



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
October 17, 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 City Hall and on the State of Utah Public Meeting Notice Website.

The following members were in attendance:

Jeremy Kimpton, City Manager
Colt Mund, City Attorney
Madison Brown, City Planner
Zac Burk, City Engineer/Jones & Associates
Van Mund, Fire Chief
Payden Vine, Public Works Director
Sid Bodily, Planning Commission Chair
Chad Braegger, Planning Commission
Michelle Drago Deputy City Recorder

Others in attendance: Dan Gammon joined the meeting via phone.

1. CALL TO ORDER

Madison Brown, City Planner, called the meeting to order at 3:11 p.m. The secretary recorded a roll call attendance.

2A. 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, MARCH 7, AND MARCH 28, 2024)

Time Stamp – 0:00 10/17/2024

Madison Brown, City Planner, stated that the purpose of the meeting was to review a conditional use permit application from Dan Gammon to operate a short-term rental at 537 West 200 North. The CUP Review Committee reviewed Mr. Gammon's application in January and March. It found that the requested use was not listed in the Table of Uses found in the Zoning Ordinance. On March 7th, the CUP Review Committee tabled consideration pending a legal opinion. On March 28th, Bryce Wheelwright, the former City Planner, reported that the city attorney had determined that Willard City could not consider Mr. Gammon's application until the Zoning Ordinance was amended to allow short-term rentals in residential areas. Based on a recommendation from the planning commission, the city council approved an amendment to the Zoning Ordinance to allow short-term rentals on August 8th. Willard could now legally consider Mr. Gammon's application. Ms. Brown said that Dan Gammon had submitted a short-term rental application and paid the fees required by the new ordinance.

Ms. Brown said the CUP Review Committee had been concerned about access. Dan Gammon stated that he had removed trees to allow for better emergency access. He was still working to remove the willow tree stumps and planned to add road base along the existing edge of 200 North. Due to the time of year, the road base probably would not be added until next spring.

Zac Burk, City Engineer/Jones & Associates, asked if a turn-around for emergency vehicles had been addressed. Van Mund stated that he would have to look at the site. Dan Gammon stated that the access was now fully open. He had taken out the fence along the east pasture that was running parallel with 200



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North. A lot of trucks and trailers had parked in the east pasture for family and church youth activities. The east pasture was fully open and would remain so.

Zac Burk asked how large the opening was. Dan Gammon said it was the full width of the property and extended to the garage. Chief Mund said he would have to look at the site to see if fire equipment could get in and out.

Madison Brown asked when Dan Gammon planned to start renting the property. Dan Gammon said he planned to rent it in the spring of 2025. He did not have the ability to keep the lane clear through the winter, so he planned to rent it through the spring, summer, and fall. He once again expressed his hope that the fence constructed by the Child's down the middle of the road could be removed so he could use the whole road.

Zac Burk stated that the city required temporary turnarounds to be 96 feet in diameter and constructed of road base or gravel against the pavement. That is what was needed for emergency vehicle access.

Van Mund stated that there also needed to be signs to prevent parking in the turnaround area.

Dan Gammon stated that he had been bringing in gravel, but he had to stop because it was clogging up the area where stumps needed to be removed.

Jeremy Kimpton, City Manager, asked about Mr. Gammon's plans for water. Had the well been tested? Dan Gammon said the artesian well was his water source. He had the well tested when he purchased the property in 2012. He had not had any problems with water, except for the willow trees that were choking it off. The trees had been cut down, and he had moved the pumphouse so the water could be pressurized.

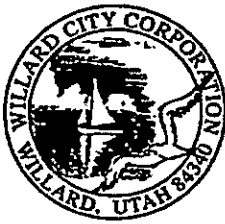
Jeremy Kimpton stated that because Mr. Gammon was not on the city's water system, the public works director would verify the state requirements for a transient water system. The city had a certain obligation to ensure every resident received safe, clean water. Checking on the state requirements would protect Mr. Gammon.

Zac Burk asked if the property was connected to the city's sewer system. Jeremy Kimpton said it was not. It had a septic system. The property was just past the 300-foot connection requirement.

Jeremy Kimpton asked if Dan Gammon planned to rent the home and the bunkhouse? Dan Gammon said the bunkhouse had to be cleaned up before it could be rented. There was also an old cabin on the property that would not be rented. It would remain locked.

