

UTAH COUNTY PLANNING COMMISSION

**Minutes
May 19, 2026**

Present:

Shayne Pierce
Sullivan Love
Lorraine Davis
Seth Cox
Robert McMullin
Stanford Sainsbury

Excused:

Glen Roberts

Also Present:

Bryce Armstrong
Greg Robinson
Marie Patten
Dale Eyre

A. CALL TO ORDER

Shayne Pierce called the meeting to order at 5:30 PM at 100 E Center St, Room 1400, of the Utah County Administration Building, located in Provo, Utah.

B. PLEDGE OF ALLEGIANCE

Seth Cox led the Pledge of Allegiance.

C. APPROVAL OF MINUTES

Motion: Seth Cox Second: Sullivan Love

Motion to **approve** the minutes of the April 21, 2026, meeting of the Utah County Planning Commission. The motion passed with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Seth Cox. "Nay" none.

D. ITEMS SUBJECT TO PUBLIC HEARING

- 1. Rocky Mountain Power - Proposed Utah County Land Use Ordinance text amendment to Section 8.44.A.4, and any other applicable section, to designate electric power transmission and distribution lines of 345 kV and over within a new transmission corridor as a permitted use in any zone (item continued from April 21, 2026 Planning Commission meeting)**

Bryce Armstrong explained that the item was a land use ordinance text amendment and, therefore, a legislative action, unlike previous conditional use item that was administrative. He

noted that the Planning Commission would make a recommendation to the County Commission, which would take final action. He then introduced Greg Robinson to provide the staff report.

Greg Robinson explained that Rocky Mountain Power had requested a text change to the county land use ordinance regarding 300-kilovolt transmission lines. He stated that the amendment would change the process for transmission lines 345 kV or higher within a new corridor from a conditionally permitted use to a permitted use. He noted that staff supported the recommendation because county staff would recommend transitioning many conditional uses to permitted uses with specific standards attached, consistent with the direction encouraged by state code. He explained that Rocky Mountain Power's application had originally been scheduled for the April Planning Commission meeting, but the applicant had asked for more time to review and address staff recommendations. He stated that the applicant had amended the application to include staff's recommendations, including compliance with county noise ordinances and notice requirements. He explained that notices would be sent 90 days before seeking to acquire the right-of-way from landowners within 300 feet of the transmission line right-of-way. He then noted that the applicant was present to discuss the proposed changes.

Cameron Sabin introduced himself as counsel for Rocky Mountain Power and thanked the commission and staff for their time. He explained that Rocky Mountain Power had worked with staff on the proposed amendment and technical language. He stated that large transmission lines, such as 345-kilovolt lines and larger, almost always went through federal, state, and other agency permitting processes outside local jurisdiction. He explained that environmental assessments, endangered species issues, historic preservation, migratory birds, clean water, clean air, tribal coordination, the Army Corps of Engineers, the Federal Energy Regulatory Commission, and National Electric Safety Code requirements were handled through other regulatory processes. He emphasized that other agencies addressed many concerns raised during the process and that these were not matters handled by the county. He further explained that at the state level, utilities were regulated by the Utah Public Service Commission, the Utah Department of Transportation, the Trust Lands Administration, the Utah Department of Environmental Quality, the State Historic Preservation Office, and the Division of Wildlife Resources. He stated that the proposed ordinance standards incorporated compliance with applicable federal, state, and local law, so the county could be assured that those processes were not excluded. He then described local permitting and coordination, including construction, property, water, and noise ordinance issues. He stated that one major concern raised by staff and others was compliance with Utah County's noise ordinance. He explained that transmission lines inevitably produced some audible noise, but that the proposed standards would require the line to comply with the county noise ordinance at the edge of the transmission line right-of-way. He noted that the ordinance included residential noise limits of 50 decibels at night and 55 decibels during the day. He also stated that concerns about plant life, wildlife, migratory birds, and endangered species were addressed through federal and state processes and, therefore, were not built directly into the county ordinance standards. He then reviewed the proposed standards. He explained that transmission lines rated 345 kilovolts or above would be required to comply with the county noise ordinance at the edge of the transmission line right-of-way. He stated that lines below that level were already permitted uses under the existing ordinance. He also explained that the notice requirement would apply in every situation, including cases where Utah's existing notice statute might not apply because of federal permitting. He stated that landowners within 300 feet of the transmission line would

receive notice 90 days before property was sought to be acquired, and the notice would include minimum project information. He addressed visual impacts and stated that transmission facilities would be designed and constructed, to the extent reasonably feasible, to minimize visual impacts, including the use of non-glare materials. He explained that the phrase “reasonably feasible” was used because some design choices were limited by the need for the line to function properly. He also described a general compliance standard requiring design, construction, and operation of transmission lines to comply with all applicable state and federal requirements. He then explained that, where feasible, transmission lines would be encouraged to follow a location priority order, beginning with existing rights-of-way, then areas adjacent to railroads or planned freeway routes, then arterial or collector streets, then industrial, commercial, agricultural, or non-residential zones, and finally residential zones. He noted that utilities did not always control line location because federal agencies such as the BLM could require a specific route. He stated that the proposed standards appeared to be among the strictest county standards in Utah. He explained that Rocky Mountain Power had historically complied with Utah County’s conditional use permit process, but that a May 2025 county ordinance amendment created difficulties for utilities by requiring owner approval before an application could be filed. He stated that this could prevent utilities from applying when a landowner refused to sign, potentially forcing less desirable options, such as taking more property than needed. He argued that it was better to address standards before construction rather than after a condemnation process. He concluded that the amendment was not about any specific project, but about future facilities generally, and he stated that the proposed ordinance would impose strong requirements for future transmission line projects.

Robert McMullin asked whether the federal and other regulatory standards Cameron Sabin had described, including NEPA, had already been completed for the specific project or where the process stood.

Cameron Sabin responded that those requirements would have to be complied with before construction could occur. He stated that they had either been completed or would need to be completed before a line was built.

Robert McMullin asked specifically whether NEPA approval had been received yet.

Cameron Sabin stated that the NEPA process was currently in progress.

Robert McMullin clarified that the matter before the commission was a text amendment rather than approval of a specific project.

Seth Cox asked to return to the slides and raised questions about the written notice requirement. He asked what type of written notice would be required and how the county would verify that notice had been given.

Cameron Sabin explained that the notice would include the applicant’s name and address, a contact person’s name, phone number, and email address, directions to the project website if one existed, instructions for submitting public comments, information about public meetings, and the time, date, and location of any public workshops. He stated that, from Rocky Mountain Power’s

perspective, the company would identify each affected property by parcel, find the owner and contact information, and deliver notice either in person or by mail.

Seth Cox expressed concern about past notification issues and asked whether there was a way to verify that written notice had been given and who would be responsible for that verification.

Bryce Armstrong explained that if the proposed noticing requirements became a standard in the ordinance, the county would verify the property list provided by the applicant. He stated that the county already did similar verification for conditional uses, but this proposed standard was stricter because it applied to landowners within 300 feet, not only adjacent landowners. He explained that staff would generate their own property list, compare it with the applicant's list, and require a copy of the written notice and the method used to distribute it.

Seth Cox clarified that the county would be responsible for verifying that the written notice had gone out.

Bryce Armstrong confirmed that the county would verify the notice if it became a county ordinance requirement.

Seth Cox asked who would verify that the location priority order had been followed, including whether existing rights-of-way, railroads, and freeway routes had been considered before residential areas.

Bryce Armstrong stated that staff would likely review that issue. He explained that if an applicant proposed a line through a residential zone, staff would require justification explaining why the other preferred locations were not feasible.

Seth Cox asked about the May 2025 ordinance amendment referenced in the presentation and requested more information about what had changed and why.

Bryce Armstrong explained that Utah County's ordinance previously did not specifically require a property owner to sign a conditional use application. He stated that the County Attorney's Office recognized a state statute requiring land use applications to be filed by a consenting property owner, so the county amended its ordinance to require the property owner's signature. He noted that this was the change the applicant had referenced as creating challenges for utility projects.

