



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, May 20, 2021– 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA - REVISED

(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. Presentation by Dr. Bruce Parker from Planning and Development Services and Dr. Joe A. Perrin from A-Trans regarding the Willard City Master Plan Process
 - b. Set a public hearing for June 3, 2021, to receive public comments regarding preliminary approval of the Hurst Subdivision located at approximately 100 South 200 West (02-051-0007)
 - c. Set a public hearing for June 3, 2021, to receive public comments regarding a proposed amendment to Willard City Zoning Ordinance Chapter 12-400-14 Definition for Subdivision Land Use Authority (SLUA)
 - d. Set a public hearing for June 3, 2021, to receive public comments regarding a request to rezone 34.57 acres located at approximately 3630 South 1200 West (200 West) from A-5 to R-1/2 (02-035-0060, 02-035-0061, 02-035-0063, and 02-035-0079)
 - e. Consideration of recommendation to the City Council regarding revisions to Willard City Zoning Ordinance Chapter 12-500 Mobile Homes, Mobile Home Parks, and Mobile Home Subdivisions and adoption of Chapter 12-700 Recreational Vehicles and Recreational Vehicle Parks
 - f. Consideration of proposal to repeal Willard City Zoning Ordinance Chapter 12-101 Board of Adjustment and adopt Chapter 12-101 Appeal Authority as Hearing Officer
 - g. Consideration of proposal to amend Willard City Zoning Ordinance Chapter 12-116-5 Dedication of Streets, Rights-of-Way, or Easement
6. Consideration and approval of the May 6, 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 17th day of May, 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 17th day of May, 2021

/s/ Michelle Drago
Deputy City Recorder

May 14, 2021

WILLARD CITY STAFF REPORT

SUBJECT: Hurst Subdivision

INTRODUCTION: Willard City Ordinance 12-102-18

SUMMARY: Mr. Hurst owns the property at 60 South 200 West and would like to subdivide the property into three lots. Lots 1 and 2 are fronted on 200 West and are located Within the Old town Willard Zone and are not required to have curb gutter and sidewalk. Lot 3 is fronted on 250 West and is outside the Old Town Willard Zone and as such is Required to have curb gutter and sidewalk. As per the Engineers attached memo, to install the curb gutter and sidewalk would not be In the best interest of the city. The proposed Subdivision meets all other requirements of The subdivision ordinance 12-400

RECOMMENDATION: Staff recommends that the Planning Commission waive the curb gutter and Sidewalk requirement as outlined in ordinance 12-102-18 and set this subdivision For a public hearing for June 17th 2021.



CONSULTING ENGINEERS

To: Willard City Planning Commission
From: Chris Breinholt, City Engineer
Date: April 30, 2021
Subject: **Hurst Subdivision**
Preliminary Plat Review

Our office has completed a review of the **Preliminary Plat** for the above mentioned subdivision. Prior to granting approval to this project, an issue needs to be addressed by the Planning Commission.

Preliminary Plat

1. 250 West Street is not in the "Old Town Willard" zone. Therefore, by ordinance, curb and gutter and sidewalk are required to be installed by the developer along the frontage on 250 West. This location is not suitable for either due to the location of the existing street as it runs just a few feet from the property line.

I recommend waiving the requirement for the improvements and entering into a Deferral Agreement with the developer for the cost of the improvements.

cc: Chris Davis, City Manager
Bryce Wheelright, Building Official

A part of the Northwest 1/4 of Section 26, T6N, R21W, SLB&M, U.S. Survey
Wellard City, Box Elder County, Utah
January 2021

[illegible]

- Section Corner
Set Nail & Marker
Set Rubber & Cap
Property Line
Public Utility Easement
Fence
Overhead Power Line
Original Lot Lines
Existing Boundary
Existing Easement



I certify that I have had this plot examined and find that it is correct and in accordance with the information on file in this Office. This in no way releases the subplots from coverage of liability.

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

Presented to the _____ this _____ day
of _____ A.D. 2021 at which time this substation
was approved and accepted

Approved as to form this _____ day of _____
A.D. 2021.

Approved this _____ day of _____, A.D. 2021
by the Inland City Planning Commission.



GREAT BASIN ENGINEERING, INC.
 1475 EAST GRAY, UTAH 84404
 (801) 321-0221, (801) 321-0224
 WWW.GREATBASINENGINEERING.COM

Date _____

2000年12月29日

Willard City Attorney

BOB FLIER COUNTY RECORDER
ENTRY NO. _____ SET HAS
_____ FILED FOR RECORDING
_____ OF
IN BOOK _____ OF OFFICIAL
INTERESTED PARTY _____ RECORDS
FILED FOR
_____ BOB FLIER COUNTY RECORDER
REPORT

Willard City Attorney

המחלקה לבריאות הציבור

Date

Engineer

GREAT BASIN UNIV.



WILLARD CITY PLANNING COMMISSION APPLICATION FOR PLANNING COMMISSION HEARING

Application Date:

May 12 2021

Assessor's Parcel Number

Applicant:

Derrick & Monica Hurst

Mailing Address

PO Box 23

Willard UT 84340

02-051-0007

Parcel Legal Description

UTS 03 & 04 BLK 12

PLT A WCS. CONT 1.39 AC M/L

Project Address

60 S. 200 W. Willard, UT

Phone Number

Cell Phone 801.710.2347

801.510.3397

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.

WILLARD CITY CORPORATION
80 W 50 S
PO Box 593
Willard UT 84340
Receipt No: 3.000809
HURST, DERRICK
Charges for Services
Charges - PC & B of Adj
Total:
Misc
ENGINEERING FEES
Total:
Cash
Total Applied:
Change Tendered:

435-734-9881
May 12, 2021

25.00
25.00
205.25
205.25
230.25
230.25
0.00

05/12/2021 3:11 PM

APPLICANT'S AFFIDAVIT

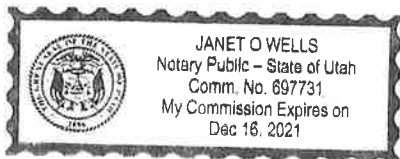
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Derrick & Monica Hurst, 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 60 S. 200 W. 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 Derrick Hurst Monica Hurst
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 12th day of May 2021



Janet O. Wells
Notary Public

Residing in Willard, UT.
My commission expires: 12-16-21

* 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: _____

WILLARD CITY PLANNING COMMISSION SUBDIVISION APPLICATION

Application Date _____

Proposed Subdivision Data

Subdivision Name

Applicant

Hurst Subdivision

Derrick Hurst

Application Level (Check One)

Mailing Address

☐ Sketch Plan

PO Box 23 Willard

Date _____ Approval _____

UT. 84340

☐ Preliminary Plat*

*(Not required for In-fill Subdivisions)

Project Address

60 South 200 West

Date _____ Approval _____

Willard UT. 84340

☒ Final Plat

Email Address d1hurst666@gmail.com

Phone Number _____

Date _____ Approval _____

Cell Phone 801-710-2347

Assessor Parcel Number 02-051-0007

Fax Number _____

Number of lots 3

FEES MUST ACCOMPANY APPLICATION SUBMISSION AT EACH LEVEL.

FEE COMPUTATION

	Administrative	Engineering	Attorney	TOTAL
Sketch Plan	\$50 + \$2/Acre	Billed to the Developer		
Preliminary Plat	\$50 + \$15/Lot	Billed to the Developer	\$100 + \$10/Lot	
Final Plat	\$50 + \$5/Lot	Billed to the Developer	\$50 + \$5/Lot	

CAUTION: No part of the proposed subdivision may be sold or offered for sale until the Final Plat is approved by the Willard City Council.

ORIGINAL

APPLICANT'S AFFIDAVIT

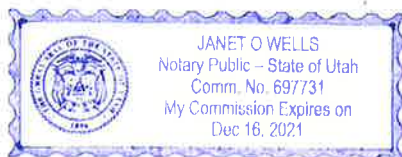
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Derrick + Monica Hurst, 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 60 S. 200 W 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 [Signature] Monica Hurst
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 1st day of January 20 21



[Signature]
Notary Public

Residing in Utah
My commission expires: 12-16-21

* 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: _____

12-400-14 DEFINITIONS PROPOSED AMENDMENT [DRAFT]

Subdivision Land Use Authority (SLUA): SLUA shall mean and be comprised of the Zoning Administrator or City Planner, City Engineer, City Public Works Director, City Recorder, Deputy City Recorder, City Manager, Willard City Fire Chief, and City Attorney.

Mayor: Means the duly elected Mayor of Willard City.

Monument: A permanent survey marker established by the Box Elder County Surveyor or a survey marker set in accordance with the City Engineer's specifications and referenced to Box Elder County survey monuments.

Noncomplying Structure: Means a structure that:

- a) legally existed before its current land use designation; and
- b) because of one or more subsequent land use ordinance changes, does not conform to the setback, height restrictions, or other regulations, excluding those regulations, which govern the use of land.

Nonconforming Use: Means a use of land that:

- a) legally existed before its current land use designation;
- b) has been maintained continuously since the time the land use ordinance governing the land changed; and
- c) because of one or more subsequent land use ordinance changes, does not conform to the regulations that now govern the use of the land.

Official Map: Means a map drawn by municipal authorities and recorded in a county recorder's office that:

- a) shows actual and proposed rights-of-way, centerline alignments, and setbacks for highways and other transportation facilities;
- b) provides a basis for restricting development in designated rights-of-way or between designated setbacks to allow the government authorities time to purchase or otherwise reserve the land; and
- c) has been adopted as an element of the municipality's general plan.

Owner: Means any person who alone, jointly or severally with others, has a legal or equitable title to property.

Person: Means an individual, corporation, partnership, organization, association, trust, governmental agency, or any other legal entity.

Plat: Means a map or other graphical representation of lands being laid out and prepared in accordance with Section 10-9a-603, Section 17-23-17, or Section 57-8-13 of the Utah Code.

Public Hearing: Means a hearing at which members of the public are provided a reasonable opportunity to comment on the subject of the hearing.

Public Meeting: Means a meeting that is required to be open to the public under Title 52, Chapter 4, Utah Open and Public Meetings Act.

Public Works Director: Means the person so appointed by the City.

Public Works Standards: Means the Willard City Public Works Standards, as adopted.

Record of Survey Map: Means a map of a survey of land prepared in accordance with Section 17-23-17 of the Utah Code.

Right-of-Way: Means any area provided for conveying vehicle and pedestrian traffic.

Sanitary Sewer Authority: Means the department, agency, or public entity with responsibility to review and approve the feasibility of sanitary sewer services or onsite wastewater systems. For the purposes of this Ordinance, the Willard City Public Works Director is identified as the Willard City Sanitary Sewer Authority.

Site Analysis Submittal: Means an analysis in summary written form which indicates the existence and location on the property proposed for development any existing resources, structures, wetlands, streams, slopes (including approximate degrees), canals, trails, existing and proposed sewer and culinary water lines, and the location of proposed and existing utility services.

SLUA: See Subdivision Land Use Authority.

Special District: Means an entity established under the authority of Title 17A, Special Districts, of the Utah Code, and any other governmental or quasi-governmental entity that is not a county, municipality, school district, or unit of the state.

Special Exception: An adjustment to a subdivision development standard and authorized as an adjustment to the requirements of this Ordinance, such adjustment requiring careful review.

Specified Public Utility: Means an electrical corporation, gas corporation, or telephone corporation, as those terms are defined in Section 54-2-1 of the Utah Code Annotated, as amended.

Street: Means a public right-of-way, including a highway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement, or other way.

Subdivision: Means "subdivision" as defined by Section [] herein, and the Act.

Subdivision does not include any action, as identified and defined by Section [] herein, and the Act.

Subdivision Land Use Authority: (SLUA) Means the Zoning Administrator or City Planner, City Engineer, City Public Works Director, City Recorder, and City Attorney.

Subject Property: Means the land area, identified by the Parcel Identification Number, provided by the Box



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Willard, Utah 84340

Commissioner Dubovik asked if this was the type of dispute the State Ombudsman would get involved. In. Chris Davis said it wasn't. This was a private legal action.

Chairman Bodily said there wasn't much the Planning Commission could do to help the Jenkins.

