



WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, June 5, 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 City Hall and on the State of Utah Public Meeting Notice website.

The following members were in attendance:

Sid Bodily, Chairman
Ruth Beebe
Chandler Bingham
Alex Dubovik
Brian Gilbert
Ken Ormond

Jeremy Kimpton, City Manager
Colt Mund, City Attorney
Madison Brown, City Planner
Michelle Drago, Deputy Recorder

Excused: Chad Braegger and John Pierce

Others in attendance: Ruth Ormond; Clyde Westley; Kelvin Judd; Lance Lewis; Jen Lewis; Danny Olsen; Lacy Shupe; and Doug Younger.

Chairman Bodily called the meeting to order at 6:32 p.m.

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

Time Stamp: 01:48 – 6/5/2025

Clyde Westley, 221 East 100 South, stated that he passed out information packets about Cooks Canyon to the Planning Commission and the City Council at the beginning of 2024. For the past three years he had been working with the Trust for Public Lands regarding the future of Cook Canyon. Recently the U.S. Forest Service expressed a strong interest in owning the property. The Division of Wildlife Resources used Cooks Canyon as critical winter range, and the Division of Outdoor Recreation highlighted Cooks Canyon as significant for the Bonneville Shoreline Trail. They even offered assistance for acquisition. Unfortunately, earlier this week, he had received the long-awaited word from a representative of the gravel pit company that the land was not for sale. So, all deals with government divisions were off. This setback was severely compounded by the passage of Utah House Bill 355, which fundamentally shifted power by allowing expanded mining operations without local approvals. Mr. Westley said there had been recent activity in the pit area. There were signs on the gate indicating active mining. It seemed to be more than a staging operation for work on Highway 89. He felt the awareness of the Planning Commission was critical. The Commission's input to the City Council had some weight. The city could continue its actions to encourage the full development of the gravel pit just by pursuing the sale of city gravel, or it could commit to finding a way to actively stand against and work to save Cooks Canyon and the Bonneville Shoreline Trail.

Mr. Westley said some encouraging news was that Senators John Curtis and Mike Lee introduced a senate bill for the Bonneville Shoreline Trail Feasibility Act. The bill called for federal assessment of whether the Bonneville Shoreline Trail qualified as a national scenic trail designation, which could open significant doors to the long-term protection of Cooks Canyon. That could be a long way away, but it had been 40 years



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since the last time the area lost the battle for Cooks Canyon. He urged the Planning Commission to consider the battle and the value of Cooks Canyon to them personally and to the community and begin actively working to protect this essential resource.

Danny Olsen, Pleasant View, stated that he had applied for a conditional use permit for a food truck and asked if he was on the agenda. Madison Brown, City Planner, said he wasn't on the agenda. His application was still in the review process.

4. CITY COUNCIL REPORT

Time Stamp: 06:20 – 06/05/2025

Jeremy Kimpton, City Manager, stated that during the May 22nd City Council meeting the Council set a date for the Truth in Taxation hearing, it held a public hearing and passed a resolution for the compensation schedule, talked about betterment work on Highway 89 for city waterlines, and discussed the Willard Canyon agreement.

Mr. Kimpton and Colt Mund, City Attorney, responded to questions regarding the Willard Canyon Agreement.

5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PRELIMINARY PLAN FOR THE MOUNTAIN BAY SUBDIVISION SUBMITTED BY VAL POLL LOCATED AT APPROXIMATELY 8200 SOUTH HIGHWAY 89 (PARCEL NO. 01-045-0133)

Time Stamp: 08:26 – 06/05/2025

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

Madison Brown, City Planner, stated that Willard had received a subdivision application from Val Poll who was represented by Kelvin Judd. The subdivision was called Mountain Bay, and it was located at approximately 8200 South Highway 89. The property had been annexed into Willard and was zoned R ½. The applicants had provided all the necessary documents.

