



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, April 1, 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. Consideration of a Conditional Use Permit for Morgan Palmer for an event center located at approximately 683 North Main (02-046-0102)
 - b. Discussion regarding 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
 - c. Discussion regarding the proposed Master Planned Community Zone (Chapter 12-106)
6. Consideration and approval of the March 18, 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 26th 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 26th day of March, 2021

/s/ Michelle Drago
Deputy City Recorder

**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

1887 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

435-225-16074

Phone Number

801-710-2906

☐ Lot Line Adjustment \$25 Fee

Cell Phone

☒ Other Fee variable, \$25 Min.

REZONE

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 commercial
- Conditional Use permit for Palmer Barn LLC

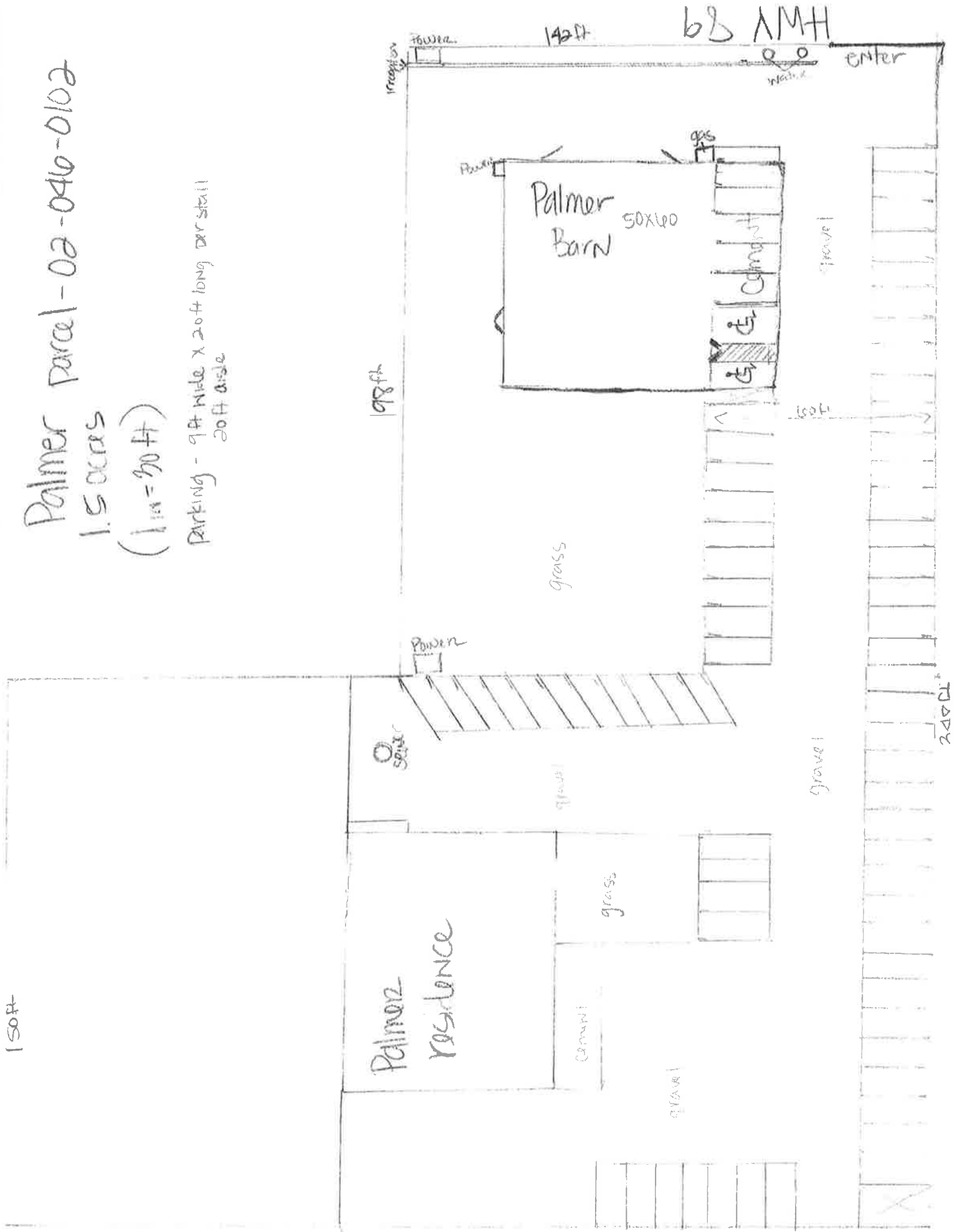
150 ft

Palmer parcel - 02-046-0102

1.5 acres

(1 in = 20 ft)

