



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, June 16, 2022 – 6:30 p.m.
Willard City Hall, 80 West 50 South
Willard, Utah, 84340

AGENDA

The meeting will be held 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. Discussion, review of annexation application, and recommendation regarding MPC Zoning for Old Farm Subdivision located at approximate 7140 South Highway 89 consisting of approximately 142.86 acres (Parcel Nos. 02-055-0024, 02-055-0082, 02-055-0031, 02-055-0124, 02-055-0112, 02-055-0051, 02-055-0067, 02-055-0042, 02-055-0043, and 01-040-0227)
 - b. Discussion regarding adopting standards for Accessory Dwelling Units
6. Consideration and approval of the May 19, 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/pmnl/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 10th day of June, 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.

A PART OF THE SOUTHEAST QUARTER AND SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 8 NORTH, RANGE 2 WEST AND PART OF THE NORTHEAST QUARTER AND NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 7 NORTH, RANGE 2 WEST OF THE SALL LAKE BASE AND MERIDIAN.

BEGINNING AT THE NORTHEAST CORNER OF THE KEVIN COLE SUBDIVISION FILED AS ENTRY NO. 342604 IN THE FILES OF THE BOX ELDER COUNTY RECORDER, SAID POINT BEING LOCATED ON THE WEST RIGHT-OF-WAY LINE OF HIGHWAY 89 LOCATED 2005.78 FEET NORTH 89°03'03" WEST ALONG THE SOUTH LINE OF SAID SECTION 35 AND

RUNNING THENCE ALONG THE BOUNDARY LINE OF SAID KEVIN COLE SUBDIVISION THE FOLLOWING TWO (2) COURSES; (1) NORTH 87°52'29" WEST 149.60 FEET; AND (2) SOUTHW 02°24'14" WEST 517.71 FEET TO THE NORTHEAST CORNER OF THE DIANNA COLE DYE PROPERTY, TAX ID. NO. 01-040-0214; THENCE ALONG THE BOUNDARY

LINE OF SAID DYE PROPERTY THE FOLLOWING TWO COURSES: (1) NORTH 87°59'40" WEST 12.00 FEET; AND (2) SOUTH 03°58'20" WEST 187.86 FEET TO THE NORTH BOUNDARY LINE OF THE MICA ANN ZOUNCH PROPERTY, TAX 03, NO. 01-040-0081; THENCE ALONG THE BOUNDARY LINE OF SAID ZOUNCH PROPERTY THE FOLLOWING THREE COURSES: (1) NORTH 86°30'00" WEST 97.00 FEET; (2) SOUTH 03°42'10" WEST 10.00 FEET; AND (3) NORTH 86°58'10" WEST 148.86 FEET TO THE

WEST 32-48'17" AND (3) SOUTH 23-30' WEST 11-30'17" TO THE NORTH BOUNDARY LINE OF THE FARMS IN SOUTH WELLSLAND PHASE 1, FILED AS ENTRY NO. 155,562 IN THE FILES OF THE BOX ELDER COUNTY RECORDER; THENCE ALONG SAID NORTH BOUNDARY LINE AND THEN THE NORTH BOUNDARY LINE OF PETTINGILL ESTATES SUBDIVISION FILED AS ENTRY NO. 236,125 IN THE FILES OF THE BOX ELDER COUNTY RECORDER NORTH 87°38'48" WEST 1937-20 FEET TO THE EAST.

RIGHT-OF-WAY LINE OF THE ABANDONED U.L.C. RAILROAD; THENCE NORTH 02°49'02" EAST 2976.11 FEET ALONG SAID EAST RIGHT-OF-WAY LINE TO THE SOUTHWEST CORNER OF THE MARRY L MCLEOD PROPERTY, TAX ID. NO. 02-055-0023; THENCE SOUTH 87°04'38" EAST 1986.66 FEET ALONG THE SOUTH BOUNDARY LINE OF SAID MCLEOD PROPERTY TO THE NORTHWEST CORNER OF THE DAVIS FAMILY SUBDIVISION, TAX ID. NO. 34541; IN THE CORNER THE INTERIOR CORNER BEING FIELD AS ENTRY NO. 34541 IN THE PUBLIC LANDS MAP NUMBER 34541.

THENCE ALONG THE WEST BOUNDARY LINE OF SAID DAVIS FAMILY SUBDIVISION FOLLOWING TWO (2) COURSES: (1) SOUTH 07°02'24" WEST (SOUTH 07°03'50" WEST BY RECORD) 230.00 FEET; AND (2) SOUTH 18°12'24" WEST (SOUTH 16°48'50" WEST BY RECORD) 118.57 FEET TO THE NORTHWEST CORNER OF SHADY ACRES SUBDIVISION; THENCE ALONG THE BOUNDARY LINE OF SAID SHADY ACRES SUBDIVISION;

THE FOLLOWING TWO (2) COURSES: (1) SOUTH 24°16'54" WEST (SOUTH 23°53'20" WEST BY RECORD) 350.00 FEET AND (2) SOUTH 87°23'58" EAST (SOUTH 87°17'32" EAST BY RECORD) 540.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 89; THENCE ALONG SAID WEST RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: (1) SOUTHERLY ALONG A NON-TANGENT CURVE TO THE RIGHT ON THE 180° OF A 280.0' FOOT RADIUS CURVE (STATIONING: 261.51' TO 261.51' + 180.00' = 441.51') AND

ARC OF A 2004.90 FOOT RADIUS CURVE, A DISTANCE OF 34.98 FEET, CHORD BEARS SOUTH 04°24'00" WEST 34.98 FEET, HAVING A CENTRAL ANGLE OF 01°07'23"; (2) SOUTHERLY TO THE RIGHT ON THE ARC OF A SPIRAL CURVE WHOSE LONG CHORD BEARS SOUTH 03°27'46" WEST 116.08 FEET TO THE NORTHEAST CORNER OF THE FOREST R. ROGERS PROPERTY, TAX ID. NO. 03-005-0102; THENCE NORTH 87°23'58" WEST 621.32 FEET ALONG THE NORTH BOUNDARY LINE OF SD ROGERS

PROPERTY AND THEN TRACY NICHOLAS NELSON TREE PROPERTY, TAX ID. NO. 02-085-0103 TO THE EASTERLY BANK OF AN EXISTING DITCH; THENCE ALONG SAID EASTERLY BANK THE FOLLOWING THREE COURSES: (1) SOUTH 37°39'21" WEST 94.88 FEET; (2) SOUTH 43°03'21" WEST 89.60 FEET; AND (3) SOUTH 00°55'11" WEST 109.70 FEET TO THE SOUTH BOUNDARY LINE OF SAID NELSON PROPERTY; THENCE SOUTH 87°21'40" EAST 218.51 FEET ALONG SAID SOUTH BOUNDARY LINE TO THE

WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 89; THENCE SOUTH 07°00'15" WEST 782.18 FEET ALONG SAID WEST BOUNDARY LINE TO THE NORTHEAST CORNER OF THE BLAINE E. ANDERSON PROPERTY, TAX ID. NO. 02-055-0086; THENCE ALONG THE BOUNDARY LINE OF SAID ANDERSON PROPERTY THE FOLLOWING FIVE (5) COURSES; (1) NORTH 86°04'47" WEST 328.35 FEET; (2) SOUTH 07°25'10" WEST 391.53 FEET;

(3) SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE RIGHT ON THE ARC OF A 283.00 FOOT RADIUS CURVE, A DISTANCE OF 86.14 FEET, CHORD BEARS SOUTH 55°38'59" EAST 63.99 FEET, HAVING A CENTRAL ANGLE OF 17°25'28"; (4) IN A SOUTHEASTERLY DIRECTION OF A REVERSE TANGENT CURVE TO THE LEFT OF A 217.00 FOOT RADIUS CURVE, A DISTANCE OF 136.44 FEET, CHORD BEARS SOUTH 55°38'59" EAST 184.90 FEET, HAVING A CENTRAL ANGLE OF 28°01'28". (AL)

1,340.0 FEET, BEING A CENTRAL ANGLE OF 30.0150; AND (3) SOUTH 87°58'48" EAST 45.27 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 88; THENCE SOUTH 07°00'15" WEST 238.25 FEET ALONG SAID WEST RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING, CONTAINING 142.86 ACRES.

I, K. Gray, declare, do hereby certify that I am a Registered Professional Land Surveyor in the State of Utah in accordance with Title 56, Chapter 2, Section 2-22, Professional Engineers and Professional Land Surveyors Act; and I have completed a survey of the property described on this plat in accordance with section 17-23-17 and have verified all measurements. I have placed monuments as represented on this plat and there is a Force and Effect recording of the tract of land in the above said plat and plat 13, Book 20, Second Series of Deeds, Salt Lake County, Utah.

Signed this 13th day of April, 2022.

K. Greg Hansen, P.L.S.
Utah Land Surveyor Licence No. 157819

Entry No. _____
 Fee Paid: _____
 Filed for Record and Recorded: _____ 2022.
 At _____ in Book _____ of the Official Records,
 Page _____

Recorded For: _____ Time: _____
 BOX ELDER County Recorder

This is to certify that we, the City Council of Willard City, Box Elder County, Utah have received a petition signed by a majority of the voters and the owners of at least one third in value of real property within the city limits of Willard City, Box Elder County, Utah, and that a copy of said petition, together with the names of the petitioners, has been forwarded to the City of Willard, Utah, and that a copy of the ordinance or resolution has been prepared for filing herewith in accordance with the provisions of Utah code annotated was: 19-2-403 and that we have authorized and do hereby approve and accept the annexation of the acreage as shown on this final local election plat as a part of said City.

Witness my hand and Official Seal this _____ day of _____ A.D., 2022.

City Records

Approved: _____
Name: _____

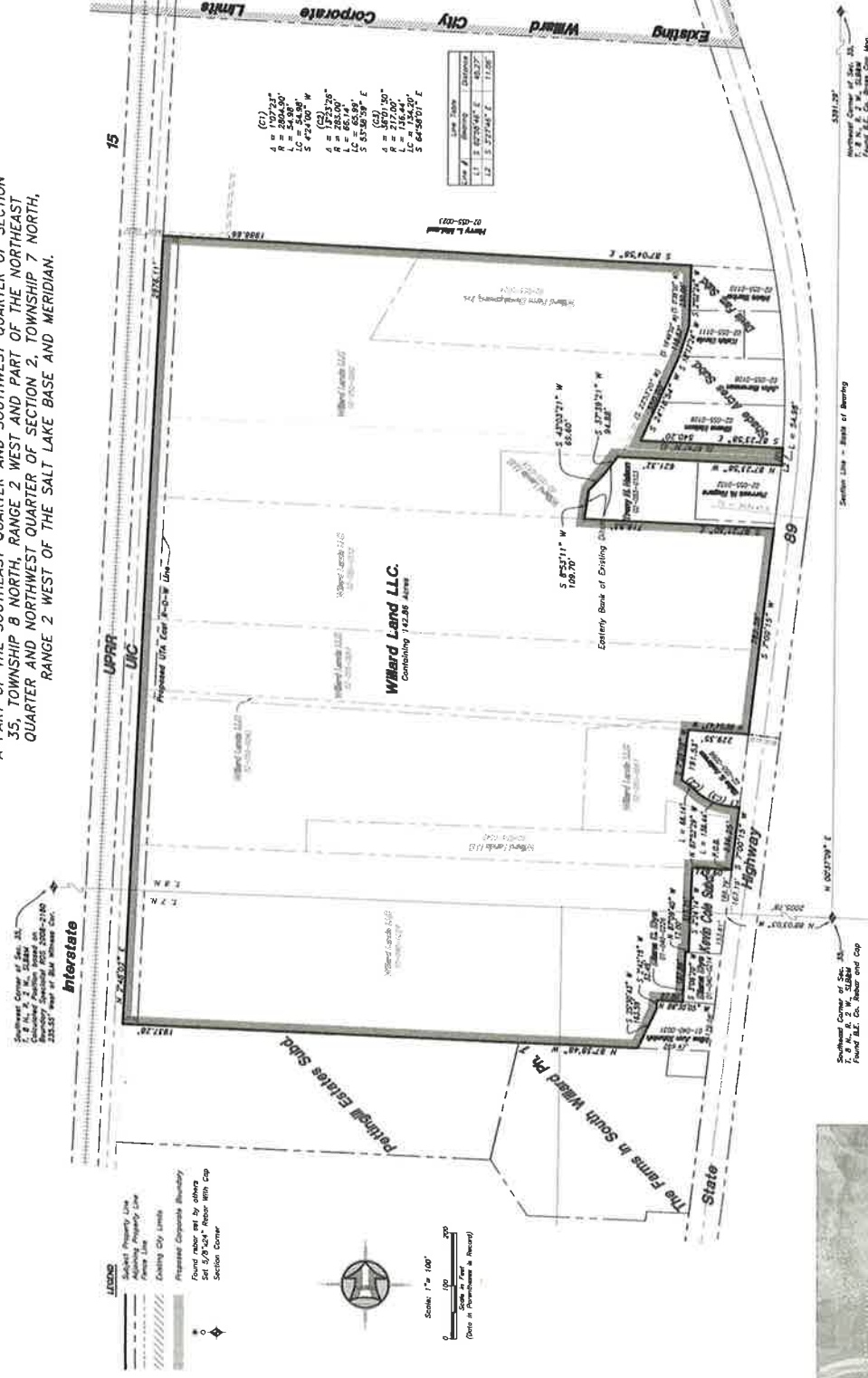
I hereby Certify that the Box Elder County Surveyor's Office has reviewed this plat for mathematical correctness, section corner data, and for harmony with lines and monuments on record in County Offices. The approval of this plat by the Box Elder County Surveyor does not relieve the Licensed Land Surveyor who executed this plat from the responsibilities and/or liabilities associated therewith.

