

UTAH COUNTY PLANNING COMMISSION

**Minutes
June 16, 2026**

Present:

Seth Cox
Lorraine Davis
Glen Roberts
Stanford Sainsbury

Excused:

Robert McMullin
Shayne Pierce
Sullivan Love

Also Present:

Bryce Armstrong
Marie Patten
Greg Robinson
Xiao Dong
Dale Eyre
Kevin Stinson

A. CALL TO ORDER

Seth Cox called the meeting to order at 5:39 PM at 100 E Center St, Room 1400, of the Utah County Administration Building, located in Provo, Utah.

B. PLEDGE OF ALLEGIANCE

Lorraine Davis led the Pledge of Allegiance.

C. APPROVAL OF MINUTES

Motion: Glen Roberts

Second: Lorraine Davis

Motion to **approve** the minutes of the May 19, 2026, meeting of the Utah County Planning Commission. The motion passed with the following vote: "Aye" Seth Cox, Lorraine Davis, Glen Roberts, Stanford Sainsbury. "Nay" none.

D. ITEMS SUBJECT TO PUBLIC HEARING

- 1. Craig Max Nelson - Proposed Utah County Land Use Ordinance text amendment to Section 4.44, and any other applicable section, related to an exception for parcels that are separated from required frontage on an approved public road by state or federal land or railroad right-of-way**

Xiao Dong explained that the applicant requested a text amendment to remove the requirement for a permanent perpetual easement under Section 4.4488 of the Utah County land use ordinance.

Dale Eyre stated that it was a good change.

Glen Roberts raised another concern about the sentence, stating that the easement ran with the land. He stated that the proposal also discussed expiration, and that if an easement ran with the land, that could imply there was no expiration.

Xiao Dong stated that staff could make the language clearer.

Dale Eyre agreed that Glen Roberts made a good point.

Glen Roberts stated that railroad rights were usually specific to the landowner and expired when the landowner sold the property, requiring a new agreement. He stated that BLM rights-of-way could work the same way and said he was concerned about the “runs with the land” language. He said that was the desired outcome, but he did not think the county could impose that on the federal government, the state, or the railroad.

Dale Eyre agreed that the county could not impose that requirement.

Glen Roberts stated that many of these access rights would likely be private road crossing agreements that would not necessarily be labeled as easements. He then raised a question about subsection 8H and asked whether “will not be used” should be changed to “may not be used,” because the restrictive covenant would say the owner agreed that if certain events happened, the home could not be used for human occupancy.

Dale Eyre stated that restrictions usually used “will” or “shall.”

Glen Roberts suggested that “shall” might be better.

Dale Eyre agreed that “shall” would provide stronger language if enforcement became necessary.

Glen Roberts stated that “shall” was much better and concluded that those were all of his comments on the proposed text amendment.

Stanford Sainsbury stated that he had a different understanding of the phrase “runs with the land.” He explained that he understood it to mean the right was attached to the land rather than the owner, so it could remain with the land through multiple sales, but that it did not necessarily mean the easement lasted forever. He stated that if the easement expired, it expired, even if it ran with the land while it existed. He deferred to the attorney on that point.

Glen Roberts agreed that this was a good point and clarified that his concern was the ambiguity the phrase might create.

Stanford Sainsbury acknowledged that clarification.

Stanford Sainsbury acknowledged that point.

Glen Roberts stated that there should be something in the record indicating the access situation.

Lorraine Davis stated that she had a question.

Dale Eyre added that the easement would be recorded and that whatever the property owner obtained from the federal government would appear in the title record.

Lorraine Davis asked what liability the county would have if the access agreement was terminated after the county approved the property.

Dale Eyre stated that this was why it would be understandable if the commission or county commission decided not to allow the amendment. He said the problem was that the county would have allowed a home to be built, occupied, and sold without guaranteeing access. He explained that the ordinance originally required a permanent perpetual easement because that was the only way to guarantee access. He acknowledged that there was some risk, but stated that the risk was assumed by the owner if they were well informed and if the issue was clear in the title record. He said there might be some liability, but staff had done as much as possible to reduce it.

Stanford Sainsbury asked whether the building permit would include notice that the owner had to confirm the ability to access the property.

Lorraine Davis asked whether that was not necessarily the case.

Bryce Armstrong explained that the building permit would go through an approval process and staff would state the conditions of approval. He said staff would identify that access relied on the ordinance exception rather than direct access from a county road. He stated that the permit approval would reference how the property met the access standard, but noted that many owners might not review those details, especially if a contractor handled the permit. He said staff hoped the other recorded documents would provide full disclosure, while acknowledging that later owners could assume everything was fine when it might not be.

Stanford Sainsbury stated that if the federal government granted a 50-year lease but later wanted the land back, the terms of the lease would likely determine the outcome. He suggested there might be compensation or eminent domain issues if the government removed the owner's only access during the lease term. He stated that the 50-year expiration itself would be the owner's risk, but during the lease term he expected there would be some protection depending on the agreement.

