



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, December 2, 2021– 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

REVISED AGENDA

(Agenda items may or may not be discussed in the order they are listed and may be tabled or continued as appropriate.) Public Comment may or may not be taken

1. Prayer
2. Pledge of Allegiance
3. Roll Call
4. General Public Comment (Input for items not on the agenda. Individuals have three minutes for open comments)
5. Discussion/Action Items
 - a. 6:30 p.m. Public hearing to consider a petition from David Grant to rezone approximately 3.99 acres located at approximately 466 South Main from A5 to R ½ (02-051-0172 and 02-052-0039)
 - b. Consideration of a Lot Line Adjustment for David Grant located at approximately 466 South Main (Parcel Nos. 02-052-0039 and 02-051-0172)
 - c. Consideration of preliminary approval for The Orchards at Willard Subdivision Phase 2 located at approximately 300 South 200 West (Parcel Nos. 02-051-0251 and 02-051-0087) – continued from September 16 and October 7, 2021)
 - d. Discussion regarding regular meeting dates for Calendar Year 2022
6. Consideration and approval of the November 9 40, 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 29th day of November, 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 29th day of November, 2021

/s/ Michelle Drago
Deputy City Recorder

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Willard City Planning Commission of Willard City Corporation will hold a public hearing at the Willard City Hall, 80 West 50 South, on December 2, 2021, at 6:30 p.m.

The public hearing will be held to take public comment on: A request from David Grant to rezone approximately 3.99 acres located at approximately 488 South Main (Parcel Nos. 02-052-0039 and 02-052-0172) from A5 to R ½.

Written comments will be accepted at the Willard City Offices until December 1, 2021. If you have any questions, please contact Bryce Wheelwright at 435-734-9881.

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

I, the undersigned duly appointed and acting Deputy City Recorder for Willard City Corporation, hereby certify that a copy of the foregoing notice was posted at the City Hall and on the State of Utah Public Meeting Notice Website this 19th day of November, 2021.

A handwritten signature in blue ink that reads "Michelle Drago".

Michelle Drago
Willard City Deputy Recorder

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



Received 10/20/21
Receipt # 10842647

WILLARD CITY PLANNING COMMISSION RE-ZONE APPLICATION

Application Date

10-19-2021

Assessor Parcel Number *

02-052-0039

02-051-0172

Applicant

David & Tara Grant

Parcel Legal Description*

Attached

Mailing Address

488 S. Main St.

Willard, UT 84340

Present Zone

Proposed Zone

Phone Number

Mix of
A5 + R1/2

R1/2

Cell Phone

801-430-0218

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

- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)
- 4) List of all property owners within 1/4 mile of the parcel.*
- 5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.
- 6) If a subdivision is planned, supply sketch of possible subdivision, to show compatibility with existing and planned infrastructure, with emphasis on roads, water supply and other utilities.

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

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) DAVID & TARA GRANT, 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 466 S. Main St. 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]
Property Owner(s)

AGENT _____



Subscribed and sworn before me this 20th day of October 2008

[Signature]
Notary Public

Residing in Kerry, UT
My commission expires: 2/2/25

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

AGENT AUTHORIZATION

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

SIGNED _____
Property Owner(s)

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

Notary Public

Residing in _____
My commission expires: _____

Project Summary

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

1. Location Map (showing nearest cross streets):

attached

2. Site Address/Description:

Approx: 466 S. Main St.
Willard, UT

3. Parcel Number(s): 02-052-0039
02-051-0172

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

Mix. / A5 + R¹/₂ currently. Want all
to be R¹/₂

5. Road Access Provided:

Main + 100 W.

6. Utility Plan:

N/A

7. Reason for the requested change:

Lot Line adjustment

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

NONE.

CENTER ST

100 E

200 E

200 S

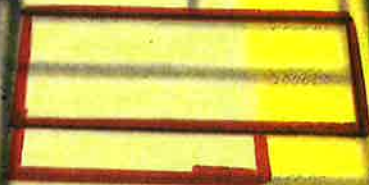
300 S

300 S

100 W

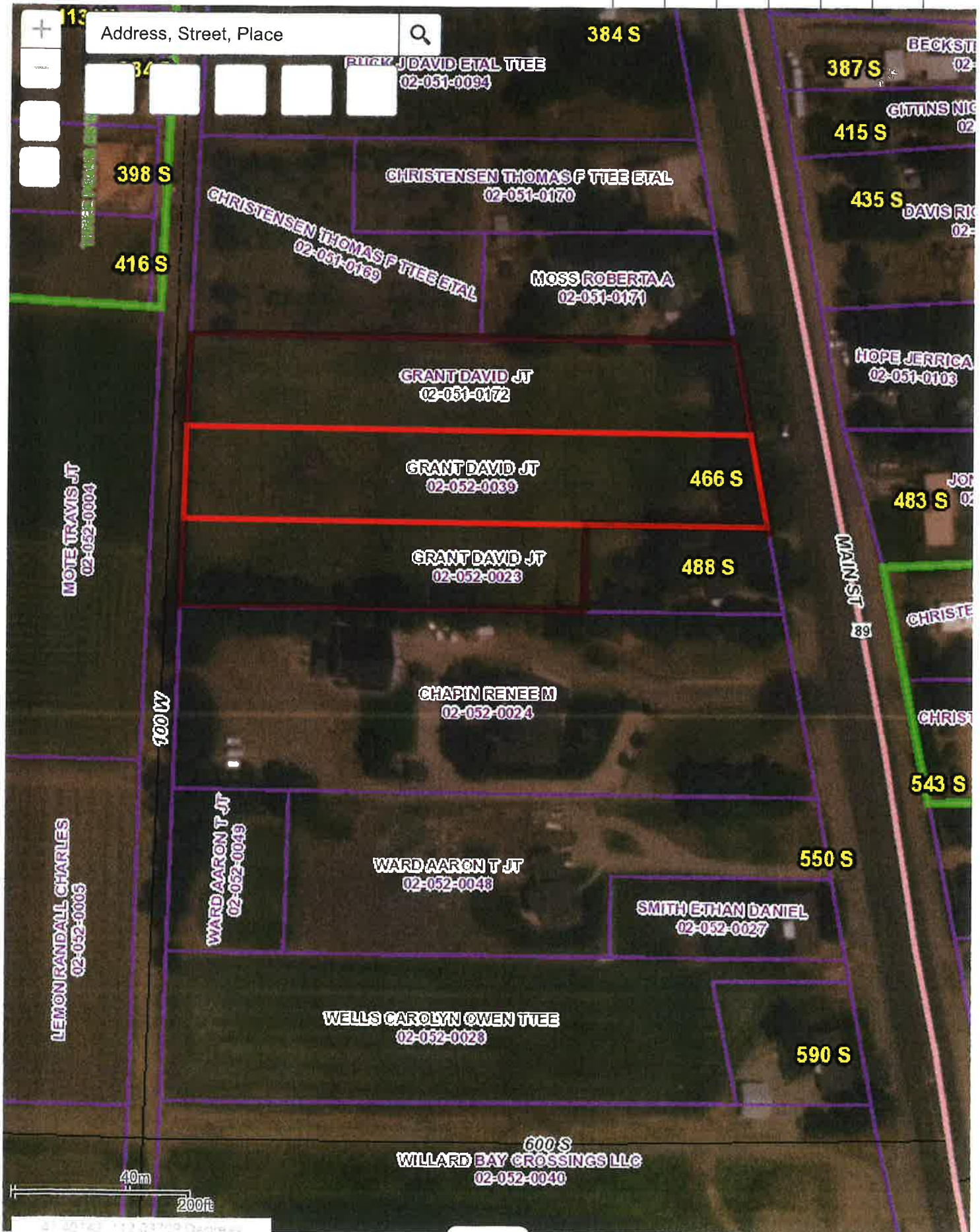
600 S

N↑





Box Elder County Web Map



WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date:

9-3-2021

Assessor's Parcel Number

Applicant:

DAVID GRANT

02-052-0039 & 02-051-0172

Parcel Legal Description

Mailing Address

488 S. Main St

Willard, UT 84340

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

Project Address

468 S. Main St.

Willard, UT 84340

Phone Number

801-430-0218

Cell Phone

Same

☐ 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.

Additional sheets, as required.)

Applicant Affidavit on back of this page.

WILLARD CITY CORPORATION
80 W 50 S
PO Box 593
Willard UT 84340

435-734-9881

Receipt No: 1.011256

Sep 3, 2021

GRANT, DAVID R

Charges for Services
Charges - PC & B of Adj 25.00
APP FOR PC HEARING FOR LOT LINE
ADJUSTMENT 468 S MAIN

Total: 25.00

Check
Check No: 1723 25.00
Total Applied: 25.00

Change Tendered: .00

Duplicate Copy
09/03/2021 10:14 AM

Form PC-1 Rev. 9/3-02

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) David R. Grant, 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 468 S Main 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]

Property Owner(s)

AGENT _____

Subscribed and sworn before me this 3rd day of September 2021



Michelle Drago
Notary Public

Residing in Kerry, Utah
My commission expires: 2/2/25

* 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: _____



02-051-0208

369 S MITCHELL CRAIG A JT
02-051-0039

387 S BECKSTEAD DONNA JT
02-051-0100

415 S CITINS NICHOLAS RAY ETUX
02-051-0101

435 S DAVIS RICHARD SHAWN
02-051-0102

HOPE JERRICA
02-051-0103

HOPE JERRICA
02-050-0029

483 S JONES RICKI S
02-052-0041

CHRISTENSEN THOMAS HEPWORTH
02-053-0049

CHRISTENSEN THOMAS HEPWORTH
02-053-0050

543 S

565 S

ROSS TERRY D ETAL JT
02-052-0027

MAIN ST 189

384 S

BUCK J DAVID ETAL TTEE
02-051-0034

CHRISTENSEN THOMAS F TTEE ETAL
02-051-0170

MOSS ROBERT A A
02-051-0171

CHRISTENSEN THOMAS F TTEE ETAL
02-051-0169

BRAEGGER DUANE H TTEE
02-051-0172

GRANT DAVID JT
02-052-0039

488 S

GRANT DAVID JT
02-052-0028

CHAPIN RENEE M
02-052-0024

550 S

SMITH ETHAN DANIEL
02-052-0027

WARD AARON T JT
02-052-0048

WARD AARON T JT
02-052-0049

108 W

370 S

113 W

384 S

JEX DARRIN L JT
02-051-0226

FERNANDEZ HANUAR JT
02-051-0229

MOULTRIE CAMRON JT
02-051-0230

MOITE TRAVIS JT
02-052-0004

LEMON RANDALL CHARLES
02-052-0005

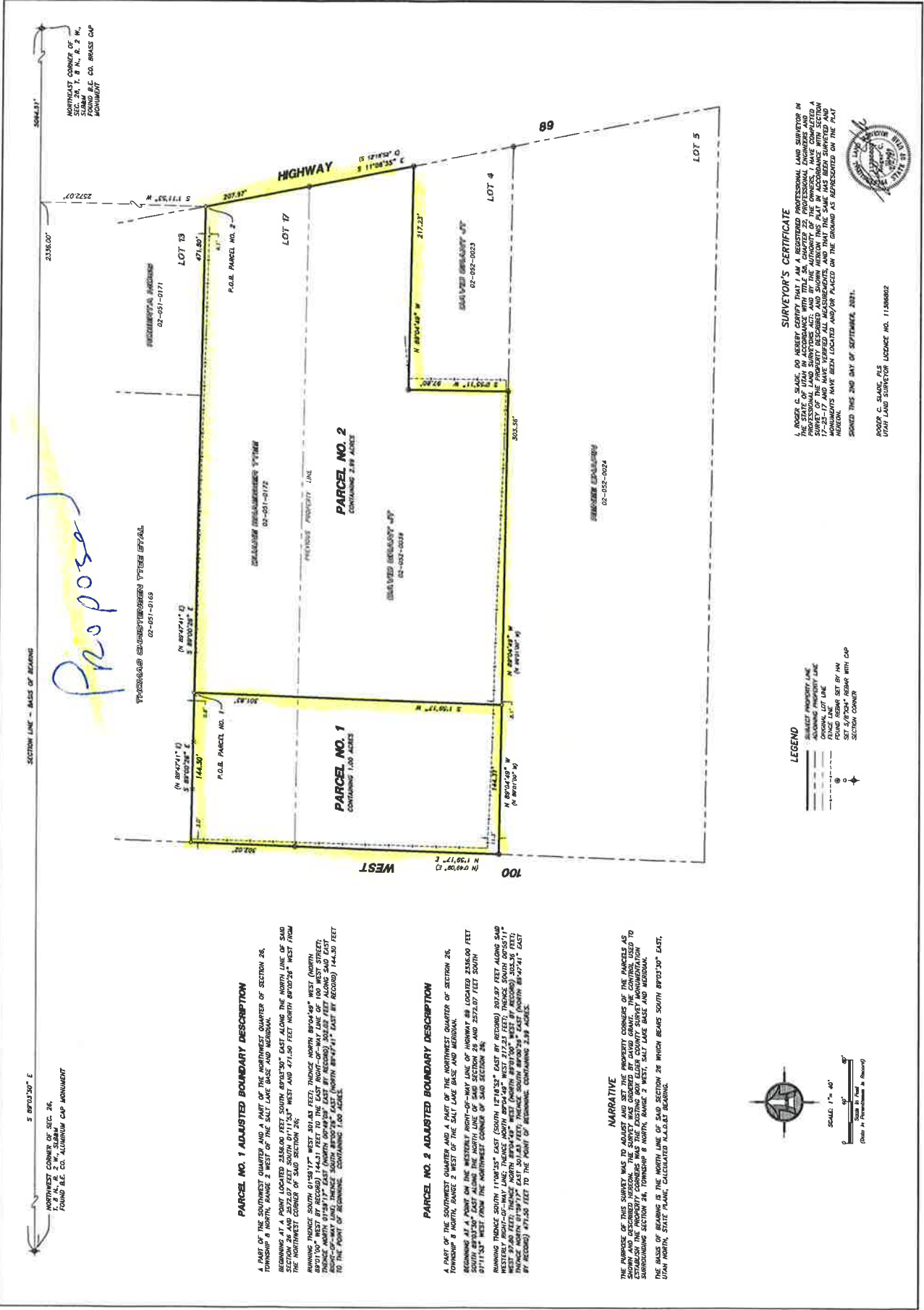
100 W

[illegible]

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO ADJUST AND SET THE PARCEL AS SHOWN AND DESCRIBED HEREON. THE SURVEY WAS MADE BY THE BOX ELDER COUNTY SURVEY MONUMENTATION SURROUNDING SECTION 10, TOWNSHIP 12 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN.