Cameron Sabin added that the owner-consent requirement made sense when a property owner wanted to change the use of their own property, but it created a challenge for utilities. He explained that utilities often needed to construct facilities across multiple properties or before homes were even built, and historically, they could apply directly to the county. He stated that the new requirement made the process cumbersome or sometimes impossible when utilities could not obtain owner consent before facilities were planned or constructed.

Bryce Armstrong stated that staff did not disagree with that concern. He explained that the property-owner-consent requirement for conditional uses was really tailored to a single property

with a participating or consenting owner, not to large utility projects spanning multiple parcels.

Seth Cox asked whether exempting utilities from the owner-consent requirement could be another option.

Bryce Armstrong stated that such an exemption had been considered but could be problematic under state code. He explained that state law included a companion requirement that land use applications be signed by the property owner.

Stanford Sainsbury expressed concern that mailed public notices were often difficult for residents to understand. He asked whether the applicant would be willing to hold an open house where residents could talk one-on-one with representatives, view maps and charts, ask questions, and provide comments that could be passed to county commissioners.

Cameron Sabin stated that for large projects, open houses were generally already built into Rocky Mountain Power's process because written notices and public comments did not always allow for useful back-and-forth conversations. He stated that the request seemed reasonable and that Rocky Mountain Power was okay with it.

Stanford Sainsbury explained that he believed in-person meetings were helpful because residents could see maps, ask questions, share information, and understand the applicant's concerns. He then asked whether high-powered transmission lines could be buried underground.

Cameron Sabin explained that undergrounding transmission lines was complicated and very expensive. He stated that public utilities operated under the Utah Public Service Commission, which allowed recovery of costs only when they were reasonable and prudent. He explained that undergrounding was usually used only in specific situations, such as high fire-risk areas or places where other public facilities would be affected.

Stanford Sainsbury described seeing large brown poles in the Leland area and stated that they appeared to create a wall of poles near homes. He asked whether shorter sections near homes could be buried underground, even if the entire line could not be buried.

Cameron Sabin responded that every line involved many different opinions and property-specific concerns. He stated that lines over homes were highly unusual and would occur only if safety code requirements were met and the landowner wanted that placement. He explained that routing decisions were made through extensive study, landowner discussions, environmental review, federal and state requirements, and engineering constraints. He stated that Rocky Mountain Power made diligent efforts to avoid causing problems for landowners, though it could not always avoid impacts.

Stanford Sainsbury stated that although he understood the proposed location priority order, he was concerned that there was not enough enforcement and that cheaper routes might be chosen. He said he understood that cost mattered, but worried about impacts on residents.

Cameron Sabin responded that it was not always true that the cheapest route would be chosen.

He stated that in some cases, the Public Service Commission or the federal government could approve a more expensive route, while in other cases, the additional cost might be too high to justify or approve.

Stanford Sainsbury stated that he did not like conditional uses because they gave false hope and could create lawsuits, and he agreed with the county's general move away from conditional uses. However, he expressed concern that if the conditional use review were removed, the ordinance needed more specific standards. He gave the example of a farmer with a pivot irrigation system whose operation could be ruined if a power line crossed through the middle of a field. He stated that standards should help protect farmers and residents from impacts and that he was uncomfortable with the proposed ordinance having only a few standards.

Cameron Sabin responded that the current ordinance did not impose stricter standards than the proposal. He stated that the conditional use permit process did not impose more specific requirements and that the proposed amendment would likely add stricter requirements than currently existed.

Stanford Sainsbury replied that if the existing ordinance was inadequate, the county now had an opportunity to improve it. He stated that the commission should consider what standards could better balance the needs of Rocky Mountain Power with the interests of citizens, farmers, and residents.

Cameron Sabin acknowledged the concern and thanked him.

Shayne Pierce asked about the proposed 90-day notice requirement and whether it occurred before or after a permit was issued.

Cameron Sabin explained that the timing was tied to seeking right-of-way because permitting timelines varied depending on the agencies involved. He stated that they did not want the notice requirement tied to a specific permit because that might not consistently provide landowners with 90 days of notice before their property was affected.

Shayne Pierce asked what started and ended the process of seeking right-of-way.

Cameron Sabin explained that Rocky Mountain Power typically sent notice to the landowner and then arranged an in-person meeting, often at the landowner's home. He stated that the meeting would cover the project, the location of the proposed impact, and whether changes could be made to reduce impacts, such as avoiding a farm sprinkler system. He explained that if the parties reached an agreement, it would be documented, and if not, the state had a process that had to be followed.

Shayne Pierce asked whether that contact with landowners occurred before or after applying for a zoning permit.

Cameron Sabin stated that it depended on the permit, because some permits might be obtained before talking to owners, while others could be in process during those discussions.

Greg Robinson explained that the applicant would still need a zoning compliance permit to show that zoning requirements were met. He stated that to apply for that permit, the applicant would need property owner consent or the property owner's signature, meaning the applicant would have to talk to the property owner before submitting the zoning application. He explained that the 90-day notice requirement would therefore be triggered before any zoning application was submitted.

Shayne Pierce clarified that before meeting with the landowner, notice would be sent 90 days in advance to anyone within 300 feet of the right-of-way being sought.

Greg Robinson confirmed that understanding.

Seth Cox asked about a proposed deletion of language requiring transmission lines to be located at least 135 feet from any existing dwelling.

Cameron Sabin explained that staff had proposed that distance based on an understanding of what might be needed to comply with the noise ordinance. He stated that because the needed distance could vary from line to line, the fixed distance was removed and replaced with language requiring compliance with the noise ordinance at the edge of the right-of-way.

Shayne Pierce asked whether a noisier line would require a larger right-of-way.

Cameron Sabin explained that it could, or the utility could use different technologies or mitigation measures on noisy segments caused by weather, wind, or other conditions to ensure compliance.

Shayne Pierce returned to the notice issue and asked whether the notice would include the directly affected landowner and nearby neighbors within 300 feet.

Cameron Sabin stated that anyone within 300 feet of the proposed line would receive notice, whether or not an easement was proposed across their property.

Shayne Pierce asked whether the applicant could notice only small sections at a time or whether the notice would cover the full county route being pursued.

Cameron Sabin stated that the notice would apply to the acquisition of right-of-way in the county, not just an individual parcel. He explained that once the company began addressing property issues for the proposed line in the county, notice would go out to everyone along the path at once.

Shayne Pierce stated that this answered his concern about how the 300-foot notice area would be administered.

Sullivan Love asked whether the 300-foot measurement was from the centerline of the right-of-way or the edge of the right-of-way.

Cameron Sabin stated that the language referred to the transmission line and indicated that it was measured from the transmission line or centerline of the structure, though he noted he was not the engineer.

Sullivan Love stated that there was a significant difference between measuring from the centerline and from the edge of the right-of-way, especially because some rights-of-way could be about 120 to 125 feet wide.

Cameron Sabin responded that if the measurement were from the centerline, the right-of-way width would consume part of the 300-foot distance, but the full 300 feet would still extend outward from the line.

Sullivan Love raised concerns about homes near power lines around 1100 North in Orem and asked how lines could end up almost directly above homes or with poles close to homes.

Cameron Sabin explained that it depended on the type of line. He stated that distribution lines were smaller neighborhood lines, while transmission lines carried larger amounts of power to distribution systems. He said that routing decisions were not arbitrary and were based on many factors, often after years of study and landowner discussions.

John Hutchins stated that in those instances, the line was probably there before the home was built, and the landowner later chose to build under the line.

Sullivan Love asked how a small homeowner could get Rocky Mountain Power to address excessive noise after a line was installed.

Cameron Sabin explained that the county could enforce the proposed standards. He stated that a landowner could make a noise complaint just as with any other county noise violation, and county staff could contact the company, require measurement, and require the issue to be addressed if the line violated the ordinance.

Sullivan Love asked **Bryce Armstrong** whether the county would take on that enforcement role.

Bryce Armstrong replied that the county already had a decibel meter and responded to noise complaints by measuring and verifying whether violations existed. He said the county would address violations if they occurred.

Sullivan Love stated that there was a significant difference between enforcing against a noisy neighbor and enforcing against a large company like Rocky Mountain Power.

