Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, March 18, 2021– 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 taken

1. Prayer
2. Pledge of Allegiance
3. Roll Call
4. General Public Comment (Input for items not on the agenda)
5. Discussion/Action Items
   a. Public hearing to consider a request from Trish Heath (Barker/Braegger) to rezone property located at approximately 110 South 250 West (02-054-0003) from A5 to R 1/2
   b. Public hearing to consider a request from Damon and Morgan Palmer to rezone property located at approximately 683 North Main (02-046-0102) from R ½ to Commercial Neighborhood
   c. Public hearing to consider an amendment to Chapter 12-110-4 of the Willard City Zoning Ordinance regarding notification for applications for zoning changes
   d. Public hearing to consider an amendment to Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivisions
   e. Approval of a lot line adjustment for Travis Wells located at approximately 1215 North Main (02-040-0030)
   f. Consideration and discussion regarding the proposed Master Planned Community Zone (Chapter 12-106)
   g. Consideration and discussion of the Storm Drain Capital Facilities Plan
6. Consideration and approval of the March 4, 2021, regular Planning Commission minutes
7. Commissioner/Staff Comments
8. 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 City Hall and on the State of Utah Public Meeting Notice Website this 12 day of March, 2021.

/s/ Michelle Drago

Deputy City Recorder

Individuals with questions, comments, or needing special accommodations pursuant to the Americans with Disabilities Act regarding this meeting may contact Michelle Snarr at (435) 734-9881. I, the undersigned duly appointed and acting Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice and agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 12th day of March, 2021

/s/ Michelle Drago
Deputy City Recorder

WILLARD CITY PLANNING COMMISSION

PUBLIC HEARING
NOTICE

The Planning Commission of Willard City Corporation will hold a public hearing at 6:30 p.m. on Thursday, March 18, 2021. The public hearing will be held during a regular meeting at the Willard City Hall located at 80 West 50 South, Willard, Utah 84340. The Public Hearing will be held to take public comment regarding a request from Trisha Heath to rezone property located at approximately 110 South 250 West, Willard, Utah (Parcel No. 02-054-0003) from A5 to R ½..

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 84340; phone number (435) 734-9881, at least three workings days prior to the meeting.

I, designated deputy city recorder for Willard City, hereby certify that the foregoing notice was posted at the Willard City Hall and on the State of Utah Pubic Meeting Notice Website, http://utah.gov/pmn, March 3, 2021.

/s/ Michelle Drago
Deputy City Recorder

Willard City Corporation

80 West 50 South
Box 593

Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Willard City Planning Commission of Willard City Corporation will hold a public hearing at the Willard City Hall, 80 West 50 South, on March 18, 2021, at 6:30 p.m.

The public hearing will be held to take public comment on: A request from Trisha Heath to rezone property located at approximately 110 South 250 West (Parcel No. 02-054-0003) from A5 to R ½.

Written comments will be accepted at the Willard City Offices until March 16, 2021. If you have any questions, please contact Bryce Wheelwright at 435-734-9881.

A copy of the proposal is available for review on the State of Utah Public Meeting Notice Website at the Willard City Hall, 80 West 50 South, Willard, Utah 84340 during regular business hours Monday – Thursday 8:00 a.m. to 5:00 p.m. and Fridays 8:00 a.m. to 12:00 p.m.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 5th day of March, 2021.

Michelle Drago
Willard City Deputy Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Officer at 80 West 50 South, Willard, Utah 84340, phone number 435-734-9881, at least working days prior to the meeting.



RECEIVED DEC 30 2020

WILLARD CITY PLANNING COMMISSION
RE-ZONE APPLICATION

Application Date
12-29-2020

Applicant
Trisha Heath

Mailing Address
90 W 100 S
Willard, Ut 84340

Phone Number
435-730-8000

Cell Phone

Assessor Parcel Number *
02-054-0003

Parcel Legal Description*
See attached

AS
Present Zone

R-1/2
Proposed Zone

This completed application, must be submitted at least 15 days prior to the April or October Planning Commission meeting and be accompanied by:

1) Proof of ownership.*

2) Non-refundable application fee of $125.00.

3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent . (See reverse of this form for required Applicant's Affidavit.)

4) List of all property owners within 1/4 mile of the parcel.*

5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.

6) If a subdivision is planned, supply sketch of possible subdivision, to show compatibility with existing and planned infrastructure, with emphasis on roads, water supply and other utilities.

* Available at the office of the Box Elder County Registrar, 01 South Main Street, Brigham, Utah, 84302

Project Summary

(Please use additional pages as necessary to adequately address the answers.)

1. Location Map (showing nearest cross streets):
   See attached maps

2. Site Address/Description:
   110 S. 250 W. Willard, Utah

3. Parcel Number(s):
   02-054-0003

4. Current and Proposed Zoning by parcel number and area in acres:
   8 acres to Residential land

5. Road Access Provided:
   Road access would be 4th West, with ~~an emergency~~ a private rightaway (easement) extending up the south side of the property and then along the east side of the property to 250 W.

6. Utility Plan:
   Sewer has already been to pur through the property
   Power and gas would be extended from 4th West

7. Reason for the requested change:
   Selling some of the property for a home to be built on it

8. Impacts (financial and other) of the change to surrounding properties and the city as a whole:

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER))

I, (we) Trisha Heath, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 110 S 950 W W. Willard Ut in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Trisha Heath Trisha Heath

Property Owner(s)

AGENT _____

Subscribed and sworn before me this 31st day of December 2020

NOTARY PUBLIC
LAZARO SOTO
COMM. # 696720
MY COMMISSION EXPIRES
AUGUST 22, 2021
STATE OF UTAH

Notary Public

Residing in Brigham City

My commission expires: August 22, 2021

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____

Property Owner(s)

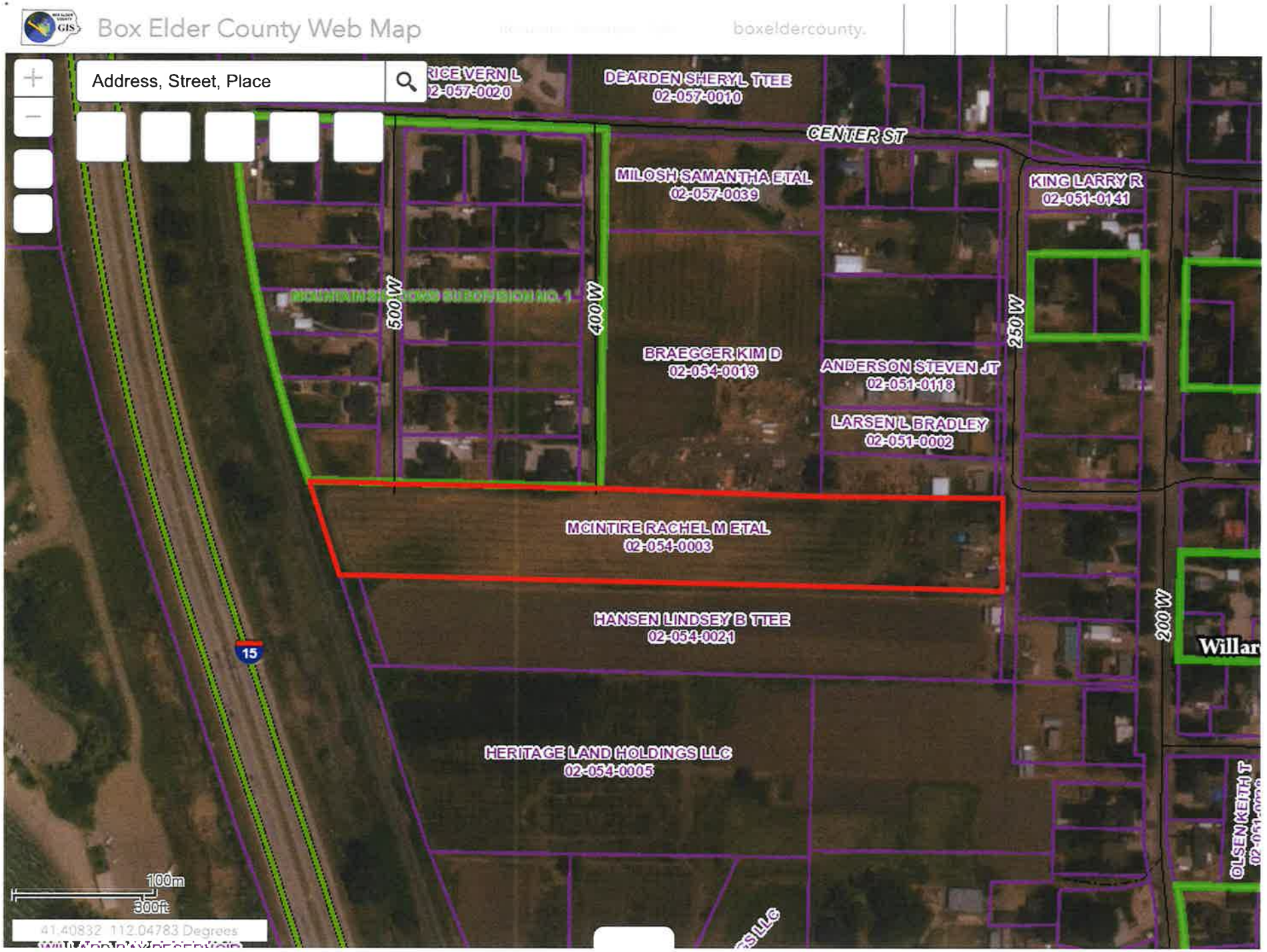
Subscribed and sworn before me this _____ day of _____ 200___

_____

Notary Public

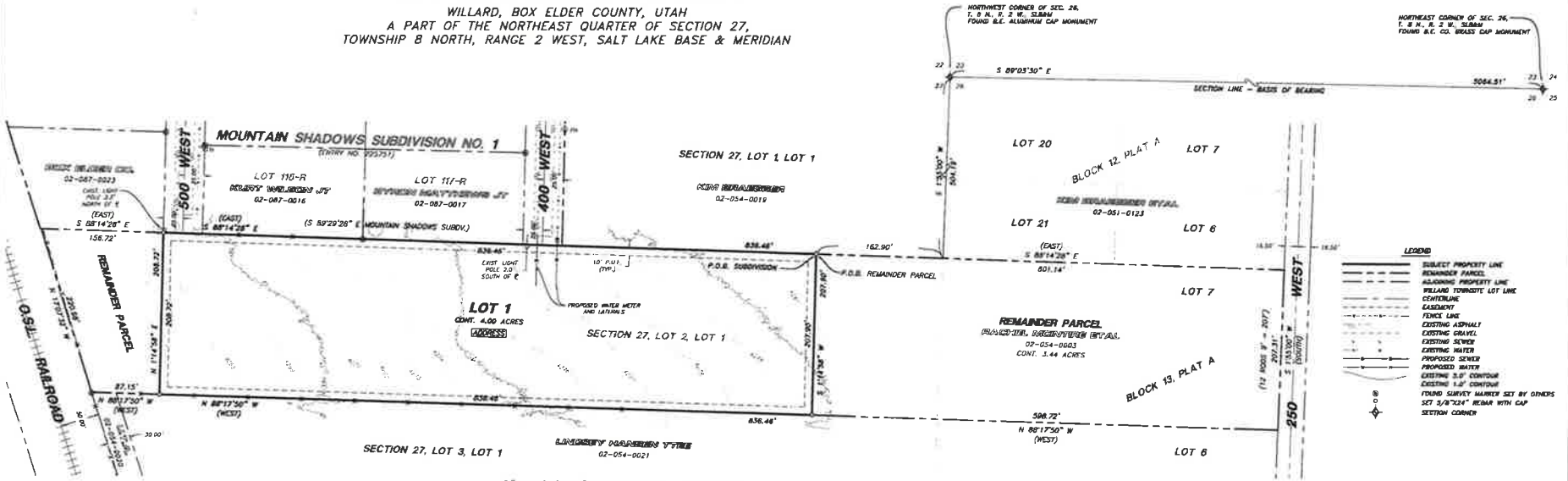
Residing in _____

My commission expires: _____


Box Elder County Web Map
boxeldercounty.
Address, Street, Place
RICE VERN L
02-057-0020
DEARDEN SHERYL TTEE
02-057-0010
CENTER ST
MILOSH SAMANTHA ETAL
02-057-0039
KING LARRY R
02-051-0141
MOUNTAIN ST SUBDIVISION NO. 1
500 W
400 W
250 W
BRAEGGER KIM D
02-054-0019
ANDERSON STEVEN JT
02-051-0118
LARSEN L BRADLEY
02-051-0002
MCINTIRE RACHEL M ETAL
02-054-0003
HANSEN LINDSEY B TTEE
02-054-0021
200 W
15
HERITAGE LAND HOLDINGS LLC
02-054-0005
OLSEN KEITH T
100m
300ft
41.40832 112.04783 Degrees

