



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA

The meeting will be hold in accordance with current COVID-19 guidelines.

(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. Public hearing to receive public comment regarding a petition from Shane Barthlome to rezone approximately 2.4 acres located at approximately 672 North 200 West (Parcel No. 02-046-0096) from A-5 to Commercial General
 - b. Consideration and recommendation regarding a petition from Shane Barthlome to rezone approximately 2.4 acres located at approximately 672 North 200 West (Parcel No. 02-046-0096) from A-5 to Commercial General
 - c. Discussion regarding adopting standards for Accessory Dwelling Units
6. Consideration and approval of the May 5, 2022, 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 Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 13th day of May, 2022.

/s/ Michelle Drago

Deputy City Recorder

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS - In compliance with the American with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah 84340, phone number (435) 734-9881, at least three working days prior to the meeting.

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 Thursday, May 19, 2022, at 6:30 p.m.

The public hearing will be held to take public comment on a request from Shane Barthlome to rezone property located at approximately 672 North 200 West (Parcel No. 02-046-0096) from A5 to Commercial General.

Written comments will be accepted at the Willard City Offices until May 19, 2022. 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 9th day of May, 2022.

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.



WILLARD CITY PLANNING COMMISSION
APPLICATION FOR PLANNING COMMISSION HEARING

Application Date:

4-18-2022

Assessor's Parcel Number

Applicant:

Shane Bartholome

Mailing Address

672 N. 200 W.

Willard, UT 84340

02-046-0096

Parcel Legal Description

Project Address

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

☐

Conditional Use Permit \$25 Fee

☐

Lot Line Adjustment \$25 Fee

☒

Other Fee variable, \$25 Min.

Phone Number

801-686-5071

Cell Phone

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

Project description: (Attach additional sheets, as required.)

Complete Applicant Affidavit on back of this page.

I would like to rezone my property,
Parcel # 02-046-0096 to "Commercial General."

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Shane Bartholme, 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 672 North 200 West 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

Shane Bartholme
Property Owner(s)

AGENT _____



Subscribed and sworn before me this 18th day of April 2022

Michelle Drago

Notary Public

Residing in Kearney, 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: _____



Willard City
80 W 50 S | PO Box 593
Willard, UT 84340
(435) 734-9881
willardcity@comcast.net

XBP Confirmation Number: 118996883

► Transaction detail for payment to Willard City. Date: 04/18/2022 - 12:28:20 PM MT

Transaction Number: 170925002PT
VisaXXXX-XXXX-XXXX-0807
Status: Successful

Account #	Item	Quantity	Item Amount
	Charges PC	1	\$25.00

Notes: barthlome rezone

TOTAL: \$25.00

► Transaction detail for payment to Willard City. Date: 04/18/2022 - 12:28:21 PM MT

