

Willard City Corporation

80 West 50 South
Box 593



Willard, Utah 84340
(435)734-9881

NOTICE

Notice is hereby given that the Conditional Use Permit Review Committee of Willard City Corporation will hold a special meeting at Willard City Hall, 80 West 50 South, on Thursday, May 15, 2025. Said meeting shall start at 3:30 p.m.

Agenda is as follows:

1. Call to order:

2. Business:

- a. Review and consideration of a request from Austin Sackett with Dragon Dynamite Fireworks to operate storage units on property located at approximately 850 North Main (02-042-0014)
- b. Consideration and approval of February 27, 2025, minutes

3. Adjourn

CUP Review Committee Meetings: Held as needed based on applications.

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 Willard City Hall, on the State of Utah Public Meeting Notice website <https://www.utah.gov/pmn/index.html>, on the Willard City website www.willardcity.com, and sent to the Box Elder News Journal this 9th day of May, 2025.

/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.

**CONDITIONAL
USE
ORDINANCE
CHAPTER
12-105**

24.20 CONDITIONAL USES

24.20.010 Purpose Of Conditional Use Provisions

24.20.020 Permit Required

24.20.030 Application

24.20.040 Required Documents

24.20.050 Public Notice

24.20.060 Conditional Use Review Committee

24.20.070 Factors To Be Considered By The Conditional Use Review Committee

24.20.080 Standards And Criteria For Conditional Use Permit

24.20.090 Reasonable Conditions Imposed

24.20.100 Expiration

21.20.110 Revocation

21.20.120 Appeals

21.20.130 Review

21.20.140 No Presumption Of Approval

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

24.20.010 Purpose Of Conditional Use Provisions

The purpose of the issuance of a conditional use permit is to allow the proper integration into Willard City of land uses which may be suitable only under special conditions and in specific locations in Willard City or in the applicable zoning district, or only if such uses are designed or conducted in a particular manner.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.020 Permit Required

A conditional use permit shall be required for all uses listed as conditional uses in the district regulations or elsewhere in this Ordinance.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.030 Application

A Conditional Use Permit Application shall be made to the City Planner on forms provided by the City Planner. Only property owners or their duly authorized agents shall make application for a Conditional Use Permit. No Conditional Use Permit may be processed without the submission of an application, payment of the processing fee, and providing all supporting materials as required by the City Planner, the Conditional Use Review Committee, and this Chapter.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.040 Required Documents

The Conditional Use Permit Application shall be submitted with the material listed in this Section. The City Planner and/or the Conditional Use Review Committee may determine and require items not listed

herein be submitted in order to evaluated the proposed conditional use application. The application for the Conditional Use Permit shall include at least the following:

- A. A written statement explaining details surrounding the proposed Conditional Use Permit Application is consistent with all the standards and requirements of this Chapter and other applicable sections of the Willard City Zoning and Land Use Ordinances.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.050 Public Notice

No public hearing need be held. However, a hearing may be held if the City Planner, Conditional Use Review Committee or the Planning Commission deem a public hearing to be necessary and in the public interest. When such public hearing is required, the City will send notice by mail, at the applicant's sole cost and expense, to all property owners within 500 feet from the location where the proposed conditional use is to be conducted, inform them of the nature of the intended use, the date, time and place of the public hearing, name and address of the applicant and location of the intended use. A complete list of names and addresses of all impacted property owners shall be forwarded to the City by the applicant and where such list is inaccurate or incomplete the conditional use may be denied or revoked.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.060 Conditional Use Review Committee

Upon submission of a Conditional Use Permit Application the City Planner will determine the completeness of the application. If the Conditional Use Application is complete, the City Planner will forward the application and all supporting materials to the Conditional Use Review Committee. The Conditional Use Review Committee shall be comprised of the following individuals: The Chief of Police, Fire Chief, City Attorney, a member of the Planning Commission, Director of Public Works, City Planner, City Engineer, and City Manager. Upon review of the application, proposed site plan if required, and any other necessary documentation or information, the Conditional Use Permit Review Committee will transmit a recommendation for the proposed Conditional Use Permit to the Planning Commission.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.070 Factors To Be Considered By The Conditional Use Review Committee

In considering an application for a Conditional Use Permit, the Conditional Use Review Committee should analyze the following factors and may request information, studies, or data with respect to such factors for the purpose of determining whether a proposed Conditional Use Permit meets the standards set forth in this Chapter:

- A. The suitability of the specific property for the proposed use;

- B. The development or lack of development adjacent to the proposed site and the harmony of the proposed use with existing uses in the vicinity;
- C. Whether the proposed use or facility may be injurious to potential or existing development in the vicinity;
- D. The economic impact of the proposed facility or use on the surrounding area;
- E. The aesthetic impact of the proposed facility or use on the surrounding area;
- F. The present and future requirements for transportation, traffic, water, sewer, and other utilities for the proposed site and surrounding area;
- G. The safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection and pedestrian and vehicular circulation;
- H. The safeguards provided or proposed to prevent noxious or offensive omissions such as noise, glare, dust, pollutants and odor from the proposed facility or use;
- I. The safeguards provided or proposed to minimize other adverse effects from the proposed facility or use on persons or property in the area; and
- J. The impact of the proposed facility or use on the health, safety and welfare of the City, the area and persons owning or leasing property in the area

