

PUBLIC NOTICE IS HEREBY GIVEN THAT THE

Planning Commission of Fairfield, Utah

Shall hold a Regular Session on

May 1, 2024 @ 7:00 P.M.

At the Fairfield Town Office

103 East Main Street Fairfield, Utah

Agenda

1. Open the Planning Commission Regular Meeting
2. Roll Call
3. Public Comment Period (2-minute limit per person) Time has been set aside for the public to express their ideas, concerns, and comments on items not scheduled as public hearings on the Agenda. Those wishing to speak are encouraged to show respect for those who serve the Town. Comments should focus on issues concerning the Town. Those wishing to speak should have signed in before the beginning of the meeting. (Please limit your comments to 2 minutes or less.)
4. Motion to approve the minutes of the Regular Session minutes on April 10, 2024.
5. Motion to approve the minutes of the Work Session minutes on April 16, 2024.
6. Discussion with David and Jerry Hansen on Relocating Roadway 75 East North of 75 North
7. Discussion - Subdivisions - Phasing
8. Discuss adding Master Planned Developments to Conditional Uses Discuss standards for Master Planned.
9. Discussion and Motion to Send Recommendations of Concept Plan 2 - Cedar Valley Industrial Park to Town Council.
10. Review Jayson Densley Concept Site Plan
11. Discussion - Zone Map Update
12. Review and Edit Proposed Commercial Overlay Zone Permitted and Allowed Uses.
13. Discussion Temporary Business License Provisions
14. Discussion - Town Council Proposed Adoption APWA Standards
15. Discussion on Mining Uses
16. Review and Edit the Accessory Dwelling Unit Ordinance
17. Motion to Recommend Adoption of Accessory Dwelling Unit Ordinance to Town Council
18. Planning Commission Basic Training
<https://luau.utah.gov/powers-duties/general-municipal-advice/top-ten-things-every-planing-commissioner-needs-to-know>
19. Discuss Solar and Battery Storage Ordinance Amendments
20. Review and Revise Subdivision Checklists
21. Discuss adding Master Planned Developments to Conditional Uses
22. Discuss standards for Master Planned Developments

- 23. General Plan Recommended Revisions to the Revision
- 24. Discuss Old Business
- 25. Discuss New Business
- 26. Action Items
- 27. Adjourn the Planning Commission Regular meeting.

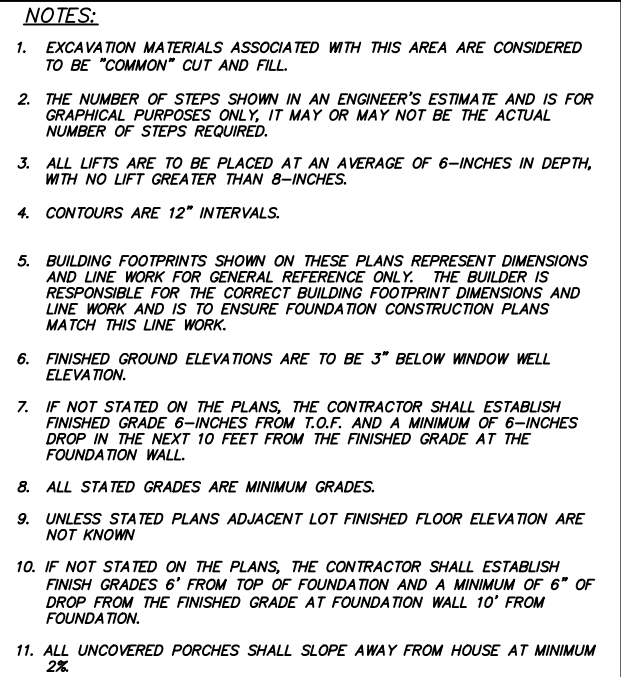
Certificate Of Posting

The above agenda notice was posted on or before the 29th day of April 2024 at the location of the meeting, Fairfield town office 103 East Main Street Fairfield, UT, and at the Fairfield town website <https://fairfieldtown.org/agendas-minutes/>, and on the Utah State public notice website at <https://www.utah.gov/pmn/index.html>.

In Compliance With The Americans With Disabilities Act, Individuals Needing Special Accommodations (Including Auxiliary Communicative Aids And Services) During This Meeting Should Notify City Offices At 801-766-3509.

