

Notice is hereby given that the  
**WILLARD CITY PLANNING COMMISSION**  
Will meet in a regular session on  
**Thursday, September 4, 2025 – 6:30 p.m.**  
**Willard City Hall, 80 West 50 South**  
**Willard, Utah, 84340**

## AGENDA

*(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 allowed.*

1. Prayer
2. Pledge of Allegiance
3. General Public Comments (Input for items not on the agenda. Individuals have three minutes for open comments)
4. Report from City Council
5. Discussion/Action Items
  - a. Public hearing to receive public comments regarding a proposal to amend the Recreational Vehicles and Recreational Vehicle Parks Code found in 24.92.030 of the Willard City Zoning Code
  - b. Consideration and recommendation regarding revisions to the Recreational Vehicles and Recreational Vehicle Parks Code found in 24.92.030 of the Willard City Zoning Code (continued from May 1, May 15, June 5, July 17, August 7, and August 21, 2025).
  - c. Discussion regarding amending the Future Land Use Map found in Chapter 3 of the General Plan adopted March 2024 by expanding the Environmentally Sensitive areas to include sensitive wetlands (continued from August 7 and August 21, 2025)
  - d. Discussion regarding amending the Future Land Use Map found in Chapter 3 of the General Plan adopted March 2024 by extending a commercial corridor along Highway 89 through the Old Town Willard Zone (continued from August 7, 2025)
  - e. Review of a conditional use permit issued to Seth Nielson on June 6, 2024, for a pest control business located at 275 East 200 South (02-050-0048)
6. Consideration and approval of regular Planning Commission minutes for August 21, 2025
7. Discussion regarding agenda items for the September 18, 2025, Planning Commission meeting
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/pmn/index.html>, on the Willard City website [www.willardcity.com](http://www.willardcity.com), and sent to the Box Elder News Journal this 29<sup>th</sup> day of August, 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.

# **ITEM 5A**



## Willard City Corporation

435-734-9881  
80 W 50 S  
PO Box 593  
Willard, Utah 84340  
[www.willardcityut.gov](http://www.willardcityut.gov)

### Mayor

Travis Mote

### City Council Members

J. Hulsey

R. Christensen

M. Braegger

R. Mund

J. Bodily

## NOTICE OF PUBLIC HEARING WILLARD CITY PLANNING COMMISSION

Notice is hereby given that the Willard City Planning Commission will hold a public hearing to receive public comments regarding a proposal to amend Recreational Vehicles and Recreational Vehicle Parks Code found in 24.92.030 of the Willard City Zoning Code.

The public hearing will be held on Thursday, September 4, 2025, at 6:30 p.m. in the Willard City Council Chambers, 80 West 50 South, Willard, Utah, during a regular Planning Commission meeting.

Information regarding this matter is available during business hours by contacting the Willard City Planner at 435-734-9881. Business hours are 8:00 a.m. to 5:00 p.m. Monday through Thursday and 8:00 a.m. to 12:00 p.m. on Friday.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communications, aids, and services) during this meeting should notify the City Office at 80 West 50 South, Willard, Utah, phone number 435 734-9881, at least three working days prior to the meeting.

I, the undersigned duly appointed 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; two other places in the community; on the State of Utah Public Meeting Notice website <http://www.utah.gov/pmn/index.html>; on the Willard City website [www.willardcity.com](http://www.willardcity.com); and sent to the Box Elder News Journal this 22nd day of August, 2025.

/s/Michelle Drago  
Deputy City Recorder

# **ITEM 5B**

**TO: Willard City Council**

FROM: Willard City Planning and Zoning

DATE: June 03, 2025

RE: Recommendation on Temporary Extended Stay Permit Fees – RV Parks

**Background**

In conjunction with the Planning and Zoning Commission's recent efforts to strengthen regulations around recreational vehicle (RV) parks—particularly those related to extended stays—a proposed ordinance amendment has been prepared to establish operational standards for RV park management (see attached ordinance draft).

During the Planning and Zoning Commission's review of these issues, commissioners expressed a desire to establish or increase permit fees for extended-stay RV park uses. While fee structures fall outside the formal scope of P&Z's authority under Utah Code and Willard City Code, their concerns reflect a broader interest in ensuring these uses are regulated fairly and that the City recovers reasonable administrative costs associated with permitting and enforcement.

**Recommendation**

The Planning Commission is recommending that the City Council adopt the proposed ordinance establishing operational standards for RV parks and include in its motion the following clarification regarding fees:

**"Any fees associated with the administration of extended-stay permits or related enforcement will be set by Resolution of the City Council, consistent with current City policy. The Planning and Zoning Commission's input is appreciated and will be taken into consideration as part of the City's broader fee review process."**

**Fee Authority and Process**

- Under Utah Code § 10-9a-510, municipalities may charge fees for land use permits so long as the fee does not exceed the reasonable cost of processing the application.
- Willard City currently adopts and updates its fees by resolution, not ordinance.
- Extended-stay RV permits—if adopted—would fall under this rule and must reflect actual costs such as application review, staff time, and potential site inspection.
- Fees cannot be used for general revenue generation and must be substantiated by administrative cost studies.

**Ongoing Fee Review**

Willard City is actively engaged in a comprehensive review of its fee schedules and will be finalizing studies that will inform the following:

- Whether our current fees adequately cover staff and enforcement costs
- Whether new permit types (such as extended-stay permits) require dedicated processing fees
- How Willard's fees compare to those in similar Utah jurisdictions

This approach ensures any fee recommendations are not only legally defensible but also publicly transparent and equitably structured.

### **Summary**

The Planning and Zoning Commission has raised valid operational concerns, and those concerns have been addressed through the accompanying ordinance update. However, the responsibility for setting and adopting fees remains solely with the City Council and must follow State law and City procedure. Staff recommends proceeding with adoption of the operational standards ordinance and continuing the fee discussion through the Council-led resolution process as part of Willard's broader cost recovery strategy.

**WILLARD CITY  
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING TITLE 24.92 OF THE WILLARD CITY ZONING  
CODE TO ESTABLISH OPERATIONAL REQUIREMENTS, PERMIT  
CONDITIONS, AND FEE AUTHORITY FOR TEMPORARY EXTENDED-STAY  
USES IN RECREATIONAL VEHICLE PARKS**

**WHEREAS**, Willard City desires to regulate extended stays in RV parks to preserve health, safety, and land use compatibility;

**WHEREAS**, the City Council has determined that Temporary Extended-Stay RV Permits are a necessary and lawful tool to monitor long-term recreational vehicle occupancy;

**WHEREAS**, Utah Code §§?10-9a-510 and 10-1-203 authorize cities to impose land use and permit fees, provided those fees do not exceed the cost of processing the application;

**WHEREAS**, the City Council intends to establish the fee for the Temporary Extended-Stay RV Permit by separate resolution and incorporate it into the City's consolidated fee schedule;

**NOW THEREFORE**, be it ordained by the Council of the Willard City, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “24.92.030 Location And Use” of the Willard City Zoning Code is hereby *amended* as follows:

**B E F O R E   A M E N D M E N T**

**24.92.030 Location And Use**

No Recreational Vehicle shall be located, placed, used, or occupied for residential purposes in any district except with in approved and licensed Recreational Vehicle Parks and Except as otherwise provided herein.

- A. Recreational Vehicle Parks shall be generally located:
  1. Adjacent to or in close proximity to a major traffic artery or highway.
  2. Within or adjacent to a mobile home park.
- B. No Space or spaces within a Recreational Vehicle Park shall be rented or leased to any owner or a Recreational Vehicle or one individual Recreational Vehicle for more than ninety (90) consecutive days, nor shall any space or spaces within a Recreational Vehicle Park be rented or leased to any one individual recreational vehicle for a period longer than ninety (90) days within a three- hundred sixty-five (365) day period, except under the following circumstances and conditions:

1. Recreational Vehicle Parks may reserve one (1) space for every twenty-five (25) spaces in the park for the sole use of park employees who provide on-site maintenance, and operations functions
  2. Spaces may be used for long-term, temporary housing of transient employee(s) provided the employer provides a letter to the Recreational Vehicle Park stating that the Recreational Vehicle is not being used for permanent housing, explains the circumstances that make the need for longer-term temporary housing necessary, and provide a projected end date for the space lease not to exceed twelve (12) consecutive months with the option of renewal with a new letter from the employer at the end of the twelve (12) month period. Long-term use will be limited to one-quarter (1/4) of the spaces available in the Recreational Vehicle Park.
  3. For the Purpose of this chapter, transient employee(s) shall mean a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in how the work is to be performed. Employer shall mean one who employs the services of others: one for whom employees work and who pays the employee's wages or salary.
  4. Recreational Vehicles occupying space in a Recreational Vehicle Park on a longer-term, temporary (over ninety days but not permanent) basis must be owner occupied, have proof of ownership of the recreational vehicle, and must have a current license and registration, and the recreational vehicle must be operable for travel.
- C. It shall be unlawful for the owner, operator, and/or property manager of a Recreational Vehicle Park to allow any guest to register under a different name in order to avoid the length of stay requirements as set forth herein. Moreover, an Owner, operator, and/or property manager shall not allow any Recreational Vehicle to move to a different Recreational Vehicle Space to avoid the length of stay requirements set forth herein.
- D. Recreational Vehicles shall not be used for living quarters in Willard City or on any city right-of-way, except in properly designated Recreational Vehicle Parks. Except and solely limited to the following circumstances:
1. Temporary use, not to exceed seven (7) days, on an occupied residential lot, by residents or guests of the residents, will be permitted.
- E. Recreational Vehicle which are unoccupied for living space may be stored on a private parcel of land, including an occupied residential lot, provided they do not violate an required setbacks for front, rear, or side yards. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction activities are permitted only as provided in Willard City Zoning Ordinances.
1. Recreational Vehicles may be towed. Displayed, sold serviced. but not used for living quarters in a sales lot in a commercial or manufacturing district when such use is a permitted or conditional use.
- F. Recreational Vehicles may be accommodated in an approved and licensed mobile home park, provided that
1. The Recreational Vehicle park or campground portion of the mobile home park is separated by barriers, screens, or otherwise from the area of mobile

homes.

2. The Recreational Vehicle use area shall have direct access to a collector or arterial street; and
3. Separate ingress and egress shall be provided for Recreational Vehicles when required by the Planning Commission.

#### A F T E R A M E N D M E N T

##### 24.92.030 Location And Use

No Recreational Vehicle shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed Recreational Vehicle Parks and ~~or~~ Except as otherwise provided herein.

**A. A. Recreational Vehicle Parks shall be generally located:**

1. Adjacent to or in close proximity to a major traffic artery or highway.
  2. Within or adjacent to a mobile home park.
- B. No Space or spaces within a Recreational Vehicle Park shall be rented or leased to any owner of ~~or~~ a Recreational Vehicle or one individual Recreational Vehicle for more than twelve (12) ~~ninety (90)~~ consecutive ~~months~~ ~~days~~ (365 consecutive days) or more than ~~365 cumulative days in any 18 month period, except under the following circumstances: nor shall any space or spaces within a Recreational Vehicle Park be rented or leased to any one individual recreational vehicle for a period longer than ninety (90) days within a three-hundred sixty-five (365) day period, except under the following circumstances and conditions:~~
1. Recreational Vehicle Parks may reserve one (1) space for every twenty-five (25) spaces in the park for the sole use of park employees who provide on-site maintenance, and operations functions
  2. Spaces may be used for long-term, temporary housing of transient employee(s) provided the employer provides a letter to the Recreational Vehicle Park stating that the Recreational Vehicle is not being used for permanent housing, explains the circumstances that make the need for longer-term temporary housing necessary, and provide a projected end date for the space lease not to exceed ~~twelve eighteen (1218)~~ consecutive months with the option of renewal with a new letter from the employer at the end of the ~~twelve eighteen (1218)~~ month period. Long-term use will be limited to one-quarter (1/4) of the spaces available in the Recreational Vehicle Park and application made to the city and fees paid as set by resolution of the Willard City Council.
  3. For the ~~p~~urpose of this chapter, transient employee(s) shall mean a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in how the work is to be performed. Employer shall mean one who employs the services of others: one for whom employees work and who pays the employee's wages or salary.
  4. Recreational Vehicles occupying space in a Recreational Vehicle Park on a

longer-term, temporary (over ninety days but not permanent) basis must be owner occupied, have proof of ownership of the recreational vehicle, and must have a current license and registration, and the recreational vehicle must be operable for travel.

5. For the purposes of this ordinance, “space or spaces” pertains to the RV park property itself, i.e., no individual owner of an RV, or individual RV itself may occupy the RV park property, regardless of space occupied, longer than these durations. Moving from space to space within a given RV park is still considered cumulative time on the property, i.e., it does not reset the clock.
- C. It shall be unlawful for the owner, operator, and/or property manager of a Recreational Vehicle Park to allow any guest to register under a different name in order to avoid the length of stay requirements as set forth herein. Moreover, an ~~o~~wner, operator, and/or property manager shall not allow any Recreational Vehicle to move to a different Recreational Vehicle Space to avoid the length of stay requirements set forth herein.
- D. Recreational Vehicles shall not be used for living quarters in Willard City or on any city right-of-way, except in properly designated Recreational Vehicle Parks. Except and solely limited to the following circumstances:
  1. Temporary use, not to exceed seven (7) days, on an occupied residential lot, by residents or guests of the residents, will be permitted.
- E. Recreational Vehicles which are unoccupied for living space may be stored on a private parcel of land, including an occupied residential lot, provided they do not violate any required setbacks for front, rear, or side ~~yards~~years. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction activities are permitted only as provided in Willard City Zoning Ordinances.
  1. Recreational Vehicles may be towed, ~~displayed, sold, serviced,~~ but not used for living ~~quarters~~quarters in a sales lot in a commercial or manufacturing district when such use is a permitted or conditional use.
- F. Recreational Vehicles may be accommodated in an approved and licensed mobile home ~~park~~, provided that
  1. The Recreational Vehicle park or campground portion of the mobile home park is separated by barriers, screens, or otherwise from the area of mobile homes.
  2. The Recreational Vehicle use area shall have direct access to a collector ~~r~~ arterial street; and
  3. Separate ingress and egress shall be provided for Recreational Vehicles when required by the Planning Commission.