Kelvin Judd, Morgan, stated that they purchased the Mountain Bay property about 18 months ago. They planned to follow the county zoning and subdivide it into half-acre lots in Box Elder County. They liked to do half-acre lots. They didn't try to figure out the maximum density they could have. They followed the zoning and base density. After purchasing the property, they learned they would have to annex to Willard City, which they had done. Even though Willard allowed third acre lots, they chose to keep half-acre lots because that fit with the adjacent development. They wanted to keep it a simple, economical subdivision. They were proposing 24 half-acre lots on approximately 16 acres.

Commissioner Bingham moved to open the public hearing at 6:44 p.m. Commissioner Beebe seconded the motion. All voted "aye." The motion passed unanimously.

Chairman Bodily opened the floor for public comments.

Lance Lewis, 1005 West 8150 South, was excited about the proposed development and glad it would have half-acre lots. He was concerned about the proposed single access point. The proposed subdivision would



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contain 24 lots that would have access to Highway 89 through 8100 South, two blocks to the north. He didn't know if there were fire codes that would address the access issue. At the intersection of 8100 South and Highway 89, it was illegal to make a left-hand turn because the entrance for the Macguire Gravel Pit created an offset intersection. The proposed subdivision would increase the amount of traffic at the 8100 South intersection. He suggested that the stub street to the south be continued south to 8300 South, the street south of the LDS church.

Lacey Shupe, 966 West 8150 South, liked the proposed subdivision plan and that it had half-acre lots. It seemed everyone wanted to bring in small, dense housing projects. She was grateful someone had looked at and followed the zoning. She would be happy to have this development next to her. She also liked that it would have curb, gutter, and sidewalk. The street she lived on did not have curb or gutter because the county didn't enforce the drainage requirements. There were drainage problems all over her neighborhood. She thought it was interesting that the county wouldn't accept responsibility and was forcing Willard to take on this property. She felt that was how the county felt about their area. The county didn't want to deal with them.

Lance Lewsi asked if the proposed subdivision would be served by Willard water or Bear River Water Conservancy. Commissioner Dubovik said that water would be discussed later.

Lacey Shupe asked if the lots would have septic. Kelvin Judd said they would.

Bryce Shupe, 966 West 8150 South, seconded the comments made about access. The access from 8100 South onto Highway 89 was becoming a hazard. Traffic turning left onto 8100 South came to a stop in the median, which wasn't very wide. It was a safety issue. The proposed development would increase the traffic. He hoped that an additional entrance to this development could be included. It would alleviate the amount of traffic on 8100 South.

Kelvin Judd agreed that ideally a second access made sense. UDOT would not allow them to have access onto Highway 89 because it would be too close to 8150 South, the Maguire Gravel Pit road. The City Engineer had told them they needed second access. They were trying to figure out the details. They hoped to purchase the Box Elder School District property to the south, but the school district had to follow the protocol for selling public land. Their subdivision was planned to connect to the south. Whoever purchased the school district property would have to go through the same annexation process they had. Whether it was them or not, there would have to be access because of the stubs they were providing.

Bryce Shupe stated that Willard would be providing emergency response to this subdivision. Did an emergency response give Willard leverage to ask the county for access through the property to the south?

Lacey Shupe felt access for this subdivision needed to be carefully considered.

Clyde Westley asked if Willard had considered snow removal. There were a lot of properties being annexed. He hoped current residents didn't suffer because of the distance Public Works would have to travel to provide services.

Commissioner Dubovik moved to close the public hearing at 6:53 p.m. Commissioner Gilbert seconded the motion. All voted "aye." The motion passed unanimously.



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5B. CONSIDERATION OF A PRELIMINARY PLAN AND SUBDIVISION IMPROVEMENT PLANS FOR THE MOUNTAIN BAY SUBDIVISION SUBMITTED BY VAL POLL LOCATED AT APPROXIMATELY 8200 SOUTH HIGHWAY 89 (PARCEL NO. 01-045-0133)

Time Stamp: 23:47 – 06/05/2025

Commissioners Bingham and Gilbert asked if the subdivision would contain dry lines that could be connected to the sewer line that would be constructed along the UTA right-of-way.