Parking - 9 ft wide x 20 ft long per stall
20 ft aisle





Box Elder County Web Map

Map of Box Elder County, Nebraska

boxeldercounty.org

+

-

Address, Street, Place



IPGROUND LLC

02-041-0035

750 N 15

BARKER FRED D ETAL JT
02-046-0018

BARTLOMESHANE
02-046-0101

COX JOHN ETUX
02-046-0055

PALMER DAMON JT
02-046-0102

HARROP BLAKE JT
02-046-0099

BRAEGGER NEIL CHRIS JT
02-046-0100

649 N

637 N

MAIN ST 89

740 N

GRIMES MICHAEL K ETUX
02-046-0019

BENDER FRED B ETUX
02-046-0050

720 N

CROUCH BLAKE W
02-046-0051

660 N

640 N

MUND VAN C
02-046-0049

ANDERSON DONEL
02-046-0090



41.42174 -112.03778 Degrees

RECEIVED DEC 29 2020 WILLARD CITY PLANNING COMMISSION
RE-ZONE APPLICATION

0202 0 8 330 RECEIVED DEC 29 2020

Application Date

Assessor Parcel Number *

12-29-2020

02-054-0003

Applicant

Parcel Legal Description*

Trisha Heath

See attached

Mailing Address

90 W 100 S

Willard, UT 84340

AS
Present Zone

R-1/2
Proposed Zone

Phone Number

435-730-8000

Cell Phone

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

APPLICANT'S AFFIDAVIT

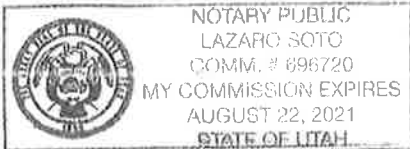
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

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 250 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



[Signature]
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: _____



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.

WILLARD CITY CORPORATION – PLANNING COMMISSION

The Planning Commission of Willard City met in **Regular Meeting**, on March 11, 2021, at 6:47 p.m. in the Council Chambers of the Willard City Offices, located at 80 West 50 South, Willard, UT 84340.

Present: Sid Bodily, Chairman
Diane Baker, Commissioner
Chandler Bingham, Commissioner
Zack Hulsey, Commissioner

Excused: Alex Dubovik
Blake Harrop

Also Present: Chris Davis, City Manager
Colt Mund, City Attorney
Bryce Wheelwright, City Planner
Michelle Snarr, City Recorder

Others in Attendance: Barbara Lutz, Nolan Lutz, Duane Roper, Cameron Roper, Bernard Baker, Travis Wells, Trisha Heath, John Seamons, Rob Braegger, RJ Braegger, Rachel McIntire, Travis Mole, Jo Baird, Steve Brimberry, Ann Larsen, Keith Larsen, Vern Price, Morgan Palmer, Brad Brown, Travis Mote

Chairman Bodily called the meeting to order at 6:47 p.m.

1. Invocation

The invocation was offered by Commissioner Hulsey.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Commissioner Baker.

3. Roll Call: The Recorder took attendance of the members present.

4. General Public Comment (Input for items not on the agenda)

John Member Seamons, 575 North Main

Council Member Seamons addressed the Planning Commission. He said one of the things that happened to them as they get involved, they get very little data. Another thing, they are asked to make decision that they do not fully understand. He noted that one thing to help them is to get a consensus with their constituents.

Council Member Seamons explained he had been asked to get a petition together regarding the Well's Gravel Pit to ask for permission to negotiate with Granite Construction for the outlined property, which contained approximately 1.4 million of gravel. He noted that it would not be accessible for five years or so. He added that the City needed to get a value out of the material. Furthermore, they need to consider the water tank that needed to be built on the north side of town; in addition to, the access of a secondary water system.

