



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, February 5, 2026 – 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	Jeremy Kimpton, City Manager
8 Chandler Bingham	Amy Hugie, City Attorney
9 Chad Braegger	Michelle Drago, Deputy City Recorder
10 Alex Dubovik	
11 Brian Gilbert	
12 Ken Ormond	
13 Diana Baker, Alternate	

14
15 Excused: Madison Brown
16

17 Others in attendance were Mayor Travis Mote; Ruth Ormond; Doug Younger; Rebecca Dilg; Carl Dilg;
18 Stephanie Dickson; Wayne Harding; Brek Andeson; Sam Balow; Kent Harding; Kyle White; and Austin
19 Schindler.
20

21 Chairman Bodily called the meeting to order at 6:31 p.m.
22

- 23 1. PRAYER: Sid Bodily
 - 24 2. PLEDGE OF ALLEGIANCE: Chad Braegger
 - 25 3. GENERAL PUBLIC COMMENTS
- 26
27
28

29 Time Stamp: 02:21 Part 1 – 02/05/2026
30

31 Doug Younger, 116 South Main, asked for a definition of an ‘ag’ (agricultural) protected open space. Amy
32 Hugie, City Attorney, felt Mr. Younger’s question related to Item 5A. That was the appropriate place to
33 address his question. Mr. Younger expressed frustration regarding his ability to make open comments. Ms.
34 Hugie explained that Willard had to abide by state law regarding open comments and inadvertent public
35 hearings.
36

37 Mr. Younger also felt Mayor Mote should not make comments during the Planning Commission’s discussion
38 of Item 5A because things he might say could influence the Planning Commission
39

- 40 4. CITY COUNCIL REPORT
- 41

42 Time Stamp: 07:50 Part 1 – 02/05/2026
43

44 Mayor Mote reported that during the January 22nd meeting, the City Council once again discussed and
45 tabled the boundary adjustment with Perry City pending additional information. There was extensive
46 discussion about the city’s garbage services with representatives from Republic Services. Two Council
47 members were reappointed to the Sewer Board, and the Council received its annual Open and Public
48 Meetings Act training.
49



50 5A. CONSIDERATION AND RECOMMENDATION REGARDING A PETITION FROM WESTERN
51 LAND DEVELOPMENT TO REZONE APPROXIMATELY 24.83 ACRES LOCATED AT
52 APPROXIMATELY 500 SOUTH 200 WEST FROM A-5 TO MASTER PLANNED COMMUNITY
53 (MPC), A DEVELOPMENT AGREEMENT, AND A PRELIMINARY PLAN (02-052-0001, 02-052-
54 0002, AND 02-052-0005) (CONTINUED FROM NOVEMBER 6, 2025)
55

56 Time Stamp 09:09 Part 1 – 02/05/2026
57

58 Amy Hugie addressed Doug Younger’s question. The application from Western Land Development was
59 governed by Willard’s old MPC Ordinance. However, the best description for an agricultural open space
60 easement was found in 24.24.030(C) of the new MPC Ordinance, *“An agricultural conservation easement*
61 *may be established on lots above one (1) acre. Easement deeds shall provide Willard City full rights to*
62 *enforce the deed terms at the cost of the landowner. The plat map shall designate the building envelope*
63 *for each lot. An easement of the agricultural area will be deeded to Willard City. The agricultural easement*
64 *deed will restrict the construction of structures, roads, or other above-ground infrastructure. Crop and*
65 *livestock production facilities below 10 feet in height, such as fences and irrigation systems, will be allowed.*
66 *Only the area of the agricultural easement shall count toward the open space requirement.”* She explained
67 that agricultural open space would be owned by a private landowner and would be used for farming. The
68 land would have an easement granted to Willard City. Any structures over 10 feet in height were prohibited.
69 The old MPC Ordinance referred to an agricultural easement in a manner approved by the City Council,
70 which opened the door for negotiation regarding the height of structures.
71

72 Ms. Hugie stated that her staff report broke down the key issues the Planning Commission needed to look
73 at. The Planning Commission needed to make some decisions regarding the open space. Did it want a fee
74 in lieu of, or did it want an agricultural open space? How did it want the open space to be owned? What did
75 the Planning Commission want the open space to look like? How should maintenance be addressed?
76 Should maintenance be handled by a homeowners’ association (HOA)? She could foresee a problem with
77 agricultural open space when and if no one wanted to farm it. During discussions with the applicant, the
78 administration tried to determine what would happen if the open space wasn’t taken care of. The
79 development agreement needed to outline the enforcement process – notification and a property lien if
80 Willard had to take care of the problem. The development agreement said that if a buyer could not be found
81 to farm the property, it would be dedicated to Willard so the open space would not be lost.
82

