

**WILLARD CITY CORPORATION CC/PC Work-Session**

DATE: December 3, 2020  
TIME: 7:00 p.m.  
PLACE: Willard City Hall  
ATTENDANCE: City Council members  
Mayor – Kenneth Braegger  
Council members: Josh Braegger, John Seamons, Kaleb Kunzler,  
Bradley Robb, Fred Ward  
Chairperson – Sid Bodily  
Commissioners: Chandler Bingham, Gary Hart, Alex Dubovik, Diana  
Baker, Blake Harrop  
Chris Davis – Willard City Manager  
Colt Mund – Willard City Attorney  
Bryce Wheelwright – Willard City Planner (non-voting member)  
Gaylene Nebeker - Planning Commission Secretary  
  
EXCUSED:  
CITIZENS: See attached sheet

**1. Discussion Item**

**a. Discussion on Planned Development Ordinance and Open Space requirements**

City Manager Chris Davis started the work-session by saying the Land Use Map shows what is happening within the city but is not reflective of what is going to happen.

Green Space on a Planned Development is fairly significant but it does not specify what green space should be.

City Manager Davis talked about a proposed annexation plan that does not meet the 30% open space but will include a fully developed park and trail system. The homes would be 1/3-1/2 acre but does not meet the guidelines of the PD Ordinance. During this work-session discussion will be held on what the council and commission would like/not like to see. Could a moratorium be put in place? In discussion with Attorney Mund it was determined that specific criteria was required in order to put one in place. Do we do away with the ordinance? He asked comments and feedback.

Mayor Braegger stated we need to look at the verbage in the ordinance that allows for 4 units per acre does not specify on buildable or whole area.

City Council member Kunzler also felt the verbage needed to be addressed and corrected. He would like to see over the whole PD 1/2 acre density but on the buildable lots with no more than 4 units in the buildable area.

City Council member Robb asked why we have a PD ordinance. If you want overall density to be 1/2 acre we already have it. Mayor Braegger explained the advantage to a PD is you get parks, trails etc. Chairman Bodily felt open space is hard to maintain. City Council member Braegger felt there needed to be a better definition of open space in order to protect ourselves in the future.

City Council member Robb stated if the only reason to have a PD Ordinance was for parks Willard City currently have parks that are hard to take care of. Why do we want open space to be parks and trails when we cannot maintain them? In the past 5 years there has only been one subdivision that has come in non PUD. He does not see what the city gains by having another park that is not maintained. City Council member Ward said per Willard City Ordinance Doug Young did not have to put in an approved

open space. Mayor Braegger stated Doug Young's soccer park will be maintained by their HOA (Home Owners Association) but City Manager Davis stated it was not in the development agreement that the HOA would take care of the park. Travis Mote asked why the developer is coming into the city and automatically assumes he has a right to put in a PUD and then the city has to tweak the plan to see if it fits he stated that a Planned Unit Development is a tool for the city to manage growth and is not a right of the developer. It is ok to tell a developer they do not want a park or a planned development. Commissioner Dubovik asked if they do not define the restrictions or the right of the city under the current ordinance how does the city deny a developer the right to do something with his property. Travis Mote stated the city does not have enough infrastructure in the city to have Planned Developments everywhere. Commissioner Dubovik said under the current ordinance we do not have the legal stance to deny. Travis Mote stated health and safety is how you deny them.

Commissioner Dubovik asked how they could nullify the current PD Ordinance and work on a new ordinance. City Manager Davis talked about the PD Ordinance being a permissive ordinance and not a mandatory ordinance because you filed for a PD. It would be up to the City Council to determine if said PD makes sense.

City Council member Kunzler felt it would be valuable to have an ordinance whether it is used or not is up to the city. He suggested not allowing PDs until there is an ordinance developed and put in place. City Council member Rob asked what the benefits to having an ordinance was. City Manager Davis stated you can control what is brought in from the size and kinds of houses etc. you want to see. City Council member Seamons stated the ordinance is not well defined but you are able to tell individuals they have to maintain the open space but does not specify by who.

City Council member Ward felt the PUD Ordinance was an attractive tool for developers and did not feel we needed an ordinance.