2004-2005

HAI

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
535 New York Street, Brighton, Mass 02135
Brighton, Mass. 02135
(617) 793-1461 (617) 399-4905 (432) 732-8772
Celebrating over 65 Years of Business

Cellular Reproduction and Development 197-20



Assessor parcel numbers for Willard Land LLC MPC Rezone

02-055-0024

02-055-0082

02-055-0031

02-055-0051

02-055-0043

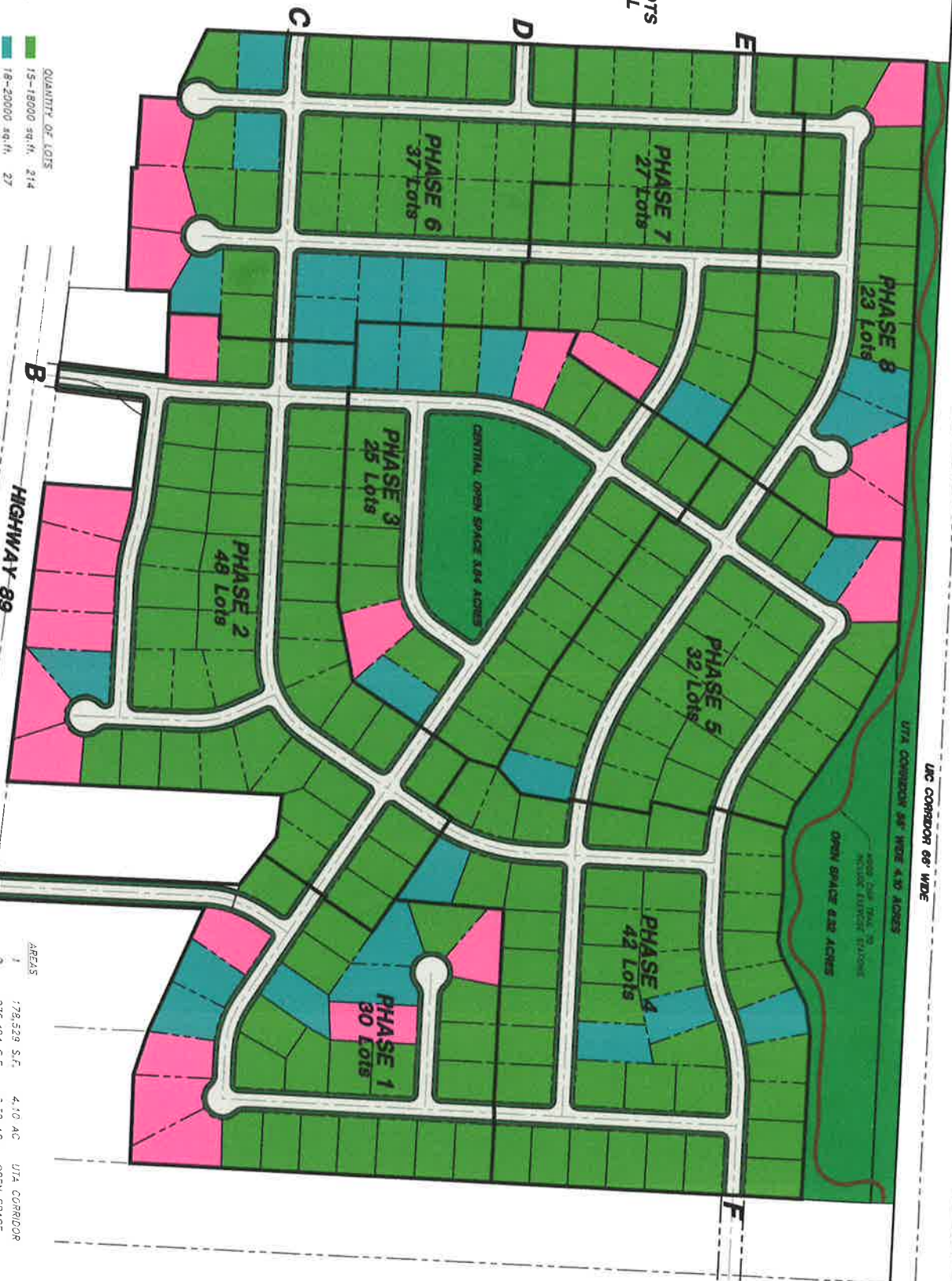
02-055-0067

02-055-0042

01-040-0227

See the attached Annexation Plat

264 LOTS
TOTAL



QUANTITY OF LOTS

15-18000 sq.ft.	214
18-20000 sq.ft.	27
20000+ sq.ft.	23
TOTAL	264 LOTS

SCALE: 1" = 100'

AREAS

1	178,529 S.F.	4.10 AC	UTA CORRIDOR	2.9%
2	275,494 S.F.	6.32 AC	OPEN SPACE	4.4%
3	167,268 S.F.	3.84 AC	CENTRAL OPEN SPACE	2.7%
	621,291 S.F.	14.26 AC	TOTAL OPEN SPACE	10.0%
TOTAL	6,223,608 S.F.	142.87 AC	TOTAL PROJECT AREA	100.0%

CONCEPT PLAN **OLD FARM SUBDIVISION**

HWY 89
WILLARD, UT 84340

Drawn By: MTH Date: 11/11/2021
Designed By:
Checked By:
Approved By:
Scale: 1" = 100'
Drawing File: 12-121119 111121.dwg
JOB NUMBER: 12-121

HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
538 North Main Street, Brigham, Utah 84302
Visit us at www.hansen.net
Brigham City Ogden
(435) 724-3441 (435) 338-4425 (435) 724-6772
Celebrating 60 Years of Business

No.	Date	By	Revision

OLD FARM SUBDIVISION

Master Planned Community

Introduction

The proposed Old Farm Subdivision is located on 142.86 acres in Box Elder County in the South Willard area. The rezone application is being submitted in anticipation of the property being annexed into Willard City. The proposed subdivision consists of 264 lots ranging in size from 15,000 SF to 20,000+ SF. The Property owners are seeking a Master Planned Community (MPC) zoning designation for the property. The information supplied herein is per The Willard City Zoning Ordinance Chapter 12-106 Master Planned Community Zone.

Preliminary Site Plan

(1) Project Name; The proposed name is Old Farm Subdivision Master Planned Community and is located at approximately at 7140 South Highway 89. The attached boundary survey presents the entire area to be included in the MPC Zone application.

(2) Development Agreement; The Proposed Development Agreement that will govern the improvements to be made within the subdivisions attached hereto.

(3) Project Uses; All uses within the project area will be Single Family Residential.

(4) Uses and Density; Residential buildings will have a 35' front, and a total side yard setback of 24 feet with a minimum for one side being 10 feet for each lot. The density of the plan 142 acres with 264 lots is .54 acres per lot based upon gross acreage.

(5) Lot Sizes; Old Farm offers a variety of 15,000 SF to 20,000+ SF lots. Single Family Homes will be located within the lots shown on the conceptual site plan which is attached.

(6) Residential Building Elevations; Building designs and elevations will be determined by the owners of each residential lot. Height, Square footage, exterior building materials, roof pitch, etc. will be governed by the Covenants, Conditions and Restrictions which will be recorded against each residential lot. The proposed CC&Rs are attached hereto.

(7) Open Space; The Open Space associated with the Old Farm Subdivision will consist of a 66 foot wide strip running along the West boundary line of the project containing 4.10 acres, 6.32 acres in the North West corner of the project that will be used for both storm drainage and an extension of a bark surfaced walking and exercise trail system serving the community, and 3.84 acres of land in the center of the project that at the request of the city will be improved as a city park. Total Open Space as defined is 14.26 acres. See the Open Space designated on the conceptual site plan.

The balance of the required Open Space will be covered under a fee in lieu payment to the city of Willard.

(8) Parking; As per the proposed CC&Rs parking for the single family residences will be off road in driveways and in the private garages of each home. In the event the city elects to use the

fee in lieu payment for the development of a park on the 3.84 acre Open Space, approximately 90 parking spaces will be included for park patron

(9) Landscaping; There will be no common landscaping provided as part of the project improvements. All landscaping will be installed by the individual homeowners. Project monument signs may be placed at both points of entrance to the Old Farm Subdivision from Highway 89.

(10) Pedestrian and Traffic Circulation; Pedestrian and traffic circulation will be in accordance with the project layout found on the conceptual site plan

(11) Storm Water and drainage Plan; All streets within the project area will be tied into a storm water drainage system that will flow to the North West Corner of the project. Excess water will then flow through an existing drainage facility under I-15 in a Westerly direction. Detailed engineering plans for the storm drainage system will be submitted as part of the final civil package.

(12) Utility Layout; Dry utility distribution plans will be established by contractual agreements with Rocky Mountain Power, Dominion Energy, and communication company such as Xfinity. Pineview Water Company has agreed to provide secondary Water, upon the approval of the project by Willard City. Sanitary sewer will be extended from each lot through the subdivision and to a new 18" main running along the West Boundary of the subdivision and extending north to the existing Willard City Pump station. This 18" main will be constructed under the terms of the Sewer Line Development and Reimbursement Agreement previously approved by the Willard City Council. A looped culinary water system will connect to an existing 12" line at the South boundary of the Deer Run Subdivision extend in a Southerly direction within the 200 West right of way to the Old Farm Subdivision. The main will extend in an Easterly direction to the City Main running parallel to Highway 89. In addition to the main line extension as herein described parties have agreed through a separate Water Development Agreement to drill a new culinary water well and build a 500,000 gallon storage tank East of Highway 89. This enhanced water infrastructure will provide culinary water capacity far in excess of that needed by the Old Farm Subdivision.

(13) Grading Plans; Final grading plans will be submitted as part of the Civil Engineering package. The site naturally drains to the North West Corner of the Old Farm Subdivision property.

(14) Proposed Development Standards; Please see the proposed CC&Rs attached.

(13) Conceptual Master Plan; Please see the Conceptual master plan which is attached

(16) Community Impacts; The Owners of the proposed Old Farm Subdivision contributed towards the "Financial Impact and Feasibility Analysis Related to the Proposed Annexation into Willard City". This report was compiled by Lewis Young Robertson and Burningham Inc. Dated October 15, 2020. This Feasibility Analysis showed that the Old Farm Subdivision had a positive financial impact on the city of Willard. Please see a copy of the impact analysis attached.

Traffic impacts on the community have been evaluated by Atrans Transportation Engineering as set forth in that certain traffic report dated October 24th 2018.

Discussions relating to the impact of the Old Farm Subdivision on the existing Willard City utility infrastructure have been held with representatives of Jones and associates and the city.

The upgrades that are proposed to both the sewer and water systems of Willard City provide capacity far in excess of the demand that will be placed upon the system by the subdivision.

Box Elder County School District has been informed about the proposed subdivision. They are pleased that the project will be phased over a number of years so they can include plan for future school census needs.

(17) Phasing; Nine phases proposed (approximately 30 lots per phase). The phasing plan is noted on the Conceptual master plan.

(18) Title Report; A current title report is being submitted herewith to aid the cities legal counsel to evaluate ownership and conditions of title.

AFTER RECORDING, PLEASE RETURN To
H Lewis Swain
1688 N. Canyon Circle
Farmington Utah 84025

Space above for Recorder's use

**DECLARATION OF PROTECTIVE COVENANTS,
CONDITIONS AND RESTRICTIONS
Of
The Old Farm Subdivision**

THIS DECLARATION (the "Declaration") is made this _____ day of _____, 2021,
by Willard Land LLC ,a Utah Limited Liability Co. ("Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in Box Elder County, State of Utah, more particularly described on Exhibit "A" attached hereto, _____ lot subdivision (hereinafter the "Subdivision"):

WHEREAS, Declarant intends that the lots within the Subdivision (hereinafter "Lot") shall hereafter be subject to the covenants, conditions, restrictions, reservations, assessments, charges, and liens herein set forth.

NOW, THEREFORE, in consideration of the premises and as part of the general plan for improvement of the Subdivision, Declarant does hereby establish the nature of the use, maintenance and enjoyment of the Subdivision, and does declare that all conveyances of any Lot shall be made subject to the following conditions, restrictions, reservations, assessments, covenants, liens, and stipulations herein set forth that shall be binding upon all parties having any right, title or interest in or to a Lot or any of them, or any part of the Lots, and upon their heirs, successors, and assigns, and shall inure to the benefit of each owner (an "Owner") thereof.

1. LAND USE AND BUILDING TYPE. No Lot within the Subdivision shall be used except for residential purposes. No buildings shall be erected, altered, placed, or permitted to remain on any Lot other than one detached single-family dwelling not to exceed two stories excluding the basement. The height of the single-family dwellings on each lot shall not exceed 35 feet.

All height limitations shall be as measured from the finished floor plane of the primary entry level floor to the highest point of the roof structure, (with any other structures incident to such dwelling to be subject to approval as hereinafter provided, including in Paragraphs 2, 3, and 4 below). No building shall be located on any Lot nearer to the front lot line or the rear Lot line than the minimum building set-back lines required by Willard City. All homes shall be constructed so that what would typically and reasonably appear to be the front of a house faces the street; no house shall be constructed so that what typically and reasonably appears to be the back of the house faces the street.

2. POOLS, FOUNTAINS AND SPORT COURTS. Any desired pool, spa, fountain, game court, or tennis court on a Lot must be expressly approved by the Committee (as that term is hereinafter defined) and shall be located to avoid impacting an adjacent Lot or other property with light or sound and shall not be located in front yards. Pool heaters and pumps on a Lot must be screened from view and sound insulated from neighboring houses. Skateboard ramps are prohibited.

3. ARCHITECTURAL CONTROL. No building shall be erected, placed, or altered on any Lot until the construction plans and specifications, including a site plan showing the location of the structure and a grading plan have been approved in writing by the Architectural Control Committee, Inc., an existing or to-be-organized non-profit corporation (the "Committee") as to the quality of workmanship and materials, harmony of external design with existing structures, and location with respect to topography and finish grade elevation. Drawings submitted to the Committee shall include:

- A. Plot plans to scale showing the entire site, building, garages, walks, drives, fences, lights, and retaining walls, with elevations of the existing and finished grades and contours, including those at the outside corners of the buildings and at adjacent property lines and street fronts, and elevations of floors from a designated point on the street.
- B. Detailed floor plans showing dimensions and measurements.
- C. Detailed elevations, indicating all materials, including the percentage of masonry on each elevation and showing existing and finished grades.
- D. Detailed sections, cross and longitudinal.
- E. Details of cornices, porches, windows, doors, garages, garden walls, steps, patios, fences, carriage lights, etc.
- F. Specifications giving descriptions and color samples of materials to be used on the exterior of the residence.