Transaction Number: 170925004PT
VisaXXXX-XXXX-XXXX-0807
Status: Successful

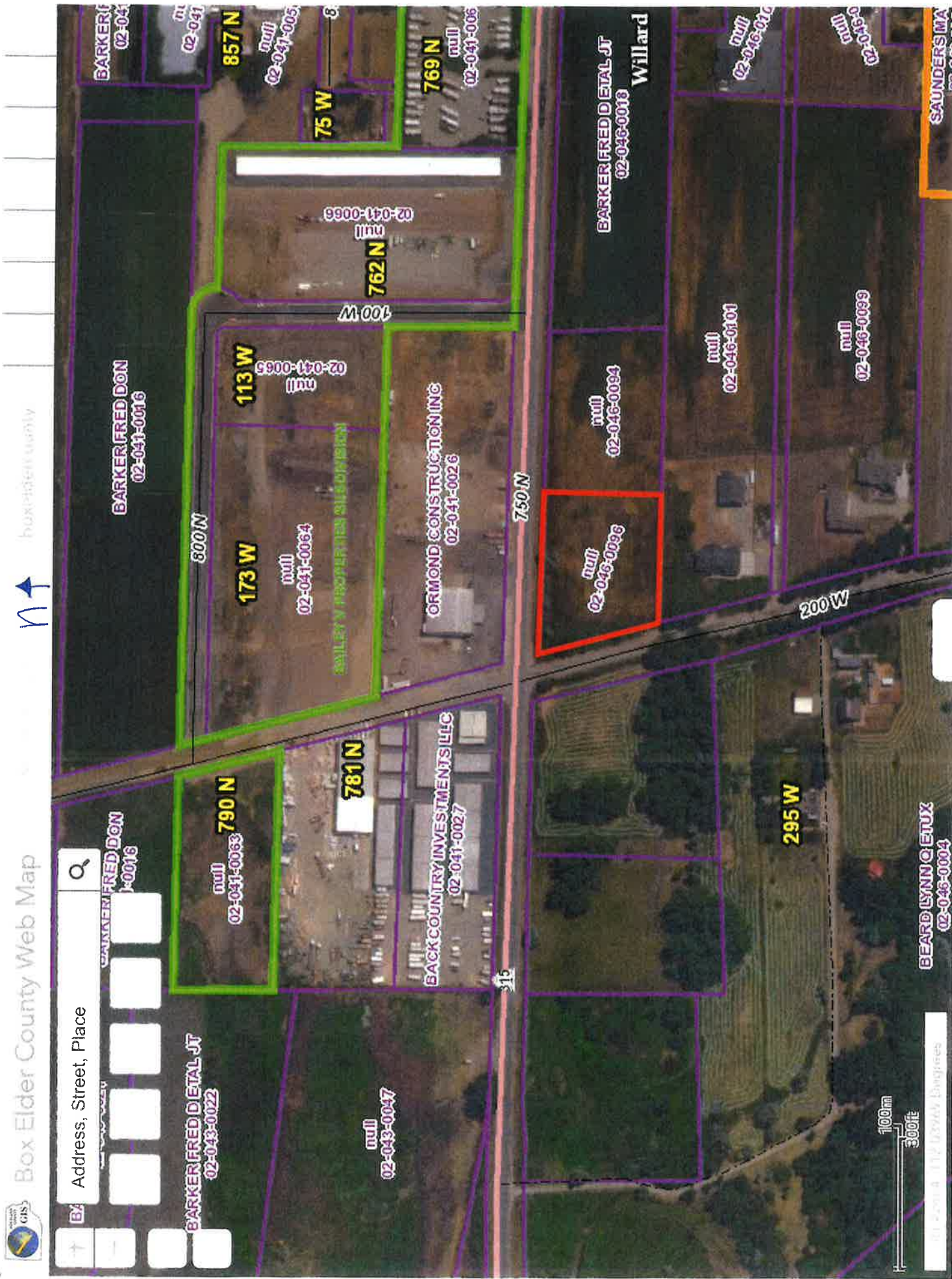
Account #	Item	Quantity	Item Amount
	Service Fee	1	\$1.25

