



Notice is hereby given that the
WILLARD CITY PLANNING COMMISSION
Will meet in a regular session on
Thursday, June 1, 2023 – 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. Report from City Council
6. Discussion/Action Items
 - a. Public hearing to receive public input regarding a petition from Lync Construction and Chad Braegger to rezone approximately 32.77 acres located at approximately 3710 South 1200 West/Perry Street from A3 and A-5 to Master Planned Community-MPC (Parcel Nos. 02-035-0061, 02-035-0063, 02-035-0075, and 02-035- 0079)
 - b. Consideration of a petition from Lync Construction and Chad Braegger to rezone approximately 32.77 acres located at approximately 3710 South 1200 West/Perry Street from A3 and A-5 to MPC (Parcel Nos. 02-035-0061, 02-035-0063, 02-035-0075, and 02-035-0079)
 - c. Public hearing to receive public input regarding a petition from Chris Marx to rezone approximately 10.84 acres located at approximately 297 West 380 North from A-5 to R-1/2 (Parcel Nos. 02-044-0008, 02-046-0010, 02-046-0011, and 02-046-0012)
 - d. Consideration of a petition from Chris Marx to rezone approximately 10.84 acres located at approximately 297 West 380 North from A-5 to R-1/2 (Parcel Nos. 02-044-0008, 02-046-0010, 02-046-0011, and 02-046-0012)
 - e. Discussion regarding amending Subdivision Ordinance 12-400-11-10 regarding the requirement for sidewalks, curbs, and gutters in all subdivisions and Zoning Ordinance 12-102-18 regarding curbs, gutter, and sidewalks
7. Consideration and approval of the May 18, 2023, regular Planning Commission minutes
8. Commissioner/Staff Comments
9. 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 26th day of May, 2023.

/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

CORRECTED 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, June 1, 2023, at 6:30 p.m.

The public hearing will be held to take public comment on a request from Lync Construction and Chad Braegger to rezone property located at approximately 3710 South 1200 West/Perry Street (Parcel Nos.02-035-0061, 02-035-0063, 02-035-0075, and 02-035-0079) from A5 to Master Planned Community.

Written comments will be accepted at the Willard City Offices until June 1 2023. 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 18th day of May, 2023..

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 RE-ZONE APPLICATION

Application Date 3/31/23

Lync Construction

Applicant

1407 N Mountain Rd

Mailing Address

Ogden, UT

84404

801-710-2234

Phone Number

Cell Phone

Assessor Parcel Number * 02-035-0061

02-035-0063, 02-035-0079

02-035-0075

Parcel Legal Description*

- Refer to title report.

AS-A3

Present Zone

MPC

Proposed Zone

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

- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)

- 4) List of all property owners within 1/4 mile of the parcel. * Jerry Jensen, ADL Storage, Fred Barker, Marion Stokes, Fairview Bar Ranch, Hinrichsen Roline, Packer Stauffer Springs, Chad Braegee
- 5) Map (Assessor's Plat* or suitable drawing) of the proposed re-zone area, annotated to show the location and boundaries of the parcel to be re-zoned.

- 6) If a subdivision is planned, supply sk compatibility with existing and pl water supply and other utilities.

* Available at the office of the Box Elder County

C:\Re-zone\RZAPPLIC.wpd

WILLARD CITY CORPORATION

60 W 50 S

PO Box 593

Willard UT 84340

Receipt No: 1.017029

435-734-9881

Apr 13, 2023

Lync Construction

MISC
CHANGE DESCRIPTION
Re-zone Application

Total: 125.00

Check 125.00

Check to 125.00

Total Applied: 125.00

Change rendered: .00

Duplicate Copy
04/13/2023 4:05 PM

Project Summary

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

1. Location Map (showing nearest cross streets):

W - 3550 South

S - 1200 West

2. Site Address/Description:

3630 S. Perry St.

3. Parcel Number(s):

02-035-0061, 02-035-0063, 02-035-0079, 02-035-0075

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

All are in Current zone - AS-A3

All are purposed zone - MPC.

5. Road Access Provided:

Yes, 1200 W

6. Utility Plan:

Power and water stubbed to property.

Sewer is in discussion.

7. Reason for the requested change:

Make it more conforming with the
Surrounding properties.