ROD BRAEGGER SUBDIVISION

WILLARD, BOX ELDER COUNTY, UTAH
A PART OF THE NORTHEAST QUARTER OF SECTION 27,
TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN



NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CREATE A ONE LOT SUBDIVISION FROM PROPERTY TAX ID NO. 02-054-0003 AND TO ESTABLISH AND SET THE PROPERTY CORNERS AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS ORDERED BY ROD BRAEGGER. THE CONTROL USED TO ESTABLISH THE PROPERTY CORNERS WAS MOUNTAIN SHADOWS SUBDIVISION NO. 1, ENTRY NO. 225751, THE OFFICIAL WILLARD CITY PLAT AND ROS#'S 031509-FF78 & 041684-FF78 ALONG WITH THE EXISTING BOX ELDER COUNTY SURVEY MONUMENTATION SURROUNDING SECTION 26 AND 27, T8N, R2W, SLB&M.

THE BASIS OF BEARING IS THE NORTH LINE OF SAID SECTION 26 WHICH BEARS SOUTH 89°03'30" EAST, UTAH NORTH, STATE PLANE, CALCULATED N.A.D.83 BEARING.



NOTES:

1. BUILD TO AVOID FLOODING.
2. THE SUBJECT PROPERTY DOES NOT FALL IN A F.E.M.A. FLOOD PLAIN.
3. ALL PUBLIC UTILITY EASEMENTS (P.U.E.) ARE 10.00 FEET WIDE UNLESS NOTED OTHERWISE.



DEVELOPER:
ROD BRAEGGER
838 WEST 2180 NORTH
LEHI, UTAH 84043
(801) 734-6408

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.hansen.net
Brigham City (435) 723-3481 | Ogden (801) 394-4515 | Logan (435) 753-8272
Celebrating 60 Years of Business

REMAINDER PARCEL BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE SOUTH LINE OF KIM BRAEGGER PROPERTY, TAX ID NO. 02-054-0019 LOCATED 504.19 FEET SOUTH 01°55'00" WEST AND 162.90 FEET NORTH 88°14'28" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 27 (BASIS OF BEARING IS THE NORTH LINE OF SECTION 26 WHICH BEARS SOUTH 89°03'30" EAST);

RUNNING THENCE SOUTH 88°14'28" EAST (EAST BY RECORD) 601.14 FEET ALONG SAID SOUTH LINE AND THEN ALONG THE SOUTH LINE OF KIM BRAEGGER ETAL PROPERTY, TAX ID NO. 02-051-0123 TO THE NORTHEAST CORNER OF LOT 7, BLOCK 13, PLAT A, WILLARD TOWNSITE SURVEY BEING A POINT ON THE WEST RIGHT-OF-WAY LINE OF 250 WEST STREET; THENCE SOUTH 01°55'00" WEST 207.31 FEET (SOUTH 12 RODS 9 FEET BY RECORD) ALONG SAID WEST RIGHT-OF-WAY LINE TO THE SOUTHEAST CORNER OF SAID LOT 7 BEING THE NORTHEAST CORNER OF LINDSEY HANSEN TTEE PROPERTY, TAX ID NO. 02-054-0021; THENCE NORTH 88°17'50" WEST (WEST BY RECORD) 598.72 FEET ALONG SAID NORTH LINE; THENCE NORTH 88°17'50" WEST (WEST BY RECORD) 838.46 FEET ALONG SAID NORTH LINE; THENCE NORTH 88°17'50" WEST (WEST BY RECORD) 87.15 FEET ALONG SAID NORTH LINE TO THE EASTERLY RIGHT-OF-WAY LINE OF THE O.S.L. RAILROAD; THENCE NORTH 17°07'32" WEST 220.68 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE SOUTH LINE OF MOUNTAIN SHADOWS SUBDIVISION NO. 1, RECORDED AS ENTRY NO. 225751 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°14'28" EAST (EAST BY RECORD) 156.72 FEET ALONG SAID SOUTH LINE; THENCE SOUTH 01°14'58" WEST 208.72 FEET TO THE NORTH LINE OF SAID LINDSEY HANSEN TTEE PROPERTY; THENCE SOUTH 88°17'50" EAST (EAST BY RECORD) 838.46 FEET ALONG SAID NORTH LINE; THENCE NORTH 01°14'58" EAST 207.90 FEET TO THE POINT OF BEGINNING. CONTAINING 3.44 ACRES.

ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF BOX ELDER)

ON THIS ____ DAY OF _____ 2021, TRISHA A. HEATH, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF BOX ELDER, IN THE STATE OF UTAH, THE SIGNER OF THE ATTACHED OWNERS DEDICATION, ONE IN NUMBER, WHO DULY ACKNOWLEDGED TO ME SHE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

_____
NOTARY PUBLIC

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE ABOVE DESCRIBED TRACT OF LAND HAVING CAUSED THE SAME TO BE SUBDIVIDED AS SHOWN ON THIS PLAT AND NAME SAID TRACT ROD BRAEGGER SUBDIVISION AND HEREBY DEDICATE, GRANT AND CONVEY TO WILLARD CITY, BOX ELDER COUNTY, UTAH, THOSE CERTAIN STRIPS SHOWN AS EASEMENTS FOR PUBLIC UTILITY AND DRAINAGE PURPOSES AS SHOWN HEREON. THE SAME TO BE USED FOR THE INSTALLATION, MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINES AND DRAINAGE AS MAY BE AUTHORIZED BY WILLARD CITY.

THIS _____ DAY OF _____, 2021.

_____
RACHEL W. MCINTIRE

_____
TRISHA A. HEATH

ACKNOWLEDGMENT

STATE OF UTAH)
: ss
COUNTY OF BOX ELDER)

ON THIS ____ DAY OF _____ 2021, RACHEL W. MCINTIRE, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY OF BOX ELDER, IN THE STATE OF UTAH, THE SIGNER OF THE ATTACHED OWNERS DEDICATION, ONE IN NUMBER, WHO DULY ACKNOWLEDGED TO ME SHE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE PURPOSE THEREIN MENTIONED.

_____
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, ROGER C. SLADE, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS ACT; AND BY THE AUTHORITY OF THE OWNERS, I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED AND SHOWN HEREON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS AND HAVE HEREBY SUBDIVIDED SAID TRACT INTO ONE (1) LOT, KNOWN HEREAFTER AS ROD BRAEGGER SUBDIVISION AND THAT THE SAME HAS BEEN SURVEYED AND MONUMENTS HAVE BEEN LOCATED AND/OR PLACED ON THE GROUND AS REPRESENTED ON THE PLAT HEREON.

SIGNED THIS _____ DAY OF _____, 2021.

ROGER C. SLADE, P.L.S.
UTAH LAND SURVEYOR LICENCE NO. 11586802

SUBDIVISION BOUNDARY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE SOUTH LINE OF KIM BRAEGGER PROPERTY, TAX ID NO. 02-054-0019 LOCATED 504.19 FEET SOUTH 01°55'00" WEST AND 162.90 FEET NORTH 88°14'28" WEST FROM THE NORTHEAST CORNER OF SAID SECTION 27 (BASIS OF BEARING IS THE NORTH LINE OF SECTION 26 WHICH BEARS SOUTH 89°03'30" EAST);

RUNNING THENCE SOUTH 01°14'58" WEST 207.90 FEET TO THE NORTH LINE OF LINDSEY HANSEN TTEE PROPERTY, TAX ID NO. 02-054-0021; THENCE NORTH 88°17'50" WEST (WEST BY RECORD) 838.46 FEET ALONG SAID NORTH LINE; THENCE NORTH 01°14'58" EAST 208.72 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF 500 WEST STREET AND THE SOUTH LINE OF MOUNTAIN SHADOWS SUBDIVISION NO. 1, RECORDED AS ENTRY NO. 225751 IN THE BOX ELDER COUNTY RECORDER'S OFFICE; THENCE SOUTH 88°14'28" EAST (EAST BY RECORD) 838.46 FEET ALONG SAID SOUTH LINE AND THEN ALONG THE SOUTH LINE OF SAID KIM BRAEGGER PROPERTY TO THE POINT OF BEGINNING. CONTAINING 4.00 ACRES.

ENGINEER'S CERTIFICATE

I CERTIFY THAT I HAVE HAD THIS PLAT EXAMINED AND FIND THAT IT IS CORRECT AND IN ACCORDANCE WITH THE INFORMATION ON FILE IN THE WILLARD CITY OFFICE.

_____ DATE
_____ ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, A.D., 2021.

_____ ATTORNEY

APPROVAL AND ACCEPTANCE

PRESENTED TO THE WILLARD CITY COUNCIL THIS _____ DAY OF _____ A.D., 2021, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.

ATTEST: _____ CLERK
_____ MAYOR

PLANNING COMMISSION APPROVAL

APPROVED THIS _____ DAY OF _____ A.D., 2021, BY THE WILLARD CITY PLANNING COMMISSION.

_____ CHAIRMAN
_____ DATE

COUNTY RECORDER'S NO. _____

STATE OF UTAH, COUNTY OF BOX ELDER, RECORDED AND FILED AT THE REQUEST OF _____

DATE _____ TIME _____ FEE _____

ABSTRACTED _____

_____

INDEX _____

FILED IN: _____ FILE OF PLATS

_____ COUNTY RECORDER

01\01 | 01 Rod Braegger\Drawings\01 | 1-1-19.dwg, 2/26/2021 9:16:21 AM, DWG To PDF.pc3

WILLARD CITY PLANNING COMMISSION

PUBLIC HEARING
NOTICE

The Planning Commission of Willard City Corporation will hold a public hearing at 6:30 p.m. on Thursday, March 18, 2021. The public hearing will be held during a regular meeting at the Willard City Hall located at 80 West 50 South, Willard, Utah 84340. The Public Hearing will be held to take public comment regarding a request from Damon and Morgan Palmer to rezone property located at approximately 683 North Main, Willard, Utah (Parcel No. 02-046-0102) from A5 to R ½..