Bryce Armstrong acknowledged the concern and stated that it was helpful to hear that the applicant or utility would be a partner in addressing issues before formal violations were necessary.

Cameron Sabin stated that utilities did not want unhappy landowners and generally tried to

address problems quickly, though not every problem could always be solved.

Sullivan Love stated that he felt the public's opportunity to discuss these concerns might be reduced. He mentioned a noisy power line near Utah Lake and questioned whether homeowners generally knew they could complain about transmission line noise.

Cameron Sabin stated that he could not speak for all landowners, but noise ordinances existed statewide, and property owners could and should know they had the ability to raise those concerns.

Stanford Sainsbury asked engineering questions about different types of towers he had seen around the county, including large steel towers, wooden poles, and lattice-style towers. He asked whether the ordinance applied to all of those types and whether any would be limited.

Cameron Sabin explained that not every power line was owned by Rocky Mountain Power, but the ordinance would apply to every covered line constructed through the county after the ordinance took effect.

Stanford Sainsbury asked whether there was a required distance between poles, noting that some poles in Leland appeared to be about 100 feet apart and asking whether they could be spaced farther apart.

Nicole Kendall introduced herself as a transmission engineer with Rocky Mountain Power. She explained that for the type of line being discussed, a typical span was about 700 to 1,000 feet, and that some lines had spanned up to 4,500 feet across rivers. She stated that lines with poles about every 100 feet were usually distribution lines serving homes, which required more poles because they had many service connections. She explained that larger transmission lines were generally designed with longer spans and fewer structures, though it depended on the construction type.

Shayne Pierce asked about the visual impact standard and whether it included more than non-glare materials, such as the number of poles, height, or other design factors.

Cameron Sabin stated that a variety of visual impact factors could be considered and that the utility would work with county staff on them. He explained that some things were required by engineering and safety requirements, but the standard would allow discussion about what could be done in a given situation to minimize visual impacts.

Shayne Pierce asked for examples of measures Rocky Mountain Power had used to minimize visual impacts.

Nicole Kendall stated that the steel could be dulled during manufacturing, so it did not come out shiny, and the conductor could also be dulled, so it was less reflective. She explained that reducing the number of structures could also help, but fewer structures often meant taller poles because clearance requirements still had to be met. She stated that the tradeoff could be fewer taller structures or more shorter structures.

Lorraine Davis asked Rocky Mountain Power to explain the main barriers created by the conditional use approach and how a permitted use approach would reduce those barriers.

Cameron Sabin stated that the proposed permitted use standards were more specific than the traditional conditional use process. He explained that a conditional use permit involved meeting with staff, discussing the location, and working through concerns, but it did not include the same written, transmission-line-specific standards. He stated that the proposed amendment would provide more specificity and enforceable requirements specific to transmission lines.

Lorraine Davis clarified that she wanted to understand the practical barriers Rocky Mountain Power faced in Utah County under the conditional use process compared with other places.

John Hutchings explained that Utah County's conditional use ordinance had become unique because it required landowner consent before the company could even talk to the county through an application process. He stated that before May 2025, and in other counties, Rocky Mountain Power could first meet with planning staff, discuss the proposed line location and micro-siting issues, and seek approval conditioned on later obtaining landowner consent. He explained that under the current Utah County ordinance, the company would have to seek landowner approval before knowing the county's concerns or requirements, which he described as inefficient for both the company and landowners. He said that this was the main reason Rocky Mountain Power sought to work with the county to move the use to a permitted use with added requirements.

Lorraine Davis noted that when flying in and out of Provo, she often noticed Utah County's agricultural land and open space. She asked whether impacts to agricultural land were a unique barrier for Rocky Mountain Power when routing transmission lines.

Cameron Sabin stated that agricultural land could be a factor. He explained that routing a transmission line required considering wetlands, farmland, residential neighborhoods, open space, environmental issues, water resources, and other factors. He stated that those routing decisions took years to investigate, engineer, and permit.

Lorraine Davis stated that each project seemed to have unique characteristics and that local review was important because Utah County had special agricultural and open space values. She expressed concern that a permitted use approach might remove detailed case-by-case review and flexibility. She stated that the county should protect agricultural spaces and farmers' ability to continue using their land.

Cameron Sabin responded that Rocky Mountain Power had not objected to the previous conditional use process, which allowed that kind of review. He stated that the problem was that the old process no longer existed because of the owner-consent change, and the company had not caused that change. He acknowledged that there could be benefits to the old process, but said it was not currently available.

Motion: Seth Cox Second: Robert McMullin

Motion to **open** public hearing. The motion passed with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Seth Cox, Robert McMullin, Stanford Sainsbury. "Nay" none.

Shayne Pierce explained the rules for public comment. He stated that individuals would have three minutes to speak and that group spokespersons representing at least three people would have seven minutes, with the represented individuals not speaking separately. He asked speakers to state their names, sign in for the record, and avoid repeating comments already made.

Bryce Armstrong added that speakers were encouraged to avoid repetition and could simply state agreement with prior comments rather than restating the same concerns.

Shayne Pierce explained that the rules had been adopted by the body a few months earlier to improve the public hearing process. He reiterated that speakers should avoid repeating the same issues and should sign in so staff could keep accurate records.

Steve Wilson introduced himself as a landowner of about 88 acres in the river bottoms. He stated that the public notice system was broken and that many people who attended an earlier large meeting had never received notice. He asked why certified mail was not required so the applicant could prove notices were sent. He stated that Rocky Mountain Power representatives had met with him on his property in August of the previous year and promised to return with answers, but he had not heard from them in seven or eight months. He explained that the proposed line would run down the middle of his property, which he had long planned to divide into 5.25- to 5.5-acre lots, and he argued that the line would destroy the entire development. He stated that adjoining landowners faced the same issue and asked the commission not to make it easier for Rocky Mountain Power to take property.

Steve Vincent stated that he was with Steve Wilson and wanted to address conditional use versus permitted use. He argued that keeping transmission lines as a conditional use protected citizens and gave landowners leverage in negotiations. He stated that changing the use to a permitted use would weaken landowners' ability to negotiate a fair value for their property. He said Rocky Mountain Power stopped communicating after learning about the planned development and claimed the company was choosing to go through smaller landowners' property rather than dealing with larger developers. He urged the commission to keep the conditional use requirement.

Joseph Ybarra stated that he was speaking as a group spokesperson on behalf of Jeff Kartchner, Marilynn Kartchner, Angela Madsen, and the Salem Park Residents and Wildlife Coalition, which he described as more than 40 directly affected families. He stated that Rocky Mountain Power had previously told the commission that legally required notices had been sent to affected landowners in Salem Park, but had later admitted in a filing to the Utah Public Service Commission that the 14-day newspaper notice had not been published and that Salem Park residents had not been notified. He argued that even if the failure was not deliberate, the company should not be rewarded by having local oversight removed. He stated that Rocky Mountain Power's conditional use permit had fallen apart months earlier and that the company

was now asking the county to delete the rule that exposed those failures. He emphasized that this hearing was legislative, not a conditional use hearing, and argued that the commission could consider broad community welfare concerns such as property values, EMF, wildlife, earthquake risk, fire risk, viewshed, noise, and public comfort. He stated that removing the conditional use permit requirement would eliminate public hearings on specific projects, site-specific conditions, mitigation findings, evidentiary records, and public scrutiny. He argued that the proposed standards had weakened over time, including the removal of a 135-foot setback, and asked the commission to recommend denial of application 2026-02.

Rebecca Frost stated that she wanted to focus on how the proposal had changed between the previous hearing and the current meeting. She explained that Rocky Mountain Power's original March application sought to remove the conditional use permit requirement without replacement standards. She stated that the staff's April redline added five standards, including a 135-foot setback from existing dwellings, which she considered inadequate but at least measurable. She noted that Rocky Mountain Power's May 12 revised redline removed that setback entirely and replaced it with only a 90-day notice before right-of-way acquisition. She argued that a notice was not a setback and that the applicant's requests had become more aggressive while community protections had become weaker. She asked the commission to recommend denial of application 2026-02.