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

The impacts to the property and the city would be increased traffic, amazing new people introduced to Willard City. Money to the city from permits and increased taxes. Helping fulfill the current housing shortage.

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
COUNTY OF Salt Lake) SS
BOX ELDER)

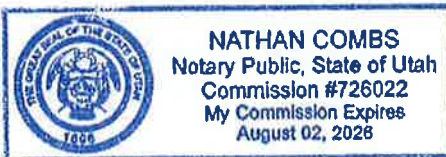
I, (we) 2020, LLC, being duly sworn, depose and say that I, (we) am (are) the owner(s)* or authorized agent(s) of the owner, of property located at 6795 S Cottonwood St., Midvale, UT 84047 in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED [Signature]

Property Owner(s)

AGENT Pat Burns : Lync Construction

Subscribed and sworn before me this 7th day of April 2023



Notary Public

Residing in Salt Lake County UT
My commission expires: 8-2-2026

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

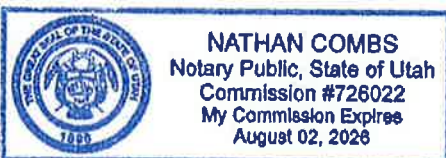
AGENT AUTHORIZATION

I, (we) 2020, LLC, the owner(s) of real property described above, hereby appoint Pat Burns : Lync Construction, 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 [Signature]

Property Owner(s)

Subscribed and sworn before me this 7th day of April 2023



Notary Public

Residing in Salt Lake County UT
My commission expires: 8-2-2026

APPLICANT'S AFFIDAVIT

STATE OF UTAH)

) SS

COUNTY OF BOX ELDER))

I, (we) Chad Bruegger 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 3790 S. 1200 W. Perry, UT 84302 in Willard City, which property is involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my (our) ability, the argument in behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

SIGNED

Chad Bruegger
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 12 day of April 2023



John Newhall
Notary Public

Residing in Weber Co Utah
My commission expires: 02/07/2026

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

AGENT AUTHORIZATION

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

SIGNED _____

Property Owner(s)

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

Notary Public

Residing in _____
My commission expires: _____

EXHIBIT "A "

Escrow No. **14253-6194336 (se)**
A.P.N.: **02-035-0063**

PARCEL 1:

BEGINNING AT A POINT 2.05 CHAINS SOUTH OF THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN, AND RUNNING THENCE WEST 29.5 CHAINS TO THE RIGHT OF WAY OF OSLRR CO., THENCE SOUTH 01°45' EAST ALONG SAID RIGHT OF WAY 854.7 FEET MORE OR LESS TO A POINT WHICH IS 116.5 RODS WEST AND 854.7 FEET SOUTH OF THE POINT OF BEGINNING, THENCE EAST 116.5 RODS, THENCE NORTH 854.7 FEET MORE OR LESS TO THE TO THE POINT OF BEGINNING.

LESS PARCEL NO. 02-035-0061 DESCRIBED AS:

LOT 1, FITZGERALD SUBDIVISION DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN. BEGINNING AT A POINT ON THE WEST LINE OF 1200 WEST STREET LOCATED 135.30 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 10, THENCE WEST 1300.2 FEET, THENCE SOUTH 227.04 FEET, THENCE EAST 1300.20 FEET TO THE WEST LINE OF 1200 WEST STREET, THENCE NORTH ALONG THE WEST LINE OF SAID 1200 WEST STREET 227.04 FEET TO THE POINT OF BEGINNING.

ALSO LESS PARCEL NO. 02-035-0062 DESCRIBED AS:

LOT 5, FITZGERALD SUBDIVISION, MORE PARTICULARY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN. BEGINNING AT A POINT LOCATED 135.3 FEET SOUTH AND 1300.20 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 10, THENCE WEST 646.80 FEET MORE OR LESS TO THE EAST LINE OF OSLRR, THENCE SOUTH 01°45'00" EAST 854.70 FEET, MORE OR LESS TO THE SOUTH LINE OF GRANTOR'S PROPERTY, THENCE EAST ALONG GRANTORS SOUTH PROPERTY LINE 620.70 FEET, THENCE NORTH 854.30 FEET TO THE POINT OF BEGINNING.