**SECTION 2: AMENDMENT “24.92.040 Requirements For Approval” of the Willard City Zoning Code is hereby *amended* as follows:**

**B E F O R E A M E N D M E N T**

**24.92.040 Requirements For Approval**

Recreational Vehicle Park or campground may not be constructed unless first approved by the Planning Commission. Before such approval is given by the Planning Commission the proposed development will:

- A. Be in conformity and maintain the general character of the district within in which it is to be located.
- B. Be located on a parcel of land of not less than five (5) acres, unless attached to a mobile home park, in which case no minimum area is required.
- C. Have at least twenty-five (25) spaces completed and ready for occupancy before first occupancy is permitted, or an approved schedule of financing, construction, and phase completion, and approved security, to assure compliance and completion.
- D. Meet all standards and requirements of 12-705 of this chapter and all other requirements of any applicable ordinances, and state and local law.
- E. Meet all requirements and maintain compliance with "Recreational Vehicle Park Sanitation" under Utah Administrative Code R-392-301 et seq.
- F. Obtain written approval of the Local Health Official.
- G. Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development.

The Planning Commission shall not approve any application for a Recreational Vehicle Park if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot assure the Recreational Vehicle Park will be completed within a reasonable time; if the Planning Commission or Willard City Council determines there would be danger of flood, fire or other hazard; or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:

- A. Create excessive costs for public services and facilities.
- B. Endanger the health or safety of the public.
- C. Unreasonably hurt or destroy the environment.
- D. Cause excessive air or water pollution, or soil erosion; or
- E. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

#### A F T E R A M E N D M E N T

##### 24.92.040 Requirements For Approval

Recreational Vehicle Park or campground may not be constructed unless first approved by the Planning Commission upon approval of an RV Park Permit application. Before such approval is given by the Planning Commission the proposed development will:

- A. Be in conformity and maintain the general character of the district within ~~in~~ which it is

- to be located.
- B. Be located on a parcel of land of not less than five (5) acres, ~~unless attached to a mobile home park, in which case no minimum area is required.~~
  - C. Have at least twenty-five (25) spaces completed and ready for occupancy before first occupancy is permitted, or an approved schedule of financing, construction, and phase completion, and approved security, to assure compliance and completion.
  - D. Meet all standards and requirements of ~~12-705~~ 24.92.030 of this chapter and all other requirements of any applicable ordinances, and state and local law.
  - E. Meet all requirements and maintain compliance with "Recreational Vehicle Park Sanitation" under Utah Administrative Code R-392-301 et seq.
  - F. Obtain written approval of the Local Health Official.
  - G. Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development.
  - H. An applicant pursuing an RV Park Permit for an RV Park must provide a copy of the tenant contract for City review and that any modifications or updates to the contract be provided to the City.

The Planning Commission shall not approve any application for a Recreational Vehicle Park if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot assure the Recreational Vehicle Park will be completed within a reasonable time; if the Planning Commission or Willard City Council determines there would be danger of flood, fire or other hazard; or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:

- A. Create excessive costs for public services and facilities.
- B. Endanger the health or safety of the public.
- C. Unreasonably hurt or destroy the environment.
- D. Cause excessive air or water pollution, or soil erosion; or
- E. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

**SECTION 3: AMENDMENT "24.92.60 Standards" of the Willard City Zoning Code is hereby *amended* as follows:**

**B E F O R E A M E N D M E N T**

**24.92.60 Standards**

The development of a Recreational Vehicle Park shall conform to the following standards and subject to the approval of the Planning Commission:

- A. The area shall be in one (1) ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
- B. The plans for a Recreational Vehicle Park shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission in consultation with the City Planner.
- C. In all Recreational Vehicle Parks, a strip of land at least fifteen (15') feet wide surrounding the entire park, shall be left unoccupied and shall be planted and maintained in lawn, shrubs, trees, and include an approved wall or fence, designed to afford privacy to the recreational park.
- D. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage of water in or adjacent to the development to prevent the accumulation of stagnant pools of water in or adjacent to the development.
- E. Not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10%) percent common area required for parks or playgrounds for occupants, provided, however, than in initial stages of development or special smaller developments the minimum area shall be not less than one-half (1/2) acre or ten (10%) percent, whichever is greater.
- F. Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the recreational park.
- G. All areas that are not covered, contain asphalt or concrete, or built upon, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.
- H. All off-street parking spaces and driveways shall be comprised of asphalt or concrete before the adjacent Recreational Vehicle spaces may be occupied.
- I. The roadways shall be designed to accommodate anticipated traffic and built in conformance with the Willard City Public Work Standards.
- J. All storage and solid waste receptacles, outside of the confines of any Recreational Vehicle must be housed in a closed structure compatible in design and construction to any service buildings within the Recreational Vehicle Park and approved by the Planning Commission. The service buildings shall be constructed in accordance with Willard City building codes and kept in good repair.
- K. A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park.

#### A F T E R A M E N D M E N T

##### 24.92.~~60060~~ Standards

The development of a Recreational Vehicle Park shall conform to the following standards and

subject to the approval of the Planning Commission:

- A. The area shall be in one (1) ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
- B. The plans for a Recreational Vehicle Park shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission in consultation with the City Planner.
- C. In all Recreational Vehicle Parks, a strip of land at least fifteen (15') feet wide surrounding the entire park, shall be left unoccupied and shall be planted and maintained in lawn, shrubs, trees, and include an approved wall or fence, designed to afford privacy to the recreational park.
  - 1. This setback shall remain free of structures and be maintained as permanent landscaped open space.
  - 2. Landscaping within the buffer shall include grass, trees, shrubs, and other vegetation in accordance with the City's commercial landscaping standards.
  - 3. Fencing, berms, or natural screening may be required at the discretion of the Planning Commission to reduce impacts on adjacent properties.
- D. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage of water in or adjacent to the development to prevent the accumulation of stagnant pools of water in or adjacent to the development.
- E. Not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10%) percent common area required for parks or playgrounds for occupants, provided, however, than in initial stages of development or special smaller developments the minimum area shall be not less than one-half (1/2) acre or ten (10%) percent, whichever is greater.
  - 1. Open space shall not include individual RV spaces, driveways, internal roadways, parking areas, maintenance buildings, or other impervious surfaces.
  - 2. Open space areas shall be usable for passive or active recreation, and may include lawns, trails, picnic areas, playgrounds, natural areas, or other similar amenities.
- F. Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the recreational park.
- G. All areas that are not covered, contain asphalt or concrete, or built upon, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.
- H. All off-street parking spaces and driveways shall be comprised of asphalt or concrete before the adjacent Recreational Vehicle spaces may be occupied.
- I. The roadways shall be designed to accommodate anticipated traffic and built in conformance with the Willard City Public Work Standards.
- J. All recreational vehicle (RV) parks shall provide adequate, on-site solid waste disposal

facilities for use by park occupants and guests.

1. Trash containers shall be commercial-grade, animal-proof, and weather-resistant, with securely fitting lids.
2. The number and capacity of containers shall be sufficient to accommodate projected waste volumes based on the number of occupied spaces and service frequency.
3. Trash containers shall be located in convenient, accessible areas for park users, but situated so as to minimize odor, visibility, and noise impacts to adjacent RV spaces and neighboring properties.
4. All trash enclosures must be placed on a concrete or paved pad and have vehicular access for collection trucks.
5. All trash containers shall be housed in screened enclosures constructed of masonry, vinyl, or similar durable material that complements the principal structures in the park.
  - a. Enclosures shall include gated access, maintained in good working order.
  - b. Enclosures shall be landscaped or buffered when adjacent to residential zones or public rights-of-way.
6. The RV park owner or operator shall ensure regular emptying of containers to prevent overflow, odor, and litter. Enclosures and containers remain in clean, sanitary, and functional condition at all times.

K. All open space and landscaping shall be:

1. Privately owned and maintained by the park operator or owner's association, and
2. Subject to a recorded maintenance agreement, ensuring the long-term care and preservation of the designated open space areas.

L. A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park.

M. A solid, site-obscuring perimeter fence shall be installed around the side and rear boundaries of all RV parks.

1. The fence shall be a minimum of six feet (6') in height and constructed of wood, vinyl, masonry, or other durable opaque materials.
2. Chain-link fencing is not permitted unless fitted with full privacy slats approved by the Planning Commission.
3. If the RV park borders a public street, a decorative fence, wall, or landscaped berm at least 3 feet in height shall be installed behind the buffer and the buffer shall be at least 10 feet wide and planted to provide an attractive visual screen.
4. All fences and landscaped buffers shall be maintained in good condition by the RV park owner or operator. Dead or damaged vegetation must be replaced within 30 days. Fences shall be kept free from graffiti, damage, and deterioration.

N. All RV parks with fire pits shall comply with the applicable local fire authority or district requirements, subject to review and approval as part of park plan submittal.

1. Fire Pit Design & Location must be:
  - a. Constructed of non-combustible material (e.g., stone, concrete, steel).

- b. At least 18 inches deep and/or enclosed by a non-combustible ring at least 18 inches tall.
  - c. Located no closer than 25 feet to RVs, structures, property lines, or combustible vegetation.
2. Near each fire pit, parks must maintain:
- a. At least 10 gallons of water in a container or connected to a running water source, and
  - b. A standard shovel (or fire extinguisher rated for Class A fires) positioned within 10 feet of the pit.
3. A responsible adult must attend the fire at all times.
4. Fires are permitted only during Level 0 or Level 1 fire restriction periods (prohibited under higher restrictions).
5. Fires must be completely extinguished ("cold to the touch") before leaving the area.
6. Install clear signage at each fire pit outlining capacity, safety rules, and required suppression equipment.
7. Provide guests with fire safety information—e.g., in welcome packets or at check-in.
8. Fire pits and associated equipment—including water containers and shovels—must be inspected monthly by park staff. Deficiencies must be corrected within 7 days, or use of the fire pit must be suspended until compliance is restored.

**SECTION 4: AMENDMENT** “24.92.70 Violations, Enforcement And Penalties” of the Willard City Zoning Code is hereby *amended* as follows:

**B E F O R E A M E N D M E N T**

24.92.70 Violations, Enforcement And Penalties

**A F T E R A M E N D M E N T**

24.92.~~70~~080 Violations, Enforcement And Penalties

**SECTION 5: ADOPTION** “24.92.090 RV Park Operational Requirements” of the Willard City Zoning Code is hereby *added* as follows:

**B E F O R E A D O P T I O N**

24.92.090 RV Park Operational Requirements (Non-existent)

## AFTER ADOPTION

24.92.090 RV Park Operational Requirements(*Added*)

### A. Guest Conduct and Site Use

1. Quiet hours shall be observed between the hours of 10:00 p.m. and 7:00 a.m.
2. A maximum of one recreational vehicle and two personal vehicles shall be allowed per campsite.
3. Use of any campsite or RV for commercial purposes, including home occupations, is prohibited.
4. Public display or discharge of firearms, fireworks, or illegal substances is prohibited within the park.
5. Disorderly conduct, excessive noise, or other disturbances may result in removal from the premises.

### B. Site Maintenance and Appearance

1. All recreational vehicles shall be kept in good operating condition and capable of being moved on demand.
2. No vehicle or RV shall be parked in a manner that overhangs lawn or landscape areas or obstructs regular maintenance. A fine may be imposed for each violation.
3. No long-term storage of non-camping-related property shall be permitted outside an RV. Unrelated or unsightly personal property must be removed from the assigned site area by 10:00 p.m. nightly.

### C. Safety and Behavior

1. Children under the age of sixteen (16) shall be supervised at all times when using restrooms, showers, laundry facilities, or other common areas.
2. The posted speed limit within the park shall not exceed five (5) miles per hour.
3. Guests may not perform mechanical repairs, oil changes, or vehicle modifications on-site.
4. No alterations to park structures, fences, hookups, or amenities are permitted without written management approval.

### D. Pet Regulations

1. No more than two (2) pets are allowed per campsite.
2. All pets must be leashed and attended at all times; free-roaming or unattended animals are prohibited.
3. Pet waste must be immediately picked up and properly disposed of. A fine may be issued for noncompliance.
4. Any cat found roaming freely may be deemed a stray and subject to removal.

### E. Enforcement and Management Rights

1. Park management may remove guests at any time for violation of park rules or for conduct deemed detrimental to the park or its occupants.
2. Guests who fail to vacate the site at the conclusion of their reservation period may be subject to vehicle towing and additional charges at the owner's

- expense.
3. No guest shall acquire tenancy or residential rights by virtue of RV park occupancy. All RV park uses are deemed temporary and transient by nature.
- F. Business License Condition. Compliance with this section shall be a condition of maintaining a valid business license for any recreational vehicle park in Willard City. Repeated or unresolved violations may constitute grounds for license suspension or revocation pursuant to Title 5 of the Willard City Code.

**SECTION 6:        ADOPTION** “24.92.100 Calls For Service” of the Willard City Zoning Code is hereby *added* as follows:

B E F O R E   A D O P T I O N

24.92.100 Calls For Service (Non-existent)

A F T E R   A D O P T I O N

24.92.100 Calls For Service(*Added*)

- A. Calls for service for each Recreation Vehicle Park shall be compiled by the city's Police Department for a 12-month period concurrent with the Recreation Vehicle Park's business license.
- B. The city's Police Department shall be responsible to maintain a record of the annual calls for service for each Recreational Vehicle Park. An owner may request, in writing, a copy of his, her or their respective calls for service at the end of each license term and shall be provided the same within 30 days of said request. Upon notification of the number of calls for service a Recreation Vehicle Park has received per unit for the licensing period, a Recreations Vehicle Park shall have a period of 90 days to comply with the requirements of their tier level necessary to maintain, receive and renew their business licence.

