



**Notice is hereby given that the  
WILLARD CITY PLANNING COMMISSION  
Will meet in a regular session on  
Thursday, December 4, 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 allowed.*

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 comments regarding a proposal to amend Section 24.44.050 of the Willard City Zoning Code regarding setback, height, and coverage regulations
  - b. Consideration and recommendation regarding a proposal to amend Section 24.44.050 of the Willard City Zoning Code regarding setback, height, and coverage regulations (continued from November 20, 2025)
  - c. Consideration of an overall preliminary plat for The Orchards at Willard Subdivision located at approximately 300 South 320 West (Parcel Nos. 02-051-0004, 02-051-0062, 02-051-0085, 02-051-0264, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-0011, 02-054-0012, and 02-054-0013) (continued from November 20, 2025)
  - d. Discussion regarding amending 24.80 of the Willard City Zoning Code to adopt requirements for minor/small subdivisions (continued from September 18, October 2, November 6, and November 20, 2025)
  - e. Review of a conditional use permit issued to William Comer on an unknown date for the Bingham Trailer Court located at 46 North 100 East (Parcel No. 02-048-0024 or 02-051-0183)
6. Consideration and approval of regular Planning Commission minutes for November 20, 2025
7. Discussion regarding agenda items for the December 18, 2025, or January 15, 2026, Planning Commission meeting
9. Commissioner/Staff Comments
10. 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/pmn/index.html>, on the Willard City website [www.willardcity.com](http://www.willardcity.com), and sent to the Box Elder News Journal this 26th day of November, 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

435-734-9881  
80 W 50 S  
PO Box 593  
Willard, Utah 84340  
[www.willardcityut.gov](http://www.willardcityut.gov)

### **Mayor**

Travis Mote

### **City Council Members**

J. Hulsey  
R. Christensen  
M. Braegger  
R. Mund  
J. Bodily

## **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 comments regarding a proposal to amend setback, height, and coverage regulations found in 24.44.050 of the Willard City Zoning Code.

The public hearing will be held on Thursday, December 4, 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.

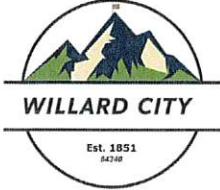
In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communications, aids, and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah, phone number 435 734-9881, at least three working days prior 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](http://www.willardcity.com); and sent to the Box Elder News Journal this 21st day of November, 2025.

/s/Michelle Drago  
Deputy City Recorder

# **ITEM 5B**

# **ITEM 5C**



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R. Mund  
J. Bodily

11/17/2025

### Staff Report

#### The Orchards Phase 3

Heritage Land Development LLC has submitted the Preliminary Plat for the newly rezoned MPC subdivision located at approximately 300 S 300 W in Willard.

#### Phase 3

- First of four phases
- 28 lots
- Construction of 270 W and 320 W streets
- 60' ROW

The development agreement describes the process as follows:

“The Developer shall submit for each phase of the development a preliminary subdivision application which includes an MPC site plan which shall be reviewed and considered for compliance with the Willard City Land Use and Zoning Ordinances by the Planning Commission. Upon approval of a preliminary subdivision application and site plan by the Willard City Planning Commission, the Developer will then complete and submit a final subdivision application and subdivision improvement plan for each phase of the development to the Willard City Council acting as the final land use authority for approval of each phase of the Master Planned Community Zone. Approval of the subdivision applications shall not be unreasonably withheld by the CITY.”

Garth Day, on behalf of Heritage Land Development, has requested to submit the preliminary plat for Phases 3–6 and to obtain preliminary approval for all phases concurrently.

Final Approval will be given by the City Council on a per phase basis.

Pre-construction meetings will also be held with Willard City’s engineering staff before any work on infrastructure can begin.

Staff recommends that the Planning Commission forward a recommendation of approval for the complete preliminary plat (Phases 3–6) to the Willard City Council for final approval.



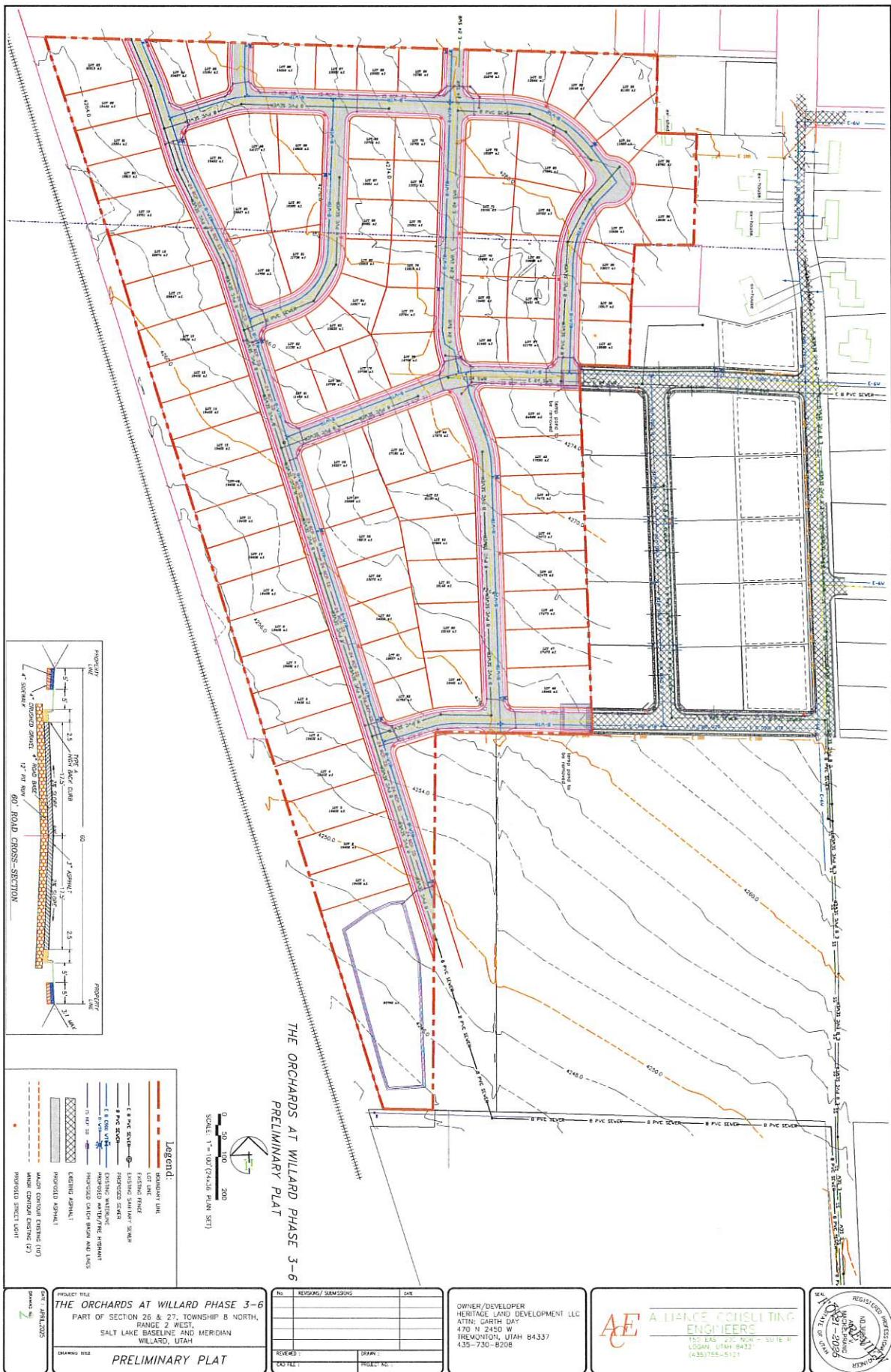


	<p>PROJECT NAME <b>THE ORCHARDS AT WILLARD PHASE 3-6</b></p> <p>PART OF SECTION 26 &amp; 27, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASIN AND MERIDIAN WILLARD, UTAH</p> <p>DRAWING 1/2</p> <p style="text-align: right;"><b>PRELIMINARY PLAT</b></p>
--	--

