

Ordinance No. 2025-12 An Ordinance Of Fairfield Town, Utah, Adopting Fairfield Town Code § 10.16 (Special Use Regulations).

Date: June 18, 2025

Created: June 18, 2025

WHEREAS, Utah Code § 10-9a-102 grants the Fairfield Town Council authority to enact or amend ordinances that is considered necessary or appropriate for the use and development of land in the Town of Fairfield; and

WHEREAS, the Town Council desires to add special use regulations for various uses in multiple zones; and

WHEREAS, a public hearing was held on May 7, 2025, duly noticed and held in accordance with Utah law;

WHEREAS, the Town Council has held a public hearing and reviewed the subject text amendment and finds that the text amendment will enhance the public health, safety, and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Fairfield Town Council:

SECTION 1. ADOPTION. The Town Council hereby adopts Fairfield Town Code § 10.16 (Special Use Regulations), as shown in Exhibit A.

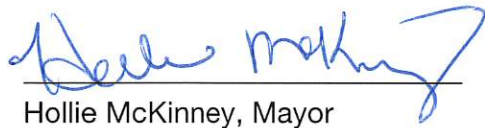
SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 3. EFFECTIVE DATE

Passed and Adopted this **18th day of June, 2025**.

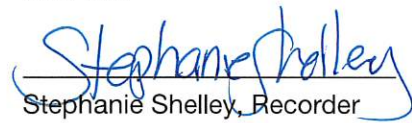
FAIRFIELD TOWN



Hollie McKinney, Mayor

RL Panek	yes <u>RZ</u>	no _____	abstain _____	absent _____
Tyler Thomas	yes <u>TT</u>	no _____	abstain _____	absent _____
Michael Weber	yes <u>MBW</u>	no _____	abstain _____	absent _____
Richard Cameron	yes <u>RSC</u>	no _____	abstain _____	absent _____

ATTEST:



Stephanie Shelley, Recorder

(OFFICIAL SEAL)



EXHIBIT A

Section 10.16.10. Purpose.

A. The purpose of these Special Use Regulations is to ensure that certain land uses, which may have unique characteristics or potential impacts, are reviewed and regulated to maintain the health, safety, and welfare of the community. These regulations are intended to:

1. Promote compatibility between special uses and surrounding properties by addressing potential impacts such as noise, traffic, visual appearance, and environmental effects;
2. Protect and enhance the character, quality, and stability of neighborhoods, commercial areas, and public spaces;
3. Provide a clear and predictable process for the review, approval, and enforcement of special uses;
4. Ensure that special uses contribute positively to the community by balancing the needs of property owners, neighbors, and the broader public interest; and
5. Align with the goals and policies set forth in the Town's comprehensive plan or other adopted planning documents.

Section 10.16.20. General Regulations.

A. The following general regulations shall apply to all special uses within the jurisdiction of the Town to ensure consistency, fairness, and adherence to community standards:

1. Compliance with Zoning and Land Use Plans. All special uses must comply with the requirements of the zoning district in which they are located and align with the goals and objectives of the Town's comprehensive plan and other applicable land use policies;
2. Minimization of Adverse Impacts. Special uses shall be designed, located, and operated to minimize negative impacts on surrounding properties, including but not limited to noise, vibration, odors, light, traffic, and visual intrusions;
3. Adequate Infrastructure and Services. Special uses must have access to adequate public infrastructure, including roads, utilities, water, sewer, and emergency services, without placing undue burden on existing systems or requiring unplanned expansions;

