



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, January 16, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

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

The following members were in attendance:

Sid Bodily, Chairman
Chandler Bingham
Alex Dubovik
Ken Ormond, Alternate
John Pierce, Alternate

Colt Mund, City Attorney
Madison Brown, City Planner

Excused: Ruth Beebe, Chad Braegger, Brian Gilbert, Jeremy Kimpton, and Michelle Drago

Others in attendance: Mayor Travis Mote, Craig Dearden, and Ruth Ormond.

Chairman Bodily called the meeting to order at 6:30 p.m.

1. PRAYER: Alex Dubovik
2. PLEDGE OF ALLEGIANCE: Sid Bodily
3. GENERAL PUBLIC COMMENTS

There were no comments.

4. CITY COUNCIL REPORT

Time Stamp: 1:41 – 01/16/2025

Mayor Travis Mote reported on the January 9th City Council meeting. The City Council approved a new consolidated fee schedule for business licenses and other fees. The consolidated fee schedule was approved by resolution. Fees were no longer found in individual sections of the city code. The City Council chose to retain dog licensing. So, dog licenses were still required in Willard. The City Council approved the general plan for South Willard with one small change. The island of land located on the south end of Willard between the two arms of Highway 89 was given one zone rather than two. The City Council also discussed the future of the Fire Department.

- 5A. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PROPOSAL TO AMEND THE SUBDIVISION ORDINANCE – CHAPTER 12-400 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp: 3:41 – 1/16/2025

Commissioner Bingham moved to open the public hearing at 6:34 p.m. Commissioner Pierce seconded the motion. All voted “aye.” The motion passed unanimously.

Chairman Bodily read the Planning Commission’s Rules of Order Statement.



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Madison Brown, City Planner, stated that the administration inadvertently left the requirement for sketch plans in the revised Subdivision Ordinance that was adopted in December. However, sketch plans were no longer required. The administration was asking that the Planning Commission forward a recommendation that the City Council remove the requirement for sketch plans from the Subdivision Ordinance.

Colt Mund, City Attorney, stated that an applicant could request a pre-sketch, or pre-application, meeting, but the city could not require one.

Mayor Mote stated that the sketch plan requirement was being removed to comply with the new state code.

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

Commissioner Bingham moved to close the public hearing at 6:37 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 SUBDIVISION ORDINANCE – CHAPTER 12-400 OF THE WILLARD CITY ZONING ORDINANCE

Time Stamp: 7:27 – 1/16/2025

Commissioner Dubovik moved to recommend that the City Council approve a proposal to amend the Subdivision Ordinance – Chapter 12-400 of the Willard City Zoning Ordinance – by removing the sketch plan requirement per state code. Commissioner Bingham seconded the motion. All voted “aye.” The motion passed unanimously.

5C. CONSIDERATION 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)

Time Stamp: 8:36 – 01/16/2025

Madison Brown stated that Craig and Sheryl Dearden met with the SLUA in June 2024 regarding a concept plan for the TJD Estates Subdivision located at 352 West Center Street. Following the SLUA meeting, they approached the Planning Commission for preliminary approval. The Planning Commission denied their request because there were more than 30 homes on Center Street without a second access. Since June, Rod Braegger had completed an emergency access through Lindsey Hansen’s property. Craig Dearden had asked Lindsey Hansen if they could use the emergency access as well. Craig Dearden had submitted written permission from Lindsey Hansen for them to use the emergency access. Craig Dearden had presented use of the Lindsey Hansen emergency access to the City Council before coming back to the Planning Commission. The City Council agreed that was what the emergency access was for.

Ms. Brown said there were plans and agreements in place for 400 West and 500 West to connect and extend to the south. Property owners would be responsible for constructing those roads as property developed. Eventually the emergency access easement would no longer be required. For the time being, it was a sufficient emergency access.



