

Minutes

DATE: Wednesday, July 1, 2020

LOCATION: Fairfield Old School House, Fairfield, Utah

TIME: 7:00 p.m.

MINUTES BY: Recorder: Stephanie Shelley

AGENDA ITEM #1- OPEN THE PLANNING & ZONING REGULAR MEETING.

Commissioner Stephens stated time of meeting began at 7:05 p.m.

AGENDA ITEM #2- ROLL CALL.

Daymon Stephens, Alina Pringle, Heather Strong, Jane Lancaster

Excused Commissioners:

David Riet

Staff Present:

Recorder: Stephanie Shelley

Others Present:

Mayor Brad Gurney, Deputy John Thomas, RL Panek, Doug Taylor (Payson), Landon Becknell (Sandy), Kristi Becknell (Sandy), Craig Cox (Fruit Heights), Larry Becknell (Sandy), Mike ? (Cottonwood), Emily Skill (Enyo), Brandon Meriwether (Salt Lake City), Julie M. Clover, Jaren Hancock, Peter Lawrence, Hollie McKinney, Heidi Brunner, Jayson Densley.

AGENDA ITEM #3- PUBLIC HEARING.

a. ZONE CHANGE (SOLAR FARM, WAREHOUSE, STORAGE UNITS).

Commissioner Stephens discussed the need for the Zone Change for parcel numbers 59:109:0001, 59:109:0004, and 59:109:0003. Owners of these properties would like to have a solar farm, warehouse, storage units, flex space etc. Currently the properties are zoned as AR40.

Mayor Gurney showed those in attendance where these properties are located on the Fairfield Town map.

Commissioner Stephens stated that the new zone would be called Light Industrial and would match Eagle Mountains' zoning along their shared boundary in that area. The Planning Commission and Town Council have done research on the solar farm zone.

Commissioner Stephens opened the floor to public comment on the zone change from AR 40 to Light Industrial with a solar overlay.

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RL Panek asked how many acres would be affected by the change. Commissioner Stephens stated about six hundred (600) acres. Enyo will be one hundred sixty (160) acres and Jim Simmons property will be about three hundred twenty (320) acres.

Jaren Hancock asked if an environmental impact study including wildlife will be done. Commissioner Stephens stated that the study will be a requirement to receive a conditional use permit.

Heidi Brunner asked if the company becomes insolvent, will they just walk away and leave the panels there. Commissioner Stephens stated that in order to receive a permit they will be required to restore the land to its original state. He said there is a decommission plan in place with the permit. Heidi asked if the decommission plan is in the permit regardless whether they are solvent or not. Commissioner Stephens stated that there are different ways of doing this such as a bond, etc and it will be up to the Town Council which way they choose to have it placed in the permit.

Jayson Densley asked if the Town will continue to allow more solar farms to come in. He also asked if there was a way to stop them from coming in. Commissioner Stephens said that a certain solar overlay is just for this part of Town. Jayson asked if the Town lets this company do it, would the Town also have to let other companies have a solar farm.

Commissioner Pringle stated that this is not what the Planning Commission wants to do but it is a way to protect the borders of Fairfield.

Commissioner Pringle stated that the next item on the agenda is the General Plan. The Commission would like to know what the residents want to see in the general plan.

Mayor Gurney stated that it allows anyone in that zone to have a solar farm as long as they adhere to the regulations in that zone.

Peter Lawrence asked what the other stages of the for Enyo for this property. Commissioner Stephens stated that Enyo is looking at more property to purchase in unincorporated Utah County.

Commissioner Lancaster said that Enyo will be building their own substation for the power.

Mayor Gurney introduced Emily Skill from Enyo. Emily stated that they are working on two parcels at this time. She also stated that they are looking at buying more land in

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unincorporated Utah County where the substation could possibly go. She said that the location of the substation has not been finalized.

Peter Lawrence asked where the power lines will be located from the panels to the substation. Emily stated they will be underground and go to their substation. She said they are still working on the connection for the one substation to another substation.