4. Traffic and Access Management. Special uses shall provide safe and efficient ingress and egress, with adequate off-street parking and loading areas to avoid traffic congestion and ensure pedestrian safety;
5. Compatibility with Surrounding Land Uses. Special uses must demonstrate compatibility with adjacent and nearby land uses, including appropriate buffering, landscaping, or screening where necessary to reduce visual or operational conflicts;
6. Lighting. Lighting must be directed downward to avoid glare on neighboring properties. Must follow Fairfield's lighting ordinance;
7. Environmental Protection. Special uses shall avoid significant adverse impacts on natural resources, including wetlands, floodplains, water bodies, and environmentally sensitive areas. Appropriate mitigation measures shall be required where impacts cannot be fully avoided;
8. Hazardous Material Storage and Spill Prevention. Storage of fuels, chemicals, or hazardous materials shall comply with all applicable federal, state, and local regulations, including the International Fire Code. All hazardous materials must be stored in appropriate containers with clearly marked labels and housed in secured areas;
9. Secondary containment systems are required to prevent contamination in the event of a spill or leak. Containment must be capable of holding at least one hundred and ten percent (110%) of the volume of the largest container stored;
10. Spill Prevention, Control, and Countermeasure (SPCC) Plan or equivalent emergency response plan shall be submitted to the Town as part of the application. This plan must identify:
 - a. All hazardous materials proposed to be stored or used on-site;
 - b. Spill containment methods;
 - c. Emergency contacts and training procedures; and
 - d. Clean-up and disposal procedures in compliance with EPA and Utah DEQ regulations.
11. Operational Standards. All special uses must comply with applicable operational standards established by federal, state, and local regulations, including building codes, health and safety codes, and environmental laws;

12. Time Limitations and Phasing. The Town may impose time limitations on the duration of a special use or require phasing plans to ensure orderly development and compliance with conditions of approval;
13. Periodic Review and Compliance. Special uses may be subject to periodic review by the Town to ensure continued compliance with the terms of approval. Failure to comply may result in revocation or modification of the permit;
14. Conditions of Approval. The Town may impose additional conditions as necessary to address unique characteristics of the proposed use or its site to ensure compatibility with surrounding properties and adherence to the public interest;
15. Expiration and Renewal. Special use permits shall expire if the use is not established or operational within one (1) year of the date of approval, unless an extension is granted by the Planning Commission. A use shall be considered “established” when:
 - a. All required permits have been obtained;
 - b. Construction (if applicable) has commenced; and
 - c. The use has begun operating or been substantially implemented.
16. Transferability. Special use permits shall not be transferable without prior approval of the Town, unless otherwise specified in the terms of the permit;
17. Modification of Approved Special Uses. Any material changes to an approved special use shall require review and approval by the Town through the same process as the initial application.

Section 10.16.30. Application and Approval.

A. Application. Any person or entity seeking a special use permit within the Town must submit a complete application package to the Town Administrator. The application must include the following:

1. Completed Application Form. A fully completed application form, signed by the applicant and the property owner (if different from the applicant);
2. Application Fee. Payment of the required non-refundable application fee, as set forth in the Town’s fee schedule, to cover administrative and review costs;
3. Proof of Ownership or Authorization. Documentation demonstrating that the applicant owns the property or has authorization from the property owner to

submit the application;

4. Project Description. A detailed narrative describing the proposed use, including:

- a. The nature and scope of the activity;
- b. Hours of operation;
- c. Anticipated traffic generation;
- d. Proposed number of employees (if applicable); and
- e. Any potential environmental impacts or mitigation measures.

5. Site Plan. A scaled site plan or survey, prepared by a licensed professional (if required). Site plans shall comply with Town Code § 9.1.30 site plan requirements and include nearby streets and adjacent property uses.

6. Floor Plans and Building Elevations. For applications involving new construction or building modifications, detailed floor plans and building elevations showing the size, layout, and appearance of the structures.

7. Traffic Impact Study. If required by the Town, a traffic impact study prepared by a qualified professional to assess the potential effects of the proposed use on traffic flow and safety.

8. Environmental Impact Analysis. If applicable, an environmental impact analysis identifying potential effects on natural resources, wetlands, floodplains, or other sensitive areas, along with proposed mitigation measures.