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.080 Standards And Criteria For Conditional Use Permit

Upon receiving a recommendation from the Conditional Use Permit Review Committee, the Planning Commission shall consider the following general standards and criteria prior to approving or denying a conditional use permit:

- A. The Conditional Use is authorized in the zoning district where the use is proposed;
- B. The use applied for at the proposed location is necessary or desirable to provide service or facility that will contribute to the general well-being of the area and Willard City;
- C. Compatibility of the proposed use with the interest, function and policies established in the Willard City General Plan;
- D. Compatibility of the proposed use within the character of the site, neighboring properties and other existing and proposed development.
- E. Streets and other means of access to the Conditional Use are adequate to carry anticipated traffic and shall not materially reduce the level of service on adjacent streets;
- F. The Conditional Use shall not unreasonably interfere with the lawful use of surrounding property;
- G. Fencing, screening and landscaping, and other adequate buffering, is provided as needed to protect adjacent property from light, noise and visual impacts associated with the proposed use;
- H. The availability of or ability to provide adequate services, drainage, parking, fire protection, and safe transportation access.

- I. The proposed conditional use will not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the vicinity or interests to property or improvements in the vicinity;
- J. In the event the Planning Commission determines that the standards of this Chapter cannot be met and that adequate mitigation measures cannot be imposed to bring the use into conformity with the applicable standards and criteria, the Planning Commission may deny the request for a conditional use permit.
- K. Within and adjoining the proposed site, the Planning Commission may impose reasonable conditions as deemed necessary for the protection of the site location and adjacent properties and the public interest.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.090 Reasonable Conditions Imposed

The Planning Commission may issue a Conditional Use Permit to be located within any zoning district in which the particular Conditional Use is allowed by the use regulations of this Chapter. In authorizing any Conditional Use, the Planning Commission shall impose such requirements and conditions as required by law and as may be necessary for the protection of neighboring properties and the general welfare of the public. Such conditions of approval may include, but shall not be limited to, limitations or requirements as to a street dedication, the height, size, location and design of structures, landscaping, density, ingress/egress, fencing, parking, screening, buffering parking, hours of operation, or lighting.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.20.100 Expiration

A Conditional Use Permit shall expire one (1) year after the date of approval and shall be null and void unless the property owner or their duly authorized agent has obtained a Building Permit, where required, or a Business License or other permits or licenses required for the operation. A one (1) year extension may be granted by the Planning Commission when deemed to be in the public interest.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

21.20.110 Revocation

A Conditional Use Permit may be revoked by the Planning Commission upon failure to comply with the conditions of the permit, for any violation of this Title occurring on the site for which the permit was approved, or if the use is not maintained or abandoned. Prior to taking action concerning revocation of a Conditional Use Permit, a meeting shall be held by the Planning Commission. Notice of the meeting and the grounds for consideration of revocation shall be mailed to the permittee at least ten (10) days prior to the hearing.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

21.20.120 Appeals

Any applicant shall have the right to appeal the decision of the Planning Commission to the designated Hearing Officer under the procedure outlined in Willard City Zoning Code Chapter 12-101-2. Any decision of the Hearing Officer may be appealed by the applicant or City to the District Court within thirty (30) days from the issuance of the written decision.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

21.20.130 Review

The Planning Commission may review compliance with an issued Conditional Use Permit at regular intervals at the discretion of the Planning Commission or upon recommendation of the City Planner.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

21.20.140 No Presumption Of Approval

The listing of a conditional use in any district does not constitute an assurance that the conditional use shall be approved by the Planning Commission or City Planner. Each conditional use application shall be evaluated individually to determine compliance with the standards set forth in this chapter, the standards of the district where the proposed use shall be located, and any standards applicable to the conditional use.

HISTORY

Amended by Ord. [2023-2](#) on 3/9/2023

Adopted by Ord. [2025-06](#) on 2/13/2025

24.44.030 Uses

No building, structure or land shall be used and no building or structure shall be hereafter erected structurally altered, enlarged or maintained in the multiple use, rural, or residential districts except as provided in this Ordinance. (See Table I)

18

TABLE I	MU-40	A-3	A-5	R-1/2	R-1	Old Willard Township
1. Accessory buildings and uses customarily incidental to permitted uses...	P	P	P	P	P	P
2. Accessory uses and buildings customarily incidental to conditional uses...	C	C	C	C	C	C
3. Temporary buildings, for uses incidental to construction work, including living quarters for a guard or night watchman, which buildings must be removed upon completion or abandonment of the construction work...	C	C	C	C	C	C
4. AGRICULTURE AND FORESTRY*						
a. Agriculture, except grazing and pasturing of animals	P	P	P	P	P	P
b. Agriculture, including grazing and pasturing of animals	C	P	P	P	P	P
c. Agriculture, business or industry	C	C	C	C	C	C
d. Animals and fowl for recreation or for family food production for the primary use of persons residing on the premises	P	P	P	P	P	P
e. Nursery or green house, wholesale or retail	C	P	P	P	P	P
f. The tilling of the soil, the raising of crops, horticulture and gardening	C	P	P	P	P	P
g. Farms devoted to raising and marketing chickens, turkeys or other fowl or poultry, fish or frogs, including wholesale and retail sales	C	C	C	C	C	C
h. Forestry, except forest industry	P	P	P	P	P	P
i. Forest industry, such as a sawmill, wood products plant, or others	C	-	-	-	-	
j. Small-Scale Retail	C	C	C	-	-	-
k. Limited and light manufacturing	C	C	C	-	-	-
l. Storage (Non-Agricultural, Small Scale)	C	C	C	-	-	-