OWNER/DEVELOPER  
HERITAGE LAND DEVELOPMENT LLC  
ATTN: GARTH DAY  
470 N 2450 W  
TREMONTON, UTAH 84337  
435-730-8208

**AE** ALLIANCE CONSULTING  
ENGINEERS  
150 EAST 200 NORTH SUITE P  
LOGAN, UTAH 84321



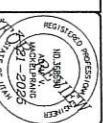


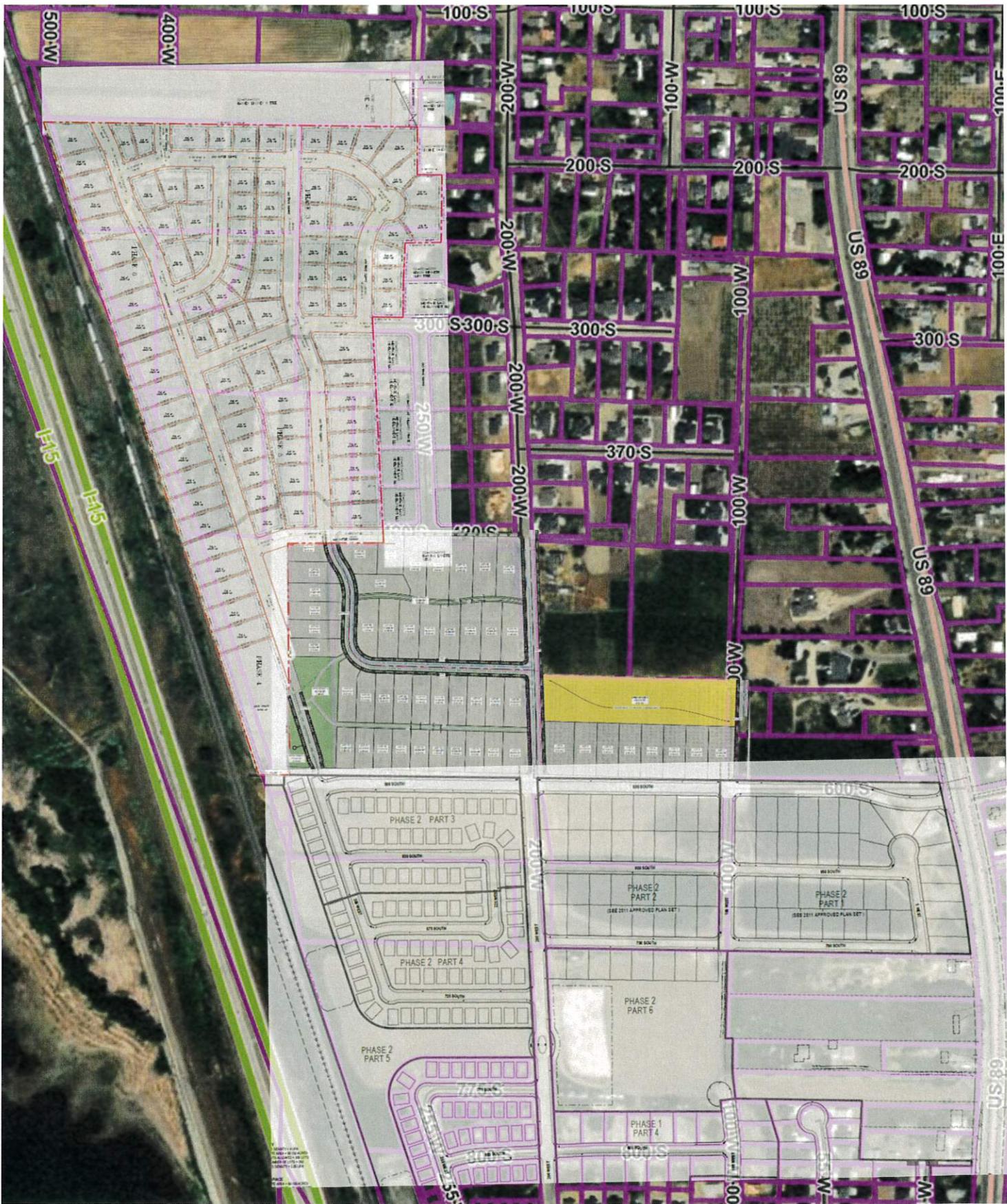


PROJECT TITLE  
**THE ORCHARDS AT WILLARD PHASE 3-6**  
DATE: APRIL 2004  
PART OF SECTION 26 & 27 TOWNSHIP 8 NORTH,  
RANGE 2 WEST  
SALT LAKE BASELINE AND MERIDIAN  
WILLARD, UTAH  
DRAWING TITLE  
**PRELIMINARY PLAT**

NAME	REVIEWED / SUBMISSION	DATE
REVIEWED :	DRAWN :	
CAD FILE :	PROJECT NO. :	

OWNER/DEVELOPER  
HERITAGE LAND DEVELOPMENT LLC  
ATTN: GARTH DAY  
470 N 2450 W  
TREMONTON, UTAH 84337  
435-730-8208





Willard City Planning &amp; Zoning

# The Orchards at Willard

## Phase 3

10/31/2025 - 10/30/2026

Preliminary Subdivision

General

4819066

8ba7d1e0-b450-11f0-8992-a3471c228043

Active

Under Review

## Application Review Status

Pre-Review	Complete Application	
City Planner	Not Reviewed	10/28/2025
City Manager	Reviewing	
Fire Department	Not Reviewed	
Legal Department	Not Reviewed	
City Engineers	Not Reviewed	
Public Works	Not Reviewed	
Flood Control	Not Reviewed	
Final-Review	Not Reviewed	

## Fees

## Payments

Subdivision Application Fee	\$1,000.00	10/31/2025	Check #887715	\$6,700.00
Application Lot Fee	\$2,700.00	<b>Total Paid</b>		<b>\$6,700.00</b>
Retainer	\$3,000.00			
<b>Subtotal</b>	<b>\$6,700.00</b>			
<b>Amount Paid</b>	<b>\$6,700.00</b>			
<b>Total Due</b>	<b>\$0.00</b>			

## Application Form Data

(Empty fields are not included)

Applicant First Name

Garth

Applicant Last Name

**Day**

Applicant Email

**garthd@heritage.dev**

Applicant Phone Number

**(435) 730-8208**

Applicant Address

**9 West Forest St 208 208**

City

**Brigham City**

State

**UT**

Zip Code

**84302**

Are you the owner or the agent doing the work on the owner's behalf?

**Agent**

Owner's Affidavit

**Owner Affidavit.pdf**

Subdivision Name

**The Orchards at Willard Phase 3**

Project Street Address

**approx 300 west 300 South**

Parcel Number

**02-051-0262**

Legal Description

**see attached**

Legal Description

**OW Legal.pdf**

Number of Proposed Lots

**30**

is this a Residential or Commercial development?

**Residential**

Owner First Name

**Heritage Land**

Owner Last Name

**Jay Stocking**

Email Address

garthd@heritage.dev

Phone Number

(435) 730-8208

Mailing Address

9 West Forest St 208 208

City

Brigham City

State

UT

Zip Code

84302

Check each box to acknowledge it has been included with the application. These items will apply to most subdivisions, although there may be some exceptions.

**Submittals showing preliminary compliance with all applicable provisions of the Willard Zoning Code and Public Works Standards, Preliminary Plat, Layout of lots including sizes and dimensions, Layout of proposed and adjacent roads, including a proposed street section(s), Preliminary storm water plan, Preliminary utility plan, Existing structures and natural features, Data indicating the number of lots/units, percentage of landscaping, density of units per acre, buildable area for each lot, Preliminary compliance with design standards as applicable**

Will this development include two-family homes or townhomes?

No

Will this development include any commercial or industrial development?

No

Is this proposed development adjacent to Highway 89?

No

Is the area to be developed greater than 10 acres?

Yes

Preliminary Subdivision Plat Drawings

[Orchard3-6Prelim \(3\).pdf](#)

Please include any additional information - Click 'Add to List' after uploading each file

No Answer

[OrchardPhase3Prelim11-2025.pdf](#)

Due to legislative changes in the state of Utah, the cost for Willard City to process, review, and inspect developments has dramatically increased. Willard City will track all time and resources expended by the city

for processing, reviewing, and inspecting subdivision application. The related city expenditures will be billed to the applicant/developer.



The applicant agrees to pay for all application fees. This includes \$1,000 application fee plus \$100/lot after the third lot.



Following approval by the Planning Commission, this Preliminary Subdivision Application will be valid for the period of not more than one year. To avoid expiration, the applicant must submit a Final Subdivision Application prior to expiration of the Preliminary Subdivision Application approval.



Within thirty (30) days of a complete Preliminary Subdivision application submittal, City Staff and other invited regulating agencies and utility providers shall review the submittals and provide comments/corrections to the applicant. After the comments/corrections have been addressed by the applicant, the application will be placed on the Planning Commission's next available meeting agenda.



Following receipt of city comments and required corrections, the applicant shall respond with updated submittals in accordance with Utah Code Annotated 10-9a-604.2 within sixty (60) business days. Failure to provide the required response and corrected submittals within sixty calendar days shall result in the application being immediately denied.



The applicant also agrees to provide retainer in the amount of \$1,000 for 8 lots and fewer and \$3,000 for greater than 8 lots. The retainer will be used, as required, for the public noticing costs and professional review costs incurred by the city. Any amounts exceeding the retainer after the application has been approved are due before signatures and recording of documents. Any amounts not exceeding the retainer will promptly be returned to the applicant.



Engineer/Surveyor Name or Company

**Alliance Engineering**

Engineer/Surveyor Email

**Allianceloganam@yahoo.com**

Engineer/Surveyor Phone Number

**4357555121**

Do you have water for your current property?

**Yes**

Upload proof of water ownership

- DOBU Form for Group 29121\_Willard.pdf**
- DOBU Form for Group 29119\_Willard.pdf**
- DOBU Form for Group 29120\_Willard.pdf**

## Signature

I hereby certify that all information provided herein is true and correct. I understand and agree to comply with the applicable codes, standards, and the rules listed below.