**SECTION 7:        ADOPTION** “24.92.110 Annual Calls For Service” of the Willard City Zoning Code is hereby *added* as follows:

B E F O R E   A D O P T I O N

24.92.110 Annual Calls For Service (Non-existent)

A F T E R   A D O P T I O N

24.92.110 Annual Calls For Service(*Added*)

- A. Equal to or greater than one call, but less than one and one-half per unit. Recreational Vehicle parks whose annual calls for service that are equal to or greater than one call for service per unit are required to meet the following additional conditions designed to deter crime to obtain a business license to operate in the city.
1. Every Recreational Vehicle park facility operator, and the clerk at the time of registration, must obtain and record the full names; dates of birth, of all unit occupants over the age of 18; and the make, model and license number of the vehicle being used by every unit occupant. Names and addresses of all unit occupants over the age of 18 must be verified by obtaining a copy of a valid driver's license, passport or other form of government-approved picture identification. The records required by this section shall be kept available for a period of not less than one year for inspection by any police or code enforcement officer with a valid administrative subpoena and/or search warrant.
  2. At the request of the Recreational Vehicle Park, and in cooperation with the Recreational Vehicle Park management, the city's Police Department will provide training for the Recreational Vehicle Park staff regarding the recognition of criminal behavior.
  3. At the request of the Recreational Vehicle Park, the city's Police Department will keep the Recreational Vehicle Park management apprised of criminal activity that occurs on the property.
- B. Equal to or greater than one and one-half calls, but less than two per unit. All Recreational Vehicle Park whose annual calls for service are greater than or equal to one and one-half calls for service per unit, but less than two calls for service per unit are required to meet the following additional conditions designed to deter crime to obtain a business license to operate in the city:
1. Conform to the requirements set forth in division (A) above; and
  2. Install and operate surveillance cameras (with recorder) in the areas open to the public on the premises, including any parking lot. Such surveillance cameras should be functional 24 hours a day, seven days a week.
- C. Equal to or greater than two calls per unit. All Recreational Vehicle Park whose annual calls for service who are equal to or greater than two calls per unit are required to meet the following additional conditions designed to deter crime to obtain a business license to operate in the city:
1. Conform to the requirements set forth in divisions (A) and (B) above;
  2. Hold semi-annual crime prevention employee training sessions, assisted by the city's Police Department;
  3. Provide 24-hour front desk personnel;
  4. Enforce the following guest rules:
    - a. No unit may be used for drunkenness, fighting, excessive noise or breaches of the peace. Excessive noises are those noises that disturb the tranquility of the neighborhood or that would be disturbing to a reasonable person; and

- b. Alcohol may not be consumed in common areas, except for designated banquet or reception rooms or area.
- 5. Issue parking passes to all vehicles allowed to park on the premises with each pass marked with the issue date and expiration date;
- 6. Remove all graffiti and repair all vandalism within seven days of the occurrence;
- 7. Permit a semi-annual inspection by a city officials to ensure that Recreational Vehicle Park is maintained according to the Uniform Health Code and Uniform Fire Code;
- 8. Ensuring that all common areas, including parking lots, are illuminated;
- 9. Submit to scheduled semi-annual audits by the city's Police Department to verify compliance with the above-referenced requirements.

**SECTION 8:           ADOPTION** “24.92.120 Temporary RV Use In Agricultural Zone” of the Willard City Zoning Code is hereby *added* as follows:

#### BEFORE ADOPTION

24.92.120 Temporary RV Use In Agricultural Zone (Non-existent)

#### AFTER ADOPTION

24.92.120 Temporary RV Use In Agricultural Zone(*Added*)

**A. Purpose:** To regulate the temporary use of recreational vehicles (RVs) on agricultural properties, ensuring compliance with health, safety, and environmental standards while supporting agricultural operations.

**B. Permit Requirements**

- 1. Property owners must obtain a temporary RV use permit from the Willard City Planner.
- 2. The permit must specify the duration of RV use, not to exceed eighteen (18) months.
- 3. Permits are renewable upon inspection and approval by Willard City Public Works Department

**C. Waste Disposal**

- 1. RVs must utilize an approved waste disposal system that complies with the Utah Administrative Code R315-301 through R315-311, which outlines standards for solid waste management, including facility design, operation, and closure.
- 2. All sewage and greywater must be disposed of in accordance with Utah Code Title 19, Chapter 6, which governs waste management and radiation control.
- 3. Property owners must provide documentation of compliance with these standards, including proof of connection to an approved sewage disposal

- system or access to a licensed waste disposal service.
4. RVs must not discharge waste directly onto the ground or into unauthorized systems, as prohibited by state law.
- D. Water and utilities. RVs must have access to a potable water source and meet fire safety standards as specified by local regulations.
- E. Zoning Standards:
1. RV use under this ordinance is limited to properties located within designated agricultural zones.
  2. The property must consist of a minimum of 25 contiguous acres of farmland actively used for agricultural purposes.
  3. RVs must be placed at least Thirty (30) Feet from property boundaries and 30 feet from existing structures to maintain safety and privacy.
- F. Occupancy. RV's may only be occupied by individuals directly engaged in the property's agricultural activities. The maximum occupancy per RV shall not exceed 2 persons.
- G. Willard City reserves the right to inspect RVs to ensure the compliance with this ordinance. Violations may result in fines, revocation of permits, and other penalties as deemed necessary.

**SECTION 9: REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 10: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 11: EFFECTIVE DATE** This Ordinance shall be in full force and effect from \_\_\_\_\_ and after the required approval and publication according to law.

**SECTION 12: DIRECTION** City staff is hereby authorized to make non-substantive corrections to formatting, numbering, punctuation, grammar, or typographical errors in this ordinance, provided that such corrections do not affect the intent or meaning of any provision. The Willard City Planner is further authorized to develop and publish administrative procedures, application forms, checklists, or interpretive guidance as necessary to implement the provisions of this ordinance, including the processing of Temporary Extended-Stay Permits and enforcement of operational requirements for recreational vehicle parks.

PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL

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	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jacob Bodily	_____	_____	_____	_____
Rod Mund	_____	_____	_____	_____
Mike Braegger	_____	_____	_____	_____
Rex Christensen	_____	_____	_____	_____
Jordon Husley	_____	_____	_____	_____

Presiding Officer

Attest

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Travis Mote, Mayor, Willard City

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Susan Obrey, Recorder, Willard City

**WILLARD CITY  
ORDINANCE 2025-10**

**AN ORDINANCE AMENDING TITLE 24.92 OF THE WILLARD CITY ZONING  
CODE TO ESTABLISH OPERATIONAL REQUIREMENTS, PERMIT  
CONDITIONS, AND FEE AUTHORITY FOR TEMPORARY EXTENDED-STAY  
USES IN RECREATIONAL VEHICLE PARKS**

**WHEREAS**, Willard City desires to regulate extended stays in RV parks to preserve health, safety, and land use compatibility;

**WHEREAS**, the City Council has determined that Temporary Extended-Stay RV Permits are a necessary and lawful tool to monitor long-term recreational vehicle occupancy;

**WHEREAS**, Utah Code §§10-9a-510 and 10-1-203 authorize cities to impose land use and permit fees, provided those fees do not exceed the cost of processing the application;

**WHEREAS**, the City Council intends to establish the fee for the Temporary Extended-Stay RV Permit by separate resolution and incorporate it into the City's consolidated fee schedule;

**NOW THEREFORE**, be it ordained by the Council of the Willard City, in the State of Utah, as follows:

**SECTION 1:** **AMENDMENT** “24.92.030 Location And Use” of the Willard City Zoning Code is hereby *amended* as follows:

**A M E N D M E N T**

**24.92.030 Location And Use**

No Recreational Vehicle shall be located, placed, used, or occupied for residential purposes in any district except within approved and licensed Recreational Vehicle Parks and except as otherwise provided herein.

A. Recreational Vehicle Parks shall be generally located:

- A. Adjacent to or in close proximity to a major traffic artery or highway.
- B. Within or adjacent to a mobile home park.
- A. No Space or spaces within a Recreational Vehicle Park shall be rented or leased to any owner of a Recreational Vehicle or one individual Recreational Vehicle for more than twelve (12) consecutive months (365 consecutive days) or more than 365 cumulative days in any 18 month period, except under the following circumstances:

1. Recreational Vehicle Parks may reserve one (1) space for every twenty-five (25) spaces in the park for the sole use of park employees who provide on-site maintenance, and operations functions
  2. Spaces may be used for long-term, temporary housing of transient employee(s) provided the employer provides a letter to the Recreational Vehicle Park stating that the Recreational Vehicle is not being used for permanent housing, explains the circumstances that make the need for longer-term temporary housing necessary, and provide a projected end date for the space lease not to exceed eighteen (18) consecutive months with the option of renewal with a new letter from the employer at the end of the eighteen (18) month period. Long-term use will be limited to one-quarter (1/4) of the spaces available in the Recreational Vehicle Park and application made to the city and fees paid as set by resolution of the Willard City Council.
  3. For the purpose of this chapter, transient employee(s) shall mean a person in the service of another under any contract of hire, express or implied, oral or written, where the employer has the power or right to control and direct the employee in how the work is to be performed. Employer shall mean one who employs the services of others: one for whom employees work and who pays the employee's wages or salary.
  4. Recreational Vehicles occupying space in a Recreational Vehicle Park on a longer-term, temporary (over ninety days but not permanent) basis must be owner occupied, have proof of ownership of the recreational vehicle, and must have a current license and registration, and the recreational vehicle must be operable for travel.
  5. For the purposes of this ordinance, "space or spaces" pertains to the RV park property itself, i.e., no individual owner of an RV, or individual RV itself may occupy the RV park property, regardless of space occupied, longer than these durations. Moving from space to space within a given RV park is still considered cumulative time on the property, i.e., it does not reset the clock.
- B. It shall be unlawful for the owner, operator, and/or property manager of a Recreational Vehicle Park to allow any guest to register under a different name in order to avoid the length of stay requirements as set forth herein. Moreover, an owner, operator, and/or property manager shall not allow any Recreational Vehicle to move to a different Recreational Vehicle Space to avoid the length of stay requirements set forth herein.
- C. Recreational Vehicles shall not be used for living quarters in Willard City or on any city right-of-way, except in properly designated Recreational Vehicle Parks. Except and solely limited to the following circumstances:
1. Temporary use, not to exceed seven (7) days, on an occupied residential lot, by residents or guests of the residents, will be permitted.
- D. Recreational Vehicles which are unoccupied for living space may be stored on a private parcel of land, including an occupied residential lot, provided they do not violate any required setbacks for front, rear, or side yards. Commercial storage of Recreational Vehicles, maintenance operations, reconstruction, or construction

- activities are permitted only as provided in Willard City Zoning Ordinances.
1. Recreational Vehicles may be towed, displayed, sold, serviced, but not used for living quarters in a sales lot in a commercial or manufacturing district when such use is a permitted or conditional use.
  - E. Recreational Vehicles may be accommodated in an approved and licensed mobile home park, provided that
    1. The Recreational Vehicle park or campground portion of the mobile home park is separated by barriers, screens, or otherwise from the area of mobile homes.
    2. The Recreational Vehicle use area shall have direct access to a collector arterial street; and
    3. Separate ingress and egress shall be provided for Recreational Vehicles when required by the Planning Commission.

**SECTION 2:** AMENDMENT “24.92.040 Requirements For Approval” of the Willard City Zoning Code is hereby *amended* as follows:

## AMENDMENT

### 24.92.040 Requirements For Approval

Recreational Vehicle Park or campground may not be constructed unless first approved by the Planning Commission upon approval of an RV Park Permit application. Before such approval is given by the Planning Commission the proposed development will:

- A. Be in conformity and maintain the general character of the district within which it is to be located.
- B. Be located on a parcel of land of not less than five (5) acres.
- C. Have at least twenty-five (25) spaces completed and ready for occupancy before first occupancy is permitted, or an approved schedule of financing, construction, and phase completion, and approved security, to assure compliance and completion.
- D. Meet all standards and requirements of 24.92.030 of this chapter and all other requirements of any applicable ordinances, and state and local law.
- E. Meet all requirements and maintain compliance with “Recreational Vehicle Park Sanitation” under Utah Administrative Code R-392-301 et seq.
- F. Obtain written approval of the Local Health Official.
- G. Contain not more than twenty (20) units per acre. The spaces may be clustered, provided that the total number of units does not exceed the number permitted on one (1) acre, multiplied by the number of acres in the development.
- H. An applicant pursuing an RV Park Permit for an RV Park must provide a copy of the tenant contract for City review and that any modifications or updates to the contract be provided to the City.

The Planning Commission shall not approve any application for a Recreational Vehicle Park if the developer cannot provide required water supplies and facilities, waste disposal systems, storm drainage facilities, access or improvements; if the developer cannot assure the Recreational Vehicle Park will be completed within a reasonable time; if the Planning Commission or Willard City Council determines there would be danger of flood, fire or other hazard; or if the proposed Recreational Vehicle Park would be of such character or in such a location that it would:

- A. Create excessive costs for public services and facilities.
- B. Endanger the health or safety of the public.
- C. Unreasonably hurt or destroy the environment.
- D. Cause excessive air or water pollution, or soil erosion; or
- E. Be inconsistent with any adopted general or specific plan of the area in which it is to be placed.

**SECTION 3:            AMENDMENT “24.92.60 Standards” of the Willard City Zoning Code is hereby *amended* as follows:**

#### A M E N D M E N T

##### 24.92.060 Standards

The development of a Recreational Vehicle Park shall conform to the following standards and subject to the approval of the Planning Commission:

- A. The area shall be in one (1) ownership, or if in several ownerships, the application for approval of the development shall be filed jointly by all owners of the property included in the plan.
- B. The plans for a Recreational Vehicle Park shall be prepared by a team of competent professionals in planning, engineering, architecture, and landscape architecture. Determination of qualifications of required professional individuals or firms shall be made by the Planning Commission in consultation with the City Planner.
- C. In all Recreational Vehicle Parks, a strip of land at least fifteen (15') feet wide surrounding the entire park, shall be left unoccupied and shall be planted and maintained in lawn, shrubs, trees, and include an approved wall or fence, designed to afford privacy to the recreational park.
  - 1. This setback shall remain free of structures and be maintained as permanent landscaped open space.
  - 2. Landscaping within the buffer shall include grass, trees, shrubs, and other vegetation in accordance with the City's commercial landscaping standards.