Dale Eyre stated that it would be interesting to see what the easements looked like and noted that some might be revocable at will.

Stanford Sainsbury stated that he would not build a house if the easement were revocable at will, but noted that an owner might not know that.

Dale Eyre stated that adding years was within the commission's role and asked what number she had in mind.

Glen Roberts joked that the world would end before then for some people.

Lorraine Davis suggested a minimum of 75 years. She gave an example of someone in her canyon who had placed a 100-year restriction on building and described that as a visionary approach.

Dale Eyre stated that staff had heard some government agencies would only allow a certain number of renewals, meaning the term could be capped.

Lorraine Davis acknowledged that point.

Glen Roberts stated that the challenge with 75 years was that owners likely would not get anything close to that from BLM, SITLA, or railroads. He said even 50 years could be difficult.

Lorraine Davis asked whether applicants would have to come back and request 30 years.

Glen Roberts explained that they would have to go back to BLM, SITLA, or the owner and obtain a renewal. He joked that working with those entities was always fun.

Seth Cox asked if there were any other questions for staff and invited the applicant to speak about themselves and their property.

Pam Nelson, the applicant, stated that the parcel already had an access road that had been used for years. She explained that they wanted to build on the property but were stuck because they had to obtain a right-of-way from BLM. She confirmed that BLM would only grant a 30-year right-of-way, but said the right-of-way would be renewable and that the owner would need to apply three to six months before expiration. She stated that BLM did not require the right-of-way to be recorded, but understood that the county would require recording.

Glen Roberts stated that a practical problem was that BLM often would not notarize the right-of-way, making it difficult to record. He explained that the document needed to be acknowledged so it could be recorded.

Pam Nelson asked whether she should tell BLM that whoever signed it needed to notarize it.

Glen Roberts advised her to tell them that it needed to be recorded and therefore had to be acknowledged.

Pam Nelson stated that BLM had not yet approved the right-of-way, but it was in process and expected to take about three more months. She said BLM had provided a letter of intent indicating that it intended to approve the right-of-way under its terms. She explained that once the process was complete, BLM would grant the right-of-way.

Pam Nelson stated that they were already at least halfway through the BLM process.

Glen Roberts stated that they would likely get something from BLM, but the challenge was whether it would be what they needed.

Pam Nelson stated that the road was already established by a previous person who lived there and that it already led onto the property. She said there was not a great access point on the other end where the property touched the road.

Craig Nelson asked whether Tunnel Road was a public road or a legally mapped road.

Glen Roberts stated that it was a county road.

Pam Nelson stated that it was a county road and identified it as Tunnel Road out in Elberta.

Glen Roberts asked Bryce Armstrong whether it was a Class D road.

Bryce Armstrong stated that it was a county Class B road.

Bryce Armstrong reminded the commission that although the applicant's property was a good example, the text amendment would apply generally anywhere in the county and should not be tailored only to this situation.

Pam Nelson joked that they got to pave the way.

Seth Cox stated that the applicants were pioneers.

Lorraine Davis stated that her question to staff had been whether later owners, who would not have to go through the same process as the applicants, would understand what they were getting into.

Bryce Armstrong stated that staff generally reviewed all options with applicants to determine whether they could meet the ordinance without using the exception. He said staff had done that with this applicant and had landed on this approach because of the specific factors associated with the property.

Glen Roberts stated that he liked the effort because otherwise the property would remain unused for the next 100 years.

Seth Cox asked whether there were any further questions for the applicant and then thanked them.

Motion: Lorraine Davis

Second: Glen Roberts

use their land and was comfortable approving the amendment with Glen Roberts's recommended changes.

Glen Roberts stated that he felt the same way.

Lorraine Davis agreed.

Motion: Glen Roberts

Second: Stanford Sainsbury

Motion to recommend to Utah County Commission a change to Section 4.44, including subsections A, A8C, and H, with the modification as discussed tonight. The motion **passed** with the following vote: "Aye" Seth Cox, Lorraine Davis, Glen Roberts, Stanford Sainsbury. "Nay" none.

- 2. Utah County Planning Commission - Proposed Utah County Land Use Ordinance text amendment to Sections 1.28, 2.08, 16.44, 16.92, and any other applicable section, to comply with recent state legislation regarding the following: new and unlisted business uses; definitions of certain terms and phrases; Appeal Authority rules and procedures; Planning Commission rules and procedures; and any associated ancillary changes**

Greg Robinson explained that Senate Bill 284 had passed during the most recent legislative session. He stated that the proposed ordinance changes were intended to reflect the requirements of that bill. He said Kevin Stinson would first address the business licensing portion, and then he would explain the remaining changes.

Kevin Stinson introduced himself and stated that his portion was limited to Section 1.28, though it referenced another section of county code. He clarified that the planning commission was not discussing the county code provision itself, only the land use ordinance section. He explained that the state bill required the county to include a process for new or unlisted businesses that were not already identified in the code. He stated that the proposed language simply pointed to a process in county code that would allow such businesses to apply for review. He explained that the process followed state code, included criteria for determining whether the proposed business closely matched another allowed use, and provided a way for the county commission to designate an area where the use might be allowed. He also noted that applicants could appeal if the county determined the use was not allowed.