83 Ms. Hugie said a second issue was density and whether the proposed density was consistent with the
84 policies of the General Plan. She did not feel the applicant had clearly delineated how the density complied
85 with the General Plan other than stating that the density was close to the densities of The Orchards and
86 Deer Run. Deer Run was approved under the PUD Ordinance, which had since been repealed and which
87 was very different from the MPC Ordinance. The Orchards Subdivision was approved under the old MPC
88 Ordinance. Another key issue was frontage. A majority of the proposed lots were less than 100 feet wide.
89

90 Ms. Hugie stated that the development agreement was long. Most of it dealt with technical issues, such as
91 what would happen if the developer defaulted. However, she tried to make sure that the descriptions in the
92 development agreement matched the attached master plan so that plats submitted in the future matched
93 what was in the agreement.
94

95 Kyle White, Western Land Development, Salt Lake City, asked the Planning Commission to listen to
96 comments from one of the property owners.
97



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98 Wayne Harding, 145 South 200 East, stated that part of the 24.83 acres was owned by his family. The land
99 had been in the Harding family for 150 to 175 years. His ancestors came to Willard in 1852. He and his
100 siblings felt the current proposal from Western Land Development was reasonable. In some of the earlier
101 proposals, it felt like there were too many lots. The current proposal had a good mix of small and large lots
102 considering what was to the south and north. The Harding family supported the current proposal and open
103 space and would like to see it come to fruition.
104

105 Kyle White stated that based on feedback they received from the public and Planning Commission on
106 November 6, 2025. regarding walking trails in backyards and the number of lots fronting 600 South, the
107 proposed preliminary plan had been revised. The walking trails had been removed, which had increased
108 lot sizes. The smallest lots adjacent to the Deer Run Subdivision used to be a quarter acre. Now the smallest
109 lots were .30 acres, or 13,160 square feet. The size of the open space had been increased to 3.64 acres.
110 Lots that were located on the north side of 600 South had been pivoted to front onto 200 West and 100
111 West. That allowed the open space to have frontage along 600 South making it a more integral part of the
112 community. There had been extensive discussion about the number of building lots. They started with 84
113 lots; then dropped to 62. The current plan had 50 lots.
114

115 Mr. White felt there was considerable support in the General Plan for their proposal, which was evidenced
116 by the recently approved Orchards Subdivision proposed by Heritage Homes. The General Plan said the
117 Master Planned Zone allowed for development flexibility in exchange for beneficial amenities for the
118 development itself, the neighborhood, and the city. The most impactful statement in the General Plan was
119 that density should be determined in conjunction with the project, neighborhood, city, and benefits
120 voluntarily being provided. The General Plan didn't specify a specific density. If a development proposed
121 something different than what was allowed in the current ordinances, the General Plan asked what was in
122 it for Willard?
123

124 Mr. White said this was the fifth time they had met with the Planning Commission, including work sessions.
125 There had been a lot of discussion about what was in it for Willard. They felt the agricultural easement was
126 the most obvious reason their proposal was in accordance with the General Plan. He felt the 3.64-acre
127 peach orchard preserved rural character, particularly in this location, better than a lot of alternatives. In
128 addition, infrastructure was being created around the project, including the completion of 200 West, and
129 additional open space would be built in the southwest corner of the project. The project design provided a
130 good opportunity to utilize the land in an efficient way He felt they had worked with Ms. Hugie to incorporate
131 the mechanics of the agricultural easement into the development agreement.
132

133 Mr. White believed leaving the management of the orchard in private hands was a win-win. One of the big
134 challenges in preserving open space, which neighboring developments hadn't done thoroughly, was
135 providing it in a way that didn't create an immediate and significant burden to the city. He felt the agricultural
136 easement was a great way of providing a permanent open space that benefited the residents of the
137 community and the city with maintenance the responsibility of a private owner. There might be the possibility
138 a future owner would want to give the land to the city. He agreed there needed to be a backup plan in case
139 that happened. However, the orchard was a well performing, well-producing, existing orchard. He didn't
140 feel there was a lot of incentive for that to happen. He felt the development agreement provided solutions
141 for that possibility, which gave the city control. The best-case scenario was Willard was getting 3.64 acres
142 of open space managed by someone else for the benefit of everyone. The big question for the Planning
143 Commission was whether the peach orchard was worth preserving.
144

145 Commissioner Dubovik didn't feel there was any question about whether preserving the peach orchard was
146 worthwhile. Preserving the rural feel had been Willard's motto for quite a while, but the devil was in the



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147 details. Who would own the land? How would it be controlled? Mr. White had talked about the benefit to the
148 city. Was the benefit to the city the ability to walk and drive past the orchard to look at the trees? Was there
149 public access to the orchard? Would the ground be owned by a business that would use it for commercial
150 purposes? What were the details of the private ownership?
151