1. All sections of this application must be complete and will not be reviewed until fees have been received.
2. The payment of fees does not guarantee a certain result and fees are not refunded due to the lack of favorable results.
3. Fees are an estimate of the costs for the City to administer the Subdivision review and approval process. Willard City reserves the right to bill the applicant for administrative costs that go beyond the estimated fees collected at the time of application.
4. This application will be placed on the next available Planning Commission agenda AFTER necessary updates are made in response to staff comments. These updates will be required to ensure Planning Commission reviews drawings that are substantially complete and responsive to the application requirements found in the Willard Zoning Code.
5. Complete application and approval requirements can be found in Willard Zoning Code Title 24 and Willard City Public Work Standards.

Garth Day - 10/28/2025 4:50 pm

**PROPERTY OWNER**

\* IMPORTANT - ALL property owners of record MUST sign this form – use additional forms as necessary

I, (we) Jay Stocking, declare that I, (we) am (are) the owner(s)\* of the property identified in the attached application.

\*May be owner of record, contract owner, party to valid real estate purchase contract, party to valid earnest money agreement, option holder or have other legal control of property.

  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

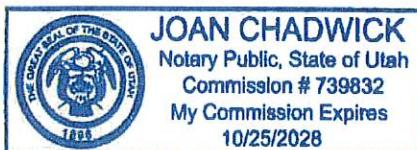
State of Utah

County of Box Elder

On 17 April 2025, Jay Stocking personally appeared before me,

who is personally known to me  
\_\_\_\_\_ whose identity I proved on the basis of \_\_\_\_\_  
\_\_\_\_\_ whose identity I proved on the oath/affirmation of \_\_\_\_\_,  
a credible witness

the signer of the above document, and he/she acknowledged that he/she signed it.



  
Notary Public

**PROPERTY OWNER PERMISSION**

\*IMPORTANT - ALL property owners of record MUST sign this form – use additional forms as necessary

I, (we) Jay Stocking, the owner(s) of the property described in the attached application, give GARTH DAY permission to use the property listed in the attached application for the purpose named in the attached application.

  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

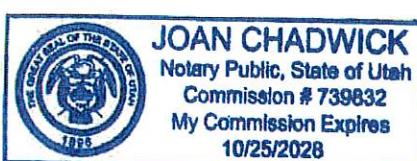
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\_\_\_\_\_ whose identity I proved on the oath/affirmation of \_\_\_\_\_,  
a credible witness

the signer of the above document, and he/she acknowledged that he/she signed it.



  
Notary Public



## Willard City Planning &amp; Zoning

[Home](#) / Transactions

## Transaction for The Orchards at Willard Phase 3

## Transaction Info

Date

Oct 31, 2025 11:41am

Order #

MCBW-92005621-BEA2

Method

CHECK

Check #

887715

Status

SUCCESS

Total Charge

\$6,700.00

Subtotal

\$6,700.00

Receipt #

2000003998

## Fees

Code	Name	Amount	
211	Subdivision Application Fee	\$1,000.00	<input checked="" type="checkbox"/>
211	Application Lot Fee	\$2,700.00	<input checked="" type="checkbox"/>
211	Retainer	\$3,000.00	<input checked="" type="checkbox"/>

Total: \$6,700.00 / \$6,700.00

You can temporarily edit these items during the transition to tracked transaction items. This feature will be removed after June 1, 2022.

[\*\*+\*\* Add Item](#)**Permit/License Details:**

Name:

**The Orchards at Willard Phase 3**

Permit Type

**Preliminary Subdivision**

Permit Term Starting

**Oct 31, 2025**

# **ITEM 5D**

## **24.82 – MINOR SUBDIVISIONS**

### **Sections**

- 24.82.010 Purpose
- 24.82.020 Definition
- 24.82.030 Minor Subdivision Requirements
- 24.82.040 Application Procedure
- 24.82.050 Summary Statement
- 24.82.060 Administrative Review
- 24.82.070 Improvement Requirements
- 24.82.075 Deed Restrictions
- 24.82.080 Finished Floor Elevation and Engineering Reports
- 24.82.090 Recording of Final Plat

### **24.82.010 Purpose**

To reduce the cost and complexity of developing small residential subdivisions that meet defined standards, Willard City may process qualifying subdivisions as Minor Subdivisions. Minor Subdivisions are exempt from preliminary plat requirements and may be exempt from certain engineering reports or improvement plans as determined by the City Engineer, provided all minimum standards of this Title are met.

### **24.82.020 Definition**

#### **Minor Subdivision.**

A subdivision of land that creates no more than three (3) lots from a single original parcel, requires no dedication of public streets or other public facilities, and involves no planned or proposed streets as identified in the Willard City General Plan or Transportation Master Plan. A Minor Subdivision must meet all applicable zoning requirements and is processed and approved at the staff level by the City Planner, Public Works Director, City Engineer, and City Attorney.

### **24.82.030 Minor Subdivision Requirements**

A proposed subdivision may be considered and approved as a Minor Subdivision only if all of the following requirements are met:

- A. The subdivision contains no more than three (3) lots total.

- B. The proposed parcel is not traversed by the mapped alignment of a proposed or future street or trail identified in the Willard City General Plan or Transportation Master Plan.
- C. The subdivision does not require dedication of land for public streets or other public facilities.
- D. The subdivision has been reviewed and approved, where applicable, by the Public Works Director serving as the culinary water authority and sanitary sewer authority.
- E. The subdivision is located within a residential zoning district.
- F. The subdivision complies with all applicable Willard City land use ordinances or has obtained an approved variance for any conflicting requirements.
- G. No other subdivision or lot split has occurred from the parent parcel within the past five (5) years. If a prior split occurred within five years, both the previously separated lots and the subject property shall be counted toward the three-lot maximum.
- H. The subdivision does not require or propose the creation or dedication of open space for purposes of density bonuses or reduced lot sizes.
- I. The subdivision complies with all other applicable Willard City Code requirements including zoning, required improvements, bonding (if applicable), drainage management, utility easements, and any protections related to sensitive lands.
- J. Applicants shall install all required improvements in a manner that matches and is consistent with the improvements in the surrounding area.

## **24.82.040 Application Procedure**

### **A. Pre-Application Meeting**

An applicant may request a meeting with Willard City staff to determine whether the proposal qualifies as a Minor Subdivision. If a meeting is requested, City staff shall schedule the meeting within fifteen (15) business days to review the concept plan and identify any required improvement plans or reports.

### **B. Minor Subdivision Plat Submission**

Minor Subdivisions are exempt from the preliminary plat process. Applicants shall submit a final plat that complies with all applicable provisions of Title 24, the Willard City Subdivision Ordinance, and all submission standards unless otherwise exempted under this section.

## **24.82.060 Administrative Review**

The City Planner shall serve as the Administrative Land Use Authority (ALUA) for Minor Subdivisions. No approval shall be finalized until the plat and all required documents have been reviewed and approved by:

- City Engineer
- Public Works Director
- City Attorney

Approval is effective only when all listed staff members confirm compliance with applicable ordinances.

If the City Planner deems it necessary, the application may be forwarded to the Planning Commission for review and recommendation. Circumstances that may warrant referral include, but are not limited to:

1. Potential conflicts with the Willard City General Plan or Transportation Master Plan.
2. Subdivision proposals impacting sensitive lands, critical slopes, or environmentally protected areas.
3. Requests for waivers of subdivision improvement requirements that may set a precedent.
4. Proposed subdivisions with atypical lot layouts or unusual configurations.
5. Any other condition where the Planner believes additional public input or commission review is warranted.

## **24.82.070 Improvement Requirements**

All Minor Subdivisions shall follow the subdivision processes and requirements of Title 24, including inspections, improvement installation, and any required agreements. All subdivision improvements shall be constructed to match surrounding conditions and comply with Willard City Public Works Standards.

An applicant may request a waiver of subdivision improvement requirements. Any such request shall be reviewed by the Planning Commission, which shall provide a recommendation for approval or denial to the City Council. The City Council may, at its discretion, grant a waiver when justified by site conditions or other relevant factors.

## **24.82.075 Deed Restrictions**

This section applies to Minor Subdivisions that have not been granted a waiver of subdivision improvements by the City Council.

- A. Recording of Deed Restrictions. All applicable Minor Subdivisions shall include recorded Deed Restrictions for all new and existing lots. These Deed Restrictions shall clearly state the requirement for installation of subdivision improvements in accordance with Willard City Public Works Standards and any conditions imposed through the Minor Subdivision approval process. The applicant is responsible for preparing and providing the Deed Restrictions, and the City Planner shall ensure they are properly recorded with the Box Elder County Recorder.
- B. Application to Lots with Existing Buildings. For any lot containing an existing building, a Deed Restriction must also be recorded. This ensures that the landowner is responsible for installing required subdivision improvements regardless of the type of building permit applied for, including but not limited to accessory buildings, additions to existing structures, or other permitted improvements.
- C. Application to Future Lots. The Deed Restrictions shall be binding on all lots in the subdivision, including lots subsequently sold or transferred. The requirement for improvements shall not be triggered until the property owner applies for a building permit.
- D. Notification of Future Buyers. A copy of the recorded Deed Restrictions must be provided to the City at the time a building permit application is submitted. This ensures that any future property owner is made aware of the improvement installation requirement prior to construction.
- E. Enforcement. Failure to comply with the recorded Deed Restrictions may result in denial of building permits or other enforcement actions by Willard City in accordance with Title 24 and applicable City Code provisions.