THE BASES OF BEARING IS THE NORTH LINE OF SAID SECTION 10, 89°51'30" EAST, UTAH NORTH, STATE PLANE, CALCULATED FROM



PARCEL NO. 1 ADJUSTED BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT LOCATED 2336.00 FEET SOUTH 89°03'30" EAST ALONG THE NORTH LINE OF SAID SECTION 26 AND 2572.07 FEET SOUTH 01°11'53" WEST AND 471.50 FEET NORTH 89°00'26" WEST FROM THE NORTHWEST CORNER OF SAID SECTION 26;

RUNNING THENCE SOUTH 01°59'17" WEST 301.83 FEET; THENCE NORTH 89°04'49" WEST (NORTH 89°01'00" WEST BY RECORD) 144.31 FEET TO THE EAST RIGHT-OF-WAY LINE OF 100 WEST STREET; THENCE NORTH 01°59'17" EAST (NORTH 00°49'09" EAST BY RECORD) 302.02 FEET ALONG SAID EAST RIGHT-OF-WAY LINE; THENCE SOUTH 89°00'26" EAST (NORTH 89°47'41" EAST BY RECORD) 144.30 FEET TO THE POINT OF BEGINNING. CONTAINING 1.00 ACRES.

PARCEL NO. 2 ADJUSTED BOUNDARY DESCRIPTION

A PART OF THE SOUTHWEST QUARTER AND A PART OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 2 WEST OF THE SALT LAKE BASE AND MERIDIAN.

BEGINNING AT A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 89 LOCATED 2336.00 FEET SOUTH 89°03'30" EAST ALONG THE NORTH LINE OF SAID SECTION 26 AND 2572.07 FEET SOUTH 01°11'53" WEST FROM THE NORTHWEST CORNER OF SAID SECTION 26;

RUNNING THENCE SOUTH 11°08'35" EAST (SOUTH 12°18'52" EAST BY RECORD) 207.97 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE; THENCE NORTH 89°04'49" WEST 217.23 FEET; THENCE SOUTH 00°55'11" WEST 97.80 FEET; THENCE NORTH 89°04'49" WEST (NORTH 89°01'00" WEST BY RECORD) 303.36 FEET; THENCE NORTH 01°59'17" EAST 301.83 FEET; THENCE SOUTH 89°00'26" EAST (NORTH 89°47'41" EAST BY RECORD) 471.50 FEET TO THE POINT OF BEGINNING. CONTAINING 2.99 ACRES.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
September 16, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Bryce Wheelwright stated that the Planning Commission could table consideration of the preliminary plan for The Orchards Phase 2 and send it back to the SLUA for a traffic study.

Chairman Bodily asked how long it would take to complete a traffic study, and how much would it cost. Mr. Wheelwright wasn't sure how long it would take. It would cost the City some money. Chris Davis said a lot of times, a developer paid for a traffic study.

Chairman Bodily wanted to get an answer on 200 West. What was the current traffic count, and what was the road's capacity? Then the Planning Commission would be able to answer the frequent comments it received about traffic.

Chad Braegger stated that the developer was only trying to get approval for twelve lots. He didn't feel traffic from that many homes would overload the streets.

Garth Day stated that during the Planning Commission's discussion, it had implied that Heritage Land needed to do a couple of things – a traffic study and apply magnesium chloride to the dirt road for dust reduction. They would be more than happy to participate in a traffic study. He felt confident showing the Planning Commission the real numbers. It was frustrating to have everyone guessing. Heritage Land planned differently than the City's general plan did. The Planning Commission needed a traffic count on 200 West. He didn't feel the City needed a traffic count to determine the capacity of a 60-foot wide residential street. The City knew how many cars and trips per day that kind of road could handle. The other part that was missing from the discussion was the fact that the 100 or so lots they were proposing would not all use 200 South. Part of their property included 500 West. They planned to build 500 West all of the way to 600 South. They could control that connection. As they developed and planned, they didn't just ask if 200 West could handle all 100 homes, because not all of the traffic would use it. They were building another corridor. Heritage Land would be more than happy to participate in a traffic study or a traffic analysis. If the subdivision was sent back to the SLUA there could be a more detailed discussion. Mr. Day said Heritage Land would be willing to budget the cost of a magnesium chloride application to 200 West in their construction costs. He knew there was a dust control issue. He didn't feel it would be super expensive. If it was something that would really help, he felt they should do their share. They could talk to SLUA about both issues.

Commissioner Bingham moved to table consideration of preliminary approval for The Orchards at Willard Subdivision Phase 2 and to send it back to the SLUA for a traffic study. Commissioner Hulsey moved to second the motion. All voted "aye." The motion passed unanimously.

Chris Davis asked if the Planning Commission wanted the traffic study to focus just on 200 West. Commissioner Harrop felt it should address 200 West, 200 South, and the bottleneck at their intersection. The Commission agreed.

5C. **CONSIDERATION OF A LOT LINE ADJUSTMENT FOR DAVID GRANT LOCATED AT APPROXIMATELY 466 SOUTH MAIN (PARCEL NOS. 02-052-0039 AND 02-051-0172)**

Bryce Wheelwright stated that David Grant had purchased property from Duane Braegger and wanted to adjust property lines. He wasn't proposing to create a new lot. There were currently three parcels. There would be three parcels when the lot lines were adjusted.

Colt Mund, City Attorney, asked that the Planning Commission table consideration of the lot line adjustment in order to allow him to verify that the land had actually exchanged hands and to complete a legal review.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
September 16, 2021 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Commissioner Harrop moved to table consideration of a lot line adjustment for David Grant located at approximately 466 South Main until the next meeting in order to allow the City Attorney time to complete a legal review. Commissioner Dubovik seconded the motion. All voted "aye. The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF SEPTEMBER 2, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Baker moved to approve the September 2, 2021, regular Planning Commission minutes as written. Commissioner Harrop seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Chris Davis, City Manager, reported that the trail on 200 West had been narrowed.

Commissioner Bingham felt the City needed to get moving on a new PUD Ordinance. The Planning Commission could move forward with the PUD Ordinance while it waited for completion of the General Plan.

Chairman Bodily asked about The Shack. Bryce Wheelwright stated that the new owner was talking about creating office spaces.

8. ADJOURN

Commissioner Harrop moved to adjourn at 8:01 p.m. Commissioner Hulsey 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 09-16-2021

WILLARD CITY PLANNING COMMISSION SUBDIVISION APPLICATION

Application Date 8/30/2021

Applicant
Heritage Dev

Mailing Address
9 West Forest
BRIGHAM City UT

Project Address
200w 300 s.
Willard UT

Email Address _____

Phone Number 435 730-8208

Cell Phone _____

Fax Number _____

Proposed Subdivision Data

Subdivision Name

Orchards Ph. 2

Application Level (Check One)

☒ Sketch Plan

Date _____ Approval _____

☐ Preliminary Plat*

*(Not required for In-fill Subdivisions)

Date _____ Approval _____

☐ Final Plat

Date _____ Approval _____

Assessor Parcel Number SEE ATTACHED

Number of lots 12

FEES MUST ACCOMPANY APPLICATION SUBMISSION AT EACH LEVEL.

FEE COMPUTATION

	Administrative	Engineering	Attorney	TOTAL
<u>Sketch Plan</u>	\$50 + \$2/Acre <u>\$65.00</u>	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.

APPLICANT'S AFFIDAVIT

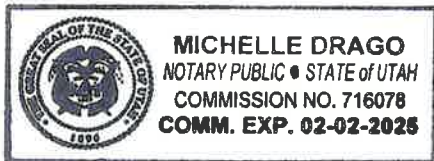
STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Garth Day, 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 200 W 300 S 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 Heritage Dev.
Property Owner(s)

AGENT GARTH DAY, V.P. DEV

Subscribed and sworn before me this 30 day of August 2001



Michelle Drago
Notary Public

Residing in Kerry, UT

My commission expires: 2/2/25

* 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: _____

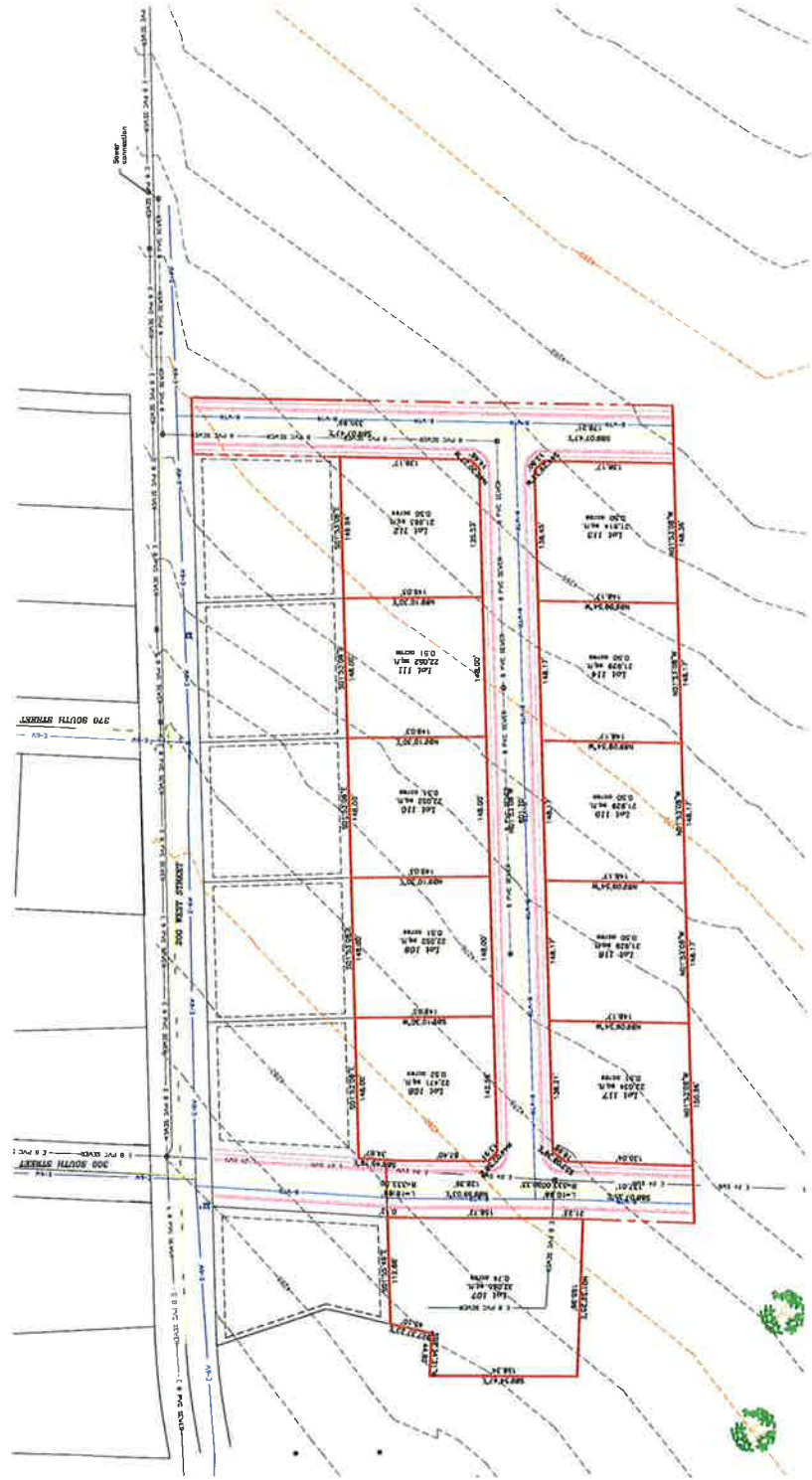
THE ORCHARDS AT WILLARD PHASE 2

PART OF SECTION 26 & 27, TOWNSHIP 8 NORTH,
SALT LAKE BASIN AND MERIDIAN
WILLARD, UTAH

SKETCH PLAN



0 30 60 120
SCALE: 1"=60' (24x36 PLAIN SET)



