

Unapproved Meeting Minutes

Fairfield Planning Commission

Regular Session

May 6, 2026

Minutes

Date: Wednesday, May 6, 2026

Location: Fairfield Town Office, 121 West Main Street, Fairfield, Utah

Time: 7:00 P.M.

Minutes By: Recorder: Stephanie Shelley

Call to Order

1) Roll Call

Commissioner Taylor opened the meeting at 7:00 pm

David Riet, Wayne Taylor, Kyler Fisher, Jamie Mascaro, Kelton Butterfield

Staff Present:

Recorder: Stephanie Shelley, Mayor: Hollie McKinney, Treasurer: Codi Butterfield, Attorney: Brad Christopherson, Sergeant Garrett Dutson.

Via-Zoom: me

Public Hearing

The Commissioners will accept public comment, limited to no more than 14 minutes total, on the following items:

1) Landscape Ordinance public hearing completion

Chair Taylor opened the public hearing on the proposed amendments to the Landscape Ordinance.

Commissioner Mascaro made a motion to open the public comment for the landscape ordinance public hearing. Commissioner Butterfield seconded the motion.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Mascaro - Yes

Commissioner Butterfield - Yes

No one was present for the comment

Commissioner Mascaro moved to close the public hearing on the landscape ordinance. Commissioner Butterfield seconded the motion.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Mascaro - Yes

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Commissioner Butterfield - Yes

Consent Items

The Council may approve these items without discussion or public comment and may remove an item to the Business Items for discussion and consideration.

- 1) **Minutes for March 19, 2026,**
- 2) **Minutes for March 23, 2026,**
- 3) **Minutes for April 1, 2026.**

The Commissioners reviewed the minutes for March 19, 2026, March 23, 2026, and April 1, 2026. After discussion, the Commissioners agreed the minutes were acceptable as presented.

Commissioner Reit motioned to pass consent items 1 through 3 on tonight's agenda. Commissioner Butterfield seconded the motion. Unanimously approved

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Mascaro - Yes

Commissioner Butterfield - Yes

Business Items

The Planning Commission will discuss (without public comment) and may either make a recommendation to the Town Council or approve the following items as needed:

- 1) **Discuss and vote to send An Ordinance Amending Title 10.19.00. Landscape Requirements, Adding Definitions and Amending Requirements to the Landscape Requirements, to the Town Council.**

The Commissioners undertook a detailed section-by-section review of the draft Landscape Ordinance. Attorney Brad Christopherson participated remotely throughout the discussion, providing legal context and drafting recommendations.

Section 10.19.30, Residential Landscaping Requirements, Page 5, Section A

The Chair directed the Commissioners' attention to Section 10.19.30 on page 5, specifically the final sentence of subsection A, which stated that the residential standards "does not include contractor/developer-installed residential." Attorney Christopherson asked for clarification regarding the intent of the language, noting he had not previously encountered that type of distinction within a landscape ordinance and questioning why a developer-installed residence would be treated differently from an owner-built residence.

Commissioners explained that the original intent was to address planned residential developments in which a developer constructs a subdivision and either sells or rents the units, ensuring that landscaping would be completed as part of the overall project. Attorney Christopherson acknowledged the intent but explained the distinction between "contractor" and

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“developer” was unclear because the two serve fundamentally different roles. He explained that a contractor installs structures, while a developer secures entitlements, installs infrastructure, and sells lots. He further noted that combining the terms with a slash could create confusion. Several Commissioners agreed that the language lacked precision.

The Chair proposed deleting the final line of subsection A, noting that the concept was already addressed elsewhere in the ordinance under the nonresidential section. The Commissioners reached consensus to remove the language.

Effective Date and Retroactivity

Attorney Christopherson addressed concerns raised during previous public comment periods regarding whether existing residents would be required to comply with the new landscaping standards. He clarified that municipalities cannot impose retroactive landscaping requirements and explained that existing homes and established land uses would be grandfathered unless there was a change in use or a new development application.

To provide clarity for the public and future enforcement officials, Attorney Christopherson recommended adding language stating the ordinance applies prospectively rather than retroactively. The Chair noted that Section 3 on page 1 already contained an effective date provision, and Commissioners discussed where additional clarifying language should be placed. Consensus was reached to include language stating the landscaping requirements apply only to applications for development received after the adoption date and do not apply retroactively to existing residences or established uses. Attorney Christopherson suggested language referencing “applications for development received after the adoption date” would appropriately address the concern, and the Commissioners agreed to incorporate that wording.