5. APIARY, Private	P	P	C	C	C	C
6 APIARY, Commercial	C	C	C	-	-	-
7. AVIARY, Private or Commercial	C	C	C	C	C	C
8. PLANNED UNIT DEVELOPMENT (PUD) OR CLUSTER SUBDIVISION OF SINGLE FAMILY DWELLINGS: Moved to item 18)						
9. DWELLINGS:						
a. Single-family dwelling	P	P	P	P	P	P
b. Accessory Dwelling Unit, Detached - Per 24.96	P	P	P	P	P	P
c. Accessory Dwelling Unit, Attached - Per 24.96	P	P	P	P	P	P
d. Farm or Ranch Housing (Addressed by ADU, Detached)	C	C	C	C	C	C
e. Manufactured Housing	P	P	P	P	P	P
f. Mobile Homes when not located in a mobile home park or subdivision	C	C	C	C	C	C
10. DUDE RANCH, Family Vacation Ranch	C	C	C	-	-	-
11. Home occupation	P	P	P	P	P	P
12. Household Pets Per 16.12.050	P	P	P	P	P	P
13. Kennel per to 16.12.060	-	C	-	-	-	-
14. Power generation	C	P	P	P	P	P
15. PRIVATE PARK OR RECREATIONAL GROUNDS OR PRIVATE RECREATIONAL CAMP OR RESORT, including accessory supporting dwellings or dwellings	C	C	-	-	-	-
16. Public16Public and quasi-public						
a. Churches	C	P	P	P	P	P
b. Parks, golf courses, swimming pools, and other recreation areas	C	P	P	P	P	P
c. Public buildings	C	P	P	P	P	P
d. Private schools	C	P	P	P	P	P
17. Public stable, riding academy or riding ring, horse show barns or facilities	C	P	P	-	-	-
18. Residential Housing Developments						
a. Master Planned Community	C	C	C	C	C	C
b. Mobile home park	C	C	C	C	C	C
c. Mobile home subdivision	C	C	C	C	C	C

d. Planned Unit Development (PUD) or Cluster Subdivision of Single-family Dwellings	-	-	-	-	-	-
19. SHORT-TERM RENTALS (subject to Short-Term Rental Ordinance)	C	C	C	C	C	C
18. Signs (See Sign Ordinance WZC 24.60)						

***Limited Non-Agricultural Use Provision**

Property owners in an agricultural zone (MU-40, A-3, A-5) may apply for a conditional use permit to utilize up to fifteen percent (15%) of their total parcel area for non-agricultural revenue-generating enterprises.

The proposed use must be:

- Compatible with the rural character of the area.
- Not a detriment to surrounding agricultural operations.
- Compliant with all applicable state and local regulations.

The conditional use permit shall be reviewed by the Conditional Use Review Committee and Planning Commission with conditions as necessary to mitigate potential impacts.

Examples of permitted non-agricultural conditional uses include, but are not limited to:

Small-scale retail sales (e.g., farm stores, artisan goods)

Agricultural tourism (e.g., farm stays, event venues)

Professional services (e.g., home-based businesses)

Limited light manufacturing (e.g., woodworking, small-scale food production)

The City may impose additional requirements regarding parking, traffic, noise, hours of operation, and environmental considerations

HISTORY

Amended by Ord. 2022-9 on 12/8/2022

Amended by Ord. 2025-04 on 3/27/2025

24.48.030 Uses Not Listed

The Table in this Section provides a listing of permitted and conditionally permitted uses for Commercial and Manufacturing zones within the city. The Table in this section is not comprehensive. In the event a sought-after use is not listed, the City Planner is empowered to interpret the list and determine if the unlisted use is substantially similar in character, origin, and impact to a listed use. In making this determination, the City Planner may, at their sole discretion, ask the Planning Commission for its review and interpretation.

(See TABLE I)

A. Accessory Buildings/dwellings/manufacturing/storage	M	C-G	C-N	TOD (Per 24.9 6)	C-R
Accessory uses and buildings customarily incidental to the permitted uses.	P	P	P	P	-
Single-Family Dwelling	C	C	P	-	-
Multi-Family, Twin Home (Subject to spacing requirements)	C	C	C	P*	-
Multi-Family, Attached (Subject to spacing requirements)	C	C	C	P*	-
Multi-Family, Stacked (Subject to spacing requirements)	C	C	C	P*	-
Accessory Dwelling Unit (ADU), Detached, per WCC 24.96	-	-	C	-	-
Accessory Dwelling Unit (ADU), Attached, per WCC	P	P	P	-	-
Manufacturing/Industrial Heavy	P	C	-	-	-
Manufacturing/Light	P	P	C	-	C
Refineries	-	-	-	-	-
Renewable Energy Systems	C	C	C	-	-
Storage Facility/Units	P	C	-	-	-
Temporary Buildings	C	C	C	-	C
Warehousing/Distribution	P	C	-	-	-
Warehousing/Distribution Motor Fuels/Propane/Plant/Storage Facilities	P	C	-	-	-
B. Public Facilities/Utilities	M	C-N	C-G	TOD	C-
Communication Towers and Antennas	C	C	C	C	C
Churches/Places of Worship	P	P	P	C	-
Community Garden	P	P	C	P	-
Educational Facilities (Public or Private)	p	p	p	C	-
Government or Municipal Offices	P	P	P	P	C
Library or Reading Room, Museum, and other Cultural Services	C	P	P	P	C