Council Member Seamons explained he would be asking people in the community to take this petition around to engage in discussion. He noted they would have the discussion, so they don't have costs associated with buying rights-of-way and purchasing property.

Commissioner Hulsey inquired if the petition was to put in another gravel pit. Council Member Seamons explained the city owned a piece of land adjacent to the Well's gravel pit, and it would take five years to get to the property owned by Willard. I am just asking the questions. If they decide they want to do it. It would be 1.6 to 1.9 million tons of material. They want to figure out if it could be an asset to the city.

Chairman Bodily read the Planning Commission rules of order to those in attendance.

WILLARD CITY CORPORATION – PLANNING COMMISSION

Discussion/Action Items

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 ½

Chair Bodily entertained a motion to open the public hearing.

Motion: Commissioner Bingham moved to open the 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 ½. Commissioner Baker seconded the motion. The motion passed unanimously.

The public hearing opened at 6:56

Mr. Wheelwright addressed the Planning Commission he informed them the property was adjacent to the Mountain Valley Subdivision. He explained the Baker/Braegger rezone was proposed to rezone the property from A5 to R1/2 and extend 400 West to have an emergency access road. He went on to explain anything over 30 homes required more than two access points. The petitioners had offered to rezone the property and proved the emergency access that would provide a second access, which would allow for development down into the area. Finally, they would create two parcel which would be larger than one-half acre each.

Rob Braegger addressed the Planning Commission. He indicated what Mr. Wheelwright said is what they are hoping for.

It was inquired what the emergency access meant. Mr. Braegger said from the way he read the code, it was a private right-of-way for emergency vehicle access; however, it was not for public use.

Commissioner Baker inquired if there would be a gate on the lane. Mr. Braegger said there would not right now; the county records show it as an easement. He went on to say it would not be a locked gate if it were. He added, they already had people that come through the area quite fast.

Chairman Bodily pointed out the emergency access had nothing to do with the zoning change. When they decided to build, then that would be a topic of discussion. They could only have so many homes in the area until they had to have a secondary access.

Mr. Braegger reiterated the way he read it, they had to have two accesses, and one could be a private access. Mr. Wheelwright noted the emergency access could not be gated. If it were, it would have to be a crash gate.

Commissioner Baker questioned if the private access would be paved? Mr. Braegger indicated it would not. However, 400 would be paved with improvements.

Steve Brimberry, 42 South 250 West

Mr. Brimberry questioned if the emergency access would come up through Dell's property. It was explained the emergency access would come adjacent to the south part of their barn; there was 30-35 feet from the fence. Mr. Brimberry pointed out when development first started in the area, a second access was not put in place.

Chairman Bodily indicated he understood; however, what they were discussing tonight had nothing to do with the rezone. He went on to say, it was a concern that needed to be taken care of, and he was not sure if an emergency access took care of that.

Bernard Baker, 268 West Center Street

Mr. Baker indicated that he had lived in Willard since 1940, and the street he lived on now, was dirt and narrow.

WILLARD CITY CORPORATION – PLANNING COMMISSION

1 He added that there was no 250 West. Second West was Bamberger Railroad tracks (Idaho Utah Central Railway).
2 The property in discussion was farmland and now they had a road going in there. He said they had to have a right-
3 of-way on Center Street, but the right-of-way was too narrow to put a sidewalk in place. His opinion was it would
4 not work with the plan. If they get 25-30 houses down there, the right-of-way would have already been approved.
5 He thought they should make sure they have the right width of the right-of-way to begin with.

6
7 Commissioner Baker inquired if they had someone living in the “shed”. It was explained it was a garage, and it had
8 an office and two bedrooms. There was a barn on the side of that with the 30 feet from the barn to the fence. It was
9 reiterated the right-of-way would be for emergency access only, and they had the Fire Department there already,
10 and they said it was okay.

11
12 A citizen expressed their concern with the emergency access. They went on to say, if you are zoning it for a
13 subdivision and don’t have the access, they should do it while they are doing the rezone and do it right. They
14 suggested the plan be made now. In addition, the houses there now need more than an emergency access road.