FOR REFERENCE ONLY: APN 02-035-0063

PARCEL 2:

LOT 1, FITZGERALD SUBDIVISION DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN. BEGINNING AT A POINT ON THE WEST LINE OF 1200 WEST STREET LOCATED 135.30 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 10, THENCE WEST 1300.2 FEET, THENCE SOUTH 227.04 FEET, THENCE EAST 1300.20 FEET TO THE WEST LINE OF 1200 WEST STREET, THENCE NORTH ALONG THE WEST LINE OF SAID 1200 WEST STREET 227.04 FEET TO THE POINT OF BEGINNING.

LESS PARCEL NO. 02-035-0060 ENTRY NO. 178813 DESCRIBED AS:

BEGINNING AT A POINT LOCATED SOUTH 135.30 FEET FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF 1200 WEST STREET, THENCE WEST 350.00 FEET, THENCE SOUTH 227.04 FEET, THENCE EAST 350.00 FEET, THENCE NORTH 227.04 FEET TO THE POINT OF BEGINNING.

FOR REFERENCE ONLY: APN 02-035-0061

PARCEL 3:

LOT 5, FITZGERALD SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PART OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE MERIDIAN. BEGINNING AT A POINT LOCATED 135.3 FEET SOUTH AND 1300.20 FEET WEST OF THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SAID SECTION 10, THENCE WEST 646.80 FEET MORE OR LESS TO THE EAST LINE OF THE OSLRR RIGHT OF WAY; THENCE SOUTH 01°45'00" EAST 854.70 FEET, MORE OR LESS TO THE SOUTH LINE OF GRANTORS PROPERTY; THENCE EAST ALONG GRANTORS SOUTH PROPERTY LINE 620.70 FEET; THENCE NORTH 854.30 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THAT PORTION OF GROUND CONVEYED TO UTAH TRANSIT AUTHORITY, BY WARRANTY DEED RECORDED OCTOBER 16, 2020 AS ENTRY NO. 419892 IN BOOK 1436 AT PAGE 834 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND IN FEE FOR CORRIDOR PRESERVATION KNOWN AS PROJECT NO. MSP-140, BEING A PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT WHICH CORNER IS 109.30 FEET (135.30 FEET BY RECORD) SOUTH ALONG THE EAST LINE OF SAID SECTION 10 AND 1,922.65 FEET (1,947.00 FEET BY RECORD) WEST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE EAST 29.98 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT TO A LINE PARALLEL WITH AND 30.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE FRONTRUNNER NORTH EXTENSION CONTROL LINE; THENCE SOUTH 01°50'15" EAST 854.74 FEET ALONG SAID PARALLEL LINE TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE WEST 29.98 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO THE SOUTHWEST CORNER OF SAID ENTIRE TRACT; THENCE NORTH 01°50'15" WEST 854.74 FEET (NORTH 01°45'00" WEST 854.70 FEET BY RECORD) ALONG THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPTING THAT PORTION OF GROUND CONVEYED TO UTAH TRANSIT AUTHORITY, BY WARRANTY DEED RECORDED OCTOBER 16, 2020 AS ENTRY NO. 419893 IN BOOK 1436 AT PAGE 836 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS:

A PARCEL OF LAND IN FEE FOR CORRIDOR PRESERVATION KNOWN AS PROJECT NO. MSP-140, BEING A PART OF AN ENTIRE TRACT OF LAND, SITUATE IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 8 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN. THE BOUNDARIES OF SAID PARCEL OF LAND ARE DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID ENTIRE TRACT WHICH CORNER IS 109.30 FEET (2.05 CHAINS OR 135.30 FEET BY RECORD) SOUTH ALONG THE EAST LINE OF SAID SECTION 10 AND 1,922.65 FEET (1,947.00 FEET BY RECORD) WEST AND 29.98 FEET EAST FROM THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 10; THENCE EAST 100.05 FEET ALONG THE NORTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE SOUTH 24°01'19" WEST 68.78 FEET TO A LINE PARALLEL WITH AND 100.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM THE FRONTRUNNER NORTH EXTENSION CONTROL LINE OPPOSITE ENGINEER STATION 780+18.00; THENCE SOUTH 01°50'15" EAST 579.00 FEET ALONG SAID PARALLEL LINE TO A POINT OPPOSITE ENGINEER STATION 774+39.00; THENCE SOUTH 11°21'06" EAST 181.50 FEET TO A LINE PARALLEL WITH AND 130.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE OPPOSITE ENGINEER STATION 772+60.00; THENCE SOUTH 01°50'15" EAST 34.85 FEET ALONG SAID PARALLEL LINE TO THE SOUTHERLY BOUNDARY LINE OF SAID ENTIRE TRACT; THENCE WEST 100.05 FEET ALONG SAID SOUTHERLY BOUNDARY LINE TO A LINE PARALLEL WITH AND 30.00 FEET PERPENDICULARLY DISTANT EASTERLY FROM SAID CONTROL LINE; THENCE NORTH 01°50'15" WEST 854.74 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD TO THE POINT OF BEGINNING.