Notes: barthlome rezone

TOTAL: \$1.25

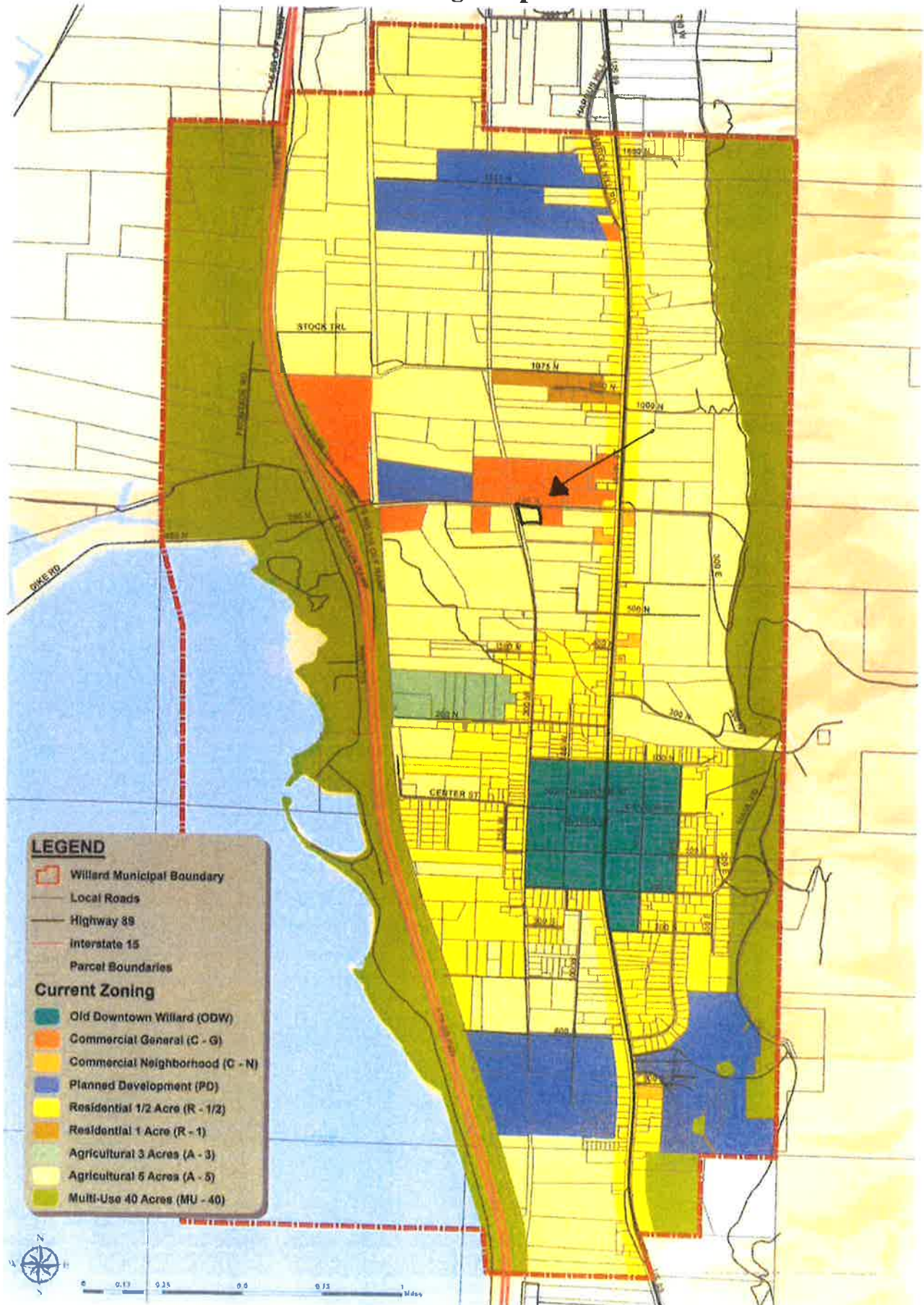
Billing Information
SHANE BARTHLOME
, 84340

Transaction taken by: Admin mdragoCaselle MD



WILLARD CITY

Current Zoning - September 2021



[DRAFT]

CHAPTER 12-102-23. Accessory Dwelling Units

12-102-23-1 Purpose.

The purpose of this section is to permit Internal Accessory Dwelling Units in zones that allow a single-family residence while also reducing adverse impacts to surrounding areas and property owners.

12-102-23-2 Definitions.

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

(1) Detached Accessory Dwelling Unit. Means a stand-alone permanent structure, as an entirely separate unit or constructed as part of an existing accessory structure (such as a detached garage or shed), with typical footing and foundation, not attached to the Primary Dwelling which provides fully connected utility services to the unit and is used as a dwelling.

(2) Internal Accessory Dwelling Unit. Means an accessory dwelling unit created (i) within the footprint of the primary dwelling at the time the Internal Accessory Dwelling unit is created; (ii) for the purposes of offering long-term rental of thirty consecutive (30) days or more; (iii) located on the same lot of record as the primary dwelling; and (iv) includes separate dedicated kitchen and bathroom facilities for the exclusive use of the Internal Accessory Dwelling Unit Occupants.

(3) Primary Dwelling. Means a single-family dwelling that is (i) detached; and (ii) occupied as the primary residence of the owner of record.

12-102-23-3. Location.

A maximum of one (1) Accessory Dwelling Unit shall be allowed per lot of record.

12-102-23-4. General Regulations.