Once approved by the Committee, no changes or deviations in or from the plans and specifications shall be made without the prior written approval of the Committee. Subsequent to receiving approval of the Committee and prior to the commencement of construction, each Owner shall be responsible for obtaining a building permit from Willard City. No fence or wall shall be erected, placed, on any Lot unless approved by the Committee. Chain link fences are not allowed on Lots except for use as a reasonably-sized dog run located in the back yard within the boundaries of a Lot. Fencing shall be white or tan vinyl as approved by the committee and pool fencing will comply with Paragraph 13 below.

4. DWELLING QUALITY AND SIZE. It is the intention and purpose of this Declaration to assure that all dwellings shall be of quality workmanship and materials. Each dwelling on a Lot shall be constructed of wood or steel frame with brick, rock, cultured stone, long-term cement type clapboard, and/or stucco, or combinations thereof, with glass windows. All homes shall be constructed with at least Thirty Five percent (35%) masonry on the street facing side, and at least twenty percent (20%) on the right and left sides, unless otherwise approved in writing by the Committee. Aluminum, steel, and vinyl siding may only be used on a Lot for soffit and fascia. The ground floor area of the main structure, exclusive of one-story open porches and enclosed garages, shall not be less than 1,800 square feet for a one-story dwelling, nor less than 1,500 square feet on the main level and 1,000 square feet for the second level of a dwelling of more than one story. Full basements are required in all homes unless ground water levels prevent the construction of basements on certain lots. Any exceptions shall require the approval of the Committee. No dwelling, garage, on a Lot shall be constructed or reconstructed with a flat or substantially flat roof. All roofs on a Lot shall have a minimum 6 in 12 pitch, or if shed roofs are proposed the minimum slope will be 4/12, unless otherwise approved by the Committee. All roofs on a Lot shall be of 25-year architectural grade asphalt shingles, slate shingles, standing seam metal or of architectural tile in natural colors. Any addition to a dwelling, garage, on a Lot must be approved in writing in advance by the Committee. All construction is to be of new materials, except that used brick may be used if prior written approval is given by the Committee. At least a private two-car garage is mandatory but shall not exceed a four-car garage (including any garage intended for the storage of a boat or other recreational vehicle). No carports are or will be allowed on a Lot. Detached garages, guest quarters, barns and pool houses on Lots must be approved in writing by the Committee. Storage buildings, on Lots must also be approved in writing by the Committee. Storage sheds on Lots shall not to exceed 150 square feet and must be constructed on a concrete slab and be constructed of the same building quality materials as used for the home. No used sheds will be allowed on a Lot. Exceptions may be considered by, and must be approved in writing by, the Committee. No structure of any kind shall be permitted to remain incomplete (complete is defined as receipt of a Certificate of Occupancy from Willard City for a period in excess of one year from the date the building was started as evidenced by the date upon which the excavation of a basement commenced, unless approved in writing by the Committee). No prefabricated or modular single-family homes shall be allowed. Outbuildings and all other storage buildings must conform to the main structure in style and material choice. The color of all exterior materials used for all improvements shall be disclosed to the Committee in the original submission and shall be subject to written approval by the Committee.

5. LOT AREA. No Lot shall be reduced in size from the size as shown on the recorded plat, or final plat to be recorded as (the "Plat").

LANDSCAPING. Landscaping plans to include but not limited to lawns, irrigation, patio, and garden areas on the Lots must be approved by the Committee. Owners are encouraged to incorporate "water wise" plants when designing their landscape plans. Lot Owners are encouraged to plant trees and shrubs to enhance the natural beauty of their property. Lot Owners are required to plant at least 3, 2" caliper deciduous trees on their lot that can be seen from the street. The planting of trees on Lots that have a high profile and may obstruct the view from

neighboring Lots must be approved in writing by the Committee. Owners of Lots shall be responsible for planting all trees required by Box Elder County, including, without limitation, any street tree planting ordinances.

No Lot Owner shall alter the slope and/or contour of their Lot from that shown on the final grading plan approved by the City, in a manner that will increase the discharge of water onto the surface of any sidewalk, street, or adjoining Lot or adjoining property. All materials used to retain and contour the slope of any Lot must conform to the natural beauty and color of the Lot, and must be approved in writing by the Committee. Each dwelling on a Lot shall have installed surrounding it an outdoor landscape sprinkler system for fire protection and irrigation.

Landscaping on Lots may include a combination of lawn, flowers, shrubs, and or ground cover. Ground cover may include vegetative vines, low-spreading shrubs, or annual or perennial flowering or foliate plants. Ground cover on Lots may also include mineral or non-living organic permeable material in not more than twenty percent (20%) of the net landscaped area, unless otherwise approved in writing by the Committee. Mineral ground cover on Lots may include such materials as rocks, boulders, or brick over sand. Species, size, and placement of landscape elements on Lots shall be determined by the Owner subject to written approval by the Committee prior to commencement of landscaping.

Installed landscaping on Lots shall at all times be reasonably nurtured and maintained including, without limitation, the regular cutting, trimming, and watering of lawns, bushes, trees, and other vegetation in season, and the control and elimination of weeds.

6. EASEMENTS, SLOPE AND DRAINAGE CONTROL. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded Plat. No structure, planting or other material shall be placed on a Lot or permitted to remain, or other activities undertaken, which in any way creates erosion or sliding problems. The easement areas set forth on the Plat, and all improvements in them, shall be maintained continuously by the Owner of the Lot, except for any improvements for which a public authority or utility company is responsible.

7. NUISANCES. No rubbish or debris of any kind shall be placed or permitted to accumulate upon a Lot. Except as permitted under Paragraph Sixteen (16), no odors shall be permitted to arise from a Lot so as to render any such Lot or any portion thereof unsanitary, unsightly, offensive or detrimental to any other property in the vicinity thereof or to its occupants. No noise, offensive activity, or other nuisance shall be permitted to exist or operate on the Lots. Without limiting the foregoing provisions, no exterior speakers, horns, whistles, bells, or other sound devices (other than security devices used exclusively for security purposes) shall be located, used, or placed on any Lot without the prior written approval of the Committee, and if approved, shall not be permitted to cause a nuisance for any adjacent Lot or other property as determined in the sole judgment of the Committee. No automobiles, trailers, boats, or other vehicles are to be stored on streets or front yards of the Lots. Storage on side yards of Lots is permitted only if such vehicles are in running condition, properly licensed, and are being regularly used. The use of motorcycles, ATVs, and other motorized recreational vehicles which may produce audible annoyance to the Owners shall be limited to ingress and egress of the Lots.

The burning of rubbish, leaves, or trash on the Lots is prohibited. No Owner shall permit any condition to exist upon any Lot which shall induce, breed, or harbor infectious plant diseases or noxious insects (the planting and maintenance of gardens shall not constitute a violation of this provision). No tank for the storage of fuel may be allowed or used without the prior written consent of the Committee.

8. WATER DISCHARGE. It shall be unlawful for any person owning, occupying, or having control of any Lot to suffer or permit irrigation or storm water to be discharged and spread upon the surface of any sidewalk, street, or adjoining Lot or adjoining property. This is intended to require that the Lot Owner maintain such water on their own Lot.

9. PARKING AND STORAGE. No major mechanical work or repairs are to be conducted in streets or front yards of houses on the Lots. No commercial-type vehicles and no trucks over one-ton capacity unless approved by the Committee, shall be parked or stored on the front yard setback of any Lot, or on the residential street except while engaged in transportation. Trailers, mobile homes, trucks over one-ton capacity, boats, campers not on a truck bed, motor homes, buses, tractors, and maintenance and commercial equipment of any kind on a Lot shall be parked or stored in an enclosed garage or behind the front yard setback in an enclosed area screened from street view as approved by the Committee. Sufficient side yard access should be planned and provided for in the design of the home to permit ingress, egress, and storage of trailers and recreational-type vehicles on the side and rear yards.

10. TEMPORARY AND OTHER STRUCTURES. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any Lot at any time as a residence, either temporarily or permanently. No old or second-hand structures shall be moved onto any Lot. All dwellings and other buildings on Lots shall be constructed of new materials and good quality workmanship.

11. ACCESSORY STRUCTURES. Patio structures, trellises, sunshades, gazebos, and any other appurtenant buildings on Lots shall be constructed of materials consistent with the colors, textures, and materials approved for the dwelling and shall be integral to the architecture of the house and subject to the prior written approval of the Committee. It is understood that outbuildings such as swimming pool and tennis court dressing facilities may be constructed on any Lot as long as they are in conformity with the requirements of this Declaration and approved in writing by the Committee. All pools must be fenced in strict compliance with local ordinances and with the prior written approval of the Committee as to fence design and material.

12. SIGNS. Except for personal-not commercial-events not lasting longer than 3 days, and election signs which may be placed on a Lot for up to three weeks, no signs of any kind shall be displayed to the public view on any Lot, except one sign of not more than five square feet advertising the Lot for sale or rent, or signs used by an owner or builder to advertise only during the construction and sales period. Signs for the initial marketing of the Lots shall not be limited by this provision.

13. LEASES. Any lease agreement or other agreement permitting occupancy between an Owner of a Lot and a lessee or occupant thereof shall require that such lessee and/or occupant comply with all of the terms, covenants, conditions and restrictions of this Declaration. All such leases and/or agreements shall be required to be in writing and shall be for a term in excess of (6) months.

14. GARBAGE AND REFUSE DISPOSAL. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept on any Lot except in enclosed sanitary containers that shall not be left at the front of any Lot except on the day of collection and the night before. No incinerators or burning are allowed on Lots. Equipment for the storage of disposable material on Lots shall be kept in a clean and sanitary condition. Each Lot and its abutting portion of the street are to be kept free of trash, weeds, and other refuse by the Lot Owner. No unsightly materials or other objects are to be stored on any Lot in view of the general public.

15. ANIMALS. Dogs, cats and other household pets may be kept on Lots provided that they are not kept, bred, or maintained for any commercial purposes and are restricted to the Owner's premises or on a leash under handler's control, except as provided by law and only to the extent not prohibited or restricted by applicable Willard City ordinances. No horses, Cows, pigs, goats, or other farm animals shall be permitted. This notwithstanding lot owners may keep up to 8 chickens and small animals such as rabbits for non commercial purposes.

16. NO HAZARDOUS ACTIVITIES. No activities shall be conducted on any Lot, and no improvements shall be constructed on any Lot, which are or might be unsafe or hazardous to any person, Lot or other property. Without limiting the generality of the foregoing, neither open fires nor incinerators shall be lighted or permitted on any Lot except in a contained barbecue unit while attended and in use for cooking purposes, or within a safe and well designed fireplace or fire pit.

17. REPAIR OF BUILDINGS. No improvement upon any Lot shall be permitted to fall into disrepair, and each such improvement shall at all times be kept in good condition and repair and regularly painted or otherwise finished by the Owner thereof. Damage to a structure shall be immediately repaired or the structure shall be razed by and at the cost of the Owner.

18. IMPROVEMENTS AND ALTERATIONS. There shall be no excavation, construction, or alteration which in any way alters the exterior appearance of any improvement within any of the Lots, nor removal of any improvements on the Lots (other than repairs or rebuilding) without the prior written approval of the Committee.

19. ROOFTOP ANTENNAS AND OTHER DEVICES. Television antennas on Lots are to be placed in the attic out of view. Satellite dishes on Lots shall be the small 18-inch or smaller diameter dishes only and are to be hidden from view of the street. No ham radio, citizens band, or radio antenna or other similar electronic receiving or sending device shall be permitted upon the rooftop or side of any home or elsewhere if exposed to view from any other Lot. In no case will any such receiving or sending antenna or other device be allowed to interfere with the peace and quiet enjoyment of any neighbor's home or home entertainment facilities or equipment. All air conditioning and heating equipment must be screened from view and reasonably insulated for

sound attenuation. Rooftop evaporative coolers are prohibited. Solar panels will be permitted only with the express written consent of the Committee. Meter locations are to be designed into the architecture of the dwelling and screened from view. This provision does not apply to digital readout units. Exterior lights detached from dwellings must be approved by the Committee. Except for satellite dishes or roof top solar panels all rooftop equipment must be coated or painted in colors compatible with the dwelling.

20. CONSTRUCTION AND LANDSCAPING SCHEDULE. All homes being constructed on any Lots shall be completed, and certificates of occupancy for the same obtained, within twelve (12) months of the start of construction, or obtaining a building Permit, whichever is sooner. Landscaping and irrigation of Lots shall be completed in accordance with the Plan previously approved by the Committee within nine (9) months of receipt of a certificate of occupancy. Gravel areas on Lots are not permitted, unless for a parking pad in the fenced area of a rear yard.

21. COMMITTEE MEMBERSHIP. The initial members of the Committee shall be H. Lewis Swain, and Brent Bailey (hereinafter sometimes referred to as the Committee). In the event of the death or resignation of the member of the Committee, The surviving member will appoint a successor of the deceased member and the two shall continue to serve as the sole members of the Committee. Members of the Committee, shall not be entitled to any compensation for services performed pursuant to this Declaration. This Declaration shall not be amended or changed unless such amendment or change is approved by the Committee as then constituted.

Following the sale of the last lot in the subdivision an election will take place to choose three lot owners to serve as members of the architectural Review Committee for an initial term of three years. Each lot owner will cast one vote for each lot owned by them. The three lot owners with the highest number of votes will be the Committee for the next three years. A similar election will take place on or about the three year anniversary of the first Committee election.

22. PROCEDURE. The Committee's approval or disapproval as required in this Declaration shall be in writing. The Committee, or its designated spokesperson, shall approve or disapprove plans and specifications which have been properly submitted to it, in a timely manner, providing their review comments to the lot owner within a period not to exceed 30 days. The Committee shall have no responsibility to enforce building codes, zoning ordinances, or other statutes, laws, or ordinances affecting the development or improvement of real property, and shall have no liability to any Owner for any plans approved in a manner that included any such violation. The Committee and its members further shall have no liability to any Owner for the enforcement or lack thereof of this Declaration or the provisions herein. Corrections or changes in plans to bring them into conformity with applicable codes must be approved, in writing, by the Committee prior to construction.

Any lots whose ownership is retained by the Declarant shall not be subject to the terms and conditions of this Declaration until Declarant 1, Sells the lot to a third party or 2, initiates construction of a dwelling unit on the lot.

23. TERM. The covenants, conditions, restrictions, reservations, assessments, charges, and liens set forth in this Declaration are to run with the land and shall be binding, as they may be

amended from time to time, as provided herein, on all parties and on all persons claiming an interest in a Lot, for a period of thirty years from the date this Declaration is recorded, after which time said covenants, conditions, restrictions, reservations, assessments, charges, and liens shall be automatically extended for successive periods of ten years each.