152 Amy Hugie said part of the problem was that Western Land had not provided a copy of the agricultural land
153 easement. The development agreement said the easement was supposed to be attached as an exhibit, but
154 Western Land had not submitted it. Western Land had not addressed redlines she sent on **???** (Amy what
155 **date were these sent on?**).
156

157 Kyle White said he had responded to Ms. Hugie. He had accepted all the changes. Ms. Hugie said his
158 response came in an email. The language of the development agreement itself had not been updated. Mr.
159 White disagreed. He felt the changes had been made and resubmitted.
160

161 Commissioner Ormond asked if Western Land had a buyer for the peach orchard. Kyle White said the
162 existing landowner wanted to retain ownership.
163

164 Chairman Bodily stated that at some point in time the ownership would change. How would that be handled?
165 Mr. White said a change in ownership would be handled through the agricultural easement. Willard would
166 hold the easement. Commissioner Bingham said whoever purchased the property could only use it for
167 agricultural purposes. Chairman Bodily said Willard could end up with the land if no one wanted it.
168

169 Commissioner Gilbert asked if the peach orchard came with water rights. Kyle White said it did. The
170 development agreement required the peach orchard to have water rights.
171

172 Commissioner Gilbert asked if the open space could be used for cattle if no one wanted the peach orchard.
173 Amy Hugie said that in theory it could, but she hadn't seen the actual agricultural easement. Commissioner
174 Gilbert stated that the Planning Commission liked the idea of an agricultural easement, but it needed to see
175 the actual document so it could be reviewed.
176

177 Kyle White said they had been working on this project for about a year and a half. The agricultural easement
178 document was a pretty extensive document, and it was specific. They would be happy to put it together,
179 but they only wanted to do so when Willard was able to approve the project. They hoped this meeting would
180 end with a recommendation for approval subject to conditions like an acceptable agricultural easement.
181 While they were still trying to finalize the general framework, it was hard to provide that level of detail. Mr.
182 White felt they had provided a pretty detailed framework in the development agreement. The development
183 agreement had big guardrails, but it did not answer very specific questions, such as whether the open space
184 could be used for cows. A traditional agricultural easement could be used for cattle. They were not
185 proposing that the open space had to remain a peach orchard.
186

187 Commissioner Dubovik asked if Western Land Development was asking the Planning Commission to
188 accept the layout and the location and size of the open space. Mr. White said it was. They needed to know
189 if the Planning Commission liked the concept. They didn't want to put together an agricultural easement
190 document if the Planning Commission didn't want the agricultural easement.
191

192 Commissioner Braegger asked what would happen if the current owner of the peach orchard didn't want to
193 run the orchard any longer. Mr. White said several fruit stands, including the one that was actively managing
194 the property, had offered to purchase the orchard.
195



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196 Commissioner Bingham felt the agricultural easement needed to outline what could happen in the future if
197 a buyer could not be found. There needed to be a provision that the land would retain an agricultural use
198 of some nature, or it would revert to the ownership of Willard City. The City would then have to figure out
199 what to do with the land. As an agricultural easement, the land would not be worth what developable land
200 was so he felt someone would be interested in it.

201
202 Commissioner Gilbert asked if the project was short of the required open space. Kyle White said the open
203 space was just over 20%. Ms. Hugie said the development agreement said the project was short on open
204 space and proposed a fee in lieu of. Mr. White said he had left the language of the development agreement
205 vague so if there was an option for a fee in lieu of in case the Planning Commission made changes that
206 dropped the open space less below 20%.

207
208 Commissioner Bingham liked the agricultural easement. However, his biggest concern was the narrow
209 frontages of 70 feet. The Zoning Code required lots to have 100 feet of frontage. He wasn't as concerned
210 about the lot sizes because of the proposed open space. He was concerned about the proposed frontages.
211 Willard residents wanted half-acre lots so houses would not be so close together. If the frontages in Canyon
212 Bay were wider, the lots would appear to be larger than they were. The density perception would change.

213
214 Chairman Bodily felt the lots in Deer Run were 70 feet wide. He felt 70 feet was too narrow. Kyle White said
215 the patio homes in Deer Run were only about 55 feet wide.

216
217 Kyle White showed the Planning Commission several home designs that would fit on a 70-foot lot with the
218 same setbacks as the R 1/2 Zone – 10 and 15 feet. On the smallest lots in Canyon Bay, homes would still
219 have a three-car garage.

220
221 Commissioner Bingham stated that most homes in the R 1/2 Zone had setbacks that were larger than 10
222 feet. He felt trying to get a vehicle into a backyard would be difficult with only 10 feet. He felt larger frontages
223 would be a benefit or an amenity to Willard City.

