

WILLARD CITY

Planning Commission Meeting – Regular Meeting

Thursday, January 15, 2026 – 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
Diana Baker
Chandler Bingham
Alex Dubovik
Ken Ormond

Jeremy Kimpton, City Manager
Amy Hugie, City Attorney
Michelle Drago, Deputy City Recorder

Excused: Chad Braegger, Brian Gilbert, and Madison Brown

Others in attendance were Mayor Travis Mote; Ruth Ormond; Doug Younger; Rebecca Dilg; Carl Dilg; Terry Ross; Juston Dickson; and Stephanie Dickson.

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

1. PRAYER: Ken Ormond
2. PLEDGE OF ALLEGIANCE: Alex Dubovik
3. GENERAL PUBLIC COMMENTS

Time Stamp: 01:54 – 01/15/2026

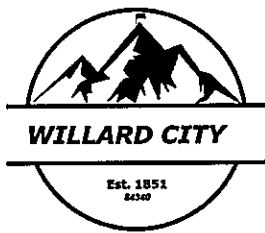
Juston Dickson, 265 East 1000 North, stated that they had been attending Planning Commission meetings for several months regarding a code amendment for minor subdivision. He asked why it wasn't on the agenda. Amy Hugie, City Attorney, explained that she was working on an ordinance. When it was ready for consideration, it would be placed on the agenda.

Rebecca Dilg, 50 West 1075 North, spoke in support of the proposed minor subdivision ordinance. She felt that 24.64.060(B) was applicable to their personal property and could be applicable to minor subdivisions as well. There was discussion regarding their private lane.

4. CITY COUNCIL REPORT

Time Stamp: 08:21 – 01-15-2026

Mayor Mote reported that during the January 8th City Council meeting the re-elected officials were sworn in; the 2026 meeting schedule was discussed; the Council met with Ruben Vantassel from the Wastewater Treatment Plant to discuss capacity; held a public hearing regarding the proposed boundary adjustment with Perry City; tabled discussion regarding the boundary adjustment; discussed applying for corridor preservation project funding to purchase an easement for 300 East; discussed expenses that Box Elder County might pass on to the city for senior services, emergency services, and an animal shelter; reappointed Jacob Bodily to the Mosquito Abatement Board; and discussed and approved agreements with the Wells family to secure an easement for additional water resources and pipeline in exchange for 30 water connections in the future.



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- 5A. PUBLIC HEARING TO RECEIVE PUBLIC COMMENTS REGARDING A PROPOSAL TO AMEND SECTION 24.44.050 OF THE WILLARD CITY ZONING CODE REGARDING AREA COVERAGE, SETBACKS, AND HEIGHT REGULATIONS, AND MAKING RELATED AMENDMENTS TO SECTIONS 24.96.060, 24.24.030, 24.44.010, AND 24.08.140

Time Stamp 14:14 – 01-15/2026

Chairman Bodily read the Willard City Planning Commission's rules of order statement.

Commission Dubovik moved to open the public hearing at 6:46 p.m. Commissioner Bingham seconded the motion. All voted "aye." The motion passed unanimously.

Jeremy Kimpton, City Manager, stated that changes to Section 24.44.050 of the Zoning Code had been proposed to clean up conflicting language regarding area coverage, setbacks, and height regulations. The Planning Commission had asked that related amendments be made to Sections 24.96.060, 24.24.030, 24.44.010, and 24.08.140. An ordinance had been prepared for the Planning Commission to review.

Chairman Bodily opened the floor for public comments.

Rebecca Dilg had read the proposed ordinance and wanted to lend her support in favor for it.

Commissioner Baker moved to close the public hearing at 6:47 p.m. Commissioner Bingham seconded the motion. All voted "aye." The motion passed unanimously.

- 5B. DISCUSSION REGARDING A PROPOSAL TO AMEND SECTION 24.44.050 OF THE WILLARD CITY ZONING CODE REGARDING AREA COVERAGE, SETBACKS, AND HEIGHT REGULATIONS, AND MAKING RELATED AMENDMENTS TO SECTIONS 24.96.060, 24.24.030, 24.44.010, AND 24.08.140 (CONTINUED FROM NOVEMBER 20 AND DECEMBER 4, 2025)

Time Stamp: 18:11 – 01/15/2026

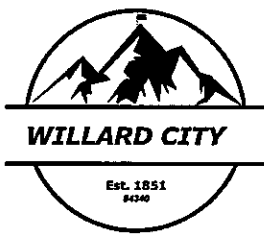
Chairman Bodily asked if the Planning Commission members had reviewed the proposed ordinance.