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 84340; phone number (435) 734-9881, at least three workings days prior to the meeting.

I, designated deputy city recorder for Willard City, hereby certify that the foregoing notice was posted at the Willard City Hall and on the State of Utah Pubic Meeting Notice Website, http://utah.gov/pmn, March 3, 2021.

/s/ Michelle Drago
Deputy City Recorder

Willard City Corporation

80 West 50 South
Box 593

Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Willard City Planning Commission of Willard City Corporation will hold a public hearing at the Willard City Hall, 80 West 50 South, on March 18, 2021, at 6:30 p.m.

The public hearing will be held to take public comment on: A request from Damon and Morgan Palmer to rezone property located at approximately 683 North Main (Parcel No. 02-046-0102) from R ½ to Commercial Neighborhood.

Written comments will be accepted at the Willard City Offices until March 16, 2021. If you have any questions, please contact Bryce Wheelwright at 435-734-9881.

A copy of the proposal is available for review on the State of Utah Public Meeting Notice Website at the Willard City Hall, 80 West 50 South, Willard, Utah 84340 during regular business hours Monday – Thursday 8:00 a.m. to 5:00 p.m. and Fridays 8:00 a.m. to 12:00 p.m.

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 5th day of March, 2021.

Michelle Drago
Willard City Deputy Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Officer at 80 West 50 South, Willard, Utah 84340, phone number 435-734-9881, at least working days prior to the meeting.



WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date: 2-9-21

Assessor's Parcel Number

Applicant:
Damon & Morgan Palmer

Parcel Legal Description

Mailing Address
1087 North Main Street Willard

Morgan Palmer

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

Project Address
Same

☒ Conditional Use Permit $25 Fee

☐ Lot Line Adjustment $25 Fee

435-225-6074
Phone Number

☒ Other Fee variable, $25 Min.
rezone

801-710-2906
Cell Phone

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)
Complete Applicant Affidavit on back of this page.

- rezone from residential to commerical
- Conditional use permit for Palmer Barn LLC

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER))

I, (we) Morgan Palmer, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 1003 N Main Street in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Morgan Palmer
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 9 day of February 20 21

Notary Public

DON CORDON BARKER
NOTARY PUBLIC • STATE OF UTAH
COMMISSION NO. 703459
COMM. EXP. 11/26/2022

Residing in Brigham City
My commission expires: 11/26/2021

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

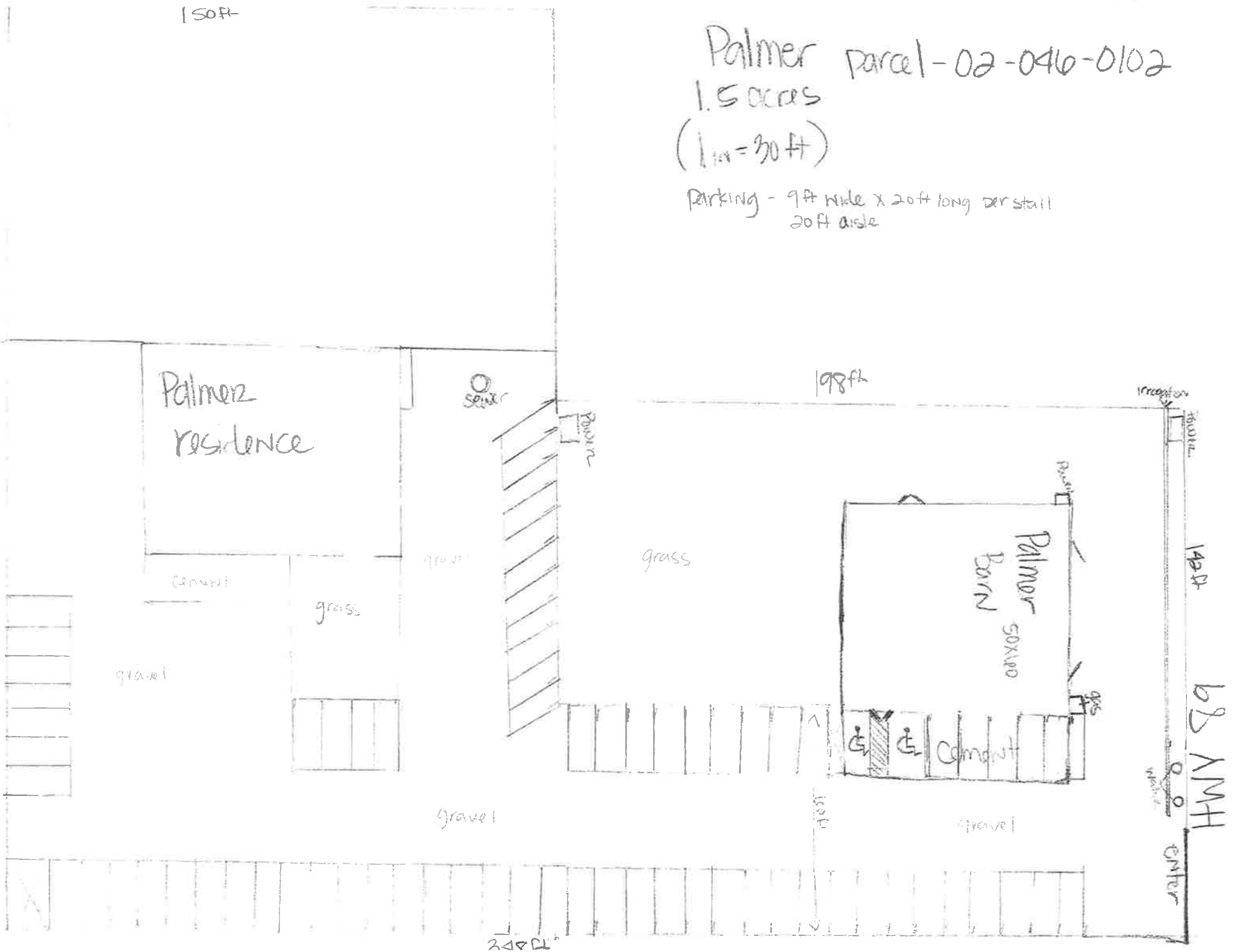
SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 ___

_____
Notary Public

Residing in _____
My commission expires: _____


Box Elder County Web Map
boxeldercounty.
Address, Street, Place
IPGROUND LLC
ANDERSON DONEL
02-046-0090
750 N
15
740 N
GRIMES MICHAEL K ETUX
02-046-0015
BARKER FRED D ETAL JT
02-046-0018
BENDER FRED E ETUX
02-046-0050
COX JOHN ETUX
02-046-0055
720 N
BARTHLOME SHANE
02-046-0101
PALMER DAMON JT
02-046-0102
89
MAIN ST
CROUCH BLAKE W
02-046-0051
660 N
HARROP BLAKE JT
02-046-0099
BRAEGGER NEIL CHRIS JT
02-046-0100
649 N
640 N
637 N
620 N
MUND VAN C
02-046-0049
40m
200ft
41.42174 -112.03778 Degrees


150ft
Palmer parcel-02-046-0102
1.5 acres
(1in = 30ft)
Parking - 9ft wide x 20ft long per stall
20ft aisle
Palmer residence
Sewer
Power
198ft
Irrigation
Water
grass
gravel
Palmer Barn
50x100
Power
Concrete
142ft
240ft
Enter
N

WILLARD CITY COUNCIL
PUBLIC HEARING

NOTICE

The Willard Planning Commission of Willard City Corporation will hold a Public Hearing at 6:30 p.m. on Thursday, March 18, 2021. The Pubic Hearing will be held during the Regular meeting at the Willard City Hall located at 80 W. 50 S. The Public Hearing will be held to take public comment regarding revisions to Chapter 12-110 -4 Application for Zoning Changes. A copy of the proposed amendment is available at the Willard City Office or on the State of Utah Public Meeting Notice website http://utah.gov/pmn.

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 W. 50 S. Willard, UT, phone number (435) 734-9881, at least three workings days prior to the meeting.

I, designated Deputy City Recorder for Willard City, hereby certify that the foregoing notice was posted at the Willard City Hall and on the State of Utah Pubic Meeting Notice Website on March 3, 2021.

/s/ Michelle Drago
Deputy City Recorder

District boundary location, the Board of Adjustment shall interpret the map.

12-110-4 Application for Zoning Changes

The Planning Commission will consider zoning change applications at their regular January, April, July and October public meetings. The application package must be submitted to the City Recorder at least twenty-one (21) days prior to the meeting the applicant wishes to attend. The application package must include:

1. A completed rezone application.

2. The rezone fee (non-refundable) .

3. A legal description of the parcel to be rezoned, and proof of ownership .

4. A copy of the county assessor's plat map, or equivalent drawing, annotated to show the location and boundaries of the parcel to be rezoned.

5. A written petition designating the change desired and the reason for such change. A description of how the request is consistent with the General Plan. The petition for zone change shall be signed by the fee title owner(s) of the parcel , or designated agent.

6. A list of all property owners within 1/4 mile of the desired zone change.

The Planning Commission shall recommend adoption of a proposed zone change when the following conditions are met:

1. The proposed change is in accord with the goals of the Willard City General Plan and Zoning Ordinance.
2. The approval shall not place the city in a negative financial position and the applicant documents that all utilities and access have been obtained.

After receipt of the written recommendations of the Planning Commission for acceptance, the City Council shall give notice of a public hearing to consider such change as provided by law for zoning amendments. The City shall, by certified mail at the expense of the Developer/Subdivider, provide a written notification of the public hearing to consider rezone to all property owners within 1/4 mile of the property proposed for rezoning.

If change is necessary after the public hearing or as advertised, the proposed amendment may be returned to the Planning Commission for review and recommendation.

After the required public hearing on proposed zone amendment, the City Council may:
a.) adopt the zoning ordinance change as proposed;

Proposed amendment to Chapter 12-11-04 – Application for Zoning Changes:

The Planning Commission will consider zoning change applications at their regular ~~January, April, July and October~~ public meetings

6. A list of all property owners within ~~¼ mile~~ 300 feet of the desired zone change.

The City shall, by ~~certified~~ first class mail, at the expense of the Developer/Subdivider, provide a written notification of the public hearing to consider rezone to all property owners within ~~¼ mile~~ 300 feet of the property proposed for rezoning.

WILLARD CITY COUNCIL
PUBLIC HEARING

NOTICE

The Willard Planning Commission of Willard City Corporation will hold a Public Hearing at 6:30 p.m. on Thursday, March 18, 2021. The Pubic Hearing will be held during the Regular meeting at the Willard City Hall located at 80 W. 50 S. The Public Hearing will be held to take public comment regarding a proposed amendment to the Willard City Zoning Ordinance, specifically to repeal Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivision plans. A full copy of the proposed amendment is available at the Willard City Office or on the State of Utah Public Meeting Notice website http://utah.gov/pmn.

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 W. 50 S. Willard, UT, phone number (435) 734-9881, at least three workings days prior to the meeting.

I, designated deputy city recorder for Willard City, hereby certify that the foregoing notice was posted at the Willard City Hall and on the State of Utah Pubic Meeting Notice Website on March 3, 2021.

/s/ Michelle Drago
Deputy City Recorder

5. Commission Public Hearing Required. Prior to the Commission formulating a recommendation and prior to the SLUA considering a Preliminary Subdivision Application, the Commission shall conduct a public hearing, such hearing complying with all notice requirements for a public hearing to consider a Preliminary Subdivision Application.