## **24.82.080 Finished Floor Elevation and Engineering Reports**

If groundwater reports are required under Willard City Code, such reports must be submitted with the final plat.

- A. If no groundwater report is submitted, the final plat must include a recorded note stating that no finished floor elevation shall be constructed lower than six inches (6") above the finished curb or street centerline, whichever is higher.

- B. Applicants shall submit all engineering reports required under Willard City Code unless specifically exempted by the City Engineer.  
Applicants shall submit detailed stormwater and drainage plans when required by the City Engineer.

#### **24.82.090 Recording of Final Plat**

- A. After staff approval, it is the responsibility of the subdivider to record the final approved plat with the Box Elder County Recorder within one (1) year of approval, unless an extension is granted in writing.
- B. All recording fees are the responsibility of the subdivider.
- C. The City shall retain a signed copy of the approved plat for its records.



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11/2/2025

Staff Report

## Minor Subdivisions

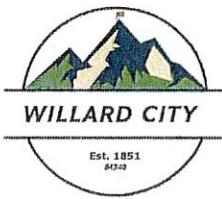
### Background

Willard City has received several subdivision applications from residents who own larger parcels of land in recent years. These applications typically involve properties ranging from one to five acres, where the property owner intends to divide the land into two or three lots.

Under Willard City Zoning Code 24.80.060, certain public improvements are required as part of the subdivision process, including street improvements, curb and gutter installation, and stormwater infrastructure. These improvement requirements can represent a significant cost, which has led some applicants to withdraw or reconsider their subdivision proposals.

Historically, Willard City has allowed the use of Deferral Agreements, enabling property owners to deposit funds in escrow for a defined period in lieu of immediately completing required improvements. If the improvements were not completed by the City within that timeframe, the funds were returned to the depositor.

In recent years, the City has moved away from the use of Deferral Agreements due to administrative challenges and tracking difficulties. The current code does not offer Deferral Agreements as a way to delay construction of such improvements. To better balance the needs of existing residents with the City's long-term infrastructure and development goals, Willard City is exploring options for establishing a Minor Subdivision Ordinance. The intent of such an ordinance would be to provide a more practical and scalable process for smaller subdivisions while maintaining consistency with city standards and future infrastructure planning.



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### Mayor

Travis Mote

### City Council Members

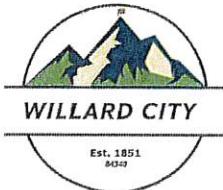
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## Willard

- *No current Minor Subdivision ordinance*
- *Preliminary ALUA: Planning Commission*
- *Final ALUA: City Planner*
- *Fees (preliminary and final): \$1,000 + \$100/lot after third lot + engineering and legal*
  - *Retainer: \$1,000 for plats with 8 or fewer lots, \$3,000 for plats with 9 or more lots*

## Logan

- *Three or less lots*
- *Preliminary ALUA: Planning Director*
- *Final ALUA: City Engineer*
- *Fees: Subdivision (Preliminary Plat or Minor Subdivision): \$450 + \$25 per lot*
- *Fees: Subdivision (Final Plat): \$350 + \$20 per lot*
- *Originally, subdivision improvements were waived if no new roads were required, but this was removed before approval.*
- *Minor Subdivisions Preliminary Plats are not required to go before the Planning Commission, as the ALUA is the Planning Director. Minor Subdivisions preliminary applications can be sent to the Planning Commission at the Director's discretion. Regardless if the preliminary plat is approved by the Planning Commission or the Planning Director, Final plats must be approved by the City Engineer.*
- *City Engineer may waive Final Plat requirements for **two-lot subdivisions***
- *Questions to consider:*
  - *Would Willard City Planning Commission like to consider all Minor Subdivision applications?*
  - *Should Minor subdivision applications be processed at the staff level and reported to the Planning Commission after approval?*



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R. Mund

J. Bodily

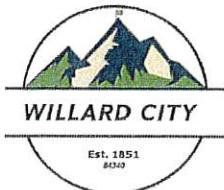
- *Who would have the authority to waive improvement requirements?*

## Nibley

- *Five lots or less*
- *Minor Subdivisions are exempt from the preliminary plat process. The first application is considered the Final application.*
- *ALUA: City Manager*
- *Minor subdivisions cannot interfere with the General Plan or Road Plan*
- *Minor subdivisions cannot create new streets*
- *Fee: \$700 + \$60 per lot*
- *Planning Commission does not consider or approve Minor Subdivisions. They are handled entirely by staff.*
- *Minor subdivisions cannot have been part of another subdivision within the last five years. If it is within five years, the new lots will be counted towards the five total lots.*
- *Questions to consider:*
  - *Should Willard City consider the “no new streets” rule?*
  - *When will street improvements be completed, and who will be responsible for them?*
  - *What is the minimum number of lots Willard would consider as a minor subdivision?*

## Kanab

- *Nine or fewer lots*
- *All lots must face a street or private lane*



## Willard City Corporation

435-734-9881  
80 W 50 S  
PO Box 593  
Willard, Utah 84340  
[www.willardcityut.gov](http://www.willardcityut.gov)

### Mayor

Travis Mote

### City Council Members

J. Hulsey

R. Christensen

M. Braegger

R. Mund

J. Bodily

- *Fee: \$600 + \$400 for City Engineer review (may be adjusted)*
- *Preliminary ALUA: Planning Commission*
- *Final ALUA: Subdivision Review Committee (Staff)*
  1. *Land Use Director*
  2. *City Engineer*
  3. *Public Works Director*
  4. *One member of Planning Commission*
- *“Street improvements such as curb, gutter, and sidewalk are required prior to the issuance of a building permit through one or both of the following means:*
  1. *Construct street improvements to match existing conditions on adjacent or contiguous properties; or*
  2. *Sign a “non-opposition” waiver for a future special improvement district.*
- *Questions to consider*
  1. *How will a “non-opposition” waiver be enforced in Willard?*
  2. *If an outside party purchases one of the new lots, how will they know that they are required to install such improvements before the issuance of a building permit? Deed restrictions?*
  3. *Would City Council be willing to waive requirements with the Planning Commission’s recommendation?*
  4. *Would constructing street improvements to match existing conditions be sufficient for Willard?*

# Minor Subdivisions

Saturday, November 1, 2025 3:30 PM

## Logan City

- *3 or less lots*
- *Preliminary: Planning Director is ALUA*
- *Final: City Engineer is ALUA*
- *Fees:*
  - *Subdivision (Preliminary Plat or Minor Subdivision): \$450 + \$25 per lot*
  - *Subdivision (Final Plat): \$350 + \$20 per lot*

### §17.40.050 Minor Subdivisions

The Director shall be the Administrative Land Use Authority for Minor Subdivisions and shall review applications according to Section 17.47.

- A. Minor Subdivisions are subdivisions consisting of three (3) or fewer lots.
- B. Application Requirements.  
An application for a Minor Subdivision shall follow the application requirements listed in Section 17.40.030 for preliminary subdivision plats.
- C. Mailed Notice.  
Within ten (10) calendar days of receipt of a complete application, the Director shall send a written notice to owners of real property as shown on the latest official County Assessor's rolls within three hundred (300) feet of the perimeter boundaries of the subject property. This notice shall be in addition to any other requirements as specified by Utah law. The notice shall include:
  1. The case number and the project's title;
  2. The project's address;
  3. The name of the proponent;
  4. The type of project including an identification of all types of actions required;
  5. The project description;
  6. The anticipated decision date;
  7. A statement explaining when and where interested persons can obtain information;
  8. The name and phone number of the staff member assigned to review the application; and
  9. An explanation on how to file an appeal of the decision.
- D. The Director may approve a Minor Subdivision Plat that:
  1. Consists of a preliminary plat with three or fewer lots;
  2. Conforms to the requirements of Title 17 of the Logan Municipal Code in terms of lot size, width, and depth;
  3. Is physically suitable for development, has an adequate buildings site, and will not require variances due to physical constraints in order to be developed;
  4. Has access to a street or easements to provide for connection to sewer service, water service, and other public utilities;
  5. Meets the approval of the City Engineer and other City Departments for technical specifications, standards, and conforms to the conditions imposed on the subdivision;
  6. Includes appropriate road rights-of-way, easements, and offers of dedication meeting the needs of the City; and
  7. Conforms to the requirements of Utah law.
- E. Refer Minor Subdivision to Planning Commission.  
The Director may refer minor subdivision applications to the Planning Commission (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17.
- F. Final Minor Subdivision Plat Approval.  
Following preliminary minor subdivision plat approval the applicant shall follow the

- E. Refer Minor Subdivision to Planning Commission.  
The Director may refer minor subdivision applications to the Planning Commission (Track 2) at his or her discretion where the application does not clearly demonstrate compliance with the applicable standards and criteria of Title 17.
- F. Final Minor Subdivision Plat Approval.  
Following preliminary minor subdivision plat approval, the applicant shall follow the final plat approval provisions contained in Section 17.40.060.
- G. Appeals shall be heard by the Land Use Appeal Board following the provisions of Chapter 17.50.
- H. The Administrative Record of Decision shall serve as the administrative record of proceedings.

