

MINUTES

DATE: Wednesday, October 14, 2020

LOCATION: Fairfield Town Office, 17872 W 1540 N, Fairfield, Utah

TIME: 7:00 p.m.

MINUTES BY: Recorder: Stephanie Shelley

AGENDA ITEM #1-OPEN THE PUBLIC HEARING.

Chairwoman Alina Pringle stated time of the meeting began at 7:06 p.m.

AGENDA ITEM #2- ROLL CALL.

Alina Pringle, Daymon Stephens, David Riet, Heather Strong (Attended on Zoom)

Excused Commissioners:

Jane Lancaster

Staff Present:

Recorder: Stephanie Shelley

Others Present:

Mayor Brad Gurney, Sylvia Lawrence, Peter Lawrence, Deputy John Thomas, Vern Carson, Jayson Densley, Heidi Brunner, Hollie McKinney.

AGENDA ITEM #3 - PUBLIC HEARING ON LIGHT INDUSTRIAL EAST-1 ORDINANCE.

Chairwoman Pringle talked to those present and on Zoom about the Industrial East Ordinance and what it entails.

Vern Carson asked how big the Industrial East Zone is. Chairman Pringle said it is close to 600 acres.

Jayson Densley asked the Commissioners to remind them what the zoning will be in that area. Chairman Pringle talked about where the property is located and what the possible landowners would like to do.

Heidi Brunner asked how many acres will this zone be? Chairman Pringle stated it would be close to 600 acres.

Email Sky Hazlehurst Sky.Hazlehurst@colliers.com

- 100' minimum lot widths will really help us break up smaller lots for contractors and office uses that bring in employment and/or tax base but they may only need 1 acre.
- To protect the city's interest of not having "bowling lane" parcels, I recommend code stating the depth to not exceed 4 times the width. So the deepest a single lot could ever be is 400'. That's reasonable given today's industrial needs.

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- Self-Storage needs to be called out as an acceptable use. We need to include a self-storage component in our overall development because they are “first movers” and will help us build momentum and infrastructure for even better industrial users for the remainder of the development.
- We would like the option for commercial uses as well as “light industrial.”

AGENDA ITEM #4 - PUBLIC HEARING ON LIGHT INDUSTRIAL WEST ORDINANCE.

Chairman Pringle explained that over the last several years, the Commissioners have been reviewing this zone. The Commissioners have decided to move the adult business out of this zone and place it in the east zone. They did add conditional uses to this zone. They also have added setbacks and rear setbacks.

Syliva Lawrence asked what the meaning of caretaker dwellings? Chairman Pringle explained that caretaker dwellings would need to be in at least a 5,000 square foot building. Commissioner Stephens stated that they are also restricted to how large it can be.

Hollie McKinney asked if that is what the airpark hangars will be. Chairwoman Pringle stated that they would not be at the airpark. She explained that those who live in caretaker dwellings would need to be employees of the business.

Heidi Brunner asked about solar in this zone. Commissioner Stephens stated that the solar ordinance was in the process of being created, that the companies would need to abide by what is in the solar ordinance.

***Email from Mark Pringle mark@rmkplanes.com ***

If so, for Light Industrial West, in Section 10.37.200 Signs, there is no allowance for Pylon or thematic signs that may become a part of advertising for Light Industrial types businesses.

I looked at Riverton, Utah’s ordinance and suggested the signage described below to be allowed in the Light Industrial West Zone.

Pylon Sign Definition:

Pylon signs are freestanding structures that can be single sided or double sided. Usually supported by one or two poles, these signs are made of various materials with a rigid or flexible face.

Pylon sign,

- Maximum Area (square feet) = 200’ (an additional square footage may be approved by the Town Council if aesthetics or visibility from freeway/roadways are warranted)

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- Maximum Height = 25'
- Approved as an element of a sign development plan for an approved commercial development of at least 20 acres
- Not less than 150 feet from any other freestanding sign
- Front Setback: 18 inches



AGENDA ITEM #5 - PUBLIC HEARING ON SUBDIVISION ORDINANCE.

Chairwoman Pringle talked about the Subdivision Ordinance.

Heidi Brunner would like to table this ordinance since it was not available to be viewed prior to the meeting.

AGENDA ITEM #6- PUBLIC HEARING ON THE SOLAR ORDINANCE.

Chairwoman Pringle stated that this ordinance is about what the solar companies can and cannot do.