6. Commission Recommendation Required. Following the close of the Commission public hearing, the Commission shall consider all information and materials received. The Commission shall formulate and transmit a recommendation to the SLUA on the Preliminary Subdivision Application for consideration. The Commission may recommend approval of the Preliminary Subdivision Application, as presented, recommend approval of the Preliminary Subdivision Application with requirements, or recommend denial of the Preliminary Subdivision Application, with findings of compliance or non-compliance with this Ordinance; the City's other Land Use Ordinances and all other requirements, as applicable. The Commission may recommend onsite and offsite improvements, facilities, services, and amenities, provided one hundred percent (100%) by the Applicant(s) for Preliminary Subdivision Application approval, such improvements, facilities, services, and amenities being determined to be consistent with the requirements of Section [ ] herein, including, but not limited to:

a) Road and street improvements, including layout, design, grading and surfacing.
b) Flood control facilities.
c) Culinary Water facilities.
d) Sanitary Sewer facilities.
e) Storm Drainage facilities.
f) Erosion Control facilities.
g) Traffic Circulation and Access Management facilities.
h) Lot, Parcel, and/or Site drainage.
i) Park and open space areas and facilities.
j) Fire protection and suppression facilities, including fire hydrants, fire access, and water storage facilities.
k) Fencing and buffering treatments.
l) Street lighting facilities; and
m) Streetscape enhancements, including street trees and park strip improvements.

7. Subdivision Land Use Authority Action. Following the consideration of the Preliminary Subdivision Application, the recommendation of the Commission, and all information and materials presented, the SLUA may approve the Preliminary Subdivision Application, as presented, approve the Preliminary Subdivision Application with requirements, or deny the Preliminary Subdivision Application with findings of compliance or non-compliance with this Ordinance and other Land Use Ordinances and requirements, as applicable. The SLUA may require onsite and offsite improvements, facilities, services, and amenities, provided one hundred percent (100%) by the Applicant(s) for Preliminary Subdivision Application approval, such improvements, facilities, services, and amenities including but not limited to:

a) Road and street improvements, including layout, design, grading and surfacing.
b) Flood control facilities.
c) Culinary Water facilities.
d) Sanitary Sewer facilities.
e) Storm Drainage facilities.
f) Erosion Control facilities.
g) Traffic Circulation and Access Management facilities.
h) Lot, Parcel, and/or Site drainage.
i) Park and open space areas and facilities.
j) Fire protection and suppression facilities, including fire hydrants, fire access, and water storage facilities.
k) Fencing and buffering treatments.
l) Street lighting facilities; and
m) Streetscape enhancements including street trees and park strip improvements.
n) Trails.

12-400-4-09. Effect of Approval, with or without requirements, of a Preliminary Subdivision Application and Effective Period:
The approval of a Preliminary Subdivision Application, with or without requirements, by the SLUA shall not constitute a final approval of the subdivision by the City. A Preliminary Subdivision Application approval shall not authorize the division or development of the Subject Property, but allows the Applicant(s) to proceed with the preparation of the Final Subdivision Application for the Subject Property. As provided by the Act, the continuing validity of a Preliminary Subdivision Application approval is conditioned upon the Applicant(s) proceeding after approval to implement the approval with reasonable diligence. For the purposes of this Ordinance and this Section, the approval of a Preliminary Subdivision Application shall be effective for a period of one (1) year from the date of approval by the SLUA at the end of which time the Applicant(s)

Proposed amendment to Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivision plans:

~~5. Commission Public Hearing Required. Prior to the Commission formulating a recommendation and prior to the SLUA considering a Preliminary Subdivision Application, the Commission shall conduct a public hearing, such hearing complying with all notice requirements for a public hearing to consider a Preliminary Subdivision Application~~.

~~6.~~ 5. Commission Recommendation Required. Prior to the SLUA considering a Preliminary Subdivision Application, the Commission shall consider the Preliminary Subdivision Application at a regular Commission meeting. ~~Following the close of the Commission public hearing~~, The Commission .....

~~7~~. 6. Subdivision Land Use Authority.....

WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date: 2-9-21

Applicant:

Travis Wells

Mailing Address

1215 N. Main
Willard UT 84340

Project Address

1215 N Main

Phone Number

Cell Phone 435-730-1481

Assessor's Parcel Number

02-040-0030

Parcel Legal Description

I hereby request a hearing before the Willard City Planning Commission in behalf of my application for:

- ☐ Conditional Use Permit $25 Fee
- ☒ Lot Line Adjustment $25 Fee
- ☐ Other Fee variable, $25 Min.

NOTE: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

Project description: (Attach additional sheets, as required.)
Complete Applicant Affidavit on back of this page.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER))

I, (we) Arnell Wells / Travis Wells, being duly sworn, depose and say that I, (we) am (are) the owner(s)*, or authorized agent(s) of the owner, of property located at 1215 N. Main Willard in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED Arnell W. Wells Travis Wells
Property Owner(s)

AGENT _____

NATALIE POWELL
Notary Public
State Of Utah
Commission Expires January 7, 2025
COMMISSION No. 716027

Subscribed and sworn before me this 12 day of Feb 20 21

Natalie Powell
Notary Public

Residing in Brigham City
My commission expires: January 7, 2025

* May be owner of record, contract owner, part to valid earnest money agreement, option holder or have other legal control of property.

AGENT AUTHORIZATION

I, (we) _____, the owner(s) of real property described above, hereby appoint _____, as my (our) agent(s) to represent me (us) with regard to this application affecting the above described real property, and do authorize them to appear on my (our) behalf before any Willard City Boards considering this application.

SIGNED _____
Property Owner(s)

Subscribed and sworn before me this _____ day of _____ 20 ___

_____
Notary Public

Residing in _____
My commission expires: _____


Box Elder County Web Map
Address, Street, Place
1348 N
WELLS WILLIAM ARNELL TTEE ETAL
02-040-0036
WELLS WILLIAM ARNELL TTEE ETAL
02-039-0008
1264 N
WELLS WILLIAM ARNELL TTEE ETAL
02-040-0032
WELLS WILLIAM ARNELL TTEE ETAL
02-040-0042
WELLS JEFFREY ARNELL
02-039-0015
1244 N
WELLS TRAVIS J JT
02-040-0030
1224 N
WELLS TERRY H
02-039-0053
89
MAIN ST
NEBEKER BYRON KENT JT
02-040-0008
NEBEKER B KENT
02-040-0028
1200 N
NEBEKER BYRON KENT JT
02-041-0001
NEBEKER BYRON KENT JT
02-042-0001
1154 N
CASAVAN JOHN JT
02-042-0018
WHITE ROCK RANCH LLC
02-041-0059
COBURN BRIAN ETUX
02-042-0017
WHITE ROCK RANCH LLC
02-041-0058
LARSEN LAVELL B ETUX
02-042-0004
40m
200ft
41.43123 -112.03387 Degrees

Lot Line Adjustment Survey



LEGEND

- Subject Property Line
- Adjoining Property Line
- Previous Property Line
- Centerline
- Ditch
- Field Separation Line
- Fence Line (Wire)
- Fence Line (wood or Vinyl)
- Street Monument
- Found rebar set by others
- Set 5/8"x24" Rebar With Cap
- Section Corner
- Calculated Section Corner

Scale: 1" = 60'

0 60 120

Scale in Feet
(Data in Parentheses is Record)

Narrative

The purpose of this survey was to establish and set the property corners of the parcel as shown and described hereon. The survey was ordered by NAMC. The control used to establish the property corners was the existing Box Elder County Survey Monumentation surrounding Section 36, T8N, R2W, SLB&M. The basis of bearing is the West line of said Section which bears North xx°xx'xx" East, Utah North, State Plane, Calculated N.A.D.83 Bearing.

SURVEYOR'S CERTIFICATE

I, K. Greg Hansen, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Act; and by the authority of the owners, I have completed a survey of the property described and shown hereon this plat in accordance with Section 17-23-17 and have verified all measurements, and that the same has been surveyed and monuments have been located and/or placed on the ground as represented on the plat hereon.

Signed this _____ day of _____, 2020.

K. Greg Hansen PLS
Utah Land Surveyor License No. 187819

187819 K. GREG HANSEN REGISTERED LAND SURVEYOR STATE OF UTAH

Existing Lot Lines For

Travis and Lindsey Wells

1215 North Main
Willard City, Box Elder County, Utah

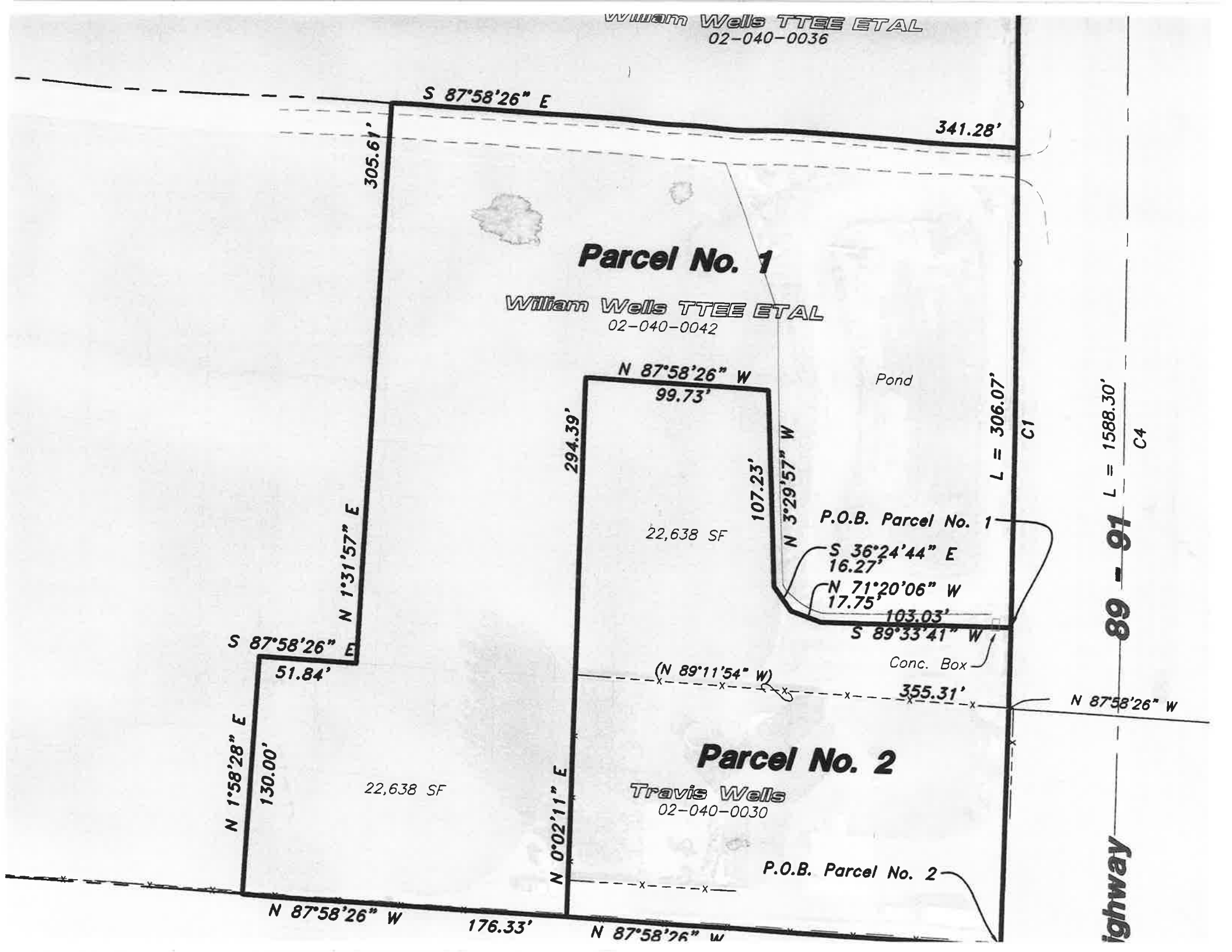
A Part of the Northwest Quarter of Section 14, Township 8 North, Range 2 West, S.L.B.&M.

