



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
March 28, 2024 – 3:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

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

The following members were in attendance:

Bryce Wheelwright, City Planner
Sid Bodily, Planning Commission Chair
Chris Breinholt, City Engineer/Jones & Associates
Zac Burk, City Engineer/Jones & Associates
Payden Vine, Public Works Director
Van Mund, Fire Chief
Michelle Drago Deputy City Recorder

Excused: Jeremy Kimpton, City Manager; Colt Mund, City Attorney; and Theron Fielding, Police Chief

Others in attendance: Duane Dominguez

1. CALL TO ORDER

Bryce Wheelwright, City Planner, called the meeting to order at 3:09 p.m. The secretary recorded a roll call attendance.

2A. REVIEW AND CONSIDERATION OF A REQUEST FROM DUANE DOMINGUEZ FOR A CONDITIONAL USE PERMIT TO REPAIR VEHICLES ON HIS PROPERTY LOCATED AT APPROXIMATELY 369 WEST 200 NORTH (02-057-0030)

Time Stamp – 0:39 03/28/2024

Bryce Wheelwright, City Planner, stated that Duane Dominguez had applied for a conditional use permit to repair all-terrain and utility-terrain vehicles in a shop located on his property at 369 West 200 North. This type of home occupation was a conditional use. He felt the CUP Review Committee needed to consider hazardous waste, traffic, and vehicle storage.

Duane Dominguez stated that on his days off he had been repairing ATV's and UTV's in a shop in Ogden. He decided he didn't want to commute to Ogden, but people kept calling him to do repairs. So, he decided to start doing repairs in the shop on his own property. He did not anticipate a high volume because he would be the only mechanic. He worked on one machine at a time.

Bryce Wheelwright asked if this business would be a primary source of income. Mr. Dominguez said it would not. He worked full-time for Autoliv. He planned to work for a few hours after work and some weekends.

Van Mund, Fire Chief, asked about the construction of the shed and its inside finish. Mr. Dominguez said it was a pole barn. There was some bubble wrap insulation on the inside. There wasn't any sheetrock.

Chief Mund asked if there was paperback insulation or if any of the insulation was exposed. Mr. Dominguez said there was paperback insulation in the southwest corner because previous owners had set up a paint booth. He had removed the paint booth, and the exterior wall still had insulation on it.



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Chief Mund asked about quantities of materials, such as oil, gas, or carburetor cleaner. Mr. Dominguez said he only planned to store what he needed for his personal vehicles. He might have a case of oil and a case of carburetor cleaner. He took used oil to Auto Zone.

Zac Burk, Jones and Associates, asked if Mr. Dominguez planned to do any sandblasting or painting. Mr. Dominguez said he only planned to do mechanical repairs.

Zac Burk said the oil and carburetor cleaner would be considered illicit discharge in the storm water system. If they were stockpiled on site or Mr. Dominguez stored greasy, oily vehicles outside, an oil-water separator would have to be installed to protect storm water.

Duane Dominguez didn't want vehicles parked outside of his shop. He felt they were an eyesore. He might have to pull out his own vehicle for a short time if there wasn't enough room in his shop.

Zac Burk asked if the shop had water and sewer services or would need them. Duane Dominguez said he currently didn't have any water in his shop.

Chief Mund stated that Mr. Dominguez would have to have a metal can with a lid for his oily rags and a 10-pound fire extinguisher. The fire extinguisher had to be tested yearly. The Fire Department would have to inspect his premises.

Chief Mund did not see a problem with the proposed use, nor did Payden Vine, Public Works Director.

Chris Breinholt, Jones and Associates, felt there should be a limitation on the number of vehicles waiting for service or pickup and the number of vehicles coming and going. Sid Bodily and Bryce Wheelwright agreed. If there was a limit, problems could be addressed.

Michelle Drago, Deputy City Record, stated that because this was a home occupation Mr. Dominguez could not have employees. All vehicles should remain on the property. Mr. Dominguez couldn't use the stub road as a parking lot.

Duane Dominguez said he didn't park his vehicles outside because he felt that would be an eyesore. He liked his property organized.

Bryce Wheelwright asked if hours of operation would be an issue. The Committee didn't feel hours would be an issue if all work was done inside the shop. Van Mund said Mr. Dominguez would have to comply with the Noise Ordinance.

Bryce Wheelwright explained that the CUP Review Committee was a recommending body only. Their recommendation would be forwarded to the Planning Commission.

Payden Vine moved to recommend that the Planning Commission approve a conditional use permit for Duane Dominguez to repair vehicles on his property located at 369 West 200 North subject to no more than four vehicles parked outside at any time; a 10-pound fire extinguisher; storage of oily rags in a metal can; an annual fire inspection; no employees; and no outside storage of materials or contaminants. Van Mund seconded the motion. All voted "aye." The motion passed unanimously.

Michelle Drago said this would be on the Planning Commission's April 18th agenda.



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- 2B. REVIEW AND CONSIDERATION OF A REQUEST FROM DAN GAMMON TO OPERATE A SHORT-TERM RENTAL/AIRBNB LOCATED AT APPROXIMATELY 537 WEST 200 NORTH (02-057-0005) (CONTINUED FROM JANUARY 18 AND MARCH 7, 2024)

Time Stamp – 21:28 03/28/2024

Bryce Wheelwright stated that he had spoken with Colt Mund, the City Attorney. The Zoning Ordinance did not have any provisions for short-term rentals in residential areas. The Planning Commission was going to consider an ordinance amendment. He had emailed Dan Gammon about the attorney’s finding. Until the Zoning Ordinance was amended, the city could not consider his application.

- 2C. CONSIDERATION AND APPROVAL OF MARCH 7, 2024, MINUTES

Sid Bodily moved to approve the March 7, 2024, minutes as written. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Payden Vine moved to adjourn at 3:35 p.m. Sid Bodily seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: 5/23/24

Madison Brown
 Bryce Wheelwright, City Planner

Michelle Drago
 Michelle Drago, Deputy City Recorder

dc:CUP 03-28-2024