Madison Brown stated that the City Engineer had commented about the need for dry sewer lines. She felt that was something the city should require. Hopefully, someday the sewer line would be constructed. In the meantime, the developer did have permission from the health department to put in septic tanks.

Chairman Bingham agreed that dry lines should be required.

Commissioner Gilbert verified that the Suncrest Subdivision located south at approximately 8300 South Highway 89 could not start until the sewer line had been constructed. Jeremy Kimpton, City Manager, said that was correct. Commissioner Gilbert asked about the time frame. Mr. Kimpton stated that the developer of Old Farm Market, a subdivision to the north that would be located at approximately 7100 South Highway 89, was trying to resolve wetland issues with the Army Corps of Engineers. The sewer would not be installed until that issue was resolved. He didn't feel the sewer would be constructed in the immediate future. It was probably several years away.

Commissioner Dubovik understood there was concern about land in this area not percolating. Mr. Kimpton said that was why Willard required the developer to receive approval from the health department.

Commissioner Gilbert realized that requiring dry lines was a big burden for the developer, but the requirement made sense.

Commissioner Bingham felt dry sewer lines should be required so the road didn't have to be torn up in the future at the expense of the city.

Commissioner Bingham asked who would provide the water for the subdivision. Kelvin Judd stated that Willard City petitioned Bear River Water Conservancy for the culinary water they needed. That petition was approved last week. They had a will-serve letter from Pine View Water for secondary water. They would have pressurized secondary water.

Madison Brown stated that Bear River Water Conservancy District would wholesale 11-acre feet of water to Willard City. Willard City would retail the water to subdivision residents. Bear River Water Conservancy didn't have the resources to bill residents for water. Willard did.

Commissioner Dubovik stated that Willard normally required a developer to bring the water a development would need. The amount of culinary water needed for Mountain Bay had been reduced because it had secondary water. How much had the water requirement been reduced? Jeremy Kimpton said there was a formula used by the City Engineer

Commissioner Bingham asked if this subdivision complied with the master road plan. If connecting roads were shown on the master road plan, they would go in regardless of who developed the adjoining property.



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Madison Brown said the current road plan did not show 1000 West going north because of an existing home. A road was shown from 8150 South to 8300 South at approximately 1050 West. The west road in the Suncrest Subdivision would tie into 8300 South as well.

Commissioner Bingham agreed with the comments made during the public hearing. It was difficult to turn into this area from 8100 South, especially when trucks were coming from the Maguire Gravel Pit because the intersections were offset. The subdivision itself only needed one access, but that access was through another development. The total number of homes on the 8100 South Highway 89 access was more than the proposed 24 lots. According to Willard's fire code requirements, there could not be more than 30 homes without a second access. Was there a way to require a second access through the school district property, even if it was simply road base?

Commissioner Dubovik agreed that 8100 South was the only entrance for the existing subdivision, which had more than 30 homes. The proposed subdivision would add another 24.

Commissioner Bingham felt Box Elder County had already allowed more homes than a single access should have. If the developer could secure an easement through the school district's property, it would provide a second access for the entire neighborhood.

Commissioner Dubovik stated that if this was a Willard subdivision, it would not be allowed because it exceeded the number of homes on a single access.

Commissioner Bingham stated that the same safety issues existed regardless of whether it was Willard or South Willard.

Colt Mund, City Attorney, stated that this subdivision had been annexed to Willard. It needed to be treated the same as other subdivisions.

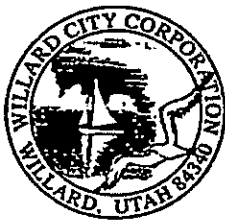
Commissioner Dubovik said there were already more than 30 homes on the single access of 8100 South. The proposed subdivision would exacerbate that number.

Commissioner Beebe asked if there was a possibility of extending either 1000 West or 1050 West to 8300 South. Commissioner Bingham felt an easement with road base would serve as an emergency access just like the emergency access was working for the Rod Braegger Subdivision.