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Chairman Bodily stated that when the city and the Planning Commission talked about a second access, they weren't talking about an emergency access. They were talking about a legitimate access that could be used anytime someone wanted. He felt there was a difference between an emergency access and a second access. He was okay with the use of the emergency access in this case, but he wanted to make sure Willard was headed in the right direction.

Colt Mund stated that the access issue was based on the International Fire Code. In order to have more than 30 homes in a subdivision, the International Fire Code required a second access via a public street. There were exceptions to that requirement. One was the addition of a fire suppression system per home. The second was a road approved by the fire authority for public use in case of emergency. The third was approval-based construction of a road that to alleviate the problem within a particular period of time. Previously, the City Council allowed an exception for Rod Braegger to use Lindsey Hansen's easement for emergencies based on a recommendation from the Fire Chief. Craig Dearden was trying to use the same easement. The easement had been dedicated to the city for that purpose.

Commissioner Dubovik clarified that the emergency access complied with the second exception allowed by the International Fire Code. Colt Mund said it did. It was an easement the city could use for emergencies.

Commissioner Dubovik asked if the easement would remain if Lindsey Hansen sold his property. Colt Mund said it would. Willard was actually a signator, or beneficiary, of the agreement between Rod Braegger and Lindsey Hansen. The city had the right to use the easement, not necessarily the general public.

Commissioner Pierce asked if it was a dedicated easement for the city. Mr. Mund said it was.

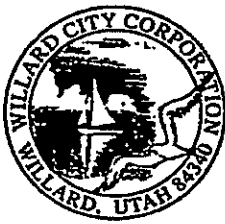
Commissioner Bingham stated that the Planning Commission denied preliminary approval of the Dearden's subdivision because the general public didn't have access to the Hansen easement.

Colt Mund stated that there were connected roads planned. Circumstances had changed since June 2024 because Rod Braegger's subdivision was in, and he had completed the emergency access.

Mayor Mote suggested that use of an emergency access easement be put in the code, so it was clear. Currently, Willard is relying on the Fire Code. He felt there needed to be consistency in how decisions were made. When Rod Braegger came in, the City Council discussed use of the easement beyond just him. The City Council required that as soon as The Orchards Subdivision bumped into Lindsey Hansen, Rod Braegger would move the gravel road to the right-of-way already owned by the city and connect the two roads. Then the emergency access easement would be vacated. He felt all the property owners in the area should be treated consistently.

Colt Mund stated that Willard's Zoning Code did not necessarily incorporate the International Fire Code. The Zoning Code talked about having two accesses for more than 30 homes. Maybe the Public Works Standards incorporated the Fire Code. Former Mayor Braegger wanted to adopt the International Fire Code, but the Planning Commission was concerned about the number of homes for two accesses, so the Fire Code was never adopted. The current zoning code said there had to be two individual access points if there were more than thirty homes.

Commissioner Bingham asked if the thirty-home limit was consistent with the Fire Code. Mr. Mund said it was.



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Commissioner Dubovik asked if preliminary approval of the Dearden's subdivision would be consistent with previous decisions. Mr. Mund said it would be.

Commissioner Dubovik felt emergency access should be available to relieve traffic congestion issues. Maybe there needed to be more teeth in the ordinance.

Colt Mund stated that Rod Braegger had reached an easement agreement with Lindsey Hansen. He suggested that any approval of the Dearden's subdivision be contingent on receipt of an executed agreement the city was satisfied with.

Madison Brown stated that SLUA forwarded the Dearden's subdivision to the Planning Commission for preliminary approval subject to a fee in lieu of for the frontage improvements on 300 West, a fire hydrant, and payment of connection and impact fees. SLUA did not recommend basements in this area.

Chairman Bodily asked if Craig Dearden had any comments. Mr. Dearden said he did not. He appreciated the city's cooperation.

Ken Ormond asked if the portion of 300 West that would be dedicated would be wide enough for half of the street. Mr. Dearden said the 300 West right-of-way would be 60 feet wide. Ms. Brown said that was the standard right-of-way width. Dearden's would be dedicating the full width needed for the road.