3. Fencing, berms, or natural screening may be required at the discretion of the Planning Commission to reduce impacts on adjacent properties.
- D. Storm drainage facilities shall be so constructed as to protect residents of the development as well as adjacent property owners. Such facilities shall be of sufficient capacity to ensure rapid drainage of water in or adjacent to the development to prevent the accumulation of stagnant pools of water in or adjacent to the development.
- E. Not less than ten (10%) percent of the gross land area shall be set aside for the joint use and enjoyment of occupants. The land covered by vehicular roadways, sidewalks, and off-street parking shall not be construed as part of the ten (10%) percent common area required for parks or playgrounds for occupants, provided, however, than in initial stages of development or special smaller developments the minimum area shall be not less than one-half (1/2) acre or ten (10%) percent, whichever is greater.
  1. Open space shall not include individual RV spaces, driveways, internal roadways, parking areas, maintenance buildings, or other impervious surfaces.
  2. Open space areas shall be usable for passive or active recreation, and may include lawns, trails, picnic areas, playgrounds, natural areas, or other similar amenities.
- F. Yard lighting with a minimum of two-tenths (0.2) foot candles of light shall be required for protective lighting the full length of all driveways and walkways in the recreational park.
- G. All areas that are not covered, contain asphalt or concrete, or built upon, shall be landscaped as approved by the Planning Commission and such landscaping shall be permanently maintained.
- H. All off-street parking spaces and driveways shall be comprised of asphalt or concrete before the adjacent Recreational Vehicle spaces may be occupied.
- I. The roadways shall be designed to accommodate anticipated traffic and built in conformance with the Willard City Public Work Standards.
- J. All recreational vehicle (RV) parks shall provide adequate, on-site solid waste disposal facilities for use by park occupants and guests.
  1. Trash containers shall be commercial-grade, animal-proof, and weather-resistant, with securely fitting lids.
  2. The number and capacity of containers shall be sufficient to accommodate projected waste volumes based on the number of occupied spaces and service frequency.
  3. Trash containers shall be located in convenient, accessible areas for park users, but situated so as to minimize odor, visibility, and noise impacts to adjacent RV spaces and neighboring properties.
  4. All trash enclosures must be placed on a concrete or paved pad and have vehicular access for collection trucks.
  5. All trash containers shall be housed in screened enclosures constructed of masonry, vinyl, or similar durable material that complements the principal structures in the park.
    - a. Enclosures shall include gated access, maintained in good working

- order.
- b. Enclosures shall be landscaped or buffered when adjacent to residential zones or public rights-of-way.
  6. The RV park owner or operator shall ensure regular emptying of containers to prevent overflow, odor, and litter. Enclosures and containers remain in clean, sanitary, and functional condition at all times.
- K. All open space and landscaping shall be:
1. Privately owned and maintained by the park operator or owner's association, and
  2. Subject to a recorded maintenance agreement, ensuring the long-term care and preservation of the designated open space areas.
- L. A launderette for convenience of the park occupants but not for the general public, may be included in the Recreational Vehicle Park.
- M. A solid, site-obscuring perimeter fence shall be installed around the side and rear boundaries of all RV parks.
1. The fence shall be a minimum of six feet (6') in height and constructed of wood, vinyl, masonry, or other durable opaque materials.
  2. Chain-link fencing is not permitted unless fitted with full privacy slats approved by the Planning Commission.
  3. If the RV park borders a public street, a decorative fence, wall, or landscaped berm at least 3 feet in height shall be installed behind the buffer and the buffer shall be at least 10 feet wide and planted to provide an attractive visual screen.
  4. All fences and landscaped buffers shall be maintained in good condition by the RV park owner or operator. Dead or damaged vegetation must be replaced within 30 days. Fences shall be kept free from graffiti, damage, and deterioration.
- N. All RV parks with fire pits shall comply with the applicable local fire authority or district requirements, subject to review and approval as part of park plan submittal.
1. Fire Pit Design & Location must be:
    - a. Constructed of non-combustible material (e.g., stone, concrete, steel).
    - b. At least 18 inches deep and/or enclosed by a non-combustible ring at least 18 inches tall.
    - c. Located no closer than 25 feet to RVs, structures, property lines, or combustible vegetation.
  2. Near each fire pit, parks must maintain:
    - a. At least 10 gallons of water in a container or connected to a running water source, and
    - b. A standard shovel (or fire extinguisher rated for Class A fires) positioned within 10 feet of the pit.
  3. A responsible adult must attend the fire at all times.
  4. Fires are permitted only during Level 0 or Level 1 fire restriction periods (prohibited under higher restrictions).
  5. Fires must be completely extinguished ("cold to the touch") before leaving the

area.

6. Install clear signage at each fire pit outlining capacity, safety rules, and required suppression equipment.
7. Provide guests with fire safety information—e.g., in welcome packets or at check-in.
8. Fire pits and associated equipment—including water containers and shovels—must be inspected monthly by park staff. Deficiencies must be corrected within 7 days, or use of the fire pit must be suspended until compliance is restored.

**SECTION 4: AMENDMENT “24.92.70 Violations, Enforcement And Penalties” of the Willard City Zoning Code is hereby *amended* as follows:**

#### AMENDMENT

24.92.080 Violations, Enforcement And Penalties

**SECTION 5: ADOPTION “24.92.090 RV Park Operational Requirements” of the Willard City Zoning Code is hereby *added* as follows:**

#### ADOPTION

24.92.090 RV Park Operational Requirements(*Added*)

A. Guest Conduct and Site Use

1. Quiet hours shall be observed between the hours of 10:00 p.m. and 7:00 a.m.
2. A maximum of one recreational vehicle and two personal vehicles shall be allowed per campsite.
3. Use of any campsite or RV for commercial purposes, including home occupations, is prohibited.
4. Public display or discharge of firearms, fireworks, or illegal substances is prohibited within the park.
5. Disorderly conduct, excessive noise, or other disturbances may result in removal from the premises.

B. Site Maintenance and Appearance

1. All recreational vehicles shall be kept in good operating condition and capable of being moved on demand.
2. No vehicle or RV shall be parked in a manner that overhangs lawn or

landscape areas or obstructs regular maintenance. A fine may be imposed for each violation.

3. No long-term storage of non-camping-related property shall be permitted outside an RV. Unrelated or unsightly personal property must be removed from the assigned site area by 10:00 p.m. nightly.

C. Safety and Behavior

1. Children under the age of sixteen (16) shall be supervised at all times when using restrooms, showers, laundry facilities, or other common areas.
2. The posted speed limit within the park shall not exceed five (5) miles per hour.
3. Guests may not perform mechanical repairs, oil changes, or vehicle modifications on-site.
4. No alterations to park structures, fences, hookups, or amenities are permitted without written management approval.

D. Pet Regulations

1. No more than two (2) pets are allowed per campsite.
2. All pets must be leashed and attended at all times; free-roaming or unattended animals are prohibited.
3. Pet waste must be immediately picked up and properly disposed of. A fine may be issued for noncompliance.
4. Any cat found roaming freely may be deemed a stray and subject to removal.

E. Enforcement and Management Rights

1. Park management may remove guests at any time for violation of park rules or for conduct deemed detrimental to the park or its occupants.
2. Guests who fail to vacate the site at the conclusion of their reservation period may be subject to vehicle towing and additional charges at the owner's expense.
3. No guest shall acquire tenancy or residential rights by virtue of RV park occupancy. All RV park uses are deemed temporary and transient by nature.

F. Business License Condition. Compliance with this section shall be a condition of maintaining a valid business license for any recreational vehicle park in Willard City. Repeated or unresolved violations may constitute grounds for license suspension or revocation pursuant to Title 5 of the Willard City Code.

**SECTION 6: ADOPTION “24.92.100 Calls For Service” of the Willard City Zoning Code is hereby *added* as follows:**

**ADOPTION**

24.92.100 Calls For Service(*Added*)

- A. Calls for service for each Recreation Vehicle Park shall be compiled by the city's Police Department for a 12-month period concurrent with the Recreation Vehicle Park's business license.
- B. The city's Police Department shall be responsible to maintain a record of the annual calls for service for each Recreational Vehicle Park. An owner may request, in writing, a copy of his, her or their respective calls for service at the end of each license term and shall be provided the same within 30 days of said request. Upon notification of the number of calls for service a Recreation Vehicle Park has received per unit for the licensing period, a Recreations Vehicle Park shall have a period of 90 days to comply with the requirements of their tier level necessary to maintain, receive and renew their business licence.

**SECTION 7: ADOPTION "24.92.110 Annual Calls For Service" of the Willard City Zoning Code is hereby *added* as follows:**

**ADOPTION**

**24.92.110 Annual Calls For Service(*Added*)**

- A. Equal to or greater than one call, but less than one and one-half per unit. Recreational Vehicle parks whose annual calls for service that are equal to or greater than one call for service per unit are required to meet the following additional conditions designed to deter crime to obtain a business license to operate in the city.
  1. Every Recreational Vehicle park facility operator, and the clerk at the time of registration, must obtain and record the full names; dates of birth, of all unit occupants over the age of 18; and the make, model and license number of the vehicle being used by every unit occupant. Names and addresses of all unit occupants over the age of 18 must be verified by obtaining a copy of a valid driver's license, passport or other form of government-approved picture identification. The records required by this section shall be kept available for a period of not less than one year for inspection by any police or code enforcement officer with a valid administrative subpoena and/or search warrant.
  2. At the request of the Recreational Vehicle Park, and in cooperation with the Recreational Vehicle Park management, the city's Police Department will provide training for the Recreational Vehicle Park staff regarding the recognition of criminal behavior.
  3. At the request of the Recreational Vehicle Park, the city's Police Department will keep the Recreational Vehicle Park management apprised of criminal activity that occurs on the property.
- B. Equal to or greater than one and one-half calls, but less than two per unit. All

Recreational Vehicle Park whose annual calls for service are greater than or equal to one and one-half calls for service per unit, but less than two calls for service per unit are required to meet the following additional conditions designed to deter crime to obtain a business license the city:

1. Conform to the requirements set forth in division (A) above; and
  2. Install and operate surveillance cameras (with recorder) in the areas open to the public on the premises, including any parking lot. Such surveillance cameras should be functional 24 hours a day, seven days a week.
- C. Equal to or greater than two calls per unit. All Recreational Vehicle Park whose annual calls for service who are equal to or greater than two calls per unit are required to meet the following additional conditions designed to deter crime to obtain a business license to operate in the city:
1. Conform to the requirements set forth in divisions (A) and (B) above;
  2. Hold semi-annual crime prevention employee training sessions, assisted by the city's Police Department;
  3. Provide 24-hour front desk personnel;
  4. Enforce the following guest rules:
    - a. No unit may be used for drunkenness, fighting, excessive noise or breaches of the peace. Excessive noises are those noises that disturb the tranquility of the neighborhood or that would be disturbing to a reasonable person; and
    - b. Alcohol may not be consumed in common areas, except for designated banquet or reception rooms or area.
  5. Issue parking passes to all vehicles allowed to park on the premises with each pass marked with the issue date and expiration date;
  6. Remove all graffiti and repair all vandalism within seven days of the occurrence;
  7. Permit a semi-annual inspection by a city officials to ensure that Recreational Vehicle Park is maintained according to the Uniform Health Code and Uniform Fire Code;
  8. Ensuring that all common areas, including parking lots, are illuminated;
  9. Submit to scheduled semi-annual audits by the city's Police Department to verify compliance with the above-referenced requirements.

**SECTION 8:            ADOPTION “24.92.120 Temporary RV Use In Agricultural Zone” of the Willard City Zoning Code is hereby *added* as follows:**

#### ADOPTION

24.92.120 Temporary RV Use In Agricultural Zone(*Added*)

- A. Purpose: To regulate the temporary use of recreational vehicles (RVs) on agricultural properties, ensuring compliance with health, safety, and environmental standards while supporting agricultural operations.
- B. Permit Requirements
  - 1. Property owners must obtain a temporary RV use permit from the Willard City Planner.
  - 2. The permit must specify the duration of RV use, not to exceed eighteen (18) months.
  - 3. Permits are renewable upon inspection and approval by Willard City Public Works Department
- C. Waste Disposal
  - 1. RVs must utilize an approved waste disposal system that complies with the Utah Administrative Code R315-301 through R315-311, which outlines standards for solid waste management, including facility design, operation, and closure.
  - 2. All sewage and greywater must be disposed of in accordance with Utah Code Title 19, Chapter 6, which governs waste management and radiation control.
  - 3. Property owners must provide documentation of compliance with these standards, including proof of connection to an approved sewage disposal system or access to a licensed waste disposal service.
  - 4. RVs must not discharge waste directly onto the ground or into unauthorized systems, as prohibited by state law.
- D. Water and utilities. RVs must have access to a potable water source and meet fire safety standards as specified by local regulations.
- E. Zoning Standards:
  - 1. RV use under this ordinance is limited to properties located within designated agricultural zones.
  - 2. The property must consist of a minimum of 25 contiguous acres of farmland actively used for agricultural purposes.
  - 3. RVs must be placed at least Thirty (30) Feet from property boundaries and 30 feet from existing structures to maintain safety and privacy.
- F. Occupancy. RV's may only be occupied by individuals directly engaged in the property's agricultural activities. The maximum occupancy per RV shall not exceed 2 persons.
- G. Willard City reserves the right to inspect RVs to ensure the compliance with this ordinance. Violations may result in fines, revocation of permits, and other penalties as deemed necessary.

**SECTION 9: REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 10: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 11: EFFECTIVE DATE** This Ordinance shall be in full force and effect from \_\_\_\_\_ and after the required approval and publication according to law.