Parks, Public or Private/Open Space	P	P	P	P	-
Public Utility installations	P	P	P	P	-
C. Recreations/Entertainment	M	C-N	C-G	TOD	C-R
Auditorium or Performing Arts Center	C	C	C	C	P
Bowling Alley	P	P	-	C	P
Dance Studio	P	P	P	C	-
Dance Club	-	-	-	C	C
Fitness Center	P	P	P	C	C
Golf Course	P	p	C	-	-
Recreation Center	P	P	-	C	P
Recreational Vehicle Park	P	P	-	-	-
Sexually Oriented Businesses: See Willard City General Ordinances Title 9-600	C	-	-	-	-
Swimming Pool	C	P	C	-	-
Theater/Entertainment	C	C	-	P**	C
D. Retail	M	C-N	C-G		
Alcohol or Tobacco Specialty Store	P	P	-	-	P
Christmas Trees Sales	P	p	C	-	C
Convenience Store, With drive-thru	P	P	P	C	P
Convenience Store, Without drive-thru	P	P	P	C	P
Fireworks Stand	C	C	C	-	C
Florist Shop/Nursery	C	C	P	P Flouri st only)	C
Fruit Stand	P	P	P	-	P
Grocery Store	P	P	-	P	P
Pet Shop, Including pet grooming	P	P	P	p	p
E. Restaurant/Food Establishments	M	C-N	G-G		
Bakery	P	P	P	P	P
Candy/Ice Cream Store	P	P	P	P	PF
Food Truck, Temporary	P	P	P	P	P
Food Truck, Permanent	C	P	C	-	P
Private Club/Bar/Tavern	P	C P		-	C

Restaurant/Fast Food with drive-thru	P	P	P	C	P
Restaurant/Fast Food without drive-thru	P	P	P	P	P
F. Service	M	C-N	C-G	TOD	C-R
Agriculture, Existing	P	P	P	-	C
Agricultural Industry/Food	P	P	C	-	-
Automobile Service and Sales (Includes Fuel)	P	C	p	-	p
Bank/Credit Union/Financial with drive-thru	P	P	P	C	P
Bank/Credit Union/Financial without drive-thru	P	P	P	P	P
Barber/Beauty Salon/Tanning/Nails/Tattoo	P	P	P	P	P
Business/ Professional Office	P	P	P	P	C
Car Wash	C	C	C	-	C
Childcare/Daycare/Preschool, Commercial	P	P	C	C	C
Dry Cleaning	P	P	P	C	P
Hospital	P	P	P	-	-
Hotel/Motel	P	P	P	-	-
Kennel: See WCC 16.12.060	C	C	C	-	-
Locksmith/Key and Lock	P	P	P	-	P
Laundromat	P	P	P	C	P
Medical, Dental, and Physical Therapy Clinic	P	P	P	C	C
Nursing Home	-	C	C	-	-
Pharmacy	P	P	P	P	P
Residential Facilities for Persons With Disabilities	P	P	P	P	P
Slaughterhouse/Meat Processing	C	C	-	-	-
Towing/Impound Yard	P	C		-	-
Transportation/Trucking	P	P	-	C	C
*Subject to density limit in 24.58.080					
** TOD requires parking study					

HISTORY

Amended by Ord. 2023-2 on 3/9/2023Amended by Ord. 2025-04 on 3/27/2025

ITEM 2A

DRAGON DYNAMITE FIREWORKS

850 North Main

↑ North



Willard City Planning & Zoning

Printed: 05/08/2025

850 n main

12/04/2024 - 12/03/2123

5955151

Conditional Use Permit

General

eabff600-b288-11ef-9f16-2150a2eb8a66

Under Review

Active

Application Review Status

Pre-Review	Approved	
<i>Re-opened application.</i>		12/04/2024
City Planner	Reviewing	
City Manager	Reviewing	04/02/2025
Public Works	Reviewing	
Legal Department	Not Reviewed	
Fire Department	Not Reviewed	
City Recorder	Reviewing	
Planning Commissioner	Not Reviewed	
Final-Review	Reviewing	

Fees

Payments

Conditional Use Permit Fee	\$250.00	12/04/2024	Online	\$250.00
Subtotal	\$250.00	Total Paid		\$250.00
Amount Paid	\$250.00			
Total Due	\$0.00			

Application Form Data

(Empty fields are not included)

First Name

Austin

Last Name

Sackett

Contact Email

dddfireworks@gmail.com

Phone Number

(801) 879-3545

Mailing Street Address

1024 e bigelow ave

City

layton

State

UT

Zip Code

84040

Owner First Name

Rodney

Owner Last Name

Mund

Phone Number

(435) 260-0257

Email

mundvan@gmail.com

Owner Street Address

602 n main

City

willard

State

UT

Zip Code

84340

Street Address

850 n main

City

willard

State

UT

Zip Code

84340

Parcel Number

020420014

Parcel Number	Legal Description	Legal Description
02-042-0014	No Answer	 Screenshot 2025-04-09 135614.png

What is the nature of the use of the property that requires a Conditional Use Permit?