The following regulations must be met in order to have an Internal Accessory Dwelling Unit:

(1) An application shall be filed with the City prior to the creation or establishment of an Internal Accessory Dwelling Unit.

(2) Upon approval of an Internal Accessory Dwelling Unit application, the owner of the Primary Dwelling shall obtain a rental business license issued by Willard City, before the Accessory Dwelling Unit is rented. Such license shall remain valid and shall be renewed, as required by Willard City.

(3) Before occupancy, the City Administrator shall confirm the Internal Accessory Dwelling Unit complies with all building, health, and fire codes, as adopted.

- (4) The Internal Accessory Dwelling Unit shall be served by the utility meter serving the primary dwelling. The installation of a separate utility meter for Internal Accessory Dwelling Units is prohibited.
- (5) The Internal Accessory Dwelling Unit shall include separate dedicated kitchen and bathroom facilities for the exclusive use of the Internal Accessory Dwelling Unit occupants.
- (6) An Internal Accessory Dwelling Unit shall be designed in a manner that does not change the appearance of the Primary Dwelling as a single-family residence.
- (7) All Internal Accessory Dwelling Units shall have a separate, accessible entrance or stairway.
- (8) One (1) additional on-site-hard-surface (concrete, asphalt, pavers) parking space shall be provided for the exclusive use of the Internal Accessory Dwelling Unit, regardless of whether the Primary Dwelling is existing or a new construction.
- (9) The Owner of the Primary Dwelling shall replace any parking spaces contained within a garage or carport if an Internal Accessory Dwelling Unit is created within an attached garage or carport.
- (10) The Internal Dwelling Unit parking space shall not be located within the clear view area on a corner lot.
- (11) Drive approaches and curb cuts shall comply with the Willard City Public Works Standards.
- (12) No portion of a mobile home, mobile home park, motor home subdivision as defined within the Willard City Zoning Ordinances, Recreational Vehicle, or Recreational Vehicle Park shall be entitled to any use as an Accessory Dwelling Unit.
- (13) An Internal Accessory Dwelling Unit is prohibited if it will be served by a failing septic tank, as determined by Willard City or the Box Elder County Health Department.
- (14) No construction to create or establish an Internal Accessory Dwelling Unit shall commence without the issuance of the necessary building permits and zoning approval, as required by Willard City.
- (15) The owner of a Primary Dwelling shall reside on the property, either occupying the Primary Dwelling or the Internal Accessory Dwelling Unit.
- (16) An Internal Accessory Dwelling Unit shall not be rented or occupied for a period of less than thirty (30) consecutive calendar days. It is prohibited for any Internal Accessory Dwelling Unit to be used as a short-term rental unit.
- (17) The Primary Dwelling and the Internal Dwelling Unit shall have the same address number.
- (18) Internal Accessory Dwelling Units are exempt from the residential density standard of the Willard City Zoning Code.

(19) An impact fee shall be assessed on all Internal Accessory Dwelling Units and the impact fee shall be 20% of the adopted fee for a single-family home.

12-102-23-5. Non-Transferability.

Upon the sale or transfer of the home, a permit allowing an Internal Accessory Dwelling Unit on the lot shall expire. The new record owner of the lot shall be required to submit a new application and obtain a new permit as outlined herein. The Primary Dwelling and Internal Accessory Dwelling Unit must be on the same parcel or lot, shall not be subdivided, and shall not be sold separately.

12-102-23-6. Detached Accessory Dwelling Units.

The creation of a Detached Accessory Dwelling Unit is prohibited.

12-102-23-7. Recordation Required.

The City shall record a notice in the Office of the Box Elder County Recorder that provides:

- (1) A description of the Primary Dwelling.
- (2) A statement that the Primary Dwelling or Primary Dwelling lot of record contains an Internal Accessory Dwelling Unit.
- (3) A statement that the Internal Accessory Dwelling Unit may only be used in accordance with Willard City's land use regulations.
- (4) Upon recording the notice described herein, the City shall mail a copy of the notice to the owner of the Internal Accessory Dwelling Unit.
- (5) Meet all standards and requirements of 12-504 of this Ordinance and all other requirements of any applicable ordinances.

12-102-23-8. Enforcement.