Date

Stephanie Shelley Town Recorder/Clerk



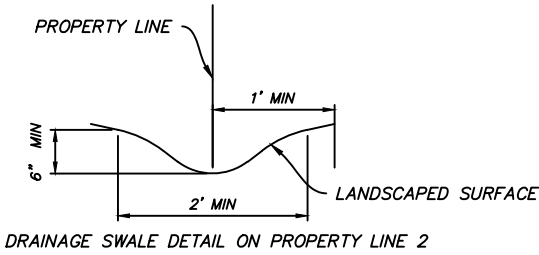
6" MIN

1' MIN

2' MIN

LANDSCAPED SURFACE

DRAINAGE SWALE DETAIL 1



LEGEND

————— SWALE

● DOWNSPOUT

- - - - - EXISTING CONTOURS

- ### ABBREVIATIONS:
- | | |
|-------------------------------|----------------------------------|
| FF -- MIN. FINISHED FLOOR | FL -- FLOW LINE |
| TOF -- MIN. TOP OF FOUNDATION | HP -- HIGH POINT |
| BW -- BOTTOM OF WALL | LP -- LOW POINT |
| TW -- TOP OF WALL | HP -- HIGH POINT |
| BOG -- BACK OF GARAGE | PE -- PORCH ELEVATION |
| DW -- DRIVEWAY | PC -- PROPERTY CORNER |
| GAR -- GARAGE | PL -- PROPERTY LINE |
| FG -- FINISHED GROUND | CP -- EDGE OF PAVEMENT |
| DRE -- DRAINAGE EASEMENT | TBC -- TOP BACK OF CURB |
| SB -- SETBACK | SW -- SIDEWALK |
| DE -- DECK ELEVATION | PUE -- PUBLIC UTILITIES EASEMENT |
| GB -- GRADE BREAK | BOW -- BACK OF WALK |
| TOB -- TOP OF BASEMENT SLAB | |

DRAWING TRACKING			
NO.	BY	DATE	DESCRIPTION:
1	RJH	02/07/2024	SUBMITTAL TO HOLMES



Stephanie Shelley <recorder@fairfieldtown.org>

Agenda Items to Discuss

Alina Pringle <alinafairfield@gmail.com>
To: Stephanie Shelley <recorder@fairfieldtown.org>

Wed, May 1, 2024 at 10:57 AM

If you know of any way I can make my Word work with sending you documents, please let me know.

7: Subdivision Phasing:

Section 10.15.160. Preliminary Subdivision Plat Requirements (h) "All proposed Phases of the development, numbered and defined; with approximate timetable for development"

This is the only place in our codebook that references phasing of subdivision development.

1. Is this sufficient for now to allow for current applicants to utilize a phasing plan with their subdivision application?
2. Should "phasing" apply to an "improved subdivision" or an "unimproved subdivision"?

"Subdivision, Improved. Means subdivided lots that meet all zoning and building permit requirements."

"Subdivision, Unimproved. Means an undeveloped lot that has no or little improvements."

8: This was moved to the end of the agenda.

11: Just a quick update: zone map update request was sent to MAG to update the Airpark Zone and A-40 to read AR-40. They gave me a ETA of next week.

14: I did not receive a copy of the APWA Standards or the version they plan to adopt. This is just an update of what APWA is and what it does.

15: Follow up on action item for mining uses.

20: Subdivision Checklist has soil ordinance compliance. The only place in subdivision ordinance it is referenced is:

- Section 10.15.220. Developed Subdivisions (I) Soil Testing Report - See Title 5
- Section 5.3.30. Soil Testing Requirements - Soil Ordinance Boundary. A minimum of 1-acre of the inhabited area of a parcel shall be tested and subject to this Soils Ordinance
 - How can a subdivider test an unknown area?
- Section 9.1.50 Approval of Building Permit Procedure (J). Documents Required: (6) Arsenic Report.

Should soil testing report be required on a subdivision application?

21: Master Planned Developments:

The Airpark Zone shows this as an allowed CUP. But Master Planned Developments are not listed in our CUP Ordinance. Should we add it or make it an allowed use with standards? Is an MPD appropriate as a CUP or as a standard?

[Quoted text hidden]

Title 10. Ordinance # _____ 2024. An Ordinance Amending Title 10.11.00., by Adding Accessory Dwelling Units., to the List of Permitted Uses in Sections 10.11.100., Zone AR-1, 10.11.125., Zone RA-5, 10.11.50., Zone RA-10, and 10.11.175., Zone RA-40 and Also Amending Title 10.7.00 by Adding Section 10.7.255. Accessory Dwelling Units., to the Fairfield Town Code.

Document Control Changes: Created: January 18, 2024.

Whereas, the Fairfield Town Planning Commission, on _____ held a public meeting on Accessory Dwelling Units; and

WHEREAS, the Fairfield Town Council deems it to be in the best interest of Fairfield Town to amend the Fairfield Town Code by amending Title 10.11.00, adding #14, ADUs, to the lists of permitted uses in zones AR-1-, AR-5. AR-10, and AR-40 and amending Title 10.7.00. by adding 10.7.255. Accessory Dwelling Unit.,s as a permitted use.

WHEREAS, the Fairfield Town Council has reviewed the proposed amendments to the Fairfield Town Code;

NOW THEREFORE, be it ordained by the Town Council of Fairfield Town, in the State of Utah, that Title 10. of the Town Code be amended as follows:

Add:

Section 10.11.100.C.14. Accessory Dwelling Units., to Permitted Uses list., in Zone AR-1 - Agricultural Residential Zone.

Add:

Section 10.11.125.C.14. Accessory Dwelling Units. to Permitted Uses list., in Zone AR-5 - Agricultural Residential Zone.

Add:

Section. 10.11.150.C.14. Accessory Dwelling Units., to Permitted Uses list in Zone AR-10 - Agricultural Residential Zone.

Add:

Section. 10.11.175.C.13. Accessory Dwelling Units., to Permitted Uses list in Zone AR-40 - Agricultural Residential Zone.

Add:

Section 10.7.255. Accessory Dwelling Units - definition, standards, and permitting standards as written below:

Section 10.7.255. Accessory Dwelling Units.