We will be using it to store our company's inventory

Is this a Temporary CUP?

No

How would you like to submit the adjacent property owner information?

Text Box

List of complete name/address list of all adjacent property owners within 500 feet of the project parcel.

Fred Don Barker 901 n main st willard ut 84340

Bailey v properties llc 1243 n washington blvd ogden ut 84404

Rew e wiley 824 n 75 w willard ut 84340

Rew e wiley Jr 825 n 75 w willard ut 84340

william c money 803 n main st willard ut 84340

Peak RV Willard 325 n 200 w willard ut 84340

Donel jt anderson 768 n main st willard ut 84340

steven r spackman 125 e 750 n willard ut 84340

John david daniels 255 e 750 n willard ut. 84340

Fred D Etal JT Barker 901 n main st willard ut 84340

Upload Site Plan

 Willard Conditional Use Permit (3).pdf

Site Plan

 Willard Storage 2025 Site Plan.pdf

 DDD CUP info submittal.pdf

Signature

OWNER(S) ACKNOWLEDGEMENT: All application fees must be paid at time of application submittal. No application will be processed until all application fees are paid. Notification and publication fees for required public hearing (cost of individual notices mailed to property owners – current postage rate plus cost of envelope – and cost of legal notice in local newspaper) and engineering review fees will be billed to applicant. Notification fees must be paid within 10 days of billing.

PLEASE NOTE REGARDING FEES: the payment of fees and/or the acceptance of such fees by City staff does not constitute any sort of approval, vesting, or signify that the application is complete or appropriate in any manner. The collection of fees is

simply a requirement to begin the review process that will ultimately make such determinations.

I hereby declare under penalty of perjury that this application form and all information submitted as part of this application form is true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application form be incorrect or untrue, I understand that Willard City may rescind any approval or sufficiency determination or take other appropriate action.

Austin Sackett - 12/04/2024 2:44 pm

Willard City Planning & Zoning  / Transactions

Transaction for 850 n main

Transaction Info

Date

Dec 4, 2024 2:46pm

Order #

3QL6-48668501-HNAZ

Method

ONLINE

Status

 SUCCESS

Total Charge

\$250.00

Subtotal

\$250.00

Fees

Code	Name	Amount	
1034100	Conditional Use Permit Fee	\$250.00	

Total: \$250.00 / \$250.00

You can temporarily edit these items during the transition to tracked transaction items. This feature will be removed after June 1, 2022.

 Add Item

Payment Processor

Processor Used

Xpress Billpay

Transaction #

216770213

Permit/License Details:

Name:

850 n main

Permit Type

Conditional Use Permit

Permit Term Starting

Dec 4, 2024

Parcel 02-042-0014 Box Elder County

Owner Name - MUND RODNEY B TTEE ETAL

Owner Address - 602 NORTH MAIN WILLARD, UT 84340



Dragan Dynamite hopes to purchase, or rent to own the property in the coming months.

We hope to place 3 magazines (ATF approved new shipping containers) with 2 steel hood locks on each one, on this property.

We also hope to store 5 magazines (fountains, 500 gram, novelties and ATF does not approve/govern as they are low grade fireworks) in similar magazines grouped closer together as shown below.

ATF Requirements Outside View on door and inside.



Non ATF requirements Outside

Inside is a normal container.

