert moved to approve the November 21 and December 5, 2024, minutes as written. Commissioner Beebe seconded the motion. All voted "aye." The motion passed unanimously.



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, January 2, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 1:16:08 01/02/2025

Colt Mund

Did not have any comments.

Jeremy Kimpton

Jeremy Kimpton stated that there would be a public hearing at the next meeting regarding a change needed in the Subdivision Ordinance. The sketch plan section needed to be repealed.

Madison Brown

Did not have any comments.

Commissioner Ormond

Did not have any comments.

Commissioner Pierce

Did not have any comments.

Commissioner Beebe

Did not have any comments.

Commissioner Gilbert

Did not have any comments.

Commissioner Braegger

Did not have any comments.

Michelle Drago

Did not have any comments.

Mayor Mote

Did not have any comments.

Vice Chairman Bingham

Did not have any comments.



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9. ADJOURN

Commissioner Braegger moved to adjourn at 7:47 p.m. Commissioner Beebe 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 01-02-2025