Irene Ray introduced herself as a Salem Park resident and registered nurse with more than 43 years of experience in women's and children's health. She spoke about electromagnetic fields and the implications of raising children near a 350,000-volt transmission line. She stated that the applicant's experts relied on exposure standards that applied to short-duration occupational exposure rather than families living near a line continuously for decades. She cited research linking chronic residential EMF exposure and proximity to high-voltage transmission lines with childhood leukemia and asked the commission to take a precautionary stance for children and families. She stated that more than 35 children under age six lived within direct sight of the proposed transmission line and that the proposed standards contained no EMF limit. She suggested that the county could adopt a precautionary EMF limit, a 300-foot setback, or a presumption in favor of undergrounding near homes and schools, and she asked the commission to recommend denial.

Mary Ybarra thanked the commissioners and continued the discussion about EMF. She stated that several organizations and studies, including the World Health Organization and the International Agency for Research on Cancer, had identified concerns about long-term exposure to high-voltage power lines and childhood leukemia. She stated that chronic exposure above certain magnetic field levels increased risk and that a 300-foot distance from a 345-kilovolt line could still be near the leukemia threshold. She asked the commission to consider a 500-foot setback to protect children and stated that the current proposal's noise ordinance and mailed notice did not adequately address children's health.

Garnet Kutterer spoke about wetlands, birds, and wildlife in Salem Park. She stated that she had previously sent the commission a PowerPoint about wetlands and birds in the area, including information from the official U.S. Fish and Wildlife Service IPaC report. She stated that the area was sensitive for birds from February to September and included threatened species, proposed

endangered species, eagles, wetlands under U.S. Army Corps jurisdiction, and many migratory birds of concern. She noted that the Migratory Bird Treaty Act prohibited unauthorized harm to protected species and stated that Rocky Mountain Power had previously been fined for migratory bird deaths in other states. She argued that the May 12 revision removed earlier language requiring compliance related to threatened and endangered species, the environment, and wetlands. She asked the commission to recommend denial.

Kevin Kutterer stated that he lived in Salem Park and wanted to address earthquake risk. He cited Utah Geological Survey, Utah Seismic Safety Commission, and Division of Emergency Management information about the Wasatch Fault and the potential for magnitude 6.5 to 7.5 earthquakes. He stated that Salem Park sat near the Nephi segment and in a high-risk zone for severe shaking and liquefaction because of wetland soils. He argued that a 135-foot steel monopole in a liquefaction zone could lean, shear, or collapse, yet the proposal allowed a 345-kilovolt transmission line with no required setback from existing homes. He stated that the standards required no site-specific geotechnical analysis or liquefaction mitigation plan and relied only on general compliance clauses. He referenced Chino Hills, California, where he said a utility had been compelled to underground a comparable 500-kilovolt line because of seismic risks. He asked the commission to recommend denial.

Bryce Zundell stated that he owned property in the river bottoms area and had been planning to develop it for several years. He said he first learned about the Rocky Mountain Power line from a neighbor and then met with Rocky Mountain Power representatives on his property on August 13, 2025. He stated that the representatives claimed notices had been sent, but he and several neighbors had not received them. He said the company promised to keep in touch and look into moving the line, but he had heard nothing since. He expressed frustration that Rocky Mountain Power had been in contact with DR Horton for a year and a half, but not with small property owners. He stated that an existing transmission right-of-way already existed along Powerhouse Road and asked why Rocky Mountain Power was not following it. He also described a conversation his attorney had with a Rocky Mountain Power representative who reportedly stated the project was on hold and that nothing would happen for six months, only for Zundell to learn days later about the Planning Commission meeting. He argued that the company had not followed its own proposed standards and asked the commission to deny the proposal.

Richard Ray introduced himself as Irene Ray's husband and a retired CPA. He stated that, based on comments from commissioners, it sounded like the conditional use permit program was working and that the real issue was a glitch involving electrical companies needing property owner consent before applying. He argued that completely changing the system would leave only one meaningful restriction, the noise standard. He referenced a PowerPoint about corona effects from high-power lines, EMF, and increased noise in foggy or wet areas. He also referenced a video involving a high-voltage line interacting with a metal basketball hoop and expressed concern for children's safety. He stated that local oversight was needed because Utah County was growing quickly and had special circumstances. He said his family had never received notice and asked the commission to deny application 2026-02.

Bruce Jensen stated that he lived in Salem Park. He argued that Rocky Mountain Power had an earlier opportunity to route utilities through large corridors before nearby development occurred,

citing Powerhouse Road as an existing utility corridor. He claimed that Rocky Mountain Power instead coordinated with large developers and was now asking existing neighborhoods to absorb the impacts. He stated that the company was asking the commission to trust federal and state regulators rather than local officials who knew the area. He argued that federal and state standards did not address Salem Park's unique qualities. He stated that residents moved to Salem because it was open, rural, quiet, and suitable for raising families, and he warned that the line could reduce home values by 10 to 30 percent. He claimed the power line was needed for large data centers in Eagle Mountain and argued that Salem residents should not bear the financial and neighborhood impacts for those projects. He asked the commission to keep its authority, impose standards such as undergrounding or relocation near homes, and deny the amendment.

Matt Miller introduced himself as a real estate appraiser and stated that prior comments about Chino Hills and liquefaction resonated with him because he had appraisal experience in that area. He explained that liquefaction was a real issue affecting property values, safety, engineering, and construction feasibility. He stated that he believed liquefaction risks around Salem Park were being ignored. He criticized prior claims that undergrounding would cost 15 to 20 times more and argued that Chino Hills showed undergrounding could be done with a relatively small monthly cost to ratepayers. He stated that Salem Park was in a liquefaction area and that the road corridor in front of the neighborhood would likely need to be expanded in the future to serve major development, meaning overhead poles could prevent necessary road widening. He urged the commission not to approve the proposal unless Rocky Mountain Power provided documented proof of undergrounding costs and stated that undergrounding near the development would be feasible.

Candace Minow stated that she lived in Salem Park and focused on property values as a measure of community prosperity. She stated that independent appraisal studies near 345,000-volt transmission lines showed property value losses of 10 to 30 percent, which she estimated would mean \$70,000 to \$140,000 per family in her neighborhood and \$9 million to \$18 million in lost home equity across about 40 affected families. She emphasized that these were family homes, not investment properties, and that residents had bought them for the views, wetlands, wildlife, quiet, schools, and protective rules in place at the time. She argued that Rocky Mountain Power, a billion-dollar company, was asking residents to absorb major financial harm so it could avoid the cost of undergrounding. She asked the commission to consider prosperity, property values, and community character, and recommend denial of application 2026-02.

Tasha Johansson stated that she lived in Salem Park and described looking out her kitchen window at farmland, which reminded her of why she had chosen to live there nine years earlier. Speaking on behalf of neighbors and Salem Park residents, she argued that Rocky Mountain Power had failed to meet existing rules and had admitted in a filing to the Utah Public Service Commission that legally required notices were not published and that Salem Park residents did not receive notice. She stated that instead of correcting those failures or defending the original application, the company withdrew it and returned with a proposal to remove the rule that exposed the failure. She noted that the April draft standards included a 135-foot setback, but that Rocky Mountain Power's attorneys had removed even that protection, leaving only a 90-day mailed notice from a company that had already failed to notify residents. She stated that the commission had heard concerns about EMF exposure, migratory birds, wetlands, earthquake

liquefaction, noise, and financial impacts, all of which could be considered in a legislative decision. She asked the commission not to reward a company that failed to follow existing rules by eliminating meaningful local oversight.

Aaron Anderson introduced himself as a Utah County resident and property owner and opposed the proposed text amendment. He argued that the conditional use permit process was not merely administrative, but the community's only formal venue for transparency. He stated that reclassifying high-voltage utility installations as permitted uses would remove the public's right to weigh in on projects with major impacts on land, safety, and quality of life. He argued that high-voltage lines were not inherently compatible with every zone and required specific mitigation and public oversight. He stated that the amendment appeared to be considered because a utility provider had been unable to secure a permit under existing regulations, and he urged the commission to prioritize residents over corporate interests. He added that, from his experience in marketing and data analysis, he saw a pattern in the public comments of residents reporting poor communication from Rocky Mountain Power, followed by sudden hearings or changes. He urged the commission to consider that pattern before trusting the company with public well-being.