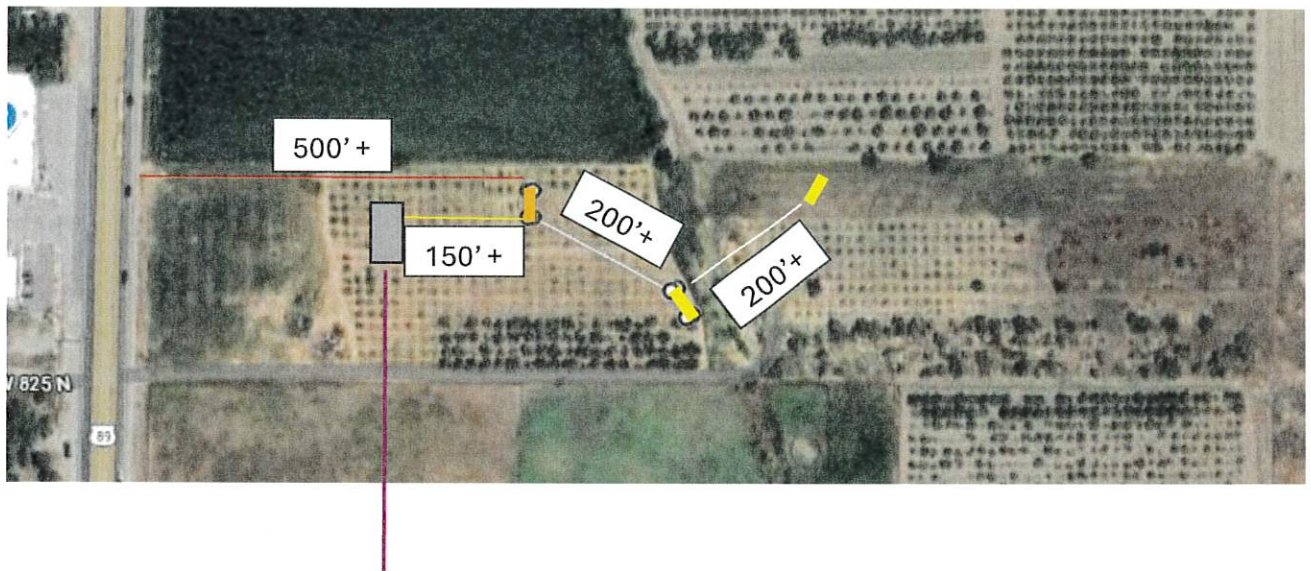


All containers will be neutral colors (ex tan/gray). Colors below are for reference to distinguish the different types/weights.

Grey containers can be next together with no separation. These are the 1.4 consumer grade fireworks (fountains, firework packs, sparklers, 200 and 500 gram shot cakes etc.)

Orange container is 1.3 with less than 5,000 lbs of explosive weight. Needs to be 460' away from highway and 150' away from other containers.

Yellow containers are 1.3 with less than 10,000 lbs of explosive weight. Needs to be 600' from highway and 200' from other containers.

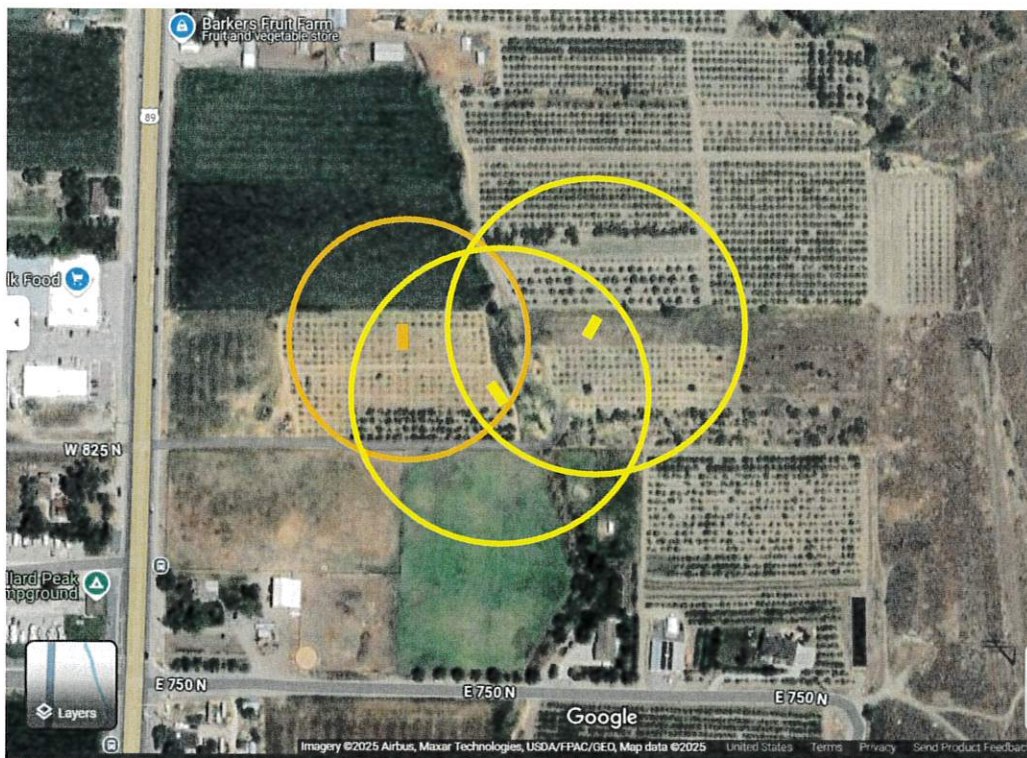


5 - 1.4 containers of consumer product (not commercial). No separation distance needed between them but no closer than 150' to the 5,000 lbs or less container of 1.3 product.

There cannot be a dwelling where people live such as homes, inside these rings. If a home is built inside one of these rings the container will have to move or less weight can be inside the containers.

The Orange Ring is 230' Radius.

The Yellow Rings are 300' Radius.



Internal Notes

This parcel is zoned R-1/2 that fronts HWY 89, then A-5 in the Eastern Side. Not sure if storing explosives (fireworks) will conflict with any of the zoning laws. I didn't see any culinary well source protection issues. But there are some other water rights/wells in that area. Mostly for Agricultural use.

I believe storage containers are considered accessory buildings. They would have to comply with setback requirements. Can they have an accessory building if there isn't a main structure?

I just checked state code. 10-12-5-C6 says that in a residential only zone, where no principal building exists, an accessory building or roof only building is prohibited. This property is zoned R 1/2 and A-5, which are residential zones.

I think state code trumps here, I know we discussed this in engineer's meeting last week. Maddie, correct me if I am wrong, I think we decided that we he needed to rezone, which in order to do that, he needs to request an amendment to the future land use map.

I agree. We also discussed that this will cause problems for the neighboring properties in the future. To the north and the south, if anyone wants to build on those lots, it could become an issue if there are fireworks being stored within 300 feet of the property line.