(1) Willard City may, in addition to any other legal or equitable remedies available, pursue a lien against the subject property in an amount of \$100.00 for each day of violation (after notice of noncompliance has been provided) for:

- (a) Any violation of Utah Code Section 10-9a-530; or
- (b) Any violation of this Section.

12-102-23-9. Notice and Hearing.

Willard City adopts the lien notice and hearing notice requirements set forth in Utah Code Section 10-9a-530. An owner appealing a violation may appeal that decision to the designated Hearing Officer under the procedure outlined in Willard City Zoning Code Chapter 12-101-2. Any decision of the Hearing Officer may be appealed by the owner or City to the District Court within thirty (30) days from the issuance of the written decision.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 5, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

4
5 The following members were in attendance:

6
7 Sid Bodily, Chairman Chris Davis, City Manager
8 Diana Baker Colt Mund, City Attorney
9 Chandler Bingham Bryce Wheelwright, City Planner
10 Blake Harrop Michelle Drago, Deputy City Recorder
11 Zack Hulsey

12
13 Excused: Alex Dubovik

14
15 Others in attendance: Mayor Travis Mote; Councilman John Seamons; Steve Brimberry; Tammy Brimberry;
16 Taylor Brimberry; Kalisha Brimberry; Ted Baird; Jo Baird; Randy G. Braegger; and Shane Barthlome.

17
18 The meeting was called to order at 6:30 p.m.

19
20 1. PRAYER: Sid Bodily

21
22 2. PLEDGE OF ALLEGIANCE: Diana Baker

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 There weren't any public comments.

29
30 5A. CONSIDERATION OF CONCEPT APPROVAL FOR STEVEN AND TAMMY BRIMBERRY
31 SUBDIVISION LOCATED AT APPROXIMATELY 42 SOUTH 250 WEST (PARCEL NO. 02-051-
32 0001)

33
34 Time Stamp: 05/05/2022 2:28

35
36 Bryce Wheelwright, City Planner, stated that the City had received an application from Steven and Tammy
37 Brimberry for conceptual approval of a minor subdivision located at 42 South 250 West. They wanted to
38 subdivide their property to create a building lot for their son Taylor. Their concept plan showed that a new
39 lot would be located behind the main house. It would have access from a lane running along the north side
40 of their property. The staff had talked with Brimberry's about the flag lot issue, but they still wanted to talk
41 to the Planning Commission.

42
43 Chairman Bodily invited the applicants to speak.

44
45 Tammy Brimberry, 42 South 250 West, stated that if 300 West had gone in as planned, they wouldn't be
46 appearing before the Planning Commission.

47
48 Steve Brimberry, 42 South 250 West, stated that they were landlocked. They proposed to put in a 30 feet
49 easement along the north side of their property with a circular driveway for fire protection. The neighbors



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to north, Hansen's, already had a 25-foot lane. Hansen's were willing to allow them to use their lane to create an even wider access.

Tammy Brimberry stated that their son knew he had to have a circular driveway for fire access.

Steve Brimberry said there similar lots around town, such as the Helen Jane Lemon lot on 200 West.

Chairman Bodily said flag lots may have been allowed in the past. Now the City had an ordinance that prohibited them.

Tammy Brimberry said there were accessory buildings being built in the City that included living space. For example, on Main Street a shop was being built that included a house.

Ted Baird, 175 West Center, stated that there were at least four others in the City. On Center Street and 200 West, there was a shop with living quarters above it. There was another one by the creek on 200 West. Of course, there was Helen Jane Lemon's rental that was located behind her main house. It was just sold. There were half a dozen on 200 West. Two were in shops, and one was behind a newer home. All had been built in the past few years. There were probably more than a dozen in town.

Commissioner Harrop stated that the City had an ordinance that did not allow flag lots. He empathized with the Brimberry's. He did not know what the regulations for private drives were. Was there a possibility the Brimberry's could use the easement they were proposing and the easement on the Hansen's property to create a private drive? Then both property owners could utilize the back areas of their properties and comply with the City ordinances. He realized a private drive would add some additional cost.

Tammy Brimberry asked if the City would maintain a private drive. Commissioner Harrop said it would not. The City would maintain a public road, but a public road had to meet City standards.