Commissioner Dubovik felt the ordinance covered all the Planning Commission had discussed.

Chairman Bodily agreed but wanted to make sure Commissioner Braegger's concerns had been addressed.

Commissioner Ormond asked how to handle discrepancies found in the code in the future. Mr. Kimpton asked that Planning Commission members to let him know when they had concerns. He could then create verbiage for the Planning Commission to consider.

Commissioner Ormond stated that the General Plan said a building lot should not be smaller than 15,000 square feet. However, the recently approved Orchards MPC had lots that were 13,500 square feet in size. Was the size discrepancy enough to worry about? Amy Hugie, City Attorney, stated that the MPC Ordinance and Zone allowed the city to determine the lot size. The Orchards was under the old MPC Ordinance and the old General Plan. The Canyon Bay Subdivision being proposed by Kyle White was also under the old MPC Ordinance. The General Plan was a policy. It was a guideline, not the absolute controlling document.



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Commissioner Dubovik asked if the city code followed the same premise as federal regulations. Under federal law, the most specific governed. The General Plan might say 15,000 square feet, but the more specific development agreement said 13,500 square feet. Ms. Hugie said the General Plan was a policy document. It was not an ordinance.

Commissioner Baker asked about Deer Run. It was approved years ago and had been under construction for five to ten years. Ms. Hugie said that Deer Run was regulated by the PUD Ordinance, which had been repealed. Jeremy Kimpton said the applicable code was based on the date of the development application. Ms. Hugie said Deer Run was operating under a development agreement, which was a legal contract.

Jeremy Kimpton felt Commissioner Ormond had a valid point. The Planning Commission had to decide if it was advantageous to move away from the General Plan's policy.

Mayor Mote said the MPC Ordinance said a development plan should follow the General Plan.

Commissioner Ormond pointed out a typo on Page 4 of Ordinance No. 2026-02 in the ADU Table in 24.96.60(B.3.a). In the second line of the table, the parcel size should be corrected to read 27,781 sq. ft. to 43,560 sq. ft.

Commissioner Ormond asked if the square footage referred to in the table was total square footage or square footage per floor. Jeremy Kimpton said it was the total livable space of the ADU. Ms. Hugie agreed.

Commissioner Ormond asked for a clarification of 24.96.60 (B.3.b) found on Page 4 of Ordinance No. 2026-02. Was the available yard area 25% after the main dwelling was taken out or 25% total? Jeremy Kimpton interpreted it to mean 25% of the remaining available yard space. Amy Hugie felt the available yard was anywhere there wasn't a building.

Commissioner Ormond asked if that was what the Planning Commission wanted. The Planning Commission members said it was.

Commissioner Ormond was concerned that B.3.b would allow more than 25% of the yard to be covered in buildings. It seemed contrary to the Planning Commission's intent. Amy Hugie said the state code said cities had to allow ADU's. An ADU might take up more than 25% of the overall lot. However, *no more than 25% of the available yard* was a standard in a lot of cities.

Commissioner Dubovik felt the size would be controlled by the table in 24.96.60(B.3.a). The size of an ADU was based on the parcel size. Should language be added, such as, "All primary dwellings and ADU's may not occupy more than a certain percentage of the total lot?"

Commissioner Bingham stated that somewhere in the ordinance there was a maximum coverage.

Michelle Drago, Deputy Recorder, felt the maximum coverage was addressed by 24.96.060(B.3.c). Commissioner Dubovik asked what that maximum coverage was. Jeremy Kimpton said that according to 24.44.050(8), the maximum coverage for any lot shall be 25%.

Commissioner Ormond noticed that the Old Town Willard Zone had been added to the table in 24.44.050. Were changes also made to the Old Town Willard language found in 24.44.010(D)? Mr. Kimpton said the language was changed. It could be found on Page 8 of Ordinance No. 2026-02.