Section 10.19.40, Nonresidential Landscaping Requirements, Page 7, Section C, and Major Subdivision Applicability

Discussion then turned to the nonresidential landscaping standards and how they should apply to development. Attorney Christopherson suggested a clearer and more legally precise approach would be to specify that nonresidential standards apply to “major subdivisions” rather than using the broader contractor/developer language previously discussed. He explained this approach would properly address larger residential developments while avoiding unintended impacts on minor subdivisions, such as property owners dividing parcels for family members, which he noted had occurred historically within Fairfield.

The Commissioners agreed with this approach and discussed updating subsection A of Section 10.19.40 to state that nonresidential landscaping standards shall apply to major subdivisions and all commercial, industrial, institutional, and mixed use development. Commissioners also agreed to replace all references to “airpark nonresidential” throughout the ordinance with “mixed use zones,” reflecting the Town Council’s previous decision to eliminate the airpark zone designation

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while allowing flexibility for multiple mixed use zones in the future. Attorney Christopherson confirmed the lowercase plural form was appropriate. Commissioners further agreed to remove all references to multifamily uses because multifamily zones do not currently exist within Fairfield. Attorney Christopherson noted that including references to nonexistent zones creates unnecessary opportunities for legal challenges.

Alternative Wording for Subsection C

An alternative wording for subsection C had been submitted within the working document comments. Commissioners reviewed both the original and suggested language and generally agreed the suggested version provided greater clarity. One Commissioner commented that either version was acceptable, while another stated the suggested language was easier to understand. With no objections raised, the Commissioners directed staff to incorporate the suggested wording for subsection C.

Landscaping Planning Standards for Nonresidential, Pages 7 through 9

Attorney Christopherson raised broader concerns regarding the specificity of the nonresidential planning standards, noting that several provisions were highly detailed, including minimum caliper measurements for trees and minimum evergreen height requirements at the time of planting. While acknowledging there was nothing legally improper about the standards, he cautioned that requirements perceived as overly burdensome could discourage commercial development, particularly if nearby communities maintained less restrictive standards. He also questioned whether some specified trees would realistically survive in Fairfield's environment.

Commissioners responded with observations based on local experience. One Commissioner noted he had planted approximately twenty evergreens and only one survived, taking nearly twenty years to exceed five feet in height. Another Commissioner stated his own evergreens were thriving, attributing the success to the larger size of the trees when planted. The discussion included varying soil conditions and water table levels throughout Fairfield, with Commissioners noting that areas near the town center often have high water tables that make ornamental tree growth difficult, while drier outlying areas support greater variety with adequate irrigation.

The Chair explained the purpose of the size minimums, including the 1.5 inch caliper and 6 foot height requirements, was to improve tree survival rates within commercial developments rather than allowing developers to plant seedlings unlikely to survive. He also noted that earlier versions of the ordinance had already been revised to reduce the burden of the original standards.

After reviewing the required landscaping elements on page 9, including requirements for landscaping percentages and parking lot trees, Attorney Christopherson stated the standards no longer appeared overly burdensome and withdrew his concern. The Commissioners agreed the planning standards were acceptable as written.

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Page 7, Subsection G, Pastures, Agricultural Use, and Farm Equipment Storage

A Commissioner raised the question of whether language should be added to subsection G prohibiting the storage of farm equipment, trailers, machinery, solar equipment, or household materials within front yard areas directly in front of primary residences. The Commissioner expressed concern regarding front yards being used as storage areas for large equipment.

The discussion quickly shifted to the practical complications of regulating agricultural properties within a rural community. Commissioners acknowledged that distinctions between front yards and active farmyards are often unclear in agricultural settings. One Commissioner described situations where large equipment could not reasonably be moved behind a residence and would need to remain in front temporarily. Another Commissioner noted that what one person may consider junk could be viewed by a farmer as necessary equipment, while antique tractors and similar items are commonly used as decorative features throughout rural communities.

Attorney Christopherson cautioned that enforcing such restrictions could become difficult, particularly where longstanding agricultural practices had existed for generations. The Chair further noted that the Town's nuisance ordinance already addresses many related concerns. After discussion, the Commissioners reached consensus to leave the proposed farm equipment language out of the ordinance.

Page 11, Clear Vision Triangle

A Commissioner suggested simplifying the subsection addressing the clear vision triangle. The phrase "in accordance with the Town Street and Access Standards" was identified as unnecessary and potentially confusing. Commissioners agreed to remove the reference and retain a simpler statement describing how the clear vision triangle is measured.

Commissioners also reviewed an alternative graphic illustrating the clear vision triangle that had been submitted within the working document comments. After comparing the diagrams, the Commissioners agreed the alternative illustration provided greater clarity and directed staff to replace the original graphic.