This application has been reopened because the Table of Uses was updated recently. Storage containers are now a conditionally permitted use within the A-5 zone. Please review the new documents under the Required Documents tab. We will schedule a CUP Review meeting soon.

@{{user|671030e4bea51c01b21d4eea|Jeremy Kimpton}}@{{user|67112028920b64a02f0fb9be|Colt Mund}}@{{user|6711787db4b1e86d31b79d7e|Payden Vine}}@{{user|6717d626e2e1afed69cf2fc7|Sid Bodily}}@{{user|6717d63ceb8e21e4eb259031|Chad Braegger}}@{{user|67111f44bea51c01b21da0e6|Theron Fielding}}@{{user|67111f2fba51c01b21da0ca|Van Mund}}@{{user|67111fe4920b64a02f0fb954|Zac Burk}}@{{user|67111fc8920b64a02f0fb910|Chris Breinholt}}

I've reviewed the latest "required documents" and with the updated approved uses of small scale storage on A-5, I don't see any conflicts. I still have a concern that the nearest hydrant to these storage containers will be more than 500' away. But Van can weigh in on that. The intent of the separation (or isolation) of these buildings, from the ATF and Utah state code 76-10-303. Powder houses, is to minimize damage if they literally go up in smoke. So perhaps fire suppression isn't the main concern.

@{{user||67112028920b64a02f0fb9be||Colt Mund}}, are you comfortable weighing in on this or should I contact other legal counsel?

Messages

Austin, would you be able to attend a CUP review meeting on May 15th at 3:30 pm here at the Willard City Office?

Comments:

Yes he can be there. Is there anything that he needs to prepare for/ bring to the meeting?

I think we have everything we will need. I'll let you know if there is anything we might be missing.

Okay sounds great! Thank you!

Austin and Danielle,

Do you have the dimensions of each of the different types of trailers? Could you please send those details?

Our code also indicates that these cannot be closer than 10' to the side property lines. The container furthest to the east has me slightly concerned. Would you mind adding the distance to the property lines on this map as well? Thank you.

 Rod Mund property boundaries.png

Comments:

Hi Maddie,

Here is measurement of both spots. Sorry I couldn't add them to that pdf we already sent. The first one is right next to those trees and is 38'. The other will for sure be 10' away or more.

 Measurements.pdf

Here is the updated site map and information.

 Willard Storage 2025.pdf  Willard Conditional Use Permit April 2025.pdf

Danielle, I've reopened the application.

Hi Austin, Danielle was asking me to open this Conditional Use Application up again. Let me know if you got this message. Thanks!

Austin,

After further review with Willard staff, it's been determined that this property would need to be rezoned to Commercial General in order to put storage units on it. This would also require an amendment to our General Plan since this does not line up with our Future Land Use map.

According to Utah State code, storage units are considered accessory buildings, and don't count as a 'primary structure.' Hence the reason for the rezone.

Before this goes any further, we suggest applying for an amendment to the General Plan and a Rezone, which can be done here:

<https://app.civicreview.com/application/66bb862eca13e5f434ebf5b0>.

Let me know if you have any other questions.

-Maddie

Hi Austin, would you mind getting an Owner's Affidavit filled out for us? Thank you.

 Owner's Affidavit.pdf

Comments:

More information about the required distances by ATF can be found here. Provided by applicant per email.

 Austin Sackett Email.pdf

ITEM 2B



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
February 27, 2025 – 4:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

1 The meeting was a special 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 Madison Brown, City Planner
8 Colt Mund, City Attorney
9 Theron Fielding, Police Chief
10 Van Mund, Fire Chief
11 Payden Vine, Public Works Director
12 Sid Bodily, Planning Commission Chair
13 Chad Braegger, Planning Commission
14 Michelle Drago Deputy City Recorder
15

16 Excused: Jeremy Kimpton, City Manager; Chris Breinholdt, City Engineer.
17

18 Others in attendance: Mayor Travis Mote; Randy Forbush; Molly Forbush; Madison Morrison; and Alexis
19 Morrison.
20

21 1. CALL TO ORDER
22

23 Madison Brown, City Planner, called the meeting to order at 4:05 p.m. The secretary recorded a roll call
24 attendance.
25

26 2A. REVIEW AND CONSIDERATION OF A REQUEST FROM MOLLY FORBUSH TO OPERATE AN
27 AIRBNB IN THE BASEMENT OF HER HOME LOCATED AT APPROXIMATELY 26 SOUTH 500
28 WEST (02-087-0005)
29

30 Time Stamp – 0:00 02/27/2025
31

32 Madison Brown, City Planner, stated that Molly Forbush had applied for a conditional use permit to operate
33 a short-term rental/Airbnb in the basement of their home located at 26 South 500 West.
34

35 Molly Forbush, 26 South 500 West, stated that they were proposing the addition of a short-term rental in
36 the community that was thoughtfully designed to enhance Willard's charm, provide affordable lodging near
37 Willard's beautiful recreation areas, and create new opportunities for local businesses. The short-term rental
38 would be a carefully managed space with strict guest limits.
39

40 Sid Bodily, Planning Commission Chair, asked what the guest limit would be. Molly Forbush said the guest
41 limit would be four.
42

43 Molly Forbush said there would be clear restrictions on stay limitations. They wanted to be a benefit, not a
44 burden, to the community. They understood affordable short-term and long-term housing was essential.
45 They ran a short-term rental in Stansbury Park that was very successful. She distributed reviews of their
46 Stansbury short-term rental. She and her daughters had been in the service industry most of their lives and
47 understood how important it was to provide affordable local services.
48



WILLARD CITY

Conditional Use Permit (CUP) Review Committee – Special Meeting

February 27, 2025 – 4:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Madison Brown said the city attorney had asked about their local contact. Molly Forbush said she would be the primary contact.

