

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

Minutes

Date: Wednesday, March 6, 2024

Location: Fairfield Town Office, 103 East Main Street, Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Stephanie Shelley

Public Hearing

Agenda Item #1 - Vote to open the Public Hearing.

Co-Chair Wayne Taylor stated that the meeting began at 7:00 pm.

Agenda Item #2 - Roll Call.

Heather Strong, David Riet, Jane Lancaster, Wayne Taylor

Excused Commissioners: Alina Pringle

Others Present: Tal Adair (Kamas), Jacob S (Salt Lake), Mike Hanyan (Lehi), Tanner Hanyon (Santaquin), Ted Morton (Draper), Cossette Morton (Draper), Mark Pringle, Matthew Kalm (Eagle Mountain), Rebecca Kalm (Eagle Mountain).

Via Zoom: Mayor Hollie McKinney, Larry Jenkins, iPad, Adrienne Bell

Agenda Item #3 - Public comment on the Zone Map Amendment Light Industrial West - Airpark Zone.

Co-Chair Taylor opened the Public Hearing for the Zone map change.

Mark elaborated on their request to the Town Council to expand the zone to facilitate the creation of one-acre lots or larger. The Council is prepared to fast-track the process to accommodate all parties involved. The proposed addition of six and a half acres aims to enlarge lot sizes without changing the total number of lots, which stands at 28, with one designated for a clubhouse.

Commissioner Riet inquired about the potential impact of the expansion on the airport overlay zone. Mark clarified that the alteration wouldn't affect any existing overlays. Commissioner Riet pointed out that any extension, regardless of direction, would inherently affect it due to the need to maintain consistent distances from the ends of the runways. Mark explained that the expansion is solely towards the east and minimally encroaches on the runway, only touching the church property perimeter. Although he hadn't personally received the letter, he said that he believed Alina had it, confirming the church's approval of the expansion. Commissioner Riet wanted confirmation from Mark that the expansion wouldn't affect the airpark overlay, emphasizing the need for clarification. Mark reiterated that the expansion's sole purpose is to increase each lot's size.

Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024

Agenda Item #4 - Vote to close the Public Hearing.

Commissioner Lancaster made a motion to close the public hearing. Commissioner Riet seconded the motion. The motion passed unanimously.

Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024

Regular Minutes

Agenda Item #1 - Open the Planning Commission regular meeting.

Co-Chair Wayne Taylor stated the meeting began at 7:04 pm.

Agenda Item #2 - Roll Call.

Heather Strong, David Riet, Jane Lancaster, Wayne Taylor

Commissioners Excused: Alina Pringle

Staff Present: Stephanie Shelley-Recorder

Others Present: Tal Adair (Kamas), Jacob S (Salt Lake), Mike Hanyan (Lehi), Tanner Hanyon (Santaquin), Ted Morton (Draper), Cossette Morton (Draper), Mark Pringe, Matthew Kalm (Eagle Mountain), Rebecca Kalm (Eagle Mountain).

Via Zoom: Mayor Hollie McKinney, Larry Jenkins, iPad, Adrienne Bell

Agenda Item #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.)

No one present had any comments.

Agenda Item #4 - Motion to approve the minutes of the Regular Session on February 7, 2024.

Commissioner Lancaster motioned to approve the minutes with the changes. Commissioner Strong seconded the motion. The motion passed unanimously.

Commissioner Strong - Yes

Commissioner Riet - Yes

Commissioner Lancaster - Yes

Commissioner Taylor - Yes

Agenda Item #5 - Discuss and motion to send the zone map amendment for the Airpark Zone to the Town Council. Amendments to Code and Map Title 10. Section 10.7.20.

Commissioner Lancaster motioned to move that we send the map zone map amendment to the Airpark Zone to the Town Council. Commissioner Taylor seconded the motion. The motion passed unanimously.

Commissioner Strong - Yes

Commissioner Riet - Yes

Commissioner Lancaster - Yes

Commissioner Taylor - Yes

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

Agenda Item #6 - Discuss the Concept Plan drawing of Hape Properties, LLC.

Mike Haynon presented their concept plan to the Planning Commission, outlining their intention to conduct manufacturing and welding activities indoors. He explained that they aim to match the fencing with the storage units currently installed. Commissioner Taylor mentioned that Commissioner Pringle had a list of items requiring attention on the concept plan.

Regarding water supply, Mike Haynon expressed the need for discussion. Commissioner Taylor clarified that the Town does not have water available. Mike indicated that they have their own water shares but wasn't certain if the Town had plans to install a water line. They acknowledged that such a project would be in the distant future for the Town but assured the Council that they already possess the necessary water supply. Commissioner Taylor noted that other property owners are also interested in the potential installation of a water line in the future.