Hollie McKinney stated that this is a hard decision to make regarding solar. She asked the Commissioners to let Heidi Brunner speak longer than the 2 minutes. McKinney noted that Heidi had done a lot of research, and she would like to have her share the information she has gathered. This information could benefit the Town.

Chairwoman Pringle stated that it is not their intention to silence the community.

Jayson Densley stated that they are trying the best we can (Heidi). She has done a lot of research into solar farms. These are million dollars companies. He stated that he believes that NEXTEra and Enyo are linked together. If the Town needed the money, then yes, they should let the solar farms in. The Town can design how it would like to grow.

Commissioner Stephens stated that these two companies came to the Town in two different ways. One is leasing The Church of Jesus Christ of Latter-day Saints. The other went to the farthest part of Town. With 200 acres of land. Which could protect the Towns borders.

Jayson Densley stated that he and Heidi have talked to Eagle Mountain, and they said that they would not allow solar to come into their City.

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Commissioner Stephens stated that they need to secure that border, so it does not annex out of Fairfield. He noted that the same question came up on Heidi's flyer she sent around Town. Bought up 200 acres, not 3000 on the Churches property. The Solar Ordinance does have a lot of teeth to it, which they will need to adhere to and conform to. If they do not, then the Town can stop them.

Commissioner Riet stated that he is willing to listen to what Heidi has to present to the Commissioners.

Commissioner Strong stated that she is willing to listen to what Heidi has to say.

Chairwoman Pringle stated that it is the Town Council who approves the Ordinances. Planning & Zoning gives them information on what they have put together. She is willing to provide Heidi with until 8 pm to present what information she has gathered together.

Heidi Brunner said she has been researching solar farms, but she said it is hard to find information. She said that everyone talks about solar panels being green energy, but you have to have minerals that you have to mine to make them. She also said that solar panels are made with toxic materials. She stated that there is nothing in there about what to do with broken solar panels or how they are taken care of or disposed of in the solar ordinance. She stated that solar companies would rather pay the fines than follow the regulations. She said that Quicksilver Solar is a holding company and partnered with ENYO. NEXTERA is the largest solar company in the world, and they have endless resources. This will open the door that the Town will not be able to close. She talked about how solar farms will affect their view. From her research, she discovered that this solar farm would go through the whole valley and be about 14,000 acres. One town she talked to said that every resident needs their lawyer that deals with land use/solar farms. She is concerned about climate change with that many acres of solar. She says there is nothing that says how it will affect the water. Or how it will retain the stormwater. She stated that the Town needs to have all the research upfront. She stated that she is worried about the 'heat island' that will affect the valley's environment. The valley would go up at least 2 degrees, and that will change the valley environment. She stated Utah County has 10,000 acres of land that are also proposed for solar farms. She said that from Town down to Mona is the proposed area. She stated how large the solar farm would be since no studies on its effect will be. She would like the Town to say NO to this disaster.

Commissioner Stephens stated that Heidi has given them food for thought and to look into the Ordinance to make sure it has the teeth to make it work for the Town.

Commissioner Riet stated that he agrees with Commissioner Stephens. He noted that the Commissioners are obligated to make sure the landowners are allowed to use their land, but they also need to protect the Town.

Commissioner Strong stated that she agrees.

***Emailed Comment from Ryan Fitzpatrick NEXTEra James.Fitzpatrick@nexteraenergy.com ***

- 3.7.50 – Make language consistent with definitions. For instance, instead of saying “Larger-scale solar energy projects may be installed...” it would say “Solar Power Plants – Large may be installed...”
- 3.7.60.A. Visual Impacts – this is pretty subjective. For instance, during our last meeting, one resident even said they’d rather look at a solar farm than a neighborhood.
- 3.7.60.D. Setbacks – these are reasonable, but often we see an adjacent landowner waiver provision
- 3.7.60.I. Landscaping – We can’t put up anything that will shade the panels. Having some low bushes around the perimeter fence is one thing, but planting trees around the facility is not acceptable for solar energy investors.
- 3.7.60.L. Glare – this is pretty subjective. Panels are designed to absorb light instead of reflect.
- 3.7.60.N. Electrical Interconnections – The “collection system,” which is underground, high-voltage cable that connects the panels to the project substation, is buried, and perhaps changing the wording would fix our concerns here. These projects do require an above-ground power line leaving the project substation toward the point of interconnect.
- 3.7.70.E – Visual Impacts, Appearance, and Scenic Viewsheds – there are a bunch of descriptors for concentrated solar (mirrors, structures over 15’ tall, etc.), which are already prohibited earlier in the ordinance. This provision may just require a little clean-up. I’ll add that 4 simulation sites and a potential ZVI for a solar project is overkill in any jurisdiction that we develop, especially in particularly less populated areas. This is usually what you see for wind sites. Perhaps one simulation is adequate. I don’t think you’ll get much from a ZVI.
- I’d suggest the Town take a second look at the Decommissioning section. Here are some suggestions that we see in other jurisdictions:
 - It should be spelled out that the decommissioning estimates will be net of salvage value.
 - Also, instead of posting a 125% bond, we’ll usually see one of the following:

- A bond be posted for 100% of the updated decommissioning cost after the first 10 years of operation (*obviously preferred by developers, and typically seen as reasonable*)
- Post a bond for 100% of the decommissioning cost of the plant at commencement of construction and update the decommissioning plan, estimate, and bond every 5-10 years
 - o There's no reason to post an oversized bond if the estimate is updated periodically

AGENDA ITEM #7- PUBLIC HEARING ON ZONING MAP

AGENDA ITEM #8 - DISCUSS AND APPROVE LIGHT INDUSTRIAL EAST-1 ORDINANCE TO FORWARD TO TOWN COUNCIL.

Chairwoman Pringle continued this for a future meeting.

AGENDA ITEM #9- DISCUSS AND APPROVE LIGHT INDUSTRIAL WEST ORDINANCE TO FORWARD TO TOWN COUNCIL.

Chairwoman Pringle continued this for a future meeting.

AGENDA ITEM #10-DISCUSS AND APPROVE SUBDIVISION ORDINANCE TO FORWARD TO TOWN COUNCIL.

Chairwoman Pringle continued this for a future meeting.

AGENDA ITEM #11- DISCUSS AND APPROVE SOLAR ORDINANCE TO FORWARD TO TOWN COUNCIL.

Chairwoman Pringle continued this for a future meeting.

AGENDA ITEM #12- DISCUSS AND APPROVE NEW ZONING MAP TO FORWARD TO TOWN COUNCIL.

Commissioner Stephens motioned for the New Zoning map to be forwarded to the Town Council. Commissioner Riet seconded the motion.

Davit Riet - Yes

Daymon Stephens - Yes

Heather Strong - Yes

Alina Pringle - Nay

AGENDA ITEM #13- DISCUSS AND APPROVE SOIL ORDINANCE TO FORWARD TO TOWN COUNCIL.

Commissioner Stephens motion to forward the Soil Ordinance to the Town Council for approval. Commissioner Riet seconded the motion. It was unanimously approved.

AGENDA ITEM #14- DISCUSS AND APPROVE ZONING MAP TO FORWARD TO TOWN COUNCIL.

Skipped.

AGENDA ITEM #15- REVIEW PRELIMINARY SITE PLAN FOR JAYSON DENSLEY.

The Commission asked for Jayson Densley to bring the site plan to a future meeting.

AGENDA ITEM #16- DISCUSS OLD BUSINESS.

Nothing discussed.

AGENDA ITEM #17- DISCUSS NEW BUSINESS

Chairwoman Pringle asked for the Commissioners to do more research on solar farms. To look for the pros and cons of solar panels.

Mayor Gurney stated that he would like the Town Council and Planning & Zoning joint work session on October 27th to discuss the General Plan. This would be the last collaborative work session until the new year. He would like to get everyone involved and get on the same page. He would invite the consultants to the meeting via Zoom.

Mayor Gurney stated that the Town is close to being done with all the Ordinances. With the General Plan, he would like to see both completed by February - March.

Chairwoman Pringle stated that people should come to the Planning & Zoning meeting and hear and discuss what they are working on instead of waiting until something is ready for approval.

Commissioner Riet would like to hear from technical experts on solar farms.

AGENDA ITEM #18 - ACTION ITEMS

Chairwoman Pringle stated that they would ask the residents.

She also stated that the Commissioners need to do more research on solar and take the time to do it right. The Commissioners need to look at other people to bring in more information on solar and invite Heidi Brunner to a meeting to give the information she has researched.

AGENDA ITEM #19- ADJOURN THE PUBLIC HEARING

Motion made by Commissioner Riet to end the meeting. Chairwoman Pringle seconded the motion. The Meeting ended at 8:37 pm.

February 3, 2021

Stephanie Shelley

Minutes Approval Date

Town Recorder Stephanie Shelley