WILLARD CITY
Conditional Use Permit (CUP) Review Committee – Special Meeting
September 23, 2026 – 3:00 p.m.
Willard City Hall – 80 West 50 South
Willard, Utah 84340

The meeting was a special meeting designated by resolution. Notice of the meeting was provided 24 hours in advance. A copy of the agenda was posted at City Hall, on the State of Utah Public Meeting Notice website, on the Willard City website, and sent to the *Box Elder News Journal*.

The following members were in attendance:

Jeremy Kimpton, City Manager
Madison Brown, City Planner
Theron Fielding, Police Chief
Payden Vine, Public Works Director
Chandler Bingham, Planning Commission Chair
Michelle Drago Deputy City Recorder

Excused: Amy Hugie, City Attorney; Van Mund, Fire Chief; Chris Breinholt, City Engineer; and Zac Burk, City Engineer.

Others in attendance: Jeff Forsgren, F3 Engineering; Troy Merrill, Treadmasters; Layne Ferrin, Treadmasters; and Eric LeBaron, short-term rental applicant.

1. CALL TO ORDER

Madison Brown, City Planner, called the meeting to order at 2:02 p.m. The secretary recorded a roll call attendance.

2A. REVIEW AND CONSIDERATION OF A REQUEST FROM ROMERO CONSTRUCTION FOR A CONDITIONAL USE PERMIT TO BUILD A CONSTRUCTION SHOP LOCATED AT APPROXIMATELY 105 WEST 750 NORTH (PARCEL NO. 02-046-0094) (CONTINUED FROM APRIL 2, 2026)

Time Stamp – 1:35 - 09/23/2026

Madison Brown, City Planner, noted that this item was continued from the April 2, 2026, meeting, at which the applicant had been directed to make several revisions to the site plan.

Jeff Forsgren of F3 Engineering, representing Romero Construction, presented the updated plans and addressed each item from the prior meeting:

Turn Lane: The previously proposed turn lane was removed from the plans per the Committee's direction. Forsgren noted that they had approached UDOT. UDOT sent Romero back to complete local approvals first, creating a procedural "chicken and egg" scenario. The Committee confirmed that a turn lane would only be required if UDOT ultimately mandated it.

Fire Hydrant: A fire hydrant has been added near the driveway. Mr. Forsgren asked which side of 750 North the water line was located on. Payden Vine, Public Works Director, clarified that the water line runs on the south side of the road. Mr. Forsgren said he will adjust the plans to correctly show the laterals coming from that direction. Mr. Forsgren asked if the water line was out from underneath the asphalt. Mr. Vine said it was, and that it was a 6-inch class pipe. The Committee confirmed that the hydrant should comply with

Willard City Public Works Standards. Mr. Vine asked that Romero's use a Clow or Mueller fire hydrant.

Lighting and Fencing: Dark-Sky-compliant lighting has been added as requested by the Police Department, with positioning noted on the plans. Privacy slats will be installed along the chain-link fence on the south side where the property adjoins residential areas.

Notes Added to Plans:

- All hazardous materials are to be stored in approved containers, or owner will build an appropriate containment area.
- Road-based parking areas will be treated with magnesium chloride for dust control.
- Hours of operation will be 6:00 AM to 10:00 PM.
- A wash area with an oil-water separator has been included on the plans.

Architectural Treatment: The front elevation will include a four-foot, dry-stacked rock façade wainscot at the base, with metal siding above. Forsgren noted that Romero Construction is open to adding a decorative wood or exposed-truss element over the front entry, though this has not been finalized.

Ms. Brown asked about signage. Forsgren said Romero wasn't sure what signage would be done. They might put vinyl lettering in a window, but they didn't plan on a sign out front

Ms. Brown said the landscaping notes referred to West Valley. That reference should be changed to Willard.

Ms. Brown stated that the construction office was a conditional use because it was considered light manufacturing, which was a conditional use in the Commercial General Zone. Willard's Zoning Code said the number of parking stalls is to be determined by the CUP Committee or Planning Commission. In no case was it to be fewer than one employee on the highest shift. Forsgren said the highest shift would be four to five. Ms. Brown felt the 11 proposed parking stalls would be sufficient.