24 ENFORCEMENT. The Committee and any Lot Owner shall have the right, but not the obligation, to enforce, through any permitted proceeding at law or in equity, the terms, provisions, restrictions and requirements of this Declaration. Any failure to insist upon the strict performance of or compliance with any of the terms, provisions, covenants and requirements of this Declaration shall not result in or be construed to be an abandonment or termination of this Declaration or any waiver of the right to insist upon such performance or compliance with the terms of this Declaration in the future. If any action or proceeding is brought because of a default under, or to enforce or interpret any of the covenants, provisions, or requirements of, this Declaration the party prevailing in such action or arbitration shall be entitled to recover from the unsuccessful party reasonable attorneys' fees (including those incurred in connection with any appeal), the amount of which shall be fixed by the court or the arbitrator and made a part of any judgment rendered.

25 AMENDMENT. This Declaration or any provision therein may be amended by the vote of the declarants until such time as 60% of the lots have been sold. Thereafter an amendment shall require the approval of two thirds of the lot owners .

26 SEVERABILITY. Invalidation of any provision set forth in this Declaration by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has executed this Declaration to be effective as of the date first written above.

DECLARANT

Willard Land LLC

By

It's

STATE OF UTAH

)

) ss:

COUNTY OF

)

The foregoing instrument was acknowledged before me this _____ day of , 2018, by
in his representative capacity as manager for

Notary Public

Residing at:

My Commission Expires:

FINANCIAL IMPACT AND FEASIBILITY ANALYSES RELATED TO THE PROPOSED ANNEXATION INTO WILLARD CITY

PRESENTATION TO THE WILLARD CITY COUNCIL RELATED PROPOSED DEVELOPMENTS:

BLUE OX DEVELOPMENT
WILLARD LAND LLC
VALLEY ESTATES INVESTMENTS LLC

WILLARD CITY, UTAH
OCTOBER 15, 2020



LEWIS YOUNG
ROBERTSON & BURNINGHAM, INC.

OVERVIEW OF DISCUSSION



FINANCIAL IMPACT AND FEASIBILITY ANALYSES RELATED TO THE PROPOSED ANNEXATION INTO WILLARD CITY

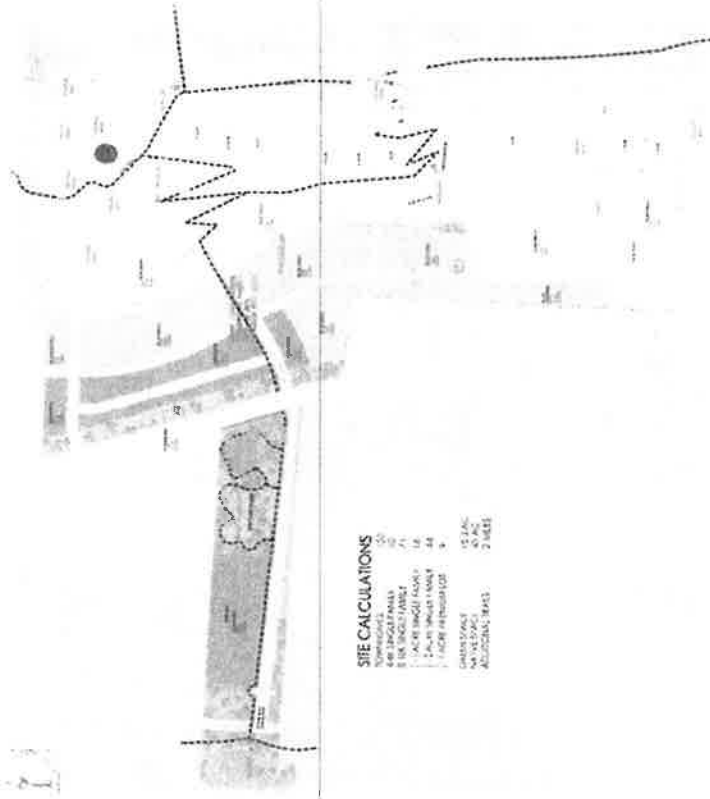
- Blue Ox Development
- Willard Land LLC Development
- Valley Estates Investments LLC

BLUE OX SUMMARY



DEVELOPMENT OVERVIEW

- 144 acres
- Residential Development (Townhome/Single Family)
- 294 Units
- Absorption: 15-17 years
- Assessed Value: \$51.8M



Product	Lot Size	Assessed Value	# of Units
Townhome	0.1 Acre	\$21,879,000	153
Single Family Home	0.09 to 0.14 Acres	1,980,000	10
Single Family Home	0.18 to 0.23 Acres	14,058,000	71
Single Family Home	0.33 to 0.5 Acre	3,696,000	16
Single Family Home	0.5 to 0.75 Acres	10,164,000	44
Total		\$51,777,000	294

PUBLIC INFRASTRUCTURE (100% FUNDED BY DEVELOPER)

Trail Construction and Open Space Improvements	\$316,211
Offsite Sewer Improvements	300,000
Water Tank	450,000
West Side Open Space – Land	1,350,000
East Side Open Space - Land	1,633,500
Total Capital Improvement Costs	\$4,555,961

LYRB



WE PROVIDE SOLUTIONS

PUBLIC INFRASTRUCTURE (ESTIMATES PENDING)

East Side Access Road	TBD
Tank Design and Engineering	TBD
Tank Connection/Up sizing	TBD
Total Capital Improvement Costs	TBD

BLUE OX SUMMARY



COST-BENEFIT SUMMARY

- \$1.27M Cumulative Net Benefit Over 20 Years
- \$4.55M Public Infrastructure provided by property owner/developer

General Fund Revenue	2025	2030	2035	2040	Totals
Property Tax	\$12,944	\$29,115	\$61,899	\$61,899	\$806,610
Sales & Use	33,921	64,677	154,073	170,215	1,981,329
Electric (Franchise)	5,029	9,662	23,098	25,502	296,352
Natural Gas (Franchise)	1,987	3,818	9,128	10,078	117,112
Class C Road Revenues	10,255	21,468	54,254	63,363	683,938
Total Revenue	64,135	128,741	302,451	331,057	3,885,341
General Fund Expense					
Streets	3,993	9,290	22,585	24,935	284,846
Class C Road Expenditures	5,150	9,896	23,655	26,117	303,457
General Government	8,123	18,900	45,946	50,729	579,489
Parks	1,646	3,830	9,312	10,281	118,552
Fire Protection	-	12,535	13,840	15,280	191,527
Law Enforcement	-	112,796	124,535	137,497	1,723,396
Total Expense	18,912	167,247	239,874	264,840	3,201,266
Net Benefit	45,223	(38,506)	62,577	66,217	684,075
Other Revenue					
Gravel Pit (Extraction Royalty)	36,532	40,334	44,532	-	583,653
Net Benefit (Including Other Revenues)	\$81,755	\$1,828	\$107,110	\$66,217	\$1,267,728

*2-20-25
R. City*



WILLARD LAND LLC SUMMARY



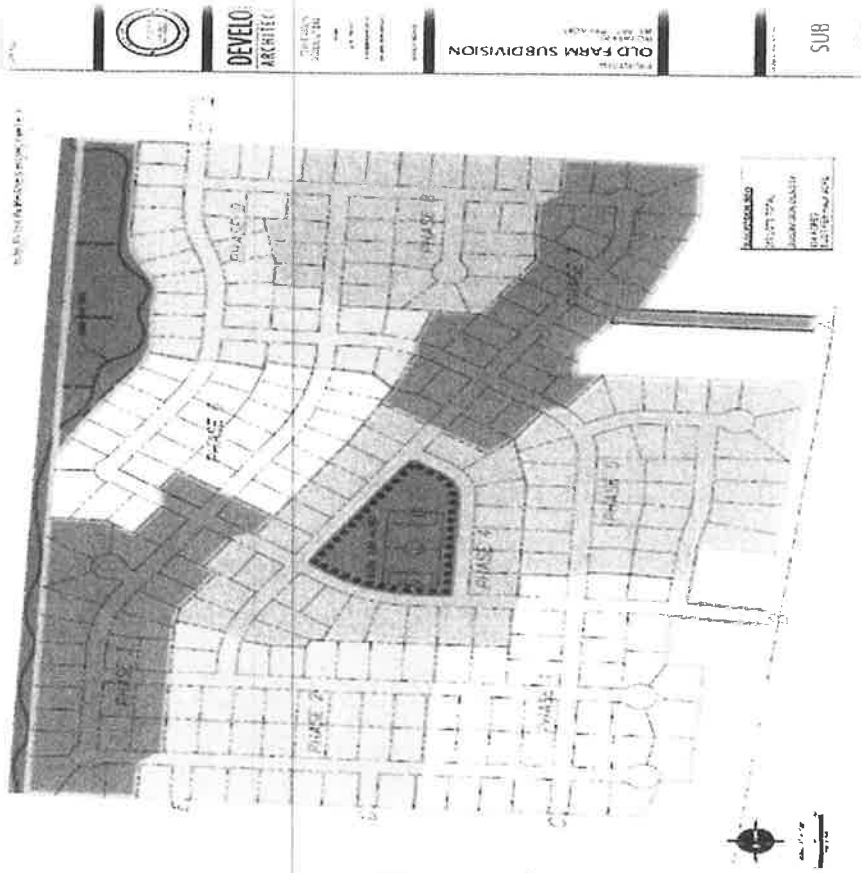
DEVELOPMENT OVERVIEW

- 134 acres
- Residential Development (Single Family)
- 264 Units
- Absorption: 7-10 years
- Assessed Value: \$62.0M

Product	Lot Size	Assessed Value	# of Units
Single Family Home	18,000 SF	\$48,236,716	214
Single Family Home	18,000 SF - 20,000 SF	6,845,419	27
Single Family Home	20,000+ SF	6,899,234	23
Total		\$61,981,370	264

PUBLIC INFRASTRUCTURE (100% FUNDED BY DEVELOPER)

Off-site sewer improvements	\$300,000
Culinary water improvements	210,000
Park	800,000
Total Capital Improvement Costs	\$1,310,000



WILLARD LAND LLC SUMMARY



COST-BENEFIT SUMMARY

- \$665K Cumulative Net Benefit Over 20 Years
- \$1.3M Public Infrastructure provided by property owner/developer

General Fund Revenue	2025	2030	2035	2040	Totals
Property Tax	\$30,495	\$71,898	\$71,898	\$71,898	\$1,073,923
Sales & Use	52,680	119,607	131,952	146,148	1,948,497
Electric (Franchise)	7,517	18,786	20,741	22,899	354,167
Natural Gas (Franchise)	2,970	7,424	8,196	9,049	118,191
Class C Road Revenues	7,569	36,967	42,915	49,838	579,656
Total Revenue	101,231	254,681	275,702	299,833	4,074,434
General Fund Expense					
Streets	9,407	24,487	27,036	29,850	388,436
Class C Road Expenditures	4,044	10,106	11,158	12,319	160,900
General Government	19,138	49,817	55,002	60,726	790,232
Parks	3,803	9,899	10,929	12,066	158,182
Fire Protection	-	12,535	13,840	15,280	191,527
Law Enforcement	-	112,796	124,535	137,497	1,723,396
Total Expense	36,391	219,640	242,500	267,739	3,412,672
Net Benefit	\$64,840	\$35,042	\$33,202	\$32,094	\$661,762



VALLEY ESTATE INVESTMENTS LLC SUMMARY



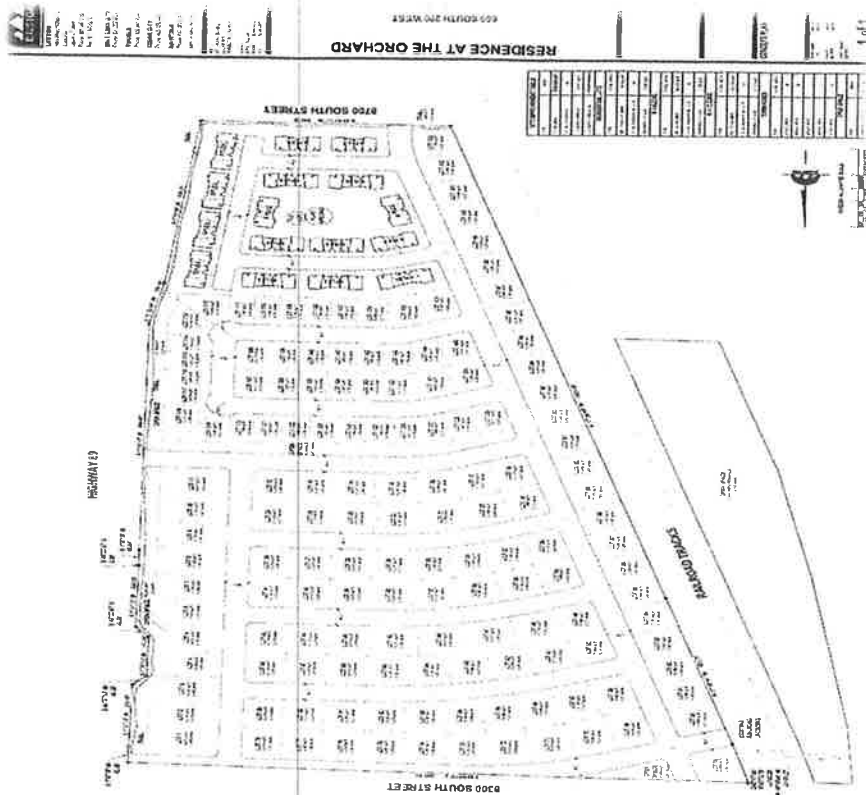
DEVELOPMENT OVERVIEW

- 74 acres
- Residential Development (Single Family/Townhome)
- 224 Units
- Absorption: 3-6 years
- Assessed Value: \$43.3M

Product	Assessed Value	# of Units
R-1-6 Zone SFH	\$6,930,000	42
R-1-12 Zone SFH	21,243,750	103
4-Plex Townhomes	5,794,250	43
3-Plex Townhomes	9,360,000	36
Total	\$43,328,000	224

PUBLIC INFRASTRUCTURE (100% FUNDED BY DEVELOPER)

Off-site sewer improvements	\$1,200,000
Total Capital Improvement Costs	\$1,200,000