Colt Mund asked if the application was only for the house. Mr. Gammon said that was correct. Although, he wanted to have the option to rent the bunkhouse in the future. Would it be easier to include the bunkhouse now? It was simply a dry building. It did not have water or heat. All it contained was bunkbeds.

Colt Mund stated that if the house and bunkhouse were rented, the people using the bunkhouse would obviously have to have access to water and toilet facilities. Mr. Gammon agreed. The house and bunkhouse would not be rented separately. There was a bathroom on the back porch of the house that could be used by occupants of the bunkhouse. Mr. Mund felt there should be a condition that if the house and bunkhouse were both being used, they had to be used by the same guest/customer. Mr. Gammon agreed.



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Jeremy Kimpton asked if Dan Gammon had had a chance to read the Short-Term Rental Ordinance. Mr. Gammon said he had. Mr. Kimpton wanted to make sure Dan Gammon was aware of the inspections required before a license could be issued.

Zac Burk asked if Dan Gammon had a local contact or designated property manager. Mr. Gammon said his local contacts were Stacy and Janice Younger. He also had family members who lived in Brigham City.

Colt Mund asked about parking. Dan Gammon said the whole east pasture was available for parking. He had considered putting in water and electrical hookups for trailers along the south boundary in the future. He was not seeking permission for that at this time.

Colt Mund asked if there was any outside lighting. Was there a need for outside lighting if there was parking? Dan Gammon said there were motion activated lights on the back of the home and on the power pole that was located on the southeast corner of the garage. He also had security cameras.

Madison Brown asked if this was Dan Gammon's first Airbnb. Mr. Gammon said it was. Ms. Brown said Airbnb had rules and regulations he would have to follow as well. Willard City's Short-Term Rental Ordinance was very similar to Airbnb's rules and regulations.

Jeremy Kimpton reported that the Public Works Director had verified the state's water requirements. Mr. Gammon would be responsible for ensuring the well water was safe to drink. He did not have to answer to the city. There was not an issue with the septic system either.

Dan Gammon asked if he needed to contact the city for the required inspections and to verify the installation and diameter of the road base. Mr. Kimpton directed Mr. Gammon to coordinate the inspections with the city planner and the fire chief.

Colt Mund suggested that Mr. Gammon provided documentation from the state that the well was safe. Mr. Kimpton agreed. Chad Braegger asked how often the documentation would be required. Mr. Kimpton said the ordinance required annual inspections.

Madison Brown listed the conditions that had been discussed: Remove stumps from parking area, add road base for a 96-foot diameter turn around area for emergency vehicles, no parking signs in the turnaround area, the house and bunkhouse may not be rented separately, compliance with state requirements for a transient water system, annual documentation from the state regarding the water, and annual compliance with required inspections.

Colt Mund clarified that the dwelling could be rented independent of the bunkhouse, but the bunkhouse could not be rented independent of the dwelling.

Chad Braegger asked if the parking area needed to have road base. Zac Burk said the ordinance just said off-street parking. He was not sure the ordinance provided the necessary language to require parking with an all-weather surface.

Colt Mund reminded the committee that it was making a recommendation to the Planning Commission who would make the final decision.

Colt Mund moved to recommend that the Planning Commission approve a conditional use permit for Dan Gammon based on the conditions discussed by the CUP Review Committee: Removal of



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stumps from the parking area; add road base for a 96-foot diameter turn around area for emergency vehicles, no parking signs in the turn around area, the house and bunkhouse may not be rented separately, compliance with state requirements for a transient water system, annual documentation from the state regarding the water, and annual compliance with required inspections. Sid Bodily seconded the motion. All voted “aye.” The motion carried.

Madison Brown stated that Mr. Gammon's application would be forwarded to the Planning Commission on November 7th.

2B. CONSIDERATION AND APPROVAL OF MAY 23, 2024, MINUTES

Sid Bodily moved to approve the May 23, 2024, minutes as written. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

3. ADJOURN

Colt Mund moved to adjourn at 3:39 p.m. Payden Vine seconded the motion. All voted “aye.” The motion passed unanimously.

Minutes were read individually and approved on: 11/7/24

Madison Brown
Madison Brown, City Planner

Michelle Drago
Michelle Drago, Deputy City Recorder

dc:CUP 10-17-2024