Lane Adamson stated that he was a landowner, farmer, and Utah County resident. He asked the commission to keep high-voltage transmission lines under a conditional use permit because 345-kilovolt lines had lasting impacts on productive farmland. He stated that construction caused long-term soil compaction and that transmission lines created permanent restrictions on farming around them. He referenced a 2025 study from Turkey that found soil under high-voltage power lines had lower microbial biomass and reduced enzyme activity compared with soil farther away. He explained that a conditional use permit allowed the county to review projects individually and impose enforceable conditions such as topsoil segregation and replacement, soil decompaction after construction, drainage tile repair, meaningful setbacks, and construction timing that respected planting and harvesting seasons. He warned that changing the lines to permitted uses would remove case-by-case review and make it harder to protect farmers and rural landowners. He asked that, if the county moved forward, clear agricultural protection standards be written directly into the ordinance.

Kara Lewis introduced herself as the business owner of Glen Ray's Corn Maze and Pumpkin Patch and stated that she was also representing her father, Rex Larson, the landowner of property at 1750 West 8000 South in Spanish Fork, as well as the Utah Farm Bureau's state agritourism committee. She opposed any amendment that would allow utility projects to bypass meaningful landowner involvement. She stated that landowners should not be excluded from the process and only notified once condemnation was underway. She argued that a 345-kilovolt transmission corridor was not a minor utility line and would permanently change how agricultural land functioned. She explained that every agricultural property was different, with different irrigation systems, drainage systems, and access patterns, so compatibility could not be assumed without review. She stated that on Glen Ray's Corn Maze property, the proposed impacts could include removing an animal shed, running the line over main activity areas, reducing parking capacity, preventing large roadside advertising signs, and affecting drainage tile systems. She emphasized that the business had operated for nine years, generated sales tax revenue, supported local businesses, employed about 70 local youth seasonally, and served tens of thousands of residents

each fall. She asked the commission to keep the conditional use permit requirement and deny the ordinance amendment.

Jackie Larsen introduced herself as the House Representative for District 64 and opposed the application. She stated that she did not believe the amendment satisfied Utah County ordinance standards or Utah law governing land use ordinance amendments. She explained that the county had to consider the general plan, the intent of the land use ordinance, appropriate land use, public welfare, and avoidance of adverse conditions. She argued that the proposal conflicted with the purpose of the RA-5 residential agricultural zone, which was intended to protect historically irrigated agricultural land, crops, livestock, and areas suited for farming. She stated that compatibility with agriculture was a governing principle of that zone. She also argued that the amendment affected agricultural protection areas and that Utah law prohibited zoning changes affecting such areas without written approval from all affected agricultural protection area landowners. She stated that she was not aware of such consent having been obtained. She further argued that state law already treated high-voltage transmission lines differently from ordinary utility infrastructure by requiring heightened notice, public workshops, corridor review, and conditional use permit procedures. She said the proposed amendment moved in the opposite direction by reducing transparency. She stated that she had spoken earlier that day with an administrator at the Utah Public Service Commission and was meeting with commission leadership to discuss transmission corridor policy, agricultural impacts, water infrastructure, local land use authority, and possible legislation. She stated that she was working on a bill file modeled after HB 16, which required conditional use permits, additional permits, detailed site plan disclosures, and identification of agricultural protection areas, irrigation systems, drainage infrastructure, conveyance facilities, easements, and water-related infrastructure before approval. She argued that recent legislative direction favored greater disclosure, coordination, and scrutiny for energy projects on agricultural land, not less. She stated that removing the conditional use permit would remove the transparent public process where impacts could be identified, reviewed, conditioned, and mitigated. She asked the commission to recommend denial.

Shayne Pierce asked Jackie Larsen to clarify whether she was speaking as a spokesperson for a group and allowed her additional time after she identified Clay and Michelle Finch as people she represented.

Lorraine Davis asked Jackie Larsen to elaborate on the bill file she was working on.

Jackie Larsen explained that she expected to open the bill file the next day after speaking with legislative legal counsel. She stated that she had spoken with several legislators, House leadership, Senate contacts, and members of the Public Utilities Committee. She explained that the bill would likely follow the structure of HB 16 by clearly laying out required permits, increasing transparency, and requiring a more detailed explanation of what would be mitigated and expected by both sides.

Shayne Pierce thanked Jackie Larsen for her service and then discussed the county's prior ordinance change. He stated that the county had changed the ordinance to comply with state law by requiring landowner consent before filing a conditional use permit. He noted that the requirement made sense for one or two property owners, but could create an almost impossible

bar when hundreds or thousands of properties were involved. He questioned whether the county had created a law so difficult to satisfy that it prompted the proposed changes.

Joseph Ybarra challenged the existence of the law being referenced and asked that the actual law be found and read, stating that it did not exist.

Jackie Larsen stated that she had similar questions about the process between siting a line and condemning property. She said she had worked with UDOT on NEPA processes before and felt Rocky Mountain Power's process had been less transparent. She stated that guardrails clarifying expectations would benefit everyone.

Jay Thomas stated that he was a property owner on Powerhouse Road. He argued that Rocky Mountain Power was trying to put lines in before homes were built and referenced power lines in Leland that residents had not been able to meaningfully influence. He discussed strong winds coming out of the canyon near Salem and Spanish Fork and stated that the wind could be extreme, damaging trees and sheds. He argued that Rocky Mountain Power did not fully understand the wind conditions or how they could affect noise from the line. He stated that he and others had purchased property for family homes and had county-approved lots, only to see a proposed line over areas where houses were planned. He expressed frustration that DR Horton had been involved in discussions quickly, while longtime property owners had not been included.

Shayne Pierce suggested that the next time the wind blew, residents could call the county Community Development Center and ask staff to bring out a decibel meter.

Jay Thomas responded that he had a windmill that could show the wind speeds and stated that people living in the area knew how strong the winds were.

William Billington stated that he represented Red Summit Ranchers on Powerhouse Road and had attended every meeting. He argued that the existing ordinance was working because it allowed the public to speak and raise concerns. He stated that many residents had worked their whole lives to build property and pass it to children and grandchildren. He asked whether future generations should be told that large corporations could walk over family land. He acknowledged the need for power but said there were other ways, including undergrounding. He stated that the proposed line would cross three sections of their property and make about 50 acres unusable, preventing planned homes for family members. He urged the commission not to take away the public's voice.

Paul Prior introduced himself as a river bottom landowner and spoke about the need for checks and balances. He argued that without checks and balances, liberty and justice were harmed. He stated that there were better places and better options for the power line, including existing utility corridors such as Powerhouse Road. He said setbacks were needed and that visual pollution and depreciation over a wide area should be factored in. He urged the commission not to give up its power.

Aaron Hall stated that he lived in Salem Park and agreed with his neighbors' comments. He asked what would prevent a 345-kilovolt line on one side of a pole from later becoming a larger or doubled line if the pole had room for additional capacity. He stated that once the pole existed, residents might have no future say if another line were added. He explained that he and his wife built their home intending to live there permanently, retire there, travel, and return to a neighborhood and neighbors they loved. He asked for a direct answer about whether the line could later be expanded.

Shayne Pierce asked whether anyone else wanted to address the public hearing.

Lorraine Davis stated that several speakers, including Steve Wilson, had described communication issues with Rocky Mountain Power and a perception that DR Horton had more negotiating power or more direct access than smaller property owners. She asked Rocky Mountain Power to respond to that concern because perceptions mattered, especially if small property owners felt their voices were not being heard while a large developer had better access.

Cameron Sabin responded that the process described by residents was not how Rocky Mountain Power handled landowners. He stated that every landowner was met with individually and had an opportunity to discuss the project. He explained that communication may have paused because Rocky Mountain Power was trying to determine what process would allow the project to be reviewed. He stated that the company was required by statute to meet with every landowner whose property might be taken or affected by an easement. He explained that meetings happened at different times because the company could not meet with hundreds of people at once, and instead worked through different portions of a line corridor. He emphasized that DR Horton and a farmer with one parcel would have the same statutory rights to notice, meetings, negotiation, and fair market value.