5E. DISCUSSION REGARDING PROPOSED AMENDMENT TO CHAPTER 12-400-14 – DEFINITION FOR SUBDIVISION LAND USE AUTHORITY

Bryce Wheelwright stated that when someone wanted to subdivide property in Willard, their first step was to have their concept plan reviewed by the Subdivision Land Use Authority (SLUA). If a concept plan complied with the Subdivision Ordinance, SLUA recommended that the Planning Commission hold a public hearing and grant preliminary approval. After the Planning Commission approved the preliminary plan, the applicant again met with SLUA to work through all of the engineering issues needed for final approval. At one time, all of the City departments were represented on the SLUA. There had been changes in the City's organization, including a City Manager. Because the SLUA definition did not include current staff members, they weren't able to vote. The staff was asking for the Planning Commission's recommendation to amend WCO 12-400-14 to include the City Manager and Deputy City Recorder.

Chris Davis stated that the proposed amendment also removed the City Police Chief. The Police Chief didn't see the need for him to be involved in land use decisions. Practically, there was a cost to use the City Attorney, and the Fire Chief was a part time volunteer. His schedule rarely allowed him to attend the SLUA meetings. For the over a year there had been three SLUA members – the City Planner, the Public Works Director, and the City Engineer.

Commissioner Hulsey asked what SLUA voted on that the Planning Commission did not. Bryce Wheelwright stated that the SLUA did not vote. It was a recommending body. It was a work horse. It reviewed plans to determine whether they complied with City ordinances. By the time a plan reached the Planning Commission it had been vetted.

Commissioner Hulsey asked what authority a SLUA member would have. Chris Davis said a voting SLUA member would be able to make motions to approve minutes or recommend that plans be forwarded to the Planning Commission.

Commissioner Harrop couldn't see the downside of having additional eyes reviewing projects.

Commissioner Bingham felt those that attended the SLUA meetings should be able to give input. The more people that were on the committee the better.

Commissioner Dubovik asked if the Deputy Recorder should remain on the SLUA if the current Deputy Recorder left the City. Mr. Wheelwright said the Deputy Recorder should remain on the SLUA. The Deputy Recorder took all of the minutes and filed all of the notices. Regardless of who filled the position, the Deputy Recorder would be aware of what was going on and would be familiar with the City ordinances.

Chris Davis asked that the Planning Commission make a recommendation to the City Council.

There wasn't further discussion. Chairman Bodily called for a motion.

Commissioner Bingham moved to recommend that the City Council amend the definition of the Subdivision Land Use Authority (SLUA), found in Chapter 12-400-14 of the Willard City Zoning



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Willard City Hall – 80 West 50 South
Willard, Utah 84340

Ordinance, to include the City Manager, Deputy City Recorder, and to remove the Police Chief. Commissioner Harrop seconded the motion. All voted unanimously. The motion carried.

6. CONSIDERATION AND APPROVAL OF APRIL 15, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Harrop moved to approve the April 1, 2021, regular Planning Commission minutes as written. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

7. COMMISSIONER/STAFF COMMENTS

Bryce Wheelwright stated that contractors were getting ready to pave 200 West and the 300 East Waterline Project. Haul Road (300 North), on the north side of the dike, had been repaired and paved. A shoulder had been added, and the culvert for the creek had been replaced.

Chris Davis stated that Bruce Parker and Dr. Joe Perrin planned to make a presentation to the Planning Commission regarding the General Plan at the next Planning Commission meeting. They were ready to begin interviewing the Commission members.

Colt Mund did not have any comments.

Commissioner Bingham asked about the status of the Master Plan Community Zone. As he mentioned at the last meeting, he felt water was Willard's limiting factor. The City needed to determine how many houses it could serve. That number would determine the density and help with the General Plan too. If the City knew that number, the Master Plan Community Zone could move forward along with the General Plan. If the City knew what the density was, it would be able to determine how much open space was needed.

Chris Davis stated that water was a major issue. The administration was working on alternatives for secondary water. About 2/3 of the City's scarce culinary water was used to water land rather than for culinary purposes. The administration was working on the acquisition of land for a secondary water reservoir. Councilman Seamons was looking into grants for secondary water. There was a discussion about water. Chairman Bodily felt he could do a much better job of watering with a lot less water if the City had secondary water. Commissioner Harrop asked about using burn off water from the sewer treatment plan for secondary water. Mr. Davis said that was an option. It was an expensive option, but it was an option.

Commissioner Dubovik asked if the canal road was owned by the County. Bryce Wheelwright said it was a private road. It was used as a marker between Willard City and Box Elder County. Councilman Dubovik didn't mind dirt bikes on the canal road, but there was much more foot traffic. He was concerned about the safety of pedestrians and bicyclists.

Commissioner Dubovik wanted to thank the contractor that worked on the 300 East waterline. They had been very accommodating and made the road decent. He asked about the paving schedule. Bryce Wheelwright said a paving preconstruction meeting was scheduled for Tuesday, May 11th. He would know more after Tuesday. The paving would be completed soon.

Commissioner Hulseley asked if it would be possible for the Planning Commission to get more information regarding ordinances and points to consider in future Planning Commission items.

Received 5/14/21
Receipt # 1.010607 \$125⁰⁰

WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

Application Date

5/14/21

Applicant

Brad Brown

Mailing Address

1708 E. 5550 S. Ste 18

Ogden, UT 84403

Assessor Parcel Number *

02-035-0060, 02-035-0061,
02-035-0063, and 02-035-0079
Parcel Legal Description*

Attached, see Exhibit 7

Phone Number

Cell Phone

(801) 309-0399

Present Zone

A-5

Proposed Zone

R-1/2

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):

2. Site Address/Description:

3. Parcel Number(s):

4. Current and Proposed Zoning by parcel number and area in acres:

5. Road Access Provided:

6. Utility Plan:

7. Reason for the requested change:

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) Chet Fitzgerald and Leslie Fitzgerald, 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 3630 S 1200 W, Perry, UT 84302 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

Property Owner(s)

AGENT _____

Subscribed and sworn before me this 14 day of May, 2002021



Alice McKay
Notary Public

Residing in Brigham City, Utah

My commission expires: 3 October 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) Chet Fitzgerald and Leslie Fitzgerald, the owner(s) of real property described above, hereby appoint Brad Brown and Sky Hazlehurst, 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 14 day of May, 2002021

Alice McKay
Notary Public

Residing in Brigham City, Utah

My commission expires: 3 October 2021

EXHIBIT 6

Location Map



EXHIBIT 4B



PART OF _____ OF SECTION 10 TOWNSHIP 8N RANGE 2W

S.L.B.&M.

SCALE 1" = 400'

Book 2 Page 35

MAP NUMBER: 02-035

SEE PAGE 35

PREFIX 02.035 TAX UNIT 32.33.59.62
THIS PLAT IS A REFERENCE ONLY
AND NO LIABILITY IS ASSUMED
FOR ACCURACY OR VARIATIONS
WITH THE ACTUAL SURVEY

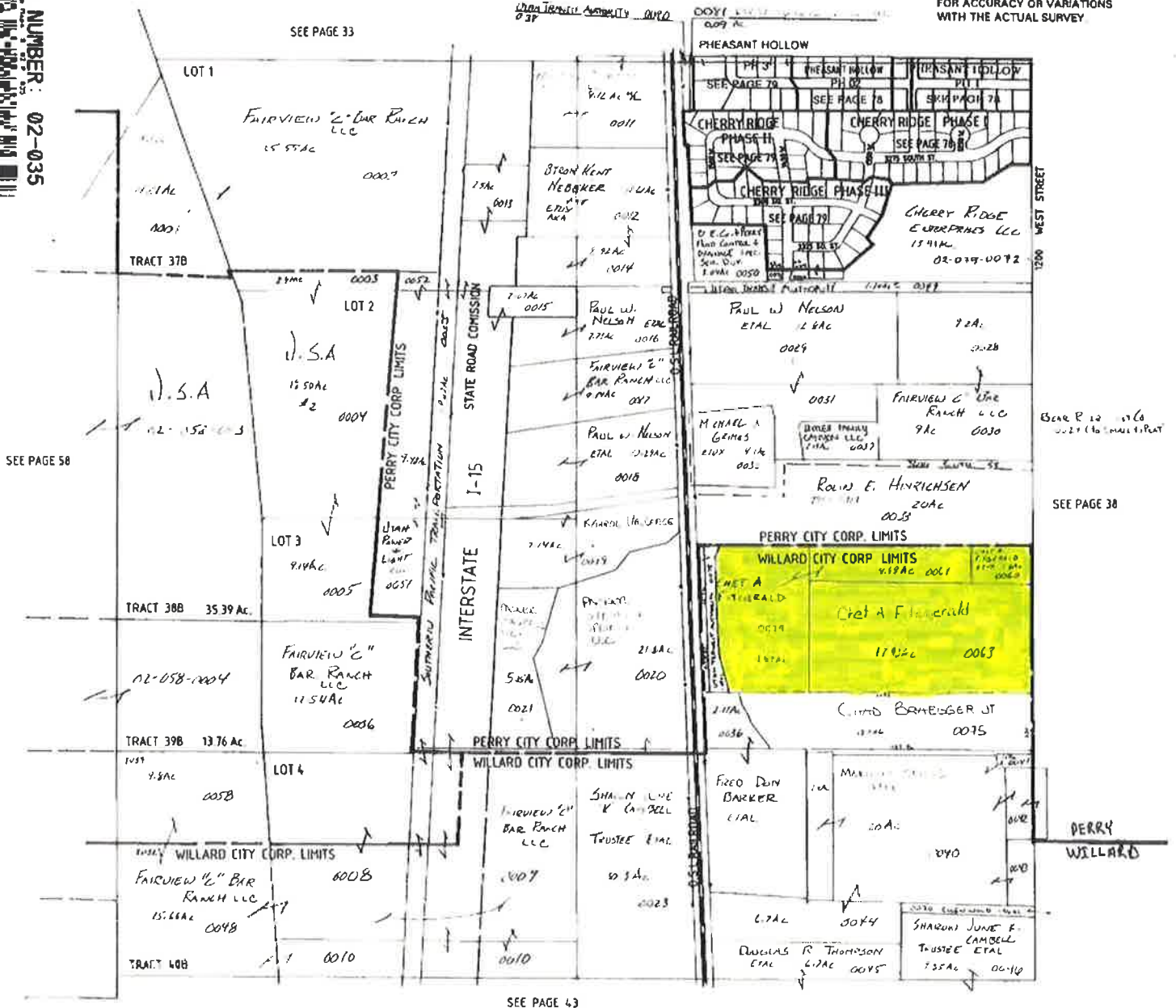
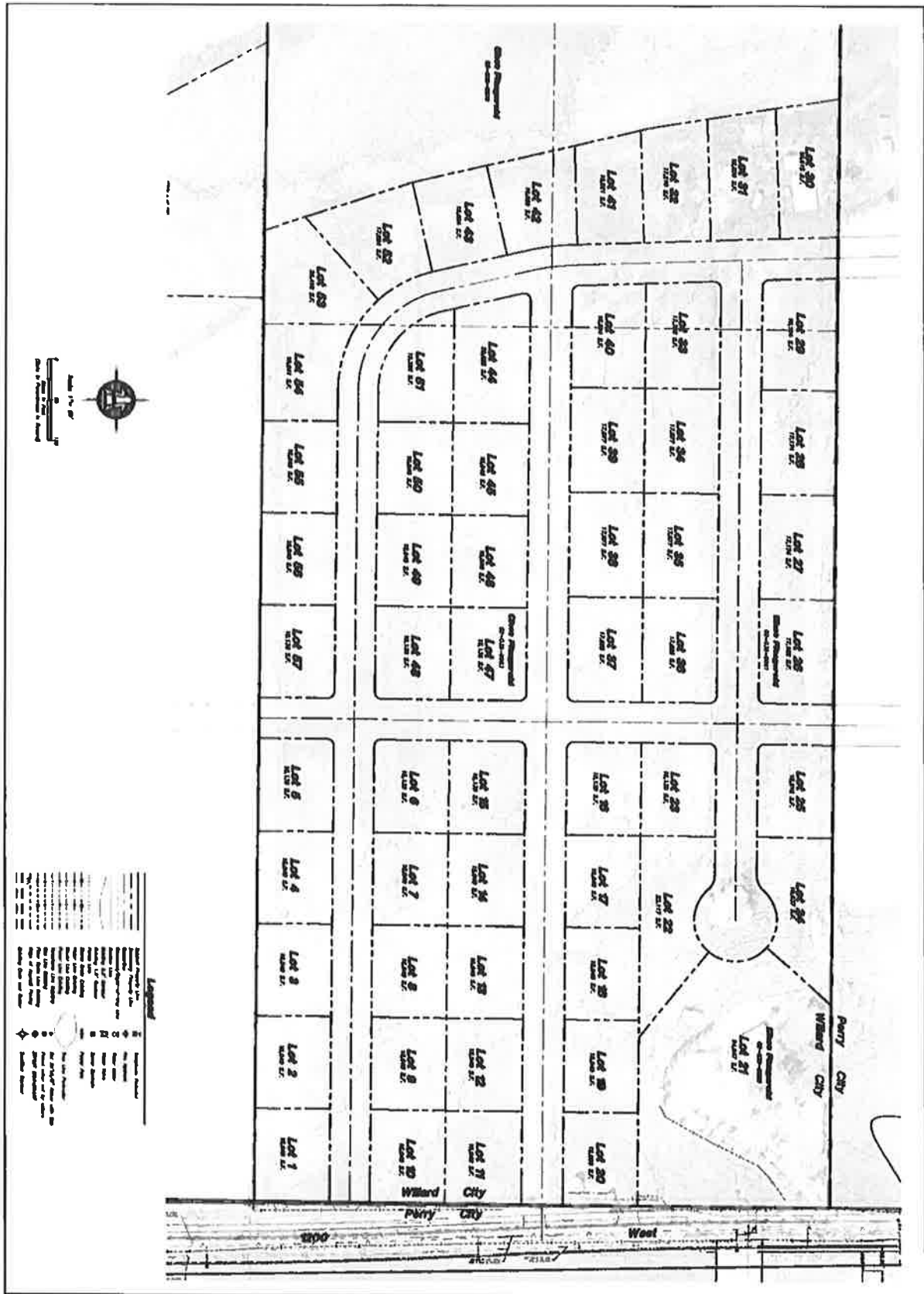