Ms. Brown said the City Attorney didn't have any comments. There were a few comments from Zac Burk, City Engineer. The storm water 'detention' notation should be changed to 'retention' to reflect on-site containment. Mr. Burk also said the minimum volume calculations report wasn't shown. However, she said it was uploaded in April and remained on file. His third comment said the oil-water separator pretreatment should be added to the concrete wash area before it was discharged into the storm water retention basin. Forsgren said there was already a note on the plans. Ms. Brown said Mr. Burk's last question was whether access approach grades would conflict with UDOT's new storm drain line on 250 North. Mr. Forsgren said they would not. The driveway will be designed as a tabletop approach to ease ingress and egress for trucks hauling equipment.

Chandler Bingham asked why the turn lane wasn't required. Jeff Forsgren said the Committee didn't feel it was needed at this time given the amount of Romero's traffic. Mr. Bingham was concerned about a 40-foot transport trailer being able to make the turn. Mr. Forsgren said that was why the driveway had been widened. Mr. Forsgren said UDOT wanted the driveway to be moved further east and shared with the adjoining property owner, but the property owner to the east wasn't cooperating.

Ms. Brown said there were some minor adjustments to the site plan: Adjust water laterals so they are shown on the south side of 750 North; change West Valley to Willard; and change detention to retention. Mr. Forsgren said he would make the note about the oil-water separator more visible.

Mr. Forsgren verified that the septic tank and drain field were handled by the Bear River Health Department. Ms. Brown said they were.

Jeremy Kimpton said the Fire Chief felt his concerns were addressed at the last meeting. The Committee did not express any other concerns.

Ms. Brown reviewed the proposed conditions of approval:

- All hazardous materials shall be properly stored indoors in approved containers.
- All washout activities shall be conducted in a contained area with pretreatment.
- Hours of operation shall be 6:00 AM to 10:00 PM.
- Lighting shall adhere to the Dark-Sky Ordinance, and the storage yard shall be properly lit.
- Privacy slats shall be installed on the south fence.
- A fire hydrant shall be installed in front of the property per Public Works Standards.
- Dust control via magnesium chloride shall be applied to road-based parking surfaces.

Jeremy Kimpton moved to forward the Romero Construction CUP application to the Planning Commission subject to the stated conditions. Chandler Bingham seconded the motion. All voted "aye." The motion passed unanimously.

The item is scheduled for the October 15, 2026, Planning Commission meeting at 6:30 PM.

2B. REVIEW AND CONSIDERATION OF A REQUEST FROM ROY MERRILL/TREADMASTERS TIRE AND LUBE FOR A CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOBILE SERVICE BUSINESS AT APPROXIMATELY 705 SOUTH MAIN (PARCEL NO. 02-053-0008)

Time Stamp – 17:35 – 09/23/2026

Madison Brown introduced this item, explaining that an automobile service business in a Commercial Neighborhood Zone requires a conditional use permit. The building was previously used by Maxium Rentals for equipment rental, which had been classified as light manufacturing and did not require a CUP. Troy Merrill, owner of Treadmasters, and Layne Ferrin were present.

Troy Merrill described Treadmasters as a tire and lube shop providing tire sales, oil changes, brake service, and suspension work—comparable to Big O. The business does not perform engine or major mechanical work. Merrill noted that Treadmasters has operated in Brigham City for three years and has locations in Garden City and Arizona. He indicated the Willard location would serve as a better-accessed alternative to his current Brigham City location.

Building Changes: Merrill stated that no structural or drainage modifications to the building are planned. Two lifts will be installed. Signage will be handled and permitted by a sign company. No exterior storage of tires or vehicles is planned overnight. Used tires are stored inside and picked up by a hauler approximately twice monthly via a Connex container. No changes to the drainage were planned.

Waste Oil Storage: Mr. Merrill said used oil is stored in a sealed, above-ground environmental containment unit located outside the building, which is inspected annually and pumped by a licensed company approximately once per month. Merrill expressed a clear preference for this system over underground or interior units based on experience. Mr. Kimpton said the Fire Chief felt fire extinguishers were needed at every entrance. He had also asked for better images of the oil storage tanks because the uploaded ones

didn't scan well.

Floor Drain and Oil-Water Separator: A discussion arose regarding whether the existing floor drain requires an oil-water separator. Merrill explained that the drain discharges into what Paul Breider, the property owner, described as a French drain. It consisted of a gravel-lined bucket, which does not connect to the city sewer system. The Committee acknowledged that while no oil-water separator is present and installation would be impractical, the business does not use water to clean the shop floor—spills are managed with absorbent material. It was agreed that Payden Vine, Public Works Director, would inspect the drain with Merrill after the meeting to document its condition for the Planning Commission.