Lorraine Davis stated that, from a business perspective, several affected residents appeared to have a perception that communication had broken down. She suggested that Rocky Mountain Power might benefit from addressing that perception directly with residents who did not feel heard.

Cameron Sabin said he would like to address the concern and asked what specifically she was suggesting.

Lorraine Davis suggested that Rocky Mountain Power should improve communication with people who felt they were not being heard.

Cameron Sabin stated that the notice issue had come up repeatedly and that there were misunderstandings. He explained that because the line was subject to federal permitting, it was not subject to the Utah notice requirements that had been referenced. He stated that Rocky Mountain Power nevertheless provided notice under the law. He said some Salem Park residents would not have received notice because they were not within the corridor that required notice under state law. He argued that the proposed ordinance standards would provide broader notice than existing requirements and would remove the federal-permitting exemption. He stated that Rocky Mountain Power had provided the county with a list of property owners and that staff had

reviewed it. He also explained that a newspaper notice had been set up, but another project was canceled, and the newspaper canceled all notices, so Rocky Mountain Power re-noticed the matter and held a separate meeting in November to make up for that error. He stated that Rocky Mountain Power supported proper notice and an opportunity for residents to meet and discuss concerns.

Lorraine Davis stated that the company should not merely do the minimum required, especially because the project would significantly affect property values and property use. She suggested that Rocky Mountain Power should go above and beyond the minimum legal requirements.

Cameron Sabin responded that Rocky Mountain Power had gone beyond the minimum because it was not required to provide notice under the referenced statute, but did so anyway.

Sullivan Love stated that he was having difficulty reconciling that explanation with his recollection that commissioners had previously been told notice was required. He asked for clarification because Cameron Sabin was now saying notice was not required.

Cameron Sabin explained that there had been uncertainty about whether federal permitting was required. He stated that because federal permitting was required, Utah's high-voltage notice law did not apply. He said he had not been present at the earlier meeting, but that there was now clarity that the project involved federal permitting. He again stated that the proposed ordinance would provide broader notice to more people.

John Hutchings stated that **Cameron Sabin** had represented the company's legal position, but he wanted to acknowledge the feedback from residents. He explained that he worked on a team dedicated to interacting with landowners on projects like this, including the Gateway South project and the current project. He stated that the feedback showed Rocky Mountain Power needed to do a better job and that the company's goal was to work with landowners.

Lorraine Davis stated that she raised the issue because she was hearing conflicting accounts and believed there appeared to be a communication breakdown. She said that, as a business owner, she would want to understand where communication was falling short and try to meet people more than halfway.

John Hutchings agreed and stated that doing better was the company's goal. He said the team met weekly to discuss these issues and acknowledged that Rocky Mountain Power needed to improve.

Steve Wilson began responding that in a prior large meeting, Rocky Mountain Power's team had spoken about its communication with DR Horton and Arive Homes regarding where power lines would go. He stated that the lines were not placed down the Powerhouse corridor where those developers were building.

Bryce Armstrong interrupted to clarify the procedure. He stated that people who had already spoken should not use additional time unless the commission made a specific motion. He also

reminded the commission that the hearing was about a text amendment, not the procedure or process of a prior conditional use application.

Shayne Pierce agreed that the hearing should not become a free-for-all. He stated that everyone needed a chance to speak and that, because a commissioner had asked a specific question, he had allowed responses. He said he did not want to reopen the hearing for repeated second statements, but would allow a brief one-sentence response if needed.

Jason Adamson introduced himself as a property owner in Benjamin. He stated that he had wondered why the proposed route had not gone through the DR Horton area and suggested that the answer might be related to Berkshire Hathaway's ownership interests. He stated that Berkshire Hathaway, owned by Warren Buffett, owned Rocky Mountain Power and had made investments in DR Horton, and he described that connection as "food for thought."

Shayne Pierce noted that Jason Adamson had already signed in because he had spoken, then asked whether anyone who had not yet addressed the public hearing wanted to speak.

Kristin Tischner spoke about the lack of communication and stated that she lived in Goshen, where her backyard lined up with railroad tracks near another proposed route. She asked whether, if one proposed route was canceled, the process would return to another route option and whether homes along the railroad tracks might still be affected. She also asked whether undergrounding along that area had been discussed.

Shayne Pierce clarified that the commission was not discussing a specific project that night, but rather a county ordinance change that would apply to all utilities in the future. He explained that if the Planning Commission recommended the amendment and the County Commission adopted it, it would become the new county law, though additional steps would still be required for future permits.

Kristin Tischner clarified that she was asking in a broader sense and trying to understand whether later steps would narrow the issue to the specific project.

Shayne Pierce explained that if the ordinance change were adopted, it would become the applicable law, but he did not know exactly how Rocky Mountain Power would proceed with future permit applications.

Joseph Ybarra responded to Shayne Pierce's invitation for a one-sentence comment and stated that Rocky Mountain Power had repeatedly referenced NEPA, but he believed there was no evidence that NEPA had begun. He stated that there was no notice of intent, environmental assessment, draft environmental impact statement, scoping notice, BLM project docket, federal register publication, or e-planning page tied to the project. He argued that if NEPA had not begun, then the state statute would have fully applied.

Brock Carlile introduced himself and stated that he agreed with the comments made that night. He argued that keeping power with the commission was important. He noted that landowners needed permits for small structures such as sheds and argued that Rocky Mountain Power should

also have to meet clear guidelines and go through a meaningful process before placing transmission lines through private property. He stated that such lines affected future property use and land value.

Landon Ramsey introduced himself as a property owner on Powerhouse Road. He stated that the proposed route would cross properties near his, and that he was currently building a home by himself after working his whole life for it. He said he intended to die there and that the idea of looking out his window at a new power line was heartbreaking. He raised concerns about the number of trees that could be removed from the easement, especially along the riverfrontage. He stated that removing a wide swath of trees would expose his home to the city trail, eliminate seclusion, and create flooding concerns by stripping vegetation from the riverfrontage. He asked whether conditions could be added to protect vegetation and give landowners more power over what happened on their property.

Shayne Pierce asked whether anyone else wanted to address the public hearing.

Motion: Robert McMullin Second: Stanford Sainsbury

Motion to **close** public hearing. The motion passed with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Seth Cox, Robert McMullin, Stanford Sainsbury. "Nay" none.

Shayne Pierce asked whether there was further discussion from the commission or questions for the applicant or staff.

Seth Cox stated that he had many thoughts and could not support the proposed text amendment as written. He explained that the conditional use permit process had provided a stopping point the previous year that allowed commissioners to recognize that residents had not been sufficiently notified. He acknowledged that the conditional use permit process had limitations and should not be viewed as a way to automatically stop a project, but he stated that the proposed amendment still needed stronger protections. He expressed concern about removing the 135-foot setback, about the vague language in the location priority standards, and about who would verify that preferred routes were actually considered before residential areas. He stated that he saw three possible options: deny the proposal as written, amend it with stronger protections, or revisit and fix the May 2025 ordinance change that had triggered the current issue.

Stanford Sainsbury compared the impacts of an NFL stadium to the impacts of power lines. He stated that even a large stadium had a limited impact area, while a power line wound through the entire county, crossing mountains, deserts, wetlands, farmland, and residential areas. He stated that because each location was unique, this use might be better kept as a conditional use for now, at least until standards were developed that both the power company and residents felt comfortable with. He thanked Rocky Mountain Power for a professional presentation, thanked residents for thoughtful letters and comments, and thanked staff for navigating a difficult issue.

Lorraine Davis echoed appreciation for Rocky Mountain Power's presentation and for the company acknowledging that communication needed improvement, especially with smaller

property owners. She stated that people needed to feel heard, particularly when projects affected lifelong dreams and property. She also praised residents for their advocacy, research, and community engagement. She stated that she was not completely opposed to a standards-based process, but believed the conditional use process still provided a stronger check and balance. She agreed that Utah County did not need to follow other counties simply because they had taken a different approach, and she expressed concern about preserving Utah County's character rather than allowing it to become urban sprawl.

Robert McMullin stated that he would hold his comments.