FOR REFERENCE ONLY: APN 02-035-0079

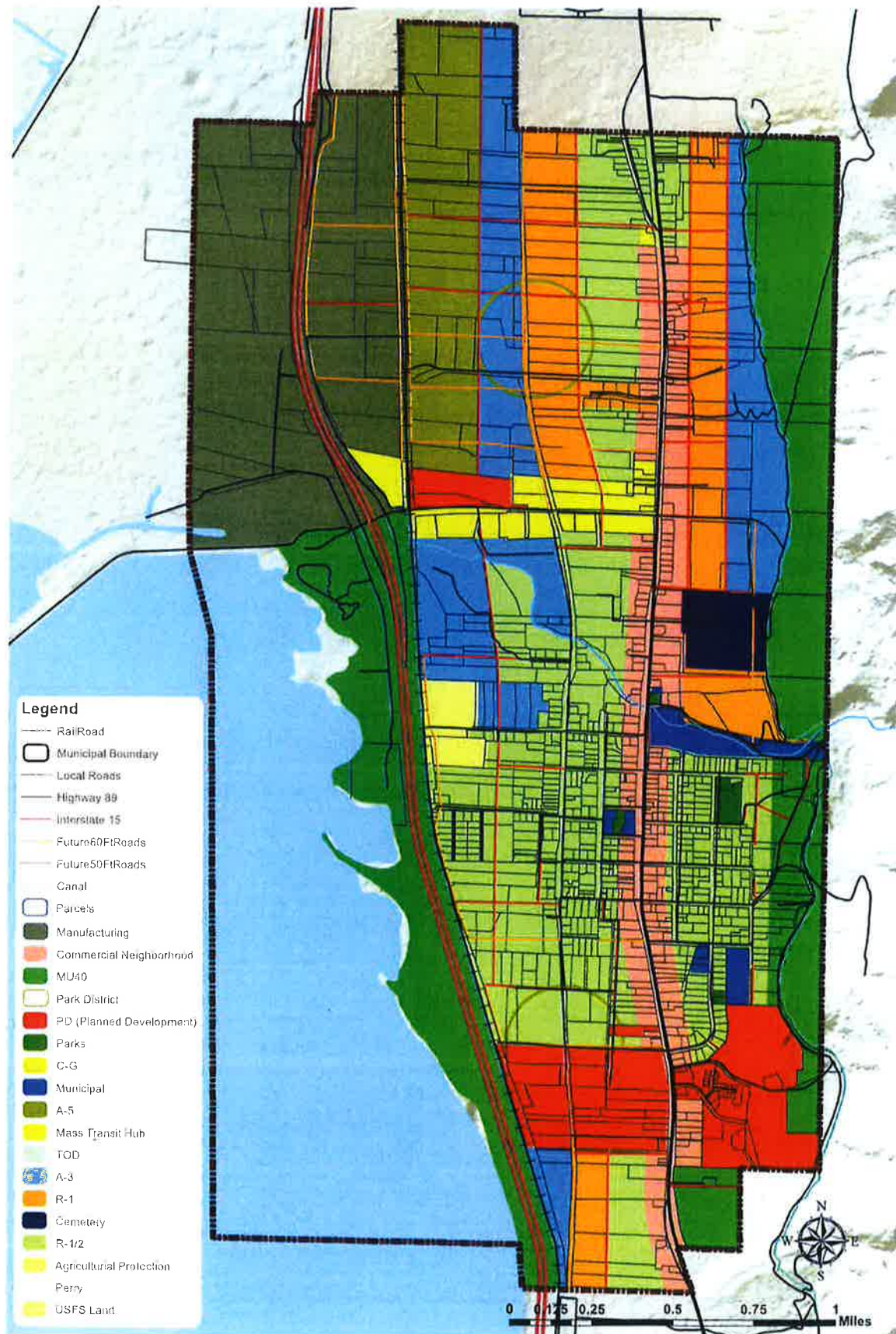
Current Zoning - September 2021



Number of children	Percentage of families
0	40
1	50
2	10

Willard City

Future Land Use - July 2017



ORDINANCE 2021-2

AN ORDINANCE OF THE WILLARD CITY COUNCIL ADOPTING CHAPTER 12-106 OF THE WILLARD CITY ZONING ORDINANCES ESTABLISHING A MASTER PLANNED COMMUNITY ZONE

CHAPTER 12-106. MASTER PLANNED COMMUNITY ZONE

12-106-1. **Purpose.** Each Master Planned Community Zone ("MPC Zone") is intended to allow a master planned, architecturally designed development where customized zoning requirements apply in order to permit flexibility and initiative in a large-scale site development while maintaining the rural nature of Willard City. Each MPC Zone will be developed in accordance with an approved development agreement and compliance with the Willard City Zoning and Land Use Ordinances and with the general requirements outlined herein. Further, this ordinance is intended to provide a benefit to Willard City and is not intended to solely benefit an applicant of an MPC Zone.

12-106-2. **Minimum Size:** Each MPC Zone shall be at least ten (20) acres. Parcels must form one (1) contiguous area and cannot be bisected except by a public right-of-way, easement, or natural barrier.

12-106-3. **Open Space Required:** A minimum of twenty percent (20%) Open Space shall be provided in each MPC Zone to include natural maintained choice Open Space, improved parks as approved by the City Council. Open Space that is unbuildable because of slope, wetlands, flood drainage, or contamination, shall not be considered as Open Space.

1. Detention basins may count as Open Space only if they provide recreational amenities, including but not limited to: Playgrounds, gazebos, exercise stations, or sports fields with parking lots.
2. Park strips, curb, gutter, sidewalks, common yards, private yards and publicly dedicated streets shall not count as Open Space.
3. A method approved by the City Council to maintain Open Space shall be established prior to the sale of any lots in an MPC Zone. Preservation, maintenance, and ownership of required Open Spaces within the MPC Zone may be accomplished by any of the following:
 - a. Dedication of the land as a public park or trails system.