EXHIBIT 5



Designated Plan For Collins International 1200 West 2000 South Perry City, Ohio 43070 A Part of the Northeast Quarter of Section 16, Township 6 North, Range 2 West, S.E. 1/4.		Drawn By: HAI Checked By: HAI Approved By: HAI Date: 11-11-01 Drawing File: 20-100-01.dwg JOB NUMBER: 20-100	HAI HANSEN & ASSOCIATES, INC. Consulting Engineers and Land Surveyors 530 North Main Street, Brighton, Ohio 45302 Brighton, Ohio 45302 Phone: (513) 751-1111 Fax: (513) 751-1112 E-mail: hansen@hansen-inc.com Celebrating over 40 Years of Business	<table border="1"> <tr> <th>No.</th> <th>Date</th> <th>By</th> <th>Revised</th> </tr> <tr> <td>1</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2</td> <td></td> <td></td> <td></td> </tr> <tr> <td>3</td> <td></td> <td></td> <td></td> </tr> <tr> <td>4</td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td></td> <td></td> <td></td> </tr> <tr> <td>6</td> <td></td> <td></td> <td></td> </tr> <tr> <td>7</td> <td></td> <td></td> <td></td> </tr> <tr> <td>8</td> <td></td> <td></td> <td></td> </tr> <tr> <td>9</td> <td></td> <td></td> <td></td> </tr> <tr> <td>10</td> <td></td> <td></td> <td></td> </tr> <tr> <td>11</td> <td></td> <td></td> <td></td> </tr> <tr> <td>12</td> <td></td> <td></td> <td></td> </tr> <tr> <td>13</td> <td></td> <td></td> <td></td> </tr> <tr> <td>14</td> <td></td> <td></td> <td></td> </tr> <tr> <td>15</td> <td></td> <td></td> <td></td> </tr> <tr> <td>16</td> <td></td> <td></td> <td></td> </tr> <tr> <td>17</td> <td></td> <td></td> <td></td> </tr> <tr> <td>18</td> <td></td> <td></td> <td></td> </tr> <tr> <td>19</td> <td></td> <td></td> <td></td> </tr> <tr> <td>20</td> <td></td> <td></td> <td></td> </tr> <tr> <td>21</td> <td></td> <td></td> <td></td> </tr> <tr> <td>22</td> <td></td> <td></td> <td></td> </tr> <tr> <td>23</td> <td></td> <td></td> <td></td> </tr> <tr> <td>24</td> <td></td> <td></td> <td></td> </tr> <tr> <td>25</td> <td></td> <td></td> <td></td> </tr> <tr> <td>26</td> <td></td> <td></td> <td></td> </tr> <tr> <td>27</td> <td></td> <td></td> <td></td> </tr> <tr> <td>28</td> <td></td> <td></td> <td></td> </tr> <tr> <td>29</td> <td></td> <td></td> <td></td> </tr> <tr> <td>30</td> <td></td> <td></td> <td></td> </tr> <tr> <td>31</td> <td></td> <td></td> <td></td> </tr> <tr> <td>32</td> <td></td> <td></td> <td></td> </tr> <tr> <td>33</td> <td></td> <td></td> <td></td> </tr> <tr> <td>34</td> <td></td> <td></td> <td></td> </tr> <tr> <td>35</td> <td></td> <td></td> <td></td> </tr> <tr> <td>36</td> <td></td> <td></td> <td></td> </tr> <tr> <td>37</td> <td></td> <td></td> <td></td> </tr> <tr> <td>38</td> <td></td> <td></td> <td></td> </tr> <tr> <td>39</td> <td></td> <td></td> <td></td> </tr> <tr> <td>40</td> <td></td> <td></td> <td></td> </tr> <tr> <td>41</td> <td></td> <td></td> <td></td> </tr> <tr> <td>42</td> <td></td> <td></td> <td></td> </tr> <tr> <td>43</td> <td></td> <td></td> <td></td> </tr> <tr> <td>44</td> <td></td> <td></td> <td></td> </tr> <tr> <td>45</td> <td></td> <td></td> <td></td> </tr> <tr> <td>46</td> <td></td> <td></td> <td></td> </tr> <tr> <td>47</td> <td></td> <td></td> <td></td> </tr> <tr> <td>48</td> <td></td> <td></td> <td></td> </tr> <tr> <td>49</td> <td></td> <td></td> <td></td> </tr> <tr> <td>50</td> <td></td> <td></td> <td></td> </tr> </table>	No.	Date	By	Revised	1				2				3				4				5				6				7				8				9				10				11				12				13				14				15				16				17				18				19				20				21				22				23				24				25				26				27				28				29				30				31				32				33				34				35				36				37				38				39				40				41				42				43				44				45				46				47				48				49				50			
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WILLARD CITY
Planning Commission Meeting – Regular Meeting
May 6, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

4
5 The following members were in attendance:

6		
7	Sid Bodily, Chairman	Chris Davis, City Manager
8	Diane Baker	Colt Mund, City Attorney
9	Chandler Bingham	Bryce Wheelwright, City Planner
10	Alex Dubovik	Michelle Drago, Planning Secretary
11	Blake Harrop	
12	Zack Hulsey	

13
14 Others in attendance: Travis Mote; Morgan Palmer; Officer Rick Mabrey; David Grant; Jerome Jenkins; and
15 Angela Jenkins.

16
17 The meeting was called to order at 6:37 p.m.

18
19 1. PRAYER: Sid Bodily

20
21 2. PLEDGE OF ALLEGIANCE: Alex Dubovik

22
23 3. ROLL CALL – Attendance was recorded by the secretary.

24
25 4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

26
27 Travis Mote, 455 South 200 West, felt that Commissioner Baker was railroaded during the rezone
28 discussion held at the last Planning Commission meeting. Because there was barely a quorum she was
29 put in an unfair situation and cornered. In the past, she had spoken to both the Planning Commission and
30 City Council about her safety concerns regarding Center Street. He felt he could find legal reasons for
31 decisions based on health and safety of citizens in the City, County, and State ordinances. Health and
32 safety were valid, legal reasons to base a denial on. He felt the situation should have been handled
33 differently.

34
35 Chairman Bodily explained that Commissioner Baker's concerns about streets and access would be
36 addressed later in the planning and review process. They weren't criteria for approving or denying a rezone
37 request. Travis Mote felt density and traffic should be considered when approving a rezone.

38
39 5A. PUBLIC HEARING TO CONSIDER REVISIONS TO CHAPTER 12-500 MOBILE HOMES, MOBILE
40 HOME PARKS, AND MOBILE HOME SUBDIVISIONS AND ADOPTION OF CHAPTER 12-700
41 RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

42
43 **Commissioner Bingham moved to open the public hearing at 6:43 p.m. Commissioner Hulsey**
44 **seconded the motion. All voted unanimously. The motion carried.**

45
46 Bryce Wheelwright stated that in January the Planning Commission asked the City Attorney to make
47 revisions to the Mobile Home Ordinance due to issues related to existing businesses in the City. During the
48 review process, regulations for recreational vehicles and recreational vehicles had been separated from
49 Mobile Home Parks and placed in their own chapter - Chapter 12-700.



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Colt Mund stated that the Planning Commission had reviewed the Mobile Home and Recreational Vehicles regulations on two separate occasions. After the most recent meeting, the staff had additional comments. The staff's comments had been included in the draft ordinances. Substantively, some typos had been corrected, and the length of stay had been clarified to make the regulations as tight as possible and remove any loopholes. The staff was comfortable with a recommendation from the Planning Commission to forward the proposed revisions to the City Council.

Chairman Bodily opened the floor for public comments.

Travis Mote said the proposed ordinance defined the General Plan, and it talked about zoning. However, it never referred back to the General Plan. He felt the ordinance needed to tie back to the General Plan. Colt Mund asked about the specific section where zoning was referenced. Travis Mote said it was 12-502-1

Morgan Palmer, 683 North Main, stated that she couldn't find parking requirements in the Mobile Home Ordinance. If there weren't parking requirements, shouldn't the ordinance refer to the City's commercial parking requirements? She also felt that the parking surface should be either asphalt or concrete. Colt Mund said the ordinance did require all off-street parking to be asphalt or concrete.

There was a discussion about parking. Colt Mund said the ordinance required two off street parking spaces per unit. Travis Mote felt there should be a specific area for guest parking.

Commissioner Dubovik moved to close the public hearing at 6:51 p.m. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

Commissioner Dubovik stated that an approved security was referred to at the bottom of Page 2. What did 'approved security' mean? Colt Mund said it was a monetary security, or escrow agreement, that ensured completion of improvements.

Commissioner Dubovik stated that Page 3 Paragraph 6 referred to parks and playgrounds for common use. Did the ordinance need to be more specific about providing, improving, and maintaining open space? Colt Mund felt that was a good idea. Commissioner Dubovik felt regulations would prevent open spaces from deteriorating.

Commissioner Dubovik stated that 12-502-2 on Page 5 said a Homeowners' Association could be required by the Planning Commission. What determined if the Planning Commission should require or not an HOA? Was there criteria that should be defined? He didn't want the Planning Commission to judgements from one park to another. Colt Mund felt the requirement for an HOA should be upfront.

Bryce Wheelwright felt there should be some type of organization to care for open spaces. Maintenance of the open area wasn't the City's responsibility.

Colt Mund asked if Commissioner Dubovik had some criteria in mind. Commissioner Dubovik felt a key would be whether lands were set aside with no plans to improve or maintain them. If there weren't plans, the Planning Commission could require a fee or a homeowners' association. If that information was provided upfront the developer could plan for it.

Commissioner Harrop didn't see anything in the ordinance about caring for animals and disposing of their waste. Piles of animal waste were being dumped across the street from the existing recreational vehicle park. Chairman Bodily felt animal waste fell under trash removal and was regulated by the City's Nuisance



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Ordinance. Commissioner Dubovik suggested that a statement about compliance with the City's Nuisance Ordinance be included in both chapters. Colt Mund said he would review the Nuisance Ordinance to make sure the issue was covered.

Commissioner Baker and Hulseley didn't have any comments.

Commissioner Harrop moved to table consideration of the Mobile Home and Recreational Vehicles ordinances for two weeks to allow Colt Mund time to make the changes discussed. Commissioner Hulseley seconded the motion. All voted unanimously. The motion carried.