Sullivan Love stated that his comments were similar to those already made. He said the commission had learned a lot from residents and citizens when the original matter came forward as a conditional use application, and he did not know that he favored removing this type of item from the conditional use permit process.

Shayne Pierce stated that his concern was the potentially impossible requirement the county had placed on utilities. He said the county depended on utilities and worried that requiring consent from every possible landowner could make the process unworkable. He asked Cameron Sabin how many landowners Rocky Mountain Power would need consent from in Utah County alone.

Cameron Sabin stated that Rocky Mountain Power would need consent from 220 landowners in Utah County.

Shayne Pierce noted that Rocky Mountain Power would have to obtain consent from 220 landowners before applying for a conditional use permit unless the law changed.

Sullivan Love stated that this was part of his concern because Rocky Mountain Power had previously applied without having completed that requirement.

Shayne Pierce responded that he did not think Rocky Mountain Power knew about the requirement at the time.

Cameron Sabin explained that Rocky Mountain Power submitted its conditional use permit application based on its understanding that the process was the same as it had always been. He stated that Utah County Code Section 16.94 had been amended to add language requiring the application to be signed by the property owner. He explained that Rocky Mountain Power met with the county and county attorney and was told the language meant every affected property owner would have to sign before the application could proceed. He stated that this was why the company withdrew the application and began the text amendment process rather than going to the facilities review board or court. He said the company believed it was more productive to discuss standards with the county.

Shayne Pierce recalled that during the first discussion of the issue, it had been suggested that if the county did not help, Rocky Mountain Power could appeal to the public service board or otherwise bypass the county process.

Cameron Sabin explained that state law provided a facilities review board process and a court process for situations where local ordinances became overly burdensome or prevented utilities from proceeding. He stated that those options existed but were not desirable, and that it was better to have a local discussion and agree on standards.

Shayne Pierce stated that if the county created an impossibly high hurdle, Rocky Mountain Power could stop trying to work through the county process and bypass it through state avenues. He said he believed requiring 220 signatures was impossible and suggested that the better path might be to revisit that requirement. He then asked whether everyone had had a chance to comment.

Shayne Pierce asked whether there were any remaining questions for the staff or the applicant.

Seth Cox stated that if the commission denied the proposal, it needed to identify another process for Rocky Mountain Power to bring forward a proposal. He acknowledged that power lines needed to be built and that standards should be in place, but said the commission needed a plan for what should happen next if it recommended denial.

Shayne Pierce agreed.

Lorraine Davis stated that the process had revealed problems that could make future proceedings more transparent for affected residents. She acknowledged that the process was clunky and time-consuming, but stated that the effort had produced feedback from people directly affected. She said that if Rocky Mountain Power wanted to be a good neighbor, both sides needed a process that allowed people to feel that due diligence had occurred.

Shayne Pierce agreed that many possible solutions had been raised during public comment, including the possibility of restoring setbacks. He stated that giving notice was different from holding a public hearing and acknowledged that the loss of a public hearing under a conditional use process was meaningful. However, he reiterated that the county needed a conditional use application process that did not create an impossible hurdle before an applicant could even apply. He expressed concern that if the county made the process too difficult, utilities would be pushed into court or state-level processes that could bypass the county.

Sullivan Love asked for clarification about whether Rocky Mountain Power ultimately had to make an agreement with every property owner whose property was impacted.

Bryce Armstrong explained that two different issues were being discussed. He stated that the conditional use process involved owner consent to file a conditional use application, while obtaining right-of-way was a separate process. He said the current procedural challenge was the requirement that 220 property owners consent or sign the application before the conditional use application could proceed. He also clarified that a conditional use process was not a public hearing and that the planning commission's action this night was only a recommendation to the County Commission. He explained that the County Commission could follow the recommendation, choose a different action, or send the issue back.

Sullivan Love stated that although obtaining every signature was burdensome, Rocky Mountain Power would have to contact affected property owners eventually anyway. He noted that the process had already been discussed for nearly a year, while some property owners said they had not been contacted, and he suggested the company should begin that contact process.

Bryce Armstrong explained that Rocky Mountain Power would want a defined corridor before knowing which properties were involved in acquisition. He stated that even if the project remained a conditional use, owner consent for land use or building permits would still be required later.

Cameron Sabin clarified that when planning a line, the company first worked to determine the location, which identified who might be affected. Historically, under the conditional use permit process, the company would first bring a proposed route to staff, and the route might be adjusted based on county requirements. He explained that agreements with landowners happened much later, after the impacted properties were identified, and involved negotiating easements or acquisition under a separate statutory process. He stated that on the Gateway South project, about 95 or 96 percent of landowners reached an agreement through that process. He emphasized that this acquisition process was separate from permitting and route identification.

Sullivan Love asked whether there had been multiple alignments before one specific alignment was chosen.

Cameron Sabin stated that there were usually more than two potential routes and sometimes a dozen or more initial options. He explained that federal requirements, state requirements, endangered species issues, water requirements, land issues, and geotechnical matters were considered until the possible routes were narrowed. He stated that the route-selection process for this line likely began years earlier and narrowed over time to the proposed route.

Sullivan Love stated that he hoped property owner interaction occurred during that process because property impacts and acquisition costs could affect which route made the most sense. He said that landowner discussions should be considered alongside federal, soil, environmental, and other factors.

Cameron Sabin responded that contacting every landowner along every possible route would create unnecessary alarm for many people who might never be affected. He stated that the routing process first narrowed the options based on all relevant factors, including cost, compliance, and use of existing corridors, and only after a route became more defined would customer interaction occur. He stated that engineers spent extensive time determining what route made the most sense.

Shayne Pierce asked Cameron Sabin or staff to explain why distance requirements or setbacks had been removed, since their removal appeared to have generated concern.

Cameron Sabin explained that staff had initially suggested a 135-foot distance based on research about what might be needed to meet the noise ordinance. He said Rocky Mountain Power responded that a fixed setback was not the right approach because the distance needed to

comply with noise requirements could vary. He warned that if the county required a very wide setback or corridor, the company might have to take more land or even homes rather than just easements. He stated that a workable standard should ensure compliance with federal, state, and local law without imposing an arbitrary fixed number.

Shayne Pierce asked whether staff had comments on that issue.

Stanford Sainsbury stated that he did not understand why a setback from homes had to widen the easement. He suggested that a line could have a 50-foot easement while still being required to remain 300 feet from a home.

Cameron Sabin explained that if the county prohibited a line within a fixed distance, such as 500 feet from a home, and a line route crossed an area where homes existed within that distance, the company could not simply take an easement; the home itself might have to be acquired or removed. He stated that in Utah County, it would be difficult to find a corridor that did not pass within such a distance of some homes.

Stanford Sainsbury suggested that the county could require undergrounding when a power line would be within 300 feet of a home, rather than requiring the company to buy out the home.

Cameron Sabin responded that if a county ordinance required undergrounding, the Facilities Review Board could require the county to pay for it. He stated that in prior situations involving places such as Park City and Heber, the board would evaluate whether undergrounding was required for a legitimate reason or merely because of local preference or convenience. He stated that if the ordinance required undergrounding, the cost could come from the county's budget.

Stanford Sainsbury stated that Utah County was growing quickly and could eventually become largely urbanized. He said that large power lines placed now might someday run through cities and neighborhoods. He suggested that the state legislature might need to help by creating consistent statewide standards for power lines rather than leaving every city and county to develop different rules. He expressed concern that Utah County needed to plan for a future with homes, businesses, and growth while still preserving the quality of life.

Cameron Sabin responded that the growth **Stanford Sainsbury** described was the reason the line was being built. He stated that demand for power came from homes, businesses, and development, and that the challenge was getting power to where it was needed.

Shayne Pierce asked whether there were any additional questions or discussion. Hearing none, he asked for a motion.

Seth Cox stated that the commission needed to do one of two things: either deny the proposal and revisit the May 2025 ordinance change, or approve the proposal only with stronger protections. He said he had difficulty knowing what protections would work and felt that developing those standards would require a separate process. He asked how the commission could ensure that the other rule would be revisited if the proposal was denied.

Sullivan Love noted that even if the Planning Commission recommended denial, the County Commission could still approve the amendment.

Shayne Pierce confirmed that the Planning Commission's action was only a recommendation to the County Commission.