**SECTION 12: DIRECTION** City staff is hereby authorized to make non-substantive corrections to formatting, numbering, punctuation, grammar, or typographical errors in this ordinance, provided that such corrections do not affect the intent or meaning of any provision. The Willard City Planner is further authorized to develop and publish administrative procedures, application forms, checklists, or interpretive guidance as necessary to implement the provisions of this ordinance, including the processing of Temporary Extended-Stay Permits and enforcement of operational requirements for recreational vehicle parks.

PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Jacob Bodily	_____	_____	_____	_____
Rod Mund	_____	_____	_____	_____
Mike Braegger	_____	_____	_____	_____
Rex Christensen	_____	_____	_____	_____
Jordon Husley	_____	_____	_____	_____

Presiding Officer

Attest

---

Travis Mote, Mayor, Willard City

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Susan Obray, Recorder, Willard City

# **ITEM 5C**



## **24.72 SENSITIVE AREAS**

[24.72.010 Purpose And Intent](#)

[24.72.020 Definitions - Sensitive Area Ordinance](#)

[24.72.030 Permitted Uses](#)

[24.72.040 Conditional Uses](#)

[24.72.050 Site Development Standards](#)

[24.72.060 Specific Review Procedure](#)

[24.72.070 Site Plan Review Requirements And Considerations](#)

[24.72.080 Application Procedure](#)

[24.72.090 Cost And Expense](#)

[24.72.100 Expiration](#)

[24.72.110 Violations](#)

The Zoning Ordinance of Willard City shall include an environmentally sensitive area overlay zone to be known as "The Willard City Building Constraint Map."

### **24.72.010 Purpose And Intent**

The purpose of the Building Constraint Map is to delineate those areas within the corporate limits of Willard that pose geologically and environmentally sensitive terrains with specific intent to:

- A. Control the arrangement of the use of the land in a sensitive area;
- B. Protect the general health, safety, and welfare of the citizens of Willard;
- C. Minimize public and private property damage;
- D. Provide for public awareness of sensitive environs;
- E. Protect culinary water supply from possible contamination, (refer to Water Shed Protection Ordinance);
- F. To maintain the efficiency of the water recharge areas of the Willard Canyon area.

The requirements of this Ordinance shall be deemed superimposed on the requirements of all zoning ordinances in those areas designated as sensitive areas and shall, in case of conflict, take precedence over the requirements of, and the uses permitted by, the other Willard City Zoning Ordinances. Changes or corrections to The Willard City Building Constraints Map will be treated as regular changes to the Zoning Ordinances.

#### **HISTORY**

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

### **24.72.020 Definitions - Sensitive Area Ordinance**

"Sensitive Area" means:

- A. Lands containing environmentally and geologically sensitive elements which, if disturbed or encroached upon by urban or suburban land development (such as utilities, dwellings, streets, industrial, commercial or certain types of agriculture) could be damaged beyond repairability, could cause damage or complete destruction to already existing public or private property within or adjacent to, and could cause loss of life or bodily harm. Such sensitive areas are a constraint to building or other development.

B. The Willard City Building Constraint Map defines the identified sensitive areas. This map is an extension of the Land-Use Map and reflects the requirements of the General Plan.

C. Specific sensitivity areas have been defined for:

Earthquake faults,  
Historic landslide areas,  
Steep or unstable terrain,  
Subsurface waters, and Flooding.

"Sensitive Vegetation" means

- A. Vegetation, primarily oak brush, shrubs, and cedars, on alluvial aprons and exceedingly porous soil areas which help prevent storm water from being converted to run-off water.
- B. Vegetative cover which can be harmed by compaction from overuse, urban development, or altering of the hydrologic cycle.

"Impervious Surfaces" means those surfaces that are impenetrable by moisture including, but not limited to, rooftops, driveways, sidewalks, patios, roads, etc.

"Vented Combustion Apparatus" means any device used in the combustion of a solid fuel for any purposes.

**HISTORY**

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

### **24.72.030 Permitted Uses**

None.

**HISTORY**

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

### **24.72.040 Conditional Uses**

This sensitive area overlay zone ordinance does not add to the allowed uses of any zone but converts permitted use, in each respective zone over which this sensitive area ordinance extends, to a conditional use.

**HISTORY**

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

### **24.72.050 Site Development Standards**

Basic standards are the same as those specified for the particular use in the respective zone over which the sensitive area zone extends. Before building permits are issued for any construction in a sensitive area zone, the procedure set forth in WZC 24.72.070 and WZC 24.72.080 must be complete and approved by the Planning Commission in accordance with the provisions of this ordinance.

**HISTORY**

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

### **24.72.060 Specific Review Procedure**

- A. The Planning Commission shall require that a detailed site plan be submitted for a proposed development or for proposed construction in a sensitive area. Such a site plan will be reviewed

by a representative of the Box Elder County/Willard City Flood Control District and any or all departments of the City Administration. It may also be deemed necessary for the site plan to be reviewed by other specialized professional groups, such as:

Utah Geological Survey  
U.S. Soil Conservation Service  
U.S. Forest Service  
Utah Division of Wildlife Resources  
U.S. Army Corps of Engineers  
or any other professional expert or group as may be considered necessary.

- B. The intent in providing for such a review procedure is to assist the Planning Commission in properly evaluating development or construction in sensitive areas to assure the least detrimental effect on the land and to attempt to identify and preclude environmental hazards to present and future residents of Willard City.

#### HISTORY

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

### **24.72.070 Site Plan Review Requirements And Considerations**

- A. A plot of the lot to be developed drawn to scale of at least one inch equals twenty feet (1" = 20') shall be submitted to the Planning Commission. Each plot plan shall show lot lines, existing and proposed topographical contours at five foot intervals, location of proposed roads, dwelling units and any other proposed structures, walks, driveways, and patio areas, springs and seeps, and all utility lines. All construction shall be in accordance with the plot plan as approved by the Planning Commission.
- B. No building shall be permitted in a sensitive area zone on land where the natural terrain has a slope greater than 20%.
- C. Lots or groups of lots shall provide for the complete containment and controlled release of run-off water resulting from each lot or group of lots in accordance with recommendations of the City Engineer and approved by the Planning Commission. If a project requires excavation in an area of five acres or more, complete containment of run-off water is required continuously from the beginning of construction. Said lot owner or owners shall be fully responsible for any damage resulting on other property from improperly contained run-off from said lot or lots. Facilities for the collection of storm water run-off shall be the first improvement or facilities constructed on the development site. Such facilities shall be designed so as to retain safely and adequately the maximum expected storm run-off for a twenty-five year record storm. Bonding may be required by Planning Commission to guarantee the completion of storm water run-off facilities. If such a bond is required, it shall be in an amount equal to the cost of construction of such facilities and shall continue for one year after the completion of such facilities.
- D. A grading plan shall be submitted to the Planning Commission for approval. All cuts and fills shall be made such that the resulting surface has an angle equal to or less than the natural angle of repose of the soil. Approval of an individual plot plan for each lot shall be required before issuance of a building permit.
- E. Street grades and profiles in any sensitive area must be approved by the City Engineer and the Planning Commission with particular consideration being given to the control of storm water run-off in recognized flood areas. Cuts or surface disturbances shall be re-vegetated within one growing season. Re-vegetation shall be scheduled such that no open areas are left during winter storms, etc.
- F. In areas sensitive to hydrologic soil conditions of moderately high or high run-off, natural vegetation, when it is oak brush and small trees, shall be removed only when necessary for

roads, buildings, driveways, and landscaping purposes. The maximum lawn area shall be one-fourth acre. A re-vegetation plan shall be submitted to the Planning Commission and approved for any cuts and slope disturbance and each re-vegetation shall be completed within one growing season of the surface disturbances, as per subsection E.

- G. Impervious surfaces resulting from construction shall be limited to 10% of the lot area in a sensitive area zone.
- H. In areas indicated on the map as wetlands, construction will be allowed only after permits are received from the Army Corps Engineers.
- I. In areas indicated on the map as having a high watertable, the developer will be cautioned of the possible problems. Soil types, based on soil survey data developed by the Soils Conservation Service, will be considered, along with field examination of the site. If high watertable soil types indicate inadequate strength for support of the planned structure, engineering study of soils in the site may be required by the Planning Commission.
- J. Spark arresters shall be installed and maintained in every fireplace or other vented combustion apparatus constructed indoors or outdoors. Screen openings in such arresters shall not be in excess of 1/4-inch square or round.
- K. Flexible joints shall be required where utility lines cross identified faults.
- L. Structures shall not be placed on, across, or within fifty feet of a fault unless it is determined by professional experts that the distance of fifty feet may be reduced without creating a potential hazard. The Planning Commission will recommend a greater distance from a Class I or II fault line if deemed necessary.
- M. Structures in an earthquake sensitive area must comply with earthquake standards set forth in the International Building Code in effect at the time the building is approved.
- N. Areas sensitive because of flood-prone conditions are the natural run-off channels from Willard Canyon, Cook Canyon, Holmes Canyon, Facer Creek, and several unnamed canyons. Three "No Build" zones within the sensitive area have been designated by the Box Elder County/Willard City Flood Control Board. Building within these zones is specifically prohibited, unless mitigation plans are presented by the developer and approved by the Flood Control Board, City Engineer, Planning Commission and Willard City Council.
- O. In areas designated flood-sensitive, no construction of any structure shall be permitted which will disrupt flow of water in a natural drainage channel, nor may a channel be filled, blocked or diverted, except as required for flood control. Alterations of the flood ways may be undertaken only after approval of the Flood Control Board, Planning Commission and the City Council.
- P. In areas located in the flood plain, as designated by the Federal Emergency Management Agency (FEMA), (FIRM 490011 B, ZONE "A", dated July 1, 1987) Flood Plain Development Permits must be obtained before building permits are issued. FEMA regulations must be followed. The flood plain is shown on the Willard City Building Constraints Map and essentially is a 250-foot strip on each side of the center line of Willard Creek.
- Q. If the site is located in any of the historical landslide areas, as shown on the Building Constraints Map, the Planning Commission may require the developer to engage the services of a licensed engineer-geologist who shall report his findings to the City Engineer. The City Engineer will evaluate and make recommendations to the Planning Commission or City Council.
- R. In order to protect the Sensitive Areas of the hillside and the Ogden-Brigham canal, no residential buildings will be allowed east of the canal or within a 200-foot strip west of the canal.
- S. The wellhead protection regulations require that no septic tanks or animal enclosures be located within 1500 feet of Willard City's potable water well.

## HISTORY

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

## **24.72.080 Application Procedure**

Any person, persons, groups, agencies, partnerships or corporations who desire to develop or build in a designated sensitive area zone must obtain a conditional use permit application from the Willard Planning Commission. Said permit application must be filled out together with a duplicate of the proposed development site plan (see WZC 24.72.070) and presented to the Planning Commission for the Planning Commission's consideration at a regularly scheduled meeting. The Planning Commission will, at the time, determine which agencies or departments should review the site plan. Any agency or department reviewing a site plan will refer any recommendations it feels necessary regarding a particular development to the Planning Commission to satisfy the concerns of this section. The recommendations of any agency or department are in no way binding on the decision of the Planning Commission to recommend or deny a Conditional Use Permit. The Planning Commission may or may not incorporate the recommendations as conditions before final acceptance of a Conditional Use Permit application. Upon acceptance of the application by the Planning Commission, the application will be forwarded to the City Council for their approval, or other action.

## HISTORY

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

## **24.72.090 Cost And Expense**

Any costs or expenses generated by the employment of experts or professionals for the purposes set forth herein, shall be paid by the person, groups, agencies, partnerships, or corporations, thereafter called developers, who desire to develop or construct in the sensitive area zone, and who, because of the filing of a Conditional Use Permit application have given rise to the employment of said experts or professionals as authorized herein. Any costs, fines or forfeitures, including costs of planning court and a reasonable attorney's fee, which the Planning Commission or the City of Willard may incur by reason of the developers neglect or failure to pay for expertise or technical advise contemplated by this section, shall be paid by said developer.

## HISTORY

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

## **24.72.100 Expiration**

Unless there is substantial action under a Conditional Use Permit within a maximum period of one year of its issuance, the Conditional Use Permit shall expire. The Planning Commission may recommend a maximum extension of six months under exceptional circumstances.

## HISTORY

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

## **24.72.110 Violations**

Any person, firm or corporation violating any provisions of this ordinance shall, upon conviction, be deemed guilty of a misdemeanor and shall be punished by a fine in any sum not exceeding \$299.99 for each and every day during which any portion of any violation of this ordinance is committed or continued, by imprisonment in the county jail for a period of not longer than six months or by both such fine and imprisonment.

