



WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
May 15, 2025 – 3:30 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.

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5 The following members were in attendance:

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7 Jeremy Kimpton, City Manager
8 Madison Brown, City Planner
9 Chris Breinholt, City Engineer
10 Theron Fielding, Police Chief
11 Van Mund, Fire Chief
12 Payden Vine, Public Works Director
13 Michelle Drago Deputy City Recorder

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15 Excused: Colt Mund, City Attorney, Sid Bodily, Planning Commission Chair, and Chad Braegger, Planning
16 Commission.

17
18 Others in attendance: Kevin Lloyd, Box Elder County Fire Marshall; Austin Sackett; and Danielle Kupfer.

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20 1. CALL TO ORDER

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22 Madison Brown, City Planner, called the meeting to order at 3:31 p.m. The secretary recorded a roll call
23 attendance.

24
25 2A. REVIEW AND CONSIDERATION OF A REQUEST FROM AUSTIN SACKETT WITH DRAGON
26 DYNAMITE FIREWORKS FOR A CONDITIONAL USE PERMIT TO OPERATE STORAGE UNITS
27 ON PROPERTY LOCATED AT APPROXIMATELY 850 NORTH MAIN (02-042-0014)

28
29 Time Stamp – 1:33 05/15/2025

30
31 Madison Brown, City Planner, stated that Austin Sackett from Dragon Dynamite Fireworks had applied for
32 a conditional use permit to place storage units on property located at approximately 850 North Main. Kevin
33 Lloyd, from the Box Elder County Fire Marshall, had been invited to attend the meeting to fill in for Van
34 Mund who had recused himself due to a conflict of interest.

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36 Ms. Brown stated that the initial application was filed in December 2024. At that time, the administration
37 determined that the property would have to be rezoned before the application could be considered. Since
38 that time, the Table of Uses in the Zoning Ordinance had been updated. Storage for non-agricultural uses
39 had been added as a conditional use in the A-3 and A-5 Zones. The property in question was zoned A-5
40 With the use amendment, consideration of Mr. Sackett's conditional use permit application could proceed.

41
42 Ms. Brown further stated that the site plan provided by Dragon Fireworks helped the staff understand where
43 storage containers would be located on the property and how far they would be from property lines. The
44 staff was aware that Dragon Dynamite Fireworks would have to comply with current ATF (Bureau of Alcohol,
45 Tobacco, Firearms, and Explosives) requirements. The staff's biggest concern was the product that would
46 be stored – fireworks. City officials wanted to make sure precautions were taken. If building occurred on
47 adjoining properties, the storage containers would have to be moved, or the amount of stored product would
48 have to be reduced. She felt that should be the first condition.



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Austin Sackett, Dragon Dynamite Fireworks, stated that if building occurred on adjacent properties, they would move the storage containers or limit what was stored in them.

Kevin Lloyd, Box Elder County Fire Marshall, stated that he wasn't too worried about the storage containers. They were semi containers, and they were pretty tough. Similar containers were stored on three other properties in Box Elder County. One was in a wildland area. There had not been any problems with any of them. The containers were inspected yearly by the ATF. He received a call after every ATF inspection. Mr. Sackett would receive a yearly certification from the ATF.

Chris Breinholt, City Engineer, asked if Kevin Lloyd was concerned about distance to the nearest fire hydrant. Van Mund, Fire Chief, said the property in question was located between two hydrants. There was a hydrant about 100 feet to the south. There was another about 100 feet to the north.

Kevin Lloyd felt the hydrants were placed perfectly in case something happened.

Madison Brown asked if there were other precautions Austin Sackett had to take. Austin Sackett stated that they had to keep the weeds cleared for 25 feet in all directions from the containers to prevent heat from a fire. There could be trees if they were alive. Dead trees had to be removed. They kept the area around the containers clear for 300 feet in case of a fire.

Kevin Lloyd stated that there was almost no vegetation whatsoever around the containers.

Payden Vine, Public Works Director, said his only concern was the distance to the nearest fire hydrants. If the fire marshal wasn't concerned, he wasn't concerned either.

Theron Fielding, Police Chief, asked about security. Did Austin Sackett have surveillance cameras or alarms? He wasn't sure how often fireworks containers were broken into. He was concerned there could be problems if kids learned there were fireworks in the containers. Austin Sackett said they had been storing fireworks since 2008. They had never had a break in. They were required to check the containers weekly to make sure the locks were intact. If locks were compromised, they were to call ATF first. Then they would call the Willard Police and Fire Departments to start an investigation. They currently didn't have security cameras for any of their containers.

Van Mund stated that the locks on the containers were not open. They consisted of three sealed hood locks.

Austin Sackett asked if Willard had a cost breakdown for getting power to the property. Van Mund said Mr. Sackett would have to contact Rocky Mountain Power.

Kevin Lloyd stated that there had not been problems at their other locations.

Chris Breinholt asked if they stored fireworks in the containers year-round. Mr. Sackett said they did. This year, they would probably run dry due to the tariff situation. All their fireworks came from China.

Chris Breinholt clarified that if someone built something within a certain radius of the containers, the containers would have to be moved. How did the city guarantee that would happen? Was the conditional use permit renewable every year? Madison Brown stated that the Planning Commission had started reviewing conditional use permits periodically. Van Mund stated that ATF would notice adjacent construction when they conducted their yearly inspection.



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Austin Sackett asked if neighbors were notified when the city received a building permit. Ms. Brown said notification wasn't required for building permits. Willard did notify adjacent property owners about planning issues, such as subdivisions and rezones. Those were prequels to possible building.

Chris Breinholt asked if a conditional use permit was revocable if the containers weren't moved. Madison Brown said it was.

Madison Brown felt that another condition should be compliance with the ATF requirements and submission of annual ATF certification if requested. Jeremy Kimpton, City Manager, agreed. Kevin Lloyd said the ATF was very strict.

Austin Sackett stated that every three years, ATF required them to go through the submission process again. They had to account for every shell. If they weren't following something, they would be out of business. They would be happy to provide Willard with whatever documentation was needed.

Van Mund suggested a condition that would allow the Fire Department to conduct periodic inspections. Ms. Brown agreed.

Madison Brown asked if a public hearing was necessary. The committee didn't feel a public hearing was needed.

Madison Brown moved to recommend that the Planning Commission approve a conditional use permit for storage units on property located at approximately 850 North Main subject to the storage containers being moved or product reduced if building occurred on adjoining properties with 300 feet; that the applicant comply with all ATF requirements and submit any reports or certifications to the city upon request; and that the Willard Fire Department be allowed to conduct periodic inspections. Theron Fielding seconded the motion. All voted "aye." (Kevin Lloyd voted in place of Van Mund). The motion passed unanimously.

Madison Brown stated that the next step would be approval by the Planning Commission on June 6th, their next scheduled meeting.

Austin Sackett asked if it would be possible to have the conditional use permit approved earlier than June 5th. They were running up against seasonal deadlines.

Madison Brown stated that she would ask the Planning Commission if they would be willing to hold a special meeting on May 29th. (After the CUP meeting, the Planning Commission agreed to hold a special Planning Commission meeting at 6:00 p.m. on May 29th).

2B. CONSIDERATION AND APPROVAL OF FEBRUARY 27, 2025, MINUTES

Madison Brown moved to approve the minutes from February 27, 2025, as written. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Chris Breinholt moved to adjourn at 3:56 p.m. Jeremy Kimpton seconded the motion. All voted "aye." The motion passed unanimously.



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Minutes were read individually and approved on: _____

Madison Brown, City Planner

Michelle Drago, Deputy City Recorder

dc:CUP 05-15-2025