#### **§17.40.080 Final Plat Map Waiver**

- A. City Engineer May Waive some Final Plat Map Requirements for a Two-Lot Subdivision in accordance with Utah Law and the following:
  - 1. If the subdivision is comprised of two (2) lots;
  - 2. The subdivider intends to create the lots by metes and bounds descriptions; and
  - 3. The subdivision was reviewed and approved under Subsection 17.40.050 Minor Subdivisions.
- B. The City Engineer may require preparation of construction plans when appropriate.

#### **Nibley**

- *Five lots or less*
- *Minor Subdivisions are exempt from the preliminary plat process.*
- *City Manager is the ALUA*
- *Minor subdivisions cannot interfere with the General Plan or Road Plan*
- *Minor subdivisions cannot create new streets*
- *Fee: \$700 + \$60 per lot*

#### **21.08.040 Minor Subdivision Process**

1. Purpose: In an effort to reduce the expense of developing relatively small residential subdivisions that meet certain conditions, residential subdivisions of **five (5) lots or less** may be considered and approved under this section. A subdivision approved under this section shall be known as a "Minor Subdivision." Minor subdivisions, when approved, are exempt from platting requirements for preliminary plats and **may also be exempt from the requirements for some engineering reports and subdivision improvement plans as determined by the Nibley City Engineer** and as provided in this section.
2. Minor Subdivision Requirements: To be considered for approval as a Minor Subdivision, the proposed subdivision must meet all the following requirements:
  1. The proposed parcel is **not traversed by the mapped lines of a proposed street or trail** as shown in the General Plan, Master Transportation Plan, and/or Trail Master Plan;
  2. The proposed subdivision **does not require the dedication of any land for street or other public purposes**
  3. The proposed subdivision has been approved by the culinary water authority and the sanitary sewer authority;
  4. The proposed subdivision is located in a residential zoned area;
  5. The proposed subdivision conforms to all applicable land use ordinances or has properly received a variance from the requirements of an otherwise conflicting and applicable land use ordinance;
  6. The proposed subdivision contains **five (5) lots or less total**;
  7. **The parcel being divided has not had other lots separated from it within the past five**

years, provided that if another lot or lots have been separated from the parcel that is the subject of the request for Minor Subdivision within the past five years, then the previously separated lots and the subject parcel will all be counted towards the five (5) lot limit for the purposes of the application for a Minor Subdivision under this section;

8. The proposed subdivision does not require or contemplate the creation or dedication of open space land for the purpose of receiving higher density and/or smaller lot size; and
9. The proposed subdivision complies with all other applicable requirements under Nibley City Code for a subdivision, including zoning, infrastructure improvements and bonding thereof, providing for drainage needs, providing required utility easements, and protecting sensitive land issues, etc.

3. Minor Residential Subdivision Application Procedure: The application procedure for a minor subdivision shall be as follows:
  1. Pre-Application Meeting-The applicant may meet with Nibley City Staff to determine if the proposed subdivision meets the requirements of a Minor Subdivision. If a meeting is requested, the staff shall within 15 business days after the request, schedule the meeting to review the concept plan and give initial feedback. The staff shall review with the applicant any requirements for subdivision improvement plans that may be needed and required for approval.
  2. Minor Subdivision Plat: Minor Subdivisions shall be exempt from preliminary plat application and shall file a final plat in compliance with all NCC 21 and standards on the plat as unless noted in this section.
  3. The City Manager shall be the Administrative Land Use Authority for a Minor Subdivision
4. Recording of the final plat: Final approval shall be valid for one (1) year. If an applicant fails to record the final plat within that time, the approval of the plat is void.
5. Notice to proceed and process after final approval: All Minor Subdivisions shall follow the Nibley City subdivision code and process as outlined after final approval.
6. Minor Subdivision standards: All Minor Subdivision shall comply with Nibley City Ordinances, as listed in Nibley Code, and Nibley City Engineering design standards and specifications, unless otherwise listed in this section.
  1. Finished floor elevation recorded on the final plat:
    1. An applicant shall include all groundwater reports as required Nibley City code with the final plat. An applicant is not required to submit a groundwater report or finish floor elevations of any permitted building if the applicant records on the final plat that no finished floor shall be built at an elevation lower then six inches (6") above finish curb or centerline of the street, whichever is higher.
  2. Subdivision improvement plans and Engineering Reports:
    1. The applicant shall submit all reports as required by Nibley City code unless otherwise exempted by the City Engineer.
    2. Applicants shall submit detailed stormwater plans at the request of the Nibley City Engineer.

## Kanab

- *9 or fewer lots*
- *All lots must face a street or private lane*
- *Fee: \$600 + \$400 for City Engineer review (may be adjusted)*
- *Development Committee: ALUA*
- *Preliminary ALUA: Planning Commission*
- *Final ALUA: Subdivision Review Committee (Staff)*
  - *Land Use Director*
  - *City Engineer*
  - *Public Works Director*
  - *One member of Planning Commission*

## **Section 2B-10 Minor Subdivision (9 or fewer lots)**

2B-10.1. An applicant may subdivide property into less than 10 lots as a minor subdivision, provided that all proposed lots or parcels front a dedicated public street or private street, comply with the applicable zone standards, and are approved through the process as outlined herein.

Lots may front a private lane, in lieu of a dedicated public street, under the following conditions:

- i. All requirements are met in Chapter 4-21 of the Land Use Ordinance;
- ii. The private lane is paved if servicing more than 3 lots;
- iii. The proposed private lane will not interfere with the future transportation plans or needs of the City; and
- iv. The proposed private lane will meet the requirements for Fire Apparatus Access Roads as indicated in the International Fire Code adopted under Title 15A of the Utah State Code

### **2B-10.3. Minor Subdivision Application**

Following completion of the initial application process, an applicant shall complete and submit an application form for a minor subdivision to the Kanab City Development Committee. The application shall be accompanied by the following and a completed checklist showing the applicant included all elements:

2B-10.3.1. The name of applicant or authorized agent and contact information.

2B-10.3.2. The subdivision name.

2B-10.3.3. The property address and parcel number.

2B-10.3.4. Minor Subdivision Plat Drawing: Four (4) 24" x 36" size copies and twelve (12) 11" x 17" size copies of a Minor Subdivision Plat drawing. The plat shall include:

2B-10.3.4.1. The proposed subdivision name;

2B-10.3.4.2. The name and address of the applicant, engineer, or surveyor for the subdivision and owners of the land to be subdivided;

2B-10.3.4.3. The boundary dimensions and legal description of the subdivision and each lot therein, with accuracy within 0.010' and with the point of beginning clearly labeled;

2B-10.3.4.4. A minimum scale of 1" = 50';

2B-10.3.4.5. Existing rights-of-way and easement grants of record for streets, underground utilities and other public purposes;

2B-10.3.4.6. A north arrow facing the top of right margin;

2B-10.3.4.7. The latest date on each sheet;

2B-10.3.4.8. The acreage or square footage for all parcels or lots and the length and width of the blocks and lots intended for sale;

2B-10.3.4.9. A legend of symbols;

2B-10.3.4.10. All survey monuments;

2B-10.3.4.11. The street-indicating numbers and/or names and the lots numbered consecutively.

2B-10.3.4.12. The location, width, centerline bearings and curve data (including delta angle, radius, length, tangent and the long cord on curves) and other dimensions of all existing proposed or platted streets and easements;

2B-10.3.4.13. The streets, lots, and properties within two hundred feet (200') surrounding the subdivision shown in ghost lines; and

2B-10.3.4.14. The approval signature blocks for:

2B-10.3.4.14.1. Owner's dedication and acknowledgment;

2B-10.3.4.14.2. Surveyor's stamped certificate with the subdivision boundary legal description;

2B-10.3.4.14.3. City Surveyor's approval;

2B-10.3.4.14.4. City Engineer's approval;

2B-10.3.4.14.5. City Attorney's approval as to form;

2B-10.3.4.14.6. Director of Public Works' approval;

2B-10.3.4.14.7. Planning Commission Acceptance

2B-10.3.4.14.8. City Council approval; and

2B-10.3.4.14.9. County Recorder's certificate.

2B-10.3.5. Utility Service Commitment Letters: A letter from the power, water, and sewer utility provider stating its commitment to provide service to the proposed project and to be operational prior to the issuance of any building permit. The application must also include written approval from the Public Health Department if it is determined that the property is not serviced by the public sewer system.

2B-10.3.6. Lot Addresses: A list of street addresses for each lot, numbered in accordance with the Kanab City address grid system.

2B-10.3.7. Title Report: A title report prepared within the previous 30 days.

2B-10.3.8. Any additional items that may be requested by the Development Committee during the initial application process.