 - b. Granting to the City a permanent Open Space easement on or over any privately owned Open Space to guarantee that the Open Space remains perpetually in public recreational use, with ownership and maintenance being the responsibility of the owner of a Home Owner's Association ("HOA") established by bylaws which are satisfactory to and approved by the City.
 - bi. If an applicant desires to transfer ownership of the Open Space to an HOA, (1) year period, beginning at the time the HOA is controlled by the property the City may provide temporary approval of an HOA for a probationary one

owners within the MPC Zone. During this probationary period, the City Council may monitor the effectiveness of the HOA in preserving and maintaining the Open Space. If at the end of the one (1) year probationary period it is determined by the City Council that the HOA is unable or unwilling to maintain the Open Space within the bylaws established for the HOA and the approved Development Agreement the City may terminate the probationary approval of the HOA and create a special assessment area for the purposes of maintaining the Open Space.. An HOA may have the right to appeal a City Council decision to terminate the approval of the HOA by filing a written notice of the appeal with the City Recorder within 15 days of the City Council's decision. Any such appeal shall be heard the Hearing Officer.

bii. The City may at their discretion, create a special assessment area to provide for the benefit, improvement, and maintenance of the Open Space areas.

c. An agricultural conservation easement in a manner approved by the City Council.

12-106-4. Fee in Lieu of Open Space: As an alternative, the City Council may at its discretion charge a fee in lieu of open space to allow for more centralized parks of other municipal off-site improvements as the City Council determines.

1. A fee in lieu of Open Space may be provided if the following requirements are met:
 - a. The amount of acreage that is required as Open Space shall be reviewed and recommended by the Planning Commission as part of the MPC Zone application process.
 - b. The fee in lieu of Open Space shall be determined by an appraised price per acre and the amount shall be approved by the City Council.

12-106-5. Density: The density of the MPC Zone shall be consistent with the policies of the General Plan.