15
16 Keith Larsen 150 S 300 W

17 Mr. Larsen questioned if curb and gutter would be required in front of the current homes. And would 250
18 West be extended to the Linsey Hansen property. He inquired if it was going to be an emergency access road only,
19 if so, what rules will govern it, and would it have curb, gutter, and access.

20
21 He said if they have long term plans for the city, and the long-term plan was agriculture. Why would they be allowed
22 to rezone it to R1/2. He further questioned how it affect the Hansen lot to the north to the Barkers. And what would
23 be their secondary access?

24
25 It was explained the property was just being split two ways as of right now.

26
27 Wayne Roper – 195 South Center Street

28 Mr. Roper said it sounded like the rezone was into R1/2 acre lots. He inquired what impact would that be on the
29 community whether there was an access road lot or not. He stated if they want to do that, they (the lots) would be
30 sold and developed.

31
32 Chairman Bodily reiterated all they wanted right now was a rezone. Then, they have to come in for development
33 plan.

34
35 Mr. Roper indicated he kept on hearing they only want two homes, but it could be six or eight lots later on. He question
36 if it couldn’t be rezoned again at a later date. He went on to say, it didn’t make sense to him.

37
38 Chairman Bodily stated I cannot tell you what would happen down the road. I can only tell you what was going on
39 now.

40
41 Jo Baird, 175 W Center Street

42 Ms. Baird inquired if the development/road would come down and hook onto 400 West. It was indicated that they
43 would be hooked to 400 West. Ms. Baird went on to say they had to have a plan to incorporate it with the city’s
44 master plan. She inquired if they could submit something as a whole plan. She pointed out if they get off track with
45 the master plan, that was where they get in trouble. She wanted it to be part of the plan; down the road would not
46 cut it.

47
48 Travis Mote, 455 South 200 West

49 Mr. Mote inquired if the city still had an R3 zone? It was unknown at that time. His understanding was they

WILLARD CITY CORPORATION – PLANNING COMMISSION

1 were breaking it down because that was what was available. He noted there were concerns with traffic and
2 congestion in the area.

3
4 **Motion:** Commissioner Hulsey moved to close the public hearing. Commissioner Bingham seconded the motion.
5 The motion passed unanimously.

6
7 The public hearing closed at 7:17 p.m.

8
9 Planning Commission discussion followed.

10
11 Commissioner Baker stated they just had the Millers in here and they made them submit a subdivision plan.
12 Chairman Bodily indicated when they decide to build a house(s), they would have to meet the requirements of
13 Willard City if the emergency road is good enough. However, right now it was not an issue.

14
15 Mr. Wheelwright commented that right now, the application was for a rezone not a subdivision plan.

16
17 Mr. Colt Mund referred to the comments regarding the Miller application. That was a lot line adjustment; that was
18 why it was denied. He went on to say, with the rezone change, the Commission should consider what was in the
19 city's ordinance. Was the proposed change in the goals of the general plan. Finally, the approval of the rezone shall
20 not put the city in a financial hardship.

21
22 Commissioner Hulsey inquired if they were worried that if they started a rezone without a plan, it get out control.
23 It was said there was a process set up. For a rezone, they know what the general plan was and the concerns were to
24 not spiral out of control.

25
26 Mr. Mund stated in reviewing the rezone application, the utilities were not a concern. However, he does have a
27 concern with the road. It was inquired if the Planning Commission had sufficient information that would satisfy
28 them. Chairman Bodily indicated to get to the next phase, if it didn't meet their requirements, they would need to
29 look at it closer.

30
31 Mr. Mund informed the Commission in the past, the city had allowed an emergency access to act as a second access.
32 However, his concern was do we have guaranteed access; would it be gated; would it be locked. There are some
33 questions that need to be answered to make sure as they move forward.

34
35 Chairman Bodily questioned how many cars it took to constitute a hazard. He pointed out that had been their
36 concern the last three or four weeks. He stated, no doubt it has been busier than it used to be. At what point do they
37 say we cannot do any more. He pointed out they received plenty of input that it was terrible plan. I thought the
38 traffic was something they needed to get figured out.

