

UTAH COUNTY PLANNING COMMISSION

Minutes June 17, 2025

Present:

Shayne Pierce
Seth Cox
Karen Ellingson
Sullivan Love
Lorraine Davis

Excused:

Chris Herrod
Robert McMullin
Glen Roberts

Also Present:

Bryce Armstrong
Greg Robinson
Marie Patten
Xiao Dong
Dale Eyre

A. CALL TO ORDER

Shayne Pierce called the meeting to order at 5:33 PM at 100 E Center St, Room 1400, of the Utah County Administration Building, located in Provo, Utah.

B. APPROVAL OF MINUTES

Motion: Sullivan Love Second: Lorraine Davis

Motion to **approve** the minutes of the May 20, 2025, meeting of the Utah County Planning Commission. The motion passed with the following vote: "Aye" Shayne Pierce, Seth Cox, Karen Ellingson, Sullivan Love, Lorraine Davis. "Nay" none.

C. CONDITIONAL USE APPLICATION(S)

- 1. MountainWest Pipeline, LLC - Application #CU2025-04 - Request for conditional use for a proposed transmission tower which exceeds 100 feet in height in the Mining and Grazing (M&G-1) Zone located in Section 22, T6S R1W, Lake Mountain area of unincorporated Utah County**

Xiao Dong explained that Mountain West Pipeline LLC submitted a conditional use permit application to construct a 180-foot telecommunication tower on a 320-acre parcel near North Lake Mountain Communications Road in unincorporated Utah County. The tower was intended for internal communications across the Mountain West pipeline system, connecting remote towers. She noted that the land is zoned as Mining and Grazing (M&G-1), where such towers are

allowed, but height is typically limited to 100 feet unless approved through a conditional use for a greater height. Due to the remote location and the operational need, staff concluded that the height increase would not negatively impact public health or safety and recommended approval. She invited questions and mentioned that the applicants were present.

Cindy Sheehan, the land representative for Mountain West Pipeline, explained that the proposed tower is crucial for their internal communication system, which spans Colorado, Wyoming, and Utah. Because the system uses mountain peaks to avoid numerous smaller towers, the 180-foot height is necessary.

Karen Ellingson asked whether the goal was to achieve line-of-sight between towers.

Cindy Sheehan confirmed that line-of-sight was essential to maintain connectivity across their network and explained that the tower's height ensures signal transmission without intermediate towers.

Shayne Pierce asked whether the tower would have dishes.

Cindy Sheehan clarified that the tower would include microwave equipment for internal communication only and would not be leased to commercial providers like Verizon.

Shayne Pierce checked for further questions, thanked the applicant, and verified that no additional public comments were requested.

Motion: Sullivan Love Second: Karen Ellingson

Motion to **approve** the conditional use permit, #CU2025-04, a request for the height of a proposed telecommunication tower to exceed 100 ft, subject to staff findings, including the staff report and the conditions, as noted in the staff report. The motion **passed** with the following vote: "Aye" Shayne Pierce, Seth Cox, Karen Ellingson, Sullivan Love, Lorraine Davis. "Nay" none.

D. LAND USE ORDINANCE AMENDMENT (PUBLIC HEARING)

- 1. Utah County Planning Commission - Proposed Utah County Land Use Ordinance text amendment to Sections 12.12.F and 12.16.F, and any other applicable section, related to the reduction of side and rear setback requirement for certain residential accessory structures, including accessory dwelling units, in the Rural Residential (RR-5) and Transitional Residential (TR-5) Zones**

Xiao Dong introduced a proposed text amendment initiated by the Utah County Community Development Department. The amendment aimed to reduce the side and rear setback requirements for residential accessory structures, including detached ADUs of 1,500 square feet or less, in the R5 and TR5 residential zones from 15 feet to 10 feet. The goal was to offer

property owners more flexibility, encourage efficient site design, and support moderate-income housing in accordance with county and state initiatives. She stated the amendment met ordinance requirements and recommended that the Planning Commission forward it for approval.

Karen Ellingson asked if fire officials had raised concerns.

Xiao Dong explained that the fire marshal noted risks in wildland urban interface areas, but staff believed the proposal still balanced flexibility and safety.

Bryce Armstrong added that a similar amendment had already been approved in the Critical Environment, CE-2 zone and noted that even with a 10-foot setback, fire codes would still be met. He explained these zones typically involve smaller lots with central water systems, including hydrants, which help mitigate fire concerns.

Sullivan Love inquired about lot sizes in the zones.

Bryce Armstrong clarified that while the zones normally allow one home per five acres, planned subdivisions could include lots as small as 20,000 square feet with central water systems.

Sullivan Love also asked about the ADU size limits.

Bryce Armstrong explained detached ADUs are generally limited to 1,000 square feet but can be increased to 1,500 square feet with a restrictive covenant that ensures moderate-income housing rents.

Shayne Pierce asked why the setbacks had increased over time.

Bryce Armstrong explained they had once been 10 feet, then increased to 25 feet in some zones due to conservative planning, but later staff found these larger setbacks created unnecessary space constraints, especially for agricultural uses, leading to the reconsideration.

Seth Cox asked if the setback could be reduced below 10 feet.

Bryce Armstrong advised caution, noting that further reductions could result in very close proximity between structures, especially on small lots. He also noted that county fire response infrastructure differs from cities, which often have more compact designs.

Greg Robinson added that large structures like barns or arenas on bigger lots might present problems if placed closer than 10 feet from the property line, affecting neighbor enjoyment.