12-106-6. Preliminary Site Plan: A preliminary site plan shall be submitted and considered concurrently with an application for approval of a MPC Zone. The preliminary site plan shall show at least the following:

1. The proposed zone name and location.
2. A proposed development agreement.
3. Permitted, conditional, accessory uses proposed for and in the MPC Zone.
4. Proposed residential use density.
5. Minimum lot sizes.
6. The range of average lot sizes.
7. Building locations.
8. Building elevations.
9. Open Space in the MPC Zone.
10. Parking.

11. Landscaping.
12. Pedestrian and traffic circulation.
13. Drainage and stormwater retention plan.
14. Utility Layout including a plan for the installation of fiber optic lines and a secondary water system.
15. Plans for grading.
16. Proposed development standards providing:
 - a. Lot standards establishing requirements for lot area and dimensions;
 - b. Building, setback standards for front, side and rear yards; and
 - c. Building regulations addressing building height, building orientation, and architectural design guidelines.
17. A conceptual master plan showing:
 - a. The location of any proposed and/or existing easements, and rights-of-way.
 - b. The location, arrangement and configuration of Open Space, including the location, arrangement, and configuration of any parks and/or trails.
 - c. The location and design of street infrastructure and that the proposed street infrastructure is in harmony with the City's Road Master Plan.
18. Impact statement, showing the effect the proposed MPC Zone will have on the environment, city utilities, traffic, and schools. The City Engineer may on their own or at the request of the Planning Commission or City Council conduct a traffic and/or environmental studies to determine the impact the proposed MPC Zone may impose on existing infrastructure and future development. The application shall solely bear the costs of any impact study, either done at the applicant's direction or at the direction of the City Engineer, City Council, or Planning Commission.

12-106-7. Subdivision Requirements: Compliance with the requirements of this ordinance does not exempt any applicant from meeting any other applicable requirements of this Chapter and the Willard City Zoning and Land Use Ordinances.

12-106-8. Phase Development: If the MPC Zone is proposed to be developed in phases, the preliminary site plan shall also show phase boundaries. Each phase shall be of such size, composition, and arrangement so that construction and operation of each phase is feasible as a unit, independent of any subsequent phase.

12-106-9. Planning Commission Recommendation: After consideration of the site plan, application, and proposed development agreement, the Planning Commission shall make a recommendation to the City Council regarding the MPC Zone. At the same time, the Planning Commission shall approve, approve with conditions or recommend the disapproval of the preliminary site plan for the proposed MPC Zone. Planning Commission approval of a preliminary site plan, application, and/or development agreement shall not be effective unless and until a corresponding MPC Zone is approved by the City Council.

12-106-10. Development Standards: The development standards may include development regulations regarding processing of applications, common and private Open Space guidelines, natural resource protections, grading, drainage and street standards.

12-106-11. Modification By City Council: In considering an application for an MPC Zone, the proposed site plan, application, and development agreement may be modified by the City Council to meet the intent and requirements of this Chapter and may include regulations and standards other than those proposed by this Chapter.

12-106-12. Development Agreement: An MPC zone shall only be established with the concurrent approval of a development agreement that is mutually agreeable between the applicant of an MPC Zone and the City.

12-106-13. No Guarantee of Approval: Submittal of an application for an MPC Zone does not guarantee the application will be approved. An MPC Zone may be approved only if the City Council, after receiving a recommendation from the Planning Commission, finds the MPC Zone and the associated preliminary plan, application, and development agreement meet the findings required for approval.

12-106-14. Findings Required for Approval: The proposed MPC Zone may be approved only if the City Council makes all of the following findings:

1. The proposed MPC Zone conforms to the guidelines and policies of the General Plan.
2. The MPC Zone provides equal or greater compatibility with surrounding land uses.

12-106-15. Additional Factors Considered but not Required:

1. The MPC Zone is necessary to provide land use or design standards tailored to a specific geographic area and development program that cannot otherwise be provided through conventional zoning.
2. The MPC Zone provides equal or greater protection to sensitive lands than would occur with conventional zoning.
3. The MPC Zone avoids incompatible development on lands subject to natural hazards.
4. The MPC Zone promotes efficient land use by allowing housing and/or commercial develop at densities that are appropriate for the area.
5. The MPC provides equal or greater opportunities for alternative modes of transportation such as walking, bicycling, or transit, than would occur with conventional zoning by:
 - a. Encouraging or requiring significant mixed-use development where appropriate; and

Providing a master plan with direct and convenient pedestrian or bicycle connections between all land uses.