Mark Pringle stated that they have had meetings about PIDs. He said Mike Haynon should contact Alina regarding the PIDs (Public Infrastructure Districts).

Commissioner Lancaster stated that the planned usage seems to go along with the current zone.

Mayor McKinney wanted those who were present to know that the water line for Allen Ranch Road is on the Town Council agenda.

The water line's location, origin, and distance along the road were discussed. An easement will be needed for repair and maintenance access.

Mike Haynon stated that they would have plenty of parking for their facility. Mike said he is meeting with Rocky Mountain Power to talk about three-phase power.

Agenda Item #7 - Review and Edit the Battery Storage Ordinance.

The Commissioners went through the Battery Storage Ordinance and made the changes that they felt needed to be made.

Agenda Item #8 - Motion to Recommend to Town Council Adding Battery Storage as an Allowed Use in the Light Industrial East Zone.

Commissioner Lancaster moved that we recommend to the Town Council to add battery storage as an allowed use in the Light Industrial East Zone according to the ordinance that we've written.

Commissioner Riet seconded the motion the motion passed unanimously.

Commissioner Strong - Yes

Commissioner Riet - Yes

Commissioner Lancaster - Yes

Commissioner Taylor - Yes

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

Agenda Item #9 - Motion to approve the Preliminary Plat for Blue Skies.

Mark Pringle said that he did not know why the agenda was changed or why the final plat was not included. He said that Alina made the agenda and thought that Wayne had changed it. Commissioner Taylor said that as per legal counsel from the Town attorney, he had made changes to the agenda. He said that the Town attorney mentioned that if the Chair has a personal interest in an agenda item, the Co-chair is responsible for including that item on the agenda. Commissioner Taylor stated that since the Airport Zone had not been changed, the process wasn't to that step. He explained that they were at the beginning of the process.

Mark read the motion that the Town Council made last month. *Councilman Thomas motioned that we approve the West Desert Airpark preliminary plat with changes that increase the acreage of the airpark zone by enough acreage to allow for twenty-eight lots '27' lots of being residential one-acre lots, one being parcel 'B' all being a minimum of one acre. Councilman Weber seconded the motion.*

Commissioner Taylor asked Stephanie Shelley to bring up code 10.15.140. He said he had a conversation with Mark and Alina over the weekend. He said that he told them all he wanted to do was protect the Town and be straightforward with them. He explained that the Planning Commission had not seen the last map and the last map the Commissioners saw was with three-quarters of an acre-sized lot, and they needed to see the one with one-acre lots. Commissioner Taylor continued by explaining that the Commission didn't want to see their final and then have the Planning Commission deny it because they hadn't seen the preliminary plat. He also said that he doesn't think the Town Council can step over the Planning Commissioners like that. He informed Mark that they had been through steps one and two but that they are not numbered that way. He explained to Mark that he had put in a preliminary plat, paid the fee, and filled out that application, but this map was not attached to it, so he thought the Commissioners would attach this map to that application. Mark claimed that the Town Council did pass it. Commissioner Taylor continued telling Mark that these are the steps they have to follow, and he remarked that he doesn't know if the Town passed the preliminary. He explained that if the Council did pass it, they did it wrong because the Planning Commission had not seen this map, so he put it on the agenda as the preliminary so that the Commissioners could move that on to the Town Council, and the Council can do their thing next week. He noted that the Town Council has agreed to hold extra meetings to help the Pringles.

Mark stated that Alina sent emails to each of the Council members and Planning Commissioners with information that they were applying for the rezone and the final at the same time. Mayor McKinney was the only one who responded, so they assumed everyone was okay with their plans. He said the Mayor wanted to change the ordinance, and they said they argued with her that they should have the right to apply based on ordinances in effect at the time they followed Code 10.15.160.

Mark continued by stating that was the whole setup, and he just amended it to give the Town something. Mark continued by saying that they were legal with what they had on acreage and that they had followed the ordinance. He said that anyone can take that ordinance and look at it, and he would

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

agree they followed it to a tee. He said that was the whole setup; it was just to amend it to give the town something. He stated that they were not doing anything wrong.

The Commissioners stated that it sounded like it passed on what Mark read to them.

Mark said that the Council would expedite the Zone change and move it through. He said there is a statement in there that says it passed, and the Council didn't say it was denied, and he doesn't think it should be sent back and forth.