## HISTORY

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



# **ITEM 5D**

**WILLARD CITY  
ORDINANCE 2025-16**

**AN ORDINANCE AMENDING SECTION 24.44.010 OF THE WILLARD CITY  
ZONING CODE TO ALLOW LIMITED COMMERCIAL USES ALONG U.S.  
HIGHWAY 89 IN THE OLD WILLARD ZONE**

**WHEREAS**, the City of Willard has adopted Title 24 of the Willard City Code as its zoning ordinance; and

**WHEREAS**, the City Council desires to provide for appropriate commercial opportunities along the U.S. Highway 89 frontage within the Old Willard Zone, consistent with the City's general plan and to promote economic vitality; and

**WHEREAS**, the City Council also finds it in the public interest to preserve the residential and historic character of the Old Willard Zone while allowing such frontage-specific commercial uses; and

**WHEREAS**, the City Council has determined that such amendment will promote the health, safety, and general welfare of the residents of Willard City;

**NOW THEREFORE**, be it ordained by the Council of the Willard City, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “24.48.030 Uses Not Listed” of the Willard City Zoning Code is hereby *amended* as follows:

**B E F O R E   A M E N D M E N T**

**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)

	<b>M</b>	<b>C-G</b>	<b>C-N</b>	<b>TO D (Per 24.9)</b>	<b>C-R</b>
<b>A. Accessory Buildings/dwellings/manufacturing/storage</b>					

				<b>6)</b>	
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/DistributionMotor Fuels/Propane/Plant/Storage Facilities	P	C	-	-	-
<b>B. Public Facilities/Utilities</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>	<b>TO D</b>	<b>C-</b>
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	-
<b>C. Recreations/Entertainment</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>	<b>TO D</b>	<b>C-R</b>

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
<b>D. Retail</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>		
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
<b>E. Restaurant/Food Establishments</b>	<b>M</b>	<b>C-N</b>	<b>G-G</b>		
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
<b>F. Service</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>	<b>TOD</b>	<b>C-R</b>
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					

#### AFTER AMENDMENT

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)

<b>A.-Accessory Buildings/dwellings/manufacturing/storage</b>	<b>M</b>	<b>C-G</b>	<b>C-N</b>	<b>TOD (Per 24.96)</b>	<b>C-R</b>	<b>Old Willard Township ***</b>
Accessory uses and buildings customarily incidental to the permitted uses.	P	P	P	P	-	P
Single-Family Dwelling	C	C	P	-	-	z
Multi-Family, Twin Home (Subject to spacing requirements)	C	C	C	P*	-	z
Multi-Family, Attached (Subject to spacing requirements)	C	C	C	P*	-	z
Multi-Family, Stacked (Subject to spacing requirements)	C	C	C	P*	-	z
Accessory Dwelling Unit (ADU), Detached, per WCC 24.96	-	-	C	-	-	z
Accessory Dwelling Unit (ADU), Attached, per WCC	P	P	P	-	-	z
Manufacturing/Industrial Heavy	P	C	-	-	-	z
Manufacturing/Light	P	P	C	-	C	z
Refineries	-	-	-	-	-	z
Renewable Energy Systems	C	C	C	-	-	z
Storage Facility/Units	P	C	-	-	-	z
Temporary Buildings	C	C	C	-	C	C
Warehousing/Distribution	P	C	-	-	-	z
Warehousing/DistributionMotor Fuels/Propane/Plant/Storage Facilities	P	C	-	-	-	
			C-			<b>Old Willard</b>

<b>B. Public Facilities/Utilities</b>	<b>M</b>	<b>C-N</b>	<b>G</b>	<b>TOD</b>	<b>C-</b>	<b><u>Township</u></b> <u>***</u>
Communication Towers and Antennas	C	C	C	C	C	<u>C</u>
Churches/Places of Worship	P	P	P	C	-	<u>C</u>
Community Garden	P	P	C	P	-	<u>C</u>
Educational Facilities (Public or Private)	p	p	p	C	-	<u>C</u>
Government or Municipal Offices	P	P	P	P	C	<u>P</u>
Library or Reading Room, Museum, and other Cultural Services	C	P	P	P	C	<u>C</u>
Parks, Public or Private/Open Space	P	P	P	P	-	<u>P</u>
Public Utility installations	P	P	P	P	-	<u>P</u>
<b>C. Recreations/Entertainment</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>	<b>TOD</b>	<b>C-R</b>	<b><u>Old Willard Township</u></b> <u>***</u>
Auditorium or Performing Arts Center	C	C	C	C	P	<u>C</u>
Bowling Alley	P	P	-	C	P	<u>C</u>
Dance Studio	P	P	P	C	-	<u>C</u>
Dance Club	-	-	-	C	C	<u>C</u>
Fitness Center	P	P	P	C	C	<u>C</u>
Golf Course	P	p	C	-	-	<u>z</u>
Recreation Center	P	P	-	C	P	<u>C</u>
Recreational Vehicle Park	P	P	-	-	-	<u>z</u>
Sexually Oriented Businesses: See Willard City General Ordinances Title 9-600	C	-	-	-	-	<u>z</u>
Swimming Pool	C	P	C	-	-	<u>C</u>
Theater/Entertainment	C	C	-	P**	C	<u>C</u>
<b>D. Retail</b>	<b>M</b>	<b>C-N</b>	<b>C-G</b>	<b>TOD</b>	<b>C-R</b>	<b><u>Old Willard Township</u></b> <u>***</u>
Alcohol or Tobacco Specialty Store	P	P	-	-	P	<u>C</u>

Christmas Trees Sales	P	p	C	-	C	<u>C</u>
Convenience Store, With drive-thru	P	P	P	C	P	<u>P</u>
Convenience Store, Without drive-thru	P	P	P	C	P	<u>P</u>
Fireworks Stand	C	C	C	-	C	<u>C</u>
Florist Shop/Nursery	C	C	P	P Flourist only)	C	<u>P</u>
Fruit Stand	P	P	P	-	P	<u>P</u>
Grocery Store	P	P	-	P	P	<u>P</u>
Pet Shop, Including pet grooming	P	P	P	p	p	<u>P</u>
<b>E. Restaurant/Food Establishments</b>	<b>M</b>	<b>C-N</b>	<b>G- G</b>	<b>TOD</b>	<b>C-R</b>	<u>Old Willard Township ***</u>
Bakery	P	P	P	P	P	<u>P</u>
Candy/Ice Cream Store	P	P	P	P	PF	<u>P</u>
Food Truck, Temporary	P	P	P	P	P	<u>P</u>
Food Truck, Permanent	C	P	C	-	P	<u>P</u>
Private Club/Bar/Tavern	P	C P		-	C	<u>C</u>
Restaurant/Fast Food with drive-thru	P	P	P	C	P	<u>P</u>
Restaurant/Fast Food without drive-thru	P	P	P	P	P	<u>P</u>
<b>F. Service</b>	<b>M</b>	<b>C-N</b>	<b>C- G</b>	<b>TOD</b>	<b>C-R</b>	<u>Old Willard Township ***</u>
Agriculture, Existing	P	P	P	-	C	<u>P</u>
Agricultural Industry/Food	P	P	C	-	-	<u>C</u>
Automobile Service and Sales (Includes Fuel)	P	C	p	-	p	<u>C</u>
Bank/Credit Union/Financial with drive-thru	P	P	P	C	P	<u>P</u>
Bank/Credit Union/Financial without drive-thru	P	P	P	P	P	<u>P</u>
Barber/Beauty Salon/Tanning/Nails/Tattoo	P	P	P	P	P	<u>P</u>

Business/ Professional Office	P	P	P	P	C	<u>P</u>
Car Wash	C	C	C	-	C	<u>C</u>
Childcare/Daycare/Preschool, Commercial	P	P	C	C	C	<u>P</u>
Dry Cleaning	P	P	P	C	P	<u>P</u>
Hospital	P	P	P	-	-	<u>P</u>
Hotel/Motel	P	P	P	-	-	<u>P</u>
Kennel: See WCC 16.12.060	C	C	C	-	-	<u>C</u>
Locksmith/Key and Lock	P	P	P	-	P	<u>P</u>
Laundromat	P	P	P	C	P	<u>P</u>
Medical, Dental, and Physical Therapy Clinic	P	P	P	C	C	<u>P</u>
Nursing Home	-	C	C	-	-	<u>C</u>
Pharmacy	P	P	P	P	P	<u>P</u>
Residential Facilities for Persons With Disabilities	P	P	P	P	P	<u>P</u>
Slaughterhouse/Meat Processing	C	C	-	-	-	<u>C</u>
Towing/Impound Yard	P	C		-	-	<u>-</u>
Transportation/Trucking	P	P	-	C	C	<u>C</u>
*Subject to density limit in 24.58.080						
** TOD requires parking study						
<u>*** Commercial is only allowed with properties fronting US-89</u>						

**SECTION 2: AMENDMENT** “24.44.010 Purpose” of the Willard City Zoning Code is hereby *amended* as follows:

#### BEFORE AMENDMENT

##### 24.44.010 Purpose

###### A. Multiple Use Districts.

1. To establish areas in mountain, hillside, canyon, mountain valley, desert, and other open and generally undeveloped lands where human habitation would be limited in order to protect land and open space resources.

2. To reduce unreasonable requirements for public utility and service expenditures.
3. To avoid uneconomic and unwise dispersal and scattering of population.
4. To encourage use of the land, where appropriate, for forestry, grazing, agriculture, wildlife habitat, and recreation.
5. To avoid excessive damage to watershed, water pollution, soil erosion, danger from brush land fires, damage to grazing, livestock raising, and wildlife values.
6. To promote the health, safety, convenience, order, prosperity and general welfare of the inhabitants of the community.

This District is referred to as MU-40, minimum lot size: 40 acres.

- B. Rural Districts. To promote and preserve, in appropriate areas, conditions favorable to agriculture and to maintain green belt open spaces. These Districts are intended to include activities normally and necessarily related to the conduct of agriculture and to protect the District from the intrusion of uses inimical to the continuance of agricultural activity. Included in these districts are Rural Developments for people who wish to be in a rural district, but are not primarily engaged in agriculture. These Districts are referred to as:

1. A-5, minimum lot size: 5 acres
2. A-3, minimum lot size: 3 acres

Planned Unit Development is a conditional use and will be allowed in these districts.

- C. Residential Districts. To promote and preserve, in appropriate areas, conditions favorable to large-lot family life, the keeping of limited numbers of animals and fowl, and reduced requirements for public utilities. These Districts are intended to be primarily residential in character and protected from encroachment by commercial and industrial uses.

1. R-1/2, minimum lot size: 1/2 acre
2. R-1, minimum lot size: 1 acre

- D. Old Willard Township Infill District. Infill lots shall only be allowed in the Old Willard Township Infill District. No permit for an Infill home shall be granted unless the proposed Infill lot meets the requirements of this chapter. Compliance with the provisions of this chapter does not excuse the developer from the applicable requirements of the Willard City Code and Standards and Specifications.

1. Purpose. The purpose of the Old Willard Township Infill District is to provide increased flexibility and compatibility of infill housing within the Old Willard Township area; to encourage the preservation of historical appearance of housing; to encourage the infill of overly large lots and vacant lots with housing that is compatible in design, height, setback, scale, and placement with existing housing; to limit residential density and preserve a character consistent with the Old Willard Township; to promote redevelopment and revitalization of the core of the City; to promote neighborhoods with quality homes, and preserve the look and feel of the Old Willard Township.

2. Old Willard Township Infill Defined. The Old Willard Township Infill District is hereby created and shall be defined as that area comprised of and encompassed by 200 North, 200 South, 200 East, 200 West Willard, Utah.

3. Application. Any lot for which an application for development has not been originally filed under the Willard City Zoning Ordinances and in the Old Willard Township District, but have not yet, nor have had a building permit prior to the adoption of this chapter shall be subject to the infill lot requirements of this chapter.
4. Area and Frontage Regulations.
  - a. The minimum Old Willard Township Infill lot size shall be no less than fifteen-thousand-five hundred (15,500) square feet.
  - b. The minimum lot width for any Old Willard Township Infill lot shall not be less than eighty-five (85) feet at the front yard setback line, however, a corner Infill lot width shall not be less than One-hundred (100) feet at the front yard setback line.
5. Yard Regulations.
  - a. Lot Coverage. All buildings, including accessory buildings, shall not cover more than thirty percent (30%) of the area of the lot.
  - b. Old Willard Township Infill Homes shall be setback from property lines as follows:
    - (1) Front yard setbacks. The front setback from the street for any dwelling situated between two existing dwellings (a) on the same side of the street, (b) located within 150 feet of each other, and (c) located less than thirty feet from the front property line may be reduced twenty (20') feet or the same as the average for said two existing dwellings, whichever is the greater setback distance. Attached garages shall be setback a minimum often (10') feet from the front main wall of the dwelling.
    - (2) Side yard setbacks. Infill dwellings with a detached rear yard garage are required to have a minimum twelve (12') foot side yard from the side property line, to accommodate a driveway to the required rear parking. The opposite side yard setback is a minimum of fifteen (15) feet. Rear yard detached garages shall be set back a minimum of five (5') feet from the side property line. Side yard attached garages shall be setback no less than ten (10) feet from the side property line. Infill corner dwellings shall have a minimum of thirty (30') side yard setback from the street property line to the house or detached garage.
    - (3) Rear yard setback. All dwellings shall be located at least 30 feet from the rear property line. All dwellings shall be located at least 10 feet from the door face of any detached garage, with no other point of the garage located closer than 10 feet to the dwelling. Detached garages shall be located at least 10 feet from the rear property line.
    - (4) Setbacks for the Old Willard Township Infill lots shall be measured from the property line to the foundation of the

building, with the exception of interior side yard setbacks which will be measured from any cantilever or bay window, etc., which extends past the foundation of the building.

6. Application of Other Regulations. Unless otherwise provided in this section, Old Willard Township Infill developments shall conform to the requirements of the Willard City Zoning Ordinance, other Willard City Ordinances, and applicable law.
7. Waiver of Regulations. Where, upon application by the developer and upon recommendation of the Willard City Planning Commission, City Engineer, and Flood Control Board, and in the opinion of the Willard City Council, the literal enforcement of the design and improvement standards in the Old Willard Township area would result in an unreasonable utilization of land, or undue hardship, due to unique circumstances, waivers may be issued from one or more of the design and improvement standards according to the following procedure:
  - a. Application for a waiver shall include:
    - (1) A description of the land to be subdivided;
    - (2) An identification of the ordinance provision for which the variance is requested;
    - (3) A description of the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the Old Willard Township area;
    - (4) A description of the hardships, which will accrue to the detriment of the property or property owner, if the requested variance is not granted;
    - (5) Any supporting materials intended to be presented as evidence of unreasonable utilization of land, or undue hardship, due to unique circumstances.
  - b. The application shall be submitted to the planning commission for review and comments at the next regularly scheduled meeting of the planning commission.
  - c. The planning commission shall review the waiver application at a regularly scheduled meeting, and shall submit its recommendations for approval or disapproval of such application to the Willard City Council.
  - d. Subsequent to the planning commission's recommendation, the City Council shall approve or deny the waiver application.
  - e. Waiver shall be granted only if the City Council makes a finding upon the record that:
    - (1) The issuance of the waiver will be in the interest of the public safety, health, or welfare;
    - (2) Describing the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the Old Willard Township area; and,
    - (3) A description of the hardships, which will accrue to the

detriment of the property or property owner, if the requested variance is not granted.

