

WILLARD CITY CORPORATION PC120618

DATE: December 6, 2018
TIME: 6:30 p.m.
PLACE: Willard City Hall
ATTENDANCE: Chairperson – Terry Ross
Commissioner: Sidney Bodily, John Seamons, Chandler Bingham,
Del Fredde – City Council member (non-voting member)
Bryce Wheelwright - City Planner (non-voting member)
Gaylene Nebeker - Planning Commission Secretary
EXCUSED: Leslie Meyer, Gary Hart
CITIZENS: See attached sheet

1. **Prayer** – John Seamons
2. **Pledge of Allegiance led by** Chandler Bingham
3. **Roll Call**
4. **General Public Comment (Input for items not on the agenda)**
5. **Public Hearing**
Rezone Request for Dave Ormond for Parcels #02-040-0003 and 02-043-0031 to change the zone from R ½ and A-5 to PD at approximately 1450 North Main

A motion was made by Commissioner Bingham to open the public hearing at 6:35 p.m. for the Rezone Request for Dave Ormond for Parcels #02-040-0003 and 02-043-0031 to change the zone from R ½ and A-5 to PD at approximately 1450 North Main. The motion was seconded by Commissioner Bodily. The motion carried with a unanimous vote.

City Planner Wheelwright gave an overview of the proposed rezone request. This property is located at 1450 North Main. Their concept plan will tie into the proposed Kunzler Subdivision. They will need to address water and sewer issues in their concept phase. They will also need to address ownership of the wells/springs on the property. Dave Ormond asked the rezone request name be changed to Ormond Construction.

Corey Shupe –Blu Line Design – Sandy Utah- stated the plan tonight shows the incorporation of 200 West. The plan has 26 acres, 35 lots, 49 town homes west of 200 West. He explained when the building permit application comes before the Planning Commission the actual arrangement will need to be addressed at that time. The townhomes are all within what is allowed in the PD Ordinance and the layout will conform on who (themselves or Kunzlers) as far as the roads go. Open space below 200 West will remain untouched. 1.55 acres remain as commercial, open space just under 8 acres, total density 3.2 acres, minimum of 10,000+ lot size and under the new ordinance could have up to 4 units per acre.

The time was turned over for public comments.

Dan Gillmore – 1075 N 200 West – asked if the access roads would be coming off of Hwy 89 or 200 West and asked if there would be traffic allowed on 200 West.

Chairperson Ross stated at this time 200 West is not a road and there would be no traffic allowed on 200 West. Mr. Gilmore said under fire access code there would need to be more than one ingress or egress in the development.

Corey Shupe said you are required to have a 4 season all access road. He showed on the map where the Ormond's would be required to improve roads should they desire at some point to open up property. He talked about city standards for roads.

Marion Stokes – 1395 North Main – stated she is adjacent to the Ormond property and is not against the Zoning Ordinance. She said development is going to come fast and asked if the Planning Commission was going to be fair when it comes to development across the city. She wants to make sure that water is provided to everyone. Corey Shupe stated unless there is water available they will not be issued building permits and Jones and Associates will tell them if and when permits can be issued or not issued.

There was no more discussion and Chairperson Ross asked for a motion to close the public hearing.

A motion was made by Commissioner Bodily to close the public hearing at 6:50 p.m. The motion was seconded by Commissioner Seamons. The motion carried with a unanimous vote. The

6. Discussion/Action Items

a. Rezone Request for Dave Ormond for Parcels #02-040-0003 and 02-043-0031 to change the zone from R ½ and A-5 to PD at approximately 1450 North Main

Chairperson Ross asked for any additional comments or concerns.

Commissioner Bodily stated this meeting was only for the re-zone and did not have any issues with the re-zone. There will be other issues at a later time.

Commissioner Bingham stated he did not have any issues with the re-zone. He also stated there will be issues with second access and water that will need to be addressed at a later date.

Commissioner Seamons was ok with the re-zone request.

Chairperson Ross was ok with the re-zone request and also stated there would be other issues that will need to be addressed at a later date.