224
225 Kyle White said the current design created a lot of open space, which had shrunk the available space for
226 lots. He felt the smaller frontages and deeper lots were an efficient use of the land. The Orchards
227 Subdivision to the north, which was recently approved, had 22 lots below a quarter-acre. Canyon Bay had
228 none. Forty-four percent (44%) of the lots in Canyon Bay were greater than .40 acres. The Orchards only
229 had 33%. Canyon Bay's average lot size was bigger than The Orchards, and The Orchards had zero open
230 space, except for their detention. The Orchards did not have 100-foot frontages, nor did they have any
231 frontage requirements in their plan. The frontages in The Orchards were larger than Canyon Bay's.
232 However, Canyon Bay had been able to achieve their lot sizes while still providing Willard with 3.64 acres
233 of open space to preserve rural character, which was the exact spirit of the General Plan. The reason they
234 could do that was smaller frontages. He felt they had struck a balance.

235
236 Commissioner Bingham liked the proposed concept. However, Willard residents were very adamant about
237 lot sizes. They just didn't want one house on top of another.

238
239 Commissioner Dubovik was very happy Western Land wasn't proposing a 500-unit apartment building. He
240 was happy the lots were larger than those in Deer Run and The Orchards. It wasn't what Willard would
241 generally like, but he felt it was striking a balance. It did lend to a variety of lot sizes, and there were 3.64
242 acres of a beautiful orchard left. Western Land had approached Willard City in good faith and had made a
243 lot of changes. A 100-foot frontage was great; 80 feet was not as great but was still acceptable. He felt a
244 discussion was needed regarding the frontages.



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245 Commissioner Braegger asked if there could be a compromise. It would be nice to have some of the lots
246 wide enough for an RV pad.
247

248 Kyle White felt a 100-foot frontage was an arbitrary line in the sand.
249

250 Commissioner Bingham said Willard had allowed lots with less than 100 feet of frontage in the Old Town
251 Willard Zone. However, 70 feet was a long way from 100 feet. Eighty feet was preferable to 70 feet. He
252 didn't necessarily want Western Land to lose any lots but asked if there was a different configuration that
253 would allow wider lots.
254

255 Kyle White said Western Land knew frontages would be a topic of conversation. They had looked at 85-
256 foot frontages, but they only ended up with 43 lots. If they zoned the property R ½, they could get 41 lots
257 without any open space. He understood that the Planning Commission would like wider lots. Unfortunately,
258 if they increased the lot widths to even 78 feet, it was more advantageous to do an R ½ Zone. If the Planning
259 Commission didn't want the 3.64 acres of open space, Western Land could do an R ½ Zone. An R ½
260 subdivision would have less infrastructure for them to build and no open space to manage. Was the MPC
261 Zone and the proposed open space with an agricultural easement valuable?
262

263 Commissioner Dubovik stated that if one lot was removed, all the other lots would become 77 feet wide.
264 Mr. White said an MPC Zone with a 77-foot frontage was their max.
265

266 Commissioner Gilbert didn't want to lose the agricultural easement; neither did Commissioner Bingham.
267

268 Commissioner Gilbert asked if the open space in the southwest corner could be shrunk down to get more
269 frontage. Kyle White said the size of the detention area on the southwest corner was based on the
270 stormwater calculations.
271

272 Commissioner Gilbert asked if the detention area would have grass and amenities. Mr. White said it would
273 have sod, a playground, and a gazebo. Commissioner Gilbert asked who would own the detention area.
274 Mr. White said that was up to the city. The detention basin could be dedicated to the city, or it could be
275 owned and managed by a homeowners' association (HOA). They were comfortable with either option.
276

277 Commissioner Bingham asked what Willard would prefer. Jeremy Kimpton, City Manager, said there were
278 pros and cons to both. Dedicated land meant additional expense and liability for Willard, but HOA's had not
279 always been successful. Amy Hugie said HOA's were a lot more regulated. Mr. White said that in this case,
280 the HOA would have a very limited scope. Ms. Hugie said ownership of the detention basin was a policy
281 decision.
282

283 Commissioner Bingham asked if the Planning Commission had discussed all the issues in Ms. Hugie's staff
284 report.
285

286 Amy Hugie said 24.24.140 of the Zoning Code required the city to make very specific findings before the
287 MPC Zone could be approved. The Planning Commission needed to decide if the language provided in the
288 development agreement met those requirements. Her redlines said the development agreement needed to
289 outline specific findings.
290

291 Kyle White said he had addressed Ms. Hugie's comments in the latest version he sent. Ms. Hugie said he
292 put his comments in a note but not the document itself. The findings needed to be outlined In Section 2.2