ALLIANCE CONSULTING
ENGINEERS
150 EAST 200 NORTH
SALT LAKE CITY, UTAH 84143
(801) 555-5121



NO.	REVISIONS	DATE
1	PREPARED BY	10/1/01
2	CHECKED BY	10/1/01
3	APPROVED BY	10/1/01

THE ORCHARDS AT WILLARD PHASE 2
SALT LAKE BASIN AND MERIDIAN
WILLARD, UTAH
PART OF SECTION 26 & 27, TOWNSHIP 8 NORTH,
SALT LAKE BASIN AND MERIDIAN
WILLARD, UTAH
SKETCH PLAN

DATE: 10/1/01
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
August 19, 2021 – 1:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

1 The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours
2 in advance. A copy of the agenda was posted at the City Hall and on the State of Utah Public Meeting
3 Notice Website.
4

5 The following members were in attendance:
6

7 Chris Davis, City Manager Wes Thompson, Public Works Supervisor
8 Chris Breinholt, City Engineer/Jones & Associates Michelle Drago, Deputy City Recorder
9 Bryce Wheelwright, City Planner
10

11 Excused: Van Mund, Fire Chief, and Colt Mund, City Attorney
12

13 Others in attendance: Garth Day and Aaron Robertson, Heritage Land Holdings/Sierra Homes
14

15 1. CALL TO ORDER
16

17 Bryce Wheelwright called the meeting to order at 1:40 p.m.
18

19 2A. DISCUSSION REGARDING A CONCEPT PLAN FOR THE ORCHARDS AT WILLARD
20 SUBDIVISION LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (02-054-0005, 02-
21 054-0007, 02-054-0008, 02-054-0009, 02-054-0010, 02-054-0011, 02-054-0012,
22 02-054-0013, 02-054-0017, 02-051-0004, 02-051-0085, 02-051-0087, 02-051-
23 0251, 02-051,0252)
24

25 Bryce Wheelwright stated that the purpose of the meeting was to review a concept plan for
26 the second phase of The Orchards at Willard Subdivision located at approximately 300 South
27 200 West. The Orchards was located on the old Lemon farm. The SLUA had discussed a
28 concept plan for The Orchards before the PUD Ordinance was repealed. The proposed second
29 phase contained lots that were all one-half acre in size.
30

31 Garth Day, Heritage Land Holdings, stated that the lot shown as Lot 107 on the concept plan
32 was quite large. It would probably be split into two lots. They planned to construct a full-width
33 road on the south side of the subdivision. Heritage Land was asking for clarification about a
34 pioneering agreement on the south side of the road because they didn't own the adjoining
35 property. The temporary detention basin at the south end of Phase 1 would be relocated
36 further to the west. The temporary basin would continue to move until a permanent location
37 could be determined.
38

39 Bryce Wheelwright asked if the subdivision would have a homeowner's association. Garth Day
40 said it would not. Mr. Wheelwright asked if the lots would have animal rights. Mr. Day said
41 they would if animals were allowed by the City's R1/2 Zone. Mr. Wheelwright said the R1/2
42 Zone did allow two large animals or four small ones. Mr. Day felt their restrictive covenants
43 would be more restrictive than the City's Zoning Ordinance.
44

45 Chris Breinholt felt the subdivision fit. There was existing sewer available.
46



WILLARD CITY
Subdivision Land Use Authority (SLUA) – Special Meeting
August 19, 2021 – 1:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Chris Davis asked if Phase 2 was zoned R1/2. Mr. Wheelwright said it was currently zoned A5, but the Future Land Use Plan showed this area with an R1/2 Zone. Mr. Davis and Mr. Wheelwright asked if all of the homes would be built by Sierra Homes. Aaron Robertson anticipated that they would be.

Aaron Robertson, Heritage Lane Holdings, said they had been hesitant about submitting plans for half-acre lots. They didn't want the City to think they had abandoned their plans for a Master Community Zone. If a Master Community Zone was approved, the lots in the first two phases would become part of the overall density calculations.

Chris Davis asked about water rights. Heritage Land had to provide one acre foot of water per lot unless they provided an irrigation system. Garth Day said the state engineer said they had roughly 200 acre feet of water between the two wells and their irrigation rights. They needed to calculate how much water that would be per lot.

Aaron Robertson asked how much water would be required per lot if they put in an irrigation system. Chris Breinholt said he would have to average the indoor and outdoor water usage.

Wes Thompson didn't have any issues with the proposed subdivision as long as the streets complied with the City's street standards.

Michelle Drago asked if the sewer shown on Lot 107 would make it difficult to place a home on the lot. Garth Day said the sewer shown on Lot 107 was for the old milk barn. It would be removed.

There was a discussion about whether the existing trailer home on the property was occupied and how it was getting water. Michelle Drago said the water meter for the trailer had been pulled. Mr. Davis was concerned about cross contamination if the occupant was using a garden hose to get water from the old barn. Wes Thompson felt the water meter for the barn would prevent a backflow. Garth Day stated that Randy Lemon told him the trailer would be vacated by June. Bryce Wheelwright said the trailer occupant told him he would be gone by the end of summer.

Chris Breinholt stated that this area was served by an existing 6-inch water line. Heritage Land would have to loop the water system or upsize the line. There was a discussion about the best way to loop the system.

Garth Day asked if it would be possible for the City to consider their subdivision application and rezone petition concurrently. Michelle Drago stated that on September 2nd, the Planning Commission could set a public hearing to consider the preliminary subdivision on September 16th. A public hearing to consider the rezone petition could be held on September 16th as well.

Chris Breinholt moved to approve the concept plan submitted by Heritage Land Holding subject to Heritage Land providing the required water and complying with the water connection required by the City Engineer and to forward the plan to the



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92 **Planning Commission for preliminary approval. Chris Davis seconded the motion. All**
93 **voted “aye.” The motion carried.**

94
95 2C. APPROVAL OF MAY 6 AND JUNE 10, 2021, MINUTES

96
97 **Chris Davis moved to approve the minutes of May 6 and June 10, 2021, as written. Chris Breinholt**
98 **seconded the motion. All voted “aye.” The motion carried.**

99
100 3. ADJOURN

101
102 **Chris Breinholt moved to adjourn at 2:10 p.m. Michelle Drago seconded the motion. All voted “aye.”**
103 **The motion carried.**

104
105 Minutes were read individually and approved on: _____

106
107
108
109 _____
110 Bryce Wheelwright, City Planner

109 _____
110 Michelle Drago, Deputy City Recorder

111 dc:SLUA 08-19-2021
112



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September 2, 2021 – 6:30 p.m.
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Commissioner Dubovik stated that the lot line adjustment would maintain both parcels as building parcels.

Bryce Wheelwright stated that both parcels would comply with the City's ordinances when the lot line was adjusted.

Commissioner Hulseley asked if a public hearing was required. Chairman Bodily said it wasn't. Bryce Wheelwright said a public hearing could be held if the lot line adjustment was controversial. He didn't feel this was a controversial issue.

Commissioner Bingham moved to approve a lot line adjustment for Justin Dickson located at approximately 265 East 1000 North (02-042-0009 and 02-042-0010). Commissioner Hulseley seconded the motion. All voted "aye." The motion passed unanimously.

5D. SET A PUBLIC HEARING TO CONSIDER PRELIMINARY APPROVAL OF THE ORCHARDS AT WILLARD SUBDIVISION PHASE 2 LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (02-051-0251 AND 02-051-0087)

Bryce Wheelwright stated that Heritage Land Holdings had started to develop The Orchards at Willard Subdivision with six lots in Phase 1 along 200 West. They wanted to start Phase 2, which would be located immediately west of Phase 1. However, that area was currently zoned A5. Heritage Land Holdings had submitted a request to rezone the 61 acres they owned in this area from A5 to R1/2. They were also requesting preliminary approval of Phase 2. On August 19th, SLUA reviewed and approved the preliminary plan for Phase 2. Heritage Land Holdings was requesting that the Planning Commission schedule public hearings for the rezone and preliminary approval on September 16, 2021.

Garth Day, Heritage Land Holdings, stated that they had purchased the Lemon orchards. At this time, they were proposing that they do half-acre lots. The Future Land Use Map showed this area with half-acre lots. They wanted to rezone their entire 61 acres at this time. They also wanted to start their next phase, which would consist of eleven lots. Phase 1 included the start of 300 South. The second phase would extend 300 South and add 400 South on the south side of Phase 2. The Planning Commission's earlier discussion about roads connecting did impact their property. Their master development plan showed both 400 West and 500 West stubbing to the north and continuing to the south.

Councilman Fred Ward liked the proposal, but he felt the Planning Commission needed to keep in mind that the City's capacity for water storage The City had approved a development on the north side of the community that contained 73 lots. He recommended that the City meet with its water engineer to see if the City's current capacity could support the development proposed by Heritage Land Holdings.

Bryce Wheelwright stated that Heritage Land Holdings had the water rights for their development. The City had not approved the units mentioned by Councilman Ward.

Commissioner Dubovik stated that the City could build all the water tanks it wanted, but at some point it just wouldn't have the water capacity. During the last meeting he asked about the City's water current status. How many more lots could be built with the City's current storage capacity? What was the maximum number of homes that could be supported by the flow from the City's well? He asked that that information be available at the public hearing.

Garth Day stated that they were providing the City with 200 acre feet of water which was three times what they would be using.



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Commissioner Baker moved to set a public hearing on September 16, 2021, at 6:30 p.m. to consider a preliminary plan for The Orchards at Willard Subdivision Phase 2 located at approximately 300 South 200 West. Commissioner Bingham seconded the motion. All voted “aye.” The motion passed unanimously.

Commissioner Baker moved to set a public hearing on September 16, 2021 at 6:30 p.m. to consider a petition from Heritage Land Holdings to rezone approximately 61 acres located at approximately 300 South 200 West from A5 to R1/2. Commissioner Dubovik seconded the motion. All voted “aye.” The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF AUGUST 5, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Dubovik moved to approve the August 5, 2021, regular Planning Commission minutes as written. Commissioner Hulseley seconded the motion. All voted “aye.” The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Chairman Bodily asked what was going on at John Riley’s. Bryce Wheelwright said the second access for Granite Ridge Phase 4 was being constructed. It started at 600 South. It would eventually loop around to 300 East. Mayor Braegger said the second access for the south side of Granite Ridge would be built when the Murray property developed.

Commissioner Bingham asked about the status of the PUD Ordinance. Bryce Wheelwright said the City’s General Plan consultant was working on an ordinance for smaller lots/planned development ordinance. Bruce Parker was supposed to have reported to the City Council on August 26th, but that meeting was cancelled due to Covid. Mr. Parker would probably meet with the City Council on September 9th.

Commissioner Dubovik asked about discussions regarding a pedestrian bridge. Bryce Wheelwright the City had been discussing a pedestrian bridge for years. Because of past discussions, it seemed the City’s current discussions with UDOT were carrying more weight. The issue was still alive.

Commissioner Hulseley stated that there was a Box Elder County Active Transportation Plan Meeting on October 12th. It was being sponsored by UDOT, UTA, and the Wasatch Front Regional Council. Planning Commission and City Council members had been invited to make comments. He felt that would be a good time to bring up the pedestrian bridge.

8. ADJOURN

Commissioner Hulseley moved to adjourn at 8:02 p.m. Commissioner Baker seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily
dc:PC 09-02-2021

Planning Commission Secretary
Michelle Drago



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traffic; sometimes there was not. He was worried about moving forward without a plan for a second road in and out.

Bryce Wheelwright said the Subdivision Ordinance stated that a developer was responsible to develop the roads in his subdivision. If Heritage Land purchased the ground south of them, then they would have to pave 200 West to the south. Until someone purchased and developed the land to the south or the City decided to pave the road, 200 West would remain a dirt road.

Commissioner Bingham felt it would be helpful if someone could put some calcium chloride on 200 West once in a while to keep the dust down. Then people would use 200 West. He felt that would be a big improvement. At this point, he couldn't see anything to stop the Planning Commission from approving the rezone.

Commissioner Hulsey felt the public was pretty concerned about the traffic. He asked if the planning consultant would have a traffic study the City could look at next week. Mr. Wheelwright said the planning consultant would make a report to the City Council, but he didn't know what the report would entail. Commissioner Hulsey felt the City should wait to make a decision on the rezone until it received traffic numbers.

In response to a question from Councilman Seamons, Chris Davis stated that he could find out what the planning consultant planned to include in his September 23rd report. The 23rd report would not be a final draft. It would be a preliminary status update.