Commissioner Taylor turned the time over to Larry Jenkins (Town Attorney), who was on Zoom. Larry said that the changes made to this are conditional approvals (clarifying Mark's statement that the Council passed the plat). That approval really doesn't occur and take place until the requested changes are approved, and the change is the rezoning of the property. He continued by saying that it hadn't been done until the Planning Commission had approved the rezoning, and it didn't take place until the Town Council actually approved its own change, which Larry said he understood they were going to do. But, he explained, at that point, approval of the preliminary plat is not in effect, and until all of that is done, it really doesn't take effect. He said that's the point Commissioner Taylor is trying to make. Commissioner Taylor asked Larry if he had made a mistake by taking the final plat off the agenda and putting on the preliminary. Larry stated that Commissioner Taylor was correct (in removing the final plat from the agenda), as he had read the code, and that the application for the final plat really couldn't be made until the preliminary plat was fully approved.

Larry continued by explaining that the preliminary plat is not fully approved until the zone change is approved, and the zone change is not approved until it is voted on by the Town Council.

Commissioner Lancaster asked if they could send this approved preliminary plat to the Town Council and also send a recommendation that they approve the preliminary plat, and, then, in the same Town Council meeting, accept and approve a final plat so it doesn't have to come back to the Commissioners. Larry stated that if the Planning Commission is willing to do it, they can do it, but that is not a part of the current code. He said it reads that you need to get approval for the preliminary plat before you can fill out the final plat application. It is still not approved until that zone change is approved. Commissioner Strong asked if they could maybe put it on their agenda to approve the preliminary, and then their next line item could be approved as the final as long as it passes, or does it have to come back to the Planning Commission? Larry stated that if the Town Council is willing to do that. Larry said that there would be some procedures he has to go through before the final plat application can be approved until the preliminary is in effect. Then it really doesn't become effective until the Zone change happens.

Commissioner Lancaster stated that that's what she wondered about because if they had, the zone change would have happened and been approved at the beginning of the meeting. Then they get the

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

preliminary plat, and then the next thing is the final plat. She said she thinks the Town Council can override the Planning Commission in that. She thinks that's what should happen here so that they can expedite it and move on. She also said Mark and Alina did the Town a favor by approving and adjusting their zoning, boundaries, and everything. So they were one-acre lots because they were already within code. She explained that that's what Mark was saying, and so the Town should want to reciprocate that if possible and speed up the process if the Town Council is willing to do that, but that would be up to them.

Larry stated that the way the code reads right now, the final plat application can not be filed until the preliminary plat is approved by the Town Council.

Stephanie Shelley said that once approved, they can submit the application right away. By code, it has to be fourteen days before the next meeting. Michael Weber said that the way it is written would be two months away from approval. Commissioner Taylor agreed, stating that unless the Council and Commissioners are willing to have extra meetings.

Commissioner Riet motioned that we approve agenda number 9 to move the preliminary plat for Blue Skies onto the Town Council with a recommendation that they approve the final after the preliminary is approved by the Council. Commissioner Lancaster seconded the motion. The motion passed unanimously.

Commissioner Strong - Yes

Commissioner Riet - Yes

Commissioner Lancaster - Yes

Commissioner Taylor - Yes

Agenda Item #10 - Open Public Meeting Act Training - Recorder Stephanie Shelley.

Stephanie Shelley reviewed the Open Public Meeting Act training with the Commissioners.

Agenda Item #11 - If time allows, review the Accessory Dwelling Unit Ordinance. Motion to Send to Town Council with Recommendation for Adoption.

Commissioner Riet motioned to table agenda item eleven, the Accessory Dwelling Unit Ordinance, to send to the town council the recommendation for adoption. Commissioner Lancaster seconded the motion.

Commissioner Strong - Yes

Commissioner Riet - Yes

Commissioner Lancaster - Yes

Commissioner Taylor - Yes

**Approved Meeting Minutes
Fairfield Planning Commission
Regular Meeting
March 6, 2024**

Agenda Item #12 - Discuss Old Business.

Commissioner Lancaster would like to get more information and rectify the minimum lot size in the codebook. Stephanie mentioned that the codebook is currently undergoing codification. She explained that due to an error in the initial contract signing for codification, it is being ensured that there are no conflicting codes. She said that the codification process is currently underway, and no significant changes have been requested until completion. She said that it was emphasized that, for now, the more stringent code takes precedence in cases of conflicting codes.

Agenda Item #13 - Discuss New Business.

The Commissioner had nothing to discuss.

Agenda Item #14 - Action Items.

Commissioner Lancaster would like to have a minimum of one acre put into the codebook.

Agenda Item #15 - Adjourn the Planning Commission Regular meeting.

Commissioner Riet moved to end the meeting, which Commissioner Strong seconded. The meeting ended at 8:56 p.m.

April 10, 2024

Minutes Approval Date

Stephanie Shelley
Stephanie Shelley Recorder/Clerk