Karen Ellingson asked if a large barn could be placed 10 feet from a property line.

Greg Robinson replied that this could happen only if the barn were under 1,500 square feet. Otherwise, the 15-foot rule would still apply. He also noted the county didn't restrict height near property lines like cities do, but the general limit was 40 feet.

Bryce Armstrong confirmed the 40-foot height limit and added that taller unoccupied structures would need a conditional use permit.

Shayne Pierce asked whether the amendment was linked to affordable housing goals.

Bryce Armstrong said yes, the amendment aligned with county objectives to reduce barriers to building accessory dwelling units.

Shayne Pierce confirmed the amendment applied to just two zones.

Karen Ellingson asked about the typical height of single-story homes.

Bryce Armstrong responded that single-story homes were usually around 20-25 feet tall, including the roof.

Karen Ellingson expressed concern about potential tall ADUs close to property lines.

Bryce Armstrong and **Greg Robinson** agreed that while cities often limit height near property lines, the county had not experienced issues justifying such restrictions. However, they were open to reviewing the matter if needed.

Karen Ellingson also raised the concern that some areas could be annexed into cities and that the county should avoid approving structures that might conflict with future urban development.

Greg Robinson acknowledged the concern and said the county tries to maintain compatibility with neighboring jurisdictions, though so far, such conflicts had not arisen.

Bryce Armstrong added that allowing a 40-foot-tall house 15 feet from the property line already exists under current rules, so the change to 10 feet is not extreme. He said the planning commission could revisit the height concern if issues arise later.

Motion: Sullivan Love Second: Seth Cox

Motion to **open** public hearing. The motions **passed** with the following vote: "Aye" Shayne Pierce, Seth Cox, Karen Ellingson, Sullivan Love, Lorraine Davis. "Nay" none.

No input from the public was provided.

Motion: Karen Ellingson Second: Sullivan Love

Motion to **close** public hearing. The motions **passed** with the following vote: "Aye" Shayne Pierce, Seth Cox, Karen Ellingson, Sullivan Love, Lorraine Davis. "Nay" none.

Motion: Seth Cox Second: Lorraine Davis

Motion to recommend **approval** to the Utah County Commission of the proposed amendments to Sections 12.12 and 12.16 of the Utah County Land Use Ordinance with modifications as specified in the staff report, along with any applicable renumbering and reformatting in each section based on the findings specified in the staff report under Subsection 5. The motion **passed** with the following vote: "Aye" Shayne Pierce, Seth Cox, Karen Ellingson, Sullivan Love, Lorraine Davis. "Nay" none.

E. OTHER BUSINESS

1. Discussion on updating Utah County Planning Commission Resolution No. 2013-01 for Rules of Conduct for Public Hearings and Meetings

Shayne Pierce introduced the agenda item, which outlines rules of conduct for public hearings and meetings. He confirmed that the item was for discussion only and not actionable at this time.

Bryce Armstrong explained that he and Dale Eyre reviewed the old resolution and proposed a simplified draft. Their revisions aimed to create a clearer framework for public participation, especially during public hearings. They included a new provision for general public comment at the end of every meeting, similar to the county commission's approach, allowing citizens to voice concerns outside of action items. He noted that time limits and decorum rules were clarified, and a rebuttal period was removed to avoid confusion.

Shayne Pierce summarized the key points, noting the revised approach limits public comments to designated public hearings and a general comment period at the end of meetings. He explained that individuals would be allowed three minutes to speak, with group representatives given seven minutes, and that the chair would have the authority to end redundant or off-topic remarks unless overridden by a motion and vote.

Karen Ellingson and **Dale Eyre** supported the simplification.

Dale Eyre emphasized that the county commission is the decision-making body, and public input should not derail the process. He stated that the revised rules were designed to streamline meetings and ensure productive participation.

Bryce Armstrong added that the updated draft also set clearer guidelines for submitting written materials, requiring them to be submitted before the meeting or during a speaker's time. This change was intended to prevent last-minute handouts that can be disruptive.

Dale Eyre noted that speakers must still state their names for the record, as required by state law.

Sullivan Love expressed general approval of the revisions but suggested updating internal references.

Karen Ellingson raised the issue of digital materials such as maps or slideshows, asking whether the rules addressed these formats.

Dale Eyre responded that such materials would need to be retained as part of the record and that they would work with IT to ensure a way to capture digital submissions. He emphasized the importance of preserving anything that is considered by the commission.

The group discussed how similar digital materials are used in staff presentations and how public submissions could be handled consistently.

Seth Cox suggested capturing screenshots or recordings to preserve the content for the record.

Bryce Armstrong acknowledged this need and said they would work on language to address digital materials in the next draft.

Lorraine Davis praised the decision to model the changes after the county commission's system, noting that it works well.

Shayne Pierce suggested staff look into how digital content is recorded and how other commissions handle it, particularly when individuals present unscheduled materials.

Karen Ellingson raised the possibility of text messages being submitted as written material.

Bryce Armstrong responded that such items could be printed and submitted, and they would consider how to address all media formats.

Lorraine Davis asked how to proceed with formalizing the changes.

Shayne Pierce suggested a motion to direct staff to revise the resolution further and add the item to the next meeting's agenda for official action.

Bryce Armstrong noted that the July meeting was likely canceled so that the changes would be ready for the August meeting instead.

F. ADJOURN

The meeting was adjourned at 6:16 PM.

Utah County Planning Commission
June 17, 2025

Minutes respectfully submitted by:

APPROVED BY:

Mary Pat
Secretary

B. Brown
Chair