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Brigham City, Utah • Jerome, Idaho
(435) 723-3491 (801) 399-4493 (435) 752-4272
Celebrating over 60 Years of Business

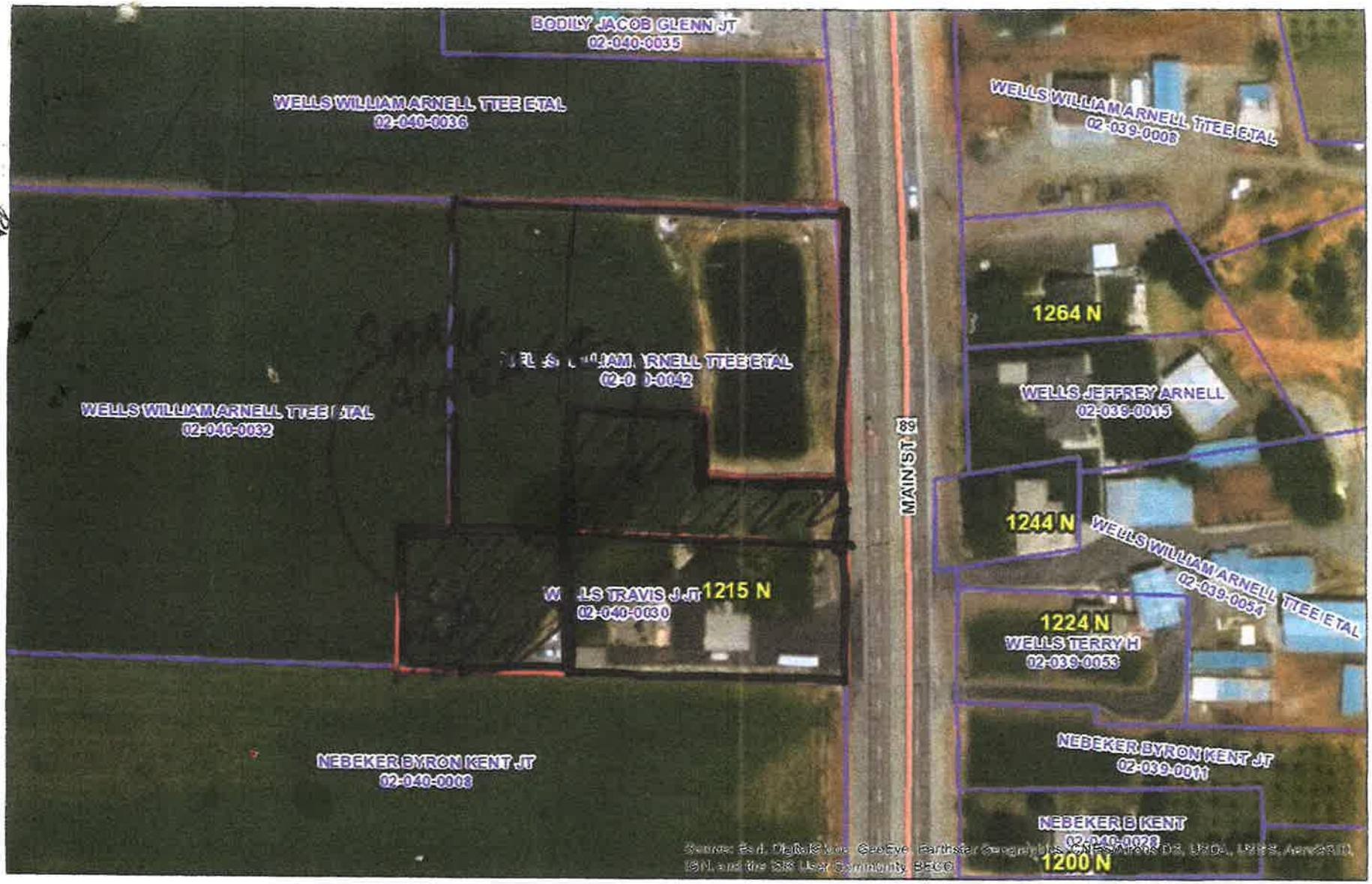
No.	Date	By	Revision

Drawn By: _____ Date: 10/19/20
Designed By: _____
Checked By: _____
Approved By: _____
Scale: 1" = 60'
Drawing File: 20-3-241 ex 1.0
JOB NUMBER: 20-3-241

Sheet 1 of 1 Sheets


William Wells TTEE ETAL
02-040-0036
S 87°58'26" E
341.28'
305.61'
Parcel No. 1
William Wells TTEE ETAL
02-040-0042
N 87°58'26" W
99.73'
Pond
294.39'
107.23'
N 3°29'57" W
L = 306.07'
C1
L = 1588.30'
C4
89 - 91
P.O.B. Parcel No. 1
S 36°24'44" E
16.27'
N 71°20'06" W
17.75'
103.03'
S 89°33'41" W
Conc. Box
22,638 SF
N 1°31'57" E
S 87°58'26" E
51.84'
(N 89°11'54" W)
355.31'
N 87°58'26" W
N 1°58'28" E
130.00'
22,638 SF
Parcel No. 2
Travis Wells
02-040-0030
N 0°02'11" E
P.O.B. Parcel No. 2
N 87°58'26" W
176.33'
N 87°58'26" W
ighway

Box Elder County Web Map



Box Elder County Web Map
May 27, 2020

1:1,881

Search Results: Tax Parcels
Override 1
Box Elder County

Cities
Mile Markers

Freeway Exits

CHAPTER _____ MASTER PLANNED COMMUNITY ZONE

MASTER PLANNED COMMUNITY ZONE SECTION: _____: Master Planned Community Zone

_____: (project) Master Planned Community Zone

MASTER PLANNED COMMUNITY ZONE:

Each master planned community zone, or MPC zone, is intended to allow a master planned, architecturally designed development where customized zoning requirements apply in order to permit flexibility and initiative in a large scale site development. The following requirements shall apply to the establishment of any MPC zone:

A. Minimum Size:: Each MPC zone shall be at least ten (10) acres.

B. Open Space Required: A minimum of 20 percent to a maximum of 50 percent open space shall be provided to include natural open space, improved trails or improved parks as approved by the City Council. As an alternative, the City Council may at its discretion charge a fee in lieu of open space to allow for more centralized parks or other municipal off site improvements as the City Council determines.

C. Petition: A petition shall be submitted for a text and zoning map amendment as provided in section 12-106 of this title, including the following materials:

1. The proposed zone name and location;
2. A proposed development agreement;
3. The proposed zone text including:
    a. Permitted, conditional, and accessory uses and
    b. Proposed development standards providing:
    1. Land use standards establishing mix of land use types, location and density;
    2. Lot standards establishing requirements for lot area and dimensions;
    3. Building setback standards for front, side and rear yards; and
    4. Building regulations addressing building height, building orientation, and architectural design guidelines; and

4. A conceptual master plan showing:
    a. The location of proposed land uses and proposed residential densities;
    b. The location, arrangement and configuration of open space, parks and trails; and
    c. The location and design of street infrastructure..

D. Development Standards: The development standards may include development regulations regarding processing of applications, common and private open space guidelines, natural resource protections, grading, drainage and street standards.

E. Modification By City Council: In considering a petition for an MPC zone, the proposed zone text and zoning map amendment may be modified by the City Council to meet the intent and requirements of this section and may include regulations and standards other than those proposed by the petitioner.

F. Development Agreement: An MPC zone shall only be established with the concurrent approval of a development agreement.

G. Findings Required For Approval: The proposed MPC text and zoning map amendment and schematic development plan shall be approved only if the city council makes the following findings:

1. The zone is necessary to provide land use or design standards tailored to a specific geographic area and development program that cannot otherwise be provided through conventional zoning.

2. The zone provides equal or greater compatibility with surrounding land uses than would occur with conventional zoning.

3. The zone provides equal or greater protection to sensitive lands than would occur with conventional zoning.

4. The zone avoids incompatible development on lands subject to natural hazards.

5. The zone promotes efficient land use by allowing housing and commercial development at densities that are appropriate for the area.

6. The zone provides equal or greater opportunities for alternative modes of transportation such as walking, bicycling, or transit, than would occur with conventional zoning by:

a. Encouraging or requiring significant mixed use development where appropriate; and

b. Providing a master plan with direct and convenient pedestrian or bicycle connections between all land uses.

H. Designation: Upon approval, each MPC zone shall be given a unique name following the designation "MPC--" and shall be independent of any other MPC zone..

I. Permit approval: Within an MPC zone, applications for subdivision approval, site plan, conditional use permits and any other needed permits shall be submitted and approved as required to implement the conceptual master plan. The conceptual master plan shall meet the conceptual subdivision review requirement of title 12 of this code.

J. Amendments To Plan: Amendments to an approved conceptual master plan shall be obtained by following the procedures required for first approval as set forth in this section.

K. Sunset provision: Any Master planned community zone created under this ordinance shall be commenced within one year of the date which the City Council grants approval of the Zone and the accompanying development agreement or the zone shall revert to the previous zone.

L. HOA: The City Council shall not typically allow Homeowners' Associations to govern the developments created by this zone.

Consideration of Resolution 2021-4 Approving Willard City to Participate in the Utah Retirement Systems Employer Election to Pick-Up Member Contributions for Tier 2 Public Safety Employees

Mr. Davis recalled that during the last City Council meeting, the Council and Staff discussed Willard City participating in the Utah Retirement System (URS) Employer Election Pick-Up Contributions for Tier 2 Public Safety Employees. He noted what was being proposed was the retirement portion the employee paid would be picked up by the city, which was an addition 2.27 percent on Tier 2 public safety employees. He went on to say this option would allow them to retire at 25 years of service with 50 percent. It was said the proposed employer election would help keep the city in line with other entities and it helps the city attract potential officers.

Motion: Council Member Seamons moved to approved Resolution 2021-4 Approving Willard City to Participate in the Utah Retirement Systems Employer Election to Pick-Up Member Contributions for Tier 2 Public Safety Employees. Council Member Kunzler seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay. None. The motion passed unanimously.

Update on the 200 West Road Project

Mr. Davis indicated the engineers received information back from Staker Parsons regarding whether they would or would not honor the same bid prices they offered to Perry City. He noted that they have, and their bid came back for the 26 feet width of asphalt. The amount being proposed was $774,805.80 and additional funding was available beyond that amount. Mr. Davis indicated there are still some outstanding issues in Perry. He went on to say, they had to add an addition $100,000 for engineering and surveying and $50,000 for testing and there was still an addition $250,000 in funding left.

Mr. Davis informed that Council that they asked Staker Parsons what an additional one inch of asphalt would cost, and it would cost approximately $73,000. He noted they would know more when the Perry City side was completed.