## A F T E R A M E N D M E N T

### 24.44.010 Purpose

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1. Purpose. The purpose of the Old Willard Township Infill District is to provide

increased flexibility and compatibility of infill housing within the Old Willard Township area; to encourage the preservation of historical appearance of housing; to encourage the infill of overly large lots and vacant lots with housing that is compatible in design, height, setback, scale, and placement with existing housing; to limit residential density and preserve a character consistent with the Old Willard Township; to promote redevelopment and revitalization of the core of the City; to promote neighborhoods with quality homes, and preserve the look and feel of the Old Willard Township.

2. Old Willard Township Infill Defined. The Old Willard Township Infill District is hereby created and shall be defined as that area comprised of and encompassed by 200 North, 200 South, 200 East, 200 West Willard, Utah.
3. Application. Any lot for which an application for development has not been originally filed under the Willard City Zoning Ordinances and in the Old Willard Township District, but have not yet, nor have had a building permit prior to the adoption of this chapter shall be subject to the infill lot requirements of this chapter.
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    - (2) Side yard setbacks. Infill dwellings with a detached rear yard garage are required to have a minimum twelve (12') foot side yard from the side property line, to accommodate a driveway to the required rear parking. The opposite side yard setback is a minimum of fifteen (15) feet. Rear yard detached garages shall be set back a minimum of five (5') feet from the side property line. Side yard attached garages shall be setback no less than ten (10) feet from the side property line. Infill corner

- dwellings shall have a minimum of thirty (30') side yard setback from the street property line to the house or detached garage.
- (3) Rear yard setback. All dwellings shall be located at least 30 feet from the rear property line. All dwellings shall be located at least 10 feet from the door face of any detached garage, with no other point of the garage located closer than 10 feet to the dwelling. Detached garages shall be located at least 10 feet from the rear property line.
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6. Application of Other Regulations. Unless otherwise provided in this section, Old Willard Township Infill developments shall conform to the requirements of the Willard City Zoning Ordinance, other Willard City Ordinances, and applicable law.
7. Waiver of Regulations. Where, upon application by the developer and upon recommendation of the Willard City Planning Commission, City Engineer, and Flood Control Board, and in the opinion of the Willard City Council, the literal enforcement of the design and improvement standards in the Old Willard Township area would result in an unreasonable utilization of land, or undue hardship, due to unique circumstances, waivers may be issued from one or more of the design and improvement standards according to the following procedure:
- a. Application for a waiver shall include:
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    - (3) A description of the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the Old Willard Township area;
    - (4) A description of the hardships, which will accrue to the detriment of the property or property owner, if the requested variance is not granted;
    - (5) Any supporting materials intended to be presented as evidence of unreasonable utilization of land, or undue hardship, due to unique circumstances.
  - b. The application shall be submitted to the planning commission for review and comments at the next regularly scheduled meeting of the planning commission.
  - c. The planning commission shall review the waiver application at a regularly scheduled meeting, and shall submit its recommendations for approval or disapproval of such application to the Willard City

- Council.
- d. Subsequent to the planning commission's recommendation, the City Council shall approve or deny the waiver application.
- e. Waiver shall be granted only if the City Council makes a finding upon the record that:
- (1) The issuance of the waiver will be in the interest of the public safety, health, or welfare;
  - (2) Describing the peculiar physical conditions pertaining to the land in question, and which do not pertain to other lands in the Old Willard Township area; and,
  - (3) A description of the hardships, which will accrue to the detriment of the property or property owner, if the requested variance is not granted.
8. In addition, any parcel within the Old Willard Zone that fronts directly upon U.S. Highway 89 may establish and operate any use listed as a permitted use in Section 24.48.030 (Commercial Zone Permitted Uses). Such uses shall comply with the development standards of the Old Willard Zone, provided that multifamily residential dwellings shall not be permitted under this subsection.

**SECTION 3: REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 4: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

**SECTION 5: EFFECTIVE DATE** This Ordinance shall be in full force and effect from \_\_\_\_\_ and after the required approval and publication according to law.

**SECTION 6: DIRECTIVE TO STAFF** The City Council hereby directs the City Recorder, in consultation with the City Attorney and Planning staff, to make any non-substantive changes necessary to correct typographical errors, formatting, section numbering, or cross-references in order to codify this ordinance into the Willard City Code.

PASSED AND ADOPTED BY THE WILLARD CITY COUNCIL

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	AYE	NAY	ABSENT	ABSTAIN
Jacob Bodily	_____	_____	_____	_____
Rod Mund	_____	_____	_____	_____
Mike Braegger	_____	_____	_____	_____
Rex Christensen	_____	_____	_____	_____
Jordon Husley	_____	_____	_____	_____
Presiding Officer			Attest	

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Travis Mote, Mayor, Willard City

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Susan Obrey, Recorder, Willard City

# **ITEM 5E**

## MASTER CONDITIONAL USE PERMIT SPREADSHEET

No.	Address	Applicant	Application Date	Fee	Approval Date	Type	Status and Review Date	Parcel No.
	33 CUPS							
	26 South 500 West	Forbush, Molly	1/27/2025	\$250.00		Short-Term Rental/Airbnd	02-087-0005	
	53 North 100 West	Braegger, Josh	5/28/2020	\$25.00 PD	6/19/2020	Multi-Family (Basement Apartment)	Reviewed 9-12-23	02-047-0074
	55 South 100 East	Braegger, Kenneth			2/5/2016	Contractor - Home Business	Active 10-5-23	02-050-0074
	105 South 100 East	Loveland, Judy	9/16/1996				Active	
	110 South 200 West	Gilbert, Brian	4/20/2023	\$25.00	5/18/2023	Detached Accessory Dwelling Units	Reviewed 8-21-25	02-051-0008 and 02-051-0242
	110 South 250 West	Heath, Trisha	5/18/2018		1/9/2019	Multi-Family Dwelling	Active	
	155 South Spring Street (135 S 100 E)	Dean, Blair & Kathy Davis	6/21/1999		9/23/2005	Single Family Home On Sensitive Land	Reviewed 12-7-23	02-050-0077
	275 East 200 South	Nielsen, Seth	4/22/2024	\$25.00	6/6/2024	Pest Control Business	Active	02-050-0048
	300 East 750 North	Granite Construction Company			11/3/2015	Concrete Batch Plant	Active	
	344 East 300 North	Merritts, Bill & Shelley	4/8/1993		5/10/1993	Single Family Dwelling on Sensitive Land	Reviewed 4-18-24	02-048-0005
	369 West 200 North	Dominguez, Duane	3/13/2024	\$25.00	4/22/2024	ATV Repair	Active	02-057-0030
	432 North Main	Francom, Matthew	10/20/2020	\$25.00	3/7/2024	Welding Shop	Active	02-046-0086
	450 North 200 West	Radtke, Robert and Suzie	9/25/2014	\$25.00 PD	10/2/2014	Additional dogs	Reviewed 6/20/24	02-046-0047 & 0084
	481 North 200 West	Beard, Lynn			Approved 2/5/15	Multi-Family Dwelling/Duplex	Active 9/5/24	02-046-0075
	500 East 625 South	Nielsen, Darrell (Now Staker Parson)	3/20/1980		4/11/1989	Gravel Removal	Active	02-049-0001 & 02-053-0044
	537 West 200 North	Gammom, Dan	12/18/2023	\$25.00	11/7/2024	Short-Term Rental/Airbnd	02-057-0005	
	550 North 200 West	Kilpack, Lee (now owned by Dean Taylor)	2/16/2018	\$25.00		Multi-Family/Basement Apartment	Active	02-046-0046
	620 North 200 West	Kapp, Neldon & Jan	10/15/05?		2/11/2003	Building Permit for Single Family Dwelling	Reviewed 9/19/24	02-046-0005

# Willard City Corporation

80 West 50 South  
Box 593



Willard, Utah 84340  
(435)734-9881

June 6, 2024

## CONDITIONAL USE PERMIT

### SETH NIELSON PEST CONTROL BUSINESS

This Conditional Use Permit is issued to Seth Nielson located at 275 East 200 South (Parcel 02-040-0048) Willard, Utah 84340, to operate a pest control business.

The conditions to operate are:

1. Pesticides shall be kept in a locked, metal cabinet in the garage.
2. Pesticides shall be prevented from entering Willard's storm drain system.
3. A sign stating that *pesticides are stored inside* shall be posted on the exterior of the garage side door.
4. No more than six boxes of pesticides shall be stored at any one time.
5. The owner shall provide Willard City with current copies of current state-required licenses and a copy of his liability insurance.
6. The business shall be limited to the residents of the home plus one employee.
7. The owner shall have a spill kit.
8. Subject to the standard home occupation regulations.

This Conditional Use Permit is contingent upon the applicant's, and any successor's, ongoing compliance with all city, local, and state codes.

Seth Nielson

Applicants Signature

6/6/2024

Date

Madison Brain

City Planner Signature

6/6/2024

Date

# Willard City Corporation

80 West 50 South  
Box 593



Willard, Utah 84340  
(435)734-9881

## APPLICATION FOR PLANNING COMMISSION HEARING

Application Date 4/22/2024

Applicant Seth Nielson

Mailing Address 275 E 200 S,  
Willard UT 84340

Project Address 275 E. 200 S.,  
Willard, UT 84340

Phone Number 435-922-5535

Email Seths pest control@gmail.com

Assessor's Parcel Number 02-050-0048

Parcel Legal Description \_\_\_\_\_

see attached

I hereby request a hearing before the Willard City Planning Commission on behalf of my application for:

- Conditional Use Permit - \$25 fee.  
 Lot Line Adjustment - \$25 fee.  
 Other - Fee varies, \$25 minimum.

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Note: Fees will be charged on each application and are non-refundable. Additional applications on the same project will be considered as new applications and be charged accordingly. All applications, with required data and fees, must be filed in the Willard City Office at least two weeks prior to the scheduled hearing date.

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**Project description** (Attach additional sheets as required):

Complete Applicant Affidavit on back of this page.

Location	Owner	Value
<b>Acres</b> 0.68		
<b>Parcel Number</b> 02-050-0048		
<b>Account Number</b> R0007521		
<b>Tax District</b> 132 - WILLARD		
<b>HouseNumber</b> 275		
<b>StreetName</b> E 200 SOUTH		
<b>Parcels</b>		
<b>OwnerName</b> NIELSON SETH ETAL		
NIELSON CHAUNTEL		
<b>Legal</b> BEG 100 FT E OF SW COR SE/4 BLK 08, PLT B, WCS. THENCE E 100 FT TO A PT 94.3 FT W OF E BRY/L OF SD BLK, N 295.68 FT, W 100 FT M/L TO PT DUE N OF POB, S 295.68 FT TO BEG.		



WILLARD CITY  
**Planning Commission Meeting** – Regular Meeting  
Thursday, June 6, 2024 – 6:30 p.m.  
Willard City Hall – 80 West 50 South  
Willard, Utah 84340

The meeting was a regular 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:

Sid Bodily, Chairman

Madison Brown, City Planner

Ruth Beebe

Michelle Drago, Deputy Recorder

Chandler Bingham

Chad Braegger

Excused: Alex Dubovik; Brian Gilbert; Jeremy Kimpton, City Manager; and Colt Mund, City Attorney.

Others in attendance: Councilmember Jordan Hulsey; Seth Nielson; Roline Hinrichsen; Ronda Hinrichsen; Jeannine Jensen, Alex Owens, Lync Construction; Nathan Combs, Lync Construction; and Pat Burns, Lync Construction.

The meeting was called to order at 6:45 p.m.

1. PRAYER: Chad Braegger
2. PLEDGE OF ALLEGIANCE: Chandler Bingham
3. GENERAL PUBLIC COMMENTS

There were no comments.

4. CITY COUNCIL REPORT

There wasn't a report.

- 5A. **REVIEW AND CONSIDERATION OF A REQUEST FROM SETH NIELSON FOR A CONDITIONAL USE PERMIT TO OPERATE A PEST CONTROL BUSINESS ON HIS PROPERTY LOCATED AT APPROXIMATELY 275 EAST 200 SOUTH (PARCEL NO. 02-050-0048)**

Time Stamp: 02:07 – 06/06/2024

Madison Brown, City Planner, stated that Seth Nielson had applied for a business license for a small pest control business that he planned to operate from his home. Because of the pesticides Mr. Nielson planned to use, the administration felt he needed a conditional use permit. The Conditional Use Permit Review Committee reviewed Mr. Nielson's application on May 23<sup>rd</sup>. It recommended approval of the conditional use permit subject to the following conditions:

1. Pesticides shall be kept in a locked, metal cabinet in the garage.
2. Pesticides shall be prevented from entering Willard's storm drain system.
3. A sign stating that *pesticides are stored inside* shall be posted on the exterior of the garage side door.
4. No more than six boxes of pesticides shall be stored at any given time.
5. The owner shall provide Willard City with current copies of current state-required licenses and a copy



WILLARD CITY  
**Planning Commission Meeting** – Regular Meeting  
Thursday, June 6, 2024 – 6:30 p.m.  
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- of his liability insurance.
6. The business shall be limited to the residents of the home plus one employee.
  7. The owner shall have a spill kit.
  8. Subject to the standard home occupation regulations.

Ms. Brown said Seth Nielson had agreed to the recommendation conditions, and he had provided the city with copies of his Utah state licenses and his liability insurance.

Seth Nielson did not have any comments.

Chairman Bodily asked if the Planning Commission had any concerns or wanted to add additional conditions.

Commissioner Braegger asked about how many vehicles Mr. Nielson planned to have. Seth Nielson said he planned to use his own vehicles and his small trailer, which would hold a 40-gallon water tank to fill his backpack sprayer. His truck and trailer would be parked on his own property.

**Commissioner Bingham moved to approve a conditional use permit for Seth Nielson to operate a pest control business on property located at approximately 275 East 200 South (Parcel No. 02-050-0048) subject to the conditions recommended by the CUP Review Committee. Commissioner Beebe seconded the motion. All voted “aye.” The motion passed unanimously.**

- 5B. PUBLIC HEARING TO RECEIVE PUBLIC INPUT REGARDING A PETITION FROM LYNC CONSTRUCTION TO REZONE APPROXIMATELY 32.77 ACRES LOCATED AT APPROXIMATELY 3710 SOUTH 1200 WEST/PERRY STREET FROM A-3 AND A-5 TO R-1/2 (PARCEL NOS. 02-035-0061, 02-035-0063, AND 02-035-0079)

Time Stamp: 07:37 – 06/06/2024

Chairman Bodily read Willard City's Rules of Order statement.