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293 of the development agreement so there was a record of why Western Land believed they complied with
294 24.24.140.
295

296 Kyle White read what he sent to Ms. Hugie, *“The City Council specifically makes these findings as required*
297 *in 24.24.140 of the MPC Ordinance that: A. The proposed MPC Zone conforms to the guidelines and*
298 *policies of the General Plan, and that B. The MPC Zone provides equal or greater compatibility with the*
299 *surrounding land uses. The City Council makes these findings due to language on Page 58 of the General*
300 *Plan which states that ‘Density shall be determined in conjunction with the project, neighborhood, and its*
301 *benefits voluntarily being provided.’”* The agreement went on to say, *“Canyon Bay has lower proposed*
302 *density and larger average lot sizes than the two large previously approved projects to the north and south,*
303 *Deer Run (3.3 units per acre) and Orchards at Willard (2.1 units per acre).”* He argued that Canyon Bay
304 preserved rural character by creating open space better than the recently approved project to the north that
305 didn’t provide any open space. Mr. White felt he had made a case about why they complied with the
306 requirements for an MPC Zone. If a member of the Planning Commission disagreed, he was open to why.
307

308 Amy Hugie did not feel there were enough details. Mr. White had restated what was in the code but did not
309 state how their proposal met the code’s requirements.
310

311 Kyle White proposed that the Planning Commission make a motion to recommend approval of the rezone
312 subject to language in the development agreement being revised regarding burden of proof to the
313 satisfaction of the city attorney.
314

315 Commissioner Braegger asked when the public hearing regarding the rezone was held. Michelle Drago,
316 Deputy Recorder, said it was held on November 6, 2025. Commissioner Braegger really wanted to know
317 how the public felt about giving up the open space in exchange for lots with larger frontages. He agreed
318 with Commissioner Bingham. It was difficult to get a large piece of equipment into a backyard via a 10-foot
319 side yard. An additional seven feet would make it easier to get into a backyard and would also allow for an
320 RV pad.
321

322 Kyle White agreed to lots with 77 feet of frontage as long as that was the last sticking point and he left with
323 a recommendation.
324

325 Commissioner Braegger stated that Western Land had addressed the Commission’s concerns. He
326 appreciated that they had moved houses from 600 South to 100 West and 200 West. He felt 600 South
327 would become a main thoroughfare, and he was concerned about cars backing onto it. The only thing he
328 was concerned about was making the lots a little wider.
329

330 Commissioner Ormond said the side yard setbacks were more than just 10 feet. It was a total of 25 feet
331 between the two side yards and 25 feet between houses.
332

333 The Planning Commission discussed lots with a minimum frontage of 77 feet and side yard setbacks of 10
334 and 15 feet. Kyle White said they could agree to that.
335

336 Commissioner Dubovik was procedurally uncomfortable when there was a difference of opinion between
337 the developer and the staff. He felt two needed to work it out and be able to tell the Planning Commission
338 that the application, development agreement, and the plan were ready for approval.
339



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340 Commissioner Braegger agreed. If the staff wasn't comfortable with language in the development
341 agreement, that needed to be resolved before the Planning Commission took any action. He felt taking the
342 time to work things out would give Western Land time to revise the preliminary plat.
343

344 Kyle White stated that he was hearing that the Planning Commission was willing to make a positive
345 recommendation to the City Council subject to the lots not being narrower than 77 feet, side yard setbacks
346 of 10 feet and 15 feet, and submission of an agricultural easement document.
347

348 Commissioner Ormond felt there needed to be a resolution regarding ownership of the stormwater detention
349 basin. Kyle White said that was up to the Planning Commission and City Council.
350

351 Commissioner Gilbert preferred that the detention basin be owned by Willard City. He was concerned about
352 an HOA. Commissioner Braegger agreed. He didn't feel maintenance of the detention pond would be too
353 much for the City to handle.
354

355 Commissioner Gilbert stated if the city was going to own the detention pond, he would like to see what
356 Western Land proposed to do with landscaping and submittals for the gazebo and playground equipment.
357

358 Commissioner Bingham asked about the height of the proposed building on the agricultural easement. Kyle
359 White said they had proposed a 28 foot by 15 foot building with a height no greater than 10 feet, but the
360 language in the development agreement was more generic. The development agreement said a structure
361 of 350 square feet, but he could agree to 300. There was an issue with the roof height. It was hard to do a
362 pitched roof under 10 feet. So, they were asking for a maximum height of 11 feet.
363

364 The Planning Commission agreed with a building height of 11 feet.
365

366 Commissioner Ormond asked where the structure would be located. Mr. White said there wasn't a specific
367 location. Commissioner Braegger felt the Planning Commission would like to know where the structure
368 would be located.
369