It was suggested that the city should maximize what the city could get with the 90/10 match. It was reiterated there was enough funding to get the roadway paved all the way to 750 North, and the city could look at widening the road, deepening the asphalt or other improvements.

Council Member Ward commented that they should investigate any additional improvements that they want completed so they could get the engineering competed. Mayor Braegger indicated that everything would come back to the Council so we could see what options were available. He reminded the Council the City would have to match 10 percent.

Mr. Davis informed the Council that currently in the Class C Road Funds, the balance was approximately $205,000 and the city might utilize approximately half of those funds for the 1-million-dollar match.

Discussion Regarding the Proposed Master Planned Community Zone

Mr. Davis referred the Council to their packets, which had a proposed ordinance staff previously gave them that staff wanted some feedback. He noted there was an option of fee-in-lieu of green space. He went on to say the Council may not want green space in a particular development; they may want to put the funds somewhere else in the city. He pointed out the required acreage was reduced from 80 acres to five (5) acres. In addition, the green space required approximately 20-30 percent. He reiterated staff wanted to receive the Council's input and with their guidance, they would put the proposed ordinance on

the planning commission agenda to conduct a public hearing so it would come back to the Council for a public hearing and potential adoption.

It was noted that Ms. Snarr sent out the development agreement not the ordinance, which is not what the Council would be looking at. Mr. Davis informed the Council the ordinance was about two to three pages and it would become the zone i.e., the Deer Run zone. He explained staff was looking for feedback regarding what the Council would like to see in the zone itself and take that to the Planning Commission then bring it back to the Council.

Council Member Ward clarified the Master Plan Community Zone (MPCZ) that would be the guideline to meet those requirements, and they (the developer) could be stricter; however, they could not relax the requirements. It was indicated that was correct.

Discussion followed regarding lot size. Council Member Ward indicated that he would like to see half-acre lots and a certain percentage down to a third acre. He noted that he would like only a percentage of the lots that could go to a third acre. Council Member Ward referred to the proposed Master Plan, and it references 30 percent (30%) of green space. He stated he would prefer eight percent (8%) open space. He pointed out the City already had a few nice parks. From a city standpoint, he was looking out for the residence of the city, so they don't have to us the residence as a tax base to maintain the city. He thought it should be looked upon as a minimum requirement and would like most of the land utilized for housing.

Council Member Robb pointed out that Mr. Davis mentioned the city could accept fees-in-lieu of open space. If the Council put it down to eight percent (8%), it would not be enough. Council Member Ward questioned if the fees were going to cover what the city would do with 50 acres. Council Member Robb stated that realistically, they would be looking at five (5) acres - not 50 acres. Council Member Ward said he thought five (5) acres was too small.

Council Member Kunzler agreed five (5) acres was way too small for the MPCZ. He went on to say he liked 50 acres. They could do something with that, and he thought it was a reasonable amount for a substantial zone. Council Member Kunzler stated he would like to see the language of the MPCZ and how it would work. Council Member Seamons clarified that language would be involved with the development agreement. As of right now, there was no verbiage that said how that would work in the ordinance; the details would be in the development agreement.

Mr. Davis informed the Council what he wrote down, as an alternative at the City Council's discretion, would be to allow for more centralized parks.

Council Member Seamons pointed out the original ordinance was too vague in some areas and to detailed in other areas. He went on to say they need to set the rules they want to live by and have the developers bring in the development agreement.

Council Member Braegger stated that he thought 50 acres was too much. The city would end up with developments that would not mesh well together.

Council Member Kunzler reiterated that he thought five (5) acres was too small. It was Council Member Seamon's opinion that the number of acreages they put in the ordinance would never work. Someone would always try to push it, and he thought it should be a sensible number. He suggested it should be nothing less than 10 acres, and then they could worry about the development agreement.

Council Member Ward pointed out in the proposed ordinance it indicated the new developments needed

to blend with what was currently in the city. He said he could not see a developer coming in and developing one-quarter and one-eighth acre lots.
Council Member Kunzler suggested if they left it open, a developer could come to the city and bring a proposal and maybe as the Council reviewed their specific development it could or could not work. He mentioned they could have that discussion as they look at the development agreement.

Council Member Ward stated that he thought it was the Council's responsible to layout the plan of the city. He went on to say he thought the city needed to be the boss - not the negotiator. Council Member Kunzler noted it would not be a "the city would" approve it; it would be "the city may" approve it.

Council Member Robb agreed with Council Member Ward; they need to have a minimum lot size in the ordinance. He went on to say he did not think they should waste people's time. Mayor Braegger said he was not against one-third acre lots with 30 percent open space; however, he thought a developer would be crazy to do that. Council Member Ward indicated that was why he would like to lower the 30 percent open space requirement.

Council Member Kunzler indicated he was more concerned with the density and that was the key to him. He noted in order to maintain the density, they may have to go to one-third acre lots. Council Member Robb said he did not think a development would work with one-third acre lots and a minimum of 30 acres.

Council Member Ward stated he looked at the majority of the property in Willard and most of the property was developable. He went on to say, the tax base was what brought revenue to the city – not residential house tops. Mayor Braegger said he did not think anyone would disagree with him, but you have to get the people here to have the tax base.

Council Member Ward pointed out they had to have some type of number to specify the acreage of the lots. They could not let the development get too small. Council Member Braegger agreed, and he suggested they could specify 15,000 sq. feet, which was more than one-third acre. He went on to say he thought something had to be in the ordinance whether it was 12,000 or 15,000 square feet.

Council Member Kunzler indicated it may be worth saying there needed to be a blend of lot sizes. He noted it should be a planned development. It was his opinion that it would add value and makes it a more attractive community. Council Member Robb indicated that would be a part of the development agreement.

Council Member Seamons expressed if the city told them 30 percent (30%) open space and a minimum lot size, they would still back themselves into a corner, and they still would not quite get what they were looking for. He stated he was concerned with that happening. He suggested they could say a minimum lot size and not specify open space. Council Member Kunzler stated that he agreed with that idea; however, he did not know the language to utilize. Council Member Robb said if there was not any language, there won't be anything.

Council Member Ward inquired when they talked about open space fee-in-lieu, was that a one-time fee. Mayor Braegger stated they could put lots in a development and give the city money instead of the open space in the development and the city could invest the funds in trials, parks, ball diamonds, etc. They could utilize the funds to develop what the city wanted.

Mayor Braegger pointed out in order to get the funds for the open space, there would be a few more homes and density. He thought they needed to be cautious. They do not want the homes stacked on top of each other. He went on to say he did not know the answer but that was a direction he would like to

move in.

Council Member Seamons referred to South Willard. He said as he understood it, South Willard was blanketed with just one lot size, which he thought was decent. Council Member Robb mentioned if the City utilized South Willard as an example, they have a half-acre lot; however, they do not have any parks.

Council Member Ward stated he liked Mayor Braegger's comment regarding parks. They could be centralized and maintained. Mayor Braegger added the city have a few nice parks, but as they grow, those areas would not be adequate. Council Member Braegger pointed out the baseball diamonds in the summer were full.

Council Member Seamons pointed out the city's history with open space had been negative. It has not been what the city had looked for. He stated he hoped it would be something they look at.

Planning Commission
PUBLIC HEARING
The Willard City Council will conduct a Public Hearing to take public comment regarding a proposed ordinance to repeal Chapter 12-106, Planned Development, of the Willard City Zoning Ordinance

Mayor Braegger entertained a motion to open the public hearing.

Motion: Council Member Kunzler moved to open the public hearing. Council Member Ward seconded the motion. Members voting aye: Council Members Kunzler, Robb, Seamons, Braegger and Ward. Members voting nay. None. The motion passed unanimously.

The public hearing opened at 7:07 pm.

Public Comments

Mr. Davis said you, as a council, indicated you wanted to have a review and repeal of the PUD ordinance. He went on say it first went to the Planning Commission and they made their recommendation to repeal the PUD and it should come back to the Planning Commission with something more workable.

Don Waite, North Ogden, addressed the City Council. He indicated that he was looking forward to living in Willard. He went on to say with his experience, he liked the direction the city was going with the Master Plan Community. He noted that every city had the right to define itself.

Mr. Waite said he had watched the same thing in North Ogden; they have a PRUD ordinance, and almost each of them had a HOA. It was his opinion that almost each one of them would come back and become city property. It was his recommendation if the city allowed HOAs, make sure they maintain the city's standards. It was also his opinion a development agreement should be on anything more than five (5) lots.

Willard City
Planning Commissin Meeting – Regular Meeting
March 4, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a regularly scheduled meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting Notice Website.

The following members were in attendance:

Sid Bodily, Chairman
Diane Baker
Chandler Bingham
Blake Harrop
Zack Hulsey

Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Michelle Drago, Planning Secretary

Excused: Alex Dubovik

Others in attendance: Councilman John Seamons; Clyde Westley; Brad Brown, Colliers; Garth Day; Travis Mote; Randy Lemon; Lew Swain; Brent Bailey; and Brinton Neff.

1. PRAYER: Chairman Sid Bodily

2. PLEGE OF ALLEGIANCE: Chandler Bingham

3. ROLL CALL – Attendance was recorded by the secretary.

4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

Travis Mote, 455 South 200 West, understood the City's General Plan had not complied with the State Code since 2016. Where was the City in the planning process? Bryce Wheelwright reported that the City had received a grant to update the General Plan. A Request for Proposals had been advertised. Four proposals were received and were being reviewed by the staff. A recommendation would be made to the City Council at the March 11th Council meeting.

Clyde Westley, 221 East 100 South, hoped everyone was aware that the Zundel farm had been sold to UTA (Utah Transit Authority). The farm consisted of 38 acres and was located on the south side of 750 North just east of the railroad tracks. The Zundel's accepted less than they originally wanted because the land was being purchased by the State for future expansion of UTA's Front Runner. The property was now a contender for a future Front Runner station. He felt the sale information should be noted. No matter how Willard developed, knowing about a possible Front Runner station could make the difference in whether or not it was selected. UTA had a vision, or plan, that looked into the year 2050. A possible station wasn't going to happen right away, but now was the time for Willard to plan its direction into the middle of this century. UTA was committing money to their vision now. People with vision would also start committing money. Box Elder County had a stake in the rail system. Brigham City had been collecting taxes for UTA's expansion for well over ten years. In the past Box Elder County officials had sometimes circumvented Willard's land use desires. Maybe now that could be changed by using the rail system as a common goal. Willard was a beautiful, narrow strip of land confined between the Wasatch Mountains to the east and the Great Salt Lake and Willard Bay to the west. Thousands of daily travelers on I-15 and Highway 89 were forced through Willard's narrow corridor by nature. Mr. Westley felt Willard's mountains should be preserved and showcased for all to enjoy, and the town needed to be maintained as a comfortable, healthy, and safe place to live. There was a Box Elder County transit study available online. It could be accessed through both Box Elder County and UTA's websites. The study offered a lot of information, including the RTP (Regional Transportation Plan). Some of the scenarios presented in the RTP could offer ideas for Willard's

future growth. It looked beyond the rail system's development to bus service, bicycles, and walking trails. The Bonneville Shoreline Trail, just east of Willard, and the Stewart Orchard Pathway extended north to Brigham City and south to Pleasant View. Both were also identified on the RTP maps. He felt the City needed to become more aware of the trails and continue to develop them for preservation in the future.