5B. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR MORGAN PALMER FOR AN EVENT CENTER LOCATED AT APPROXIMATELY 683 NORTH MAIN (02-046-0102)

Bryce Wheelwright stated that the Planning Commission tabled consideration of Morgan Palmer's conditional use permit two weeks ago. Her conditional use permit letter had been amended to include the items discussed by the Planning Commission at its previous meeting. The Fire Marshal said there were five items that Morgan Palmer needed to address in order to pass a fire inspection:

1. There needed to be an exterior exit from the 2nd floor.
2. There needed to be lighted exit signs above all exits.
3. All doors must swing out and have *"Door must remain unlocked during business hours"* signs.
4. There must be a commercial fire extinguisher with sign on each level.
5. There must be a fire flow of 1500 gpm from Hydrant 75.

Mr. Wheelwright explained that the Fire Marshal was requiring an exterior exit from the second floor because the building plans showed that the second floor mezzanine would be used during events. Morgan Palmer stated that her architect included occupancy numbers on the plans, but the second floor would only be used for her office and storage. Mr. Wheelwright had relayed that information to the Fire Marshal who agreed to revise the first condition if Morgan Palmer put up a sign restricting public access to the second floor. Mrs. Palmer said there was a sign.

Bryce Wheelwright stated that the Fire Marshal had not checked the fire flow yet, but that wasn't Morgan Palmer's fault.

Morgan Palmer stated that her fire inspection was scheduled for Monday, May 10th.

Bryce Wheelwright stated that the building also needed an occupancy permit.

Commissioner Harrop asked about her landscaping plan. Morgan Palmer said there would be grass and gravel and flowers on the berm. The gravel was there, and the grass was growing.

Commissioner Hulseley asked if the conditional use permit should include the Fire Marshal's requirement regarding the second floor. Morgan Palmer felt regulations for the second floor were covered under the International Fire Code. Bryce Wheelwright stated that the Fire Marshal would be making periodic inspections. If there was an issue, he would shut her down. Colt Mund was comfortable with the conditional use permit as written. Yearly fire inspections would be part of the business license process.

[DRAFT]

CHAPTER 12-500. MOBILE HOMES, MOBILE HOME PARKS, AND MOBILE HOME SUBDIVISIONS

12-500-1. Purpose and Intent.

(1) To permit and require the development and use of facilities for mobile homes, mobile home parks, and mobile home subdivisions in appropriate districts and to require that mobile home developments will be of such character as to promote the objectives and purposes of this chapter, to protect the integrity and character of the districts contiguous to those in which mobile home parks and mobile home subdivisions are located, and to protect the land use values of others contiguous to or near mobile home parks and mobile home subdivisions.

(2) To permit variety and flexibility in land development for residential purposes by allowing the use of mobile homes in certain districts within Willard City.

12-500-2. Definitions.

For the purpose of this chapter, whenever any of the following words, terms, or definitions are used herein, they shall have the meaning ascribed to them in this section.

(1) **Building.** Any structure used or intended for supporting or sheltering any use or occupancy.

(2) **Building, Accessory.** A building or structure which is subordinate to and the use of which is incidental to, that of a main building, structure, or use on the same lot.

(3) **Building Ordinance.** An ordinance adopted by the Willard City Council regulating the various building and building related activities in Willard City.

(4) **Business License.** A written license issued by Willard City, allowing a person to operate and maintain a mobile home park under the provisions of this chapter.

(5) **General Plan.** The community plan which includes the master plan.

(6) **Local Governing Body.** The Willard City Council.

(7) **Local Health Officer.** The health officer employed by or officially representing Willard City.

(8) **Manufactured Home.** Means a transportable factory built housing unit constructed on or after June 15, 1976, according to the HUD Code, in one or more sections, that: (a) in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet; and (b) is built on a permanent chassis and designed to be used as a dwelling with a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

(9) **Mobile Home.** Means a transportable structure in one or more sections which is built on a permanent chassis with the plumbing, heating, and electrical systems contained within the unit, which when erected on a site, may be used with or without a permanent foundation as a

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dwelling. A Mobile Home shall not include "Recreational Vehicles" as defined in other titles and chapters of this code.

EXCEPTION: For the purposes of this chapter, ~~chapter, a~~ Manufactured Homes and Manufactured Home subdivisions are ~~twenty (20') feet wide at its narrowest dimension, and delivered in two (2) or more sections, each with a minimum width of ten (10') feet, and meeting the requirements of the Willard City Building Ordinance shall be considered to be a "qualified manufactured home," and may be regulated by the Willard City Building and Zoning Ordinances.~~

~~(9) Mobile Home.~~ Means a transportable factory-built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the HUD Code.

~~(10)~~ **Mobile Home Lot.** A lot within a mobile home subdivision, designated and used for the accommodation of one mobile home.

~~(11)~~ **Mobile Home Park.** An area or tract of land designated and approved by Willard City for occupancy by Mobile Homes, to be under single ownership or management, and meeting all requirements of the Willard City Zoning Ordinances and this chapter.

~~(12)~~ **Mobile Home Space.** A space within a mobile home park, designed to be used for the accommodation of one ~~M~~mobile ~~H~~home.

~~(13)~~ **Mobile Home Subdivision.** A subdivision designed and intended for residential use where lots are to be individually owned or leased, and occupied by Mobile Homes exclusively.

12-501. Location.

No Mobile Home shall be located, placed, used, or occupied in any district other than within an approved and properly designated Mobile Home Park or Mobile Home Subdivision were allowed within the zoning district, except that unoccupied Mobile Homes may be stored, displayed, and sold in commercial or manufacturing districts. Emergency or temporary parking of an unoccupied Mobile Home outside a licensed Mobile Home Park or Mobile Home Subdivision will be permitted for a period not exceeding twenty-four (24) hours.

12-502-1. Mobile Home Parks.

Such Mobile Home Parks may be approved by the Willard City Council in locations as provided in the Willard City Zoning Ordinance. Before approval is granted, a report to the Willard City Council by the Planning Commission shall find that the proposed development will:

- (1) Be in keeping with the general character of the district in which it is to be located.
- (2) Be located on a parcel of land of not less than ten (10) acres, or on two (2) or more parcels separated by a street or alley only and totaling ten (10) acres.
- (3) Have at least twenty-five (25) Mobile Home Spaces completed, ready for occupancy, or an approved financing plan for construction and phase completion, together with approved security to assure compliance, before occupancy is permitted.

(4) Meet all standards and requirements of Part 12-504 of this Ordinance and all other requirements of any applicable ordinances.

(5) Obtain the written approval of the Local Health Official.

(6) In a Mobile Home Park, the number of Mobile Homes shall be limited to nine (9) units per acre. The Mobile Homes may be clustered provided that the total number of units do not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development. The remaining land not contained in individual lots, roads, or parking, shall be set aside and developed as parks, playgrounds, and service areas for common use and enjoyment of occupants of the development and the visitors thereto.

12-502-2. Mobile Home Subdivisions.

Such Mobile Home Subdivisions may be approved by the Willard City Council in locations as provided in the Willard City Zoning Ordinances. Before such approval may be granted, a report to the Willard City Council by the Planning Commission shall find that the proposed development will:

(1) Be located on a parcel of land containing not less than three (3) acres.

(2) Will contain lots with a minimum net area of five thousand (5000) square feet and a minimum width of fifty (50') feet.

(3) Will meet all applicable requirements of the Willard City Subdivision Ordinance.

(4) Meet all standards and requirements of 12-504 of this Ordinance and all other requirements of any applicable ordinances.

(5) Be organized in a home owner's association, if required by the Planning Commission.

12-503. Application.

The application for a Mobile Home Park or Mobile Home Subdivision permit shall contain the following information:

(1) Applicant's Name, address, and telephone number.

(2) Interest of the applicant in the proposed development.

(3) Location and legal description of the property.

(4) An overall development plan. ~~The plan scale shall be not smaller than one (1") inch. At least four (4) 24x36 hard copies and one (1) digital copy of an overall development plan shall be submitted to the City Planner or Zoning Administrator and shall show the following: to the City Planner or Zoning Administrator, and shall show:~~

(a) The area of the tract, drawn to scale, with dimensions and the approximate total acreage.

- (b) Number, location, and size of Mobile Home Spaces, or subdivision lots, and open spaces for the entire area clearly designated.
- (c) The location and width or size of roadways and walkaways, parking areas, access to the public thoroughfares and Mobile Home Space layout.
- (d) The location of service buildings and all other proposed structures.
- (e) The location and size of natural features, such as wetlands, streams, lakes, drains, wooded areas, and any anticipated change in these features, together with topography at contour intervals of two (2') feet, unless another interval is required by the Planning Commission.
- (f) The size, location, and design of recreational facilities.
- (g) Detailed landscaping and utility plans, including location of fire hydrants, water lines, sewer lines, gas line, power lines, and any other utility service.
- (h) Property ownership, if other than applicant.

(5) Applications shall be in writing, submitted, with the required fees, to the Planning Commission at its regular meeting, and shall be acted upon within thirty (30) days, unless an extension of such time is approved by the applicant. The application, with accompanying Planning Commission recommendations, shall be forwarded to the Willard City Council within fifteen (15) days for approval.

12-504. Standards and Requirements.

12-504-1. For all Mobile Home Parks, and Mobile Home Subdivisions, the Planning Commission shall review the proposed development plan to determine its compliance with all portions of the General Plan, and, among other things, shall make sure that such development will constitute a residential environment of sustained desirability and stability and that it will not adversely affect amenities in the surrounding area.

12-504-2. The development of a Mobile Home Park and Mobile Home Subdivisions shall conform to the following standards and requirements:

- (1) The area shall be in one (1) ownership, or if in several, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
- (2) The plans for a Mobile Home Park or a Mobile Home Subdivision shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. In all cases, it is recommended that professional design and other assistance be obtained early in the development. It is the intent of Willard City that the developer solves their problems before approval is given and construction begins. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission.
- (3) In all Mobile Home Parks and Subdivisions, a strip of land at least fifteen (15') feet wide surrounding the entire park shall be left unoccupied by Mobile Homes, and shall be planted and

maintained in lawn, shrubs, trees, with an approved wall or fence, designed to afford privacy to the development.

(4) Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage and prevent the accumulation of stagnant pools of water in or adjacent to the development.

(5) All storage and solid waste receptacles outside the confines of any Mobile Home must be housed in a closed structure compatible in design and construction to the Mobile Homes, and to any service building within the development; all patios, carports, garages, and other Accessory Buildings must be compatible in design and construction with the Mobile Home. The service buildings shall be constructed in accordance with the Willard City Building Ordinance.

(6) The Planning Commission may require a security enclosure for the storage of vehicles, boats and other large items. Said enclosure shall provide for a minimum of three hundred (300) square feet of paved area per Mobile Home Space in Mobile Home Parks.

(7) In all Mobile Home Parks and Subdivisions, within forty-five (45) days of occupancy, each such home shall be skirted, or if shields are used, they are to be fireproof, well-painted, or otherwise preserved.

(8) In all Mobile Home Parks, not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of this ten (10%) percent common area required; provided, however, that in initial stages of development or special smaller development the minimum area shall be not less than one-half (1/2) acre of ten (10%) percent, whichever is greater.

(9) Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the Mobile Home Park or Mobile Home Subdivision.

(10) In Mobile Home Parks and Mobile Home Subdivisions all areas that are not covered by asphalt, concrete or buildings, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.

(11) In Mobile Home Parks and Mobile Home Subdivisions, all off-street parking spaces and driveways shall be comprised of asphalt or concrete, before the adjacent Mobile Home Spaces may be occupied.

(12) In Mobile Home Parks, the roadways shall be designed to accommodate anticipated traffic and built in conformity with the Willard City Public Work Standards that are incorporated herein by reference.

(13) In Mobile Home Subdivision roadway widths shall be as required by the Subdivision Ordinance.

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(14) In a Mobile Home Park, the number of Mobile Homes shall be limited to nine (9) units per acre and may be limited to fewer units, depending on Mobile Home size, park topography, and other factors of the particular site.

(15) In a Mobile Home Park, no home or Accessory Building shall be located closer than twenty (20') feet from the nearest portion of any other home or Accessory Building; ten (10') feet from road curbs or walks; and fifteen (15') feet from any boundary of the Mobile Home Park.

(16) Off-street parking shall be provided at the rate of two (2) parking spaces per Mobile Home Space, and each such parking space shall have a minimum width of ten (10') feet and a minimum depth of twenty (20') feet. In no case shall the parking space be located further than one hundred (100') feet from the Mobile Home Space it is designed to serve.

