

Emery County Planning & Zoning

Meeting Minutes

June 10th, 2026 11:00 a.m.

Join Zoom Meeting

<https://zoom.us/j/4353813570?pwd=NWduRlZzRCtGNUdnd1d0NkNNdmxIZz09>

passcode:Emery

IN ATTENDANCE: Gary Arrington (online), Bart Cox, Bruce Wilson, Tyler Jeffs, Jim Jennings, Natalie Olsen, Commissioner Leonard, Commissioner Worwood, Commissioner Jensen

EXCUSED: Bill Dellos

VISITORS: Joe Humphrey, Paul Gascoigne(Nadara Development), John Lichtenberger, Kirsten Stanley, Mike Hutchings, Mike Nichols, Additional attendees via Zoom

1. Welcome:

Gary welcomed all in attendance and opened the meeting.

2. Discuss/Approve/Deny: April 8th, 2026 Meeting Minutes.

Bruce Wilson made a motion to approve the minutes with a second from Tyler Jeffs. The motion passed unanimously.

3. Discuss/Approve/Deny: Board Members Applications/Advertise for more seats.

Natalie Olsen reported that two Planning Commission Board applications were received before the application deadline:

- Jessie Lobato
- Laurel Kilpack

These applications will be forwarded to the Emery County Commission for consideration.

Discussion followed regarding current board membership. With Bill's resignation, the Planning Commission will have four active members. Approval of the two applicants would increase membership to six, leaving room for additional members under the bylaws, which allow up to nine members.

It was noted that two additional applications were submitted after the deadline. The Commission discussed reopening the application period and allowing the late applicants to be considered along with any new applicants. Members also discussed the importance of maintaining geographic representation from throughout Emery County.

Motion: Bruce Wilson made a motion to recommend Jessie Lobato and Laurel Kilpack to the Emery County Commission for appointment, Advertise for two additional board member positions and allow the late applications to be considered during the reopened application period with a second from Bart Cox. The motion passed unanimously.

4. Discuss/Plan of Action: Hector Aviles Car Lot.

Jim Jennings explained that Hector Aviles had contacted the County regarding the possibility of establishing a vehicle sales lot on property located at the corner of Highway 155 and Blue Hills Drive.

No formal Commercial Use Permit application has been submitted. The discussion was intended to identify any concerns before an application is filed.

Staff reviewed the property and indicated:

- The parcel appears to meet County requirements.
- The site is a legal two-acre lot within an approved minor subdivision.
- Electrical service is available.
- Culinary water is available nearby and can be extended to the property.
- The proposed use would also need to satisfy State licensing requirements.

Commission members discussed the property's location, neighboring properties, utility availability, and the subdivision configuration.

Because no formal application has been received, no action was taken.

5. Discuss/Approve/Deny: Allred Acres Minor Subdivision Amendment.

Joe Humphrey presented the requested amendment to the previously approved Allred Acres Minor Subdivision.

The amendment includes:

- Purchase of approximately one-half acre from Jared and Sinead Butler.
- Incorporation of the existing access road into Lot 1 ownership.
- Expansion of the access corridor from 12 feet to 30 feet.

Discussion included the adequacy of roadway widths for residential access and emergency vehicle access. Commissioners expressed concern that future subdivision ordinances should consider requiring wider access roads than the current 12-foot minimum.

The applicants explained that the Butler family agreed to the land transfer in order to improve access and resolve the existing layout.

Motion: Tyler Jeffs moved to approve the Allred Acres Minor Subdivision Amendment with a second from Bart Cox. The motion passed unanimously.

6. Discuss/Approve/Deny: Hal Johnson/Rex Fillmore subdivision Amendment

Jim Jennings reported that additional information was still pending from the Recorder's Office and the application was not ready for Planning Commission review.

Motion: Bart made a motion to table the subdivision amendment with a second from Tyler. The motion passed unanimously.

7. Presentation: Drunkards Wash Energy Project CUP Application/Michael w/Holland & Hart.

Paul Gascoigne, Development Director with Nadara Development, presented an overview of the proposed Drunkards Wash Energy Project. Additional project representatives participating included:

- John Lichtenberger – Chief Development Officer
- Kirsten Stanley – Senior Development Manager
- Mike Hutchings – Holland & Hart
- Mike Nichols – Battery Energy Storage System (BESS) Fire Safety Specialist

The proposed project consists of a utility-scale solar photovoltaic facility and battery energy storage system located on approximately 3,300 acres of SITLA-owned property approximately 5½ miles north of Huntington and over two miles west of Highway 10. The project includes a 450-megawatt solar facility with a 225-megawatt battery storage system. The project is expected to have a minimum operational life of 30 years and has been under development since 2021.