Commissioner Bingham moved to grant preliminary approval of the TJD Estates Subdivision located at approximately 352 West Center Street (Parcel 02-057-0010) subject to the SLUA recommendations and execution of the emergency access agreement with Lindsey Hansen. Commissioner Ormond seconded the motion. All voted "aye." The motion passed unanimously.

5D. 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: 23:21 – 01/16/2025

Madison Brown stated that she had received the requested information from Brinton Neff that day. She did not have time to review the information, now was it included in the Planning Commission's packets. She asked that this item be continued at the next meeting.

6. CONSIDERATION AND APPROVAL OF THE JANUARY 2, 2025, REGULAR PLANNING COMMISSION MINUTES

Commissioner Pierce moved to approve the January 2, 2025, minutes as written. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 25:37 01/016/2025



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Commissioner Ormond

Did not have any comments.

Commissioner Pierce

Did not have any comments.

Commissioner Dubovik

Commissioner Dubovik asked if Granite Ridge was aware that their latest phase had not been approved because construction was taking place. Madison Brown stated that Phase 5 had been approved; Phase 6 had not. Commissioner Dubovik asked if Phase 5 had a second access. He also asked if Granite Ridge had received approval for more lots than were in the original development agreement.

Mayor Mote stated that approval of Phase 6 was pending receipt of documentation from Staker Parson regarding use of their road as an emergency access.

Commissioner Dubovik was concerned about construction that was taking place without approved plans. Did the construction put Willard at risk? Mayor Mote stated that the Public Works Director was getting crushed rock from Granite Ridge. Some of the construction might be for that purpose.

Madison Brown stated that Granite Ridge was working on Phase 5, which was around 600 South. It contained plans to connect to 300 East. Phase 6 was further to the south and would connect to Staker Parson's Haul Road. Phase 6 had not been approved.

Commissioner Dubovik asked if Granite Ridge had enough of an easement to provide a full width road for 300 East. Ms. Brown said Granite Ridge planned to stub a road to 300 East, but they didn't plan to go further north than their property line.

Commissioner Dubovik felt Staker Parson's agreement for use of the Haul Road would provide a second access for Phase 6. Colt Mund said the development agreement required Granite Ridge to secure use of the Haul Road from Parson's.

Mayor Mote stated that Willard's copy of the agreement with Staker Parsons required certain things from Granite Ridge that may or may not have happened, which is why Willard sent Granite Ridge back to Staker Parsons to clearly dictate that those items have been taken care of.

Commissioner Dubovik asked that the next agenda include a discussion item to talk about accesses for Phases 5 and 6 so everyone was aware of what was happening.

Commissioner Bingham

Commissioner Bingham felt that it was time to begin working on the transportation portion of the General Plan now that the future land use of South Willard was finished.

Chairman Bodily asked if the proposed road plan was up to date. Ms. Brown said it had been updated with the South Willard Future Land Use map.



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Mayor Mote felt it would be a good idea to look at Willard's general road plan. He suggested that it be discussed at the next meeting.

Mayor Mote

Mayor Mote stated that the revised Subdivision Ordinance removed the City Council from the approval process unless it was an MPC development. Once property was zoned, the City Council was no longer involved. If the Planning Commission had concerns, he felt there needed to be clarifying language in the code

Colt Mund

Colt Mund thanked the Planning Commission members for their preparation and feedback. He found it very helpful.

Chairman Bodily

Chairman Bodily stated that the Planning Commission had talked about a house being constructed on Highway 89. Did the staff figure out what was going on? Ms. Brown said it was an addition to a home. A permit had been issued, and it was legal.

Madison Brown

Did not have any comments.

9. ADJOURN

Commissioner Bingham moved to adjourn at 6:36 p.m. Commissioner Pierce seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: 2/16/25

Sid Bodily
Planning Commission, Chairman
Sid Bodily

Michelle Drago
Planning Commission Secretary
Michelle Drago

dc:PC 01-16-2025