39
40 Mr. Wheelwright indicated they could do a traffic study. Mr. Davis informed the Commission Dr. Phirrin would
41 look at all the traffic throughout the city as a part of the general plan update.

42
43 Commissioner Bingham said he agreed with everyone because of the traffic. However, he did not see a problem
44 with zoning it to one-half acre. He pointed out, in regard to the secondary access, there is no other access right
45 now. It was a problem they need to evaluate. He stated, as far as approving to R1/2, there was not anything to not
46 approve it.

47
48 Chairman Bodily informed Staff they needed to let them (the petitioners) know what would be required.
49

WILLARD CITY CORPORATION – PLANNING COMMISSION

Mr. Davis suggested the Commission table this agenda item. He pointed out they do not have a full quorum and if this doesn't pass, the city had an ordinance in place that indicated if a rezone is denied, it cannot be reviewed for a year, which might happen. He reiterated it was his suggestion to table the item until they had additional information. He indicated that part of that can come from potential of additional development along with the review of the traffic needs.

Motion: Commissioner Bingham moved to table the rezone request for Trish Heath (Barker/Braegger) to rezone property located at approximately 110 South 250 West (02-054-0003) from A5 to R ½ so they can get the additional information Mr. Davis spoke of. Commissioner Hulsey seconded the motion. The motion passed unanimously.

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

Chair bodily entertained a motion to open the public hearing.

Motion: Commissioner Hulsey moved to open the 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. Commissioner Barker seconded the motion. The motion passed unanimously.

The public hearing opened at 7:32 p.m.

Mr. Wheelwright informed the Commission the Rezone petition was for the property located 683 North Main. The petitioners would like to do a commercial business at the location, specifically wedding receptions. He went on to say they came in and got a conditional use permit and rezone application. However, at that time, they changed their mind. Now it was back for the rezone, and they were working on the building to make it commercial friendly. He informed the Commission the property needed to be rezoned to commercial neighborhood.

Morgan Palmer, petitioner, addressed the Commissioner. She had nothing to add to what Mr. Wheelwright already informed the Commission.

Motion: Commissioner Baker moved to close the public hearing. Commissioner Hulsey seconded the motion. The motion passed unanimously.

The public hearing closed at 7:34 p.m.

There was an inquiry about Mrs. Palmer's conditional use permit. Mr. Wheelwright informed the Commission the property needed to be rezoned to neighborhood commercial first.

Mr. Mund informed the Commission there needed to be a commercial access from UDOT, and staff had not received anything from the state as of yet. He suggested the approval be made subject to the commercial access being granted by UDOT.

Mrs. Palmer presented the approval for the commercial access from UDOT to staff. Mr. Davis suggested that the Commission still approve the rezone subject to the commercial access being granted by UDOT and make sure they do have it.

Motion: Commissioner Baker moved to approve the request for Damon and Morgan Palmer to rezone property located at approximately 683 North Main (02-046-0102) from R ½ to Commercial Neighborhood subject

WILLARD CITY CORPORATION – PLANNING COMMISSION

to the commercial access from UDOT. Commissioner Bingham seconded the motion. The motion passed unanimously.

Public hearing to consider an amendment to Chapter 12-110-4 of the Willard City Zoning Ordinance regarding notification for applications for zoning changes

Mr. Wheelwright informed the Commission the current ordinance specifies a rezone notice be mail to all property owners within one-quarter mile and be mailed via certified mail, which can be very costly. He noted that staff did not see a need for that. He went on to say they could be mail via U.S. Regula mail and state law allowed that. In regard to the mailing distance, state law did not require one-quarter mile. However, the state law was ambiguous; most cities utilize 300 feet.

Commissioner Bodily stated 300 feet it did not seem like very far. Mr. Davis indicated that was staff's recommendation based on state code and other communities. However, they would like to get the Commission's fee back and public comment. It was said in Willard, it may only be one neighbor. Commissioner Bingham stated he would like to see it stay at one-quarter mile. Commissioner Hulsey agreed.

Motion: Commissioner Bingham moved to open the public hearing to consider an amendment to Chapter 12-110-4 of the Willard City Zoning Ordinance regarding notification for applications for zoning changes. Commissioner Baker seconded the motion. The motion passed unanimously.