Chairman Bodily asked what UTA planned to do with the Zundel property until a station was developed. Mr. Westley said UTA planned to lease it out for horses. He had encouraged them to not leave it for the next 20 to 30 years. He hoped they made a plan to utilize some of its features and not just pave them over.

Chris Davis said he had spoken with UTA officials - Hal Johnson, Beth Holbrook, and Shule Bishop - that afternoon. Beth Holbrook was one of the three trustees on the UTA Board. Hal Johnson was the Project Manager. Shule Bishop was with Government Relations. They indicated they intended to keep the property's agricultural use for the foreseeable future, as well as the water. They also indicated they wanted to work with Willard City on a master plan update. They were willing to involve their planning resources. UTA also wanted to preserve a transportation route going south from this property. It was their intention to have a station built on this property.

Chairman Bodily felt it was important for Willard City to let UTA know the City was interested in a station so it didn't end up somewhere else. A few years ago, UTA was deciding between Willard and Perry. The station couldn't be located in both cities. It was important that Willard speak up, even if it was a long way down the road. Mr. Davis said UTA had just invested a several million dollars because that was where they wanted the station. Beth Holbrook planned to attend the next City Council meeting to give an update on bus transit. She would also be able to answer questions about the station.

Commissioner Harrop stated that he had asked Bryce about an alternate freeway exit to the north rather than from 200. There was also talk about tying 500 West into their system. Bryce said they were on board with that as well.

Clyde Westley stated that Hal Johnson had indicated UTA was willing to make a presentation to the Planning Commission.

5A. PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE CREATING CHAPTER 12-106 OF THE WILLARD CITY ZONING ORDINANCE ESTABLISHING A MASTER PLANNED COMMUNITY ZONE

Chairman Bodily reviewed the Willard City Planning Commission Rules of Order.

Commissioner Baker moved to open the public hearing at 6:48 p.m. Commissioner Harrop seconded the motion. All voted unanimously. The motion carried.

Bryce Wheelwright stated that a few months ago, the Planning Commission and City Council voted to repeal the City's PUD Ordinance because the City wasn't happy with the development product it was getting. The Planning Commission and City Council held joint work sessions prior to repealing the PUD. Since that time, an interested party had proposed a Master Planned Community Zone (copy filed for record).

Mr. Wheelwright explained that each master planned community would become a zone in and of itself. This type of ordinance opened the door for different ideas and concepts in different parts of the City. The pros of the ordinance were:

1. The Planning Commission and City Council's ability to approve a development wouldn't be limited because it didn't comply with the ordinance;

2. Each development agreement for each project would actually be a zone;
3. Each development would be a different master plan community zone.
4. The City would have a say regarding design, density, lot sizes, open space, and what was done with the open space.

Commissioner Harrop clarified that each project would create its own destination and zoning. Mr. Davis said a developer could propose and negotiate a zone through a development agreement. Mr. Wheelwright said that when a development agreement was accepted by the City Council, the development would become its own zone.

Chairman Bodily asked if there would be a problem if one development was allowed to do something that another development was not. Bryce Wheelwright said there might be unique circumstances related to a development that would prevent it from having something another development had.

Commissioner Bingham felt that opened up the opportunity for the City to play favorites.

Colt Mund, City Attorney, stated .that a Master Plan Community Zone gave the City and the developer freedom to negotiate an arrangement that was mutually beneficial. This would be a contractual relationship between two parties. If the parties could not reach an agreement that was mutually beneficial, a developer could apply for a development that complied with the Zoning and Subdivision Ordinances. The Planning Commission was right. Someone could argue the City wasn't letting them do something that someone else was able to do.

Chairman Bodily asked if lot sizes could vary. Bryce Wheelwright said the ordinance was a template. The template could be altered with lot size stipulations. However, that was what got the City in trouble before.

Commissioner Harrop asked if there would be ordinance guidelines to specify or direct a developer. Would it be individual case by individual case that could be approved or not? Mr. Davis said the ordinance provided a developer with a template and parameters for forming a development agreement. The open space could be somewhere between 20% to 50%, or a developer could propose fees in lieu of open space. Commissioner Harrop asked who would be responsible to maintain the open space – the developer or the City. Mr. Davis said it would depend on the circumstances. One development might want their own amenities. In another development the City might not want a pocket park.

Commissioner Hulsey asked if the Master Plan Community Zone meant the City Council would be making all of the choices rather than having an ordinance that defined how the City wanted things. Would the City Council would have the burden? Mr. Davis said that it would to an extent.

Chairman Bodily clarified that the Planning Commission would consider the Master Plan Community Zone and make a recommendation to the City Council. Mr. Davis said the City Council would holding a hearing on the Master Plan Community Zone during it March 11th meeting. The public hearings were simply intended to allow for public input. The Planning Commission would make a recommendation to the City Council.

Chairman Bodily opened the floor for public comments.

Travis Mote, 455 South 200 West, felt the City needed to decide who was going to plan the future of the City. Would it be randomly laid out and planned by a sequence of individual developers, or would the City direct its own future? The Master Plan Community Zone should be considered a tool. It was only a useful tool when the City had a General Plan to guide its use. Several times the Planning Commission and City Council had stated in public meetings that the City did not have a General Plan that met the State

requirements. Yet there seemed to be no active work to remedy that issue. As he understood it, Willard City had not met the State requirements since 2016. What was the purpose of the Planning Commission if it wasn't planning? Before ordinances such as this were adopted, a suitable General Plan needed to be in place. As for this ordinance, it lacked the specificity to inform citizens and developers. It left loopholes that would be inconsistently applied and open the City up to legal issues. He listed some of the legal issues:

1. Section B. There was no definition of "Open Space," nor was there a reference to a definition elsewhere in the Code. The City had already learned that without a definition, the developer gets deference to their definition by State law.
2. Section B. 20% to 50% open space. Where and how would this be determined? There needed to be a General Plan to guide this so it was not arbitrarily implemented and caused legal issues or created unforeseen safety issues, such as excessive traffic concentrations in town.
3. Section B. Fee in lieu of open space: There was not a method of valuation. Would the City get the value of the gained lots or the lost open space? Would it be valued by appraisal? Again, this could be seen as arbitrary and create legal issues.
4. Section C Sub 4: What was the guidance for base densities? That should be addressed in a General Plan that had studied the infrastructure and resources of the City.
5. Section G. Approval is based on the City Council making the following findings: The ordinance did not specify if it was one of the following or all of them.
6. Section G Sub 1-2. This sub section seemed to allow extraordinary land uses, such as 'gravel pits,' as part of residential zoning The Blue Ox development came to mind. Several citizens had already spoken out about this development approach.
7. Section G. Sub3-4. The sub section seemed to allow increased density due to 'unbuildable areas.' Sensitive lands in Willard tended to be wetlands or steep slopes. Both should be avoided. It was not necessary to increase density. These were the natural features that brought people to Willard and made houses sell for a premium.
8. Section K. There was not a definition of 'commenced.' It could be defined anywhere from platted to ground breaking.

Mr. Mote reiterated his assertion that the Planning Commission's function was to plan. Before development tools were adopted into the City ordinances, the General Plan needed to be updated. The citizens should shape the future of the community. It should not be left to chance.

Brad Brown, Riverdale, stated that he was part of a group that had the Fitzgerald property under contract. With the PUD Ordinance repealed, they were trying to figure out how to move forward. He liked the proposed Master Plan Community Zone. It gave him a tool for moving forward. He agreed that it needed to be part of the vision for the community. Sometimes zoning left openings for a developer to push an agenda based on what he wanted rather than what was best for the City. He liked to align with the City's vision. He showed the Planning Commission a proposal for the Fitzgerald property that was prepared under the City's old PUD Ordinance. It had lots with a big section of open space, but the City didn't want a big weed field behind the development. He prepared a second plan that had lots with parks, but the City didn't want to deal with pocket parks. He liked the mechanism provided in the Master Plan Community Zone. A developer could propose something that would align with the City. It gave the City latitude to shape what it wanted. It would allow developers and the City to align rather than but heads or argue over points. It was hard to hear that Willard had repealed the zoning they were going for without a replacement. They had deadlines. They were trying to come up with the best plan they could. After having spent time in Willard, he had recognized how beautiful it was. There was a lake to the west and mountains to the east. Willard was a great city. He hoped to be able to press forward with this project.

Garth Day, Heritage Land Planning and Development, spoke in favor of the proposed Master Plan Community Zone. He had spent a great deal of his life as an urban planner working in various communities. Zoning had always been difficult in Box Elder County because all zoning decisions were based on the very

minimum. A traditional zoning ordinance told a developer and land user the very minimum they had to do. By very nature they would do the very minimum. When alternatives, like the Master Plan Community Zone, were considered, there was more flexibility. The market was tough. It would dictate what was needed. Housing in Northern Utah had changed in the last 18 months in ways no one had ever envisioned. There was now a 60,000 unit deficit. The pressure was moving Willard's way. He agreed that the City needed a General Plan; something that was usable. The Planning Commission and City Council also needed tools to give them the flexibility to stay in control rather than telling someone the minimum they had to do. The Master Plan Community Zone would allow the City to mix uses and enter into contracts. It would give the City the protection it needed to hold someone's feet to the fire. In the past, PUD's were notorious all over Northern Utah for not working well. When the City entered into a contract or approved a zone by development agreement, it had far more teeth than a traditional zoning ordinance. He felt the proposed draft lacked a baseline. Where was the City going to start from? The City's baseline could be half acre lots. He had been in meetings in other communities where people weren't happy with half acre lots because they were too big. If the City established what the baseline needed to be, densities could be worked from there. In a Master Plan Community Zone, densities were established first. Then the designers and professionals could make sure the needs were met versus trying to force everything onto a third acre or half acre lot. He encouraged the Planning Commission to think about where the baseline needed to be – 20,000, 15,000, 13,000 or 40,000. The baseline would allow the Master Plan Community Zone to operate most effectively. Then the City could get to things like open space and fees in lieu of. He felt the proposed Master Plan Community Zone was about as creative as one could be in today's planning world.

Lew Swain, Farmington, felt the Planning Commission had received some good feedback about things to be cautious of and things to consider affirmatively regarding the proposed ordinance He had dealt with development codes in seven states in the Western United States for over 40 years. It was difficult trying to find a one size fits all. Sometimes cities came up with a great idea that would solve all kinds of problems, but it didn't fit the ordinance. If it didn't fit; it didn't fit. If it didn't fit, should it be approved? Concerns had been expressed about open space. The Planning Commission had seen the evidence that open space had been abused when it was located on the side of a hill or in a swamp. It was evident that any project that was going to be approved in the community, whether under this ordinance or any ordinance approved, would come back to the Planning Commission and the City Council. A developer wasn't going to sneak something past anyone. It would be a collaborative effort with everyone working to the best of their ability to make something that would hopefully meet what the market required, what the community felt comfortable with, and provide something that would be a lasting asset to the community. He believed that this flexible structure, when the City was dealing with the competent advice it had, could provide the opportunity to develop the kind of open space the City wanted. Developers would have to provide analysis, such as traffic and water, to make sure that all aspects of the development were being considered and put it in the form of a plan. The Planning Commission and City Council could then look at that plan and determine whether it did or did not comply with the City's vision. He believed that the Master Plan Community Zone, which appeared to have no structure, provided the flexibility to create a structure that the Planning Commission could look at and decide if it provided for real, usable open space. Did it provide for the things the City had been looking for? He felt the proposed ordinance would provide what the City had been looking for.