VALLEY ESTATE INVESTMENTS LLC SUMMARY



COST-BENEFIT SUMMARY

- \$1.079M Cumulative Net Benefit Over 20 Years
- \$1.2M Public Infrastructure provided by property owner/developer

General Fund Revenue	2025	2030	2035	2040	Totals
Property Tax	\$81,449	\$84,697	\$84,697	\$84,697	\$1,483,874
Sales & Use	84,173	101,485	111,959	124,005	1,803,172
Electric (Franchise)	11,923	14,445	15,948	17,608	256,386
Natural Gas (Franchise)	4,712	5,708	6,302	6,958	101,318
Class C Road Revenues	22,582	32,166	37,385	43,470	572,300
Total Revenue	204,838	238,500	256,292	276,739	4,217,051
General Fund Expense					
Streets	13,829	17,118	18,899	20,866	305,416
Class C Road Expenditures	8,342	10,106	11,158	12,319	179,378
General Government	28,135	34,824	38,449	42,451	621,336
Parks	5,590	6,920	7,640	8,435	123,459
Fire Protection	-	12,290	13,569	14,981	187,771
Law Enforcement	-	112,796	124,535	137,497	1,723,396
Total Expense	55,896	194,053	214,250	236,549	3,140,756
Net Benefit	\$148,942	\$44,448	\$42,042	\$40,189	\$1,076,295



NET BENEFIT OVERVIEW



- The table below shows the net benefit of the proposed annexation for Willard City related to the General Fund and;
- The table below shows the public infrastructure that will be financed and paid for by the developer that also add benefit to Willard City

Development	General Fund	Infrastructure
Blue Ox Development	\$1,267,728	\$4,555,961
Willard Land LLC Development	661,762	1,310,000
Valley Estates LLC Development	1,076,295	1,200,000
Total	\$3,005,785	\$7,065,961



Old Farm Subdivision
7140 South US 89
Traffic Impact Study

Willard, UT

November 2018



A-Trans Engineering
P.O. Box 521651
Salt Lake City, Utah 84152
(801) 949-0348 telephone
(801) 582-6252 fax

TRAFFIC STUDY

Old Farm Subdivision 7140 South US 89 Traffic Impact Analysis

Willard, Utah

Category II

November 2018

Prepared by:

A-Trans Engineering
Joseph Perrin, PhD, PE, PTOE
P.O. Box City, 521651
Salt Lake City, Utah 84152
(801) 949-0348
atrans@comcast.net

Table of Contents

I.	Introduction and Summary	1
II.	Proposed Project.....	2
III.	Study Area Conditions	2
IV.	Analysis of Existing Condition	6
V.	Projected Traffic.....	8
VI.	Growth.....	11
VII.	Traffic Analysis	16
VIII.	Conclusions	20
IX.	Recommendations	21

Table of Figures

Figure 1: Conceptual Site Plan	3
Figure 2: Site Location	4
Figure 3: Existing Geometry	5
Figure 4: Existing Traffic	7
Figure 5: Origin Destination	9
Figure 6: Site Trip Distribution	10
Figure 7: 2019 Background Traffic	12
Figure 8: 2024 Background Traffic	13
Figure 9: 2019 Total Traffic	14
Figure 10: 2024 Total Traffic	15

Table of Tables

Table 1: Intersection LOS-Delay Relationship.....	6
Table 2: Existing Level of Service	6
Table 3: Trip Generation for Site.....	8
Table 4: Growth Projections	11
Table 5: Tams Road / US 89 Intersection Analysis.....	16
Table 6: 7325 South / US 89 Intersection Analysis.....	17
Table 7: 7425 South / US 89 Intersection Analysis.....	17
Table 8: 6940 South / US 89 Intersection Analysis.....	17
Table 9: 7140 South / US 89 Intersection Analysis.....	18
Table 10: Queue Analysis.....	18

I. Introduction and Summary

The proposed site is located on the west side of US 89 at 7140 South in Willard, Utah. The site is planning to develop into 268 single family homes and is projected to generate 198 AM and 265 PM peak hour trips with 2,530 daily trips. The site is planning to two direct accesses to US 89, one at 6940 South and another at 7140 South. The site will also have cross access to adjacent neighborhoods to the north and a future connection to the north once the property develops.

The intersection of Tams Road / US 89 operates with side street delay at LOS A in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better. The intersection of 7325 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better. The intersection of 7425 South / US 89 operates with side street delay at LOS B in the AM peak period and LOS D in the PM peak periods. This LOS is maintained throughout 2024 without the site and declines to LOS E in the PM peak period. No site traffic is projected to utilize this roadway.

The new intersection of 6940 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024. The new intersection of 7140 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024.

Recommendations:

The intersections of 6940 South / US 89 and 7140 South / US 89 meets the thresholds for a left turn deceleration lanes which is provided with the existing center turn lane. Southbound right turn lanes are prudent on high speed facilities but the projected volumes do not meet the UDOT thresholds for being required.

II. Proposed Project

The proposed single family homes Old Farm Subdivision is located on the west side of US 89 at 7140 South in Willard, Utah. The site is planning to develop into 268 single family homes and is projected to generate 198 AM and 265 PM peak hour trips with 2,530 daily trips. The site is planning to two direct accesses to US 89, one at 6940 South and another at 7140 South. The site will have cross access to the residential neighborhood to the south.

The site has approximately 3,000 feet of frontage and proposing accesses located 1,300 feet apart. 6940 South is located approximately 1,270 feet north of 7140 South which is located approximately 1,350 feet north of 7325 South. There are several residential driveways located along US 89 within the area. Figure 1 shows the conceptual site plan and access locations.

III. Study Area Conditions

The study area includes the following intersection.

- Tams Road / US 89
- 6940 South / US 89 (New Site Access)
- 7140 South / US 89 (New Site Access)
- 7325 South / US 89 (Existing Cross Access)
- 7425 South / US 89

Figure 2 shows the location of the site and access spacing. Figure 3 shows existing intersection geometry.

US 89

Main Street or US 89 is a five lane facility with two lanes in each direction and a center turn lane. The 2016 AADT is 11,000 vehicles per day and the posted speed limit is 55 MPH. It is classified by UDOT as a Category 4 roadway.



Conceptual Site Plan

Figure 1

A-TRANS TRANSPORTATION ENGINEERING
P.O. BOX 621651, SLC, UT 84152
Phone: 801-949-0348 Fax: 801-582-6262





Existing Geometry

Figure 3

IV. Analysis of Existing Condition

The existing traffic counts were performed on October 30th – 31st, 2018 during the AM and PM peak periods. Figure 4 shows existing traffic counts utilized in the study.

The 2010 Highway Capacity Manual defines the Level of Service (LOS) for both signalized and unsignalized intersections as a range of average experienced delay. LOS is a qualitative rating of traveler satisfaction from A to F whereby LOS A is good and LOS F poor. Table 1 shows the LOS range by delay for unsignalized and signalized intersections and accesses.

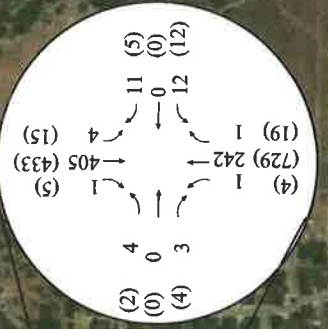
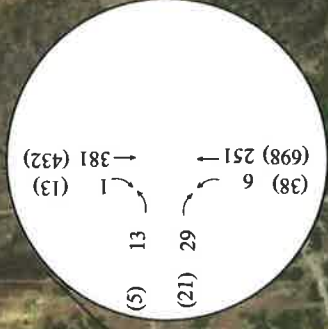
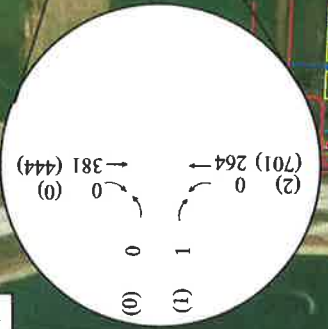
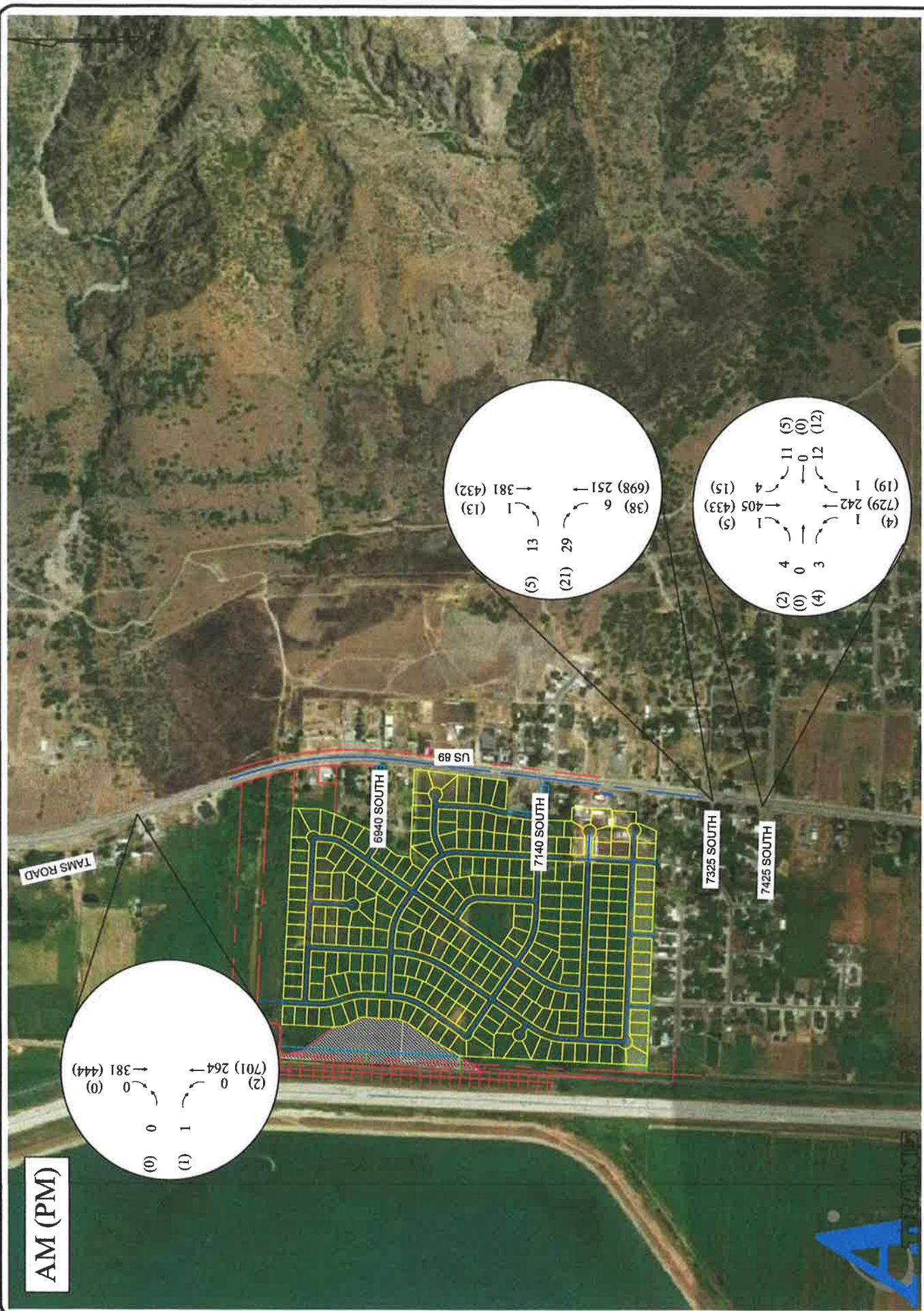
Table 1: Intersection LOS-Delay Relationship

	Unsignalized	Signalized
Level of Service	Total Delay per Vehicle (sec)	Total Delay per Vehicle (sec)
A	≤ 10.0	≤ 10.0
B	> 10.0 and ≤ 15.0	> 10.0 and ≤ 20.0
C	> 15.0 and ≤ 25.0	> 20.0 and ≤ 35.0
D	> 25.0 and ≤ 35.0	> 35.0 and ≤ 55.0
E	> 35.0 and ≤ 50.0	> 55.0 and ≤ 80.0
F	> 50.0	> 80.0

The intersection of Tams Road / US 89 operates with side street delay at LOS A in both the AM and PM peak periods. The intersection of 7325 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods. The intersection of 7425 South / US 89 operates with side street delay at LOS B in the AM peak period and LOS D in the PM peak periods. Table 2 shows the Existing LOS.

Table 2: Existing Level of Service

	Tams Road / US 89 (EBL)	7325 South / US 89 (EBL)	7425 South / US 89 (WBL)
AM	9.6 A	10.7 B	11.5 B
PM	9.8 A	11.0 B	25.8 D



V. Projected Traffic

A. Trip Generation

Trip generation for the site was done using The Institute of Transportation Engineers (ITE) *Trip Generation* (10th Edition) handbook. The site is planning to include 268 single family homes and is projected to generate 198 AM and 265 PM peak hour trips with 2,530 daily trips. The trip generation for the site is shown in Table 2.

Table 3: Trip Generation for Site

Size	Trip Rate	Trips	% IN	% Out	Trips In	Trips Out
AM						
268	0.74	198	25%	75%	50	148
PM						
268	0.99	265	63%	37%	167	98

B. Trip Distribution

Project site traffic was applied to the origin-destination (O-D) for the site. Origin-destination was determined from evaluating the existing traffic patterns and hourly traffic volumes on each leg of the included intersections as well as the location of retail centers and freeways relative to this site. This was used as a baseline for origin destination and engineering judgment was applied to this to determine the following OD for the site.