Commissioner Seamons felt the ordinance was outdated and talked about ordinances he has from several different cities on how to best utilize the land for development. He suggested doing away with the ordinance and start over. Commissioner Harrop asked if the city could impose a moratorium to allow the city time to draft a new ordinance. Discussion was held on the 4 units per acre. City Council member Ward talked about calculations on lot sizes, roads and open space. He felt the ordinance was not being followed. He would like to see this ordinance scraped and go with the Land Use Map of 1/2 acre lots and then if needed come up with a new ordinance. Commissioner Harrop said he move to Willard City from Hooper Utah and stated many years ago Hooper wanted to split from Weber County and growth started to come fast and they were experiencing the same issues we are currently looking at. He said in the beginning there were only 1 acre lots and they soon found out that with growth there was only so much acreage and would only be allowed to put in 1 home per acre and land would be taken up fast. They had to look at how they wanted to see their city built. They looked at certain areas where they wanted to retain the 1 acre lots and decided on 1/3 acre lots for other areas that brings in more roof tops per acreage and a better tax base and does not burn up the land. He said growth is coming to Willard and the city needs to look at how to structure the land to make it look nice without burning up all the land.

City Council member Kunzler also felt as a whole the ordinance is not working. We also stated we need to look at the Land Use Map, look at repealing the ordinance until a new document can be written. Mayor Braegger suggested looking at implementing a park impact fee and not worry about putting in parks. It is not a solution at this time due to the fact it takes time to do the study. Commissioner Harrop asked what the down side is to adding a trails fee rather than an HOA fee. City Planner Wheelwright

explained another option would be changing the current Subdivision Ordinance from ½ acre to 1/3 acre lots and add a park fee and look at areas in the city to put in a nicer park. The question is what do we want to see in the city?

Mayor Braegger suggested with the issues in the ordinance a resolution be put in place to ban the current ordinance, the City Council work on the implementation of the park impact fee. The Planning Commission look at finding an ordinance they like that will work for the city that will include a protection to deny a Planned Development. Look at higher density areas. City Council member Ward suggested looking from the city center outwards. As growth comes you will need to address additional maintenance, police and fire personnel. If you keep the density down you have more traffic flow and more hazards with house fires. He said the news has been full on stories on the fires in California and how one house fire causes the next one to catch fire and so on because housing is so close together. Commissioner Harrop felt if you go less than ½ acre lots you need to look at keeping a minimum frontage at 100 ft. Chairperson Bodily state if you go lower than 100 ft. frontages there is no place for any homeowner to store recreational vehicles, extra vehicles etc. Mayor Braegger also stated it leads to smaller side-yards that you are unable to access back-yards and even smaller backyards. He also felt there are traffic issues and the City Council will need to address. If the city builds out at ½ acre lots and the area west of 200 West is developed there is still going to be traffic issues in the middle of town. He asked what is 200 West going to look like in the future? New developments will be putting in sidewalks but will not coincide with what we currently have (no sidewalks) so do we look at putting in trails, sidewalks etc. Do we look at upgrading 100 West. 200 West is a main road to 750 North and will need to address another main road to the west as another way out to 750 North rather than have a lot of angry people on 200 West because of the traffic. Mayor Braegger would to apply for grant money for a future corridor east of the railroad tracks to 750 North. The land will have to be developed or have city funds to purchase property to make it happen and would take the pressure off of 200 West. Discussion was held on how 5<sup>th</sup> West fits in with the current Land Use Map as far as the open land available for development.

City Council member Ward said if you ask anyone why they moved to Willard they will say because of the rural environment. This was one of the reason he ran for office was to keep the rural environment. In training the City Council takes an oath to uphold the constitution. City Council member Robb felt the Planning Commission and City Council need to look at implementing a new ordinance. He felt holding these work-sessions between the City Council and Planning Commission need to be held more often.

City Council member Seamons would like the record to say Willard City does need a PUD Ordinance that would allow the city the flexibility as a tool of the city to help with development. He does not want the city to do away with the ordinance and never discuss again.

City Council member Kunzler would like build a new PUD Ordinance.

City Council member Robb suggested repealing the ordinance and hold another work-session to look at the ordinances City Council member Seamons has.

City Council member Braegger does not want to see this drag on like other ordinances he suggested making a plan, set a goal and get it done.

What is the time frame to get an ordinance done? It was suggested coming up with a new ordinance that protects the city and gives the city control by the next Planning Commission meeting.

**8. Adjourn – Mayor Braegger adjourned the work-session meeting at 8:10 p.m.**

**Minutes were read individually and approved on February 4, 2021**

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Planning Commission Chair Person  
Sid Bodily

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Planning Commission Secretary