Doug Younger felt Heritage Land Holding should be able to proceed according to the current master plan. Why did they have to wait?

Commissioner Bingham stated that the rezone application submitted by Heritage Land Holding did comply with the current master plan.

Commissioner Harrop agreed that the application met the requirements set forth in the master plan. He felt the Planning Commission could approve the rezone and address the traffic during the subdivision review.

Commissioner Dubovik asked if there any agricultural firms interested in purchasing the Lemon orchards and making them a viable business again. Garth Day said they could if they were willing to pay what they paid for the land to farm it. Commissioner Dubovik also agreed there wasn't anything in the ordinance to prevent approval of the rezone application. He would have a hard time moving further than the rezone because of the City's current ordinance.

Commissioner Harrop moved to recommend that the City Council approve the rezone of 61 acres located at approximately 300 South 200 West from A5 to R1/2. Commissioner Bingham seconded the motion. A roll call vote was taken: Commissioners Bingham, Dubovik, and Harrop voted "aye." Commissioners Baker and Hulsey voted "nay." The motion passed.

5B. PUBLIC HEARING TO CONSIDER PRELIMINARY APPROVAL OF THE ORCHARDS AT WILLARD SUBDIVISION PHASE 2 LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (PARCEL NOS. 02-051-0251 AND 02-051-0087)

Commissioner Dubovik moved to open the public hearing at 7:16 p.m. Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.



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Bryce Wheelwright stated that the Planning Commission just recommended that the City Council approve Heritage Land's petition to rezone their property from A5 to R1/2. Heritage Land was asking that the Planning Commission grant preliminary approval of their second phase, which would consist of twelve half-acre lots and would be located directly west of Phase 1. It included paving 300 South, 400 South, and 250 West. Heritage Land was bringing water rights with the subdivision that would be turned over to the City. Infrastructure would include curb, gutter, and sidewalk.

Garth Day, Heritage Land Holding, stated that Willard's Zoning Ordinance required the Planning Commission to hold a public hearing prior to approving a preliminary subdivision plan. He understood that their preliminary plan was subject to the City Council approving their rezone request. He explained that Phase 2 would consist of twelve lots. The layout mirrored Phase 1. A full road would be built on the south end of Phase 1 and 2 to provide a second access. He wasn't sure how to address the Planning Commission's traffic concerns. UDOT said that residential traffic at this scale was negligible. These streets weren't Riverdale Road or Main Street in Logan. The traffic consisted of residential trips. He didn't know what the City's traffic study would show. He hadn't seen traffic counters in the area. He didn't know how the planning consultant would generate the traffic information. Two Hundred West (200 West) would extend south to 600 South, which would be a little bit bigger road. Traffic on 600 South would dump onto Highway 89, the arterial street. He didn't know what other plans could be done for their area. They were trying to acquire property further south to give them more access to 200 West so they could develop that road further. They had heard the City and the public loud and clear. They understood that was the direction everything was going. He wasn't sure the City would receive some magic answer about the traffic from its planning consultant. Because traffic wasn't being counted, he felt the planning consultant would use UDOT and Wasatch Front Regional Council numbers to generate an estimate. Those numbers were 1.6 units per acre based on so many trips per day. He felt the Planning Commission would have to take that number and determine if the City roads were big enough to handle that much traffic and how traffic could be circulated out of this area. He wished there was more they could do to help with the traffic, but they were locked into the property they owned. Mr. Day said Heritage Land was committed to the City. They would be happy to participate in some offsite improvements. The residents they were bringing to the City would be their clients. They would be around a long time.

Chairman Bodily opened the floor for public comments.

Travis Mote, 455 South 200 West, stated that the flood control basins that went into these subdivisions needed to be connected to drainage that went to Willard Bay. The basins were a mess. No one maintained them. The one next to his home got plugged with dead organic material. He felt the City needed a different solution. He suggested that the basins be deeded to landowners in the form of easements. Landowners could then maintain them. The basins didn't, and wouldn't, function if they weren't maintained, and they weren't being maintained. He wasn't sure who was responsible for them. At one point he heard it was the Willard Flood Control, but Flood Control said they didn't have money to maintain the basins.

Chad Braegger, 1789 North 200 West, agreed with Chairman Bodily about the pedestrian traffic on 200 West. Two Hundred South (200 South) was much busier. It needed curb, gutter, and sidewalk to keep children out of the roads. He felt Heritage Land Holding's subdivision fit the master plan. Half-acre lots in Willard was not a terrible thing. There were things the City could do to keep the children and pedestrians safe. Finishing 200 West to where the curb and gutter started on the Nathan Braegger Subdivision would help.

Garth Day stated that there were two elements to flood control in Willard City. There was storm water collected by curb and gutter. It ran into the local system which ultimately dumped it out. Flood control was



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344 a whole other entity. Flood control picked up water off the mountain and ran it through the City. Heritage
345 Land didn't, and couldn't, connect to the Flood Control District. The detention basins were the City's
346 responsibility. One function of the City was to collect storm water. A lot of the Wasatch Front was moving
347 away from curb and gutter because cities didn't want to collect storm water any longer. In Willard, detention
348 basins were built and deeded to the City. In some places, the detention basins could be large enough to be
349 multi-use, such as a park. It was up to the City to determine how to maintain them. Heritage Land did not
350 have any intention of putting water into the Flood Control District.

351 Bryce Wheelwright clarified that in Willard City storm control basins were actually deeded to the Willard
352 Flood Control District. Willard Flood Control was responsible to maintain them. In the past, City employees
353 had tried to help them by spraying weeds.

354
355 Chairman Bodily stated that until the City put in a storm drain system, there wasn't any other choice.

356
357 Bryce Wheelwright stated that the Zoning Ordinance required each subdivision to control its storm runoff
358 on site.

359
360 Garth Day stated they didn't put any water into the flood control system. Mr. Wheelwright said the storm
361 runoff was maintained and controlled on site

362
363 Councilman John Seamons, 575 North Main, stated that the Master Plan update was started a year ago.
364 The update was the panacea; it was supposed to fix all of the City's problems. Those who had worked with
365 master plans knew the consultants would do the best they could, but they wouldn't be bringing traffic counts
366 to the City. They provide an estimate. When he asked Mr. Mote what he thought the master plan would
367 look like, Mr. Mote thought it would look like the current master plan. If that was the case, what was the City
368 going to get? He wasn't sure what the master plan was going to fix. He didn't think it would show the City
369 where half acre and quarter-acre lots were going to be. The City hadn't even received a first draft. There
370 would be a couple of first drafts and preliminary drafts. When he was interviewed a few weeks ago, he
371 asked when the General Plan would be finished. He was told it probably wouldn't be ready until December.
372 He wasn't sure the City wanted to hold off everything until the master plan update was done.

373
374 A question from Commissioner Dubovik generated a discussion about when the current master plan was
375 drafted. Some thought it was done in 2002 and was good until 2016 or 2017. Commissioner Dubovik asked
376 who prepared the current master plan. Bryce Wheelwright said the current master plan was prepared by
377 the Planning Commission, and it was good until 2017.

378
379 Commissioner Dubovik stated that the City was paying a lot of money to a professional firm who had deep
380 experience and state-wide knowledge about how other communities had been planned. He expected them
381 to apply their knowledge and expertise to Willard. He expected them to tell the City where it had gone
382 wrong, where it had gone right, and what it needed to consider.

383
384 Councilman Seamons agreed with Commissioner Dubovik, but right now he wanted to see more than just
385 the questionnaire that had been sent out. He asked when the City entered into the contract. Chris Davis
386 said the contract was signed in early spring. Councilman Seamons said consultants didn't always do what
387 you wanted unless they were directed. So far the City really hadn't had a chance to direct them.

388
389 Commissioner Bingham felt it would a while before the City had a final master plan. It needed to move
390 forward with what it had.



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Bart Wade, 220 South 200 West, understood that Phase 2 would tie into the current subdivision on 200 West. They had enjoyed their view for 30 years, and they totally supported half-acre lots. The traffic was busier than it was. Right now it was livable, but he was concerned about the growth. There needed to be a plan to address the traffic sooner rather than later.

Commissioner Bingham moved to close the public hearing at 7:34 p.m. Commissioner Hulsey seconded the motion. All voted “aye.” The motion carried.

Commissioner Bingham stated that this was the type of subdivision the City was looking for. Based on the size of development Heritage Land was proposing, he didn't feel it would be unreasonable to ask for a traffic study before moving forward. There could be 100 homes before there was a paved road to 600 South. A traffic study could help the Planning Commission see what traffic the road currently had and what a safe amount would be. He also felt a reasonable temporary solution might be putting down dust control a couple of times a year. This area channeled a lot of people. The City would have to deal with growing pains to reach its ultimate goal.

Bryce Wheelwright stated that the City Engineer reviewed subdivision applications before they were brought before the Planning Commission. He had mentioned several times that 100 West, 200 West, 100 East, and 200 East were designed to be collector streets; to bring traffic out to Highway 89. The City Engineer said the current traffic flows on those streets did not come close to capacity at this time. The City Engineer felt the roads could handle what Heritage Land was proposing at this time.

Commissioner Dubovik asked how the City did a traffic study. Bryce Wheelwright stated that three years ago the City received a grant to put in a pedestrian crossing light at 750 North 200 West. When UDOT and BRAG did a traffic study on 200 West, they determined there wasn't enough traffic to warrant a crossing signal, and they withdrew the grant funds.

Commissioner Dubovik said data was data, but perception was reality for the people who lived there. He was concerned that the master plan contract did not include a delivery date. Was there a period of performance? Had all of the money been allocated? Was there grant money still available that could be used for a traffic study? Could the City direct the consultant to do a traffic study as part of the update? Chris Davis, City Manager, stated that the period of performance in the contract was a year. The contract was for \$40,000. Part of the reason, Bruce Parker was hired was because Dr. Joe Perrin was part of the team. Dr. Perrin was a traffic engineer. The City anticipated that part of their recommendation would include a traffic component. Mr. Davis said the consultants had taken traffic counts on South Center. He would check to see if they had taken counts in other areas.

Commissioner Dubovik felt that lack of information from the master plan consultant was holding up development plans for the City.

Commissioner Bingham felt the City needed to move forward with the current plan until an updated plan was available.

Commissioner Hulsey stated as a civil engineer he frequently worked late nights in order to meet work deadlines for a client. If the City wasn't satisfied with the master plan consultant's time frame, it needed to let him know. He didn't feel it would be unreasonable to ask the consultant what the status of the plan was, what percentage was complete, and estimations on completion percentages. He felt the City needed to set up expected deadlines. He did not anticipate that the updated master plan would provide magic answers



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about access. He did anticipate that it would provide a threshold for how many homes a road could support. He felt the City should wait to approve the rezone until the City knew what the threshold was.

Commissioner Bingham stated that with a traffic count the Planning Commission and the City Engineer could come up with a threshold number. What a road could handle and what people felt a road could handle were two different things. If someone lived on a road with very little traffic, they could perceive a few additional cars as a lot of traffic. He felt speed control would make a big impact. There were a lot of pedestrians on the trail. He felt the road could handle this subdivision just fine.

Commissioner Hulsey also felt the road could handle the traffic. He liked the subdivision and the half-acre lots. However, he was listening to the public, which the Planning Commission was meant to represent. The public wanted a traffic count to see what the capacity of the road was. He recommended that Heritage Land provide that traffic count. Then the Planning Commission could determine if the big influx of traffic would impact safety concerns and understand how many more homes could be approved. He felt the City should understand what the end number was before homes were started.

Commissioner Dubovik wanted to see two numbers – the actual traffic flow and what the capacity was.

Commissioner Hulsey felt those numbers would settle a lot of the citizen's concerns. Everyone would know that while the traffic might be uncomfortable, it was safe.

Commissioner Baker agreed that growth was coming. She didn't have a problem with it. She agreed that the half-acre lots complied with the Zoning Ordinance, current master plan, and was what the public wanted. However, she was concerned about tweaking the ordinances for the developers.

Commissioner Bingham said ordinances weren't tweaked for developers. Ordinances were changed to meet the needs of the City.

Commissioner Dubovik stated that the verbiage he put together for the Street Ordinance amendment wasn't tweaking. It would provide the Planning Commission more control over accesses.

Commissioner Baker felt the City was always changing something to meet someone's need. The City's books were outdated. She understood the City was in the process of getting things updated. She felt there needed to be time stamps on ordinances that were passed. Once the ordinances were digitized, she felt all of the members should have laptops to be able to research the ordinances. Things had been so outdated for so long, everything was a can of worms.

Commissioner Harrop stated that as growth occurred it was necessary to tweak things. It was hard for the Planning Commission to make decisions that made everyone happy. The Planning Commission had to follow the ordinances. There was always change. The City's ordinances had been changed ever since Willard became a city. They were changed to meet demands, to provide structure, and to properly guide the City in a direction that was pleasing to the majority. It was a never ending evolution. He asked if magnesium chloride could be applied to 200 West and 600 South a few times a year to keep the dust down. He felt that would seal the surface and minimize the dust. If the City approved this subdivision, would the developer be willing to participate in that application? He felt magnesium chloride was pretty inexpensive. It would make the dirt roads much nicer, and hopefully relieve some of the pressure on 200 South.