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Commissioner Baker asked about the recommendation to change the boundary description of the Old Town Willard Zone found in 24.44.010(D.2). Amy Hugie said the verbiage needed to be worded carefully to prevent having to rezone a lot of properties.

Amy Hugie felt Ordinance No. 2026-02 was ready to forward to the City Council.

Commissioner Dubovik moved to recommend that the City Council approve Ordinance No. 2026-02 amending Section 24.44.050 of the Zoning Code and related amendments subject to the correction of typographical errors. Commissioner Bingham seconded the motion. All voted “aye.” The motion passed unanimously.

5C. REVIEW OF A CONDITIONAL USE PERMIT ISSUED TO TERRY ROSS ON DECEMBER 29, 2016, ON PROPERTY LOCATED AT 595 SOUTH MAIN (PARCEL NO. 02-053-0005)

Time Stamp: 38:12 – 01/15/2026

Chairman Bodily stated that the temporary conditional use permit was issued with conditions and time constraints. He asked Mr. Ross if the required conditions had been completed.

Terry Ross, 595 South Main, said he had not completed the conditions. He had not built a permanent shop. He was still using his camp trailer. He had not installed the water or sewer lines. He agreed that he was overdue. He moved his business to his camp trailer in 2016 because he sold his business location on Main Street. He renewed his temporary permit in 2019. Then he and his wife purchased Willard Bay Gardens, and that is where his focus had been. He had not done anything about complying with the conditional use permit. However, he did have the blueprints to build a permanent shop.

Commissioner Baker asked if Mr. Terry still wanted the conditional use permit. Mr. Terry said he wanted to keep his business going.

Chairman Bodily said there was a two-year time limit to have the permanent shop built, and six months to run the water and sewer lines. The other conditions related to parking and number of patrons.

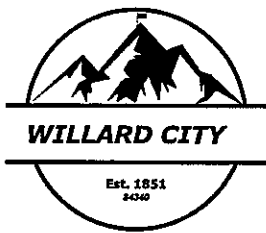
Terry Ross stated that he did all his business by appointment. His patrons were usually in and out in 20 minutes. He admitted that he had not complied with the conditions of the temporary permit.

Amy Hugie stated that Mr. Ross was in violation of several of his conditions. Legally that placed the city in a difficult position if it allowed him to continue operating. The city had to consider everyone else who had conditional use permits, not just Mr. Ross.

Commissioner Dubovik asked if Mr. Ross had any immediate plans to build the permanent shop. Mr. Ross said he didn't. It would probably be a few more years before he could get the shop built.

Commissioner Baker asked if Mr. Ross could apply for a new conditional use permit if his current one was closed. Ms. Hugie felt that would be better than letting Mr. Ross continue to operate with a conditional use permit that was in violation. A new conditional use permit would allow the Planning Commission to consider whether Mr. Ross's business would qualify under the existing ordinance.

Commissioner Dubovik felt the best option was to suspend Mr. Ross's temporary conditional use permit. Ms. Hugie agreed.



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There was a discussion regarding possible solutions for Mr. Ross. One suggestion was to make his business mobile. Another was to move his barber shop into his home.

Commissioner Dubovik asked about the process for suspending a conditional use permit. Ms. Hugie said the Planning Commission just needed to make and approve a motion to do so based on non-compliance with approved conditions.

Mayor Mote asked if Willard's code required a notice or appeal period before revoking a conditional use permit.

Terry Ross asked about another two-year grace period. Ms. Hugie felt that issuing an extension at this point could put Willard in a difficult legal position. While Mr. Ross's temporary conditional use might not be a problem, but the city might find another use that was. Then the offender could argue that Willard was being arbitrary.

Commissioner Dubovik said the Planning Commission frequently heard that argument. The Planning Commission responded that it could not control what happened in the past, but it could control what happened in the present.

Terry Ross asked how to proceed after his conditional use permit was revoked. Could he reapply for a new conditional use permit?

Mayor Mote stated that Terry Ross was in violation of his current conditional use permit. He felt Mr. Ross would have to restart with a new conditional use permit.

Terry Ross stated that running Willard Bay Gardens was taking so much time, he didn't have time to build a permanent shop unless he put in a Tough Shed. Ms. Hugie felt a Tough Shed would be an easier sell because it would be a more permanent structure, but it would still have to have sewer and water.