Seth Cox suggested recommending denial and recommending that the County Commission revisit the rule change.

Stanford Sainsbury asked whether Rocky Mountain Power or staff could file an application to revisit that rule.

Cameron Sabin stated that Rocky Mountain Power could do so.

Bryce Armstrong stated that staff could also schedule a work session if needed to explain the rule and the circumstances surrounding it.

Shayne Pierce stated that the commission could recommend denial and request that staff examine the specific language at issue, bring back suggestions, and discuss it in a work session.

Sullivan Love stated that a work session would be helpful.

Shayne Pierce agreed and asked for a motion.

Motion: Robert McMullin Second: Stanford Sainsbury

Motion that the Utah County Planning Commission recommend **denial** to the Utah County Commission of the proposed Utah County land use ordinance tax amendments to Section 8.44 And that staff review this and come back with a recommendation that covers the concerns of people affected by the proposal.

Lorraine Davis added that Rocky Mountain Power should also take into account what it had learned from the process. She stated that the company should consider both the public comments and its own role in addressing the concerns raised. She emphasized that communication remained a major issue and that when people's livelihoods were at stake, communication needed to be much better.

Bryce Armstrong stated that the proposed direction could be problematic if included in the motion going to the County Commission. He explained that the current application needed to move forward to the County Commission for final action, and that the Planning Commission should wait to see what the County Commission did. He stated that staff could return later with information about the procedural challenge involving conditional uses, but the current application still needed a recommendation and final action from the County Commission.

Seth Cox clarified that the motion needed to be specific to the application before the commission.

Shayne Pierce explained that the commission needed a motion that could be sent to the County Commission and read as the Planning Commission's recommendation, including the reasons for denial or approval. He stated that the Planning Commission could not direct the County Commission to provide ideas or delay action, because the recommendation needed to address the current application.

Robert McMullin withdrew the prior motion and suggested tabling the item, sending it back to staff, and having staff review Rocky Mountain Power's position along with the public's comments and recommendations before returning with another recommendation.

Stanford Sainsbury stated that his concern with tabling was that the County Commissioners needed to be aware of the issues. He explained that the meeting minutes would capture the public's comments, the commission's discussion, and the reasons for the Planning Commission's decision. He suggested making a motion to recommend denial of the proposed conditional use permit change.

Shayne Pierce asked whether that meant denying the proposal without stating a reason.

Stanford Sainsbury responded that the County Commissioners could review the minutes to understand what had been stated and why the Planning Commission made its recommendation.

Shayne Pierce stated that, in his view, the commission could recommend denial with findings that setbacks were not explicitly stated in the proposed permitted use standards and that setbacks had been replaced with a right-of-way notification requirement. He explained that while notice allowed people to comment on the utility, it did not necessarily give them an opportunity to comment on a governing body. He stated that the main finding could be that the commission wanted to retain the ability to review and grant conditional use permits based on whether detrimental impacts had been mitigated. He noted that if an applicant could show all detrimental impacts had been mitigated, the commission would have to approve a conditional use, but the conditional use process still preserved the ability to review impacts and impose conditions.

Seth Cox stated that it was difficult to craft the exact motion.

Sullivan Love suggested possible language for a motion, including concerns about compatibility with and protection of surrounding land uses. He also referenced the goal of promoting efficient and predictable permitting consistent with the public interest, which he believed staff and Rocky Mountain Power also wanted. He suggested that those concepts might help frame the motion or provide direction.

Dale Eyre explained that the commission had three options: recommend approval, recommend denial, or recommend an alternative amendment.

Shayne Pierce noted that the materials referenced findings that were yet to be determined, which had contributed to the confusion.

Sullivan Love stated that if findings were not required, the commission could simply recommend denial.

Lorraine Davis agreed that the findings language had been confusing and stated that she favored simply recommending denial.

Dale Eyre stated that the County Commission might want to know why, but the best response was that the full meeting record and minutes would explain the reasons.

Sullivan Love stated that relying on the meeting record made the motion simpler.

Motion: Sullivan Love Second: Robert McMullin

Motion that the Utah County Planning Commission recommend **denial** to the Utah County Commission of the proposed text amendment to Utah County Land Use Ordinance 8.44. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Seth Cox, Robert McMullin, Stanford Sainsbury. "Nay" none.

Bryce Armstrong clarified that the Planning Commission's recommendation would be forwarded to the County Commission after the minutes were received.

Cameron Sabin stated that Rocky Mountain Power would reach out again to those affected by the project as the process continued. He stated that there had been a delay because of the current proceedings. He also noted that there was a project website with email addresses where people could send questions and request a response.

Seth Cox encouraged residents to share their full concerns and stated that there was an opportunity for communication between Rocky Mountain Power and residents.

Bryce Armstrong stated that the item would be forwarded to the County Commission and that the date would be posted on the County Commission's website. He noted that the County Commission generally met twice a month on Wednesdays at 2 p.m.

Shayne Pierce returned to the agenda and asked whether there was any other business.

Bryce Armstrong stated that there was no other business.

Shayne Pierce opened the meeting for public comment and stated that the same three-minute rule applied.

Joseph Ybarra stated that he wanted Dale Eyre to look up the actual law requiring a property owner's signature, because he believed the requirement did not exist in the way it had been described. He clarified that there may have been a recommendation by another government agency stating that such signatures were typically required, but he did not believe it was a strict legal requirement. He also argued that Rocky Mountain Power had repeatedly referenced NEPA, but he believed the NEPA process had not actually started. He stated that there were several

places online where evidence of NEPA activity could be found and that none showed the process had begun for the project. He suggested that Rocky Mountain Power was trying to claim federal permitting status to avoid state notice requirements while also delaying the full federal process.

Shayne Pierce stated that he wanted that legal issue clarified because his concern was that the county could make the process so difficult that utilities would bypass the Utah County Planning Commission and go directly to state-level processes.

Joseph Ybarra agreed and said he wanted the commissioners to know they could push harder on that point in the future. He also stated that Rocky Mountain Power had claimed it was required to do impact studies, but he believed the company had not produced any impact studies for the line. He said residents had pushed for that information and had not received it.

Stanford Sainsbury stated that he was uncomfortable discussing the matter when the applicant was no longer present because he believed it raised a fairness issue. He said that while public comment was allowed, he preferred for all parties to be present when the issue was discussed.

Shayne Pierce noted that the applicant had left even though the agenda had not been completed, but that the vote had already occurred.

Lorraine Davis stated that Joseph Ybarra was educating the commission and that commissioners could review the information later.

Shayne Pierce reminded commissioners not to respond during public comment.

Seth Cox agreed that the public should be allowed to comment and that commissioners should keep their own discussion separate.

Joseph Ybarra stated that the comments were on the record and that the applicant could watch them later. He repeated that he believed Rocky Mountain Power had not shown any actual impact study for the line, even though it had referenced required studies. He stated that the company had also made claims about undergrounding being 15 to 20 times more expensive, but he believed its representatives had later indicated that undergrounding had not actually been studied and had simply been rejected as a top-down decision.

Lorraine Davis asked whether residents were allowed to obtain an impact report or environmental impact statement and stated that she did not know how that process worked.

Joseph Ybarra responded that Rocky Mountain Power's first application referenced the idea that the route would follow the path of least impact, but he said the company had not completed an actual impact study. He stated that if the company were asked directly to show an impact study, it could not produce one. He also reiterated that residents had records showing the company had not seriously studied undergrounding.

Shayne Pierce asked whether anyone else wanted to make a public comment. Hearing none, he closed the public comment.

E. OTHER BUSINESS

F. PUBLIC COMMENT

G. ADJOURN

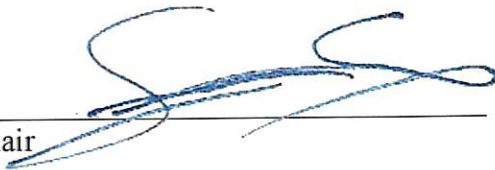
The meeting was adjourned at 09:12 PM.

Utah County Planning Commission
May 19, 2026

Minutes respectfully submitted by:


Secretary

APPROVED BY:


Chair