9. Neighbor Notification List. A list of all names and addresses of all property owners adjacent to the subject property or 500 feet minimum, for purposes of public notification.

10. Public Hearing Notice Materials must follow state code.

11. Additional Studies or Reports. Any additional studies, reports, or documentation deemed necessary by the Town, such as noise studies, utility impact analyses, or economic feasibility assessments.

12. Statement of Compliance. A written statement from the applicant explaining how the proposed special use complies with the zoning ordinance, special use regulations, and the Town's comprehensive plan.

13. Digital Copies. A digital copy of all submitted documents and plans in a format acceptable to the Town.

B. Screened Fencing. All areas used for storage, equipment being worked on, stored inventory, manufactured goods for sale, or fabrication must be fully enclosed with screened fencing to minimize visual impact and ensure site aesthetics.

C. Other Information. Any other information deemed necessary by the Town to adequately evaluate the application, as specified during pre-application consultations.

D. Incomplete Applications. Applications missing any of the required elements will be deemed incomplete and will not be processed until all deficiencies are addressed.

E. Review by the Planning Commission. The Planning Commission shall review each special use permit application and make its decision based on whether the application meets all applicable provisions of the Town Code.

F. Findings. The Planning Commission shall document its findings to confirm that the application satisfies all relevant provisions of the Town Code. If the application does not meet the required provisions, the Planning Commission shall specify the reasons for denial in writing.

G. Appeals. Decisions of the Planning Commission may be appealed in accordance with the procedures established in Town Code § 10.5.170 within 10 days from the date of the Planning Commission's decision.

10.16.40. Revocation of Special Use Permits.

A. A Special Use Permit may be revoked by the Town for:

1. Violation of any condition of approval;
2. Operation of the use in a manner detrimental to public health or safety; or
3. Abandonment or discontinuation of the use for twelve (12) consecutive months.
The permit holder shall be notified in writing and provided an opportunity to cure violations or request a hearing before the Planning Commission.

Section 10.16.50. Contractor Yards and Industrial Outdoor Storage.

A. Use-Specific Setbacks.

1. All storage areas, equipment, and materials must be located at least:
 - a. One hundred (100) feet from any residential property line; and

b. Twenty-five (25) feet from public rights-of-way.

2. No storage or activity shall occur within the required landscaping buffers or front yard setback.

B. Height of Stored Materials. Materials, equipment, or vehicles stored outdoors shall not exceed sixteen (16) feet in height unless screened by a solid structure or enclosure of equivalent or greater height.

C. Pavement and Surface Requirements.

1. Storage and operational areas must be paved or surfaced with dust-free materials, such as gravel, asphalt, or concrete, as approved by the Town; and
2. Appropriate stormwater management features, such as permeable surfaces or retention areas, must be incorporated to prevent runoff.

D. On-Site Waste Management.

1. All waste materials generated on-site must be stored in designated, enclosed areas and regularly disposed of; and
2. Open burning of waste or debris is prohibited.

E. Vehicle and Equipment Restrictions.

1. Only vehicles and equipment directly associated with the contractor's or industrial operation may be stored on-site; and
2. No long-term storage of unregistered, inoperable, or salvaged vehicles or equipment is permitted unless explicitly authorized.

F. Temporary Structures.

1. Temporary structures, such as storage containers or modular offices, may be allowed with prior approval but must be located in compliance with setback and screening requirements; and
2. Temporary structures must be removed within a specified timeframe if no longer associated with the approved use.

G. Fuel and Chemical Storage.

1. Storage of fuels, chemicals, or hazardous materials must comply with all federal, state, and local regulations including International Fire Code and include secondary containment systems to prevent contamination; and
2. A spill response plan must be submitted with the application and kept on-site.

H. Fencing and Security.

1. Contractor yards and industrial outdoor storage facilities must be fully enclosed with a secure fence or wall, at least 6 feet in height, with lockable gates; and
2. Security measures, such as surveillance cameras or lighting, must be implemented to deter unauthorized access.