- 25% to/from north on US 89
- 75% to/from south on US 89

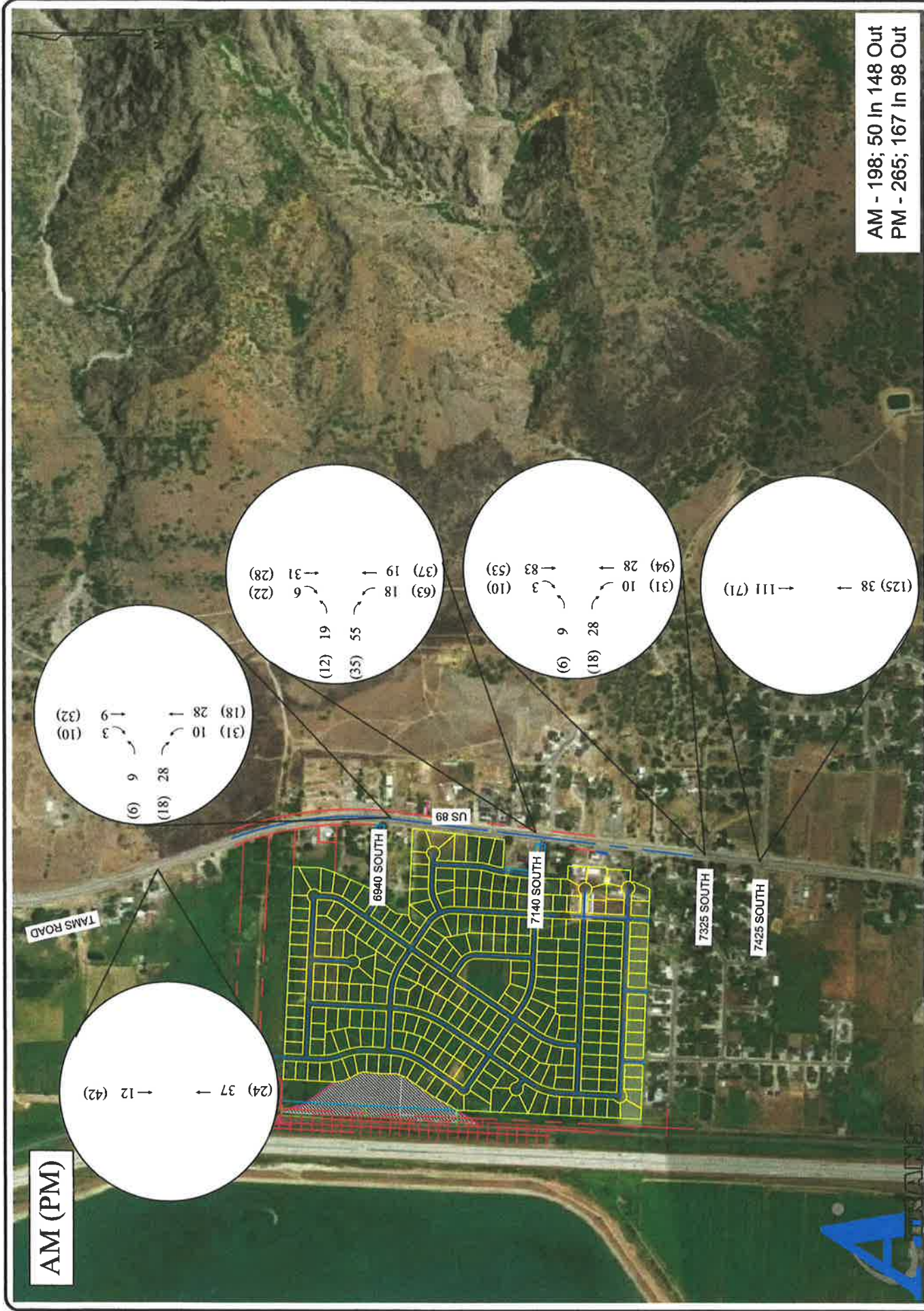
Origin Destination is shown in Figure 5. Site trip distribution is shown in Figure 6.



Origin Destination

Figure 5

A-TRANS TRANSPORTATION ENGINEERING
P.O. BOX 521661, SLC, UT 84162
Phone: 801-940-0349 Fax: 801-582-6252



Site Generated Traffic

Figure 6

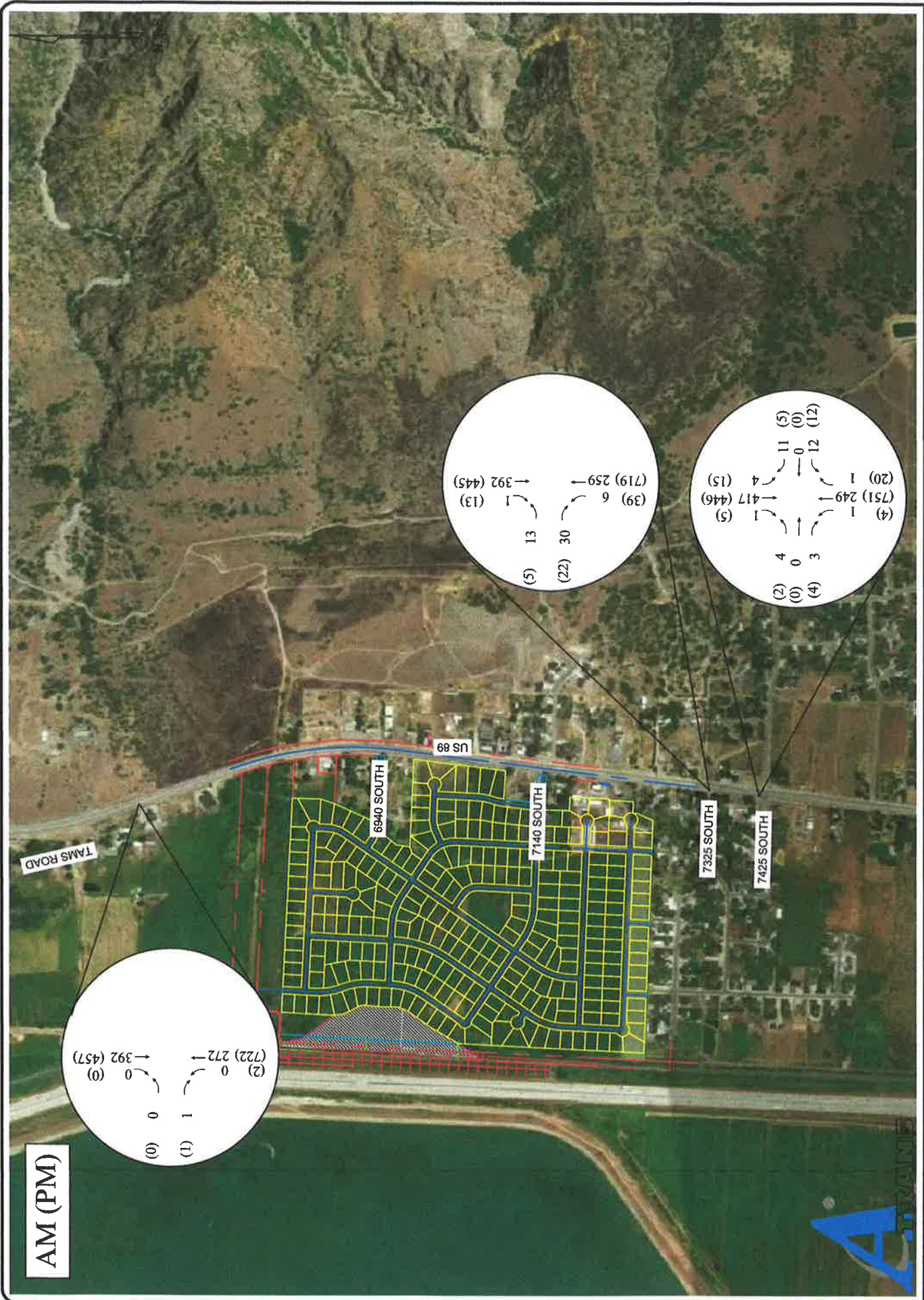
VI. Growth

Growth in the area was determined from UDOT's Traffic on Utah Highways (2004 – 2016). The volumes and projections utilized to determine growth in the area is shown in Table 4. The average growth rate from 2004 to 2016 excluding the 35% decrease is 2.6%, the average growth rate from 2011 to 2016 was also found at 2.6%. Based on this similarity the growth rate of 2.6% was applied and the growth factor for 2019 is 1.03 and for 2024 is 1.17.

Table 4: Growth Projections

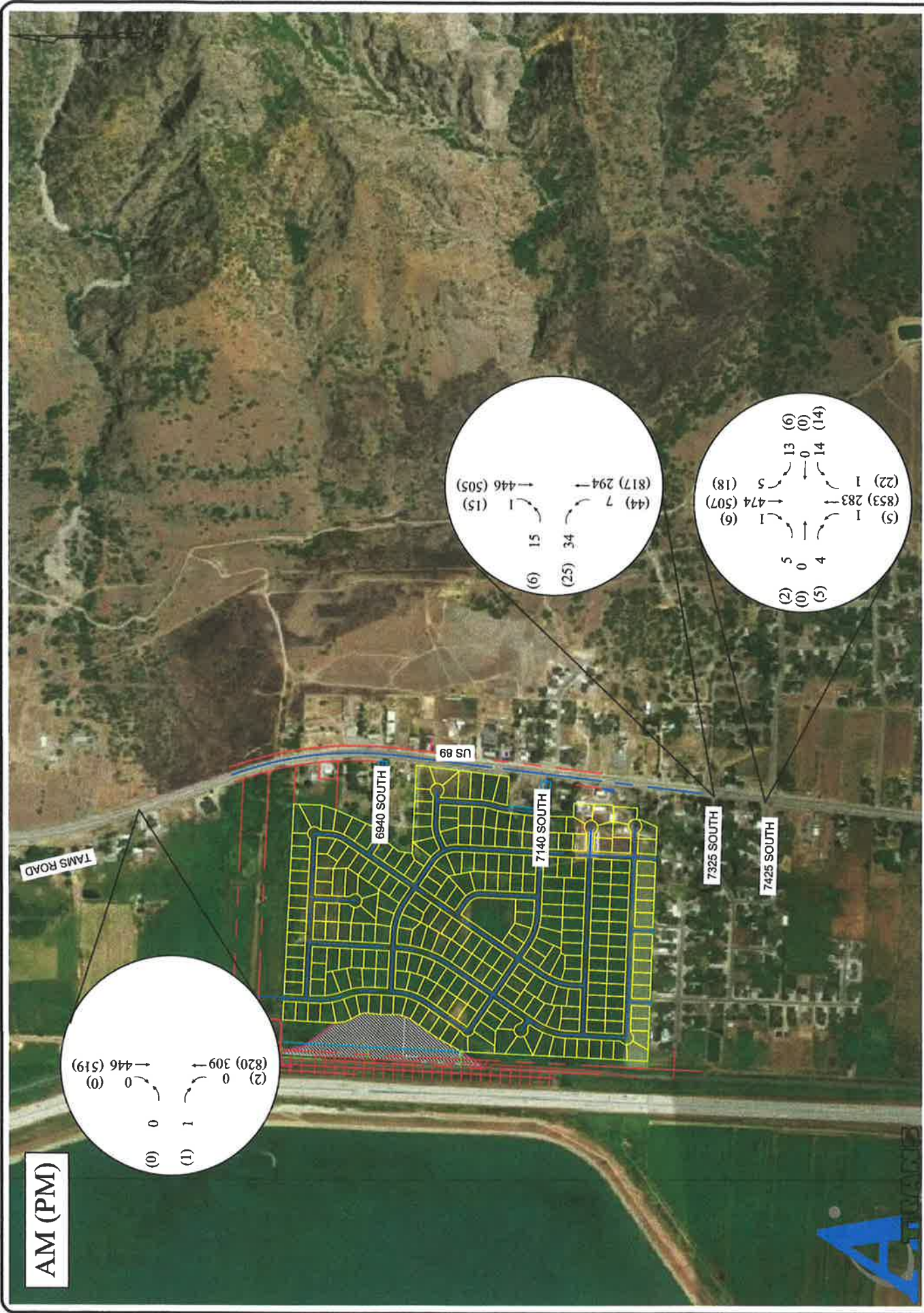
Year	AADT	Growth
2004	13,000	
2005	13,000	0%
2006	14,000	8%
2007	15,000	7%
2008	14,000	-7%
2009	14,000	0%
2010	15,000	7%
2011	9,700	-35%
2012	9,500	-2%
2013	9,800	3%
2014	10,000	2%
2015	11,000	10%
2016	11,000	0%
	Average	2.6%

Background traffic is determined by multiplying the existing traffic by the growth factor for each future analysis period. 2019 Background Traffic is shown in Figure 7. 2024 Background Traffic is shown in Figure 8. Total traffic in the area for the future projection years is derived by adding the non-site volume forecasts to the site trip distribution. 2019 Day Total Traffic is shown in Figure 9 and 2024 Total Traffic is shown in Figure 10.