Heidi Brunner asked if there will be regulations regarding the water, dust and water limitations. Commissioner Stephens stated that all that will be looked at when they present their plan to the Commissioners. He also stated that he has not seen or has not done enough research in looking at the water consumption within the ordinances of other cities. He asked Emily if she could enlighten them as to how much water will be used during the construction.

Emily stated that they will use more water during construction than they will once it is completed. She stated that they are looking into either purchasing water from landowners or having water trucks come in. She said they are also willing to look at other options.

Commissioner Pringle would like to have dust control requirements in the conditional use permit. She also stated she would like to see land use water contained on the property.

Commissioner Stephens stated that anyone who is building is responsible for water runoff on their own property.

Commissioner Pringle asked those in attendance if anyone else had any other concerns.

Peter Lawrence asked if the Town doesn't allow them to do the solar farm will they annex into Eagle Mountain. The Commissioners stated yes.

Commissioner Lancaster made a motion to close the public comment on the zone change. Commissioner Strong seconded the motion. Motion was unanimously approved.

AGENDA ITEM #4 - OPEN DISCUSSION ON GENERAL PLAN.

Commissioner Stephens stated that the General Plan needs to be rewritten. He asked those present what they would like to see in the General Plan. He said it could include growth of the Town, commercial properties, industrial development, residential, etc.

Commissioner Stephens stated that Planning & Zoning has discussed the property that is on the borders of Fairfield and they would like to work with those property owners so that they

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can still develop it and still retain what makes Fairfield what it is now. Commissioner Stephens stated that many of those that have property in the AR 40 zone can not build on it and it is impossible to receive a mortgage to build a home on a forty (40) acre parcel. He also stated that Eagle Mountain is looking at putting high density at the northern border of Town which will take away from the small town feel that we enjoy. The Commissioners have looked at having smaller lot sizes and possibly not having AR 40 along the border. They have discussed having AR 10 and AR 5 zones instead, which were there originally. They contend that smaller lots would be more realistic and look better for developers and property owners. The Commissioners agree that Fairfield wants to be a good partner with property owners as they look to develop their land. The Commissioners would like to keep the rest of the zones through Town as they are now. They also agreed that since Eagle Mountain City is zoned as industrial and dot com [businesses] on the East side of Fairfield that the Town would like to work with those landowners in that area so they do not annex out of Fairfield. Commissioner Stephens gave an example of what happened with North Point Landfill. Utah County allowed them to come into Fairfield, but Utah County gets the money and the benefits, whereas Fairfield deals with the mess that comes with it.

Mayor Gurney stated that over the last few weeks he has received more phone calls about property development than in the last fifteen years. The Mayor also stated that Fairfield is no longer rural but a suburb of Eagle Mountain. He also informed those present that property values are higher on the Eagle Mountain side than on the Fairfield side. He stated that the Town does not want to lose more of Fairfield with property owners annexing out for higher property values. Mayor Gurney stated that Fairfield is ranked number seven in the State of Utah for square mileage of property. Eagle Mountain is twice as big and Cedar Fort is smaller, having less acreage. The Mayor said that open space has worked well in the past but not anymore and the Town Council and Planning & Zoning would like to work with property owners so they do not leave Fairfield. He stated that the Town does not want to be dictated to, but would rather dictate to the land owners/developers. He stated that right now, if these owners took the Town to court, the Town would most likely lose. He said he would like to hear how the residents would like the Town to grow. Mayor Gurney stated that he would like to see more of a tax base for the Town. He commented that the Town has close to one hundred thirty residents and only about ten to fifteen people are here. The Mayor would like to know what type of growth the residents like to see - commercial or residential.

Heidi Brunner stated that she moved to Fairfield to be rural, and have a feeling of peace. She doesn't want it turned into an industrial area that would destroy that feeling. She stated that she would like to see growth done in a responsible way. She said she would like to see

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residential and small commercial, and she would like to try and keep it as rural as possible with larger lots for residential.

Commissioner Pringle asked what Heidi meant by larger lot size. Heidi stated that she would like to see nothing smaller than five (5) acres.

Heidi Brunner asked the Commission how the Town can control those property owners so they do not annex out of Fairfield.