The public hearing opened at 7:41 p.m.

Travis Mote, 455 South 200 West

Mr. Mote pointed out if it was 300 feet, he didn't think it would be adequate. His property is 500 feet. He went on to say, he did not think he had been receiving the notices. Mr. Mote pointed out when the Braegger subdivision went in, the runoff went into the Randy Lemon property. He thought the mailing distance should be kept at one-quarter mile.

Morgan Palmer, 683 North Main

Ms. Palmer indicated she thought it should be kept at one-quarter mile as well; however, U.S. Regular mail should be fine.

Keith Larsen, 150 South 200 West

Mr. Larsen agreed. The city did not need to mail the notices certified mail – except the city would not have proof a resident has been notified (note: the notice were not mailed return receipt; only certified). He also thought the distance should be kept at one-quarter mile.

Motion: Commissioner Hulsey moved to close the public hearing. Commissioner Bingham seconded the motion. The motion passed unanimously.

The public hearing closed at 7:44 p.m.

It was said that some cities do not even mail out notices, they just post a sign on the property. Commissioner Bingham agreed with the public comment to keep the distance at one-quarter mile. Commissioner Baker agreed as well, and she indicated that she did not think the city followed the ordinance in the past.

Motion: Commissioner Hulsey moved to recommend that the Planning Commission approve the amendment to Chapter 12-110-4 of the Willard City Zoning Ordinance regarding notification for applications for zoning

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changes regarding the means of notification (U.S. Regular Mail vs. Certified Mail) and that they keep the noticing distance at one-quarter mile not 300 feet. Commissioner Bingham seconded the motion. The motion passed unanimously.

Public hearing to consider an amendment to Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivisions

Mr. Wheelwright explained in the city's subdivision ordinance, the city required an applicant to apply to SULA. At that time, they go over the site plan to see if it would work with ordinance. He went on to say, when that is completed, they can meet with the Planning Commission. At that time, they come in with the preliminary plat, they present their application to the Planning Commission and the Planning Commission held a public hearing. If they approved it, it goes back to SULA. He noted, when that is done, it had to come back for a final plat application, and everyone goes over it, and if it's okay it was approved and recorded. He stated that they were proposing the public hearing of a subdivision be changed to a different part in the process instead of the preliminary phase.

Mr. Mund clarified it was just removing the preliminary public hearing. There would still be public hearings required. He noted the city was unique in requiring a preliminary public hearing at the first stage.

Motion: Commissioner Bingham moved to open the public hearing for an amendment to Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivisions. Commissioner Baker seconded the motion. The motion pass unanimously.

The public hearing opened at 7:50 p.m.

Travis Mote, 455 South 200 West

Mr. Mote indicated the zoning hearing they just had was why they needed to have the public hearing up front and not at the end of the process. He stated that was overrunning the public in his mind. People that live on center street have a unique vision of what should happen. He went on to say that was the Planning Commission's opportunity to assert their authority. He reiterated they needed to bring the public in at the front end not the back end.

Motion: Commissioner Hulsey moved to close the public hearing. Commissioner Bingham seconded the motion. The motion passed unanimously.

The public hearing closed at 7:52 p.m.

Commissioner Bingham said he kind of agreed with Mr. Mote. When they do that, he liked the public input to help the developer doing the subdivision to know a little bit what the people around them know what they want. He went on to say, he could also see moving the process ahead with a little less red tape.

Commissioner Hulsey clarified if someone was to do a rezone and subdivision, there would be a public hearing for the rezone and there wouldn't be another public hearing until the final plat. Mr. Wheelwright indicated there would be a public hearing at the rezone and the preliminary hearing. There would not be one at the final approval. It was just moving the public hearing in the process. Commissioner Hulsey said he thought he agreed with Mr. Mote. Based on tonight conversation, it would be better to get the concerns up front than on the back end.

Commissioner Baker agreed. The public hearing needed to be at the front.

Motion Commissioner Baker moved to leave Chapter 12-400-4-08(5) regarding required public hearings for preliminary subdivisions at the beginning of the process (in the preliminary phase).