Stanford Sainsbury stated that, as he understood it, nothing substantive was changing and the language was mostly being clarified.

Kevin Stinson confirmed that was correct.

Stanford Sainsbury stated that the ordinance appeared to be mostly the same, with clearer language and a few helpful definitions.

Bryce Armstrong clarified that this was true for the land use ordinance, but that there would

Greg Robinson agreed with Stanford Sainsbury's point and stated that staff did not expect the process to be used very often in the county.

Lorraine Davis asked staff to repeat that.

Bryce Armstrong repeated that staff did not anticipate the process being used often in the county. He explained that staff tried to fit proposed uses into existing categories where possible and tried to keep use categories broad enough to capture related uses while still allowing some flexibility, though that could sometimes be difficult.

Kevin Stinson asked whether there were any other questions and then stated that Greg Robinson would go over the rest of the ordinance.

Greg Robinson explained that the remaining changes mainly reflected state code changes. He stated that where possible, staff referenced state code sections directly so that if those provisions changed in the future, the county would not need to go through another amendment process. He explained that the appeal authority changes primarily reflected the responsibilities of applicants in county appeals, including that applicants bore the burden of proof and had to follow state code requirements for filing appeals. He stated that the largest changes involved the powers and duties of the county commission. He said those changes did not substantially alter existing county practice, but they clarified and added state-mandated processes for filling vacancies, appointments, and removals. He stated that staff worked with the attorney's office on those revisions, tried to preserve existing ordinance language where possible, and reorganized the text to make it easier to read and understand.

Glen Roberts stated that he was happy to see conflict-of-interest language added.

Greg Robinson stated that the ordinance already had some good conflict-of-interest language, but the proposed changes strengthened it further.

Seth Cox asked whether there were any further questions for staff. Seeing none, he noted that the item was subject to a public hearing and asked whether they should open it.

Motion: Glen Roberts Second: Lorraine Davis

Motion to **open** public hearing. The motion **passed** with the following vote: "Aye" Seth Cox, Lorraine Davis, Glen Roberts, Stanford Sainsbury. "Nay" none.

Motion: Glen Roberts Second: Lorraine Davis

Motion to **close** public hearing. The motion **passed** with the following vote: "Aye" Seth Cox, Lorraine Davis, Glen Roberts, Stanford Sainsbury. "Nay" none.

Motion: Glen Roberts Second: Stanford Sainsbury

Stanford Sainsbury asked why the structure needed to be so tall.

Mark Greenwood explained that the bins holding the processed feed were close to 80 feet tall. He stated that the operation had nearly 1.5 million chickens, requiring a significant amount of feed, and that the height was needed for conveyors and lifting systems to move materials into the mill and bins.

Stanford Sainsbury noted that it was a large and impressive operation.

Mark Greenwood agreed and stated that the facility covered roughly 400 acres. He described seeing the site in person and noted that the chicken buildings were enormous, three stories tall, and probably about 1,000 feet long.

Stanford Sainsbury asked what it meant for the lower levels to be occupied and whether that referred to offices or chickens.

Mark Greenwood explained that there would typically be three operators present to manage and monitor the automated facility.

Glen Roberts asked whether the height was intended to increase capacity.

Mark Greenwood explained that the height was needed to reach the bins and allow materials to be pumped or augered to the top and moved across conveyors.

Glen Roberts acknowledged the explanation.

Stanford Sainsbury clarified that the height was needed to load the bins and that materials were removed from lower levels.

Mark Greenwood confirmed that the loading occurred at the top and the removal occurred below.

Stanford Sainsbury asked whether the chickens were located at the same site and whether there were about a million chickens there.

Mark Greenwood confirmed that there were well over a million chickens at the site. He compared the scale to Mosida, where he said there were about 18,000 head of cattle and plans to potentially double that with a new dairy operation. He stated that both operations were impressive in scale.

Glen Roberts joked that they had to feed the people of Utah County.

Stanford Sainsbury asked whether the operation was egg production or meat production.

Mark Greenwood clarified that it was egg production.

Stanford Sainsbury stated that he was not sure whether he could attend but would check.

Bryce Armstrong stated that he would reach out early so the applicant could receive advance notice if the July meeting would not work.

G. PUBLIC COMMENT

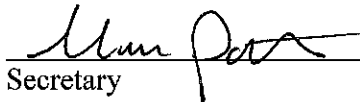
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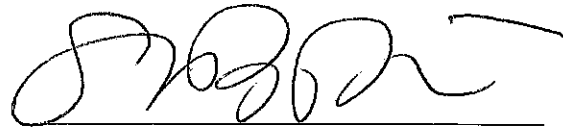
The meeting was adjourned at 06:47 PM.

Utah County Planning Commission
June 16, 2026

Minutes respectfully submitted by:

APPROVED BY:


Secretary


Chair