(17) One quarter (1/4) of all parking within a Mobile Home Park or Subdivision shall be reserved for guest use.

(18) One-story bulk storage areas shall be provided within a Mobile Home Park, equivalent to a sixty (60) square feet per Mobile Home Space. The area designated for said bulk storage shall be improved, landscaped, and screened.

(19) A launderette for convenience of the park occupants but not for the general public, may be included in Mobile Home Parks.

(20) In a Mobile Home Park, no Mobile Home Space shall be rented for a period of less than thirty (30) days, and occupancy shall be by written lease. Leases shall be made available for inspection by Willard City upon demand.

(21) In a Mobile Home Park, access shall be provided to each Mobile Home for maneuvering Mobile Homes into position. The access way shall be kept free from trees and other immovable obstructions.

(22) In addition to meeting the above requirements and conforming to the other laws of Willard City, all Mobile Home Parks shall also conform to requirements set forth in the code of Camp Trailer Court, Hotel, Motel, and other Resort Sanitation Regulations adopted by the Utah State Board of Health, February 21, 1968, or successor law and to the Fire Prevention Code or successor law, which codes are hereby adopted by reference. A copy of the codes are filed with the office of the City Recorder for use of the public and all restrictions, regulations, and notations contained therein shall be made a part of this ordinance as fully as though set forth herein. In the event of any conflict between said codes and this chapter, this chapter shall take precedence where its regulations are stricter, and the provisions of the codes shall take precedence where their regulations are stricter.

For all Mobile Home Parks and Mobile Home Subdivisions, the Planning Commission shall review the proposed development plan to determine its compliance with all portions of the local General Plan. In considering the application, the Planning Commission among other things shall make sure that such development will constitute a residential environment of sustained desirability and the stability and that it will not adversely affect amenities in the surrounding

area. The Planning Commission may require changes to be made in the plan and development standards in excess of the minimum standards contained in this chapter, such as walls, buffers and set-backs. Greater amounts of landscaping, or parking spaces may be imposed as conditions of the approval where determined by the Planning Commission to be necessary to ensure that the development will mix harmoniously with contiguous or nearby uses.

12-505. Utilities.

Every Mobile Home Park and Mobile Home Subdivision shall provide underground utility service to every Mobile Home Space or Lot, including but not limited to water, sewer, power, and gas.

12-506. Guarantees.

12-506-1. For Mobile Home Parks, adequate and reasonable guarantees must be provided as determined by the Planning Commission for permanent retention of open spaces and for the maintenance of roadways, storage facilities, and landscaping resulting from the application of these regulations. Guarantees may be in the form of a bond, or a mortgage on real estate, in the sum to be recommended by the Planning Commission, which form and sum must be approved by the Willard City Council.

12-506-2. Prerequisite to the operation of any Mobile Home Park in Willard City, shall be the obtaining of an annual business license from Willard City.

12-506-3. In the event a Mobile Home Park is not completed according to approved plans, the annual business license shall be denied, the Mobile Home and associated property and facilities removed, and all services discontinued before any part of the land within the development planning area may be used for any other purpose, or be subdivided.

12-507. Penalty.

The violation of any part of this Ordinance shall constitute a separate offense for each day it continues, and shall be punishable as a Class C Misdemeanor. In addition, Willard City may enjoin by civil action the violation hereof and may remove any Mobile Home from a location violating the provisions hereof and assess the expenses thereof as a cost of the action. Penalty for failure to remove a Mobile Home that is in violation shall be \$250.00 per day.

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RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

12-700 Purpose.

To permit and require the development and use of facilities for recreational vehicles in appropriate districts and to require that recreational vehicle accommodations will be of such character as to promote the objectives and purposes of this chapter, to protect the integrity and character of the districts contiguous to those in which recreational vehicle parks are located, and to protect the land use values of others contiguous to or near recreational vehicle parks or campground uses.

12.701 Definitions.

For the purpose of this chapter, whenever any of the following words, terms or definitions are used herein, they shall have the meaning ascribed to them in this section.

(1) Business License. A written license issued by Willard City, allowing a person to operate and maintain a recreational vehicle park under the provisions of this chapter.

(2) Local Health Officer. The health officer employed by or officially representing Willard City.

(3) Recreational Vehicle. Means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, that is either self-propelled or pulled by another vehicle. Recreational Vehicle shall include but is not limited to the following: Travel trailer, camping trailer, motor home, fifth wheel trailer, truck camper, van, camp car, motor coach, or other vehicle, with or without motive power, designed and/or constructed to travel on public thoroughfares in accordance with the Utah Vehicle Code, and designed or used for human habitation.

(5) Recreational Vehicle Park. Any area or tract of land or a separate designated section within a mobile home park, where lots and/or spaces are rented or held for rent to one (1) or more owners or users of recreational vehicles for temporary use or for a limited period of time.

(6) Recreational Vehicle Space. A space within a Recreational Vehicle Park, designated and intended for the accommodation of one (1) Recreational Vehicle.

(7) Owner. Shall mean any person with an ownership interest in or who is directing the operation of a Recreational Vehicle Park.

12-702 Location and Use.

No Recreational Vehicle shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed Recreational Vehicle Parks and except as otherwise provided herein.

(1) Recreational Vehicle Parks shall be generally located:

(a) Adjacent to or in close proximity to a major traffic artery or highway.

(b) Within or adjacent to a mobile home park.

(2) No space or spaces within a Recreational Vehicle Park shall be rented or leased to any owner of a Recreational Vehicle or one individual Recreational Vehicle for more than ninety (90) consecutive days, nor shall any space or spaces within a Recreational Vehicle Park be rented or leased to any one individual recreational vehicle for a period longer than ninety (90) days within a

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three-hundred sixty-five (365) day period, except under the following circumstances and conditions:

- (a) Recreational Vehicle Parks may reserve one (1) space for every twenty-five (25) spaces in the park for the sole use of park employees who provide on-site maintenance, security and operations functions.
 - (b) Spaces may be used for long term, temporary housing of transient employee(s) provided the employer provides a letter to the Recreational Vehicle Park stating that the Recreational Vehicle is not being used for permanent housing, explains the circumstances that make the need for long-term temporary housing necessary, and provide a projected end date for the space lease not to exceed twelve (12) consecutive months with the option of renewal with a new letter from the employer at the end of the twelve (12) month period. Long-term use will be limited to one-quarter (1/4) of the spaces available in the Recreational Vehicle Park.
 - (c) For the purpose of this chapter, transient employee(s) shall mean a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in how the work is to be performed. Employer shall mean one who employs the services of others; one for whom employees work and who pays the employee's wages or salary.
 - (d) Recreational Vehicles occupying space in a Recreational Vehicle Park on a long-term, temporary (over ninety days but not permanent) basis must be owner occupied, have proof of ownership of the recreational vehicle, and must have a current license and registration, and the recreational vehicle must be operable for travel.
- (3) It shall be unlawful for the Owner, operator, and/or property manager of any Recreational Vehicle Park to allow any guest to register under a different name in order to avoid the length of stay requirements as set forth herein. Moreover, an Owner, operator, and/or property manager shall not allow any Recreational Vehicle to move to a different Recreational Vehicle Space to avoid the length of stay requirements set forth herein.
- (4) Recreational Vehicles shall not be used for living quarters in Willard City, except in properly designated Recreational Vehicle Parks. Except and solely limited to the following circumstance:
- (a) Temporary use, not to exceed seven (7) days, on an occupied residential lot, by residents or guests of the residents, will be permitted.
- (5) Recreational Vehicles which are unoccupied for living space may be stored on a private parcel of land, including an occupied residential lot, provided they do not violate any required setbacks for front, rear, or side yards. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction activities are permitted only as provided in the Willard City Zoning Ordinances.
- (a) Recreational Vehicles may be stored, displayed, sold, serviced, but not used for living quarters in a sales lot in a commercial or manufacturing district when such use is a permitted or conditional use.
- (6) Recreational Vehicles may be accommodated in an approved and licensed mobile home park, provided that:
- (a) The Recreational Vehicle park or campground portion of the mobile home park is separated by barriers, screens, or otherwise from the area of mobile homes.

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(b) The Recreational Vehicle use area shall have direct access to a collector or arterial street; and

(c) Separate ingress and egress shall be provided for Recreational Vehicles when required by the Planning Commission.

12-703 Requirements for Approval.

A. A Recreational Vehicle Park or campground may not be constructed unless first approved by the Planning Commission. Before such approval is given by the Planning Commission the proposed development will:

- (1) Be in conformity and maintain the general character of the district within in which it is to be located.
- (2) Be located on a parcel of land of not less than five (5) acres, unless attached to a mobile home park, in which case no minimum area is required.
- (3) Have at least twenty-five (25) spaces completed and ready for occupancy before first occupancy is permitted, or an approved schedule of financing, construction, and phase completion, and approved security, to assure compliance and completion.
- (4) Meet all standards and requirements of 12-705 of this chapter and all other requirements of any applicable ordinances, and state and local law.
- (5) Meet all requirements and maintain compliance with "Recreational Vehicle Park Sanitation" under Utah Administrative Code R-392-301 *et seq.*
- (6) Obtain written approval of the Local Health Official.
- (7) Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development.

B. The Planning Commission shall not approve any application for a Recreational Vehicle Park if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot assure the Recreational Vehicle Park will be completed within a reasonable time; if the Planning Commission or Willard City Council determines there would be danger of flood, fire or other hazard; or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:

- (1) Create excessive costs for public services and facilities.
- (2) Endanger the health or safety of the public.
- (3) Unreasonably hurt or destroy the environment.
- (4) Cause excessive air or water pollution, or soil erosion; or
- (5) Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

12-704 Development Plan for Recreational Park

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A. An overall plan for development of a recreational park shall be submitted to the Planning Commission for review. [The plan shall be drawn to a scale of 24 x 36. Four (4) hard copies and one (1) digital copy shall be provided to the City Planner. The plan shall show:

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- (1) The topography of the site, when required by the Planning Commission, represented by contours shown at not greater than two (2') foot intervals.
- (2) The proposed street and trailer or vehicle space pad layout.
- (3) Proposed reservation of common areas designated for parks, playgrounds, open space, and tabulations for the percent of area to be devoted to parks, playgrounds, and open space, the number of Recreational Vehicle spaces, and total area to be developed.
- (4) Proposed location, number and design of parking spaces.
- (5) Generalized landscaping and utility plan, including location of water, sewer, electricity, gas lines, and fire hydrants.
- (6) Any other data the Planning Commission or City Planner may require.

B. For all Recreational Vehicle Parks the Planning Commission shall review the proposed development plan to determine its compliance with all portions of the local general plan. In considering the overall plan, the Planning Commission among other things shall make sure that such development will constitute a residential environment of sustained desirability and stability and that the proposed Recreational Vehicle Park will not adversely affect the amenities in the surrounding area. The Planning Commission may require changes to be made in the plan and development standards in excess of the minimum standards contained in this chapter, such as walls, buffers and set-backs. Greater amounts of landscaping, or parking space may be imposed as conditions of the approval when determined by the Planning Commission to be necessary to ensure that the development will mix harmoniously with contiguous and nearby uses.

12-705 Application.

The applicant shall pay the application fee at the time the application is submitted. The application fee shall be as established by the City Council. Applications for approval shall be in writing, submitted to the Planning Commission at its regular meeting and shall be granted or denied within thirty (30) days unless, an extension of time is approved by the applicant. An application denied by the Planning Commission may be appealed to the City Council, which appeal must be made in writing within ten (10) days after denial is made by the Planning Commission.

12-706 Standards

The development of a Recreational Vehicle Park shall conform to the following standards and subject to the approval of the Planning Commission:

- (1) The area shall be in one (1) ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
- (2) The plans for a Recreational Vehicle Park shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission in consultation with the City Planner.

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(3) In all Recreational Vehicle Parks, a strip of land at least fifteen (15') feet wide surrounding the entire park, shall be left unoccupied and shall be planted and maintained in lawn, shrubs, trees, and include an approved wall or fence, designed to afford privacy to the recreational park.

(4) Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage of water in or adjacent to the development to prevent the accumulation of stagnant pools of water in or adjacent to the development.