A. Definitions.

Accessory Dwelling Unit. See Section 12.1.10.A. ~~An accessory dwelling unit is an independent habitable living unit, with a kitchen, bath facilities, and its own entryway, which is: (1) within or attached to an owner occupied single family residential dwelling, or (2) within a separate detached accessory structure, or above a detached garage, on a single family lot.~~

B. Purpose and Intent. This chapter provides a process to allow affordable housing within the Town through accessory dwelling units within single-family detached dwellings or in separate detached structures. The standards in this chapter include reasonable limitations to minimize impact on neighboring properties.

C. Accessory Dwelling Unit Standards. Proposed accessory dwelling units must be in compliance with the following criteria to ensure that health and safety considerations are addressed and that the residential characteristics of neighborhoods are preserved. Accessory dwelling units are to be clearly incidental and secondary to the primary residential use of the property. The approval criteria include:

1. Number of Accessory Dwelling Units. A maximum of one accessory dwelling unit is allowed on a residential lot, whether it is in an owner-occupied single-family dwelling, or in a detached accessory structure associated with a single-family dwelling;
2. Occupancy and Owner Occupation. The owner(s) of the residence shall live in the dwelling in which the ADU was created (either in the primary unit or in the ADU), except for bona fide temporary absences. The occupants of the ADU shall not sublease a portion of the unit to other individuals.
3. Code Compliance. The accessory dwelling unit shall conform to all applicable standards in the International Fire Code and International Residential Code. It shall be approved by the Fire Marshall;
4. Location and Type. Accessory dwelling units may be allowed within or attached to the main single-family residential dwelling (basement or addition), over the garage (attached or detached), or in a detached accessory structure (cottage home, casita, guest house), where permitted.
 - a. ADU – Basement. An accessory dwelling unit in a basement may have a separate exterior entrance located on either the side, front or the rear of the building.;
 - b. ADU – Attached. Accessory dwelling units attached to the primary dwelling as an addition shall meet all minimum setback standards required for the primary dwelling; attached ADUs must have a separate entrance;
 - c. ADU – Detached:
 - i. Maximum Height. Maximum height of the total of the accessory dwelling units together with the structure below is 35 feet. Stand alone units may not exceed two stories and 35 feet in height;
 - ii. Size. The living space of a detached accessory dwelling unit must be a minimum of 200 square feet. A detached ADU shall not be larger than 75% of the total footprint of the primary dwelling. Detached accessory dwelling units must be permanently connected to utilities, attached to a site-built permanent foundation which complies with building code, and must comply with all other applicable standards of this chapter. A building permit and inspections are required for construction of the foundation and installation of the structure and connection to utilities;

iii. Setbacks. Detached accessory dwelling units must meet the same front, side, and rear yard setbacks as the primary dwelling and be located at least six feet from the primary dwelling and shall not be located more than two hundred feet (200') from the primary dwelling; and

iv. Street Frontage. The lot must have a minimum street frontage of 70 feet to receive approval for a detached accessory dwelling unit. A smaller-frontage lot may be approved if, at the discretion of the approval authority, the lot configuration is unique and/or the primary dwelling unit is unique in size or location on the lot, and the impacts to neighbors and the street are substantially similar to those on a 70-foot-wide lot.

5. Exterior Appearance. The accessory dwelling unit shall be incorporated into the residence so that, to the degree reasonably feasible, the appearance of the building remains that of a single-family residence. All entrances to accessory dwelling units shall be located on the side or in the rear of the building. The architectural style, building materials, and colors of detached ADUs shall be compatible and consistent with the architectural style, materials, and color of the primary dwelling unit. If the ADU is above a detached garage, the architectural style, building materials, and colors of the ADU must match those of the garage;
6. Utilities. Detached accessory dwelling units may have separate utility meters, and all municipal utilities shall be in the property owner's name and the property owner shall be responsible for payment of all municipal utilities;
7. Parking. A minimum of one additional dedicated parking spaces on the property for the ADU shall be included. Driveway (tandem) parking in front of a garage does not qualify. All parking shall be on improved surfaces. Occupants may not park on the street;
8. Address. The principal dwelling and the accessory dwelling unit shall have the same address number but shall refer to the accessory dwelling unit as unit "B." The address must be located in a visible location on the street frontage side of the home;
9. Motor homes, fifth-wheels, travel trailers, campers, or other housing units on wheels may be used as an accessory dwelling unit under the following conditions:
 - a. Shall not be rented, leased etc.;
 - b. Shall be connected to the primary dwelling's septic tank and have approval from Utah County Health Department;
 - c. Shall be utilized only as a temporary dwelling;
 - d. Mobile homes will not be allowed as an ADU;
 - e. Shall only be occupied by the lot owner's family members;
 - f. Shall be currently registered and licensed with the Department of Motor Vehicles;
 - g. Shall obtain an annual permit from the Fairfield Town Building Department. The

annual permit shall expire the first day of August each year; and

- h. Shall be subject to fire, building and health inspections at any time to assure compliance and safety.

10. Short-Term Rental Prohibited. Accessory dwelling units may not be rented for a period of less than 30 consecutive days.