Bryce Wheelwright stated that the Brimberry's would have to make sure their property, and Hansen's, maintained the required 100 feet of frontage. A dedicated road needed to be 60 feet wide. If it was dedicated, the City would maintain it. The road would have to end in a cul-de-sac.

Commissioner Bingham stated that the Master Road Plan included 300 West.

Tammy Brimberry asked what they had to do to get 300 West built. Steve Brimberry said they had planned on 300 West; without it they were landlocked.

Commissioner Harrop asked if a lot with access from a private road would still be considered a flag lot. Commissioner Bingham felt it would be. Colt Mund, City Attorney, it would depend on the frontage.

Commissioner Hulsey asked about a private road that was not part of the lot itself. What if the subdivision contained almost three parcels – two lots and the private road? Bryce Wheelwright said the road would have to be dedicated to the City, and the lot for Brimberry's son would have to have the required 100 feet of frontage. A road dedicated to the City would have to meet City standards.

There was a discussion about 300 West.

Ted Baird asked if there was a time frame for the construction of 300 West. Commissioner Bingham stated that 300 West would be built as property developed. It would be constructed at a developer's expense, not



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the City's. If the Brimberry's wanted 300 West to be constructed, they could have to work with other property owners between them and Center Street. The distance from Center Street to their property was almost the same as the private road would be.

Tammy Brimberry felt that 300 West should have gone in when the subdivision below them was constructed.

Commissioner Baker asked about two houses under construction at 200 East and 300 South. Were they being accessed through a private lane? Chairman Bodily said the lots had access from 200 East. Commissioner Baker said the City was selling the property behind the lots. Could the City prevent the new owner from allowing access to the homes on 200 East? Bryce Wheelwright said it would be private property.

Commissioner Baker felt the situation was similar to the Brimberry's. Bryce Wheelwright and Chairman Bodily said it wasn't. Both of the lots had frontage on a City street even if they chose not to use it.

Commissioner Hulsey asked if the Brimberry's were willing to build 300 West from Center Street to their property. Tammy Brimberry said that in order to put in 300 West, one property owner would have to move their well. Steve Brimberry did not think they could afford to build a road.

Commissioner Bingham stated that both options would require a City road. If they built 300 West, they might be able to involve other landowners, who would also benefit, to help.

Steve Brimberry stated that there were flag lots all over the place. When did the City stop allowing flag lots? Commissioner Bingham checked the date of the flag lot provision in the Zoning Ordinance. It was adopted in June 2015.

Tammy Brimberry asked about City enforcement. Did the City do anything about people building sheds and shops and living in them? Commissioner Bingham said the City was working on an ordinance to address that situation.

Jo Baird, 175 West Center, asked about the definition of a flag lot. How had the City approved the Barker/Braegger property? Wasn't that a flag lot? She felt some property owners were penalized while others were allowed to get away with it.

Commissioner Bingham stated that the Barker/Braegger Subdivision included 100 feet of constructed roadway. He felt Ms. Baird was getting the second, emergency access confused with the primary access.

Bryce Wheelwright stated that Rod Braegger was building a road. Colt Mund stated that Rod Braegger would not receive a building permit until there was a road.

Commission Hulsey stated that if the Brimberry's put in 300 West, they would be in the same situation as Rod Braegger.

Jo Baird asked about the Helen Jane Lemon property. Colt Mund stated that the Helen Jane Lemon's flag lot had been in existence since the 1950's. It pre-dated the City's flag lot ordinance, which meant it was grand-fathered in. The City had been involved in litigation with the Lemon's, when they sold a portion of their property, to make sure they were not changing the use. The issue with the Lemon property was very distinct. There were two homes on two separate pieces of property that had been in existence since the 1950's. Yes, one was a flag lot, but it pre-dated the City's flag lot ordinance.



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Tammy Brimberry stated that they had owned their property forever. Colt Mund said they had, but there were not two homes on their property.

Commissioner Bingham stated that in order for there not be a flag lot, Brimberry's needed to have 100 feet of frontage on a City road.

Colt Mund agreed this was a difficult process. Some of the other issues and concerns raised by the Brimberry's and Baird's were not flag lots. They dealt with accessory dwelling units. They were a separate issue that the City was trying to address.