Commissioner Dubovik felt the City Council might be able to engage with the County Commission. He roughly counted 40 existing homes with one access. If there was a natural disaster, this area would have a huge problem. The resolution should not be at the complete expense of the developer because the Planning Commission had identified an existing hazard.

Commissioner Bingham agreed. The county had approved the existing subdivisions which did not comply with the fire code. An approved road base road would be better than what the area now had.

Commissioner Bingham stated that if the access and dry sewer issues could be resolved, he felt the proposed subdivision would be a good addition to the area. The other Planning Commission members agreed.



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Commissioner Gilbert asked if Kelvin Judd had seen the City Engineer's comments about the dry sewer lines. Mr. Judd said he had spoken with Zac Burk. They wanted to do the subdivision right, but it would be a significant financial burden to plan for a septic system and a sewer system. A homeowner bore the burden of financing a septic system that would someday be abandoned. They would bear the burden of a sewer system without the benefit of being connected. At some point it would become cost prohibitive. Was there some way to be reimbursed through impact fees? If the cost for dry lines didn't break them, they wouldn't fight the requirement. He understood the city's reason for the requirement.

Kelvin Judd said they were actively working with the school district to purchase the property to the south, but the school district had to follow the state code for selling property. They couldn't pick a favorite. At some point a road would extend south to 8300 South. Was there a way to work with the school district to record an easement where the most likely place for a road would be? He hoped there could be a resolution that would not be costly for them.

Commissioner Bingham stated that the master road plan showed a road in the 1050 West vicinity. No matter how development occurred on the property to the south, a road would be required to connect 8300 South to the Mountain Bay Subdivision. Mr. Judd asked if there would be issues with UDOT if a road connected to 8300 South. Commissioner Bingham said there was already access onto Highway 89 from 8300 South.

Kelvin Judd felt it would be ideal if some kind of condition could be worked out for access. That would allow them to move forward.

Commissioner Dubovik felt dry sewer lines were significant, but he felt access was the showstopper.

Chairman Bodily asked if the dry sewer lines was a requirement from the City Engineer.

Jeremy Kimpton stated that tonight's meeting met the public hearing requirement. Preliminary approval could be tabled. If the Planning Commission wanted, the staff could try to address dry sewer lines and a second access with the developer.

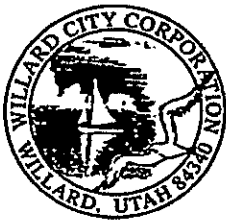
Colt Mund stated that the Planning Commission needed to identify specific modifications to the subdivision plans so the developer could be addressed.

Commissioner Beebe asked if Willard could require a road from the Mountain Bay Subdivision to 8300 South. Madison Brown said it could if the school property annexed to Willard.

Commissioner Bingham hoped the road plan would still apply to South Willard. Mr. Kimpton also hoped Box Elder County would acknowledge the road plan.

The Planning Commission agreed that additional street access and dry sewer lines needed to be addressed.

Jeremy Kimpton stated that the staff would take those notes, meet with the City Engineer, the City Attorney, and the developer to see what could be resolved.



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- 5C. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO E. K. BAILEY ON MAY 15, 2008, FOR A HOME FURNISHING STORE LOCATED AT APPROXIMATELY 875 NORTH MAIN (PARCEL . 02-041-0045)

Time Stamp: 48:21 – 06/05/2025

Madison Brown stated that the building at 875 North Main was no longer occupied by a home furnishing business. There were currently two businesses operating in the building – the Amish store and a fitness center. She had reviewed the history of the building. Willard had never really issued a conditional use permit. The property received a design approval.

Commissioner Bingham remembered a furniture store in the building after Blacker's closed. The furniture store lasted only a short time.

Madison Brown stated that she couldn't find a record of a conditional use permit. If a conditional use permit was approved, it would be null and void because the property had been rezoned to Commercial General. There was no longer a need for a conditional use permit.

Chairman Bodily asked that the conditional use permit for 875 North Main be removed from the list.