Page 12, Section D, Materials, Maintenance, and Chain Link Fencing

The Chair noted that the Commission had previously discussed chain link fencing and its role as a screening material. He explained that after reviewing several slatted chain link fences within town, he found some installations provided poor screening because there was more open space than slat coverage. He proposed language requiring chain link fencing used as screening to achieve approximately 85 percent slat closure.

Attorney Christopherson recommended wording the provision positively rather than as a prohibition. Instead of stating chain link fencing is not allowed unless certain standards are met,

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he suggested the ordinance state that chain link fencing used as screening is permitted if it achieves at least 85 percent slat closure. He explained that positive wording avoids the appearance of banning chain link fencing while still establishing quality standards.

Commissioners agreed with the recommendation and directed that the language be revised accordingly while preserving the Town's ability to approve alternative arrangements when appropriate.

Attorney Christopherson agreed to review the final wording of the provision before the ordinance proceeds to the Town Council.

Severability and Judicial Review Provisions, Sections 10.19.90 through 10.19.120

Attorney Christopherson noted that the final sections regarding severability and judicial review are standard legal provisions and stated he would review them in detail prior to Town Council consideration.

Commissioners briefly discussed representation at the upcoming Town Council meeting scheduled for the following Wednesday. Several members indicated they would be out of town for state baseball activities. Commissioner Fisher confirmed he would attend the meeting and present the ordinance on behalf of the Planning Commission.

Commissioner Mascaro made a motion to move this landscape ordinance forward to the Town Council for their approval and review. Commissioner Butterfield seconded the motion. The motion passed unanimously.

Commissioner Taylor - Yes

Commissioner Riet - Yes

Commissioner Fisher - Yes

Commissioner Mascaro - Yes

Commissioner Butterfield - Yes

2) Discussion regarding the establishment of a Wildlife Hazard and Safety Protection Area within Fairfield, including consideration of potential boundaries and protective measures. Discuss possible action items and assignments.

Chairman Taylor opened the discussion regarding the possibility of establishing a wildlife hazard and safety protection area within Fairfield, particularly surrounding the waterways, springs, and sink areas identified within the Town's General Plan. He explained that the Planning Commission had been discussing ways to protect bald eagle habitat and other wildlife associated with the area's waterways and wetlands. Chairman Taylor noted that the General Plan already identifies "Blueway" and "Greenway" corridors extending from the Big Spring through the sinks, and suggested that those designations could serve as the framework for future wildlife protection measures or overlays following the appropriate public hearing process.

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The Commissioners reviewed portions of the General Plan that reference the Big Spring hydrological system, including language that prioritizes water quality, habitat preservation, and passive recreation. Commissioners discussed whether existing General Plan language already provided some degree of wildlife and environmental protection, while also considering whether additional protections or more specific language may be appropriate in the future.

Discussion included the geographic extent of the proposed protection area and the fact that much of the corridor consists of privately owned agricultural land currently used for grazing and farming. Commissioners acknowledged the importance of balancing wildlife and environmental concerns with private property rights and existing agricultural uses. Members also discussed the wetland nature of much of the area and noted that development in many portions is already limited by natural conditions.

During the discussion, Attorney Brad Christopherson reviewed portions of the General Plan and noted that the maps within the plan reference federal wetland designations identified by the National Wetlands Inventory. Commissioners discussed the possibility that portions of the area may already be subject to federal wetland protections and restrictions independent of local ordinances. Additional discussion included questions about how such wetland designations are determined and whether future development or water-flow modifications could affect the area.

Chairman Taylor returned the discussion to the importance of protecting the local eagle population and noted that Fairfield has historically been known for large numbers of bald eagles during the winter months. Commissioners discussed previous media coverage highlighting Fairfield's eagle population and expressed concern that eagle numbers may have declined in recent years, even though eagles continue to inhabit and nest in the area.

The Commissioners agreed that additional research was needed before considering any formal action or ordinance amendments. Commissioner Butterfield agreed to research the Migratory Bird Treaty Act and its implications for local protection efforts. Commissioner Fisher agreed to research the Bald and Golden Eagle Protection Act and its applicability to Fairfield. Commissioner Mascaro agreed to review water protection statutes and federal wetland regulations. Members agreed to compile information and report back at a future meeting to continue discussion regarding possible wildlife protection measures, General Plan amendments, or related ordinances.

The discussion concluded without formal action and will be continued at a future meeting.

Adjournment

Motion made by Commissioner Mascaro to end the meeting. Commissioner Butterfield seconded the motion. Meeting end time 8:12 pm.