Chairman Bodily reminded the Planning Commission that it needed to follow the Subdivision Ordinance.



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Bryce Wheelwright stated that the Planning Commission could table consideration of the preliminary plan for The Orchards Phase 2 and send it back to the SLUA for a traffic study.

Chairman Bodily asked how long it would take to complete a traffic study, and how much would it cost. Mr. Wheelwright wasn't sure how long it would take. It would cost the City some money. Chris Davis said a lot of times, a developer paid for a traffic study.

Chairman Bodily wanted to get an answer on 200 West. What was the current traffic count, and what was the road's capacity? Then the Planning Commission would be able to answer the frequent comments it received about traffic.

Chad Braegger stated that the developer was only trying to get approval for twelve lots. He didn't feel traffic from that many homes would overload the streets.

Garth Day stated that during the Planning Commission's discussion, it had implied that Heritage Land needed to do a couple of things – a traffic study and apply magnesium chloride to the dirt road for dust reduction. They would be more than happy to participate in a traffic study. He felt confident showing the Planning Commission the real numbers. It was frustrating to have everyone guessing. Heritage Land planned differently than the City's general plan did. The Planning Commission needed a traffic count on 200 West. He didn't feel the City needed a traffic count to determine the capacity of a 60-foot wide residential street. The City knew how many cars and trips per day that kind of road could handle. The other part that was missing from the discussion was the fact that the 100 or so lots they were proposing would not all use 200 South. Part of their property included 500 West. They planned to build 500 West all the way to 600 South. They could control that connection. As they developed and planned, they didn't just ask if 200 West could handle all 100 homes, because not all of the traffic would use it. They were building another corridor. Heritage Land would be more than happy to participate in a traffic study or a traffic analysis. If the subdivision was sent back to the SLUA there could be a more detailed discussion. Mr. Day said Heritage Land would be willing to budget the cost of a magnesium chloride application to 200 West in their construction costs. He knew there was a dust control issue. He didn't feel it would be super expensive. If it was something that would really help, he felt they should do their share. They could talk to SLUA about both issues.

Commissioner Bingham moved to table consideration of preliminary approval for The Orchards at Willard Subdivision Phase 2 and to send it back to the SLUA for a traffic study. Commissioner Hulsey moved to second the motion. All voted "aye." The motion passed unanimously.

Chris Davis asked if the Planning Commission wanted the traffic study to focus just on 200 West. Commissioner Harrop felt it should address 200 West, 200 South, and the bottleneck at their intersection. The Commission agreed.

5C. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR DAVID GRANT LOCATED AT APPROXIMATELY 466 SOUTH MAIN (PARCEL NOS. 02-052-0039 AND 02-051-0172)

Bryce Wheelwright stated that David Grant had purchased property from Duane Braegger and wanted to adjust property lines. He wasn't proposing to create a new lot. There were currently three parcels. There would be three parcels when the lot lines were adjusted.

Colt Mund, City Attorney, asked that the Planning Commission table consideration of the lot line adjustment in order to allow him to verify that the land had actually exchanged hands and to complete a legal review.



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- 50
51 5A. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR DAVID GRANT LOCATED AT
52 APPROXIMATELY 466 SOUTH MAIN (PARCEL NOS. 02-052-0039 AND 02-051-0172) –
53 CONTINUED FROM SEPTEMBER 16, 2021
54

55 Chairman Bodily understood that the City Attorney was not ready for this item to proceed.
56

57 Bryce Wheelwright stated that David Grant was aware that the City Attorney had asked that this item be
58 tabled.
59

60 **Commission Dubovik moved to table consideration of a lot line adjustment for David Grant located**
61 **at approximately 466 South Main. Commissioner Baker seconded the motion. All voted “aye.” The**
62 **motion passed unanimously.**
63

- 64 5B. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR BETTY CHILD LOCATED AT
65 APPROXIMATELY 458 WEST 200 NORTH (PARCEL NOS. 02-057-0035 AND 02-057-0036)
66

67 Bryce Wheelwright stated that the City Attorney had asked that this item be tabled due to questions about
68 the application.
69

70 **Commissioner Hulsey moved to table consideration of a lot line adjustment for Betty Child located**
71 **at approximately 458 West 200 North. Commissioner Bingham seconded the motion. All voted**
72 **“aye.” The motion passed unanimously.**
73

- 74 5C. CONSIDERATION OF PRELIMINARY APPROVAL OF THE ORCHARDS AT WILLARD
75 SUBDIVISION PHASE 2 LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (PARCEL
76 NOS. 02-051-0251 AND 02-051-0087) – CONTINUED FROM SEPTEMBER 16, 2021
77

78 Chris Davis stated that Garth Day from Heritage Land Holding had a conflict and had asked that this item
79 be tabled. However, he had invited Dr. Joe Perrin from A-Trans Engineering to answer the Planning
80 Commission's questions regarding traffic on 200 West.
81

82 Dr. Joe Perrin stated that he had not done a traffic study on 200 West, but he could answer general
83 transportation questions about how much traffic a home generated and how much capacity a road had. He
84 was a resource. He did not have specific information.
85

86 Commissioner Bingham asked if Dr. Perrin was familiar with 200 West. Dr. Perrin said he was.
87

88 Commissioner Bingham stated that a lot of residents were concerned about getting traffic from where it was
89 right now to build out in a few years. How did the City handle that transition period? Dr. Perrin clarified the
90 question. What growing pains would the City experience before there were alternate traffic routes to
91 Highway 89 and 750 North?
92

93 Dr. Perrin stated that a home typically generated ten trips per day – five going and five returning. Those
94 trips would all be on the same roadway; just in different directions. A comfortable capacity for a typical two-
95 lane collector street, such as 200 West, was 9500 cars a day. A collector street was meant to collect
96 neighborhood traffic and convey that traffic to the arterial roads. A residential street had a similar capacity,
97 but 9,500 cars was not a comfortable number. A residential street usually had about 1,500 cars per day.
98 Traffic over 1,500 cars meant the road was functioning as a minor collector street. To put those numbers



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99 into houses, a residential street served about 150 homes. A collector street could handle 900 to 950 homes.
100 Roads and intersections were classified A through F. The classification system was used throughout the
101 country.
102

103 Commissioner Hulsey asked what the City needed to do to change on a road from a residential street to a
104 collection street. Dr. Perrin said a residential street had the same capacity as a collector street. The City
105 needed to identify which roads were residential and which were collector. Usually speeds on a residential
106 street was 25 mph; and collector streets were 30/35 mph. Speeds in the 40's were on minor arterial or
107 arterial streets. If there were 9,000 cars a day on a residential street, it was functioning as a collector.
108 Residential, collector, and arterial streets could all have driveways. It was a matter of how the road was
109 being utilized.
110

111 Commissioner Hulsey stated that if 200 West became a collector road, it was likely that the speed would
112 be increased to 30/35 mph. Did Dr. Perrin see that 200 West would become a collector route? Dr. Perrin
113 said that as 200 West was completed and connected, it would become a collector road by default. It would
114 run the length of the City, and it would probably have some type of enhanced intersection at 750 North. It
115 was the nature of the infrastructure, and how it was laid out. Speed limits were normally set on an 85th
116 percentile. If speed limits were artificially set too low, there would be violations. The City needed to
117 determine which roads it wanted to be collector streets and set the speed limit accordingly. The purpose of
118 a collector street was to funnel traffic from the hierarchy of residential, collector, to arterial. He could see
119 200 West with a 30 mph speed limit. On long, straight stretches of road speeds tended to creep up.
120

121 Commissioner Hulsey said the City was anticipating more traffic on 200 West. To accommodate the
122 increased traffic, more residential roads would be added. Dr. Perrin stated that Willard had a certain
123 limitation to the east. It also hit a wall to the west in the form of I-15. Willard was defined by a geographical
124 area. It could only get so much traffic depending on its land use decisions. The geographical constraints
125 would limit how much traffic developed. When the City did its transportation master plan, the City would
126 look at what the build-out conditions would be. All of the residential streets on the west side would feed 200
127 West. Then the City had to look at the natural connections between 200 West and Highway 89. If collector
128 streets on Highway 89 were limited and defined, they were more likely to qualify for traffic signals.
129

130 Commissioner Dubovik asked if Dr. Perrin's work under the master plan contract would include a traffic
131 study, or would it all be statistical. Dr. Perrin said the contract was for a master plan; it would be the guiding
132 policy. Transportation was simply one element of that plan. Usually a city completed a master plan, and
133 then it moved on to the individual elements. A future transportation plan would include more details about
134 trails, bicycle paths, micro transit, and long-range plans for a commuter rail system with TOD (transit-
135 oriented development) overlays. Dr. Perrin said that Willard's general plan would include more
136 transportation work than they normally did. It would include base data that would help when the forming a
137 future transportation plan. When he looked at Willard's base data, all of its intersections were in the A to B
138 classification range. From a traffic standpoint, Willard would not be considered congested. It had a fair
139 amount of capacity on its roadways.
140

141 Commissioner Dubovik asked if there were any special road planning considerations, access, and housing
142 density due to Willard's geography of mountains to the east, Willard Bay to the west, and only two
143 north/south arteries. Willard really only had two ways to exit - north and south if there was an earthquake or
144 wildfire or other natural disaster. Should the limited access change the way Willard planned its roads and
145 housing densities? Dr. Perrin said UDOT would always maintain the alternate route of Highway 89. It would
146 not give up capacity on Highway 89. Unfortunately, Willard had to deal with a five-lane arterial and I-15.
147 However, because of its geographical constraints Willard would only be able to develop a certain amount



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148 of traffic. Dr. Perrin pointed out that the City really didn't have a north/south collector road on the east side
149 of Highway 89. There needed to be a 200 West on the east side of Highway 89.
150

151 Commission Dubovik asked about the ultimate deliverable Dr. Perrin would provide to the City. The
152 Planning Commission had been putting off some discussions and decisions based on the master plan
153 results, but the Planning Commission wasn't sure what information the master plan update would actually
154 provide. Dr. Perrin said the General Plan update was being managed by Dr. Bruce Parker. He was part of
155 the support team because transportation as only one element of General Plan. The General Plan was a
156 guiding vision and principle. He was trying to give added value to the General Plan. Some key issues that
157 had come from the survey were: How to get across Highway 89; and how could there be more pedestrian
158 connection with Willard Bay. Answers to those questions would be in the details of the Master
159 Transportation Plan, which would not be part of the General Plan. He would try to give some options for the
160 critical questions.
161

162 Chris Davis asked that Dr. Perrin explain the progression of a master plan to implementation. Dr. Perrin
163 stated that the first step was adoption of a master plan, which would be the guiding vision and principles
164 for the City. Then specific, detailed plans and costs were developed for the different elements, such as
165 parks and transportation. Those plans led to a capital improvement plan for each element. Capital
166 improvement plans allowed cities to begin charging impact fees. Then those causing the need for expanded
167 infrastructure helped to pay for it. The City could not arbitrarily charge impact fees. Utah law required cities
168 to identify growth and population through master plans and capital improvement plans. The process was
169 laid out. If the City followed those steps, it would have the backing to charge impact fees.
170

171 Dr. Perrin also explained that when the City had followed the planning steps necessary to begin charging
172 impact fees, it could also begin to apply for grant monies. There were different funding mechanisms
173 available to the City for capital improvement projects it could not afford. Class B and C road monies received
174 from the State had to be used for maintenance and operations. Capital improvement projects and new
175 construction could receive funding through various grants from different funding sources managed by the
176 Wasatch Front Regional Council, such as STIT, SEMAC, Bikes and Trails. Impact fees were the best way
177 to make sure the City could build its infrastructure, but every once in a while it could find other funding
178 sources that helped.
179

180 Chris Davis stated that part of the reason for updating the Master Plan was to have the necessary
181 documentation in place to begin applying for grant monies. Wasatch Front Regional Council would like to
182 extend the trail from 750 North going south, but Willard needed to have its documents in place.
183

184 Commissioner Hulse asked if the City had all of the documents, and it was just working to update them.
185 Chris Davis said the City did not have a Capital Facilities Plan for transportation. In the year he had been
186 working for the City, Public Works and the City Engineer had started to identify which roads should
187 be upgraded. Willard did not receive a lot of Class C Road funds, and what it did receive did not go very far.
188

189 Chairman Bodily asked if the State had an interest in 200 West. Bryce Wheelwright said he had talked with
190 BRAG (Bear River Association of Governments) about the 200 West Trail. At one time there was a plan to
191 extend the trail through town. BRAD was interested in looking at that plan again. UDOT and WFRC would
192 be conducting a visual tour on November 10 to look at continuing the trail to the south.
193

194 Chairman Bodily asked if 200 West was a City road or a State road. Mr. Wheelwright said it was a City
195 road. Chris Davis said UDOT wanted to give roads to cities. It didn't want to take on any new ones. He did
196 not foresee that UDOT would ever be interested in taking over 200 West. Dr. Perrin agreed. UDOT was



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interested in regional routes. They didn't want anything smaller because their job was to move traffic regionally, not locally. They were trying to give back roads they didn't feel were part of their regional network. They preferred freeways and arterials. They didn't want collector routes, and 200 West was definitely a City collector street. However, UDOT facilitated federal monies for building city streets.