D. Accessory dwelling unit permit.

1. Applications. Applicants for an accessory dwelling unit shall submit a complete application and the supporting materials listed in this section to the Fairfield Town Building Department:

- a. Owner Signature. The owner shall sign the application, agreeing to occupy the dwelling (either the primary unit or the ADU), except for bona fide temporary absences, and agreeing to comply with the standards in this chapter;
- b. Site Plan. A site plan shall be provided that shows property lines, dimensions, the location of existing buildings and building entrances, proposed buildings or additions, dimensions from buildings to property lines, the location of required off-street parking, and utility meters;
- c. Floor Plan. A detailed floor plan, to scale, showing the floor in which the accessory dwelling unit will be located, including labels on rooms indicating uses or proposed uses, shall be provided;
- d. Evidence of Building Permit. Evidence shall be provided that a building permit was obtained for the building and/or area containing the accessory dwelling unit; and
- e. Fee. The processing fee required by the current consolidated fee schedule approved by the Town Council shall be paid in full.

2. Planning Director or Designee Approval. The Building Department shall approve an accessory dwelling unit application if it is in complete compliance with all the approval criteria standards identified in this chapter. As part of the review, inspections may be required by the building and/or fire departments;

3. Exceptions to Standards. Accessory dwelling unit applications that deviate from the approval criteria may be considered by the planning commission in a public meeting. After conducting a public hearing and reviewing the application, the planning commission may approve, approve with conditions, or deny the application. Applicants requesting exceptions are not guaranteed approval and must provide evidence that the exceptions will not create negative impacts on neighboring properties. Conditions must be connected to the exceptions being requested, and may include increased setbacks, limitations on windows and doors adjacent to abutting property lines, privacy fencing, and additional parking; and

4. Transfer of Ownership. Upon sale of the home or transfer of ownership, accessory dwelling unit permits shall remain valid so long as the accessory dwelling unit is in compliance with the town's ordinances and conditions of approval.

E. Noncompliance. Owners of the single-family dwelling where the accessory dwelling unit use has been approved shall be responsible for their property's compliance with the town's ordinances and conditions of approval. Property owners who fail to maintain or violate the town's ordinances regulating accessory dwelling unit use or conditions upon which approval was contingent may have the accessory dwelling unit permit revoked by the Fairfield Town Building Department and may be subject to fines.

F. Enforcement. Any violation of this Section regulating Accessory Dwelling Units shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the Town's zoning or land use regulations.

G. Application to Successors and Assigns. The terms of any conditional use permit issued pursuant to this Code shall run with the land and be binding on any successor or assignee of an applicant, owner or operator and any party that purchases and/or operates a project.

H. Savings Clause. If any part of this ordinance shall be deemed invalid by an administrative agency or court of competent jurisdiction, such decision shall not affect the legality and enforceability of any other provision hereof.

I. Penalties. Any person or entity who violates any of the provisions of these chapters or who fails to comply therewith, or who violates or fails to comply with any order or directive made thereunder, shall severally for each and every such violation and noncompliance respectively, be guilty of a class B misdemeanor, subject to penalty as provided in section 10.1.25 of this code. Furthermore, the imposition of one penalty for any violation shall not excuse the violation or permit it to continue. All such persons or entities shall be required to correct or remedy such violations or defects within a reasonable time and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this _____ day of _____, 20____.

FAIRFIELD TOWN

Hollie McKinney

RL Panek	yes_____no_____
Tyler Thomas	yes_____no_____
Michael Weber	yes_____no_____
Richard Cameron	yes_____no_____

ATTEST: _____
Stephanie Shelley, Town Recorder/Clerk

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the _____ day of _____, 20____.

Ordinance # _____ Title 10.00. An Ordinance Amending Title 10.11., by Adding Accessory Dwelling Units., to the List of Permitted Uses in Sections 10.11.100., Zone AR-1, 10.11.125., Zone RA-5, 10.11.50., Zone RA-10, and 10.11.175., Zone RA-40., and Also Amending Title 10.7.00 by Adding Section 10.7.255. Accessory Dwelling Units., to the Fairfield Town Code.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this _____ day of _____, 20____.

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)

COUNTY OF UTAH)
)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the _____ day of _____, 20____, and herein referred to as:

SUMMARY.

An Ordinance amending the Fairfield Town Code by amending Title 10.11.00, by adding, #14. ADUs, to the lists of permitted uses in zones AR-1-, AR-5, AR-10, and AR-40 respectively and amending Title 10.7.00. by adding 10.7.255. Accessory Dwelling Units as a permitted use.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting _____ day of _____, 20____

Resolution #2024-11. A Resolution Adopting The American Public Works Association Standard Specifications (APWA).

Dated _____ 2024

WHEREAS the Town Council, recognizes the need for uniform construction practices among counties, cities, towns and other public agencies; and

WHEREAS, The APWA provides those standard building practices for public works; and

WHEREAS the Town Council has reviewed the APWA Standard Specifications;

NOW, THEREFORE, BE IT RESOLVED by Fairfield Town, Utah, that they adopt the APWA Standards as written and updated. Standards to be found in [American Public Works Association - Serving Professionals in Public ...](#)

Effective Date: This Resolution shall become effective immediately upon passage and adoption.

Passed and Adopted this _____ day of _____, 2024.

FAIRFIELD TOWN

Hollie McKinney, Mayor

RL Panek	yes_____no_____
Tyler Thomas	yes_____no_____
Michael Weber	yes_____no_____
Richard Cameron	yes_____no_____

ATTEST:

Stephanie Shelley, Town Recorder/Clerk

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the ____ day of _____, 2024.

Resolution #2024-11. A Resolution Adopting The American Public Works Association Standard Specifications (AWPA).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this ____ day of _____, 2024.

