

WILLARD CITY

**Planning Commission Meeting – Regular Meeting**

Thursday, August 7, 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  
Chandler Bingham  
Chad Braegger  
Alex Dubovik  
Brian Gilbert  
Ken Ormond

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

Excused: Jeremy Kimpton, City Manager

Others in attendance: Mayor Mote; Councilmember Jordan Hulsey; Ruth Ormond; and Jo Baird.

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

1. PRAYER: Alex Dubovik
2. PLEDGE OF ALLEGIANCE: Brian Gilbert
3. GENERAL PUBLIC COMMENTS

No public comments were made.

4. CITY COUNCIL REPORT

Mayor Mote stated that he didn't have a report because there wasn't a City Council meeting on July 24<sup>th</sup>. A Truth in Taxation hearing was held on August 6<sup>th</sup> where both good and bad comments were heard regarding the tax increase.

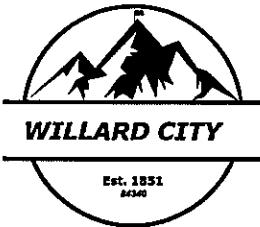
- 5A. CONSIDERATION OF A PRELIMINARY PLAN AND SUBDIVISION IMPROVEMENT PLANS FOR THE MOUNTAIN BAY SUBDIVISION SUBMITTED BY VAL POLL LOCATED AT APPROXIMATELY 8200 SOUTH HIGHWAY 89 (PARCEL NO. 01-045-0133) (CONTINUED FROM JUNE 5, 2025)

Time Stamp: 02:13 – 08/07/2025

Madison Brown, City Planner, stated that the staff met with the developers of the Mountain Bay Subdivision earlier in the day. The developers were looking at other options because they didn't feel it was financially possible for them to put in the dry sewer lines.

Commissioner Dubovik asked what the other options were. Ms. Brown said they planned to disconnect from Willard City so they could develop in the unincorporated county.

See Commissioner Bingham's comments in Item 8 beginning on Page 4.



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**5B. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO QWEST/MAURICE ROCHE ON APRIL 19, 2001, FOR A COMMUNICATION TOWER LOCATED AT 1357 NORTH MAIN (PARCEL NO. 02-040-0005) (CONTINUED FROM JULY 17, 2025)**

Time Stamp: 03:24 – 08/07/2025

Madison Brown stated that the staff had verified that the communication tower was there and found Planning Commission and City Council minutes from July 19 and July 26, 2001. Qwest had reduced the height of the tower to 60 feet to comply with Willard's height restriction. The Planning Commission then recommended that the City Council approve the conditional use permit. On July 26, 2001, the City Council approved the conditional use permit if it didn't exceed 60 feet in height. Ms. Brown said the conditional use permit was still active. Willard had not had any issues with it.

**5C. 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, MAY 15, JUNE 5, AND JULY 17, 2025)**

Time Stamp: 5:35 – 08/07/2025

Madison Brown stated that Jeremy Kimpton had been working on updating the code based on the Planning Commission's last discussion. Because he was out of the office this week, she asked that this item be continued to the next meeting.

Chairman Bodily stated that there had been discussion about possible fees. He verified that fees would be to be set by the City Council. Ms. Brown said that was correct. The Planning Commission could include fees in its recommendation, but all fees would be set by the City Council.

Commissioner Dubovik asked if the City Council had talked about fees for recreational vehicle parks. Mayor Mote felt it would be a good discussion for the City Council to have. He would add it to a future agenda.

**5D. DISCUSSION REGARDING AMENDING THE FUTURE LAND USE MAP FOUND IN CHAPTER 3 OF THE GENERAL PLAN ADOPTED IN MARCH 2024 BY EXPANDING THE ENVIRONMENTALLY SENSITIVE AREAS TO INCLUDE SENSITIVE WETLANDS AND TO INCLUDE A COMMERCIAL CORRIDOR THROUGH THE OLD TOWN WILLARD ZONE**

Time Stamp: 07:48 – 08/07/2025

Mayor Mote stated that there were wetlands throughout Willard. Most were located west of 200 West, particularly on the north end of the city. There was concern that the Future Land Use Map might not reflect their location and how potential development would be affected. Mayor Mote didn't feel the General Plan included a good sensitive land map. Ms. Brown had pulled some wetland maps from the United States Geological Survey. He felt the Planning Commission needed to make sure sensitive lands were discussed in the General Plan, and that wetland maps were included. The General Plan should outline what kind of development and density would be allowed around wetlands. Language might also be needed in the zoning code.

Madison Brown stated that the Future Land Use Map designated commercial areas along both sides of Highway 89, except in the Old Town Willard Zone.



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Chairman Bodily thought the commercial area extended the entire length of Highway 89. When was the zoning changed? Commissioner Bingham wondered if the commercial was turned off when the Old Town Willard Zone was created.

Madison Brown felt the Future Land Use Map should be amended to designate a commercial use along Highway 89 in the Old Town Willard area. The zoning code needed to be updated as well.

Commissioner Dubovik asked if the Planning Commission needed to determine where the most sensitive wetlands were located and whether the surrounding area should remain agricultural or could be residential, commercial, or industrial. Mayor Mote said it did.