2B-10.3.9. Fee: The minor subdivision plat fee as outlined in the Kanab City Land Use Ordinance.

2B-10.3.10. Signature and Acknowledgement: By signing the Minor Subdivision application form, the applicant acknowledges:

2B-10.3.10.1. That the applicant or agent of the applicant has read the Subdivision Ordinance;

2B-10.3.10.2. That the applicant understands the provisions of the Subdivision Ordinance; and

2B-10.3.10.3. That the applicant will fully and completely comply with the provisions and

**2B-10.4. Development Committee Review:**

2B-10.4.1. The Development Committee shall review the application and accompanying documentation for compliance with this ordinance.

2B-10.4.2. Copies of the application and accompanying documentation may be furnished to the City Attorney, City Engineer, Public Works Department, or other interested parties, who will review the documentation and make recommendation back to the Development Committee.

2B-10.4.3. Additional information such as a soils investigation, drainage study, deed restrictions, or other information deemed necessary to fulfill the purpose of this ordinance as described may be requested from the applicant by the Development Committee during the review.

2B-10.4.4. Once all information requested has been furnished, evaluated, and addressed to the satisfaction of the Development Committee, the application will be forwarded to the Planning Commission and placed in the next available meeting agenda.

**2B-10.5. Subdivision Review Committee:** The Kanab City Subdivision Review Committee shall hold a public meeting on the application and approve, deny, or approve with conditions..

**2B-10.7. Owner's Duty to Record:** The owner(s) of the approved minor subdivision shall record the approved Minor Subdivision Plat in the Kane County Recorder's Office. An applicant's failure to record within one year of City Council approval shall render the subdivision void. In such case, the applicant must commence the subdivision process anew.

**2B-10.8. Improvement Requirements for Building**

**Permits in Minor Subdivisions:**

2B-10.8.1. Building permits shall not be issued until utilities are available for connection to and adequate fire protection is in place for the lot or parcel proposed for construction, in accordance with City requirements. A utility plan may be required by the utility provider as part of this process.

2B-10.8.2. Street improvements such as curb, gutter, and sidewalk are required prior to the issuance of a building permit through one or both of the following means:

2B-10.8.2.1. Construct street improvements to match existing conditions on adjacent or contiguous properties; or

2B-10.8.2.2. Sign a "non-opposition" waiver for a future special improvement district

contiguous properties; or

2B-10.8.2.2. Sign a "non-opposition" waiver for a future special improvement district.

2B-10.8.3. Sidewalks must be installed prior to an occupancy permit being issued, unless the requirement is waived by the Kanab City Council.

2B-10.8.4. Certain improvement requirements set forth in this Ordinance may be waived by the City Council in a public meeting, upon recommendation from the Development Committee and Planning Commission.

# **ITEM 5E**

	620 North 200 West	Kapp, Neilson & Jan	10/15/05?		2/11/2003	Building Permit for Single Family Dwelling	Reviewed 10/03/24	Active	02-046-0005
	683 North Main	Palmer, Morgan	2/9/2021	\$25.00 PD	Approved 5/6/21	Wedding Reception Center	Reviewed 5/18/23	Active	02-046-0102
	725 South Main	Surrage, Jackie	8/2/2023	\$25.00 PD	Approved 11/3/23	Food Truck	Reviewed 10/2/25	Active	02-053-0009
	740 North Main	Grimes, Mike	7/19/1996		9/17/1996	Used Vehicle Sales	Reviewed 11/7/24	Active	02-046-0015
	755 South Main	Gilbert, Scott; Gilbert, Dustin; Russell, Dee	3/22/2016	\$25.00 PD	4/5/2016	Accessory Building	Reviewed 12/5/24	Active	02-053-0059
	769 North Main	Marvin Neff			2/7/2020	RV Campground	Under Review	Active	02-041-0067
	781 North 200 West	Bartholome, Shane Solid business to W W Clyde in approx 2019	10/31/2013	\$25.00	12/9/2013	Truss Manufacturing known as Sierra Truss Currently known as Sunpro	Reviewed 4/3/25	Active	02-041-0030
	850 North Main (filed in 960 N Main)	Venture Outdoor Advertising-no longer in business. Fred Barker wants to keep sign		\$25.00	8/27/1990	Off-Premise Sign (Billboard)	5/15/25	Active	02-043-0013
	1348 North Main	Dorothy Call & Garrick Call	4/18/2023	\$25.00	5/18/2023	Detached Accessory Dwelling Unit	11/10/25	Active	02-039-0055
	1387 North Main	Qwest & Maurice Roche	4/4/2001		7/26/2001	Communications Tower	11/1/25	Active	02-040-0005
	46 North 100 East	Comer, William				Trailer Court	???	Active	02-051-0183 or 02-048-0024
	95 North 100 West	Bingham, Stephen				Construction - Cabinets	1998	Active	02-047-0205
	???	Wilkes, Melissa	3/15/2015			Home Occupation	3/15/2015	Active	02-053-0029
	595 South Main	Ross, Terry	10/28/2016			Temporary Business Use	12/29/2016	Active	02-053-0005
	1305 North Main	Bodily, Jacob	7/3/1905			Home Occupation - Auto Repair	7/3/1905	Active	02-040-0035

## **24.44.030 Uses**

No building, structure or land shall be used and no building or structure shall be hereafter erected structurally altered, enlarged or maintained in the multiple use, rural, or residential districts except as provided in this Ordinance. (See Table I)

TABLE I	MU-40	A-3	A-5	R-1/2	R-1	Old Willard Township
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P	P
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C	C
3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work...	C	C	C	C	C	C
4. AGRICULTURE AND FORESTRY*						
a. Agriculture, except grazing and pasturing of animals	P	P	P	P	P	P
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P	P
c. Agriculture, business or industry	C	C	C	C	C	C
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P	P
e. Nursery or green house, wholesale or retail	C	P	P	P	P	P
f. The tilling of the soil, the raising of crops, horticulture and gardening	C	P	P	P	P	P
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	C	C	C	C
h. Forestry, except forest industry	P	P	P	P	P	P
i. Forest industry, such as a sawmill, wood products plant, or others	C	-	-	-	-	
j. Small-Scale Retail	C	C	C	-	-	-
k. Limited and light manufacturing	C	C	C	-	-	-
l. Storage (Non-Agricultural, Small Scale)	C	C	C	-	-	-
5. APIARY, Private	P	P	C	C	C	C

6 APIARY, Commercial	C	C	C	-	-	-
7. AVIARY, Private or Commercial	C	C	C	C	C	C
8. PLANNED UNIT DEVELOPMENT (PUD) OR CLUSTER SUBDIVISION OF SINGLE FAMILY DWELLINGS: Moved to item 18)						
9. DWELLINGS:						
a. Single-family dwelling	P	P	P	P	P	P
b. Accessory Dwelling Unit, Detached - Per 24.96	P	P	P	P	P	P
c. Accessory Dwelling Unit, Attached - Per 24.96	P	P	P	P	P	P
d. Farm or Ranch Housing (Addressed by ADU, Detached)	C	C	C	C	C	C
e. Manufactured Housing	P	P	P	P	P	P
f. Mobile Homes when not located in a mobile home park or subdivision	C	C	C	C	C	C
10. DUDE RANCH, Family Vacation Ranch	C	C	C	-	-	-
11. Home occupation	P	P	P	P	P	P
12. Household Pets Per 16.12.050	P	P	P	P	P	P
13. Kennel per to 16.12.060	-	C	-	-	-	-
14. Power generation	C	P	P	P	P	P
15. PRIVATE PARK OR RECREATIONAL GROUNDS OR PRIVATE RECREATIONAL CAMP OR RESORT, including accessory supporting dwellings or dwellings	C	C	-	-	-	-
16. Public and quasi-public						
a. Churches	C	P	P	P	P	P
b. Parks, golf courses, swimming pools, and other recreation areas	C	P	P	P	P	P
c. Public buildings	C	P	P	P	P	P
d. Private schools	C	P	P	P	P	P
17. Public stable, riding academy or riding ring, horse show barns or facilities	C	P	P	-	-	-
18. Residential Housing Developments						
a. Master Planned Community	C	C	C	C	C	C
b. Mobile home park	C	C	C	C	C	C
c. Mobile home subdivision	C	C	C	C	C	C

d. Planned Unit Development (PUD) or Cluster Subdivision of Single-family Dwellings	-	-	-	-	-	-
19. SHORT-TERM RENTALS (subject to Short-Term Rental Ordinance)	C	C	C	C	C	C
18. Signs (See Sign Ordinance WZC 24.60)						

\*Limited Non-Agricultural Use Provision

Property owners in an agricultural zone (MU-40, A-3, A-5) may apply for a conditional use permit to utilize up to fifteen percent (15%) of their total parcel area for non-agricultural revenue-generating enterprises.

The proposed use must be:

- a. Compatible with the rural character of the area.
- b. Not a detriment to surrounding agricultural operations.
- c. Compliant with all applicable state and local regulations.

The conditional use permit shall be reviewed by the Conditional Use Review Committee and Planning Commission with conditions as necessary to mitigate potential impacts.

