

**Resolution No. R2026-02** Notice of Pending Ordinance related to changes in the Conditional Use Ordinance (Chapter 10.17.00). **Dated March 25, 2026**

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**WHEREAS,** Utah Code 10-20-902 generally allows a land use applicant to be entitled to a municipality's land Use approval;

**WHEREAS,** However, Utah Code, 10-20-902(1)(a)(ii)(B) allows a municipality to not approve a land use application if "the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing.";

**WHEREAS,** During a thorough review of the Town's Conditional Use Ordinance, the Town found numerous concerning issues within Chapter 17 that, if it goes uncorrected, is a compelling, countervailing interest against the public and the Town;

**WHEREAS,** The Town finds the following:

1. In reviewing the Conditional Use Chapter, the regulations contained therein are significantly lacking in providing clear instructions and standards;
2. Additionally, it appears that the application process is lacking key components that are necessary to enforce Conditional Uses (10.17.50.);
3. The Standards of Review are incomplete and need to be revisited and amended (10.17.70) due to recent legislative changes and recent court rulings;
4. The Conditional Use Ordinance is outdated, unclear, contains incorrect references to missing or repealed Town Code provisions and is otherwise difficult to understand;
5. The Conditions for Approval need to be amended (10.17.60);
6. Sections 10.17.10., 10.17.30., 10.17.40., and 10.17.80 - 10.17.100 may be amended, removed, or moved to applicable zones.

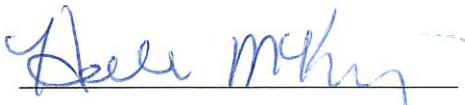
**NOW THEREFORE,** Be it resolved by the Governing Body of Fairfield Town, Utah, that:

1. Based on the findings above, the Town concludes that a compelling, countervailing public interest would be jeopardized by approving any application for Conditional Use;

2. The Town will not process any current or future Conditional Use applications until the Town formally adopts regulations for 10.17.00. Conditional Use or 180 days have passed, whichever is first. See Utah Code 10-20-902(1)(b)
  
3. This resolution shall take effect immediately upon passage.

**Passed and adopted this 25th day of March 2026.**

FAIRFIELD TOWN

  
 Hollie McKinney, Mayor

|                 |                |          |               |
|-----------------|----------------|----------|---------------|
| Hollie McKinney | yes <u>HM</u>  | no _____ | abstain _____ |
| RL Panek        | yes <u>RP</u>  | no _____ | abstain _____ |
| Tyler Thomas    | yes <u>TT</u>  | no _____ | abstain _____ |
| Michael Weber   | yes <u>MB</u>  | no _____ | abstain _____ |
| Richard Cameron | yes <u>RSC</u> | no _____ | abstain _____ |

ATTEST:

  
 Stephanie Shelley, Recorder

(OFFICIAL SEAL)



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 **25th day of March 2026**.

Resolution No. R2026-02 Notice of Pending Ordinance related to changes in the Conditional Use Ordinance (Chapter 10.17.00)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Fairfield Town, Utah, this **25th day of March 2026**.

  
Fairfield Town Recorder/Clerk