Payden Vine inspected the floor drain after the meeting and confirmed that it does not connect to the city sewer system. He suggested the applicant get a letter from the Breider's, who built the building, explaining the functionality and condition of the drain. (Please see the attached letter from the Breider's.)

Parking: The Committee discussed parking in detail. Ms. Brown noted that no specific parking standard exists for automobile service in the city code. The Zoning Code allowed the zoning administrator to apply the nearest comparable standard. The Committee agreed to classify the use similarly to a service use rather than retail, applying an employee-based standard consistent with the Romero Construction determination.

The following parking arrangement was agreed upon: Six customer stalls in front of the building (excluding the bays), three stalls on the south side, and employee parking in the rear of the property (approximately four stalls). It was noted that Treadmasters operates on a scheduled basis and typically sees no more than four to five vehicles on-site at any given time. A handicap-accessible stall with both painted markings and a post-mounted sign is required per ADA standards.

During his site visit, Payden Vine discussed the location of the ADA compliant stall. It was determined that the most northern stall on the west side of the building would be the best location if it meets ADA standards. Mr. Vine encouraged Merrill and Ferrin to ensure the stall would meet all ADA standards.

The CUP asked that the rest of the customer parking stalls be painted on the asphalt.

Fencing/Screening: The city code requires that any outdoor accessory activity area be enclosed by a solid fence or wall sufficient to screen it from the street or adjoining residential parcels. The Committee did not feel the nature of the business involved significant outdoor activity, that existing fencing and retaining walls are already in place on portions of the property, and that the food truck parking arrangement for the adjacent neighbor (the Surrage's) should not be disrupted. It was suggested that, rather than requiring new fencing, the applicant should obtain letters from the Surrage's confirming their acceptance of existing conditions as adequate mitigation. (Please see the attached letter from the Surrage's). There is an existing white, vinyl fence existing on the east side of the property. The north property line is not directly adjacent to a residential property.

Other Conditions Discussed: Hours of operation are 8:00 AM to 5:00 PM Monday through Friday, and 9:00 AM to 2:00 PM on Saturdays. Tire changes may occur outside the building (e.g., for trailers or oversized vehicles), but oil changes, brake work, and mechanical repairs are to be conducted indoors only. Exterior lighting from signage will be the only lighting change; no new exterior lighting is proposed. No vehicles are to be stored outside overnight. The Committee also noted that access to Highway 89 shall remain subject to all applicable UDOT approvals, and no modifications to the existing access may occur without UDOT

approval.

The CUP Committee confirmed that the following conditions of approval to be forwarded to the Planning Commission:

- Hours of operation: 8:00 AM–5:00 PM, Monday–Friday; 9:00 AM–2:00 PM, Saturday.
- Letters from adjacent neighbors confirming acceptance of existing screening/fencing conditions.
- Used oil to be stored in a safe, sealed container and emptied on a regular schedule.
- Fire extinguishers are to be installed at each bay/exit (minimum three), and a fire inspection to be completed by the Fire Chief prior to opening.
- Used tires to be stored within the Connex container and removed on a regular basis. No outdoor tire storage, used or new, shall be permitted. A limited number of tires may be used as part of a sign or marketing material.
- Six customer parking stalls in front, three on the south side, and four employee stalls in the rear. Parking area to be maintained and kept free of weeds, trash, debris, and abandoned vehicles. One ADA-compliant handicap stall to be provided.
- Existing access to Highway 89 remains subject to all applicable UDOT approvals; no modifications without UDOT approval.
- No excessive noise, no idling of engines, no indoor mechanical repair activities conducted outdoors (tire changes outside permissible).
- Floor drain to be inspected and documented by Public Works prior to the Planning Commission meeting.

An updated site plan reflecting the revised parking layout is to be submitted to the city no later than the following day so the item may be placed on the October 1, 2026, Planning Commission agenda. Letters from neighbors are also to be obtained prior to that meeting.

All three items were submitted to the City Planner the following day.

Chandler Bingham moved to forward the Treadmasters Tire and Lube CUP application to the Planning Commission subject to the stated conditions. Jeremy Kimpton seconded the motion. All voted "aye." The motion passed unanimously.