Examples of permitted non-agricultural conditional uses include, but are not limited to:

Small-scale retail sales (e.g., farm stores, artisan goods)

Agricultural tourism (e.g., farm stays, event venues)

Professional services (e.g., home-based businesses)

Limited light manufacturing (e.g., woodworking, small-scale food production)

The City may impose additional requirements regarding parking, traffic, noise, hours of operation, and environmental considerations

#### HISTORY

Amended by Ord. [2022-9](#) on 12/8/2022

Adopted by Ord. [2025-06](#) on 2/13/2025

Amended by Ord. [2025-04](#) on 3/27/2025

# ITEM 6



## WILLARD CITY

## Planning Commission Meeting – Regular Meeting

Thursday, November 20, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

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 Sid Bodily, Chairman  
8 Chandler Bingham  
9 Brian Gilbert  
10 Ken Ormond

Jeremy Kimpton, City Manager  
Amy Hugie, City Attorney  
Michelle Drago, Deputy City Recorder

12 Excused: Chad Braegger, Alex Dubovik, Diana Baker, and Madison Brown.

14      Others in attendance: Mayor Travis Mote; Ruth Ormond; Rew Wiley; Stephanie Dickson; Justin Dickson;  
15      Lindsey Hansen; and Randy Lemon.

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

19 1. PRAYER: Ken Ormond

20  
21 2. PLEDGE OF ALLEGIANCE: Chandler Bingham

22  
23

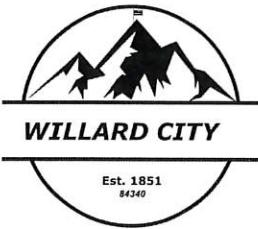
25 No public comments were made.

27 4. CITY COUNCIL REPORT

29 Time Stamp 02:06– 11/20/2025

31 Mayor Mote stated that during the November 13<sup>th</sup> meeting, the City Council discussed and approved the  
32 Recreational Vehicle Park Ordinance with one change: The 6-month extended stay was made applicable  
33 for anyone in a recreational vehicle park upon application and payment of an application fee. The  
34 consolidated fee schedule was updated to include the application fee. Water and sewer impact fees for  
35 recreational vehicle parks would be considered when the city did an impact fee study. The Council reviewed  
36 and approved a privacy policy to regulate how Willard received and stored private information. The Council  
37 was considering a request from Peter Rona to allow his disabled son to put in a vending machine to earn  
38 money. Amy Hugie was appointed as the new City Attorney. The Council received another request for a  
39 utility franchise agreement. The Council asked for a map of their proposed lines. The Council was trying to  
40 limit the disturbance to the community.

Amy Hugie, City Attorney, introduced herself. She was born and raised in Brigham City. She moved to Willard in 2009. She had 27 years of experience in criminal and municipal law and seven months as a city planner. She currently represented two fire districts. She was excited to work with Willard.



WILLARD CITY

**Planning Commission Meeting** – Regular Meeting

Thursday, November 20, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

48 5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PROPOSAL TO AMEND  
49 SECTION 24.44.050 OF THE WILLARD CITY ZONING CODE REGARDING SETBACK AND  
50 HEIGHT REGULATIONS  
51

52 Time Stamp 06:46 – 11/20/2025  
53

54 Chairman Bodily read the Planning Commission's Rules of Order Statement.  
55

56 **Commissioner Gilbert moved to open the public hearing at 6:40 p.m. Commissioner Ormond**  
57 **seconded the motion. All voted "aye." The motion passed unanimously.**  
58

59 Jeremy Kimpton, City Manager, stated that the administration had discovered some contradictions in the  
60 Zoning Code between the height of an accessory building and an accessory dwelling unit. The proposed  
61 amendment disconnected the two and clarified that ADU's could be up to 25 feet in height, or two stories,  
62 and that accessory buildings were still limited to one story.  
63

64 Chairman Bodily opened the floor for public comments. No public comments were made.  
65

66 **Commissioner Ormond moved to close the public hearing at 6:41 p.m. Commissioner Bingham**  
67 **seconded the motion. All voted "aye." The motion passed unanimously.**  
68

69 5B. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PROPOSAL TO AMEND  
70 SECTION 24.44.050 OF THE WILLARD CITY ZONING CODE REGARDING SETBACK AND  
71 HEIGHT REGULATIONS  
72

73 Time Stamp: 10:17 – 11/20/2025  
74

75 Chairman Bodily asked if the Planning Commission had any comments.  
76

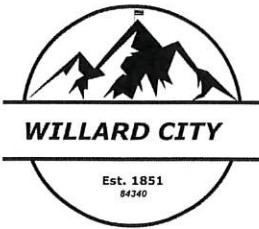
77 Commissioner Ormond felt there were also some contradictions in the coverage regulations found in  
78 24.44.050(8), (24.44.010(D-5-a), and 24.96.60(B-3-b). The A-3, R1/2, and R1 Zones had a maximum  
79 coverage of 20%. Yet the Old Town Willard Zone (24.44.010(D-5-a) had a maximum coverage of 30%. In  
80 24.96.60(B-3-b), the Code said an Accessory Dwelling Unit could not occupy more than 25% of the  
81 available yard area of the lot.  
82

83 Jeremy Kimpton wasn't sure why the maximum coverage for Old Town Willard was different than the other  
84 residential zones. All could be brought into alignment if the Planning Commission wanted. He felt an ADU  
85 would be limited to 25% of the maximum coverage. The change would require a separate ordinance.  
86

87 Commissioner Ormond was concerned that 25% could exceed the maximum 20% coverage. Mr. Kimpton  
88 agreed it could.  
89

90 Commissioner Gilbert said the Zoning Code referred to the PUD Zone, which was no longer allowed. Mr.  
91 Kimpton said references for PUD Zones were left in the ordinance because there were PUD Zones in the  
92 city. The Table of Uses found in 24.44.030(18d) indicated that PUDs were not allowed in any zones.  
93

94 Commissioner Bingham asked why there wasn't a maximum coverage percentage for the MU-40 and A-5  
95 Zones. Mr. Kimpton wasn't sure. A maximum coverage could be added. It made sense to have maximum  
96 coverage in both.



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97 Commissioner Ormond stated that there was a conflict between the setbacks in the Old Town Willard Zone  
98 (24.44.010(D-5) and the ADU regulations. The Old Town Willard Zone had a rear yard setback of 30 feet,  
99 but the ADU regulations in 24.96 did not have a specified rear yard setback. He wasn't sure if the setback  
100 requirements of the applicable zone would apply. Jeremy Kimpton felt a detached ADU would have to  
101 comply with the setback requirements of the applicable zone, but clarifying language could be added to the  
102 code.

103  
104 Lindsey Hansen, 188 South 250 West, asked if the setback and height regulations would apply to all  
105 development in Willard. Jeremy Kimpton said the regulations would apply to the entire community.  
106

107 Chairman Bodily asked if the proposed amendment should be forwarded to the City Council.  
108

109 Amy Hugie stated that only the advertised amendment could be forwarded to the City Council. A public  
110 hearing would have to be held to allow public comments regarding additional changes  
111

112 After discussion, the Planning Commission agreed to hold another public hearing to address the  
113 amendments that had been discussed – the maximum coverage of all zones should be 20%; and language  
114 in in the Old Town Willard Zone clarifying that ADU's would have to comply with its setback requirements.  
115

116 **Commissioner Bingham moved to table consideration and recommendation of proposed  
117 amendments to Section 24.44.050 until after another public hearing was held. Commissioner  
118 Ormond seconded the motion. All voted "aye." The motion passed unanimously.**  
119

120 **Commissioner Bingham moved to set a public hearing to consider further amendments to the  
121 height, setback, and coverage regulations in the Zoning Code for December 4, 2025. Commissioner  
122 Ormond seconded the motion. All voted "aye." The motion passed unanimously.**  
123

124 5C. MAYOR MOTE'S DISCUSSION REGARDING OPEN SPACE  
125

126 Time Stamp: 20:23 – 11/20/2025  
127

128 Mayor Travis Mote stated that he mostly wanted to talk about conservation easements. The proposed  
129 development that the Planning Commission talked about during its last meeting had open space consisting  
130 of a three-acre orchard. He was surprised about the Planning Commission's comments regarding the  
131 proposed open space. He felt that maybe Willard didn't know what open space it wanted. He wanted the  
132 Planning Commission and City Council to understand how an agricultural easement could be a tool for the  
133 community.  
134

135 Mayor Mote stated that when agricultural land was placed in a conservation easement, its development  
136 rights were removed. Agricultural land would remain private property and would function like any other farm.  
137 During the last Planning Commission meeting there were questions about who would protect and maintain  
138 the open space and if the city would have any obligations. Mayor Mote said the city would not have an  
139 obligation because the open space would still be private property. The city could handle lack of maintenance  
140 through its Nuisance Ordinance just like it would with any other private property.  
141

142 Mayor Mote stated that Willard would have some discretion on how the open space easement, or deed  
143 restriction, was worded. During negotiations with the developer, the city could stipulate that water rights  
144 remain with the land, give the open space animal rights, restrict animal rights, and address things like  
145 fencing. Conditions could be included in the deed restriction.