370 Commissioner Dubovik felt that if this item was tabled, a lot of the issues could be resolved. If they could
371 be resolved, he felt the next meeting would be much shorter.
372

373 Kyle White stated that they had been waiting to get to this point. Did the Planning Commission have any
374 other big concerns?
375

376 Commissioner Ormond stated that the Planning Commission had talked to Heritage Homes about working
377 with Western Land regarding the stormwater detention. Mr. White said he would reach out to them again.
378 It made sense for Heritage Homes to have Western Land's small piece next to their detention area, and
379 there was a small triangle of land that made more sense for Western Land to have. He would continue to
380 collaborate with Heritage Homes. It benefited everyone, but he didn't want it to hold up his approval.
381

382 Commissioner Braegger said the Planning Commission had not allowed all the phases of The Orchards to
383 move forward due to concerns about the two projects aligning. Kyle White said the roads did align. Jeremy
384 Kimpton said the City Engineer felt the roads lined up. They just felt those two little pieces could be better
385 utilized.
386

387 Amy Hugie clarified what the Planning Commission was looking for in the development agreement. She
388 understood there would be a minimum frontage of 77 feet; side yard setbacks of 10 feet and 15 feet;



389 agricultural conservation easement language; the height of the building on the agricultural easement would
390 be 11 feet and 300 feet in size; identification of the structure's location on the agricultural easement;
391 submittals for the gazebo and playground; and more clarifying language regarding how their proposal
392 complied with the General Plan.
393

394 The Planning Commission wanted the City Attorney to be satisfied.
395

396 Kyle White asked who had the burden of proof about what met the General Plan. Ms. Hugie said it was on
397 Western Land. The development agreement was being created for the future when all the creators were
398 not around. Someone could pick up the agreement and understand why the development was approved
399 and how it met the General Plan at the time.
400

401 Time Stamp: 0:00 Part 2 – 02-05-2026
402

403 **Commissioner Bingham moved to table consideration and recommendation of a rezone petition**
404 **from Western Land Development, a development agreement, and a preliminary plan subject to**
405 **modification of the development agreement to the City Attorney's satisfaction. Commissioner**
406 **Gilbert seconded the motion.**
407

408 5B. DISCUSSION REGARDING A PROPOSAL TO AMEND 24.80.150, SECTION 24.080.050(D)(5),
409 SECTION 24.24.190, SECTION 24.84.090, AND SECTON 24.72.070(C) OF THE WILLARD CITY
410 ZONING CODE REGARDING GUARANTEES FOR SUBDIVISION IMPROVEMENTS,
411 FACILITIES, AND AMENTITIES
412

413 Time Stamp: 0:33 Part 2– 02/05/2026
414

415 Amy Hugie stated that the administration wanted to make sure it was as easy as possible for Willard to be
416 able to enforce guarantees for subdivision improvements. It was very difficult for cities to call a bond. The
417 administration was asking that the Planning Commission recommend that sections of the Willard City
418 Zoning Code be amended to remove a bond as a guarantee option. Developers would then have the options
419 of an escrow or letter of credit. Ms. Hugie said bonding would be removed from Section 24.80.150, Section
420 24.080.050(D)(5), Section 24.24.190, Section 24.84.090, and Section 24.72.070(C). Language had been
421 added to 24.80.150 to stipulate that the improvement guarantee would be in a subdivision improvement
422 guarantee form provided by the city and met the terms required by the City Manager. Ms. Hugie said
423 clarifying language was also needed in the section regulating excavation permits. It would be brought back
424 to the Planning Commission later. The administration could bring a copy of the improvement guarantee
425 form for the Planning Commission to review. The City Engineer was reviewing it as well.
426

427 The Planning Commission members felt the proposed amendment made sense. They asked that a copy of
428 the proposed subdivision improvement guarantee agreement be included in the next packet.
429

430 Commissioner Braegger stated that on larger projects, most cities required an improvement guarantee that
431 included a contingency amount. At the conclusion of the project the contingency funds were released. He
432 felt that process worked well.
433

434 **Commissioner Bingham moved to set a public hearing on February 19, 2026, at 6:30 p.m. to receive**
435 **public comments regarding a proposal to amend Section 24.80.150, Section 24.080.050(d)(5),**
436 **Section 24.24.190, Section 24.84.090, and Section 24.72.070(c) of the Willard City zoning code**



437 regarding guarantees for subdivision improvements, facilities, and amenities. Commissioner
438 Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.
439

440 5C. DISCUSSION REGARDING A PROPOSAL TO AMEND 24.80.130 OF THE WILLARD CITY
441 ZONING CODE TO INCLUDE ADDITIONAL LANGUAGE FOR DESIGN AND CONSTRUCTION
442 STANDARDS RELATING TO MINOR/SMALL SUBDIVISIONS (CONTINUED FROM
443 SEPTEMBER 18, OCTOBER 2, NOVEMBER 6, NOVEMBER 20, AND DECEMBER 4, 2025)
444