(5) Not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10%) percent common area required for parks or playgrounds for occupants, provided, however, that in initial stages of development or special smaller developments the minimum area shall be not less than one-half (1/2) acre or ten (10%) percent, whichever is greater.

(6) Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the recreational park.

(7) All areas that are not covered, contain asphalt or concrete, or built upon, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.

(8) All off-street parking spaces and driveways shall be comprised of hard-surfaced asphalt or concrete before the adjacent Recreational Vehicle spaces may be occupied.

(9) The roadways shall be designed to accommodate anticipated traffic and built in conformance with the Willard City Public Work Standards.

(10) All storage and solid waste receptacles, outside of the confines of any Recreational Vehicle must be housed in a closed structure compatible in design and construction to any service buildings within the Recreational Vehicle Park and approved by the Planning Commission. The service buildings shall be constructed in accordance with Willard City building codes and kept in good repair.

(11) A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park.

12-707 Violations, Enforcement and Penalties.

(1) Remedies Cumulative. The remedies provide for failure to comply with this chapter may be cumulative and in addition to any other remedy at law or equity.

(2) Any Recreational Vehicle Park that fails to comply with any duty imposed under this chapter result in the denial, suspension, or revocation of a Business License.

(3) The Zoning Administrator may seek legal or equitable relief to enjoin any acts or practices and abate any condition which may constitute a nuisance or a violation of this chapter.

(4) Violation of this Ordinance shall be punishable as a Class C Misdemeanor and the imposition of a fine as allowed by law.

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APPEAL AUTHORITY AS HEARING OFFICER

12-101-2. HEARING OFFICER

A. Established

In accordance with the Utah Code Annotated §10-9a-701 *et seq.*, and to carry out the provisions of Utah law relating to planning and zoning, Willard City hereby establishes an appeal authority to hear and decide requests for variances from the terms of land use ordinances; appeals from land use decisions applying land use ordinances; and appeals from a fee charged by Willard City under Utah Code Annotated §10-9a-510. The appeal authority shall be in the form of an appointed Appeals Hearing Officer (hereinafter "Hearing Officer"). The Hearing Officer shall be appointed by the Mayor with the approval of the City Council. Any previously ordained or appointed Board of Adjustments is dissolved effective upon passage of this ordinance.

B. Term

The Hearing Officer shall be appointed for a period of three (3) years, may be removed by a majority vote of the city council at any time, and may serve until a replacement is appointed. A vacancy shall be filled in the same manner as the original appointment for the unexpired term.

C. Organization

The Hearing Officer may adopt such rules for its own proceedings as are deemed necessary. The Hearing Officer shall keep minutes of all proceedings, showing the decision of the Hearing Officer upon each question, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the City Recorder, and shall be a public record. Decisions of the Hearing Officer become effective at the meeting in which the decision is made, unless a different time is designated at the time the decision is made.

D. Powers and Duties

The Hearing Officer shall have such powers and duties as provided by Utah Code Annotated §10-9a-702 *et seq.*

E. Appealing Land Use Authority's Decision

An applicant, a board or officer of the City, or any person adversely affected by the land use authority's decision applying a land use ordinance may, within the time period provided for in this section, appeal that decision to the Hearing Officer by alleging there is an error in any order, requirement, decision, or determination made by the land use authority in the decision applying the land use ordinance. When an appeal is taken from a decision of the land use authority, the City Recorder shall immediately transmit to the Hearing Officer all papers, if any, constituting the record upon which the action appealed from was taken.

(1) Time to Appeal and Filing Fee: Any appeal, pursuant to this section, must be in writing, on forms provided by the City, with the City Recorder within ten (10) calendar days of the issuance of the written decision applying the land use ordinance. Upon the filing of any appeal with the City Recorder, the appellant shall pay to the City Recorder, the fee proscribed in the most recently adopted prevailing fee

schedule of the City. The City Recorder shall not transmit papers or records to the Hearing Officer and the Hearing Officer shall not consider any appeal unless and until such fee has been paid.

(2) Time for Hearing Appeal: The Hearing Officer should hear the appeal within fifteen (15) to thirty (30) days of the date the appeal was filed.

(3) Written Statement Setting Forth Theories of Relief Requested: The appellant shall deliver to the Hearing Officer and all other participants, five (5) business days prior to the hearing, a written statement setting forth each and every theory of relief the appellant intends to raise at the hearing, along with a brief statement of facts in support thereof.

(4) Conditions Precedent to Judicial Review: No person, board, or officer of the City may seek judicial review of any decision applying the land use ordinance until after challenging the land use authority's decision in accordance with this part. No theory or relief may be raised in the District Court unless it was timely and specifically presented to the Hearing Officer.

(5) Standard of Review and Burden of Proof on Appeal: The Hearing Officer shall, on appeal, presume that the decision applying the land use ordinance is valid and determine only whether or not the decision is arbitrary, capricious, or illegal. The appellant has the burden of proof on appeal.

(6) Due Process Rights: An appeal filed in accordance with this section stays all proceedings in the appeal activity, unless the Hearing Officer from whom the appeal is taken certifies that by reason of facts stated in the certification that the stay would in their opinion cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Hearing Officer in person or by the City Attorney.

(7) Conditional Use Permit Appeals: The City Council shall continue to hear and decide appeals from the planning commission decisions regarding conditional use permits.

(8) Direct Appeal to the District Court: Notwithstanding the foregoing, decisions of the City Council relative to adopting or amending the general plan or any other land use ordinance may only be appealed directly to the District Court.

(9) Decision of Appeal: In exercising the above-mentioned powers and authority, the Hearing Officer may affirm or reverse, wholly or in part, or may modify the order, requirement, decision or determination of a land use authority.

G. Variances

Any person or entity desiring a waiver or modification of the requirements of a land use ordinance as applied to a parcel of property that they own, lease, or in which they hold some other beneficial interest may apply to the Hearing Officer for a variance from the terms of the ordinance.

(1) The Hearing Officer may grant a variance only if:

a. Literal enforcement of the ordinance of the ordinance would cause an unreasonable hardship for the applicant that is not necessary to carry out the general purpose of the land use ordinances;

b. There are special circumstances attached to the property that do not generally apply to other properties in the same district;

c. Granting the variance is essential to the enjoyment of a substantial property right possessed by other property in the same zone;

d. The variance will not substantially affect the general plan and will not be contrary to the public interest; and

e. The spirit of the land use ordinance is observed and substantial justice done.

(2) In determining whether or not enforcement of the land use ordinance would cause an unreasonable hardship, the Hearing Officer may not find an unreasonable hardship unless the alleged hardship:

(i) Is located on or associated with the property for which the variance is sought; and

(ii) Comes from circumstances peculiar to the property, not from conditions that are general to the neighborhood.

(3) In determining whether or not enforcement of the land use ordinance would cause unreasonable hardship under this section, the Hearing Officer may not find an unreasonable hardship if the hardship is self-imposed or economic.

(4) In determining whether or not there are special circumstances attached to the property under this section, the Hearing Officer may find that special circumstances exist only if the special circumstances:

(i) relate to the hardship complained of; and

(ii) deprives the property of privileges granted to other properties in the same zone.

(5) The applicant shall bear the burden of proving that all of the conditions justifying a variance have been met.

(6) Variances run with the land.

(7) The Hearings Officer may not grant a use variance.

(8) In granting a variance, the Hearing Officer may impose additional requirements on the applicant that will:

(i) Mitigate any harmful effects of the variance; or

(ii) Serve the purpose of the standard or requirement that is waived or modified.

12-116 STREETS PROPOSED AMENDMENT [DRAFT]

12-116-5. Dedication of Streets, Rights-of-Way, or Easements

(2) Residential, Commercial, or Industrial Subdivision or Planned Unit Development:

As a requirement for approval of a Residential, Commercial, or Industrial Subdivision or Planned Unit Development, the applicant must include on the Preliminary Plat and on the Final Plat, the location and dimensions of any roads shown on the master road plan as intersecting with, or serving the Residential, Commercial, or Industrial Subdivision or Planned Unit Development. The dedication of the roads to the City must also appear on the Commercial and Industrial Plats and be completed by the Developer as a part of the Final Plat Approval.

For safety reasons and in accordance with the International Fire Code, where the number of dwelling units in a Residential area, Residential Subdivision, or Planned Unit Development exceeds thirty (30), two (2) separate and distinct points of access to a public street for egress and ingress must be available.

Exceptions: (1) Where there are more than thirty (30) dwelling units on a single public or private access road and all dwelling units are equipped throughout with an automatic sprinkler system approved by the fire code official, access from two (2) directions shall not be required; or (2) The number of dwelling units on a single approved access road shall not be increased beyond thirty (30) homes unless approved access roads will connect with future development, as determined by the fire code official.

Any Commercial or Industrial Subdivision or development where there are estimated to be fifty (50) or more vehicles accessing the facility per business day must provide at least two (2) distinct and separate points of access to a public street for the development's or facility's egress and ingress.

An egress or ingress with a median or island is not considered as two (2) distinct and separate points of access.

Also, for safety reasons and for proper traffic flow, a minimum of one hundred fifty (150) feet is required between an existing and any proposed intersecting street or streets. Federal, State, or County regulations may require greater distances, between a street intersection and another intersection of railroad crossing.

WILLARD CITY ZONING ORDINANCE

be greater if the street is affected by State or Federal laws.

(2) Collector.

Dedicated right-of-way of not less than sixty (60) feet, with a paved surface width of thirty-five (35) feet across the width of the lot when curb and gutter are installed. Paving shall be twenty-four (24) feet when curb and gutter are waived.

(3) Local neighborhood.

Dedicated right-of-way of not less than fifty (50) feet, with a paved surface width of thirty-five (35) feet across the width of the lot when curb and gutter are installed. Paving shall be twenty-four (24) feet when curb and gutter are waived.

12-116-5 Dedication of Streets, Rights-of-Way, or Easements

(1) Re-zone:

As a requirement for approval of the residential, commercial, or industrial re-zone action, the applicant must recognize and commit, by written agreement, to meet the requirements for:

a) upgrade of any roads shown on the master road plan as intersecting with

the re-zone parcel, that are defined as Substandard as described above, or

b) construction and dedication of any roads shown on the master road plan as intersecting with the re-zone parcel.

c) recording the said agreement as an attachment to, or a lien against, the deed that includes the title to the re-zone property.

(2) Residential, Commercial, or Industrial Subdivision or Planned Unit Development:

As a requirement for approval of the Residential, Commercial, or Industrial Subdivision or Planned Unit Development, the applicant must include on the Preliminary Plat and on the Final Plat, the location and dimensions of any roads shown on the master road plan as intersecting with, or serving the Residential, Commercial, or Industrial Subdivision or Planned Unit Development. The dedication of the roads to the City must also appear on the Commercial and Industrial Plats and be completed by the Developer as a part of the Final Plat Approval.

For safety reasons and since a residence generates, on average, ten (10) vehicular trips per day, any Residential Subdivision or Planned Unit Development that contains a street which provides access to more than ten (10) parcels, including parcels accessed

WILLARD CITY ZONING ORDINANCE

via one or more non-through streets that connect to the street, must provide at least two distinct points of access to a public street for those parcels egress and ingress.

Any Commercial or Industrial Subdivision or development where there are estimated to be fifty (50) or more vehicles accessing the facility per day must provide at least two distinct points of access to a public street for the development's or facility's egress and ingress.

An egress or ingress with a median or island is not considered as two distinct points of access.

Also for safety reasons and for proper traffic flow, a minimum of one hundred fifty (150) feet is required between an existing and any proposed intersecting street or streets. Federal, State, or County regulations may require greater distances, such as six hundred (600) feet, between a street intersection and another intersection or railroad crossing.

(3) Lot-line adjustment:

A parcel, meeting the requirements of Chapter 12-102 of this ordinance, that results from Lot-line adjustment will be treated as an existing legal building lot, with regard to road development requirements. Lot-line adjustments that

would result in new, non-conforming parcels will not be approved.

(4) Existing Building Lots:

Existing legal building lots, in any Zoning District, meeting the requirements of Chapter 12-102 of this ordinance, and the requirements of Part 12-116-2, above, are not affected by this ordinance, unless their qualification status changes, by re-zone or subdivision action, and they no longer meet the requirements of Chapter 12-102. Such parcels will then be treated according to paragraph (1) or (2) of Part 12-116-5, above.