Mr. Gascoigne explained that the site was selected because of existing industrial uses, available transmission infrastructure, existing road access, and its distance from residential areas and recreational sites. The project would interconnect with PacifiCorp's 345-kV transmission line through an existing interconnection agreement.

The presentation included discussion of:

- Existing oil and gas operations within the project area and compatibility with continued energy development.
- Cultural resource surveys and coordination with the State Historic Preservation Office to avoid impacts to archaeological sites.
- Ongoing coordination with the Utah Division of Wildlife Resources regarding mule deer and elk habitat, wildlife corridors, and habitat mitigation opportunities.
- Coordination with Urban Oil & Gas concerning existing underground infrastructure and surface occupancy agreements.
- Visual impact studies indicating limited visibility due to topography and setbacks from Highway 10.
- Estimated economic benefits, including approximately \$100 million in property tax revenue over 20 years, with an estimated \$32 million benefiting Emery County and approximately \$3 million benefiting the Water Conservancy District.
- State wildlife mitigation funding established under recent legislation requiring annual contributions for wildlife conservation.
- New state decommissioning requirements requiring financial assurance and bonding to ensure removal of facilities and reclamation of the site at the end of the project's operational life.

Representatives also discussed SITLA's mission of generating revenue for Utah's public education trust beneficiaries and explained that the project would contribute significant long-term revenue while utilizing land already supporting existing energy development.

Project representatives reviewed how the proposal aligns with Emery County's Conditional Use Permit process and General Plan objectives related to energy development and economic diversification. They explained that the Mining and Grazing Zone allows consideration of utility-scale energy projects through the Conditional Use Permit process and outlined the approval criteria established in County ordinance.

During the presentation, staff noted that the Emery County General Plan, as updated in December, includes language discouraging large-scale solar development on SITLA lands. The applicant acknowledged the provision and stated that the current application is being reviewed under the County's existing land use ordinances.

The applicant reviewed proposed mitigation measures, including:

- Security fencing and controlled site access.
- Fire protection and emergency response planning.
- Stormwater and spill prevention plans.
- Dust control during construction.
- Cultural resource protection.
- Wildlife habitat mitigation measures.
- Site setbacks.
- Waste management and solar panel recycling requirements.
- Decommissioning bonding and reclamation requirements.

The Planning Commission discussed several concerns requiring additional review before making a recommendation, including:

- Adequate review time for the Conditional Use Permit application.
- Input from neighboring grazing permittees and affected land users.
- Potential impacts to grazing operations.
- Wildlife migration corridors and fencing impacts.
- Stormwater management and erosion control.
- Potential heat effects associated with large solar installations.
- Battery Energy Storage System fire response capabilities.
- Emergency response planning for local fire departments and surrounding communities.

Mike Nichols, Battery Energy Storage System fire safety specialist, addressed questions regarding battery fire response. He explained current national fire safety standards, including the industry's "observe and contain" response strategy, emergency response planning, monitoring equipment, exclusion zones, hazardous gas monitoring, and coordination with local fire departments before project construction. He further explained that

emergency response plans are developed collaboratively with local emergency responders to ensure appropriate training, equipment needs, and incident management procedures are established prior to operation.

Following the presentation, Planning Commission members noted that the application had not yet completed the County's normal review process. Staff explained that the Planning Commission had not yet received sufficient time for zoning administrator review, planning staff review, or development of recommended permit conditions.

The Planning Commission concluded that additional review by staff and further evaluation of the application should occur before any recommendation is forwarded to the Emery County Commission.

No action was taken. The presentation was received for informational purposes, and the Conditional Use Permit application will return for further review after completion of the County's review process.

8. Discussion: Data Center Development in Emery County.

Commissioner Kevin Jensen addressed the Planning Commission regarding recent discussions surrounding the potential development of data centers in Utah and the possibility that future projects could seek locations within Emery County.

Commissioner Jensen explained that while no formal application has been submitted to Emery County, the County has received informal inquiries in the past regarding large-scale data center development. He noted that recent industry discussions and statewide interest suggest Emery County could become a potential location because of its available land, energy infrastructure, and transmission capabilities.

