

**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:

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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

**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    )

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 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\_\_