12-106-15. Designation: Upon approval, each MPC Zone shall be given a unique name following the designation "MPC—" and shall be independent of any other MPC Zones.

12-106-16. Permit Approval: Within an MPC Zone, applications for subdivision approval, site plan, conditional use permits and any other needed permits shall be submitted and approved as required to implement the conceptual master plan. The conceptual master plan shall meet the conceptual subdivision review requirements of the Willard City Ordinances.

12-106-17. Amendments to Plan: Amendments to an approved preliminary plan and application shall be obtained by following the procedures required for first approval as set forth in this section.

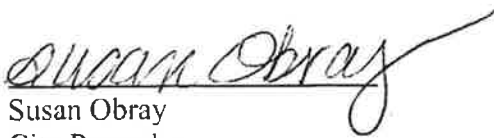
12-106-18. Commencement of Work: Any Developer of an MPC Zone created under this ordinance shall begin and show diligent and consistent work towards the construction of an MPC Zone commenced within one (1) year of the date from which the City Council grants approval of the Zone and the accompanying development agreement; or the MPC Zone application shall be denied and the zone shall revert to the previous zone.

12-106-19. Performance Bonds: Prior to the commencement of "Development Activities" as defined in Utah Code Ann. §10-9A-101 *et seq.*, or the recording of any subdivision plat, a developer must file a cash bond, or an escrow bank account bond, or an irrevocable letter of credit as an improvement assurance in a form approved by the Willard City Attorney.

Section 2. Effective Date. This ordinance shall take effect immediately upon posting and publication in the manner so required by law.

PASSED by the City Council on this 10 day of March, 2022, by a vote of
4 For and 1 against.


Travis Mote
Mayor


Susan O'Bray
City Recorder

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

CORRECTED 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, June 1, 2023, at 6:30 p.m.

The public hearing will be held to take public comment on a request from Chris Marx to rezone property located at approximately 297 West 380 North (Parcel Nos. 02-044-0008, 02-046-0010, 02-046-0011, and 02-046-0012) from A5 to R1/2.

Written comments will be accepted at the Willard City Offices until June 1, 2023. 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 18th day of May, 2023.

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 RE-ZONE APPLICATION

5/10/23

Application Date

CHRIS MARK

Applicant

297 W. 380 N.

Mailing Address

Willard, UT 84340

435-720-3085

Phone Number

Cell Phone

Assessor Parcel Number *

02-046-0012, 02-046-0011,
02-046-0010, 02-044-0008

Parcel Legal Description*

10.84 acres/approximately

A-5

Present Zone

R 1/2

Proposed Zone

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

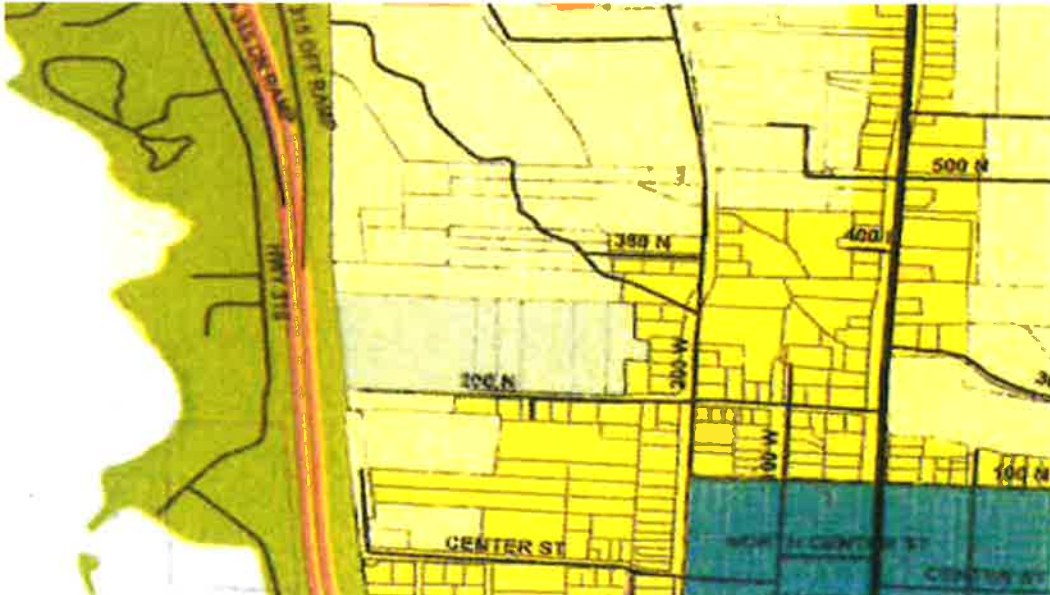
- 1) Proof of ownership.*
- 2) Non-refundable application fee of \$125.00.
- 3) Written petition designating the change desired and the reason for such change, bearing the signature(s) of the fee title owner(s) of the parcel or designated agent. (See reverse of this form for required Applicant's Affidavit.)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