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Commissioner Bingham inquired what the reason was for considering the proposed amendment. Mr. Wheelwright indicated it was just a thought. Mr. Mund said he did not know; it was not something he drafted, and he did not have any feedback from a legal standpoint. However, he thought they were having a good discussion.

Call the Question: Commissioner Bingham seconded the motion. The motion passed unanimously.

Approval of a lot line adjustment for Travis Wells located at approximately 1215 North Main (02-040-0030)

Mr. Wheelwright informed the Commission that Mr. Wells came in and applied for a lot line adjustment on the property he owned. He explained it was a narrow and long piece of property to the west. Mr. Wheelwright noted that Mr. Wells talked to his father, and they would like to trade a back piece of the property for a piece to the property on the side. Mr. Wheelwright went on to explain Mr. Wells would like to build a shop on the side to have it closer to his home; and in order to meet the side yard requirements, it was a better fit.

Mr. Wheelwright indicated the property was zoned R1/2, and he believed Mr. Wells had more than one-half acre with the lot line adjustment. Mr. Wheelwright pointed out the Commission had in their packet of information, a diagram/picture of what it looked like now; in addition to a 11x17 sheet of what it would look like after the lot line adjustment. Mr. Wheelwright informed the Commission that the lot line adjustment met all the requirements of the zone.

Mr. Travis Wells addressed the Commission, He explained it would be hard to build the shop in the back of the property, and he wanted to move it closer to the house.

Motion: Commissioner Hulsey moved to approve the lot line adjustment for Travis Wells located at approximately 1215 North Main (02-040-0030). Commissioner Bingham seconded the motion. The motion passed unanimously.

Consideration and discussion regarding the proposed Master Planned Community Zone (Chapter 12-106)

Mr. Wheelwright recalled the Planning Commission had a public hearing on the Master Planned Community Zone and the purpose was to get public input. He noted they had some good comments regarding it. He went on to say now the need to start to form a zone; or if they do not want it, they need to move forward with something else. He explained if the Commission had some ideas of what they would like to see in the ordinance, they should start a list.

Chairman Bodily indicated that he thought they were going to have a joint meeting with the City Council. Mr. Davis explained the City Council wanted the Commission to have their comments and get some feedback and then on the next City Council agenda there was an agenda item to set a joint work session. He went on to say, he thought staff had some comments from the last meeting the Commission had. The City Council wanted to see if they had any more comments and from there, they would schedule the joint work session.

Commissioner Hulsey indicated in reading through the minutes, this (ordinance) would be a tool but there would still be a subdivision ordinance. He asked if that could be explained to him and how the tool would be used. It was explained there would be “development”, and the overlay would be the tool. However, if someone just wanted their lot split, they would not consider the Master Plan Community Zone (MPCZ). The MPCZ was to address larger developments or high-density development. It was said, it would be a question about size. It allows the city to negotiate with the developer and have a development agreement versus them just following the subdivision ordinance.

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1 It was inquired if the MPCZ would allow a developer to bypass the subdivision ordinance. It was indicated that it
2 would not be a subdivision. However, they would have to record a subdivision plat. It was further explained there
3 are certain criteria a developer would have to meet, i.e., lot size, number of homes, open space, etc. The MPCZ
4 deals with larger developments. The Subdivision Ordinance would deal with smaller subdivisions and lot splits.

5
6 Mr. Davis indicated it could also deal with infrastructure. He referred to the Deer Run development. The developer
7 fronted one-half million dollars for a water tank. Typically, there are one-half acre lots, and they meet the
8 requirements of the subdivision ordinance. But, with subdivision ordinance, there are no provision for open space.
9 With the MPCZ, it would give some flexibility.

10
11 Commissioner Hulsey inquired if there would there be a way to make it so only certain types of development had
12 to do a subdivision versus the MPCO. Mr. Mund questioned what criteria Commissioner Hulsey would suggest. It
13 was questioned if the MPCZ was or was not designed to allow apartments. Mr. Davis indicated it was not; it was
14 not high density.