I. Seasonal and Idle Equipment. Seasonal or idle equipment stored on-site must be maintained in operable condition and stored in an orderly manner.

Section 10.16.60. Automotive Uses.

A. The following standards shall apply to all automotive uses, including automotive repair, automotive paint and repair, automotive service, automotive storage, towing yards, and automotive rentals.

1. Storage of vehicles must be screened from public view with a minimum 6 feet opaque fence or solid wall;
2. Spray painting/bodywork must be conducted inside enclosed, ventilated and environmentally safe structures;
3. No dismantling or salvaging of vehicles shall be permitted on site;
4. Vehicles may not be stacked;
5. Stormwater management measures must be in place to prevent fluid leaks from contaminating the ground;
6. A maximum storage duration of 180 days per vehicle shall be enforced; and
7. All vehicle storage must be on a paved or stabilized surface to minimize dust and environmental impact.

Section 10.16.70. Auto Self-Serve Stations, Gas Stations, Convenience Stores, Fuel Stations.

A. Location Restrictions.

1. Gas stations and convenience stores must be located at least:
 - a. Three hundred(300) feet from schools, daycare centers, and residential zoning districts, unless otherwise approved with appropriate mitigation measures; and
 - b. One Thousand (1,000) feet from existing gas stations to avoid over-concentration, unless deemed necessary to serve the community.
2. Sites must be located at intersections or along major arterial or collector streets

for optimal traffic flow and access.

B. Fueling Station Setbacks.

1. Fuel pump islands must be set back at least:
 - a. Twenty-five (25) feet from all property lines; and
 - b. Fifty (50) feet from any residential property or district boundary.

C. Canopy Design and Lighting.

1. Canopies over fuel pumps must:
 - a. Be designed to complement the architectural character of the primary building; and
 - b. Shall not exceed twenty (20) feet in height.
2. Lighting under the canopy must be fully recessed and shielded to prevent glare onto adjacent properties or roadways.

D. Underground Storage Tanks (USTs).

1. All underground storage tanks must comply with state and federal regulations for installation, monitoring, and spill prevention; and
2. A spill containment and response plan must be submitted as part of the application.

E. Traffic and Access Management.

1. A minimum of two (2) access points must be provided, with no access drive located closer than fifty (50) feet to an intersection;
2. Driveways must align with existing or planned driveways on opposite sides of the street, wherever feasible; and
3. On-site circulation must allow for safe and efficient movement of vehicles, including fuel delivery trucks, without impeding traffic on public roads.

F. Parking Requirements.

1. A minimum of one (1) space per two hundred fifty (250) square feet of building area, excluding fueling positions; and
2. Fueling positions shall not count toward required parking spaces.

G. Screening and Buffering.

1. A solid fence or wall, six 6 feet in height, and landscaping shall be required along property lines adjoining residential districts or uses; and
2. Dumpster and service areas must be fully screened with materials matching the primary building.

H. Convenience Store Regulations.

1. Outdoor display or sale of goods (e.g., propane tanks, firewood, ice machines) is permitted only in designated areas approved on the site plan;
2. Overnight parking of commercial vehicles is prohibited unless explicitly approved; and
3. Alcohol sales must comply with local and state licensing requirements.

I. Environmental Protections.

1. Stormwater runoff must be managed to prevent contamination of nearby water resources; and
2. Spills from fueling operations must be cleaned immediately, and all spills must be reported in compliance with local, state, and federal requirements.

J. Signage.

1. Freestanding signs must be located outside visibility triangles and setback at least ten(10) feet from property lines; and
2. Electronic price displays must not flash or change more frequently than once every thirty (30) seconds.

K. Hours of Operation. Hours of operation may be restricted in proximity to residential areas. Standard hours of operation are 5:00 AM to 11:00 PM, unless otherwise approved.