_____,
Stephanie Shelley Fairfield Town Recorder/Clerk

(SEAL)

Ordinance #2024-05. An Ordinance Amending Title 10. Adding #11. Master Plan Development., to list of Uses that Require Additional Conditional Uses. in Section 10.17.100.A.

Dated ____ 2024

WHEREAS, the Planning Commission held a public hearing on _____ 2024, regarding a proposed amendment to Title 10. Adding #11. Master Plan Development. to list of Uses that Require Additional Conditional Uses. in Section 10.17.100.A.;

and

WHEREAS, Fairfield Town Council has deemed it in the best interest of Fairfield Town to amend the Fairfield Town Code; and

Whereas, the Fairfield Town Council has reviewed the proposed amendment to the Fairfield Town Code;

NOW THEREFORE, be it ordained by the Town Council of Fairfield Town, in the State of Utah, that certain sections of Title 10 of the Town Code be amended as follows:

Add:

#11. Master Plan Development., to list of uses that require additional conditional uses in Title 10.17.100.A.

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this _____ Day of _____ 20____.

FAIRFIELD TOWN

Mayor

Hollie McKinney

RL Panek

yes _____ no _____

Tyler Thomas

yes _____ no _____

Michael Weber

yes _____ no _____

Richard Cameron

yes _____ no _____

ATTEST:

Town Recorder/Clerk

Stephanie Shelley

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the ____ day of _____ 20____.

Ordinance #2024-05. An Ordinance Amending Title 10. Adding #11. Master Plan Development., to list of Uses that Require Additional Conditional Uses. in Section 10.17.100.A.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this ____ day of _____ 20____.

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
)
COUNTY OF UTAH)

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SUMMARY.

An Ordinance Amending Title 10., Adding #11. Master Plan Development., to list of Uses that Require Additional Conditional Uses. in Section 10.17.100.A.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting ____ day of _____ 20__

Ordinance #2024-04. An Ordinance Amending Title 3. Business and License Regulations.; Adding Chapter 7.00. Temporary Business Licenses/Permits.

Dated _____ 2024

WHEREAS, the Planning Commission held a public hearing on _____ 2024, regarding a proposed amendment **amending Title 3. Business and License Regulations.; adding Chapter 7.00. Temporary Business Licenses/Permits.**

WHEREAS, Fairfield Town has deemed it in the best interest of Fairfield Town to amend the Fairfield Town Code: and

Whereas, the Fairfield Town Council has reviewed the proposed amendment to the Fairfield Town Code:

NOW THEREFORE, be it ordained by the Town Council of Fairfield Town, in the State of Utah, that certain sections of Title 3.7. of the Town Code be amended as follows:

Title 3. Business and License Regulations.

**Chapter 7
Temporary Business License Regulations.**

Section 3.7.30.	License and Permit Required..
Section 3.7.40.	License Fee.
Section 3.7.50.	Site Plan Required.
Section 3.7.60.	Time Limit.
Section 3.7.70.	Number of Temporary Businesses Per Site.
Section 3.7.80.	Signs.
Section 3.7.90.	Revocation of License.

3.7.30. License And Permit Required.

A. It is unlawful to conduct a temporary business without first having obtained a Temporary Business License.

1. A temporary business license may be issued to a temporary business meeting all of the following requirements:
 - a. The conduct of the requested use will not have any detrimental effects on adjacent properties and will be in general harmony with surrounding uses.
 - b. The requested use will not create excessive traffic hazards on adjacent streets. Sufficient off-street parking shall be provided which shall be designed to meet all Town parking regulations. A site plan showing where

the sale of goods will take place, points of ingress and egress to the site, and parking available for the temporary business shall be provided.

- c. The applicant has obtained, or shall obtain, all necessary Town permits associated with the placement and operation of the use, i.e., Health Department approvals for sales of food items, electrical permit for electrical hookups, fire department clearance for fireworks stands, etc.
- d. The applicant shall provide, at its own expense, for the restoration of the site of said use to its original condition, including such clean up, washing and replacement of facilities as may be necessary.
- e. Prior to the granting of any license, the applicant must pay the license fee.
- f. Any person or business which engages in business prior to obtaining a business license from the Town shall pay an administrative fee of \$50.00 prior to the issuance of a license, which shall be in addition to the regular fee for the license.

3.7.40. License Fee/ Permit.

[See Fairfield Town Fee Schedule for Temporary Business Licenses Fees/Permits..](#)

Section 3.7.50. Site Plan Required.

Any site proposed for use for a temporary business must be on property with curb and gutter with adequate traffic ingress and egress. A site plan shall be submitted showing where the sales shall be conducted on the site along with the location of at least four off-street parking spaces specifically designated for use by the temporary business. Such spaces may not be designated for or required by ordinance for any permanent, on-site business and the temporary business may not occupy such parking. In no event shall the temporary business be located in any way as to obstruct the clear vision of traffic ingress or egress from the site.

Section 3.7.60. Time Limit.

A temporary license shall be issued for a maximum of 120 days and shall be limited to one per business, corporation, individual, group of individuals or family per year.

Section 3.7.70. Number Of Temporary Businesses Per Site.

Only one temporary business at a time shall be allowed on any given site, unless it can be shown that adequate ingress, egress and parking would be available for additional temporary businesses.

Section 3.7.80. Signs.