Madison Brown stated that the Forbush application included their floor plan and pictures of the guest parking area. The Fire Chief had inspected the parking and said he didn't have any concerns.

Colt Mund, City Attorney, felt his concerns had been addressed. The application looked in order. The short-term rental contained two bedrooms so two off-street parking spaces would be needed. Those spaces had been provided. The applicant would be responsible for complying with the International Fire Code and the city's short-term rental requirements.

Theron Fielding, Police Chief, asked if the Forbush's would be living in the upper level of the home. Madison Morrison said they would. Her mother worked from home, and Randy was retired. They were both home all the time. Chief Fielding asked for two contact numbers in case there were problems with the renters. He was concerned about an adult renting the Airbnb for someone underage. Molly Forbush said they would provide a secondary contact number.

Van Mund, Fire Chief, asked if the access to the short-term rental was through an outside entrance. Randy Forbush said there was an outside entrance on the north side of the house, just past the garage. Chief Mund was concerned about addressing. If a guest had a medical emergency in the basement, emergency responders would show up at the upper level of the home and waste critical minutes.

Randy Forbush said he had built a double vinyl gate on the north side of their home. The gate was located at the top of the outside entrance. Chief Mund felt there needed to be something to alert dispatchers so they could let responders know the emergency was in the basement.

Molly Forbush stated that their guests were usually very communicative. She felt if there was an issue, she would be notified.

Theron Fielding stated that if someone called 911, technology would just show the home at the address. Dispatchers and emergency responders would not know if the caller was upstairs or downstairs. If someone called from the short-term rental, they needed to know to tell the dispatcher where they were.

Randy Forbush suggested they have written instructions for tenants to follow in an emergency. Madison Morrison said she had included emergency evacuation procedures in their application. She could adjust them to specify what the address of the short-term rental was in case of an emergency.

Travis Mote, Mayor, suggested hanging a sign on the fence that said *basement rental* with an arrow.

Colt Mund stated that this was a short-term rental not an apartment. Madison Brown said the short-term rental was not a separate unit or mailing address. In an emergency tenants needed to know they had to designate they were in the basement rental.

Van Mund stated that all guest parking had to be on-site, not in the street. He felt there was plenty of off-street parking.

Madison Morrison said they had placed a certified fire extinguisher by the door of the rental. Van Mund said the extinguisher would have to be inspected and tagged every year.



WILLARD CITY

Conditional Use Permit (CUP) Review Committee – Special Meeting

February 27, 2025 – 4:00 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

Madison Brown stated that Molly Forbush had applied for her business license. The fee was \$50.00, which would have to be renewed annually. The license did require a safety inspection. She asked who was supposed to conduct the safety inspection. Colt Mund felt that should be done by the Fire Chief.

Chad Braegger, Planning Commission, stated that the basement would have been inspected by the building inspector when it was finished. He felt the safety inspection should be a fire inspection.

Madison Brown stated that within 10 days of the business license being issued, the applicant was responsible for mailing a copy of their license and conditional use permit to all property owners within 500 feet and provide the city with proof of mailing.

Michelle Drago, Deputy Recorder, stated that the license could not be issued until the conditional use permit was approved by the Planning Commission.

Madison Brown asked if the safety inspection needed to be scheduled before the Planning Commission meeting. Chief Mund said it could be done before.

Madison Morrison asked about a timeline. Madison Brown stated that the next step was the Planning Commission. Michelle Drago said the next available Planning Commission meeting was March 20th. After the Planning Commission meeting, they would need a safety inspection and a signed conditional use permit.

Colt Mund moved to recommend that the Planning Commission consider the request for a conditional use permit for a short-term rental located at 26 South 500 West. Sid Bodily seconded the motion. All voted "aye." The motion passed unanimously.

2B. CONSIDERATION AND APPROVAL OF NOVEMBER 7, 2024, MINUTES

Sid Bodily said there were several questions asked during the November 7th meeting regarding ADU's. Had those questions been answered? Madison Brown said recent ADU changes considered by the Planning Commission specified how the height of an ADU was measured. The address of the Ormsby ADU would have to be on 200 West. It was determined that he would only have to pay 66% of the impact fee.

There was discussion about how impact fees for ADU's were calculated. Colt Mund felt the Planning Commission should discuss amending the ADU regulations to require a full impact fee when an ADU had its own water line and meter. He would check state code to see if there was anything that would prevent the city from making that change.

Colt Mund moved to approve the minutes from November 7, 2024, as written. Chad Braegger seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Sid Bodily moved to adjourn at 4:33 p.m. Theron Fielding seconded the motion. All voted "aye." The motion passed unanimously.



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
February 27, 2025 – 4:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc:CUP 02-27-2025