Both Planning Commission and the Emery County Commission discussed several issues associated with potential data center development, including:

- Electrical demand and power generation requirements.
- Water consumption and long-term water availability.
- Land use compatibility.
- Natural gas requirements for on-site power generation.
- Fiber optic infrastructure and proximity to major transportation corridors.
- National security considerations.
- Potential impacts on local infrastructure and communities.

Jim Jennings explained that current zoning ordinances contain general setback requirements but do not include standards or regulations specific to data center developments.

Planning Commission members emphasized the importance of proactively reviewing potential regulations before a formal proposal is received. Discussion included the need to evaluate water consumption, infrastructure requirements, setbacks, and other operational impacts.

Chair Gary Arrington requested that Data Center Development and Water Consumption be placed on a future Planning Commission agenda to allow additional research and discussion prior to receiving any formal applications.

No action was taken.

9. Discussion: Large Scale Solar.

The Planning Commission continued discussion regarding utility-scale solar development within Emery County.

Commissioner Jensen explained that the County Commission had previously discussed initiating amendments to the County's solar ordinances due to the number of existing and proposed utility-scale solar projects throughout the county. He stated that the purpose of the discussion was to begin gathering input from the Planning Commission before any formal ordinance amendments are considered.

Commission members reviewed the status of current utility-scale solar proposals, noting that several projects—including Drunkards Wash, Huntington Creek, PacifiCorp, and Rock Canyon—have been presented to the County, but no Conditional Use Permits have been approved.

Discussion centered on:

- Existing and anticipated utility-scale solar developments.
- Appropriate locations for future projects.
- Protection of residential areas.
- Visual impacts.
- Wildlife and environmental considerations.
- Setback requirements.
- County authority regarding future solar development proposals.

Several members expressed support for strengthening development standards rather than adopting an outright prohibition on future projects. It was commented that certain areas, including locations along the Highway 6 corridor and previously disturbed industrial sites, may be more appropriate for future utility-scale solar development than locations adjacent to residential communities.

Chair Gary Arrington noted that amendments to the County's zoning ordinance would likely require revisions to the County's permitted use tables rather than simply adding a separate ordinance section.

10. Discuss/Recommendation to Commission: Solar Ordinance.

The Planning Commission reviewed draft language presented by Commissioner Jensen proposing amendments to the County's solar ordinance that would prohibit issuance of future utility-scale solar permits within unincorporated Emery County, including State Trust Lands, BLM lands, and Forest Service lands.

Commission members discussed whether a complete prohibition or a more comprehensive ordinance with additional development standards would better serve the County.

Discussion included:

- Whether a complete prohibition on future utility-scale solar projects was appropriate.
- Increasing setbacks from residences and municipal boundaries.
- Additional requirements addressing dust suppression, wildlife protection, and environmental impacts.
- Updating zoning ordinances and permitted use tables to provide clearer standards for future applications.
- Preserving opportunities for appropriately located projects while protecting nearby communities.

Tim Hemstreet, representing PacifiCorp/Rocky Mountain Power, participated remotely and commented that while thoughtful project siting is important, PacifiCorp would not support a complete prohibition on utility-scale solar development. He explained that future electrical demand—including potential data centers and other large industrial users—will require additional generating resources of various types. He also clarified that new generation projects are responsible for developing the transmission capacity necessary to interconnect their facilities and do not rely solely on existing transmission capacity associated with current generating plants.

Tim Enstreet also explained that transmission interconnection studies required through the Federal Energy Regulatory Commission (FERC) ensure that new generating facilities do not diminish transmission rights or capacity for existing generating resources. He noted that Emery County currently produces significantly more electricity than is consumed locally and that the existing transmission system is designed to export excess generation. Mr. Enstreet offered to return at a future meeting to provide a more detailed presentation on transmission planning and interconnection requirements.

Commissioner Kevin Jensen explained that previous discussions with industry representatives had raised concerns about preserving transmission capacity for future baseload generation. He stated that those earlier discussions contributed to the County Commission's interest in reviewing future utility-scale solar development.

Following discussion, the Planning Commission concluded that additional work is needed before forwarding any recommendation to the Emery County Commission. Members agreed that the County Commission should determine whether it wishes to pursue a temporary pause or prohibition before the Planning Commission continues developing detailed ordinance amendments.

No recommendation or formal action was taken. The matter will continue to be reviewed as staff and the Planning Commission consider potential amendments to the County's solar ordinances.

11. Discuss Any Other Business:

None

12. Adjourn:

Bruce made a motion to adjourn the meeting with a second from Bart. The meeting was adjourned.

The next meeting will be held August 12th at **1:00 pm**.