Commissioner Dubovik asked why the city required that a permanent shop have sewer and water. Commissioner Bingham said water and sewer were needed to provide restrooms for customers.

Commissioner Dubovik stated that if Terry Ross was going to file for a new conditional use permit, the Commission should determine if there was a basis for the original conditions. If there were legitimate reasons for the original conditions, he didn't feel they could be changed. If there weren't legitimate reasons, there might be some flexibility to change them.

Commissioner Bingham pointed out that Terry Ross had been operating a barber shop from his trailer for ten years without any complaints from neighboring property owners.

Amy Hugie stated that Willard allowed home occupations in accessory buildings. A trailer wasn't an accessory building. She felt that continued use of the trailer would be an issue if Mr. Ross reapplied.

Commissioner Dubovik stated that if Terry Ross reapplied, Willard would have to look at and apply the current code requirements. He felt the issues would work themselves out.

Terry Ross stated that he tried to keep a low profile. He didn't even have a sign on the trailer. He realized it didn't look good for the city to allow a business to be run from a trailer. If the Planning Commission revoked the conditional use permit, he would have to figure out how to move forward.



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Chairman Bodily felt running the sewer might be a challenge. Mr. Ross said the pipe was in, he just hadn't hooked it up because he didn't want to worry about freezing problems.

Terry Ross agreed that his lack of a permanent shop was a violation. The number of patrons wasn't a problem. He had room for two parking stalls. Sometimes there were two cars there at a time. He rarely had three. He had not connected the water and sewer within the required six months. The water was there, but it wasn't permanently connected. The extension he received in 2019 had not been reviewed in the required 18 months.

Commissioner Baker moved to revoke the temporary conditional use permit issued to Terry Ross on December 29, 2016. Commissioner Dubovik seconded the motion. All voted "aye." The motion passed unanimously.

5D. ANNUAL OPEN AND PUBLIC MEETINGS ACT TRAINING

Time Stamp: 58:09 – 01/15/2026

Amy Hugie conducted the required annual Open and Public Meeting Acts Training and responded to questions from the Planning Commission.

6. CONSIDERATION AND APPROVAL OF REGULAR PLANNING COMMISSION MINUTES FOR DECEMBER 4, 2025

Commissioner Baker moved to approve the regular minutes for December 4, 2025, as written. Commissioner Ormond seconded the motion. All voted "aye." The motion passed unanimously.

7. ITEMS FOR THE FEBRUARY 5, 2026, PLANNING COMMISSION AGENDA

Time Stamp: 11:30 – 01/15/2026

The Planning Commission discussed agenda items for the February 5, 2026, meeting –possible discussion regarding Canyon Bay MPC, consideration of an amendment to remove bonds as an improvement guarantee, consideration of an amendment for minor subdivision, approval of the 2026 meeting schedule, a conditional use permit review, and possibly a conditional use permit for Terry Ross.

Rebecca Dilg asked about being on the agenda. Chairman Bodily and Jeremy Kimpton stated that she would have to file an application for a conditional use permit before being placed on the agenda.

8. COMMISSIONER/STAFF COMMENTS

Time Stamp: 14:17 – 01/15/2026

Amy Hugie

Did not have any comments.

Jeremy Kimpton

Did not have any comments.



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Mayor Mote

Did not have any comments.

Commissioner Bingham

Did not have any comments.

Commissioner Dubovik

Did not have any comments.

Commissioner Baker

Commissioner Baker asked if a permit was needed for a haybarn on two to three acres of land. Amy Hugie stated that a permit was required for any structure that was more than 200 square feet. Ms. Baker said a haybarn was being constructed on 400 West. Did it have a permit? She thought it was on property owned by Ken Braegger. Mr. Kimpton said he hadn't seen a recent application, but it could have been submitted before Maddie Brown went on maternity leave. He would check.

Commissioner Ormond

Did not have any comments.

Chairman Bodily

Did not have any comments.

10. ADJOURN

Commissioner Bingham moved to adjourn at 7:47 p.m. Commissioner Dubovik seconded the motion. All voted in favor. The motion passed unanimously.

Minutes were read individually and approved on: 2/5/26

Sid Bodily
Planning Commission, Chairman
Sid Bodily

Michelle Drago
Planning Commission Secretary
Michelle Drago

dc:PC 01-15-2026