Colt Mund stated that if the Planning Commission denied the Brimberry's application, they could pursue a variance request. A variance request would go before a hearing officer. They could meet with Bryce Wheelwright to discuss the variance process.

Commissioner Hulsey felt the Brimberry's needed to pursue a route to get a road to their property. Without a road, the Planning Commission could not approve their subdivision.

Chairman Bodily called for a motion.

Commissioner Bingham moved to disapprove, or deny, the conceptual approval of the Steven and Tammy Brimberry Subdivision located at 42 South 250 West (Parcel No. 02-051-0001). Commissioner Harrop seconded the motion. All voted "aye," except Commissioner Baker who voted "nay." The motion passed.

5B. CONSIDERATION OF A PETITION FROM SHANE BARTHLOME TO REZONE APPROXIMATELY 2.4 ACRES LOCATED AT APPROXIMATELY 672 NORTH 200 WEST (PARCEL NO. 02-046-0096)

Time Stamp: 05/05/2022 29:30

Bryce Wheelwright stated that Shane Barthlome owned 2.4 acres located on the southeast corner of 750 North 200 West. It was currently zoned A-5. The City's Master Plan planned for this property to be commercial. Mr. Barthlome was asking that the property be rezoned from A-5 to Commercial General.

Shane Barthlome, 672 North 200 West, stated that he wanted to rezone the property in accordance with the Master Plan. He wanted to bring some youth sporting to the community by building practice facilities for indoor soccer and several other sports. He lived in the house next door, and he wanted to create a buffer from the industrial on the north side of 750 West with something that would add to the community.

Commissioner Baker thought the property was already zoned commercial. Mr. Wheelwright said the property was currently zoned A-5.

Commissioner Baker did not have a problem with the rezone request.

Commissioner Bingham did not have a concern. The property was potential commercial.

Commissioner Hulsey felt everything on 750 North should be commercial.



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Commissioner Harrop felt the rezone fit the Master Plan. Mr. Barthlome's proposal would benefit the community.

Commissioner Hulsey moved to set a public hearing for May 19, 2022, at 6:30 p.m. to consider a petition from Shane Barthlome to rezone 2.4 acres located at approximately 672 North 200 West. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.

5C. DISCUSSION REGARDING OPEN AND PUBLIC MEETINGS ACT TRAINING VIDEO

Time Stamp: 05/05/2022 33:53

Chairman Bodily stated that he had watched the video.

Michelle Drago asked that he sign an affidavit after the meeting.

6. CONSIDERATION AND APPROVAL OF APRIL 21, 2022, REGULAR PLANNING COMMISSION MINUTES

Commissioner Bingham moved to approve the regular Planning Commission minutes of April 21, 2022, as written. Commissioner Baker seconded the motion. All voted "aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 05/05/2022 35:53

Chairman Bodily

Chairman Bodily asked what the Planning Commission was supposed to do when it was trying to follow the ordinances and applicants told them about ordinance violations in the community. He did not know how much was true and how much wasn't. If it was true, it made it difficult for the Planning Commission to uphold the ordinances.

Chris Davis stated that the City was working on the first example mentioned by the Brimberry's. The City had not issued a building permit. The property owners had been told that the accessory building could not be occupied. Proving that someone was living in the accessory building was difficult. The Brimberry's did not go on record stating that a specific violation was occurring at a specific address. City officials consisting of the City Attorney, City Planner, City Council, Police Chief, and himself, were good at following up on specific information.

Commissioner Harrop asked if the Planning Commission could ask for specific examples if an applicant made a general claim about violations. Colt Mund felt the Planning Commission needed to be very careful, in a public meeting setting, about naming specific individuals and violations based on hearsay. If someone had information about violations, they could talk to the Police Chief and the City Planner. Then the City could look into it. The Planning Commission had to be very careful.

Colt Mund agreed that the Planning Commission heard a lot of claims that the City had allowed so and so to do this or so and so to do that. It was always used as an argument to get approval for something that was not allowed. It put the Planning Commission in a very difficult position. However, the Planning



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Commission had to be very careful and cognizant to not cast an aspersion on someone without some evidence.