One sign shall be allowed on the sales booth, table, stand or other sales structure for any licensed temporary business. No movable signs, banners, or off-premise signs shall be allowed.

Section 3.7.90. Revocation Of License.

Permits and licenses issued pursuant to this chapter may be revoked by the Director of Licensing after notice and hearing, or any of the following causes:

1. Fraud, misrepresentation or a false statement contained in the application for the license.
2. Fraud, misrepresentation or a false statement made in the course of operating the business for which the licenses has been granted.
3. Any violation of this chapter.
4. Conviction of any crime or misdemeanor involving moral turpitude.
5. Conducting the temporary business in an unlawful manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this _____ Day of _____ 20_____.

FAIRFIELD TOWN

Mayor
Hollie McKinney

RL Panek	yes _____	no _____
Tyler Thomas	yes _____	no _____
Michael Weber	yes _____	no _____
Richard Cameron	yes _____	no _____

ATTEST:

Town Recorder/Clerk
Stephanie Shelley

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the ____ day of _____ 20____.

Ordinance #2024-05. An Ordinance Amending Title 3. Business and License Regulations.; Adding Chapter 7.00. Temporary Business Licenses/Permits**.**

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this ____ day of _____ 20____.

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
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COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the ____ day of _____ 2024 and herein referred to as

SUMMARY.

An Ordinance Amending Title 3. Business and License Regulations.; Adding Chapter 7.00. Temporary Business Licenses/Permits.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting ____ day of _____ 2024

Ordinance #2024-02. An Ordinance Amending Title 10.17.100.(I) Adding Verbiage for Industry Commitments to Environmental and Social Responsibility and also Adding Verbiage to Application to Successors and Assigns in Solar Power Plant-Large.

Dated ____ 2024

WHEREAS, the Planning Commission held a public hearing on ____ 2024 regarding a proposed amendment to Title 10, by adding Section 10.17.100.(I)(5)(v) and amending Section 10.17.100.(I)(14); and

WHEREAS, Fairfield Town has deemed it in the best interest of Fairfield Town to amend the Fairfield Town Code; and

Whereas, the Fairfield Town Council has reviewed the proposed amendment to the Fairfield Town Code;

NOW THEREFORE, be it ordained by the Town Council of Fairfield Town, in the State of Utah, that certain sections of Title 10 of the Town Code be amended as follows:

Adding:

Section 10.17.100.(I)(5)(v):

Applicants shall commit to following the Solar Industry Commitment to Environmental & Social Responsibility developed by the Solar Energy Industries Association by including with their application a declaration to that effect.

And

Amending Section 10.17.100.(I)(14), Application to Successors and Assignees, by adding the following verbiage to the end of the paragraph:

The terms of any conditional use permit issued pursuant to this Code shall run with the land and be binding on any successor or assignee of an applicant, owner or operator and any party that purchases and/or operates a project.

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this ____ Day of ____ 2024.

FAIRFIELD TOWN

Mayor, Hollie McKinney

RL Panek	yes _____	no _____
Tyler Thomas	yes _____	no _____
Michael Weber	yes _____	no _____
Richard Cameron	yes _____	no _____

ATTEST:

Town Recorder/Clerk
Stephanie Shelley

DRAFT APR. 23, 2024 VC

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the _____ day of _____ 2024.

Ordinance #2024-02. An Ordinance Amending Title 10.17.100.(I) Adding Verbiage for Solar Industry Commitments to Environmental and Social Responsibility and also Adding Verbiage to Application to Successors and Assigns in Solar Power Plant Large.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this _____ day of _____ 2024.

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
)
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the ____ day of _____ 20__ and herein referred to as

SUMMARY.

Adding Verbiage for Solar Industry Commitments to Environmental and Social Responsibility and also Adding Verbiage to Application to Successors and Assigns for Solar Power Plant Large.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting ____ day of _____ 2024

Ordinance #2024-03. An Ordinance Rescinding Title 10.11.225. (N) and (O); And Adopting New Amendments to Title 10.11.225.(N) and(O). And Adding Them to the Commercial Overlay Zone.

Dated _____ 2024

WHEREAS, the Planning Commission held a public hearing on _____ 2024, regarding proposed amendments to Title 10, Section 10.11.

WHEREAS, Fairfield Town has deemed it in the best interest of Fairfield Town to amend the Fairfield Town Code: and

Whereas, the Fairfield Town Council has reviewed the proposed amendment to the Fairfield Town Code:

NOW THEREFORE, be it ordained by the Town Council of Fairfield Town, in the State of Utah, that certain sections of Title 10 of the Town Code be amended as follows:

Rescind 10.11.225(N). Permitted Uses and 10.11.225(O) Conditional Use.

Add the following sections to Sections to 10.11.225:

N. Permitted, Special and Conditional Uses.

1. Purpose. The purpose of this section is to provide supplemental land use provisions that apply to permitted, conditional and special uses in the Commercial Overlay Zone which are designed to protect and preserve the general health, safety and welfare of the public.

2. Applicability. In addition to the standards included in this chapter,, all other chapters of this code shall apply to the uses as applicable including, but not limited to, Chapter 10.21. Parking; Chapter 9.3.Outdoor Lighting Standards; Chapter 10.19, Landscaping Requirements, 10.21., Signs and Sign Permits; and Site Plan Review.