Hollie McKinney stated that of the current land owners, only half the people from Town are here. Commissioner Stephens stated that it is the same people who attend the meetings.

Jaren Hancock stated that he can not believe these words are coming out of his mouth but he agrees with Mayor Gurney and Commissioner Stephens. He said he would like to see residential, unless the Town can have a tasteful light industrial with a minimum of one (1) acre lots.

Jayson Densley stated that he would like to see one (1), five (5), and ten (10) acre residential lots. He stated that the Town does not have the infrastructure that we will need and the Town will need to plan out carefully and stick to their guns.

Commissioner Stephens stated that the Town will need to plan for gas, power, water, and sewer. He said that right now those building on five (5) acre lots can have a septic tank but when you get down to one (1) acre lots it starts to get harder to have septic tanks. He said that there is a lot of property that people have bought to develop or for investment. Commissioner Stephens also stated that Fairfield is starting to have a lot of firsts and the Town will have to cross each bridge as it comes up. He said the Town needs to be aware that developers and property owners will be expecting the Town to provide water, power, sewer, etc. He stated that the Town Council invested in water tanks which was a good plan as long as water is brought into Town by those wanting to come into Fairfield. He stated that right now the water line goes down to the end of Jerry Bradshaw's property and it would not be hard to extend it to the property north of him. He also stated that the Town will need to plan for sewer.

Commissioner Stephens said that some cities have had businesses that have been coming into their city and have paid for infrastructure. He also pointed out that as more businesses come into Cedar Valley more people will not be leaving the valley for work and the Fairfield we know will be gone. He said if the Town plans for five (5) acre residential lots, he believes that a higher class of people will come into Town. He also stated that he thought one (1) acre lots are as small as they should have.

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Commissioner Stephens said he would like to send a survey to the residents to see what they would like in the future. The Commissioners agreed that they would like to have input from the residents on the General Plan and future growth.

Jayson Densley stated that he would like to see one (1) acre residential lots and he does not want to see one (1) acre industrial lots as those tend to be more trashy. He stated that the two (2) acre industrial lots tend to look nicer and the five (5) acre lots for residential tend to be trashy where one (1) acre lots look nicer for residential. Commissioner Stephens stated that those who bought five (5) acre residential lots tend to not realize how much work they are. Commissioner Stephens stated that as developers come in and build commercial buildings, the Town needs to look forward with tomorrow in mind.

Paul Simms stated that he lives in Midway and has lived in Altonah and they went through similar things that Fairfield will be going through. He stated that it got to the point where the kids who grew up there and would like to live in those towns can't afford to live there. He suggested that the Town should think about what the kids of the future can bring to the town if they can stay here and live. Commissioner Stephens stated that that is something to consider. He said it sounds like if a family does not give their kids some land they will not be able to stay.

Mayor Gurney stated that there are many landowners who own over five hundred (500) acres of land and they are not wanting to farm it. Mayor Gurney stated that the property owners do have rights to do what they would like to with their land. He also stated that the Planning & Zoning, Town Council and the Mayor would like to know what you think and if we do not know what the residents would like we will be run over.

Peter Lawrence stated that the East and Northern borders [of Fairfield] are easier to annex. He stated that Eagle Mountain City has the infrastructure in place so those developers can build what they would like. He stated that in some parts of Eagle Mountain one hundred (100) acres can accommodate about twelve hundred (1200) residential units.

Mayor Gurney stated that we need input from the residents and he explained that the changes the Town will make to the General Plan are up to the residents. Mayor Gurney stated he will send out flyers so people can have their say in what the future holds for the Town.

Commissioner Lancaster thanked those in attendance that voiced their opinion.

AGENDA ITEM #5- UTAH FIREARM AND SECURITY TRAINING.

Steven Marquardt, owner of FAST firearm and security training is looking into purchasing over three hundred (300) acres in Fairfield and before they purchase they would like to see if they would be able to build their training center here. He said it would not be a rifle range and they would have a lot more than a shooting range. He said it would contain areas of training for law enforcement and military. He went on to say they are looking into two options - option one would have the ranges outside and option two would have buildings built for training exercises. He noted that people are shooting without ranges which have caused fires, bullets hitting homes and businesses and it would be a safer area for people to come and shoot.