Bryce Wheelwright felt it was important for the Planning Commission to follow the City ordinances.

Colt Mund stated that as legal counsel to the Planning Commission, he did not feel getting into a discussion about what had happened in the past was a helpful exercise, especially when a lot of discussion was based on hearsay and multiple levels of hearsay.

Bryce Wheelwright

Bryce Wheelwright stated that two weeks ago he attended a Walkability Institute in Provo. It was a federal program promoting walking, biking, and non-motorized vehicle trails. The Planning Commission was aware of the Historic Orchard Pathway (HOP) Trail that was supposed to run north and south from the Weber County line to Brigham City. In Willard it would run along the west side of 200 West. The HOP Trail was one of the prime projects discussed at the Institute. The Legislature recently approved \$40 million for trail projects. The Institute encouraged communities along the pathway to apply for the \$40 million to get the trail built. The key for the City's application was a 20% match, which could be costly. The cost estimate for the trail was \$1 million a mile. There was about two miles of trail through Willard, so the City's match could be about \$400,000. The match did not have to be money out-of-pocket. The City could apply for other grants to meet the match, or it could make an *in kind* match. There would be workshops and information meetings about the pathway. The Walkability Institute asked if Willard City would be willing to do a walkability study that would involve appointed and elected officials and citizens. All would be invited to go on a walk and to make comments

Chairman Bodily asked if the City had a trails team. Mr. Wheelwright said it did not. Willard used to have one, but it was no longer functioning.

Bryce Wheelwright said Box Elder County had a Master Trails Plan. People in Perry, Box Elder County, and Brigham City were involved. Councilman Seamons and he were involved. He asked that Planning Commission members plan to attend the walk to learn about some of the construction challenges. The key was to get the trail done now before the land was developed out.

Commissioner Harrop asked how many people used the trail on 200 West north of 750 North. Mr. Wheelwright said UDOT had attempted to get a count, but an accurate count had never been taken.

Chris Davis

Chris Davis stated that the City had received an annexation petition from Willard Land - Lew Swain and E. K. Bailey. Box Elder County had started to send out notices. Eventually the Planning Commission would see the annexation.

Colt Mund

Colt Mund stated that he was working on the ADU Ordinance. He hoped to have it ready for the next meeting.



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Commissioner Bingham

Commissioner Bingham asked if there were any funds from the money the City received for the Nature Park that could be used to landscape the dike. Bryce Wheelwright said that landscaping the dike was part of the Nature Park plan, but the money had run out.

Commissioner Baker

Commissioner Baker was concerned about houses on dirt roads. There were some behind her and some on 300 East. She would like to see the General Plan's Road Master Plan address those issues and help residents like the Brimberry's. The Brimberry's would have had frontage if 300 West had gone in.

Commissioner Bingham said there had never been any development to drive the installation of 300 West. The Brimberry's were the first to generate a reason for 300 West to go in. Commissioner Harrop said the Road Master Plan could show the roads, but they would only be developed as needed.

There was further discussion about roads.

Commissioner Hulsey

Commissioner Hulsey asked how SLUA was involved in the subdivision approval process. Was the Brimberry's conceptual plan presented to SLUA? Mr. Wheelwright said it was not. If the Planning Commission approved a conceptual plan, then SLUA reviewed it for accuracy and compliance. Commissioner Hulsey asked if there was a way to weed applications out before they came to the Planning Commission.

Chris Davis felt that was an excellent question. The staff had been discussing whether it could deny an application administratively.

Colt Mund stated that the Brimberry's wanted to talk with the Planning Commission. If an applicant wanted to speak with the Planning Commission they could apply to do so.

Bryce Wheelwright stated that he had a long conversation with the Brimberry's. He explained the City's flag lot ordinance and tried to talk them out of appearing before the Planning Commission.

Commissioner Harrop

Did not have any comments.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 5, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

8. ADJOURN

Commissioner Hulsey moved to adjourn at 7:26 p.m. Commissioner Bingham seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: _____

Planning Commission, Chairman
Sid Bodily

Planning Commission Secretary
Michelle Drago

dc:PC 05-05-2022