Commissioner Hulsey moved to table consideration of preliminary approval of The Orchards at Willard Phase 2 located at approximately 300 South 200 West. Commission Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

5D. CONSIDERATION OF A PROPOSAL TO AMEND WILLARD CITY ZONING ORDINANCE CHAPTER 12-116(2) DEDICATION OF STREETS, RIGHTS-OF-WAY, OR EASEMENTS, COMMERCIAL OR INDUSTRIAL SUBDIVISION, OR PLANNED UNIT DEVELOPMENT – CONTINUED FROM SEPTEMBER 2, 2021

Bryce Wheelwright stated that the City Attorney was not able to attend tonight's meeting. The City Attorney had suggested that this amendment be tabled until the General Plan was updated because there seemed to be a conflict between the two.

Commissioner Baker moved to table consideration of a proposal to amend Willard City Zoning Ordinance Chapter 12-116(2) Dedication of Streets, Rights-Of-Way, or Easements, Commercial or Industrial Subdivision, or Planned Unit Development. Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.

6. CONSIDERATION AND APPROVAL OF SEPTEMBER 16, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Bingham moved to approve the regular Planning Commission minutes of September 16, 2021, as corrected. Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Bryce Wheelwright stated that there was quite a discussion regarding culinary water at the last Planning Commission meeting, and the Planning Commission had asked for pertinent information. Willard City currently had three sources of culinary water – two wells and the spring. Willard started with just the spring. It dug the first well, known as the Lower Well, in 1962. When that well was dug, water was hit at 246 feet. Casing was extended down from there. Most of the City's water was piped from the Lower Well. The second well, known as the Upper Well, was dug in the 1980's. It was located on the north side of Willard Canyon; the Lower Well was on the south side. A SCADA system was installed, but I had never worked right. In 2019, the SCADA system was updated. To date, it showed that throughout the year the water level dropped from 50 in January to 42/40 during the summer. It dropped about 10 units, then it charged back up to 50 in the winter. At present, the water level had risen from the original 246 feet to 233 feet. The City's water was doing quite well.

Chairman Bodily asked how many new homes the City could add. Bryce Wheelwright said the City's aquifer was in great shape. All the City needed to be concerned about was its storage capacity. According to the City Engineer, if every subdivision that was currently approved was built out – Deer Run, Granite Ridge, and The Orchards, there would still be enough capacity for about 70 more homes. There was plenty of capacity at the present time, and the City was in the process of adding more storage capacity around 750



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needed to be an easement documents allowing access across the Hansen and Heritage Land Holding properties. Chris Davis said there was a dedicated right-of-way through the Hansen property. Rod Braegger needed to prepare an easement document for the Heritage Land property.

Rod Braegger stated that he would have his engineer prepare an easement document for the Heritage Land property, as well as the construction drawings.

Colt Mund, City Attorney, asked who would be responsible to construct the road improvements through The Orchards Subdivision (Heritage Land Holding property). Garth Day said Heritage Land had agreed to give Rod Braegger an easement through their property. The easement would be located where they had a future road planned.

There was discussion about whether to grant final approval subject to submission of a final plan and mylar, construction drawings, easement documents, and an engineer's estimate/escrow. Rod Braegger understood he could not receive a building permit until the road had been constructed.

Chris Davis moved to grant final approval of the Rod Braegger Subdivision (also known as the Broke Ass Ranch Subdivision) subject to the requirements of the City Engineer and City Attorney, which included submission of a final plan, construction drawings, final mylar, recordable easement documents for the Heritage Land Holding property, and an escrow. Chris Breinholt seconded the motion. All voted "aye." The motion passed unanimously.

Chris Breinholt stated that he could not find a dedicated right-of-way, or easement, through the Lindsey Hansen property. Bryce Wheelwright said had copies of the Council meeting where the right-of-way was approved, but it might not have been recorded. He would track down the recording document. He thought it might have been prepared by Hill and Argyle.

2B. DISCUSSION REGARDING PRELIMINARY APPROVAL OF THE ORCHARDS PHASE 2 LOCATED AT APPROXIMATELY 300 SOUTH 200 WEST (PARCEL NOS. 02-051-0251 AND 02-051-0087)

Bryce Wheelwright stated that the Planning Commission had sent preliminary approval of The Orchards Phase 2 Subdivision back to the SLUA and asked that a traffic study on 200 West be conducted.

Garth Day wasn't sure how to proceed. The designed width and service level of 200 West could handle the increased traffic trips from 12 homes, which was estimated to be 120. Dr. Joe Perrin had told the Planning Commission that 200 West was a collector street with a road capacity of 9500 traffic trips a day, which was a D service level. He didn't know what to do beyond giving that information to the Planning Commission. Did he need to hire an intern to gather current traffic counts?

Chris Breinholt suggested that Heritage Land Holding prepare a memo outlining the planned capacity of 200 West and the estimated number of traffic that would be generated by Phase 2.

Colt Mund felt the Planning Commission wanted to know what the current traffic count, or usage, was.

There was discussion about various ways to conduct a current traffic count. Chris Davis suggested that the City utilize a part-time employee to count the traffic and bill Heritage Land Holding for the cost.

Chris Breinholt felt that counting the current traffic was an exercise in futility.



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Colt Mund felt it would be productive. The current traffic count was an issue the Planning Commission kept bringing up.

Chris Breinholt suggested that the traffic be counted on a Tuesday and Thursday from 7:30 a.m. to 10:00 a.m. and 3:00 to 6:00 p.m. each day. He would provide a form to be filled out.

Chris Davis moved to hire someone to count the current traffic trips on 200 West from 7:30 a.m. to 10:00 a.m. and 3:00 to 6:00 p.m. on a Tuesday and a Thursday. Colt Mund seconded the motion. All voted "aye." The motion passed unanimously.

Garth Day said Heritage Land Holding would prepare a memo listing the current traffic count on 200 West, the planned capacity, and the estimated traffic that Phase 2 would produce.

Colt Mund felt a similar memo would be needed from the City Engineer as well.

2C. APPROVAL OF THE AUGUST 19, 2021, MINUTES

Chris Davis moved to approve the minutes of August 19, 2021, as written. Chris Breinholt seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Chris Breinholt moved to adjourn at 2:29 p.m. Michelle Drago seconded the motion. All voted "aye." The motion passed unanimously.

Minutes were read individually and approved on: _____

Bryce Wheelwright, City Planner

Michelle Drago, Deputy City Recorder

dc:SLUA 10-28-2021



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

4
5 The following members were in attendance:

6
7 Chris Davis, City Manager
8 Bryce Wheelwright, City Planner
9 Chris Breinholt, City Engineer/Jones & Associates
10 Michelle Drago Deputy City Recorder

11
12 Excused: Colt Mund, City Attorney; Van Mund, Fire Chief; and Wes Thompson, Public Works Director.

13
14 Others in attendance: Garth Day, Heritage Land Holding.

15
16 1. CALL TO ORDER

17
18 Bryce Wheelwright called the meeting to order at 2:00 p.m.

19
20 2A. DISCUSSION REGARDING FINDINGS OF THE TRAFFIC STUDY FOR ORCHARDS AT
21 WILLARD PHASE 2 LOCATED AT 300 SOUTH 200 WEST (PARCELS 02-051-0251 AND 02-051-
22 0087)

23
24 Bryce Wheelwright, City Planner, stated that the purpose of the meeting was to discuss the results of the
25 traffic study for the Orchards at Willard Subdivision Phase 2 (Parcel Nos. 02-051-0251 and 02-051-0087)
26 located at about 300 South 200 West. On September 16, 2021, the Planning Commission requested that a
27 traffic count on 200 West be completed to see what impact the twelve lots proposed in Phase 2 would have.
28 Traffic was counted on Tuesday, November 9th; Thursday, November 11th; Tuesday, November 16th, and
29 Thursday, November 18th. As directed by the City Engineer, traffic was counted during the peak hours on
30 all four days. The peak hours were 7:30 – 10:00 a.m. and 3:00 – 6:00 p.m. Mr. Wheelwright asked if Mr.
31 Day had any comments.

32
33 Garth Day, Heritage Land Holding, asked about the results.

34
35 Chris Davis said that on November 9th, 50 vehicles were counted in the a.m.; 66 in the p.m. On November
36 11th, 53 vehicles were counted in the a.m.; 86 were counted in the p.m. On November 16th, 63 vehicles
37 were counted in the a.m.; 101 were counted in the p.m. On November 18th, 44 vehicles were counted in
38 the a.m.; and 96 were counted in the p.m.

39
40 Garth Day thought of something that hadn't been discussed before the traffic count was conducted.
41 Heritage Land had six homes currently under construction on 200 West. The construction of those homes
42 generated more traffic than the standard traffic trips generated by a home. He wasn't sure how to account
43 of those extra traffic trips. It was probably negligible anyway.

44
45 Chris Davis agreed that the traffic generated by the home construction was negligible. As a collector road,
46 200 West was meant to handle 9,500 cars a day. The highest count barely broke 100.
47



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48 Bryce Wheelwright pointed out that the traffic was only counted during the peak hours. Garth Day said the
49 peak hours were the most important. Michelle Drago said traffic was counted during the hours suggested
50 by the City Engineer.

51
52 Garth Day said 200 West was designed for 9,500 cars a day. The traffic was roughly around 400 cars a
53 day.

54
55 Chris Davis said the current service level on 200 West was clearly an A and would be for quite a while.

56
57 **Chris Davis moved to pass the traffic count information onto the Planning Commission with the**
58 **recommendation that Orchards at Willard Phase 2 be granted preliminary approval based on the**
59 **current service level of 200 West.**

60
61 Chris Breinholt arrived at 2:04 p.m.

62
63 Chris Davis asked if Chris Breinholt had received the traffic counts for 200 West. Mr. Breinholt said he had.

64
65 Chris Breinholt said he had interpolated the traffic count numbers for an average daily traffic on 200 West.
66 He had back calculated the numbers for peak factor. There was one day that stood out, but all of the
67 numbers were averaged out. The highest hour was on November 16th from 3:00 to 4:00 p.m. with 46 trips.
68 That peak hour represented about 10% of the average daily traffic, which was 460. When the other days
69 were averaged in, the real average daily traffic was probably around 380.

70
71 Bryce Wheelwright felt construction might have contributed to the higher traffic number on the 16th.

72
73 **Michelle Drago seconded the motion. All voted “aye.” The motion passed unanimously.**

74
75 Chris Davis asked Chris Breinholt to prepare a short memo to the Planning Commission regarding the traffic
76 counts and extrapolated average daily traffic trips. He asked that the memo address whether the counting
77 method and resulting data was reasonable.

78
79 Bryce Wheelwright presented Garth Day with an invoice for the traffic counts.

80
81 Garth Day said an additional twelve homes with 9 ½ average daily traffic trips each would generate 114
82 trips per day. Mr. Day felt the traffic numbers were skewed. All of the homes on 200 West were generating
83 400 trips per day. He felt 9 ½ trips per day meant his twelve new lots plus current six would generate almost
84 half as much traffic as there currently was, and there were probably 40 houses currently on 200 West. He
85 felt 9 ½ trips per day was a high number to use. He realized the total traffic count was still way under what
86 the road could handle, but the numbers seemed skewed.

87
88 Chris Davis said 9 ½ trips per day was the national standard.

89
90 Bryce Wheelwright stated that many of the homes on 200 West were occupied by older couples who
91 probably didn't generate many traffic trips per day.

92
93 Chris Breinholt stated that the traffic count on 200 West was so small that the accuracy was subjective. All
94 he could do was take the known national averages and apply them to the small traffic sample that had been
95 generated. They usually didn't count traffic this small.