445 Time Stamp: 7:09 Part 2– 02/05/2026
446

447 Amy Hugie stated that for several months the Planning Commission had been talking about methods to
448 defer improvements for minor subdivisions. Based on the Planning Commission’s last discussion in
449 December, it seemed easier to amend the Design and Construction Standards found in Section 24.80.130
450 of the Willard City Zoning Code. She had prepared a proposed amendment adding Subsection R to allow
451 deferments of design and construction standards. Subsection R included a list of all circumstances that
452 would have to be present to allow deferment. Ms. Hugie reviewed the list with the Planning Commission
453 found in Subsection R.2. The administration suggested that if those conditions were present, only
454 installation for curb, gutter, and sidewalk could be deferred. The process for deferment included a restriction
455 on the final subdivision plat that would be applicable to every lot in the proposed subdivision. The restriction
456 would outline what improvements were being deferred, that they would be installed in accordance with the
457 Willard Public Works Standards, and that each lot owner would be financially responsible for installation of
458 the deferred improvements whenever the City deemed it necessary. At that time, Willard City would bill
459 each lot owner. If the bill was not paid, the City would place a lien on the property.
460

461 Commissioner Dubovik asked how lot owners would be notified about the restriction. Ms. Hugie said the
462 restriction would be disclosed when property was sold. It would be a restriction on the deed.
463

464 Ms. Hugie asked for the Planning Commission’s input regarding the proposed amendment. The Planning
465 Commission felt the proposed amendment was what it had asked for.
466

467 Commissioner Dubovik asked if the proposed amendment satisfied the citizens’ request and protected the
468 City. Ms. Hugie felt that the proposed amendment did protect the city. Including a restriction on the
469 subdivision plat would provide notice to property owners about required improvements that had been
470 deferred.
471

472 There was a discussion with Alternate Commissioner Diana Baker about infrastructure requirements.
473 Commissioner Baker felt the goal post kept getting moved. She didn’t feel Willard was a farming community
474 any longer. It was a subdivision community. What was the point of living in the country with a rural setting
475 if everyone’s backyard had a vinyl fence?
476

477 The Planning Commission felt the proposed amendment addressed their concerns.
478

479 **Commissioner Dubovik moved to set a public hearing on February 19, 2026, at 6:30 p.m. to receive**
480 **public comments regarding a proposal to amend 24.80.130 of the Willard City Zoning Code.**
481 **Commissioner Bingham seconded the motion. All voted “aye.” The motion passed unanimously.**
482
483



484 5D. REVIEW OF A CONDITIONAL USE PERMIT FOR A GRAVEL PIT ISSUED TO DARRELL
485 NIELSON ON APRIL 11, 1989, ON PROPERTY LOCATED AT 500 EAST 625 SOUTH (PARCEL
486 NO. 02-049-0001 AND 02-053-0044)
487

488 Time Stamp: 18:05 Part 2 – 02/05/2026
489

490 Michelle Drago stated that the conditional use permit issued to Darrell Nielson for a gravel pit at 500 East
491 625 South was still active. The gravel pit was now operated by Staker Parson.
492

493 Chairman Bodily was not aware of any issues regarding the gravel pit.
494

495 Jeremy Kimpton suggested that the conditional use permit be updated to reflect the new ownership.
496

497 Chairman Bodily asked about the status of Terry Ross's business that was discussed at the last meeting.
498

499 Jeremy Kimpton said he had met with Terry Ross. Mr. Ross didn't want to invest a lot of money in a
500 permanent shop that would only be used for a few more years. He asked if he could get a license for a
501 mobile business. The staff had talked about it and felt a mobile barber shop would be similar to other mobile
502 businesses, such as food trucks. A note would be added to his business license.
503

504 Amy Hugie stated that Willard's home occupation ordinance needed to be updated to clarify acceptable
505 uses and to provide approval guidelines to help the staff.
506

507 5E. APPROVAL OF 2026 MEETING SCHEDULE
508

509 Michelle Drago stated that the Planning Commission had received a 2026 meeting schedule on November
510 6, 2025, but it had not approved the schedule.
511

512 **Commissioner Bingham moved to approve the 2026 meeting schedule subject to no meetings on**
513 **July 2 and December 17, 2026. Commissioner Braegger seconded the motion. All voted "aye." The**
514 **motion passed unanimously.** (See attached copy).
515

516 6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR
517 JANUARY 15, 2026
518