**Commissioner Bingham moved to open the public hearing at 6:54 p.m. Commissioner Beebe seconded the motion. All voted “aye.” The motion passed unanimously.**

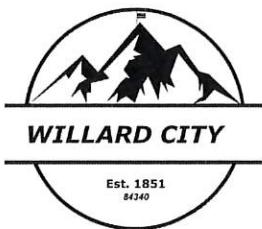
Madison Brown read from the May 31, 2024, staff report:

On January 3, 2024, Lync Construction submitted a rezoning application to rezone parcels 02-035-0061, 02-035-0063, 02-035-0079, and 02-035-0075 located at approximately 3700 S 1200 W Perry from A-3 and A-5 to R 1/2.

On January 18, 2024, Lync Construction attended SLUA and presented a concept plan and rezone request to change the zoning of the property from A5 to R 1/2. SLUA agreed to the zoning change, but the 2017 Future Land Use map indicated the property still as A3-5, so Lync Construction was told they would need to submit a petition to amend the Future Land Use map in the General Plan before submitting the rezone request.

On February 1, 2024, Pat Burns of Lync Construction attended the Planning Commission meeting where there was a public hearing regarding a petition from Lync Construction to amend the 2017 Future Land Use map of the Willard City General Plan. After public comment and discussion among the Planning Commission, Pat Burns withdrew his application to amend the General Plan. This was done because the General Plan was being reviewed and re-finalized.

# ITEM 6



## WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, August 21, 2025 – 6:30 p.m.

Willard City Hall – 80 West 50 South

Willard, Utah 84340

1 The meeting was a regular 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.

5 The following members were in attendance:

12 Excused: Chad Braegger, Brian Gilbert, and Colt Mund.

14 Others in attendance: Ruth Ormond, Diana Baker, and Rew Wiley.

16 Chairman Bodily called the meeting to order at 6:30 p.m.

18 1. PRAYER: Ken Ormond

### 3 PLEDGE OF ALLEGIANCE: Also Rehearsal

#### GENERAL PUBLIC COMMENTS

24 Diana Baker, 276 West Center, stated that Mayor Mote had asked her to serve as an alternate Planning  
25 Commission member. Jeremy Kimpton said her appointment would have to be approved by the City  
26 Council.

28 Commissioner Ormond asked if the Council had to approve his change from an alternate to a permanent  
29 member. Mr. Kimpton said he would have the Council ratify that change.

## 31 4. CITY COUNCIL REPORT

33 Jeremy Kimpton, City Manager, reported on the August 14<sup>th</sup> City Council meeting. Most of the Council's  
34 discussion was about the budget. The Council decided not to use the full \$113,000 allowed by Truth in  
35 Taxation. They chose to use only \$90,000, which meant cuts would have to be made in the budget. The  
36 Council also discussed water and sewer rates. The Council approved the base water rate of \$37.00  
37 effective January 1, 2026. They chose to increase the sewer rate by \$8.00 effective January 1, 2026, rather  
38 than the full \$18.00. The sewer rate would increase \$6.00 each year thereafter. The City Council approved  
39 the development agreement for The Orchards Subdivision. The rezone still had to be approved by  
40 ordinance. The Council also approved the Transportation Master Plan recommended by the Planning  
41 Commission.

43 Commissioner Bingham asked about the outcome of the de-annexation work session. Jeremy Kimpton said  
44 that meeting was scheduled for August 28<sup>th</sup> at 5:00 p.m. The mayor asked that all Planning Commission  
45 members attend.



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49 5A. DISCUSSION REGARDING REVISIONS TO THE RECREATIONAL VEHICLES AND  
50 RECREATIONAL VEHICLE PARKS CODE FOUND IN 24.92.030 OF THE WILLARD CITY  
51 ZONING CODE (CONTINUED FROM MAY 1, MAY 15, JUNE 5, AND JULY 17, AND AUGUST 7,  
52 2025)

53 Time Stamp: 05:25 – 08/21/2025

54 Madison Brown, City Planner, stated that the proposed ordinance had been revised to address the concerns  
55 and suggestions from the Planning Commission.

56 Chairman Bodily asked if the noise hours found in 24.92.090 of the RV Code matched the hours in the  
57 Municipal Code's noise regulations. He thought the Noise Ordinance said 10:00 p.m. to 6:00 a.m. Jeremy  
58 Kimpton felt the hours should be standardized. He would make sure the RV Code matched the Noise  
59 Ordinance.

60 Chairman Bodily asked about the fireworks restriction in the same section. Should guests in an RV park be  
61 allowed to have fireworks on the 4<sup>th</sup> of July? Jeremy Kimpton felt the proposed code was written to prevent  
62 fireworks regardless of the holiday. Commissioner Bingham didn't feel fireworks of any kind should be  
63 allowed in an RV park.

64 Commissioner Ormond asked about the unit of measure found in 24.92.030.E. It referred to setbacks for  
65 front, rear, or side *years*. He felt it should be *yards*.

66 There were no other comments from the Planning Commission members.

67 Jeremy Kimpton felt the proposed ordinance was ready for a public hearing. The few changes just  
68 discussed were minor. He would include a memo to the City Council addressing the Planning Commission's  
69 recommendation regarding impact fees and a rate study.

70 Chairman Bodily appreciated Jeremy Kimpton's hard work. He asked if the Planning Commission was ready  
71 to set a public hearing.

72 **Commissioner Bingham moved to set a public hearing on September 4, 2025, to receive public  
73 comments regarding the proposed revisions to the RV Code. Commissioner Ormond seconded the  
74 motion. All voted "aye." The motion passed unanimously.**

75 5B. DISCUSSION REGARDING AMENDING THE FUTURE LAND USE MAP FOUND IN CHAPTER  
76 3 OF THE GENERAL PLAN ADOPTED IN MARCH 2024 BY EXPANDING THE  
77 ENVIRONMENTALLY SENSITIVE AREAS TO INCLUDE SENSITIVE WETLANDS (CONTINUED  
78 FROM AUGUST 7, 2025)

79 Time Stamp: 12:13 – 08/21/2025

80 Madison Brown presented a Sensitive Land Map that was prepared by Jones & Associates, the city's  
81 engineer. The map included wetlands, landslide areas, steep slopes, flood plain zones, and fault lines.

82 Commissioner Dubovik asked if the Planning Commission needed to add the map to the General Plan. Ms.  
83 Brown said it did.



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98 Ms. Brown said the packet included Chapter 24.72 – Sensitive Areas - from the Zoning Code and other  
99 places *wetlands* were mentioned in the Zoning Code. There was a section in the General Plan called  
100 *Environmentally Sensitive Areas*. It did not specifically mention wetlands or hydric soil, but there was a  
101 map. She suggested that section be updated with the new map and information about protecting wetlands.  
102

103 Commissioner Bingham agreed that the map in the General Plan should be updated. People needed to  
104 know if they were in a floodplain, so they carried the right insurance.  
105

106 Commissioner Dubovik asked if there were any other maps in the General Plan that showed the historic  
107 fault lines. Ms. Brown did not feel that information was currently in the General Plan. Fault lines could be  
108 added to the Sensitive Land Map. Commissioner Dubovik felt that would be helpful, pertinent information.  
109

110 Chairman Bodily asked if a public hearing would be needed to forward the map to the City Council. Ms.  
111 Brown said the addition of the map would be an amendment to the General Plan. A public hearing would  
112 be required.  
113

114 Ms. Brown asked if the Planning Commission wanted to change or add verbiage to the General Plan.  
115 Commissioner Bingham felt there should be information in the General Plan and the Zoning Code about  
116 wetlands.  
117

118 Commissioner Dubovik wasn't sure Willard should require anything more than was mandated in the state  
119 code. Commissioner Bingham suggested including a reference to the state code in the Zoning Code and  
120 in the General Plan.  
121

122 Chairman Bodily suggested that this item be tabled for two weeks to give the Planning Commission  
123 members time to review the proposed map and materials and for the staff to prepared proposed language.  
124

125 5C. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO BRIAN GILBERT ON MAY 18, 2023,  
126 FOR A DETACHED ACCESSORY DWELLING UNIT LOCATED AT 110 SOUTH 200 WEST (02-  
127 051-0008 AND 02-051-0242)  
128

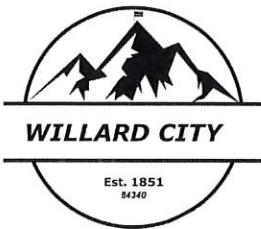
129 Time Stamp: 20:45 – 08/21/2025  
130

131 Madison Brown stated that there had not been any problems with Mr. Gilbert's conditional use permit. Now  
132 that Willard had an Accessory Dwelling Unit Ordinance, she wasn't sure Mr. Gilbert needed a conditional  
133 use permit any longer.  
134

135 Michelle Drago, Deputy City Recorder, stated that she had asked Mr. Gilbert if he had any comments about  
136 his conditional use permit. Mr. Gilbert had responded in an email that nothing about it had changed.  
137

138 Chairman Bodily did not feel there were any problems as long as the ADU complied with the ordinance.  
139

140 Chairman Bodily asked about the conditional use permits that had been highlighted at the end of the master  
141 list. Michelle Drago stated that when she was compiling the list of conditional use permits, the highlighted  
142 uses were mentioned. However, she couldn't find evidence that the conditional use permits had been  
143 approved. The uses involved a member of the Planning Commission, a member of the City Council, and a  
144 prominent resident. The uses existed and needed conditional use permits.



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145 Madison Brown said the administration wasn't trying to shut any of the businesses down. They were just  
146 trying to find records for documentation.

147  
148 Commissioner Dubovik suggested that if a conditional use permit could not be found, a record could be  
149 created by drafting a conditional use permit that could be reviewed and approved by the Planning  
150 Commission and the property owner.

151  
152 Commissioner Ormond felt that Comer's Trailer Court at 45 North Main might be a non-conforming use due  
153 to its age.

154  
155 Michelle Drago stated that each would have to be individually researched.

156  
157 6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR  
158 AUGUST 7, 2025

159  
160 **Commissioner Bingham moved to approve the regular minutes for August 7, 2025, as written.**  
161 **Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.**

162  
163 7. ITEMS FOR THE SEPTEMBER 4, 2025, PLANNING COMMISSION AGENDA

164  
165 Time Stamp: 28:37 – 08/21/2025

166  
167 The Planning Commission discussed agenda items for the August 21<sup>st</sup> meeting – a public hearing for the  
168 RV Park ordinance, the sensitive land and FLUM amendment, the next conditional use permit review, and  
169 an ordinance amendment to extend commercial along Highway 89 in the Old Town Willard Zone.

170  
171 8. COMMISSIONER/STAFF COMMENTS

172  
173 Time Stamp: 30:18 – 08/21/2025

174  
175 Jeremy Kimpton

176  
177 Jeremy Kimpton said the staff was working to clean up a few items in the Subdivision Ordinance. The  
178 changes were minor.

179  
180 Madison Brown

181  
182 Madison Brown reminded the Planning Commission members about the August 28<sup>th</sup> work session. The  
183 Mountain Bay developers wanted to discuss de-annexation. Mayor Mote had asked the Planning  
184 Commission to attend.

185  
186 Commissioner Bingham

187  
188 Commissioner Bingham asked about the status of the subdivision on the Harding property. Ms. Brown said  
189 Willard had received a new concept plan along with questions for the City Engineer. The developer had  
190 been silent since then. She would reach out and ask how they wanted to proceed.

191  
192 Commissioner Bingham asked about the zoning for the vacant lot at 295 West Center. Was it a legal lot?  
193 Madison Brown said the lot was zone R ½, and it was only smaller than the required half-acre. She had



WILLARD CITY

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194 reviewed the lot with the City Attorney. The lot was established prior to the zoning map and code. It was a  
195 buildable lot for a single-family residence. She had seen some real estate listings that said the lot would  
196 not have impact or connection fees. That information was incorrect. Because the water meter was removed  
197 during demotion, a new home would have to pay impact and connection fees.

198

199 Commissioner Dubovik

200

201 Commissioner Dubovik asked if the setbacks in the Deer Run Subdivision had been investigated. Madison  
202 Brown stated that a section in Deer Run's development agreement allowed them to do pod, or cluster  
203 homes, with reduced setbacks of 10 feet between each home. The setbacks had been measured and  
204 verified.

205

206 Commissioner Ormond

207

208 Commissioner Ormond was concerned about the garbage service. Republic was using an old truck that  
209 tossed the cans around. It was the truck that made the difference, not the drivers. The old truck used a rail  
210 instead of a hydraulic arm. The rail snapped the cans around. Jeremy Kimpson said he would pass that  
211 information on to Republic.

212

213 Chairman Bodily

214

215 Chairman Bodily said there were many recreational vehicles scattered throughout Willard that were being  
216 used for long-term dwelling. If the city was going to enforce the RV Code in the campground, it needed to  
217 enforce it everywhere. Everyone should be treated fairly. Willard could not write regulations to address  
218 everyone's lifestyle.

219

220 Diana Baker

221

222 Diana Baker asked about the structure that was being built out of storage containers at 95 North Main.  
223 Madison Brown and Jeremy Kimpton said the staff was aware of the structure and was working on code  
224 enforcement.

225

226 Diana Baker asked about the ADU being built on 250 West. Madison Brown said the ADU had been  
227 reviewed and approved by the city subject to emergency service requirements.

228

229 9. ADJOURN

230

231 **Commissioner Dubovik moved to adjourn at 7:09 p.m. Commissioner Bingham seconded the  
232 motion. All voted in favor. The motion passed unanimously.**

233

234

235 Minutes were read individually and approved on: \_\_\_\_\_

236

237

238

239

240 Planning Commission, Chairman

241 Sid Bodily

242 dc:PC 08-21-2025

Planning Commission Secretary

Michelle Drago