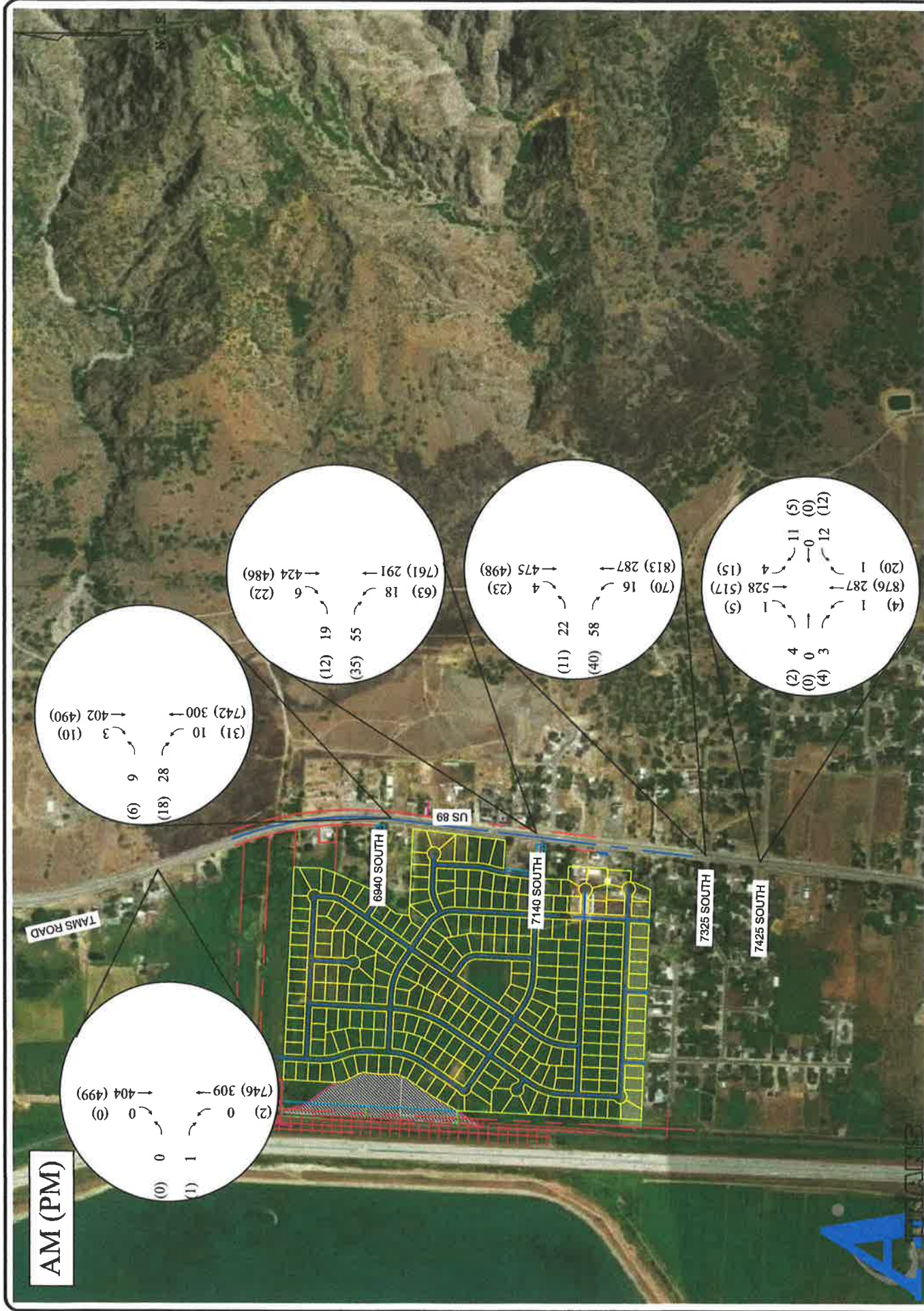
2019 Background Traffic

Figure 7



2024 Background Traffic

Figure 8



2019 Total Traffic

Figure 9

AM (PM)

TAMS ROAD

US 89

6940 SOUTH

7140 SOUTH

7325 SOUTH

7425 SOUTH

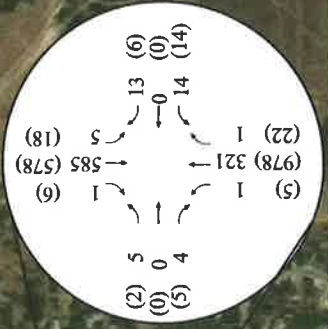
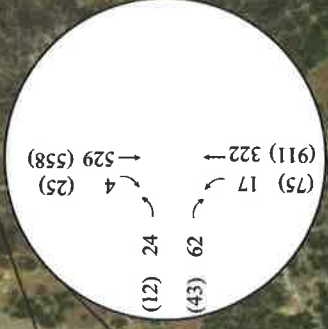
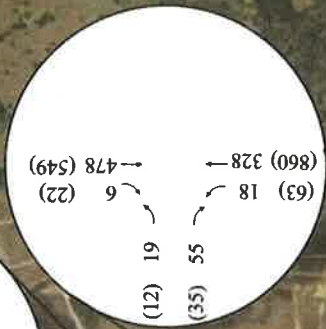
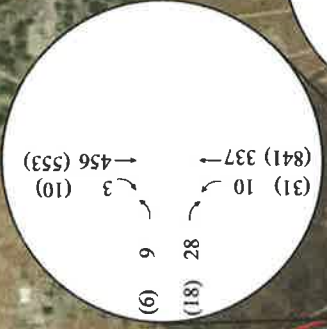
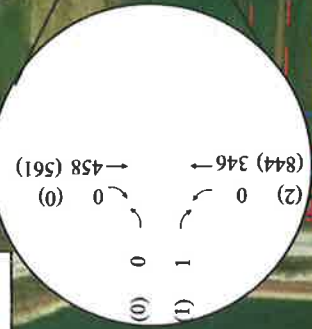


Figure 10

2024 Total Traffic

VII. Traffic Analysis

A. Level of Service Analysis

The intersection and access analysis evaluates the performance of each intersection and access using the measure of performance of delay and level of service (LOS). Tables 5-9 show the intersection and access analysis.

Analysis Results

- The intersection of Tams Road / US 89 operates with side street delay at LOS A in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better.
- The intersection of 7325 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better.
- The intersection of 7425 South / US 89 operates with side street delay at LOS B in the AM peak period and LOS D in the PM peak periods. This LOS is maintained throughout 2024 without the site and declines to LOS E in the PM peak period. No site traffic is projected to utilize this roadway.
- The new intersection of 6940 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024.
- The new intersection of 7140 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024.

Table 5: Tams Road / US 89 Intersection Analysis

		NBL		EBL	
2018 Existing	AM	0.0	A	9.6	A
	PM	8.4	A	9.8	A
2019 Background	AM	0.0	A	9.6	A
	PM	8.5	A	9.9	A
2019 Total	AM	0.0	A	9.7	A
	PM	8.6	A	10.1	B
2024 Background	AM	0.0	A	9.8	A
	PM	8.7	A	10.1	B
2024 Total	AM	0.0	A	9.9	A
	PM	8.8	A	10.3	B

Table 6: 7325 South / US 89 Intersection Analysis

		NBL		EBL	
2018 Existing	AM	8.2	A	10.7	B
	PM	8.5	A	11.0	B
2019 Background	AM	8.2	A	10.8	B
	PM	9.6	A	11.4	B
2019 Total	AM	8.6	A	11.8	B
	PM	8.9	A	12.3	B
2024 Background	AM	8.4	A	11.3	B
	PM	8.8	A	11.7	B
2024 Total	AM	8.8	A	12.4	B
	PM	9.2	A	13.1	B

Table 7: 7425 South / US 89 Intersection Analysis

		NBL		EBL		WBL		SBL	
2018 Existing	AM	8.3	A	12.7	B	11.5	B	7.8	A
	PM	8.4	A	14.1	B	25.8	D	9.6	A
2019 Background	AM	8.3	A	12.9	B	11.7	B	7.8	A
	PM	8.4	A	14.5	B	26.0	D	9.7	A
2019 Total	AM	8.7	A	14.7	B	12.6	B	7.9	A
	PM	8.7	A	16.5	C	34.3	D	10.3	B
2024 Background	AM	8.5	A	13.9	B	12.4	B	7.9	A
	PM	8.7	A	16.3	C	33.9	D	10.2	B
2024 Total	AM	8.9	A	16.0	C	13.6	B	8.0	A
	PM	8.9	A	17.8	C	46.5	E	11.0	B

Table 8: 6940 South / US 89 Intersection Analysis

		NBL		EBL	
2019 Total	AM	8.3	A	10.7	B
	PM	8.7	A	13.3	B
2024 Total	AM	8.5	A	11.0	B
	PM	9.0	A	13.3	B

Table 9: 7140 South / US 89 Intersection Analysis

		NBL		EBL	
2019 Total	AM	8.4	A	11.3	B
	PM	8.9	A	12.5	B
2024 Total	AM	8.6	A	12.1	B
	PM	9.2	A	13.1	B

B. Queue Analysis

Based on the projected traffic, queue storage length requirements can be determined. To determine if sufficient storage space exists to accommodate the projected demand, the intersection and accesses included in this traffic study are analyzed for queue storage capacity. The queue lengths are provided by the HCM analysis and are done through Synchro. Once the storage length is determined, this can typically be compared to the available storage length within the provided turn pockets or between intersections. Table 10 shows the minimum recommended queue storage length that should be provided based on the critical unsignalized and signalized calculation and projected traffic demand.

Table 10: Queue Analysis

		NBL	EBL	WBL	SBL
Tams Road / US 89	Available	TWLT			
	Recommended	25	25		
7325 South / US 89	Available	TWLT			
	Recommended	25	25		
7425 South / US 89	Available	TWLT			TWLT
	Recommended	25	25	25	25
6940 South / US 89	Recommended	25	25		
7140 South / US 89	Recommended	25	25		

C. Access and Roadway Category

According to the UDOT, US 89 is categorized as a Category 4 roadway. As per UDOT Administrative Rule R930-6, signal spacing is required at 2,640 feet, street spacing is required at 660 feet and access spacing is required at 500 feet or by variance. The distance between access points/intersections is measured from end of radius to end of adjacent radius. The site is planning to two direct accesses to US 89, one at 6940 South and another at 7140 South. The site will have cross access to the residential development to the south.

6940 South is located approximately 1,270 feet north of 7140 South which is located approximately 1,350 feet north of 7325 South. There are several residential driveways located along US 89 within the area. Due to these residential driveways and 7150 South, the streets do not meet the required spacing and must be approved through the variance process.

According to UDOT Administrative Rule R930-6 a Category 4 roadway requires:

- A left turn deceleration lane with taper and storage length is required for any access with a projected peak hour left ingress turning volume greater than 10 vehicles per hour. The taper length must be included in the required deceleration length.
- A right turn deceleration lane and taper length is required for any access with a projected peak hour right ingress turning volume greater than 25 vehicles per hour. The taper length must be included in the required deceleration length.
- A right turn acceleration lane and taper length is required for any access with a projected peak hour right turning volume greater than 50 vehicles per hour when the posted speed on the highway is greater than 40 mph. The taper length must be included in the required acceleration length. A right turn acceleration lane may also be required at a signalized intersection if a free-right turn is needed to maintain an appropriate level of service for the intersection.
- Right turn deceleration and acceleration lanes are generally not required on roadways with three or more travel lanes in the direction of the right turn.
- A left turn acceleration lane may be required if it will be a benefit to the safety and operation of the roadway.
- A left turn acceleration lane is generally not required where the posted speed is less than 45 mph, the intersection is signalized, or the acceleration lane would interfere with the left turn ingress movements to any other access.

6940 South

A left turn deceleration lane is required based on the projected volumes, this requirement is met by utilizing the existing two way left turn lane.

7140 South

A left turn deceleration lane is required based on the projected volumes, this requirement is met by utilizing the existing two way left turn lane.

7325 South (existing)

A left turn deceleration lane is required based on the projected volumes, this requirement is currently being met by utilizing the existing two way left turn lane.

A right turn deceleration lane is built with 175 feet of storage, the estimated right turns in the 2024 PM scenario is estimated at 25 vehicles per hour.

D. Safety Information

UDOT provides a Safety Index or safety ratings in a statewide safety comparison of major roadways. This takes into account the different traffic patterns and volumes experienced in urban and rural areas. The Safety Index is a combination of four equally weighted safety analysis sub-scores: Crash Rate Score, Severe Crash Rate Score, Crashes per Mile Score and Severe Crashes per Mile Score. The Safety Index is reported on a 0 to 10 scale with 10 representing the worst condition.

This segment of US 89 has a Safety Index of 6 out of 10 with a crash rate at 50% of the average rate and a severe crash rate at 190% of average.

VIII. Conclusions

The proposed townhome development is located on the south side of 2550 South at 2300 West in West Haven, Utah. The site is planning to develop as 135 townhomes and is projected to generate 62 AM and 76 PM peak hour trips with 988 daily trips. The site is planning to access 2550 South as the forth approach to the existing intersection of 2300 West. A secondary access is planned approximately 215 feet east of 2300 West along 2550 South.

The following comments are made about the site:

- The intersection of Tams Road / US 89 operates with side street delay at LOS A in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better.
- The intersection of 7325 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods. With and without the site throughout 2024 the intersection operates with side street delay of LOS B or better.
- The intersection of 7425 South / US 89 operates with side street delay at LOS B in the AM peak period and LOS D in the PM peak periods. This LOS is maintained throughout 2024 without the site and declines to LOS E in the PM peak period. No significant site traffic is projected to utilize this roadway.
- The new intersection of 6940 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024.
- The new intersection of 7140 South / US 89 operates with side street delay at LOS B in both the AM and PM peak periods in 2019 and 2024.
- At the newly proposed 6940 South and 7140 South, a left turn deceleration lane is required based on the projected volumes, this requirement can be met by utilizing the existing two way left turn lane.
- At 7325 South (existing), a left turn deceleration lane is required based on the projected volumes, this requirement is currently being met by utilizing the existing two way left turn lane. A right turn deceleration lane is built with 175 feet of storage, the estimated right turns in the 2024 PM scenario is estimated at 25 vehicles per hour.
- This segment of US 89 has a Safety Index of 6 out of 10 with a crash rate at 50% of the average rate and a severe crash rate at 190% of average.

IX. Recommendations

The intersections of 6940 South / US 89 and 7140 South / US 89 meets the thresholds for a left turn deceleration lanes which is provided with the existing center turn lane. Southbound right turn lanes are prudent on high speed facilities but the projected volumes do not meet the UDOT thresholds for being required.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 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	Zack Hulsey	Michelle Drago, Deputy City Recorder

11
12 Excused: Alex Dubovik and Blake Harrop

13
14 Others in attendance: Doug Younger; Steve Brimberry; Jay Thackeray; Chad Braegger; Shane Barthlome;
15 Ted Baird; Blake Crouch; Clint McCormick; and Lisa McCormick.

16
17 The meeting was called to order at 6:36 p.m.

18
19 1. PRAYER: Chandler Bingham

20
21 2. PLEDGE OF ALLEGIANCE: Diana Baker

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

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

26
27 There weren't any public comments.

28
29 5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENT REGARDING A PETITION FROM SHANE
30 BARTHLOME TO REZONE APPROXIMATELY 2.4 ACRES LOCATED AT APPROXIMATELY 672
31 NORTH 200 WEST (PARCEL NO. 02-046-0096) FROM A-5 TO COMMERCIAL GENERAL

32
33 Time Stamp: 05/19/2022 1:43

34
35 **Commissioner Baker moved to open the public hearing at 6:38 p.m. Commissioner Hulsey**
36 **seconded the motion. All voted "aye." The motion passed unanimously.**

37
38 Chairman Bodily read the Planning Commission's Rules of Order statement.

39
40 Bryce Wheelwright, City Planner, stated that the City had received a petition from Shane Barthlome to
41 rezone approximately 2.4 acres he owned that was located on the southeast corner of 750 North 200 West.
42 The City's General Plan planned for both sides of 750 North to be zoned Commercial General and become
43 a commercial business district from the highway to the freeway. Mr. Barthlome's rezone request complied
44 with the General Plan. Mr. Barthlome was thinking about doing some kind of a youth sports complex.

