

CUP PRELIMINARY REVIEW REPORT & RECOMMENDATION (§16.16.08(A))

Development Review Committee (DRC)

Project: Rocky Mountain Power Electrical Substation

Applicant: Bhairavee Sant, PacifiCorp / Rocky Mountain Power

Zoning: Open Space – Conditional Use (Utility)

Parcel(s): V-2139-L, 2-1-23-420

DRC Meeting Date: January 14, 2026

Prepared By: Shaila Kuikahi, Permit Technician with input from the Development Review Committee

Reviewed By: Mark Meyers, Town Manager

A. Brief Summary of the Conditional Use Proposed

(§16.16.08(A)(2)(a))

The applicant requests approval of a Conditional Use Permit to construct and operate an electrical substation within the Open Space zoning district. The proposed substation is intended to support existing electrical infrastructure, accommodate projected load growth in the region, and allow for the consolidation of temporary electrical facilities.

B. Likely Adverse Effects Identified by the DRC

(§16.16.08(A)(2)(b))

During the preliminary review, the Development Review Committee identified the following potential adverse effects if not properly mitigated:

- Visual impacts associated with utility infrastructure within a natural landscape
- Potential lighting impacts inconsistent with dark sky standards
- Site impacts related to grading, drainage, and access
- Land use compatibility considerations within the Open Space zone

These potential adverse effects are not determinative and may be mitigated through conditions of approval.

C. Compliance Analysis — General CUP Review Criteria

(§16.16.08(A)(2)(c); §16.16.20)

The Development Review Committee finds that the proposed Conditional Use:

- Complies with applicable Town, State, and Federal laws
- When approved conditions are met, the proposal complies with the Open Space Zone
- Is not detrimental to the public health, safety, or welfare
- Is consistent with the Town's General Plan
- Has adequate access, utility capacity, and emergency service availability
- Can comply with Dark Sky lighting, screening, and environmental standards through conditions

Additional General CUP Review Criteria

Based on the nature of the proposed electrical substation and the information provided, the Development Review Committee finds that the remaining General Conditional Use Permit review criteria are either not applicable or are not anticipated to result in measurable impacts. Criteria related to traffic generation, pedestrian circulation, off-street parking, hours of operation, noise, and general liability insurance do not present operational or land-use concerns beyond those typical of essential utility infrastructure. As proposed and when subject to applicable conditions, the project is not expected to adversely affect surrounding properties or the public interest.

D. Compliance Analysis — Specific Use Standards

(§16.16.08(A)(2)(d); §16.16.22)

The proposed utility use is allowed as a Conditional Use within the Open Space zoning district.

Specific Use Standards, No adverse Impact

The Development Review Committee finds that applicable standards related to site design, environmental protection, safety, and visual compatibility can be met and enforced through the recommended conditions of approval. The proposed electrical substation is located along a roadway that already accommodates utility and service-oriented uses, including an existing waste transfer station, and is therefore consistent with the established functional character of the area. No additional specific use impacts were identified beyond those addressed in this report.

E. DRC Recommendation to the Planning & Zoning Commission

(§16.16.08(A)(2)(e))

Based on the preliminary review, the Development Review Committee recommends approval of the Conditional Use Permit with conditions, as the identified adverse effects can be adequately mitigated.

F. Recommended Conditions of Approval

(§16.16.08(A)(2)(f))

The Zoning Administrator, with input from Virgin Town Staff and the Development Review Committee, recommends the following conditions as reasonable and necessary to mitigate identified adverse effects:

1. Block Wall Screening: A block wall with a minimum height of seven (7) feet shall be used in lieu of a chain link fence with barbed wire to better preserve and complement the natural landscape.
2. Lighting Compliance: All exterior lighting shall comply with the Town of Virgin Dark Sky Ordinance (§16.50).
3. Setback Verification: The applicant shall demonstrate compliance with all applicable zoning setbacks to the satisfaction of the Zoning Administrator.
4. Engineering Review: Final grading plans, drainage calculations, stormwater management measures, floodplain compliance documentation, slope stabilization/retention details, and any required percolation testing shall be reviewed and approved by the Town Engineer prior to issuance of any building or construction permits.
5. Easements: Any required utility or access easements shall be established prior to building permit issuance.
6. Building Permit Requirement: Approval of this Conditional Use Permit does not authorize construction. A separate building permit is required prior to commencement of any site or building work.

Recommendation to the Planning & Zoning Commission

Approve the Conditional Use Permit with Conditions.

Gene Garate

Zoning Administrator (DRC Chair)

Town of Virgin

Signature:



Gene Garate

Date:

1/21/26