519 **Commissioner Bingham moved to approve the regular minutes for January 15, 2026, as written.**
520 **Commissioner Ormond seconded the motion. All voted "aye." The motion passed unanimously.**
521

522 7. ITEMS FOR THE FEBRUARY 19, 2026, PLANNING COMMISSION AGENDA
523

524 Time Stamp: 26:20 Part 2– 02/05/2026
525

526 The Planning Commission discussed agenda items for the February 19, 2026, meeting – two public
527 hearings and a conditional use review. Mr. Kimpton did not feel Kyle White would be ready for the next
528 meeting. The Mountain Bay developers had not met the 14-day deadline either.
529
530
531
532



533 8. COMMISSIONER/STAFF COMMENTS

534
535 Time Stamp: 28:44 Part 2 – 02/05/2026

536
537 Amy Hugie

538
539 Amy Hugie stated that the Subdivision Ordinance did not define what an acre was. There was a definition
540 in the Master Planned Community Ordinance, which was a true acre of 43,560 square feet. The code
541 needed to be amended to include a definition. Did the Planning Commission want to define an acre as a
542 *builder's acre*, or 40,000 square feet, or did it want a true acre? A builder's acre would make it easier to
543 calculate frontages and setbacks.

544
545 The Planning Commission wanted an acre defined as a true acre or 43,560 square feet. Ms. Hugie said
546 she would draft an amendment.

547
548 Commissioner Ormond felt the code also needed to define a developable acre. He had not been able to
549 find a definition in the MPC Ordinance. Mayor Mote and Amy Hugie thought there was definition of a
550 developable acre in the MPC code. Commissioner Bingham said a developable acre was defined in the old
551 PUD Ordinance but wasn't sure if it was carried forward into the MPC Ordinance.

552
553 Mayor Mote didn't feel there was a need to discuss developable acres in a regular subdivision.

554
555 Amy Hugie reviewed the density and open space provisions in the MPC Ordinance. Mayor Mote said the
556 MPC Ordinance talked about what did not count and developable acres but did not tie them together.
557 Commissioner Ormond felt tying them together would cover the issue.

558
559 Amy Hugie said she would add this to her running list of items that needed to be amended.

560
561 Jeremy Kimpton

562
563 Did not have any comments.

564
565 Mayor Mote

566
567 Did not have any comments.

568
569 Commissioner Bingham

570
571 Did not have any comments.

572
573 Commissioner Dubovik

574
575 Commissioner Dubovik asked how late a gravel pit could operate a rock crusher Mayor Mote said the gravel
576 pit was in the County and would be governed by the County's ordinances.

577
578 Commissioner Gilbert

579
580 Did not have any comments.

581



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, February 5, 2026 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

582 Commissioner Ormond

583
584 Commissioner Ormond asked if the administration had compiled a definition of Old Town Willard that
585 included both sides of the roads. Ms. Hugie said it was on her list.
586

587 Commissioner Ormond asked if the northern boundary of Old Town Willard on the east side of Highway 89
588 was 100 North or 200 North. Jeremy Kimpton stated the Old Town Willard Zone stopped at 100 North on
589 the zoning map. Commissioner Ormond wasn't sure that followed what was in the code.
590

591 Commissioner Braegger

592
593 Commissioner Braegger asked that garbage cans be placed on the 200 West walking trail so people could
594 dispose of their animal waste.
595

596 Chairman Bodily

597
598 Chairman Bodily stated property located at the very southern tip of South Willard had a sign about coming
599 storage. Would the site and development plans have to be submitted to Willard City? Mayor Mote felt they
600 would if the property needed to be rezoned. He felt the property was already zoned commercial but might
601 have problems getting water.
602

603 Michelle Drago

604
605 Michelle Drago stated that in November 2024, the Planning Commission approved a conditional use permit
606 for Dan Gammon for a short-term rental at 537 West 200 North. Mr. Gammon had completed the required
607 improvements, which had been verified by the Fire Chief. One of the required conditions was annual
608 documentation from the state regarding his well water. Mr. Gammon was asking that the condition be
609 removed because the state did not have annual testing requirements.
610

611 Amy Hugie felt the Planning Commission would have to formally remove the condition. Ms. Drago said she
612 would add it to the next agenda. Jeremy Kimpton asked that Mr. Gammon provide documentation from the
613 state.
614

615 10. ADJOURN

616
617 **Commissioner Bingham moved to adjourn at 8:35 p.m. Commissioner Braegger seconded the**
618 **motion. All voted in favor. The motion passed unanimously.**
619

620
621 Minutes were read individually and approved on: _____
622

623
624
625
626 _____
627 Planning Commission, Chairman
628 Sid Bodily

625
626 _____
627 Planning Commission Secretary
628 Michelle Drago

629 dc:PC 02-05-2026