12-116-6 Exceptions and Private Streets:

See Chapter 12-102 for additional requirements and exceptions pertaining to public City streets and proposed City streets.

(1) Substandard Streets:

When an individual residence, Subdivision, Planned Unit Development, or Commercial or Industrial entity is to be created on a parcel or parcels where any existing substandard street borders, crosses, bisects, intersects, or in any other way imposes on a parcel, it shall be the responsibility of the developer or individual to upgrade the portion of the substandard street that borders,



WILLARD CITY
Planning Commission Meeting – Regular Meeting
May 6, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

4
5 The following members were in attendance:

6		
7	Sid Bodily, Chairman	Chris Davis, City Manager
8	Diane Baker	Colt Mund, City Attorney
9	Chandler Bingham	Bryce Wheelwright, City Planner
10	Alex Dubovik	Michelle Drago, Planning Secretary
11	Blake Harrop	
12	Zack Hulse	

13
14 Others in attendance: Travis Mote; Morgan Palmer; Officer Rick Mabrey; David Grant; Jerome Jenkins; and
15 Angela Jenkins.

16
17 The meeting was called to order at 6:37 p.m.

18
19 1. PRAYER: Sid Bodily

20
21 2. PLEDGE OF ALLEGIANCE: Alex Dubovik

22
23 3. ROLL CALL – Attendance was recorded by the secretary.

24
25 4. GENERAL PUBLIC COMMENTS (INPUT FOR ITEMS NOT ON AGENDA)

26
27 Travis Mote, 455 South 200 West, felt that Commissioner Baker was railroaded during the rezone
28 discussion held at the last Planning Commission meeting. Because there was barely a quorum she was
29 put in an unfair situation and cornered. In the past, she had spoken to both the Planning Commission and
30 City Council about her safety concerns regarding Center Street. He felt he could find legal reasons for
31 decisions based on health and safety of citizens in the City, County, and State ordinances. Health and
32 safety were valid, legal reasons to base a denial on. He felt the situation should have been handled
33 differently.

34
35 Chairman Bodily explained that Commissioner Baker's concerns about streets and access would be
36 addressed later in the planning and review process. They weren't criteria for approving or denying a rezone
37 request. Travis Mote felt density and traffic should be considered when approving a rezone.

38
39 5A. PUBLIC HEARING TO CONSIDER REVISIONS TO CHAPTER 12-500 MOBILE HOMES, MOBILE
40 HOME PARKS, AND MOBILE HOME SUBDIVISIONS AND ADOPTION OF CHAPTER 12-700
41 RECREATIONAL VEHICLES AND RECREATIONAL VEHICLE PARKS

42
43 **Commissioner Bingham moved to open the public hearing at 6:43 p.m. Commissioner Hulse**
44 **seconded the motion. All voted unanimously. The motion carried.**

45
46 Bryce Wheelwright stated that in January the Planning Commission asked the City Attorney to make
47 revisions to the Mobile Home Ordinance due to issues related to existing businesses in the City. During the
48 review process, regulations for recreational vehicles and recreational vehicles had been separated from
49 Mobile Home Parks and placed in their own chapter - Chapter 12-700.



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Colt Mund stated that the Planning Commission had reviewed the Mobile Home and Recreational Vehicles regulations on two separate occasions. After the most recent meeting, the staff had additional comments. The staff's comments had been included in the draft ordinances. Substantively, some typos had been corrected, and the length of stay had been clarified to make the regulations as tight as possible and remove any loopholes. The staff was comfortable with a recommendation from the Planning Commission to forward the proposed revisions to the City Council.

Chairman Bodily opened the floor for public comments.

Travis Mote said the proposed ordinance defined the General Plan, and it talked about zoning. However, it never referred back to the General Plan. He felt the ordinance needed to tie back to the General Plan. Colt Mund asked about the specific section where zoning was referenced. Travis Mote said it was 12-502-1

Morgan Palmer, 683 North Main, stated that she couldn't find parking requirements in the Mobile Home Ordinance. If there weren't parking requirements, shouldn't the ordinance refer to the City's commercial parking requirements? She also felt that the parking surface should be either asphalt or concrete. Colt Mund said the ordinance did require all off-street parking to be asphalt or concrete.

There was a discussion about parking. Colt Mund said the ordinance required two off street parking spaces per unit. Travis Mote felt there should be a specific area for guest parking.

Commissioner Dubovik moved to close the public hearing at 6:51 p.m. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

Commissioner Dubovik stated that an approved security was referred to at the bottom of Page 2. What did 'approved security' mean? Colt Mund said it was a monetary security, or escrow agreement, that ensured completion of improvements.

Commissioner Dubovik stated that Page 3 Paragraph 6 referred to parks and playgrounds for common use. Did the ordinance need to be more specific about providing, improving, and maintaining open space? Colt Mund felt that was a good idea. Commissioner Dubovik felt regulations would prevent open spaces from deteriorating.

Commissioner Dubovik stated that 12-502-2 on Page 5 said a Homeowners' Association could be required by the Planning Commission. What determined if the Planning Commission should require or not an HOA? Was there criteria that should be defined? He didn't want the Planning Commission to judgements from one park to another. Colt Mund felt the requirement for an HOA should be upfront.

Bryce Wheelwright felt there should be some type of organization to care for open spaces. Maintenance of the open area wasn't the City's responsibility.

Colt Mund asked if Commissioner Dubovik had some criteria in mind. Commissioner Dubovik felt a key would be whether lands were set aside with no plans to improve or maintain them. If there weren't plans, the Planning Commission could require a fee or a homeowners' association. If that information was provided upfront the developer could plan for it.

Commissioner Harrop didn't see anything in the ordinance about caring for animals and disposing of their waste. Piles of animal waste were being dumped across the street from the existing recreational vehicle park. Chairman Bodily felt animal waste fell under trash removal and was regulated by the City's Nuisance



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Ordinance. Commissioner Dubovik suggested that a statement about compliance with the City's Nuisance Ordinance be included in both chapters. Colt Mund said he would review the Nuisance Ordinance to make sure the issue was covered.

Commissioner Baker and Hulseley didn't have any comments.

Commissioner Harrop moved to table consideration of the Mobile Home and Recreational Vehicles ordinances for two weeks to allow Colt Mund time to make the changes discussed. Commissioner Hulseley seconded the motion. All voted unanimously. The motion carried.

5B. CONSIDERATION OF A CONDITIONAL USE PERMIT FOR MORGAN PALMER FOR AN EVENT CENTER LOCATED AT APPROXIMATELY 683 NORTH MAIN (02-046-0102)

Bryce Wheelwright stated that the Planning Commission tabled consideration of Morgan Palmer's conditional use permit two weeks ago. Her conditional use permit letter had been amended to include the items discussed by the Planning Commission at its previous meeting. The Fire Marshal said there were five items that Morgan Palmer needed to address in order to pass a fire inspection:

1. There needed to be an exterior exit from the 2nd floor.
2. There needed to be lighted exit signs above all exits.
3. All doors must swing out and have "*Door must remain unlocked during business hours*" signs.
4. There must be a commercial fire extinguisher with sign on each level.
5. There must be a fire flow of 1500 gpm from Hydrant 75.

Mr. Wheelwright explained that the Fire Marshal was requiring an exterior exit from the second floor because the building plans showed that the second floor mezzanine would be used during events. Morgan Palmer stated that her architect included occupancy numbers on the plans, but the second floor would only be used for her office and storage. Mr. Wheelwright had relayed that information to the Fire Marshal who agreed to revise the first condition if Morgan Palmer put up a sign restricting public access to the second floor. Mrs. Palmer said there was a sign.

Bryce Wheelwright stated that the Fire Marshal had not checked the fire flow yet, but that wasn't Morgan Palmer's fault.

Morgan Palmer stated that her fire inspection was scheduled for Monday, May 10th.

Bryce Wheelwright stated that the building also needed an occupancy permit.

Commissioner Harrop asked about her landscaping plan. Morgan Palmer said there would be grass and gravel and flowers on the berm. The gravel was there, and the grass was growing.

Commissioner Hulseley asked if the conditional use permit should include the Fire Marshal's requirement regarding the second floor. Morgan Palmer felt regulations for the second floor were covered under the International Fire Code. Bryce Wheelwright stated that the Fire Marshal would be making periodic inspections. If there was an issue, he would shut her down. Colt Mund was comfortable with the conditional use permit as written. Yearly fire inspections would be part of the business license process.



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Chairman Bodily asked if the alcohol issue had been resolved. Colt Mund said it had. He was comfortable with Morgan Palmer's commitment to follow the law.

Chairman Bodily asked if Morgan Palmer had read the revised conditional use permit. Ms. Palmer said she had. She was comfortable with it.

Commissioner Hulsey moved to approve a conditional use permit for Morgan Palmer for an event center located at 683 North Main. Commissioner Dubovik seconded the motion. All voted unanimously. The motion carried.

5C. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR DAVID GRANT LOCATED AT APPROXIMATELY 488 SOUTH MAIN (02-052-0023 AND 02-052-0039)

Bryce Wheelwright stated that the property in question was located at 488 South Main. It was also known as the Lynn Zundel house. The property was currently owned by David Grant. Mr. Grant also owned part of the field north of the house. He wanted to adjust the property line to make the home (Parcel A) a half-acre lot. Parcel B would be 2.5 acres and would eventually face 100 West. Mr. Grant planned to build a home on Parcel B. Mr. Wheelwright felt the proposed lot line adjustment met all of the criteria.

Colt Mund and Commissioner Hulsey asked about the zoning. Mr. Wheelwright said it was zoned R-1/2.

Chairman Bodily asked if the Planning Commission had any concerns.

Commissioner Dubovik asked about the current size of the parcels. David Grant said there was a total of three acres. Each parcel had 1 ½ acres. He wanted to shrink the home to half an acre and increase the field to 2 ½ acres.

There wasn't any further discussion. Chairman Bodily called for a motion.

Commissioner Dubovik moved to approve the lot line adjustment at 488 South Main. Commissioner Harrop seconded the motion. All voted unanimously. The motion carried.

5D. DISCUSSION WITH JEROME JENKINS REGARDING ACCESS TO 13 ACRES LOCATED AT APPROXIMATELY 625 SOUTH 400 EAST (02-049-0006)

Bryce Wheelwright stated that the property in question was located above (to the east) the Granite Ridge Subdivision at approximately 625 South 400 East. It was owned by Jerome Jenkins. Mr. Jenkins had access to his property from Haul Road. Due to legal issues, he was seeking another access to his property.

Jerome Jenkins hoped the Commission could help him. Both Staker Parson and the Granite Ridge Subdivision blocked access to his property. They were both corporations staffed by good people, but he was being left with the short end of the stick.

Mr. Jenkins said his property was located on the mountainside. The canal road ran through part of it. He had about four or five flat acres below the canal road. When he and his wife purchased the property in 2015 the former owner told them there might be access issues. In 2015 they could drive right to their property on the Haul Road. Haul Road extended from Highway 89 across the corner of his land and further east to the gravel pit. Granite Ridge's preliminary plan showed twelve lots along the west side of his property. There wasn't a stub shown for his property. Stubs were shown for other property owners, but not his. There wasn't



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196 access through the subdivision to his property. He purchased his property before Granite Ridge purchased
197 the property immediately west of his.