3. Provisions. Where any provision of federal, state, county, or city statutes, codes, or laws conflicts with any provision of this chapter, the most restrictive shall govern unless enforcement will result in a violation of the federal, state, county or city statutes, codes, or laws.

4. Land Use Table. This **land use table** contains the various **land uses** that are permitted, special, and conditional uses in the commercial overlay zone. Uses that are not listed in this table are prohibited.:

P = Permitted (Permitted **uses** may still require approval through an application process as detailed in this chapter and other chapters.)

S = Special (Special **uses** are permitted **uses** that must also comply with the standards listed in 10.11.225.Q. below that are specific to that type of **use**.)

C = Conditional Use (Conditional **uses** are permitted **uses** that must also comply with the standards listed in that are specific to that type of **use**.)

5.. Permitted Uses.

- a. Accessory Structure.
- b. Car Wash Facilities.
- c. Auto Fueling Convenience Store.
- d. Convenience Store; Sale of Goods.
- e. Farm Equipment Sales.
- f. Nursery.
- g. Warehouse Space with Offices.

6. **Special Uses.** Special permit list for commercial zone

- a. Landscaping plant and tree nursery or landscape materials
- b. Car detailing
- c. Minor automobile service and car sales
- d. Light manufacturing, assembly and retail sales (chateau cabinets)
- e. truck and equipment service
- f. Equipment sales
- g. Pet grooming
- h. Small engine repair
- i. fitness facility
- j. General sales, service and merchandise
- k. Printing and lithography
- l. publishing services

8. **Minor Automobile Service and Car Sales Standards.**

- a. Automobile sales and/or minor service operations may be permitted only where: b. Nuisance. They will not be a nuisance to residences and other surrounding uses.
- c. Automobile Display Areas. Automobile displays are subject to the following restrictions:
- d. Display areas shall not be permitted in rights-of-way, walkways, sidewalks, park strips, and required landscape buffers;

- e. Display areas shall be designated through the site plan approval process;
- f. Display areas shall be of concrete, asphalt, or another impervious surface;
- g. Display areas shall not occupy more spaces than allotted for the leased unit allowed in that zone. Tenants shall leave at least 25% vacant for customer/employee parking.
- h. Display areas shall comply with the clear vision triangle setbacks;
- i. Vehicles in the display area shall not exceed a maximum height of twelve (12) feet, such height including both the vehicle and display surface as measured from the height of the nearest sidewalk to the highest point of the vehicle.

2. Operating Conditions.

- a. They will not cause traffic hazards or undue traffic congestion. This includes all loading and unloading of vehicles, which should occur on site or within a designated area off site which prevents unsafe interaction with traffic;
- b. Spray painting of vehicles shall not be conducted outside. Spray painting of parts shall occur inside a fully enclosed building;
- c. Accessory sales activities (i.e., tires, parts, seat covers, floor mats, window tinting, sound systems, etc.) shall not occur outside a fully enclosed building;
- d. Temporary canopy tents shall not be permitted when the tents are visible from the street except for special events associated with the subject business. Such events shall not be permitted for more than three days;
- e. All signage shall conform to the standards in Chapter 10.21; and sign location shall be reviewed along with Ti permit approval. All business signs require a submittal and approval of sign permit application.
- f. Junkyard, automobile dismantling activities or storage of inoperable vehicles shall not be conducted or permitted.
- g. Automobiles being repaired shall be stored on site behind a screened enclosure.

17.75.062 Automobile gas/service station and car wash operations.

Automobile gas/service stations and/or car wash operations may be permitted only where:

A. Nuisance. They will not be a nuisance to residences and other surrounding uses.

B. Traffic Congestion. They will not cause traffic hazards or undue traffic congestion.

C. Lot Size. An automobile gas/service station or a freestanding car wash site area will have a minimum of a 15,000-square-foot parcel. The lot frontage, if located on an arterial or collector street, will not be less than 125 feet.

D. Automobile Gas/Service Station or Car Wash Setbacks. Automobile gas/service stations or car wash operations with gasoline pumps will have buildings of the type of construction as defined in the International Building Code, and are to be located at a distance of not less than 25 feet from property or building setback lines.

E. Canopy Setbacks. Gasoline pumps and pump islands for car wash operations or gas/service stations shall have a canopy and the setback (measured from the edge of the canopy) shall be not less than 25 feet from any property lines or shall be in conformity with the building setback lines of the zoning district, whichever is greater.

F. Driveway Design. Driveway design and spacing for automobile gas/service stations or car wash operations shall be reviewed by the city engineer, whose recommendation will be forwarded to the planning commission.

G. Distance to Other Uses. The minimum closest distance from the gas vents at an automobile gas/service station or car wash with gas pumps site to the

property line of an existing residence, school, park, playground, museum or place of public assembly will be not less than 200 feet.

H. Outdoor Storage or Rentals. No outdoor storage of rental trucks or trailers, stacks of tires or other merchandise will be conducted by the automobile gas/service station or car wash operation except when such equipment or merchandise is screened by an approved opaque fence not less than six feet in height. [Ord. [O-27-2020](#) § 2 (Exh. A)].

17.75.066 Plant and tree nursery/garden center.

Plant and tree nurseries and garden centers may be permitted only where:

A. Outdoor Sales, Display, Storage. Any associated outdoor sales, display, and storage of products or equipment must comply with EMMC [17.75.064](#)

17.75.064 Outdoor sales and display.

Outdoor sales and display may be permitted only where:

A. Definition. For the purposes of this section, “outdoor sales and display” includes the outdoor storage of materials, products, and equipment incidental to an allowed use which are not accessible to the public and set apart from the outdoor sales and display.