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146 Mayor Mote stated that one of the goals of the MPC Zone was to protect the rural nature of the community.  
147 Willard could not afford to have a lot of small parks. He felt that to preserve open space, it would have to  
148 be in private hands. An agricultural easement was a way to maintain open space, the agricultural legacy of  
149 Willard, and still meet the goals of the General Plan. The land would be transferable. The developer could  
150 sell it to a small farmer. Willard could hold the conservation easement to protect it in perpetuity, but he  
151 preferred the easement be held by a third party, such as Utah Open Lands. Development was a property  
152 right that could be rejoined to the property someday. Development rights were like mineral or grazing rights  
153 that could be retained when property was sold. Removing development rights from property was becoming  
154 more common as communities searched for ways to maintain open space without creating a burden on the  
155 community.

156  
157 Mayor Mote wasn't concerned about an agricultural easement becoming a maintenance burden because it  
158 would be like any other private property. If it became a fire hazard or public nuisance, Willard had  
159 ordinances to address the problem.

160  
161 Commissioner Gilbert felt it would be good for the Planning Commission to understand what the city's  
162 capabilities were regarding parks. A lot of developers wanted to give Willard parks, but it seemed the city  
163 didn't want more parks or couldn't afford more parks. Mayor Mote said it was more of the latter. A lot was  
164 required for the city to manage a park. Willard had to balance the need for parks and agricultural open  
165 space. Heritage Homes had decided to pay Willard a fee-in-lieu-of to satisfy the open space requirement  
166 for The Orchards Subdivision. He would like to see those funds used to develop the baseball park.

167  
168 There was a discussion regarding the proposed open space and parks in the Deer Run and Old Farm  
169 Subdivisions.

170  
171 5D. CONSIDERATION OF AN OVERALL PRELIMINARY PLAT FOR THE ORCHARDS AT WILLARD  
172 SUBDIVISION LOCATED AT APPROXIMATELY 300 SOUTH 320 WEST (PARCEL NOS. 02-051-  
173 0004, 02-051-0062, 02-051-0085, 02-051-0264, 02-054-0005, 02-054-0007, 02-054-0009, 02-054-  
174 0011, 02-54-0012, AND 02-054-0013)

175  
176 Time Stamp: 41:06 – 11/20/2025

177  
178 Jeremy Kimpton stated that Garth Day from Heritage Homes had asked that this item be tabled until the  
179 next meeting due to a conflict.

180  
181 Brian Gilbert stated that he would abstain from this development going forward due to a conflict of interest  
182 with the developer.

183  
184 Commissioner Ormond asked what was agreed upon in the work sessions with Heritage Homes regarding  
185 The Orchards. Mayor Mote stated nothing was agreed upon. The Planning Commission and City Council  
186 gave the developer guidance. When the City Council reviewed the plan for The Orchards forwarded by the  
187 Planning Commission, it became even more restrictive. The development now had even fewer lots.



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189 5E. CONSIDERATION AND APPROVAL OF A LOT LINE ADJUSTMENT FOR BOB AND CHELSEA  
190 DAVIS LOCATED AT APPROXIMATELY 7700 SOUTH 1100 WEST (PARCEL NOS. 01-041-0051  
191 AND 01-041-0054)  
192

193 Time Stamp: 44:29 – 11/20/2025  
194

195 Jeremy Kimpton stated that Bob and Chelsea Davis had proposed a lot line adjustment between Parcel  
196 Nos. 01-041-0051 and 01-041-0054 located at approximately 7700 South 1100 West. On Friday, the staff  
197 learned that the lot line adjustment had already been recorded.  
198

199 Amy Hugie asked if both lots complied with the zoning requirements. Mr. Kimpton said they did. Ms. Hugie  
200 said it was a non-issue. The state felt lot line and boundary adjustments were an administrative matter and  
201 didn't require approval by the Planning Commission.  
202

203 Justin Dickson asked about the difference between what the Davis's had done and what they wanted to do.  
204 Mr. Kimpton said Davis's moved a lot line. The Dickson's wanted to split their property. Bob and Chelsea  
205 Davis started with two lots and ended with two lots. The Dickson's wanted to divide one lot into two lots.  
206

207 In response to a question from Justin Dickson, Jeremy Kimpton said that the county recorder was not  
208 obligated to verify that what was recorded complied with zoning requirements. The county recorder didn't  
209 have the authority to enforce city or county zoning requirements. The job of the county recorder was to  
210 document and record. Every city in the state had asked that a county recorder require approval  
211 documentation from a city. The only real recourse was legal action on the city's part.  
212

213 Amy Hugie felt the direct consequence of recording without city approval could be denial of a building  
214 request.  
215

216 Commissioner Bingham stated that at some point, someone would want to split off the area where the ADU  
217 would be located. Mr. Kimpton said the staff and previous city attorney had expressed the same concern  
218 to Bob and Chelsea Davis.  
219

220 5F. DISCUSSION REGARDING AMENDING 24.80 OF THE WILLARD CITY ZONING CODE TO  
221 ADOPT REQUIREMENTS FOR MINOR/SMALL SUBDIVISIONS (CONTINUED FROM  
222 SEPTEMBER 18, OCTOBER 2, AND NOVEMBER 6, 2025)  
223

224 Time Stamp: 49:28 – 11/20/2025  
225

226 Jeremy Kimpton stated that Madison Brown was looking for feedback regarding the draft she had prepared.  
227 The proposed draft had not been reviewed by the City Engineer or the City Attorney.  
228

229 Commission Gilbert liked the proposed draft; so, did Commissioner Bingham.  
230

231 Commissioner Bingham liked restricting a minor subdivision to three lots and no new streets. He also liked  
232 the time restraint between minor subdivisions on the same parcel. He felt it should be extended from five  
233 years to ten. He also liked the requirement for engineering review. He felt the applicant should have to  
234 cover the cost of the engineering review.  
235  
236  
237



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238 5G. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO GARRICK CALL AND DOROTHY CALL  
239 ON MAY 15, 2023, FOR AN ACCESSORY DWELLING UNIT LOCATED AT 1348 NORTH MAN  
240 (02-039-0055)

241

242 Time Stamp: 56:29 – 11/20/2025

243

244 Jeremy Kimpton stated that Madison Brown had contacted Garrick Call. Mr. Call was okay with the current  
245 conditions and wanted to continue utilizing the conditional use permit.

246

247 Chairman Bodily asked if the ADU was still occupied by itinerant workers. Mr. Kimpton said it was. Chairman  
248 Bodily asked if the ADU had to be torn down when it was no longer occupied. Mr. Kimpton said that was  
249 not part of the approved conditions.

250

251 The Planning Commission didn't have any other questions or issues.

252

253 6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR  
254 NOVEMBER 6, 2025

255

256 **Commissioner Gilbert moved to approve the regular minutes for November 6, 2025, as corrected.**  
257 **Commissioner Ormond seconded the motion. All voted “aye.” The motion passed unanimously.**

258

259 7. ITEMS FOR THE DECEMBER 4, 2025, PLANNING COMMISSION AGENDA

260

261 Time Stamp: 1:00:18 – 11/20/2025

262

263 The Planning Commission discussed agenda items for the November 20th meeting – public hearing and  
264 discussion regarding height, coverage, and setback clarifications; preliminary review for The Orchards at  
265 Willard/ Heritage Homes; a conditional use permit review; the minor subdivision discussion; and maybe the  
266 Canyon Bay MPC.

267

268 Commissioner Gilbert felt the force majeure language in Canyon Bay's development agreement was a little  
269 loose, nor did he see language regarding bonding. Ms. Hugie said she would look at it.

270

271 8. COMMISSIONER/STAFF COMMENTS

272

273 Time Stamp: 1:02:29 – 11/20/2025

274

275 Michelle Drago

276

277 Michelle Drago, Deputy Recorder, stated that she had received a call from Box Elder County regarding the  
278 communication tower the Planning Commission reviewed in August. Since August, the property had  
279 changed hands. Box Elder County inspected the property on November 1, 2025, and noted that the tower  
280 had been removed. If the tower was not replaced by November 1, 2026, the conditional use permit will  
281 become null and void.

282

283 Amy Hugie

284

285 Did not have any comments.

286



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287      Jeremy Kimpton

288

289      Did not have any comments.

290

291      Commissioner Bingham

292

293      Did not have any comments.

294

295      Commissioner Ormond

296

297      Did not have any comments.

298

299      Commissioner Gilbert

300

301      Did not have any comments.

302

303      Chairman Bodily

304

305      Did not have any comments.

306

307      10.     ADJOURN

308

309      **Commissioner Bingham moved to adjourn at 7:36 p.m. Commissioner Gilbert seconded the motion.**

310      **All voted in favor. The motion passed unanimously.**

311

312

313      Minutes were read individually and approved on: \_\_\_\_\_

314

315

316

317

318

319      Planning Commission, Chairman  
320              Sid Bodily

319      Planning Commission Secretary  
320              Michelle Drago

321

322      dc:PC 11-20-2025