A motion was made by Commissioner Seamons to recommend to the City Council the Rezone Request for Dave Ormond for Parcels #02-040-0003 and 02-043-0031 to change the zone from R ½ and A-5 to PD at approximately 1450 North Main. The motion was seconded by Commissioner Bodily. The motion carried with a unanimous vote.

b. Discussion/Action on revisions to Section 12-105 Conditional Use Ordinance and Section 12-112 Commercial and Manufacturing Zones

Chairperson Ross presented information and a discussion was held on a handout he prepared with information from the Willard City Ordinance, Fillmore Utah Information and the Utah Hub Website. City Attorney Kevin McGaha talked about the importance of Conditional Use Permits and if they should be done administratively or

legislatively. At previous meeting with the Utah League of Cities and Towns they talked about getting rid of Conditional Use Permits but it was determined you may not want to get rid of all of them. For the next meeting it was suggested taking the Zoning Map and the handout and look at where you want to see items listed on the handout and come to next meeting with ideas.

c. Discussion/Action on proposed revisions to Section 12-400 and Section 12-102 of the Willard City Zoning Ordinance to address curb, gutter and sidewalk requirements

There was discussion on coming up with wording to amend the Subdivision Ordinance to allow what is allowed in the Old Town Willard Ordinance that if proven that curb/gutter and sidewalk are detrimental then it could be waived. This could be used outside the Old Town Willard Zone. The applicant would need to have a recommendation from Planning Commission, City Council, City Engineer and Flood Control. City Planner Wheelwright and Willard City Attorney McGaha have put together a "Waiver of Regulations" asked if the Planning Commission wanted to move forward, do something different or do nothing with the waiver. Chairperson Ross felt that Waiver of Regulations would be a temporary fix until the Capital Facilities Plan is complete and then it would go away. The Capital Facilities Plan will have what the city needs to address curb and gutter. There still needs to be a solution on where the water goes.

Commissioner Seamons said there were 2 individuals who worked in solving issues with the Old Town Willard Ordinance and utilized the information in the ordinance and were able to get a waiver for their property. He felt the Old Town Willard Ordinance should work for the rest of the city.

Commissioner Bingham stated having the plan is great but the city is a long way from implementing. City Planner Wheelwright said the Flood Control is working on funding for the Storm Drain Plan.

Commissioner Seamons said having the Capital Facilities Plan will not change the ordinance that we will still need to modify the ordinance to include the Capital Facilities Plan.

Commissioner Bingham felt the ordinance should require that once the Capital Facilities Plan is incorporated the landowner will need to become compliant with the plan at their own expense. It would be for any amount of homes.

Commissioner Bodily was not convinced this would work for 30-40 homes and would only be for 2-3 homes. Commissioner Bingham and Seamons stated the engineer would need to make the determination on the waiver requirements. A discussion was held on drainage systems.

Mayor Kenny Braegger explained the purposed for having curb and gutting in Willard is the property owners have encroached onto the right of way. Barrow ditches are nice if they are maintained but most homeowners have filled them in. He suggested coming up with a plan to maintain barrow ditches. Landowners want to have driveways and asphalt right out to the roads for maintenance reasons. Having a curb and gutter ordinance would create a barrier between property lines and right of ways. Discussion was held on the possibility of defining lot sizes and or frontage that would be required to have curb and gutter such as under 1 acre would not be required but anything over that would be required to have curb and gutter. Do we have code enforcement officials that monitor the city for violations? We need to have a short term solution for a long term goal and come up with way to solve the issue. City Planner Wheelwright and Attorney McGaha will come up with a draft document

that will address frontages or lot sizes it will also need to be set for a public hearing at both the Planning Commission and City Council. Chairperson Ross asked about how to make sure each subsequent owner of the property is aware of what is required. It was stated it could be put on the deed to the property or a document or ordinance that states if the property owner wants to do something from their property line to the road it would need to be approved by the city with the knowledge the city can remove if needed. This item will be left on the agenda for discussion at the next meeting.

d. Report on Capital Facilities Plan for Storm Drain

This item was discussed above

7. Approval of the minutes

A motion was made by Commissioner Bingham to approve the November 15, 2018 Planning Commission minutes as written. The motion was seconded by Commissioner Bodily. The motion carried with a unanimous vote

8. Commissioner/Staff Comments

City Planner Wheelwright reported UDOT is waiting for parts for the stoplight at 750 North Main. At the next Planning Commission there will be agenda item to discuss how many houses will be allowed on a single access. This item was discussed at previous meetings and was tabled for review by the attorney. City Council member Fredde thanked the Planning Commission for all their hard work.

9. Adjourn

A motion was made by Commissioner Bodily to adjourn the December 6, 2018 Planning Commission meeting. The motion was seconded by Commissioner Seamons. The motion carried. The meeting adjourned at 8:15 p.m.

Minutes were read individually and approved on January 3, 2019

Planning Commission Chair Person
Terry Ross

Planning Commission Secretary
Gaylene Nebeker