15
16 Commissioner Bingham stated his only problem with the MPCZ was it gave the potential to run amuck. He thought
17 it kind of cut out some of the checks and balances of the PUD. That was how they would get the best product in
18 the end when the city and developer work together. He questioned if there could be a hybrid of the PUD and MPCZ.
19 He pointed out City Councils come and go, and sometimes they have different opinions, and sometimes they want
20 to slow things down.

21
22 Mr. Davis said one thing the Planning Commission suggested was to have a base line for the lot size. He stated
23 staff was working on that recommendation along with the City Council. He went on to say they would work on that
24 in the joint work session.

25
26 Mr. Davis went on to say patio homes are a big thing for the older population. He said some people don't want one-
27 half acre lots. The other thing was how would they address infrastructure. Commissioner Bingham stated the other
28 thing was the way developers say the city gave favoritism to one over the other. He thought they need to come up
29 with a hybrid so it was fair to everyone.

30
31 Commissioner Hulsey stated an alternate option would be if they came up with specific zoning. This would give
32 them the ability to develop for a specific development and it wouldn't apply to another development. Mr. Davis
33 pointed out then they would start dealing with open space.

34
35 Mr. Davis said those were the comments the City Council wanted. He inquired if there were any other issues, which
36 staff should be researching.

37
38 Chairman Bodily stated they talked about the baseline and road width. His concern was they would give the
39 developer favoritism. If it was legal, then he was fine with it. He just wondered if it was a point. He went on to say,
40 he thought they should get their thoughts together and meet with the City Council.

41 42 **Consideration and discussion of the Storm Drain Capital Facilities Plan**

43
44 Commissioner Bingham indicated the Commission had their book; however, it was way over his head. He went on
45 to say that somewhere the city decided what they needed to do., but it was way down the road. Mr. Davis explained
46 it was on the agenda to decide what to do about curb, gutter and sidewalk.

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Commissioner Bingham stated he would like to see them change the wording. That the storm drain plan would be approved by the city engineer. Currently, the storm drain plan they have, is to take care of your own storm water on your property. He would like to see the city's plan reflect the state's plan. He went on to say it had to be something that the city workers could work with and could that people had not tampered with. He stated, he thought they needed to change it in the city's subdivision plan as well. There was no way they could go through the plan.

Chairman Bodily agreed. He stated that curb and gutter does not make sense in some places. They need to come up with something different. Mr. Davis informed the Commission they had that conversation with Chris Breinholt regarding this.

Consideration and approval of the March 4, 2021, regular Planning Commission minutes

Motion: Commissioner Baker moved to approve the March 4, 2021, regular Planning Commission minutes as present. Commissioner Hulsey seconded the motion. The motion passed unanimously.

Commissioner/Staff Comments

Bryce Wheelwright

Mr. Wheelwright informed the Commission the city had two new businesses coming into town. He explained they were The Candy Store and a convenience store. They have both received their business licenses.

He went on to explain a new culvert was being installed on 300 North, and that should be completed by tomorrow. In addition, they started to install the new water line on 300 East.

Chris Davis

Mr. Davis informed the Commission staff had a good conversation with the property owners on 200 West, and they received some good feedback. That project would get under way on April 5th and be completed by June 30th. He went on to say, the road would have restricted to traffic with the exception of deliveries.

Chandler Bingham

Commissioner Bingham reiterated his concern in regard to the storm drain issue; he stated they needed to get on that. Mr. Wheelwright indicated they had spoke with the engineer and he was in full agreement.

Zack Hulsey

Commissioner Hulsey had nothing to report at this time.

Diane Baker

Commissioner Baker pointed out that ordinance get approved by the City Council; however, they never receive a copy of the amended ordinance. She requested copies of the amendments.

Chairman Bodily

Chairman Bodily reiterated the city needed to get a traffic plan. They need to know where the hazards are, what should be allowed on the streets and what the capacity was on the roads. Furthermore, staff needed to find out if the emergency access was adequate as a secondary access – they need to know what the city's regulations are.

Adjourn

With no further business coming before the Planning Commission at this time, Commissioner Bingham moved to adjourn the meeting. Commissioner Hulsey seconded the motion. The meeting adjourned at 8:27 p.m.

Minutes were read individually and approved on: _____.

Planning Commission Secretary