L. Security Measures.

1. Security cameras must monitor all fueling stations, entry points, and parking areas; and
2. The site must be well-lit, with lighting designed to minimize glare and spillover onto adjacent properties.

M. EV Charging Stations. If electric vehicle (EV) charging stations are provided, they must be located to avoid traffic congestion and must be clearly marked and accessible.

N. Air and Water Stations. An air and water station must be provided for public use

and located to ensure safe access without impeding on-site traffic circulation.

O. Fuel Delivery Restrictions. Fuel deliveries must be restricted to off-peak hours to minimize traffic disruptions.

Section 10.16.80. Microbreweries and Distilleries.

A. Outdoor seating or entertainment areas must be at least one hundred (100) feet from residential properties.

B. Loading/unloading zones must be designed to prevent traffic congestion.

C. Odor mitigation measures may be required.

Section 10.16.90. Showroom and Sales Centers.

A. Buildings must be architecturally compatible with surrounding structures.

B. Parking areas must be paved and ADA-compliant.

C. Outdoor display areas must be screened from public roads.

Section 10.16.100. Commercial Greenhouses & Hydroponic Greenhouses.

A. Must include a water conservation plan and use responsible irrigation practices.

B. Chemical storage and fertilizer handling must follow Utah State environmental regulations.

C. Must be set back at least fifty (50) feet from residential properties.

D. Operators must implement an Odor Mitigation plan

E. No detectable odors should cross property boundaries. Verified complaints will require immediate mitigation.

F. Operators must submit a Waste Management plan detailing how plant and water runoff will be handled.

Section 10.16.110. Welding, Fabrication, Machine Shop, and Small Engine Repair.

A. Operations producing noise or vibrations must be conducted indoors or be mitigated with noise barriers.

B. Storage of hazardous materials must comply with federal and state regulations.

Section 10.16.120. Fireworks Sales/Stands.

A. Firework storage and sale areas must comply with Utah State Fire Code.

B. A fire suppression and emergency plan must be submitted.

C. Temporary sales stands must be at least 300 feet from residential properties.

Section 10.16.130. Public Utility Stations.

- A. Must be screened with landscaping or fencing to minimize visual impact.
- B. Noise-producing equipment must meet Fairfield Noise Ordinances.

Section 10.16.140. Pawn Shops.

- A. Must be at least one thousand (1,000) feet from any school, park, or residential area.
- B. Security measures, including surveillance cameras and proper lighting, are required.

Section 10.16.150. Warehouse Storage Units (Commercial).

- A. Shall not be used for residential storage or self-storage purposes.
- B. Must provide adequate loading docks and circulation areas to prevent traffic congestion.

Section 10.16.160. Indoor Shooting Ranges.

A. Safety Regulations:

1. Must conform to all federal, state, and industry regulations for health and safety;
2. Construction must be designed and certified to capture all fired rounds;
3. No ammunition may be fired that exceeds the range's certified design specifications;
4. Alcoholic beverages shall not be sold, consumed, or permitted on the premises;
5. A written log of all range users must be maintained by the range operator;
6. Minors must be accompanied by a responsible adult at all times. No child under eight years old may discharge or handle firearms;
7. On-site supervision and monitoring must be provided at all times; and
8. A cut-wire protected alarm system must be installed for general security.

B. Sound Study:

1. A sound study shall be conducted and submitted with the application; and
2. Noise levels above sixty-five (65) decibels at property lines shall be considered a nuisance and require mitigation.

C. Additional Components:

1. May include a retail component for the sale and rental of firearms, ammunition, and related accessories;

2. May include classroom facilities for community education and gun safety training; and
3. May include a restaurant or dining component.

Section 10.16.170. Multi-Tenant Industrial Building (MTIB).

A. Multi-Use Configuration: Units may be used for a combination of industrial, office, and storage purposes, subject to zoning compliance.

B. Independent or Shared Facilities: Each tenant may have independent access or share common infrastructure such as loading docks, parking, and utilities.