198
199 Mr. Jenkins said the Haul Road was not active now. According to Staker Parson, they planned to move to
200 the north pit when their south pit was mined out. Once a year 18-wheelers drove up and down the road for
201 a week in order to keep their gravel permit open. They were not actively pulling a lot of gravel from that pit.
202 The gate for Staker Parson was the only gate that had ever been on Haul Road in its twenty years of
203 existence. He had asked Staker Parson to move the gate off of his property, but they wouldn't do it. He had
204 also asked them to move a large steel water tank from his property. They wouldn't move that either. Staker
205 Parson's real estate-legal representative told him The Jenkins couldn't use it even though it ran across their
206 land. Staker Parson didn't want the liability of other vehicles on the road with their large equipment
207

208 Mr. Jenkins said they had their property rezoned from MU-160 to RR-10 in 2015. They also had it surveyed.
209 Stakes were placed in each corner. His survey showed that Staker Parson had illegally built a road across
210 land that did not belong to them. It took a few months for Staker Parson to agree that the survey was correct.
211 He received an email from Staker Parson in September of 2015 acknowledging the survey and claiming a
212 prescriptive easement because the road had been open and notorious for over twenty years. Mr. Jenkins
213 had copies of letters dated 1995 when the road was built objecting to the location of the road. He didn't
214 believe the location of the road was uncontested. Staker Parson's 2015 email claimed exclusive use of the
215 roadway. They were not willing to grant use to anyone else.
216

217 Jerome Jenkins traced ownership of adjoining parcels since 1979. In 1995, the land owner at that time gave
218 Staker Parson an active right-of-way to put a road across his land from Highway 89 to their gravel pit. The
219 right-of-way was recorded with Box Elder County. The property owner at that time did not own the Jenkins'
220 property nor the property below him where Granite Ridge was now located. Staker Parson illegally built the
221 road across both of those properties. The active right-of-way had no effect on either property. He felt the
222 gravel company understood that the right-of-way wasn't legal because they backed off slightly. However,
223 they still planned to contest anything he did with his property. If he tried to build on his property and claim
224 use of the road, they would contest.
225

226 Mr. Jenkins said that in 2017 Granite Ridge asked if they could dig a trench line across his property to put
227 in an above-ground irrigation ditch that serviced all of the people on Highway 89. He allowed them to do
228 so. They dug a spur off of the Haul Road onto his property. Staker Parson's lawyer called him. He was irate
229 that Mr. Jenkins was digging a spur on his own property connected to their road. Mr. Jenkins explained that
230 based on their email, use of the road was non-exclusive in this portion. Staker's lawyer said they were going
231 to file a quiet title action. Mr. Jenkins encouraged him to do so. Then a judge could decide who owned the
232 road. Staker Parson never filed for a quiet title.
233

234 Jerome Jenkins asked if ownership of the Granite Ridge had changed hands. Chris Davis said it had. It
235 was now owned by Lync Construction. Mr. Jenkins said the previous Granite Ridge owner said they hadn't
236 provided a stub to his property because the terrain was too steep. Mr. Jenkins had compared the slope of
237 his property with the slopes of the roads in Granite Ridge. They both had a 9% grade. He didn't feel the
238 terrain was too steep for a stub. The City recently approved a 12% grade in Granite Ridge Phase 4.
239

240 Jerome Jenkins wasn't sure what authority the Planning Commission had in approving the fourth phase of
241 Granite Ridge. He asked that the Planning Commission halt further approval of Granite Ridge until access
242 for his property could be worked out. He felt there were three options for accessing his land – a stub on the
243 north end of Phase 4 (that would place access by the best building location on his property); a stub on the
244 south end where no houses were planned; or a stub through their emergency access to Haul Road. He felt



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the emergency access could be turned into a four-way stop, and Staker Parson wouldn't have legal grounds to stop them. That would resolve access for him as well as provide more access for the fourth phase. He had heard the fourth phase had secondary access issues.

Bryce Wheelwright stated Granite Ridge Phase 4 was located on the north side of Haul Road. It would have two accesses once they tied into 300 East.

Jerome Jenkins asked about secondary access for the southern portion of the subdivision. Bryce Wheelwright said their agreement with the City Council was to build the southern secondary accesses to Highway 89 as the subdivision moved to the south.

Jerome Jenkins stated that it appeared there was a final approval process for each phase. Final approval had been granted for Granite Ridge Phases 1 and 2. Had Phase 5 received final approval? Bryce Wheelwright stated that the entire subdivision had received preliminary approval. If no changes were made to Phase 5, it had been approved. The only approval process left for Phase 5 was to meet with the SLUA who reviewed it to make sure it complied with the preliminary plan. If any changes were made, it had to go through the approval process again.

Jerome Jenkins asked if protests filed by citizens could have any impact on the proposed subdivision. Bryce Wheelwright felt Mr. Jenkins would have to work something out with the developer.

Jerome Jenkins asked if there was a City ordinance that could help a landlocked property owner. Colt Mund said there wasn't.

Colt Mund stated that both the Jenkins and Parson properties were located in the unincorporated County. They weren't part of the City. He felt Mr. Jenkins might have a civil action. He could certainly explore that option. Landowners had an easement by implication or necessity when they were landlocked, which Mr. Jenkins could pursue. The City wouldn't be involved in it. As for Granite Ridge, the City could not retroactively change what was required of them. They had a vested right as long as they lived up to their contractual agreement and the City ordinances. Per State law and Utah Supreme Court case law, the City could not require exactions. It could not require a developer to help out another landowner or to correct an issue.

Jerome Jenkins agreed that his property was located in the unincorporated county, but all of the access was in Willard City.

Chairman Bodily asked how Jerome Jenkins accessed his property when he purchased it. Mr. Jenkins said he could physically drive to his property on the Haul Road. However, he couldn't get a permit to build a home. He could not build a home on his property if the right-of-way was contested. Chairman Bodily asked if it was a legal right-of-way. Mr. Jenkins said it wasn't according to Staker Parson.

Commissioner Dubovik asked if Mr. Jenkins could purchase a lot from Granite Ridge and put in a stub to his property. Bryce Wheelwright said Box Elder County would have to determine if that would meet their frontage requirement. Jerome Jenkins asked if the City would prevent him from using a residential lot as a roadway.

There was further discussion.



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Commissioner Dubovik asked if this was the type of dispute the State Ombudsman would get involved. In. Chris Davis said it wasn't. This was a private legal action.

Chairman Bodily said there wasn't much the Planning Commission could do to help the Jenkins.

5E. DISCUSSION REGARDING PROPOSED AMENDMENT TO CHAPTER 12-400-14 – DEFINITION FOR SUBDIVISION LAND USE AUTHORITY

Bryce Wheelwright stated that when someone wanted to subdivide property in Willard, their first step was to have their concept plan reviewed by the Subdivision Land Use Authority (SLUA). If a concept plan complied with the Subdivision Ordinance, SLUA recommended that the Planning Commission hold a public hearing and grant preliminary approval. After the Planning Commission approved the preliminary plan, the applicant again met with SLUA to work through all of the engineering issues needed for final approval. At one time, all of the City departments were represented on the SLUA. There had been changes in the City's organization, including a City Manager. Because the SLUA definition did not include current staff members, they weren't able to vote. The staff was asking for the Planning Commission's recommendation to amend WCO 12-400-14 to include the City Manager and Deputy City Recorder.

Chris Davis stated that the proposed amendment also removed the City Police Chief. The Police Chief didn't see the need for him to be involved in land use decisions. Practically, there was a cost to use the City Attorney, and the Fire Chief was a part time volunteer. His schedule rarely allowed him to attend the SLUA meetings. For the over a year there had been three SLUA members – the City Planner, the Public Works Director, and the City Engineer.

Commissioner Hulsey asked what SLUA voted on that the Planning Commission did not. Bryce Wheelwright stated that the SLUA did not vote. It was a recommending body. It was a work horse. It reviewed plans to determine whether they complied with City ordinances. By the time a plan reached the Planning Commission it had been vetted.

Commissioner Hulsey asked what authority a SLUA member would have. Chris Davis said a voting SLUA member would be able to make motions to approve minutes or recommend that plans be forwarded to the Planning Commission.

Commissioner Harrop couldn't see the downside of having additional eyes reviewing projects.

Commissioner Bingham felt those that attended the SLUA meetings should be able to give input. The more people that were on the committee the better.

Commissioner Dubovik asked if the Deputy Recorder should remain on the SLUA if the current Deputy Recorder left the City. Mr. Wheelwright said the Deputy Recorder should remain on the SLUA. The Deputy Recorder took all of the minutes and filed all of the notices. Regardless of who filled the position, the Deputy Recorder would be aware of what was going on and would be familiar with the City ordinances.

Chris Davis asked that the Planning Commission make a recommendation to the City Council.

There wasn't further discussion. Chairman Bodily called for a motion.

Commissioner Bingham moved to recommend that the City Council amend the definition of the Subdivision Land Use Authority (SLUA), found in Chapter 12-400-14 of the Willard City Zoning



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Ordinance, to include the City Manager, Deputy City Recorder, and to remove the Police Chief. Commissioner Harrop seconded the motion. All voted unanimously. The motion carried.

6. CONSIDERATION AND APPROVAL OF APRIL 15, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Harrop moved to approve the April 1, 2021, regular Planning Commission minutes as written. Commissioner Bingham seconded the motion. All voted unanimously. The motion carried.

7. COMMISSIONER/STAFF COMMENTS

Bryce Wheelwright stated that contractors were getting ready to pave 200 West and the 300 East Waterline Project. Haul Road (300 North), on the north side of the dike, had been repaired and paved. A shoulder had been added, and the culvert for the creek had been replaced.

Chris Davis stated that Bruce Parker and Dr. Joe Perrin planned to make a presentation to the Planning Commission regarding the General Plan at the next Planning Commission meeting. They were ready to begin interviewing the Commission members.

Colt Mund did not have any comments.

Commissioner Bingham asked about the status of the Master Plan Community Zone. As he mentioned at the last meeting, he felt water was Willard's limiting factor. The City needed to determine how many houses it could serve. That number would determine the density and help with the General Plan too. If the City knew that number, the Master Plan Community Zone could move forward along with the General Plan. If the City knew what the density was, it would be able to determine how much open space was needed.

Chris Davis stated that water was a major issue. The administration was working on alternatives for secondary water. About 2/3 of the City's scarce culinary water was used to water land rather than for culinary purposes. The administration was working on the acquisition of land for a secondary water reservoir. Councilman Seamons was looking into grants for secondary water. There was a discussion about water. Chairman Bodily felt he could do a much better job of watering with a lot less water if the City had secondary water. Commissioner Harrop asked about using burn off water from the sewer treatment plan for secondary water. Mr. Davis said that was an option. It was an expensive option, but it was an option.

Commissioner Dubovik asked if the canal road was owned by the County. Bryce Wheelwright said it was a private road. It was used as a marker between Willard City and Box Elder County. Councilman Dubovik didn't mind dirt bikes on the canal road, but there was much more foot traffic. He was concerned about the safety of pedestrians and bicyclists.

Commissioner Dubovik wanted to thank the contractor that worked on the 300 East waterline. They had been very accommodating and made the road decent. He asked about the paving schedule. Bryce Wheelwright said a paving preconstruction meeting was scheduled for Tuesday, May 11th. He would know more after Tuesday. The paving would be completed soon.

Commissioner Hulsey asked if it would be possible for the Planning Commission to get more information regarding ordinances and points to consider in future Planning Commission items.



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Commissioner Hulsey asked if there was a way to slow a project down at the rezone level. Was there an option to allow the Planning Commission and public to have a better understanding of a project at the rezone level? Colt Mund asked if Commissioner Hulsey was asking for a site plan or a concept plan. Commissioner Hulsey said he was looking for something that would give the Planning Commission legal grounds to stop a project at the rezone level. When the public was fired up by a rezone, the Planning Commission didn't have many options. Was there something that could be changed? Colt Mund wasn't aware of anything. Commissioner Harrop stated that if an applicant followed the guidelines of the ordinance at the time of application, the Planning Commission couldn't legally stop them. Colt Mund stated that the City's rezone application did ask about the purpose of the rezone request. That information was provided to the Planning Commission. Commissioner Dubovik said the Planning Commission's barometer was the Future Land Use Map. Commissioner Hulsey asked if a rezone could be subject to the plan presented at the time of application. Colt Mund said a rezone could not be contractually approved. Rezoning was a property right. If a rezone request was consistent with adjoining land use, complied with the City's General Plan, didn't put the City in a negative financial position, and had the ability to get utilities and access there wasn't anything the City could do to stop it. The City had discretion when it was reviewing street and subdivision plans.

Chairman Bodily asked how many cars per hour the City streets were allowed to handle. He knew they were getting busier, but he didn't feel the City streets were close to capacity. Chris Davis didn't feel the City was at failure level on any streets, including Highway 89 and I-15. Commissioner Hulsey said it was a level of service question. Chris Davis suggested that Chairman Bodily ask that question during Dr. Joe Perrin's presentation on May 20th.

Commissioner Baker didn't have any comments.

Commissioner Harrop didn't have any comments.

Chairman Bodily stated that the drinking fountain on the west side of the building at the ball park wasn't on. Had it been fixed? Chris Davis understood that it had been completed. He would check on it.

8. ADJOURN

Commissioner Hulsey moved to adjourn at 8:10 p.m. Commissioner Dubovik seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 05-06-2021