Clyde Westley, 221 East 100 South, stated that he was not a community planner. It looked like the planned community zone would be difficult. It would take a lot of people that really knew what they wanted. If the City approved something for one developer, he didn't know how it could not approve the same thing for someone else. Mr. Swain mentioned something that met the market's demand and was comfortable for the community. Developers would always push for maximum profit from the area they were working with; that as their job. The community had to comfortable with what they came up with. The comfort zone was the City's planning. It would be difficult to control something here and something there.

Commissioner Hulsey moved to close the public hearing at 7:10 p.m. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

Chairman Bodily was concerned about the baseline. Did the City want 15,000 square feet? Did it want 95 feet of frontage? He was also concerned with the City's ability to allow one developer to do something without allowing it for all developers.

Commissioner Bingham wanted a tool that would allow the City to work with developers. He had seen what happened when something was open to too much interpretation. He wasn't sure the City Council considered how much work and research was involved in the Planning Commission's recommendations. There were some developments in town that reflected the City's concern about other things. They reflected that things had been overlooked. He liked the ability the proposed ordinance gave the City to work with developers. There were different needs in different parts of the community. He was concerned about its lack of checks and balances. He really wanted the Planning Commission to have a work session with the City Council to review the proposed ordinance.

Chairman Bodily agreed that the proposed ordinance was heading in the right direction. It needed some baselines, such as road widths, so developers knew where to start.

Commissioner Hulsey felt that without baselines, the first developer to get away with something would set the new precedence. He agreed that the proposed ordinance needed some checks and balances. Without checks and balances, approvals would be at the Council's discretion. He felt planning a community this way was smart, but baselines were needed. He asked why the maximum amount of open space was 50%. Mr. Wheelwright said the amount could be changed. It was an example of what could be done.

Commissioner Baker was concerned about that the ordinance was placed on the agenda for consideration and adoption. This was the first time the Planning Commission had seen the ordinance. The Planning Commission had not had a chance to discuss it prior to the public hearing. She felt there needed to be a work session before anything was considered for adoption. It was moving too fast.

Chairman Bodily said the Planning Commission had had discussions with the City Council about this issue. This was the first time the Planning Commission had seen a proposed ordinance.

Commissioner Harrop agreed that the ordinance needed to have some baselines. There had to be a profit margin for the developers. The Planning Commission also had to consider the best interests of the City. There wasn't a set solution. The City couldn't write up something that was black and white. For that reason, he liked the proposed ordinance. However, he was concerned that the Planning Commission wasn't as knowledgeable as developers. The City's knowledge shortcoming and the lack of black and white regulations might leave something open. It could a school of hard knocks. He didn't know if the City could come up with a one-size-fits all ordinance for the entire community. For that reason he liked the proposed ordinance with some caution about a lack of knowledge in writing contracts could hinder the City's ability to protect itself.

Chairman Bodily felt consideration of the Master Plan Community Zone should be tabled to allow baselines to be added so developers would have a starting point.

Commissioner Bingham felt the Planning Commission and City Council needed to hold a work session. He envisioned an ordinance that would allow the City to work with a developer to get a project that was beneficial for everybody and that was equitable. From his construction experience, the best projects were those designed by contractors because they were up-to-date. Design/build worked well because

contractors wanted to do what was best and still make money. This ordinance could be good, but it also had the potential for a really rough learning curve. The Planning Commission was just getting through the learning curve on the old PUD Ordinance.

Chairman Bodily was concerned about the City's ability to ability to allow a developer to do something that didn't set a precedence for other projects. He asked when a work session with the City Council could be scheduled. Chris Davis said he would talk to the City Council about holding a joint work session at the next Planning Commission meeting.

Bryce Wheelwright agreed with the Planning Commission's concern regarding the City's ability to regulate development without setting presidents. If the ordinance was adopted it would have to be defendable in a court of law.

Colt Mund stated this was a permissive opportunity for developers. He didn't see it as a vested right spelled out in the City's ordinance. A development agreement allowed two parties to reach a contract. From a public policy standpoint, he didn't feel a court of law would prevent cities from entering into contracts because someone felt they weren't treated fairly. If the parties could not reach an agreement, a developer still had the opportunity to develop property under the Subdivision Ordinance. The Master Plan Community Zone was a tool. It was not black and white law that everybody was entitled to. Not every person who subdivided property would want a master plan community. To alleviate concerns, he would look into whether the City could legally allow something in a master plan zone without setting a precedence for other developments.

Commissioner Bingham moved to table consideration of Chapter 12-106 Master Plan Community Zone until a joint work session could be scheduled with the City Council. Commissioner Baker seconded the motion. All voted unanimously. The motion carried.

5B. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR JONATHAN MILLER LOCATED AT APPROXIMATELY 110 SOUTH 200 WEST (PARCELS 02-051-0009 AND 02-051-0008)

Bryce Wheelwright stated that the Planning Commission approved a preliminary plan for the Jonathan Miller Subdivision during its last meeting. The subdivision included a lot line adjustment with the neighbor to the south whose driveway was encroaching onto the Miller property. The Planning Commission approved the preliminary plan, but it didn't approve the lot line adjustment. The lot line adjustment would be resolved by recording quit claim deeds. The lot line adjustment would not make an illegal lot.

Commissioner Harrop asked if there were any ordinances that weren't being met. Mr. Wheelwright said there weren't.

Colt Mund stated that Jonathan Miller's initial proposal would have created a new dwelling lot. The City told him that wouldn't work. Mr. Miller had made a great deal of effort to make the corrections the City wanted. He now met the requirements of the City Ordinance. He was simply adjusting his property boundary a few feet to make sure one neighbor's driveway didn't encroach onto another's. He asked that the Commission's approval be subject to Mr. Miller providing the City with signed copies of the executed quit claim deeds.

The Planning Commission members didn't have any concerns about the lot line adjustment.

Commissioner Bingham moved to approve a lot line adjustment for the Jonathan Miller property located at approximately 110 South 200 West (Parcels 02-051-0009 and 02-051-0008) subject to Jonathan Miller providing the City with copies of the executed quit claim deeds dedicating the street

to Willard City and adjusting the lot line Commissioner Hulsey seconded the motion. All voted unanimously. The motion carried.

5C. CONSIDERATION AND DISCUSSION REGARDING CHAPTER 12-500 MOBILE HOME ORDINANCE AND 12-700 RECREATIONAL VEHICLE ORDINANCE

The Planning Commission didn't have any concerns regarding either ordinance.

Commissioner Harrop moved to recommend that the City Council approve Chapter 12-500 Mobile Home Ordinance and Chapter 12-700 Recreational Vehicle Ordinance. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

6. CONSIDERATION AND APPROVAL OF FEBRUARY 18, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Baker moved to approve the February 18, 2021, regular Planning Commission minutes as corrected. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

7. COMMISSIONER/STAFF COMMENTS

Colt Mund did not have any comments.

Chris Davis appreciated the Planning Commission's insight regarding the Master Plan Community Zone. He explained that the staff wasn't trying to circumvent the Planning Commission or the planning process when it scheduled the public hearing. The staff just wanted to get the public input step required by State law out of the way.

Bryce Wheelwright stated that:

- The City was moving forward with the waterline project.
- Now that UTA had purchased the Zundel property, there was a possibility 500 West would go in. - The 200 West project was moving along.
- The culvert on 300 North where the creek from Willard Canyon crossed the road into the nature park had eroded away. In the next few weeks, Flood Control planned to dig it up and put in a bigger culvert.
- There were two new businesses coming to town – a candy store at 45 South Main and a convenience store at 39 South Main.

Commissioner Harrop asked if the State was willing to help with funding for projects associated with their future roads. Mr. Wheelwright said there was a lot of grant assistance available.

Chairman Bodily felt it was very important for Willard to keep up with the transit development. The City needed to let UTA know it was interested in a station. Mr. Wheelwright stated that years ago, the City approved a Transit Oriented District on the north side of 750 North by Flying J, which was a problem because it was too close to the Perry Station. Now that UTA had purchased the Zundel property on the south side of 750 North, it looked like the station was a pretty done deal. The 38 acres would allow them to put in a parking lot. Chairman Bodily didn't feel it would be an issue to move the transit district.

Commissioner Hulsey had been reading the old City's General Plan. It talked about Willard's goal, which read, "Most importantly the impacts of growth will be handled in a way that seeks as its prime goal to

preserve the rural, agricultural quality of life, preservation of natural resources, and enhancement of its community pride and value." He felt the Planning Commission should focus on that as it when it was creating ordinances for development. As the Planning Commission considered developments, it could ask how they preserved Willard's quality of life and natural resources. He felt that was a good goal set by Willard City.

Chairman Bodily agreed it was a good goal, but there wasn't much agriculture left. Commissioner Hulsey agreed the massive farms wouldn't be around, but he saw a lot of cool things when studying engineering and development. There were developments that maintained an agricultural feel. Commissioner Harrop asked how 'agricultural feel' was defined in development. It was an oxymoron. Commissioner Hulsey said it was if a developer was just putting in houses. Developments had been done that made farming still happen. People couldn't afford a hundred acres, but they could afford three or four acres and keep a little ag feel going. It encouraged a younger generation that couldn't afford larger parcels. Chairman Bodily was all for it, but he didn't see it happening. Commissioner Hulsey felt the Master Plan Community Zone could help the City set up things a little better for an agricultural feel.

Travis Mote stated that communities like Park City were using their open space fund to purchase conservation easements. A conservation easement locked ground into agricultural production. Purchasing a conservation easement reimburses land owners for the loss of development rights. Then an owner's posterity could farm forever. The City could look at revenue streams to do that. There were groups like Utah Open Lands and NRCS that contributed to open space and agricultural style easements. The City needed to think outside of the box. Conservation easements would maintain the open space and rural feel without the City having to take care of it. Everybody loved the agricultural open space in Willard, but no one knew how to pay for it.

Commissioner Harrop asked how the funds were generated. Mr. Mote said USDA had a program called the Agricultural Easement Program that provided cost shares to easement groups like Utah Open Lands, Bear River Land Conservancy, Summit Land Conservancy, etc. around the State that were interested in the same concept of providing open space. Park City and Summit County had a tax that funded some of the conservation easements. They also approached private donors who partnered with the USDA and the State of Utah who had grants for easements. The military also had grants for open space. There were funding sources out there trying to preserve agricultural operations. There was a generation of ranchers and farmers whose kids didn't want to do it. The kids could be reimbursed for the development rights. If they sold the land with the conservation easement, its value was less. The conservation easement was permanent. Some states didn't allow permanent easements. In those states, the easements were only good for thirty years. Utah Code allowed for permanent easements. It was a method to reimburse land owners and maintain the open feel.

Commissioner Hulsey said development didn't have to be just houses and parks. He wanted to explore these avenues further.

Commissioner Bingham stated that not everyone wanted to run a large operation like Pettingills, but some might want a few acres that could be operated along with their fulltime occupations.

Commissioner Baker was glad the Zundel property had been sold to UTA. The City needed another frontage road, because traffic on Highway 89 was horrible when the interstate shut down. She didn't feel West Center Street could handle any more traffic.

8. ADJOURN

Commissioner Hulsey moved to adjourn at 7:51 p.m. Commissioner Baker seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

_____	_____
Planning Commission, Chairman	Planning Commission Secretary
Sid Bodily	Michelle Drago

dc:PC 03-04-21