Peter Lawrence stated that the biggest problem will be the noise. He said that on a calm day in the valley sound carries a long way.

Steven Marquardt stated that if they build the buildings it would reduce the sound.

Commissioner Lancaster asked how long their company has been in business. Steven stated since 2015. He stated that they would be able to expand their business if they were able to build out here..

Commissioner Lancaster asked if they have any contracts with law enforcement or the military. Steven said no.

Mr. Marquardt passed out maps of the property. He stated that he knows there will be many hurdles to overcome. He said one would be to gain access to the property.

Commissioner Lancaster asked what kind of zoning does a firearms facility require. She asked Steven what zoning he was looking for. Steven stated that it depends on what kind of property it is and if it is outdoor or indoor. He said they would like to build a small city like structure for training. He said right now law enforcement and the military have limited time where they can train in buildings and it is usually only when a house is being torn down. Steven stated that if they are allowed to build, law enforcement and military could train at any time.

Commissioner Stephens stated that right now the area is zoned as AR40 but the FARMS is grandfathered in. He said his personal opinion on this area is that it should be residential. He stated that this is a very large parcel for this kind of business. He would like Mr. Marquardt to bring in an application realistic to the zone. He also acknowledged that sound does travel in

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the valley and in winter it is louder. He said this is definitely an issue with what they are proposing.

Commissioner Stephens asked why they needed such a large acreage. Steven stated that the owner wants to sell it as one piece of land.

Commissioner Pringle stated that they need to look at the general plan. Steven asked for a time frame. Commissioner Stephens stated that the Town is currently writing code.

Commissioner Pringle asked what the Town Council and the Mayor would like to see. Councilman Panek stated that at this time he will not make a judgement call as it is unfair to them to say anything.

Mr. Marquardt stated that he had not bought the land and wanted to get a feel for what the Town thought.

Commissioner Stephens stated that he can bring it up in a future meeting. Mayor Gurney stated that currently it does not fit the zone and it can take up to 6 months to 1 year to make changes.

**AGENDA ITEM #6- APPROVE PLANNING & ZONING REGULAR MEETING MINUTES
MAY 6, 2020.**

Tabled until next Regular Meeting.

**AGENDA ITEM #7- APPROVE PLANNING & ZONING WORK MEETING MINUTES
MAY 13, 2020.**

Commissioner Stephens made a motion to approve the May 13, 2020 minutes.

Commissioner Lancaster seconded the motion. Unanimously approved.

**AGENDA ITEM #8- APPROVE PLANNING & ZONING REGULAR MEETING MINUTES
JUNE 3, 2020.**

Tabled until next Regular Meeting.

**AGENDA ITEM #9- APPROVE PLANNING & ZONING WORK MEETING MINUTES
JUNE 10, 2020.**

Tabled until next Regular Meeting.

AGENDA ITEM #10- DISCUSS OLD BUSINESS.

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No Old Business discussed.

AGENDA ITEM #11- DISCUSS NEW BUSINESS.

Mayor Gurney discussed the bylaws of the Planning & Zoning with the Commissioners. Mayor Gurney asked Commissioner Stephens and Commissioner Riet if they would like to continue on the Planning & Zoning and they both agreed that they would like to. Commissioner Stephens asked why Commissioner Riet needs to be sworn back in since he started at the end of January. Mayor Gurney stated that he was finishing Darwin Bundys' term and it expired on June 30, 2020.

Mayor Gurney talked with the Commissioners about the need to follow the by-laws.

AGENDA ITEM #12 - ACTION ITEMS.

Commissioners decided to hold the Work Session on July 8, 2020 at 7 pm.

AGENDA ITEM #13- ADJOURN THE PLANNING & ZONING REGULAR MEETING.

Motion made by Commissioner Stephens to end the meeting. Commissioner Pringle seconded the motion. Meeting end time 8:25 pm.

October 7, 2020

Stephanie Shelley

Minutes Approval Date

Town Recorder Stephanie Shelley