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97 2B. APPROVAL OF THE OCTOBER 28, 2021, MINUTES
98

99 **Chris Davis moved to approve the minutes of October 28, 2021, as written. Chris Breinholt seconded**
100 **the motion. All voted “aye.” The motion passed unanimously.**
101

102 3. ADJOURN
103

104 **Chris Davis moved to adjourn at 2:15 p.m. Chris Breinholt seconded the motion. All voted “aye.”**
105 **The motion passed unanimously.**
106

107 Minutes were read individually and approved on: _____
108

109
110
111 _____
112 Bryce Wheelwright, City Planner

111 _____
112 Michelle Drago, Deputy City Recorder

113 dc:SLUA 11-24-2021

Tuesday November 9

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
7:00 AM					
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7:45 AM					
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8:15 AM					
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12:30 PM					
12:45 PM					
1:00 PM					

November 9th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
1:15 PM					
1:30 PM					
1:45 PM					
2:00 PM					
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6:45 PM					
7:00 PM					

November 11th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
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12:45 PM					
1:00 PM					

November 11th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
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6:45 PM					
7:00 PM					

Tuesday November 16th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
7:00 AM					
7:15 AM					
7:30 AM					
7:45 AM					
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1:00 PM					

November 16th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
1:15 PM					
1:30 PM					
1:45 PM					
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6:30 PM					
6:45 PM					
7:00 PM					

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tractor

Thursday November 18th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
7:00 AM					
7:15 AM					
7:30 AM					
7:45 AM					
8:00 AM					
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12:45 PM					
1:00 PM					

Thursday November 18th

1, 2, 3 (cars and trucks)	4 (Buses)	5 (Two axle, single unit delivery truck)	6 (three axle, single unit delivery truck)	7 (four axle, single unit delivery truck)	8 - 13 (truck and trailer)
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MEMORANDUM

CONSULTING ENGINEERS

To: Willard City Council
Willard City Planning Commission
From: Chris Breinholt, City Engineer
Date: November 30, 2021
Subject: **Traffic Counts for 200 West near 200 South**

I was asked to review possible transportation issues for 200 West near 200 South in light of recent new development that relies on this road specifically to enter and exit the area.

the Institute of Transportation Engineers (ITE) states that the average single-family home generates approximately 10 trips per home per day. There are 34 existing homes that use this road to enter and exit their neighborhood (including homes under construction in Orchards Phase 1). Using the ITE trip generation manual number of 10 trips per day, we should expect to see approximately 340 trips per day.

As a cross-check to this number, actual traffic volume was counted on 200 West near 200 South. The counts were done during peak hours on November 9th, 11th, 16th, and 18th. The average peak hour count for the four days was 37.3 trips. This will usually represent approximately 8% to 12% of the Average Daily Traffic (ADT) count. 37.3 trips is 11% of 340, so this number checks very closely with the expected traffic volume.

Phase 2 of the Orchards includes 10 lots. These 10 lots will add an additional 100 trips per day for a total expected traffic volume of 440 trips per day. 200 West is designed to handle up to approximately 8,000 trips per day with minimal delays (Level of Service "C"). **200 West will support approximately 3,700 trips per day without any significant delays (Level of Service "A").** ***With the expected 440 trips per day, there is no concern for transportation issues in this area in the immediate future.***

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

WILLARD CITY 2022 MEETING SCHEDULE

December 9, 2021

Pursuant to Section 52-4-202 Utah Code Annotated, Willard City Corporation hereby gives its annual notice regarding meeting schedules for Calendar Year 2022.

The Willard City Council will hold regular meetings on the second and fourth Thursday of each month, excluding holidays. The meetings will begin at 6:30 p.m. and will be held at the Willard City Hall, 80 West 50 South. All agenda items must be submitted to the City Recorder (435-734-9881, P.O. Box 593, Willard, UT 84340) by 12:00 p.m. the Friday prior to the meeting.

The Willard City Planning Commission will hold regular meetings on the first and third Thursday of each month, excluding holidays. The meetings will begin at 6:30 p.m. and will also be held at the Willard City Hall. Agenda items must be submitted two weeks prior to the meeting.

The Willard City Subdivision Land Use Authority (SLUA) will hold meetings as required. Meetings are usually held on Thursdays, excluding holidays. Meetings will also be held at the Willard City Hall. Agendas will be posted at least 24 hours prior to any meeting.

All meetings, including any additional meetings, cancellations, or changes to the schedule, will be posted at the Willard City Hall and on the State of Utah Public Meeting Notice website (www.utah.gov/pmn).

I, duly appointed Recorder for Willard City Corporation, hereby certify that the foregoing was posted at the Willard City Hall and on the Utah Public Meeting Notice website this 9th day of December, 2021.

City Recorder

PLANNING COMMISSION MEETING DATES

2022

January 6

January 20

February 3

February 17

March 3

March 17

April 7

April 21

May 5

May 19

June 2

June 16

July 7

July 21

August 4

August 18

September 1

September 15

October 6

October 20

November 3

November 17

December 1

December 15



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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	Chandler Bingham	Colt Mund, City Attorney
9	Alex Dubovik	Bryce Wheelwright, City Planner
10	Blake Harrop	Michelle Drago, Planning Secretary
11	Zack Hulsey	

12
13 Excused: Diane Baker

14
15 Others in attendance: Councilman John Seamons, Councilman Kaleb Kunzler, Marvin Neff; Betty Child,
16 Chad Braegger, David Grant, and Travis Mote.

17
18 The meeting was called to order at 6:31 p.m.

19
20 1. PRAYER: Sid Bodily

21
22 2. PLEDGE OF ALLEGIANCE: Alex Dubovik

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

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

27
28 Marvin Neff, 325 North 200 West, really appreciated what Bryce Wheelwright and Chris Davis had been
29 doing for the City. Even though there had been some disagreements, he knew they were working hard to
30 make Willard a great place to live. He had been reading about the Master Plan Community Ordinance and
31 all of the applicable minutes. It seemed like everyone was trying to keep half-acre lots in order to maintain
32 a rural feeling in the City. He didn't know if anyone had said anything in opposition to half-acre lots. In his
33 opinion, half-acre or larger lots, were the worst thing the City could do fiscally and aesthetically. It had been
34 proven time and time again, city by city. Large lots were a total waste of water. Willard was trying to conserve
35 water. Most people could not afford to water a large lot. They tried for a while. When they could not afford
36 it, they quit watering. Then the lots became weed patches, pigsties, and parking lots for abandoned
37 vehicles. He had found the same thing happened in the cities he had worked in. He felt saving water and
38 wanting a large lot were diametrically opposed to each other. It was one or the other.

39
40 He had read in the paper and on the City's Facebook page that residents wanted to keep a rural feel in
41 Willard. He felt they were doing that at others' expense. They were taking away the freedom and rights of
42 the land owners. If those that moved into Willard really wanted to keep a rural atmosphere, they needed to
43 buy ten acres, twenty acres, or 300 acres. Then they would be participating. Farmers spent their whole
44 lives farming, and they and/or their wives usually worked a second job. Their IRA, or retirement, was selling
45 their land. When people said they could only have half-acre lots, they were restricting a farmer's freedom
46 and retirement because they were saying he could only get half the money out of his retirement. He felt that
47 was unconstitutional. They were saying, let's take away a farmer's 401K and give it to the City. He asked if
48 those who said Willard shouldn't have less than half-acre lots would be willing to give up half of their
49 retirement to Willard City. That's what they were saying to the landowners



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Mr. Neff felt the City needed revenue from water and sewer impact fees to be fiscally solvent. It didn't work with infrastructure costs for larger lots. Right now most utility bills in Willard were about \$100. The City's finances were public knowledge. Right now the City was paying about \$200,000 a year for sewer impact fees. In the next 15 to 20 years that payment would escalate to over \$600,000 a year. If a \$600,000 payment was divided among the City's current population, monthly utility bills would climb to \$400/\$500 a month. The City needed revenue from growth. If growth was restricted to large lots, it wouldn't work. If people wanted to restrict lots, he proposed that they pay \$1,200, \$1,500, or \$2,000 utility bills, and those who weren't opposed could keep their \$100 bill.

5A. SET A PUBLIC HEARING FOR DECEMBER 2 2021, AT 6:30 P.M. TO CONSIDER A PETITION FROM DAVID GRANT TO REZONE APPROXIMATELY 3.99 ACRES LOCATED AT APPROXIMATELY 466 SOUTH MAIN FROM A5 TO R ½ (02-051-0172 AND 02-052-0039)

Bryce Wheelwright stated that David Grant had purchased the Lynn Zundel property on South Main. He was building a house on the property. He wanted to rezone the property to R ½ so he could cut off half-acre on the back. The new lot would face the future 100 West. If 100 West went through, Mr. Grant would have a building lot he could sell. The property was surrounded by an R ½ Zone, and his rezone request complied with the City's Future Land Use Map and City ordinances.

Commissioner Bingham asked if this was a lot line adjustment or a subdivision. Mr. Wheelwright said it was a lot line adjustment. Commissioner Bingham asked if this was the same scenario as Jonathan Miller. Mr. Mund said it was not. David Grant had to rezone his property before he could adjust property lines. If they property wasn't rezoned, he would be creating a non-conforming lot.

Commissioner Hulsey if the Planning Commission needed to table this item because Mr. Grant was not in attendance. Chairman Bodily said the petitioner was not required to be in attendance. There was further discussion.

Commissioner Harrop said the Planning Commission was being asked to set a public hearing on December 2nd. If Mr. Grant was at the December 2nd meeting, he felt that would be sufficient. Colt Mund asked if Commissioner Hulsey had a specific concern. Commissioner Hulsey just wanted to make sure Mr. Grant would be at the December 2nd meeting. Bryce Wheelwright said Mr. Grant planned to attend the December 2nd meeting.

Commissioner Bingham moved to set a public hearing on December 2, 2021, at 6:30 p.m. to consider a petition from David Grant to rezone approximately 3.99 acres located at approximately 466 South Main from A5 to R ½ (02-051-0172 and 02-052-0039). Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.

5B. CONSIDERATION OF A LOT LINE ADJUSTMENT FOR BETTY CHILD LOCATED AT APPROXIMATELY 458 WEST 200 NORTH (PARCEL NOS. 02-057-0035 AND 02-057-0036)

Bryce Wheelwright stated that Betty Child owned 16 acres located at 458 West 200 North. Her husband had died, and she needed to sell some land to settle his estate. Mrs. Child wanted to sell three acres located along the north side of her property to Marvin Neff, the adjoining property owner. The two had reached a purchase agreement. Mr. Wheelwright said this was not creating a building lot. It was agricultural ground that could not be accessed by road. The lot line adjustment would increase the size of Mr. Neff's property and reduce the size of Betty Child's. Both parcels would comply with the zoning requirements.



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Commissioner Harrop asked if a third parcel would be created. Mr. Wheelwright said Betty Child only owned two parcels. The number of parcels would not change. The size of one parcel would be reduced by three acres. An adjoining parcel owned by Marvin Neff would increase by three acres.

Commissioner Bingham asked if access to the parcel with the house would be cut off. Betty Child said it would not. The three acres she wanted to sell to Marvin Neff was located on the north side of her property. It wouldn't have anything to do with her house. Access to her home was located on the south side. There was a separate gate to access the parcel she was proposing to sell. It currently contained ten acres. Her home was located on a six-acre parcel.

Commissioner Harrop asked if she planned to keep the six-acre parcel with her home. Betty Child said she did. The north parcel would be reduced to seven acres.

Bryce Wheelwright clarified the location of the lot line adjustment for the Planning Commission.

Commissioner Harrop moved to approve a lot line adjustment located at 458 West 200 North (Parcel Nos. 02-057-0035 and 02-057-0035). Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

5C. DISCUSSION REGARDING PROPOSED ORDINANCE NO. 2021-2 – MASTER PLAN COMMUNITY ZONE

Colt Mund, City Attorney, stated that several Council members had asked that discussion of the Master Plan Community Zone be renewed. At their request, he had prepared a revised draft of Ordinance No. 2021-2 for the Planning Commission to review. Last spring one of the issues discussed was the overall density. A density of three units per acre was suggested. Open space was also discussed. The Master Plan Community Zone had been revised to allow the City would have a tighter grasp on what would happen with open space. The draft included language disqualifying certain topography as open space. In the past some people have wanted to include wetlands and non-conforming areas that were not developable, curb gutter, and sidewalk, and yards as open space. The proposed draft tried to address those problems by making open space truly open space. There had been concerns about HOA's. The proposed draft tried to give the City a little more control over whether or not, if ever, an HOA was approved. The City could impose special assessment districts to maintain the open space, parks, and trails. The proposed draft was a work in progress, but it tried to address density, open space and HOA's. The Council wanted to get some feedback from the Planning Commission.

Bryce Wheelwright stated that the Planning Commission and City Council had already held a public hearings on the Master Plan Community Zone and received public comments. The City Council wanted to the Planning Commission to review and comment on the proposed draft. If the Commission members had comments or concerns now was the time to express them.

Chris Davis, City Manager, stated that Councilmen Braegger and Robb met with Chairman Bodily, Colt Mund, Bryce Wheelwright, and himself to review the proposed draft a little over a week ago. Councilman Robb wanted the Planning Commission to have the opportunity to make additional comments. Consideration of Ordinance No. 2021-2 was scheduled for the next City Council meeting on November 16th.

Commissioner Harrop stated that the proposed minimum lot was 15,000 square feet, which was not that much smaller than the half-acre lot currently required. In a MPC, a developer would be giving up a lot more land for open space than he would gain in the extra one or two lots versus a straight half-acre subdivision.



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If the City was going to make exceptions for a high density area, he was not opposed to lowering the lot size to 12,000 square feet while maintaining a certain frontage width for a better curb appeal. By doing that, the open space might be better utilized. More than likely, a Master Plan Community would be a high density situation.

Commissioner Bingham asked if it would be better to have density for the entire development versus lot size. Then lot sizes could be adjusted for a townhome or condominium development. Chairman Bodily said lot sizes could be adjusted, but the smallest lot would be one-third of an acre.