2C. REVIEW AND CONSIDERATION OF A REQUEST FROM ERIC LEBARN FOR A CONDITIONAL USE PERMIT TO OPERATE A SHORT-TERM RENTAL LOCATED AT APPROXIMATELY 329 EAST SADDLEBACK ROAD (PARCEL O. 02-092-0051)

Time Stamp – 1:06:27 – 09/23/2026

Madison Brown introduced this item, noting that short-term rentals have been reviewed by the CUP Committee previously, and that the process is relatively straightforward. The applicant, Eric LeBaron, was present.

Property and Access: The rental unit is located in the basement of LeBaron's primary residence at 329 East Saddleback Road (Parcel No. 02-092-0051). Entry to the unit is via a stairwell cut into the rear (east) elevation of the building. City Planner Brown noted that the building permit plans had been reviewed; the stairwell addition was confirmed as the unit's dedicated entry. Mr. LeBaron confirmed that the driveway had been extended to provide two off-street parking stalls for the rental.

Ms. Brown asked if the unit had received a final inspection. Mr. LeBaron said it had not.

Emergency Services Access: Police Chief Theron Fielding raised a concern regarding 911 dispatch and emergency response. He noted that a call from the basement unit would geocode to the primary address, potentially directing first responders to the front door rather than the basement entry. The Committee discussed the approach used for a prior short-term rental approval (Molly Forbush), in which the applicant was required to post instructions within the rental unit directing guests to inform dispatch that they are in the basement unit, and to post signage at the entrance visible to approaching emergency personnel. It was agreed that the same approach should be applied here: a sign indicating the short-term rental entrance should be posted at the rear stairwell in a location clearly visible to emergency responders, and an emergency plan should be posted within the unit.

Parking and Road Use: Mr. LeBaron confirmed that guests are expected to park on-site, but what if a guest brought a boat or a trailer? The Committee noted that parking on the road is legally permissible for up to 72 hours under city code. Winter parking restrictions for plowing will apply. Because Mr. LeBaron resides on the property, he would be available to address any parking issues as they arise. A backup contact within one hour of the property is required by ordinance, which Mr. LeBaron confirmed he has arranged.

Neighbor Notification: Per city ordinance [24.08.230.6(I)], Eric LeBaron is required to notify all property owners within 300 feet of the rental by certified mail (or with equivalent proof of delivery) within 10 days of Planning Commission approval.

Business License and Tax Commission Registration: Mr. LeBaron is required to obtain a Willard City business license and renew it annually. The Committee noted the requirement to register with the Utah State Tax Commission for transient room tax collection.

Fire Chief: Jeremy Kimpton said the Fire Chief did not have specific concerns with this application. He was satisfied as long as the conditions applied to the prior short-term rental (Forbush) were followed.

The following conditions of approval were identified for forwarding to the Planning Commission:

- All rules and regulations within the Short-term Rental Ordinance [24.08.230] shall be followed.
- Signage shall be posted at the rear stairwell entrance, visible to approaching emergency personnel, indicating the location of the short-term rental unit.
- An emergency exit and safety plan shall be posted within the rental unit, including instructions to inform dispatch of the unit's basement location when calling 911.
- Smoke and carbon monoxide detectors shall be installed and maintained.
- The Noise Ordinance (11:00 PM–7:00 AM) shall be observed [24.08.230.6(G)].
- All adjacent neighbors within 300 feet shall be notified per ordinance requirements [24.08.230.6(I)].
- A business license shall be obtained and renewed annually.
- A designated contact available within one hour shall be maintained at all times.

Eric LeBaron was asked to submit photographs of the completed driveway and parking area, as well as the entrance signage once installed, prior to the Planning Commission meeting. The item is scheduled for the October 15, 2026, Planning Commission meeting at 6:30 PM.

Jeremy Kimpton moved to forward Eric LeBaron's CUP application for a short-term rental to the

Planning Commission subject to the stated conditions and a final inspection from the Box Elder County Building Inspector. Chandler Bingham seconded the motion. All voted "aye." The motion passed unanimously.

2D. CONSIDERATION AND APPROVAL OF APRIL 2, 2026, MINUTES

Madison Brown moved to approve the minutes from April 2, 2026, as written. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

3. ADJOURN

Jeremy Kimpton moved to adjourn at 3:32 p.m. Payden Vine seconded the motion. All voted "aye." The motion passed unanimously.

Minutes were read individually and approved on: _____

_____ _____
Madison Brown, City Planner Michelle Drago, Deputy City Recorder

dc: CUP 09-23-2026

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