B. Nuisance. The use will not be a nuisance to residences and other surrounding uses.

C. Location. All outdoor sales and display areas shall not be located within a required setback, area of required landscaping, area of required parking, or area of pedestrian or vehicle access and flow.

D. Site Plan. All outdoor sales and display areas shall be clearly defined on the approved site plan and will be limited to these areas.

E. Signs. The outdoor sales and display area shall not include the use of banners, pennants or strings of pennants.

F. Outdoor Storage. All outdoor storage shall require the following screening regulations:

1. A masonry wall or solid/opaque fencing shall be required to screen all open storage areas from view of a street.
2. A solid/opaque fence, screening barrier, or wall shall be required along the side and rear property lines to screen areas of open storage up to and including any gate.
3. Fences used to screen open storage shall not be less than six feet high. Fences greater than six feet high may be approved as part of a site plan upon a finding that increased height for screening is necessary to reduce impacts to surrounding properties.
4. Materials, products, and equipment within 20 feet of the fence may not be stored higher than the fence. [Ord. [O-27-2020](#) § 2 (Exh. A)].

17.75.061 Animal care service.

Animal care services may be permitted only where:

- A. Nuisance. The use will not be a nuisance to residences and other surrounding uses.
- B. Visibility. Any outdoor space used for waiting or care is fully screened.

C. Overnight Keeping. The overnight keeping of animals is allowed only for treatment purposes. Overnight boarding is strictly prohibited. [Ord. [O-27-2020](#) § 2 (Exh. A)].

17.37.020 Business park zones.

A. Zone: Light Manufacturing/Distribution Zone (LMD). The purpose of the LMD zone is for limited retail, research, office, light manufacturing, and warehouse uses. This zone would allow medium distribution centers, light manufacturing, research labs not producing hazardous waste, warehouses with small office areas in the front of the building and outside machinery and product storage attached to a business. These buildings will be required to have professional looking exteriors with landscaping, parking out front with docks and screened storage yards in the back. These types of businesses will be located near major collectors, arterial roads and highways. This zone is generally most appropriate in areas designated as Business Park/Light Industry on the city's future land use map, but it may also be considered for approval in other areas at the discretion of the approval authority, depending on the surrounding land uses and other circumstances.

B. Zone: Medical/Educational Campus Zone (MEC). The purpose of the MEC zone is to provide a planned location for campus and business park type developments for hospitals, medical and healthcare schools, universities, colleges, trade schools and healthcare facilities including rehabilitation, transitional care, geriatric care, urgent care, and primary care facilities. These will be close to major roadways and transit corridors. This zone will also allow for student dormitories to be built in conjunction with educational facilities. This zone is generally most appropriate in areas designated as Employment Center Campus on the city's future land use map, but it may also be considered for approval in other areas at the discretion of the approval authority, depending on the surrounding land uses and other circumstances.

C. Zone: Office Professional (OP). This zone provides an aesthetically attractive environment for large and small business offices and office parks with limited commercial use. This zone is intended to ensure compatibility of new development with surrounding land uses through standards that provide attractive buildings, well planned grounds and other appropriate amenities supporting employee activity. Uses which produce noises, objectionable odors, storage of hazardous substances or the outside storage of inventory or equipment are not appropriate in this zone. This zone is generally most appropriate in areas designated as Regional Commercial or Employment Center Campus on the city's future land use map, but it may also be considered for approval in other areas at the discretion of the approval authority, depending on the surrounding land uses and other circumstances. [Ord. [O-20-2020](#) § 2 (Exh. A)].

Effective Date: This Ordinance shall become effective immediately upon passage and adoption.

Passed and Adopted this _____ Day of _____ 20____.

FAIRFIELD TOWN

Mayor
Hollie McKinney

RL Panek	yes _____	no _____
Tyler Thomas	yes _____	no _____
Michael Weber	yes _____	no _____
Richard Cameron	yes _____	no _____

ATTEST:

Town Recorder/Clerk
Stephanie Shelley

FAIRFIELD TOWN

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that the above and foregoing is a true, full and correct copy of an ordinance passed by the Town Council of Fairfield Town, Utah, on the ____ day of _____ 20____.

Ordinance #2024-03. An Ordinance Rescinding Title 10.11.225. (N) and (O); And Adopting New Amendments to Title 10.11.225.(N) and(O). And Adding Them to the Commercial Overlay Zone.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town Utah this ____ day of _____ 20____.

_____,
Stephanie Shelley
Fairfield Town Recorder/Clerk

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
)
COUNTY OF UTAH)

I, Stephanie Shelley, Town Recorder of Fairfield Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Fairfield Town Council on the ____ day of _____ 2024 and herein referred to as

SUMMARY.

An Ordinance Rescinding Title 10.11.225. (N) and (O); And Adopting New Amendments to Title 10.11.225.(N) and(O). And Adding Them to the Commercial Overlay Zone.

The three places are as follows:

1. Fairfield Town Hall
2. Fairfield Town Website
3. Utah State Public Notice Website

Stephanie Shelley
Fairfield Town Recorder/Clerk

Date of Posting ____ day of _____ 2024