Commissioner Hulsey liked Commissioner Bingham's suggestion. Density would go up, but there wouldn't be smaller lots.

Commissioner Bingham stated that the Master Plan Community Zone was meant to give the City the ability to allow a higher density, lower income type housing. . He would no problem with an average lot size based on a density of three units per acre. Colt Mund liked Commissioner Bingham's suggestion to have an overall density rather than a minimum lot size.

Commissioner Dubovik felt the ordinance could have both – a density average and a minimum lot size for single family developments.

Bryce Wheelwright asked if the ordinance needed to include a paragraph stating that if a MPC was a single family development the minimum lot size would be 15,000 square feet. If not, the density would be three units per acre.

Commissioner Harrop stated that a comment made by the master plan consultant had stuck with him. As people grew older they didn't want a big lot. They couldn't take care of it anymore. But, they didn't want to leave their neighbors or families. He felt the MPC Zone should include language for a zero lot line for an adult community.

Bryce Wheelwright felt that could be addressed in a development agreement. Colt Mund said it could.

Commissioner Harrop asked if the MPC Zone had a minimum frontage requirement. Colt Mund the frontage requirement would have to comply with the Subdivision Ordinance. Councilmember Kunzler had suggested incorporating setbacks so that when someone brought in a concept plan, setbacks could be discussed. The setbacks would also have to comply with the Subdivision Ordinance.

Commissioner Bingham felt the density of 15,000 square foot lots didn't leave much to plan. Bryce Wheelwright asked what density Commissioner Bingham suggested.

Commissioner Hulsey felt the master plan update would give the City a target density. Colt Mund didn't feel the General Plan could give specifics. Commissioner Hulsey said he was asked what density he would like. There were also questions on the survey alluding to density. Colt Mund said the City's current General Plan, and others he knew of, did not discuss density. It might say preserve agricultural or a rural feel, but he didn't feel it would have a density recommendation. Chris Davis the master plan consultant might make a density recommendation, but the update had not gotten that far yet. Commissioner Hulsey felt the City should wait to set density numbers until the General Plan was updated. The City had paid to have the survey done. He felt the results should be used.



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Commissioner Harrop asked when a draft of the updated General Plan would be ready. Chris Davis said the master plan consultant had indicated that it would be the end of the year before a draft was ready.

Commissioner Bingham felt the MPC Ordinance could reference the density in the updated General Plan. It could be amended later to include the densities recommended in the General Plan. Bryce Wheelwright said the MPC Ordinance was a living document. It could be amended at any time. Commissioner Bingham said the MPC Ordinance would allow the City to work with a builder to plan a community, but it would have to comply with the master plan.

Commissioner Hulsey didn't know why it was necessary to discuss the Master Plan Community Zone now if an updated draft of the General Plan would be ready by the end of the year.

Chairman Bodily stated that consideration of the Master Plan Community Zone would be on the November 16th City Council agenda. If the Planning Commission had any comments, they needed to voice them now.

Chris Davis stated that the City Council had asked the Planning Commission to look at the updated draft of the Master Plan Community Zone because it would be discussed during its November 16th City Council meeting. The Council could potentially pass the ordinance that night.

Commissioner Dubovik felt there should be language to allow a good mix of large and small lots with a density of around three units per acre.

Commissioner Hulsey asked why the ordinance included a maximum amount of open space. There should be a minimum, but he didn't feel a maximum was necessary.

Commissioner Dubovik felt the nature of the open space should be better defined. The draft said the open space could not be non-buildable land, but the ordinance did not talk about whether a developer would have to improve the open space. Should the open space landscaping be consistent with other common areas? The City didn't want a weed patch that was labeled open space. He felt the ordinance should include verbiage that the open space be consistent with the landscaping of the general community so a developer would leave it nice.

Colt Mund felt the open space would really be defined in the development agreement. The development agreement would address what the open space would look like and who would maintain it. However, it was a good suggestion to add tighter language about the appearance of the open space in the MPC Ordinance.

Commissioner Harrop asked if funds to complete open space would be held with the development bond until it was complete. Mr. Mund said they would.

Commissioner Bingham if the MPC Ordinance needed to address open space that would be left as an agricultural easement. Mr. Mund said that would be addressed in a development agreement.

Commissioner Dubovik felt there should be more teeth regarding open space up front. He felt that would satisfy citizens' concerns about open space.

Commissioner Harrop asked about a fee in lieu of open space. Commissioner Dubovik said that was included in the MPC Ordinance. Commissioner Hulsey asked how a fee in lieu of would be valued. Colt Mund said it would be based on an appraisal. Commissioner Hulsey felt the conditions for a fee in lieu of



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244 should be pretty clear if that was an option. Commissioner Dubovik felt the ordinance should establish
245 objective criteria to protect the Council's decision-making process.

246
247 Commissioner Harrop clarified that the minimum open space was 20%. If a development contained ten
248 acres and a developer wanted to use it all, two acres would be appraised. The developer would then pay
249 the value of those two acres to the City, and those funds would go directly to the City's Parks Fund.

250
251 Commissioner Dubovik asked if the value of the lots would be what the developer was selling them for. Mr.
252 Davis said the value would probably be negotiated. Right now land values were skyrocketing.

253
254 Commissioner Hulsey felt the ordinance contained some vague terms, such as *meaningful construction*.
255 What did *meaningful construction* look like? The City and the developers needed to know what that meant.
256 Anything that was vague to the Planning Commission and the City Council would be vague to developers.
257 It could work for or against the City or for or against developers. Anything that wasn't exactly clear could be
258 exploited on both ends. He did not feel that was fair to anybody. There were just a few things that needed
259 more specificity.

260
261 Commissioner Dubovik felt there needed to be a balance between being so tight that no one could satisfy
262 the ordinance and being too lenient. Commissioner Bingham felt that was why the MPC Zone would be
263 better than a PUD. With a Master Planned Community, issues could be addressed when a plan was
264 submitted, versus a checklist of requirements.

265
266 Commissioner Bingham asked about the sunset provision. Commissioner Dubovik said it was one year.

267
268 Commissioner Dubovik asked if the new Paragraph K was the catch all. A conceptual plan could be general,
269 but a permit would not be issued until a zone was approved. Mr. Mund said that was correct.

270
271 Commissioner Hulsey asked if the MPC Ordinance was applicable anywhere someone had ten acres to
272 develop. Colt Mund said the ordinance would be applicable to anyone who wanted to do a higher density
273 development that had at least ten acres. Commissioner Bingham said a developer would have to apply for
274 a rezone and have a plan for the zone. Commissioner Hulsey asked if a master plan community would be
275 limited to certain areas. Anyone who met the ten-acre requirement could potentially apply for an MPC. Colt
276 Mund said that was correct. If an applicant met the requirements, the zone could then be created.
277 Commissioner Bingham said it would have to meet the General Plan.

278
279 Commissioner Hulsey asked what in the General Plan would prevent an MPC. Commissioner Bingham
280 said that an area that could not be rezoned to R ½, could not be rezoned to an MPC R ½. Colt Mund said
281 the MPC had to be compatible with the surrounding uses. He felt Commissioner Hulsey had a point.
282 Wherever there was ten acres, someone could apply for a Master Plan Community Zone. They could
283 potentially be approved.

284
285 Commissioner Hulsey felt a developer could make arguments for anything to be compatible. It might be
286 worth setting some parameters, such as no housing in a commercial district. Maybe MPCs should be limited
287 to residential areas. Mr. Mund felt it came down to the discretion of the Planning Commission and the City
288 Council in the development agreement. At the end of the day, the City Council would make the
289 determination. Compatibility was at the discretion of the City Council. A developer did not have a vested
290 right for an MPC. A developer could argue one way or another, and the City Council could say they
291 respectfully did not agree that a use was compatible.



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Commissioner Dubovik said the City had already addressed compatible uses in another ordinance. He asked if the 50-line matrix ordinance addressing uses had been finalized. Mr. Mund said it had. That got into conditional use tables where uses were determined per zone.

Commissioner Hulsey asked if the MPC Ordinance referenced that ordinance. Colt Mund said the MPC was tied to the entire Zoning Ordinance. The MPC did not specifically address street requirements, but the Street Ordinance applied and so on and so forth.

Commissioner Hulsey asked if it was worth looking at the City's ordinances were before allowing master planned communities. He felt master planned communities could get out of hand really quickly. Did the City want to make sure all of its ducks were in a row before the MPC Ordinance was released for use? He felt there were options that could be exploited.

Chairman Bodily said the ordinance was going before the City Council. If the Planning Commission had any input, it needed to be given now.

Commissioner Hulsey wanted the City Council to be aware that he did not feel the Master Plan Community Ordinance was ready for approval. It needed more work. He felt the City should definitely wait until it had received the survey results to get more input regarding what the citizens wanted.

Commissioner Bingham liked the idea of an MPC Zone. It was a living document that changed from one development to another. He felt it would be faster and easier to address issues of importance. In the past, problems had not been manifested until someone had exploited a problem. Then it took months to change the ordinance so the next developer couldn't do the same thing. He liked the idea that the City wasn't just cookie cutting out half-acre lots. It would be working to build a community that would benefit everybody.

Commissioner Dubovik felt the MPC Ordinance contained the criteria that would allow a developer to obtain a rezone for a master plan community. Then a development plan would have to be approved. Colt Mund saw that as one step. A rezone application and a development agreement would be submitted together.

Commissioner Bingham felt the rezone, master plan, and development agreement offered the City some protection. The City could see up front what uses were being proposed. It could decide what it would and wouldn't allow in that particular development.

Commissioner Hulsey stated that in previous subdivision and rezone discussions, it had been stated that the City could not ask for plans at the rezone level. He felt the ordinance should clearly state that the rezone application was tied to a plan. An MPC Zone should not be approved if the City didn't know what the plan was. A rezone application and a plan needed to be hand in hand.

Colt Mund stated that Paragraph E talked about filing a petition for an MPC. The petition would include the location, the name of the zone, the development agreement, proposed uses, proposed land use standards, and proposed building and architectural standards. A developer would also provide a conceptual master plan. All of that information would be provided up front. An MPC application was distinct from a general rezone application. If a developer wanted an MPC, he would have to show the City what he was proposing and give specifics before it was approved. If there was further information the Planning Commission wanted to see, it could be included. The more information the City received the better.

Commissioner Harrop said each MPC would be approved case by case.



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Commissioner Dubovik said that if the City Council approved the MPC Zone, the Planning Commission needed to review the conditional use tables. A column would have to be added for the new zone, and permitted and conditional uses for the zone would have to be determined.

Colt Mund thought there was a column for planned unit developments. It might be just a matter of changing a heading. The use tables could definitely be tweaked.

Commission Bingham asked if the MPC Ordinance addressed a development plan zone that encompassed commercial uses. Colt Mund it could. The City's previous planned unit ordinance had commercial provisions.

Chairman Bodily asked if Colt Mund had the information he needed. Mr. Mund said he did. He felt it had been a good discussion.

Commissioner Bingham suggested that the City Council not rush approval of the Master Plan Community Ordinance. It needed to take time to think about it, but not too much time.

6. CONSIDERATION AND APPROVAL OF OCTOBER 7, 2021, REGULAR PLANNING COMMISSION MINUTES

Commissioner Bingham moved to approve the regular Planning Commission minutes of October 7, 2021, as corrected. Commissioner Hulsey seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Bryce Wheelwright stated that 300 North, the dike road, had been repaved by Parsons at their expense. The City was making progress on tying up the south end of 300 East.

He expressed condolences to Commissioner Baker on the passing of her father.

Chris Davis did not have any comments.

Colt Mund did not have any comments.

Commissioner Harrop did not have any comments.

Commissioner Hulsey read a letter from Jean Loveland that she had given him just before the meeting started. A copy of the letter is attached for the record.

Chairman Bodily asked about the status of the conditional use permit for Matthew Francom's welding shop. Was Mr. Francom supposed to come back to the Planning Commission? Bryce Wheelwright said Mr. Francom had not made enough progress to come back. He had met with UDOT and completed his water connection, but he had a lot of internal improvements left to do. Mr. Francom knew he had to come back to the City for his conditional use permit. Chairman Bodily asked if Mr. Francom had a deadline. This could drag on for a long time. He felt these were the types of uses the City needed to get a handle on.

Commissioner Dubovik asked if the City had the ability to use Zoom to allow citizens to attend meetings electronically. It would provide more people access to what was going on. He also felt it would be helpful



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for the public attending the meetings to be able to view the packet information the Planning Commission received. Then the Planning Commission's discussion would not be a mystery to them.

Commissioner Bingham did not have any comments.

Chairman Bodily asked the date for the next Planning Commission meeting. Bryce Wheelwright said it would be December 2nd.

Commissioner Hulseley asked if the rush for the special meeting was so the City Council could have the Master Plan Community Zone on their November 16th agenda. Bryce Wheelwright said the City Council had requested the special Planning Commission meeting. Chris Davis said the City Council wanted to get input from the Planning Commission.

8. ADJOURN

Commissioner Dubovik moved to adjourn at 7:28 p.m. Commissioner Harrop 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 11-09-2021