Mayor Mote said there were wetlands in the area designated for transit-oriented development on 750 North. If Willard allowed development in wetland areas and owners experienced flooding issues, what liability would the city have? The wetlands needed to be identified, appropriate uses should be determined, and development guidance should be provided.

Madison Brown felt the areas of concern included freshwater immersion and/or high levels of hydric soil. Most of the areas in Willard were designated as agricultural on the Future Land Use Map. One area of concern was land proposed for the Deer Run development. Before building permits in Deer Run were approved, a geo tech report was required to indicate the groundwater level.

In response to a question from Commissioner Gilbert, Ms. Brown stated that a geo tech report was required for each home in Deer Run.

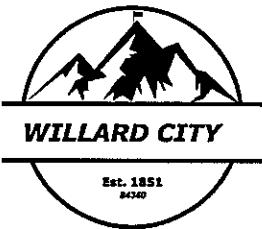
Ms. Brown said the Beard property was another wet area. Some of it was in a conservation easement. The rest was designated R ½ on the Future Land Use Map.

Chairman Bodily asked about the land north of the Beard property on the north side of 750 North. Ms. Brown said that it was designated and zoned for transit-oriented development. Mayor Mote stated that several developers had been very interested in the TOD property. It had been for sale for a long time. The property owner had filled the wetlands. Developers were concerned about wetland violations and backed away from the property. The landowner would have to mitigate the problem or wait until the definition of the Waters of the US changed. He felt the land might sit in its current condition for some time.

Commissioner Dubovik asked if there was a standard that said what land could be used for based on the percentage of hydric soil. Mayor Mote said the National Resources Conservation Service (NRCS) did have a web soil survey that included ratings and classifications for different soil types. He had asked the staff to check each proposed development for hydric soil. If there was a hydric indicator, the engineers were notified, and geo tech information was required. The city needed to do its due diligence to ensure it wasn't liable. He was concerned about the city ending up with infrastructure built on unstable ground.

Madison Brown asked if the Planning Commission felt this information should be included in the General Plan. Planning Commission members felt wetland information needed to be part of the Future Land Use Map along with relevant wording.

Commissioner Dubovik asked for a review to make sure land designated for residential development was not undevelopable. He felt that should be a first red flag.



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Mayor Mote suggested that Maddie overlay a wetland map over the zoning and Future Land Use Maps and pull any relevant language from the zoning code about wetlands for the Planning Commission to review.

**6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR JULY 17, 2025**

**Commissioner Bingham moved to approve the regular minutes for July 17, 2025, as written. Commissioner Gilbert seconded the motion. All voted “aye.” The motion passed unanimously.**

**7. ITEMS FOR THE AUGUST 21, 2025, PLANNING COMMISSION AGENDA**

Time Stamp: 22:41 –08/07/2025

The Planning Commission discussed agenda items for the August 21<sup>st</sup> meeting – the RV Park ordinance, the sensitive land and FLUM amendment, the next conditional use permit review, and an ordinance amendment to extend commercial along Highway 89 in the Old Town Willard Zone.

**8. COMMISSIONER/STAFF COMMENTS**

Time Stamp: 24:17 – 08/07/2025

Commissioner Braegger

Did not have any comments.

Commissioner Gilbert

Did not have any comments.

Commissioner Ormond

Did not have any comments.

Commissioner Dubovik

Did not have any comments.

Commissioner Bingham

Commissioner Bingham stated that Mountain Bay wanted to annex into Willard. Now they wanted to de-annex because they didn't like the improvement requirements. Mayor Mote said Willard had to approve the de-annexation. Commissioner Bingham felt it would be a disservice to the residents of South Willard not to require dry sewer lines. The issue would be there whether the land was in Willard or not.

Madison Brown said the Mountain Bay developers want to begin developing the land immediately. They didn't want to wait for the sewer line to be installed. Chairman Bodily said they could begin to develop the property by putting in dry sewer lines. Ms. Brown said that was something they didn't want to do.



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Commissioner Bingham didn't like that the developers felt they could develop in whatever jurisdiction suited them best. Colt Mund stated that moving forward if an applicant was seeking annexation into Willard City, their subdivision application would be considered concurrently with their annexation. There would be a written agreement about what the development requirements would be.

Commissioner Gilbert asked about the status of the sewer trunk line. Mayor Mote said the holdup was a wetland issue. The first developer just south of Willard's boundaries, had a wetland he wanted to cross for his ideal sewer alignment. The developer had a difference of opinion with the Army Corps of Engineers about whether the wetlands were Waters of the US. There had been some Supreme Court rulings that supported the developer's side. Because the developer had not applied and started a timeline, the Army Corps could stonewall him. At this point, the developer was talking about going around the wetlands.

Madison Brown

Did not have any comments.

Colt Mund

Did not have any comments.

Mayor Mote

Did not have any comments.

Chairman Bodily

Chairman Bodily asked about what was being built at 45 East Center. Madison Brown said it was a shed, and it did meet the setback requirements.

9. ADJOURN

**Commissioner Bingham moved to adjourn at 7:02 p.m. Commissioner Ormond seconded the motion. All voted in favor. The motion passed unanimously.**

Minutes were read individually and approved on: 8/01/25

Planning Commission, Chairman  
Sid Bodily

Planning Commission Secretary  
Michelle Drago

dc:PC 08-07-2025