45
46 Chairman Bodily asked if the applicant, Shane Barthlome, wanted to make any comments. Mr. Barthlome
47 did not have anything to add.

48
49 Chairman Bodily opened the floor for public comments.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

50 Clint McCormick, 75 West 500 North, asked how far the commercial area on 750 North would extend. Bryce
51 Wheelwright said the future zoning plan showed commercial on both sides of 750 North from Highway 89
52 to the freeway.

53
54 Lisa McCormick, 75 West 500 North, stated that they didn't want any commercial. She felt it was drastic to
55 change from A-5 to Commercial General.

56
57 Bryce Wheelwright stated that there was not a reason to deny Mr. Barthlome's petition.

58
59 Clint McCormick asked if the City could deny a request for an objectionable business if the area was zoned
60 commercial. Bryce Wheelwright stated that the City could deny a request if it involved hazardous conditions.

61
62 **Commissioner Baker moved to close the public hearing at 6:42 p.m. Commissioner Hulsey**
63 **seconded the motion. All voted "aye." The motion passed unanimously.**

64
65 5B. CONSIDERATION AND RECOMMENDATION REGARDING OF A PETITION FROM SHANE
66 BARTHLOME TO REZONE APPROXIMATELY 2.4 ACRES LOCATED AT APPROXIMATELY 672
67 NORTH 200 WEST (PARCEL NO. 02-046-0096) FROM A-5 TO COMMERCIAL GENERAL

68
69 Time Stamp: 05/19/2022 6:52

70
71 Chairman Bodily asked for comments from the Planning Commission.

72
73 Commissioner Hulsey supported the rezone. One reason for commercial, especially in a designated place,
74 was to generate more revenue for the City. If the City allowed commercial, it would not have to put in as
75 much high density housing. This was a good area for commercial development because it was right off of
76 the freeway. It was near the Bay and Highway 89.

77
78 Commissioner Baker felt that Bay Road (750 North) was the only place left in the City for commercial
79 growth. There were no longer places left on Highway 89. The City needed the tax base. She was good with
80 the rezone.

81
82 Commissioner Bingham stated that the rezone request fit the City's Master Plan. Chairman Bodily agreed.

83
84 Commissioner Hulsey clarified that after the rezone was approved, Mr. Barthlome have to apply for a
85 conditional use permit and/or site plan approval. Any new business have to follow the same approval
86 process.

87
88 Bryce Wheelwright stated that the Zoning Ordinance included Commercial Neighborhood, Commercial
89 General, and Industrial and Manufacturing Zones. Some uses allowed in a Manufacturing Zone would not
90 be allowed in a Commercial General Zone. Some of the larger uses in a Commercial General Zone would
91 not be allowed in a Commercial Neighborhood Zone.

92
93 **Commissioner Hulsey moved to recommend that the City Council approve Shane Barthlome's**
94 **petition to rezone approximately 2.4 acres located at approximately 672 North 200 West from A-5 to**
95 **Commercial General. Commissioner Bingham seconded the motion. All voted "aye." The motion**
96 **passed unanimously.**

97
98 Chris Davis was excused at 6:45 p.m.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

5C. DISCUSSION REGARDING ACCESSORY DWELLING UNITS

Time Stamp: 05/19/2022 10:21

Chairman Bodily asked if the Planning Commission members had reviewed the draft Accessory Dwelling Unit Ordinance prepared by Colt Mund and if they had any comments. He felt the draft ordinance was a really good starting point.

Commissioner Baker asked about detached dwelling units. Colt Mund, City Attorney, stated that the draft ordinance only addressed internal accessory dwelling units. The State Legislature had made internal ADU's a permitted use. Cities had very little latitude in regulating internal ADU's. The draft ordinance he had prepared stated that detached ADU's were not allowed in Willard City. The Planning Commission needed to determine whether or not to allow detached ADU's.

Commissioner Hulsey felt the ordinance was well done. The proposed draft specified that bathroom and kitchen facilities were required for internal ADU's, but it did not specify whether they were required for detached ADU's. Colt Mund stated that the draft ordinance said the creation of a detached ADU was prohibited. If the ordinance was approved, a landowner would not be able to apply to use a garage or shed as an accessory dwelling unit. The ordinance, as written, would only apply to internal dwelling units.

Commissioner Hulsey felt the ordinance should address both internal and detached accessory dwelling units. Accessory dwelling units would not chop up properties. He felt the City would receive petitions for both. He felt allowing both types was a good idea.

Commissioner Bingham was concerned about detached accessory dwelling units. There was a whole can of worms attached to them. Where did the City draw the line between an accessory dwelling unit and a rented apartment or a flag lot? How many should the City allow?

Commissioner felt it would be good to establish regulations now and get ahead of the problem. He thought the Planning Commission had decided to limit the number of accessory dwelling units per property to one whether it was internal or detached. The landowner had to reside on the property as well. He felt requirements for both types of accessory dwelling units could mirror each other pretty well. He felt a property owner should have to right to create an accessory dwelling unit on his property. Accessory dwelling units would prevent the construction of a whole bunch of housing. The ordinance could include size requirements. Not all property owners would be eligible.

Commissioner Bingham stated that when he lived in Brigham City, he could have a basement apartment, but it had to be occupied by a family member. Where was the line? How did the City address the extra water line and the extra sewer line? The City was proposing to drop the amount of water allowed at the base rate. How would an ADU impact water usage?

Commissioner Hulsey said the City could charge separate impact fees for an ADU. The draft ordinance proposed that each time the property was sold, the new owner would have to make application for the ADU. Could the City charge an impact fee for every new owner or a new rental fee agreement? The landowner was essentially running a business. Those types of fees might discourage some property owners from having ADU's.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Commissioner Bingham said he was neither for nor against ADU's, but he could see some issues. Where was the line from homeowner to investment property? What would prevent someone from purchasing ten acres and covering it with small houses by claiming they were accessory dwelling units yet only have one water line and one sewer line?

Commissioner Bingham felt that a property owner needed to be limited to one accessory dwelling unit. It could be either internal or detached, but he could have only one per parcel or property.

Colt Mund stated that was what Brigham City did.

Commissioner Hulsey asked if limiting a property to one ADU would comply with the State regulations. Mr. Mund said it would. The State only allowed a landowner to have one ADU per parcel or lot.

Doug Younger, 116 South Main, asked what the accessory dwelling units were for. Were they for gaining people, or could someone put one in their backyard for their kids. Commissioner Hulsey said anyone who owned a home could put in an internal or detached accessory dwelling unit. An ADU could be occupied by a parent, adult children, or someone unrelated. There were rules that an ADU had to comply with, such as parking and status of utilities.

Doug Younger asked if there would be minimum and maximum square footage limitations. He was concerned about the current trend of tiny homes. Commissioner Hulsey said there weren't any square footage regulations in the current draft. However, an ADU did have to provide kitchen and bathroom facilities.

Bryce Wheelwright felt the ADU regulations needed to consider access for emergency services – police, fire, and medical. The quality of the living conditions should comply with the residential code.

Chad Braegger, 3790 South 1200 West, felt getting a permit for an ADU would be like getting a permit to build a house. He felt there should be impact fees for water and sewer because it would be impacting the City's system. Construction would have to be built to standard. There should be a size limit. Compliance with the standards would weed people out.

Commissioner Baker stated that the draft prohibited ADU's in mobile homes, mobile home parks, and recreational vehicles.

Doug Younger did not feel many people would apply for an ADU permit. They would just put them in.

Lisa McCormick felt the State had passed the law allowing ADU's because there was such a need for housing. She felt impact fees should be charged for detached ADU's, but did not feel there should be impact fees for an internal unit. Recharging the impact fees for every new property owner did not seem fair.

Doug Younger was concerned about internal ADU's in basements of older homes. Chad Braegger said that was why the ADU's would have to comply with the current code.

Commissioner Hulsey felt landowners would want the legal protection of complying with permits and City regulations. If the City received complaints and found an ADU without a permit, there would be an ordinance with teeth that could be enforced. There might be residents with existing ADU's. It would be hard for the City to monitor them unless they were reported.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Jay Thackeray, 1562 Hargis Hill Road, stated that even if an illegal ADU was reported the City would nothing about enforcement.

The Planning Commission felt that once an ordinance was in place the City would have something to enforce.

Commissioner Baker stated that the proposed ordinance had an enforcement clause. It said that in addition to any other legal or equitable remedies available, the City could pursue a lien against the property in the amount of \$100 per day of violation after notice of noncompliance had been provided.

Jay Thackeray felt it was important for the City to have an ordinance so it could enforce the violations that existed in the City. There were plenty of people in town doing what the City was creating an ordinance for.

Doug Younger felt this ordinance would be just like the Nuisance Ordinance. No one would enforce it. Why have an ordinance if it wouldn't be enforced?

Chairman Bodily agreed that enforcement was a problem. He hoped the City would get an enforcement officer. If the City had an ordinance and it had a problem, it would have something to go by. If there wasn't an ordinance, the City couldn't do anything.

Jay Thackeray stated that the City needed an ordinance to enforce, regardless of whether it was enforced or not.

Doug Younger felt it was important for everyone to be treated equally.

Lisa McCormick felt the City should let everyone who was trying to be honest have an ADU.

Chad Braegger agreed that it was time to have regulations for both types of ADU's in place. ADU's were already an issue.

Commissioner Hulsey stated that some residents who chose to do things illegally were caught; some were not. When people choose to speed, some are caught and some are not.

Clint McCormick stated that when you observe someone getting a ticket you become little more careful about what you are doing.

Chairman Bodily stated that the City was not out trying to catch the residents. There needed to be an ordinance so the City had something to go by.

There was further discussion.

Doug Younger felt it would be easier to catch the detached ADU's than the internal ones because they would be more visible. He was concerned about the City's ability to provide fire protection for detached ADU's on smaller lots due to a lack access. He felt detached ADU's would be nothing but trouble.

Bryce Wheelwright stated that the City's Zoning Ordinance only allowed 25% of a rear yard to be covered by accessory buildings. An ADU would have to comply with that requirement.



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Doug Younger felt allowing ADU's was turning single family dwellings into multiple family dwellings. Commissioner Bingham said the State had already done that. The City was trying to adopt an ordinance to have some kind of control.

Commissioner Hulsey stated that if the City did not have regulations, someone could build a shop with living quarters above it, and the City would have no way to require parking or access for fire protection.

Chad Braegger stated that Perry City was going this direction. Willard was a pretty small scale. He felt an ordinance similar to Perry's would be more suited to Willard.

Colt Mund stated that Perry City allowed both internal and detached ADU's. Its code supported and encouraged them. Brigham City's code was much more restrictive and very particular. Logan City did not allow detached ADU's, but its internal ADU regulations were very broad. Cities were approaching the ADU's very differently. Some cities were very supportive; some were supportive but very restrictive; and others only allowed what the State allowed. Willard needed to find what worked for Willard. The Planning Commission was following the process to do that.

Doug Younger stated that if the City was going to allow ADU's it needed to have some well-designed parameters.

Colt Mund stated that if someone wanted to build an internal ADU, they would come into the City and fill out an application. The application had to meet all zoning, building requirements, and comply with the health/fire code. An inspection would be associated with the application to make sure the home was suitable. A business license would be issued for the rental, and an affidavit would be recorded with the County. The business license and affidavit would allow the City to track who had ADU's. If the property changed hands, the use ceased. The new owner would have to go through the same approval process. Criminal codes did not completely deter criminals. The City would not catch everyone who was not in compliance, but if the City had an ordinance it had something to enforce. Enforcement could always get better; it could always be improved. Some enforcement was through the criminal process. The proposed draft did not have a criminal violation. The City could say that operating a business without a license was a misdemeanor and pursue criminal action. He felt that would be a pretty strong deterrent. Other cities had had success with that route. Code enforcement was a problem state-wide. It was a difficult process. There wasn't a lot of public support for code enforcement. It was challenging. Enforcement had been, was, and would be an issue no matter what ordinance the City had.

The Planning Commission asked that Colt Mund revise the draft ordinance to allow detached ADU's for discussion on the next agenda.

6. CONSIDERATION AND APPROVAL OF MAY 5, 2022, REGULAR PLANNING COMMISSION MINUTES

Commissioner Bingham moved to approve the regular Planning Commission minutes of May 5, 2022, as corrected. Commissioner Baker seconded the motion. All voted" aye." The motion passed unanimously.

7. COMMISSIONER/STAFF COMMENTS

Time Stamp: 05/19/2022 42:26



WILLARD CITY
Planning Commission Meeting – Regular Meeting
Thursday, May 19, 2022 – 6:30 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Colt Mund

Did not have any comments.

Bryce Wheelwright

Bryce Wheelwright stated that the Utah Land Institute had sent each Planning Commission member a complimentary copy of *Ground Rules: Your Handbook to Utah Land Use Regulation*.

Bryce Wheelwright reported on the Walk Study that occurred on Saturday, May 14th. City representatives met and looked at the HOP Trail planned along 200 West. The trail was already built on 200 West north of 750 North. Money was available to continue the trail through town if the City could qualify for it. The trail would be built all of the way to the Weber County line where it would tie into Weber County's Rail Trail. When the trail was complete someone would be able to ride or walk from Brigham City to Provo. The trail would provide the area with alternative transportation. The Walk Study had been completed quickly in order to have a presentation ready for the Centers for Disease Control on May 26th. Commissioner Dubovik used his drone to fly the trail corridor and get some really good video. The City would be able to present a quality product. The State Legislature had approved \$40 million for trail projects. Willard's HOP Trail had been on UDOT's, WFRC's, and Utah Trails dockets for a long time. The State had made trail projects a high priority. If the City could come up with the required match, it would qualify for some of the \$40 million.

Chad Braegger asked who was responsible to maintain the trail north of 750 North. Mr. Wheelwright said Willard Public Works was responsible for trail maintenance. Mr. Braegger was concerned about adding more trails, when the City could not maintain the trail it had. Mr. Wheelwright said the City had approved funds to purchase equipment to help maintain the trail.

Commission Bingham

Did not have any comments.

Commissioner Hulsey

Did not have any comments.

Commissioner Baker

Did not have any comments.

8. ADJOURN

Commissioner Hulsey moved to adjourn at 7:23 p.m. Commissioner Baler 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