C. Zoning Compliance: All businesses operating within the MTIB must comply with the permitted and conditional uses outlined in the Light Industrial West Zone.

D. Parcel and Ownership Structure: The building may be under single or multiple ownership, with businesses leasing or owning individual units.

E. Tenant Improvement Permit Requirement: Each tenant is required to obtain a Tenant Improvement Permit from the Town of Fairfield before making any modifications, alterations, or occupying space within the MTIB. This includes but is not limited to:

1. Interior build-outs, electrical, plumbing, and structural changes;
2. Installation of new equipment or machinery requiring utility connections; and
3. Changes to the use of the space that may impact zoning, fire codes, or safety regulations

Definitions (Special Use Regulations)

Abandonment. Means the discontinuation of a use or activity for a period of twelve (12) consecutive months or more, unless otherwise approved by the Town.

Accessory Building or Structure. Means a building or structure that is subordinate to the primary use of a property and serves a purpose customarily incidental to the main use.

Application. Means a complete package submitted to the Town for review of a proposed Special Use, including all required forms, fees, plans, and documentation.

Buffer. Means a landscaped area or physical barrier intended to reduce visual, sound, or operational impacts between dissimilar uses.

General Plan. Means the officially adopted planning document of the Town of Fairfield that guides future growth, land use, infrastructure, and community development.

Compatibility. Means the degree to which a proposed use is consistent in scale, appearance, intensity, and function with surrounding uses or zoning districts.

Dust-Free Surface – A stable, compacted surface made of gravel, concrete, asphalt, or similar material approved by the Town to minimize airborne dust.

Findings – Written conclusions by the Planning Commission that justify the approval, denial, or modification of a Special Use Permit based on applicable criteria.

Hazardous Materials – Any substance or material that may pose a threat to health, safety, or the environment as defined by federal, state, or local law.

Mitigation – Measures taken to reduce or eliminate negative impacts resulting from a development or land use, such as noise, light, odor, or traffic.

Material Modification – A substantial change to an approved Special Use, including but not limited to changes in intensity, site layout, building footprint, hours of operation, or approved conditions.

Noise Barrier – A physical structure, such as a wall or fence, designed to block or absorb noise to protect adjacent properties.

Odor Mitigation Plan – A written plan outlining the steps a property owner or operator will take to prevent offensive odors from crossing property lines.

Operational Standards – Conditions and performance measures imposed on a use to ensure it operates safely, quietly, and without adverse community impacts.

Screened Fencing – A fence or wall, typically 6 to 8 feet in height, designed to obscure outdoor storage, equipment, or operations from public view using solid or opaque materials.

Special Use – A land use that is allowed within a zoning district only after review and approval by the Town, subject to specific conditions to ensure compatibility and mitigate impacts.

Special Use Permit (SUP) – A permit issued by the Town of Fairfield allowing a Special Use, subject to compliance with all applicable standards and conditions.

Temporary Structure – A non-permanent building or container used on a property for a limited duration in support of an approved use or construction activity.

Town – Refers to the Town of Fairfield, Utah.

Use – The purpose or activity for which a lot, building, or structure is designed, intended, or occupied.

Zoning Administrator – The individual or office responsible for interpreting and enforcing the Town's zoning ordinance, which may include the Mayor or Town Recorder as designated.

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 **18th day of June, 2025.**

Ordinance No. 2025-12 An Ordinance Of Fairfield Town, Utah, Adopting Fairfield Town Code § 10.16 (Special Use Regulations).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of
Fairfield Town, Utah, this **18th day of June, 2025**.

Stephanie Shelley
Stephanie Shelley
Fairfield Town Recorder/Clerk



AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
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 **18th day of June, 2025**, and herein referred to as:

SUMMARY.

Ordinance No. 2025-12 An Ordinance Of Fairfield Town, Utah, Adopting Fairfield Town Code § 10.16 (Special Use Regulations).

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 19th day of June, 2025