- 5D. DISCUSSION REGARDING REVISIONS TO THE RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS CODE FOUND IN 24.92.030 OF THE WILLARD CITY ZONING CODE (CONTINUED FROM MAY 1 AND MAY 15, 2025)

Time Stamp: 51:14 – 06/05/2025

Jeremy Kimpton stated he just received notes back from the City Planner and the City Attorney that he needed to put into a draft ordinance. He would send it to the Planning Commission members for review as soon as he finished it. It should be ready for the next meeting on July 17th. He had also drafted a memo for the City Council asking that the campground be included in the impact fee study.

Chairman Bodily asked if the campground would have to comply with the new ordinance, or would it be a non-conforming use. Mr. Kimpton said that issue needed to be clarified during the approval process.

Madison Brown felt the new ordinance should apply to the existing campground and any future ones.

Colt Mund said Neff's argued that new regulations should not apply to them. He disagreed.

- 5E. DISCUSSION REGARDING MASTER ROAD PLAN (CONTINUED FROM MAY 1 AND MAY 15, 2025)

Time Stamp: 54:37 – 06/05/2025

Commissioner Dubovik asked if roads had been removed per UDOT requirements. Madison Brown said they had.

Commissioner Gilbert asked if the roads he had suggested west of the interstate had been incorporated. Ms. Brown said they had.



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Madison Brown felt 1000 West should be added to connect Mountain Bay with 8300 South so the east cul-de-sac would comply with the city's maximum cul-de-sac length requirement. The Planning Commission agreed.

Commissioner Gilbert asked that the staff send the latest road plan to the Commission members.

Commissioner Bingham moved to schedule a public hearing for July 17 to receive public comments on the transportation master plan so the plan could be incorporated into the General Plan. Commissioner Beebe seconded the motion. All voted "aye." The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR MAY 15 AND MAY 29, 2025, AND WORK SESSION MINUTES FOR MARCH 19, 2025

Commissioner Dubovik moved to approve the regular minutes for May 15 and May 29, 2025, and work session minutes for March 19, 2025, as written. Commissioner Bingham seconded the motion. All voted "aye." The motion passed unanimously.

7. ITEMS FOR THE JULY 17, 2025, PLANNING COMMISSION AGENDA

Time Stamp: 1:03:56 –06/05/2025

The Planning Commission discussed agenda items for the July 17th meeting - the public hearing for the road plan, discussion regarding the RV Ordinance, and possibly the Mountain Bay Subdivision. Madison Brown said the agenda would probably include a conditional use permit for a food truck.

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 1:05:52 – 06/05/2025

Madison Brown

Madison Brown stated that Kyle White with Canyon Bay (Harding property) had asked to meet with the Planning Commission and City Council in a joint work session. She suggested Thursday, June 26th, at 5:00 p.m. The Planning Commission agreed

Jeremy Kimpton

Did not have any comments.

Colt Mund

Did not have any comments.

Commissioner Ormond

Commissioner Ormond stated that the traffic signs on Highway 89 had not been moved. They were blocking views of oncoming traffic. Jeremy Kimpton stated that he had sent several emails to the contractor and copied UDOT. He forwarded every complaint to them.



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Commissioner Gilbert asked if the contactor had submitted a traffic plan to the city. Mr. Kimpton said they had not. Commissioner Gilbert said the city could request a copy from UDOT.

Commissioner Gilbert

Did not have any comments.

Commissioner Beebe

Did not have any comments.

Commissioner Dubovik

Commissioner Dubovik appreciated Clyde Westley's comments regarding Cook Canyon. It wasn't just Cook Canyon that would be affected by strip mining of the entire hillside. He felt there was a responsibility to preserve something valuable. The federal talk was positive. He encouraged the Commission members to contact their federal representatives. He also felt there was an opportunity for support at the state level.

Commissioner Bingham

Did not have any comments.


Chairman Bodily

Did not have any comments.

9. ADJOURN

Commissioner Gilbert moved to adjourn at 7:40 p.m. Commissioner Bingham seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: 7/17/25



Planning Commission, Chairman
Sid Bodily



Planning Commission Secretary
Michelle Drago

dc:PC 06-05-2025