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



PROPOSED SUBDIVISION PLAN ATTACHED

1. LOCATION MAP - Attached
2. SITE ADDRESS - 297 W 380, Willard
3. Parcel Numbers:
 - a. 02-046-0012
 - b. 02-046-0011
 - c. 02-046-0010
 - d. 02-044-0008
4. CURRENT AND PROPOSED ZONING BY PARCEL NUMBER AND AREA IN ACRES;
 - a. The east section of 380 N is R-1/2, West of it is A-3.
 - b. Requesting to turn A-3 section to R-1/2



- c.
5. ROAD ACCESS PROVIDED:
6. UTILITY PLAN
 - a. Extension of water line
 - b. Sewer line already existing
7. REASON FOR REQUESTED CHANGE
 - a. To allow for 1/2 acre lots

8. IMPACTS (FINANCIAL AND OTHERS) OF THE CHANGE TO SURROUNDING PROPERTIES AND THE CITY AS A WHOLE:
 - a. To have smaller than 3 acre ag parcels

APPLICANT'S AFFIDAVIT

STATE OF UTAH)
) SS
COUNTY OF BOX ELDER)

I, (we) Chris Marx, 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 400 W 380 N 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 Chris Marx
Property Owner(s)

AGENT _____

Subscribed and sworn before me this 14th day of May 20023



Michelle Drago
Notary Public

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

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

AGENT AUTHORIZATION

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

SIGNED _____
Property Owner(s)

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

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: 144390436

► Transaction detail for payment to Willard City.			Date: 05/11/2023 - 10:44:48 AM MT
Transaction Number: 197686961 Mastercard — XXXX-XXXX-XXXX-8464 Status: Successful			
Account #	Item	Quantity	Item Amount
	Charges PC	1	\$125.00
Notes: CHRIS MARX REZONE			

TOTAL: \$125.00

► Transaction detail for payment to Willard City.			Date: 05/11/2023 - 10:44:49 AM MT
Transaction Number: 197686963 Mastercard — XXXX-XXXX-XXXX-8464 Status: Successful			
Account #	Item	Quantity	Item Amount
	Service Fee	1	\$4.25
Notes: CHRIS MARX REZONE			

TOTAL: \$4.25

Billing Information
CHRIS MARX
, 84340

Transaction taken by: Admin mdragoCaselle MD



NORTH
↑

CONCEPT PLANS FOR

Xram Subdivision

300 WEST 8th STREET
WILLARD CITY, OHIO

Quarter of Section 22 Township 10 North, Range 2 West, S13E44

Drawing No: 22-124

Scale: 1" = 100'

Check By: [Signature]

Drawn By: [Signature]

Date: 04/28/22



HANSEN & ASSOCIATES, INC.
Consulting Engineers and Land Surveyors
300 North Main Street, Dayton, Ohio 45402
(937) 233-1941 FAX: (937) 233-4373
Surveying since 1911

No.	Date	By	Revision



CURRENT ZONE A-5, PROPOSED ZONE R-1/2 REQUIREMENTS

MINIMUM LOT SIZE	21,780 S.F.
MIN LOT WIDTH @ 30' SETBACK	100'
FRONT SETBACK	30'
SIDE YARD SETBACK FACING STREET	30'
SIDE YARD SETBACK	30'
TOTAL OF BOTH SIDE YARDS	30'
REAR SETBACK	30'

