

UTAH COUNTY PLANNING COMMISSION

**Minutes
October 21, 2025**

Present:

Shayne Pierce
Sullivan Love
Lorraine Davis
Robert McMullin
Seth Cox
Karen Ellingson

Excused:

Chris Herrod
Glen Roberts

Also Present:

Greg Robinson
Marie Patten
Kevin Stinson
Xiao Dong
Dale Eyre
Ryan Harris

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. APPROVAL OF MINUTES

Motion: Robert McMullin Second: Sullivan Love

Motion to **approve** the minutes of the September 16, 2025, meeting of the Utah County Planning Commission. The motion passed with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

C. CONDITIONAL USE APPLICATION(S)

- 1. Jeremy Rigrup - Application #CU2025-08 - Request for conditional use for a proposed feed mill which exceeds 40 feet in height in the Mining and Grazing (M&G-1) Zone. Located at 17122 S. Tunnel Road, near the Elberta area of unincorporated Utah County, Section 30, T10S R1W**

Greg Robinson explained that the application was submitted by the Rigrup Egg Farm to construct a feed mill exceeding 40 feet in height. He clarified that the conditional use permit applied only to the height and not the feed mill itself, which was a permitted use. He presented location maps and plans, highlighting the section of the structure that would surpass 40 feet. He

noted that the occupied areas, such as offices and a control room, would remain below 40 feet, while unoccupied sections would extend higher. The total requested height was 158 feet. He stated that because the property was located against the mountains, the structure would be visually mitigated by the terrain. The structure would not be painted and would retain a metal finish. He mentioned that the nearest property line was 200 feet away and the closest dwelling was about a mile to the south. He confirmed the property's frontage along Tunnel Road met the requirements for occupied buildings.

Shayne Pierce asked for confirmation that the only issue to be decided under a conditional use permit was whether any harmful effects existed that could not be mitigated.

Greg Robinson confirmed this, explaining that conditional uses were permitted if any detrimental effects could be reasonably mitigated. In this case, the primary considerations involved the structure's height, proximity to other properties, visual impact, and color. However, he noted that few occupied properties existed nearby, and most of the surrounding area consisted of farmland.

Mark Greenwood introduced himself as a representative from ALM Engineering, the firm working on the project. He explained that Rigtrup Egg Farm was a large egg production facility that had been operating since the early 1990s, producing cage-free, grass-fed chickens. He emphasized that the project would benefit local production and the community.

Karen Ellingson asked why the design did not expand horizontally rather than vertically.

Mark Greenwood explained that the feed mill required a vertical mixing process that operated in stages and that this design mirrored similar facilities elsewhere. He stated that the occupied area was no higher than 40 feet, located on the lower levels, and that the silos and tower made up the taller portions of the structure.

Motion: Robert McMullin Second: Sullivan Love

Motion to **approve** the application, subject to staff findings in the staff report, with the following conditions listed on page 3: 1 through 4 on page 3. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

2. **Mosida Solar - Application #CU2025-09 - Request for conditional use for a proposed solar energy facility as an electric power generation facility in the Goshen Valley Planned Community (P-C) Zone, and the Mining and Grazing (M&G-1) Zone located in sections 31 & 32, T9S, R1W, 36, T9S, R2W, 5, 6, 7, & 8 in T10S R1W, and 1 & 12 in T10S R2W, approximately 2,951.54 acres in the Elberta area of unincorporated Utah County**

Greg Robinson explained that the application involved a utility-scale solar production facility in the Elberta area, covering roughly 4,300 acres across 29 parcels, with about 3,200 acres designated for solar panels. The facility would include a 100-megawatt battery storage system

and an operations and maintenance building. The site fell within two zoning areas—the Goshen Valley Planned Community Zone and a small portion in the Mining and Grazing Zone. He clarified that the use was conditionally permitted in the planned community zone and that all property owners had consented to the project. He noted that the area was primarily used for agriculture and grazing, with the nearest residential area about half a mile away. The Elberta Slant Road would provide access, although it was unpaved and unmaintained during winter. He also described nearby gas pipeline infrastructure requiring continued access and confirmed that the project area was not within any municipal annexation plans. The project’s conditions mirrored previous solar facility approvals.

Karen Ellingson asked about the project’s proximity to other approved solar facilities.

Greg Robison confirmed several nearby projects, including one adjacent to the proposed site and another within the same zoning area. He explained that many solar projects obtained conditional use approvals to secure queue placement with Rocky Mountain Power for grid interconnection, though not all progressed to construction.

Shayne Pierce observed that numerous solar installations appeared to be developing on the west side of Utah Lake.

Greg Robison agreed.

Karen Ellingson noted that the projects collectively encompassed a significant amount of land.

Shayne Pierce asked whether the current request was an expansion.

Greg Robison clarified that it was a new and separate application from a new applicant.

Karen Ellingson then asked about the lease duration.

Greg Robison stated that the specific lease term was unknown but explained that the county’s typical conditional use approval duration allowed three years plus an optional five-year extension, totaling eight years before reapplication would be required.

Shawn Gibson, representing LRE (Leeward Renewable Energy), the project developer, stated that his company had decades of experience in large-scale wind, solar, and battery projects worldwide. He explained that LRE had been developing this project for about five years, working with the Farmland Reserve and the Arma Kay Trust. The company had already entered the interconnection queue with PacificCorp and selected this location due to its minimal environmental impact and existing high-voltage infrastructure. He emphasized that the facility would generate long-term tax revenue while placing minimal demand on public services and described it as a “silent partner” to the community for 30 years or more. He requested the conditional use approval be extended from three years to five-year.

Karen Ellingson asked about the project’s expected lifespan.

Shawn Gibson stated that it would operate for at least 30 years, similar to other power plants, and could be extended or repowered based on technological and market developments.

Robert McMullin confirmed that 30 years was the standard life expectancy.

Lorraine Davis asked about current land use and vegetation.

Shawn Gibson replied that the land was used mainly for seasonal grazing and that vegetation would largely remain, with environmental stewardship including native reseeding and invasive species removal.

Lorraine Davis asked about potential objections.

Shawn Gibson said there had been no public comments and that typical concerns—traffic, noise, and dust—were limited to the construction phase involving up to 600 workers.

Sullivan Love asked if the Farmland Reserve properties were taxable.

Greg Robinson replied that they were.

Shawn Gibson added that the project would increase taxable value while requiring little in public services.

Karen Ellingson asked about access roads.

Shawn Gibson explained that multiple access points existed, including along Highway 6, Highway 68, and Elberta Slant Road, ensuring no disruption to other landowners.

Lorraine Davis asked about fencing and wildlife impact.

Shawn Gibson said high-security fencing would enclose substations and batteries, while outer perimeters might use wildlife-friendly designs. He added that the company would evaluate migration routes and adapt fencing accordingly to protect both wildlife and property.

Shayne Pierce asked whether the five-year extension could be incorporated into the permit.

Greg Robinson confirmed that the ordinance allowed an initial three-year approval which could be extended by the Planning Commission to five years—bringing the expiration to 2030—and a second five-year extension could later be requested if needed. He recommended adding a condition specifying the 2030 expiration date to formalize the applicant's request.

Motion: Seth Cox Second: Robert McMullin

Motion to **approve** the application, with an additional extension until 2030. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

3. Farmland Reserve Inc. - Application #CU2025-10 - Request for conditional use for a grain storage structure which exceeds 40 feet in height in the Goshen Valley Planned Community (P-C) Zone. Located at 15736 South 12800 West, Section 17, T10S R1W, Elberta area of unincorporated Utah County

Xiao Dong explained that Conditional Use Permit CU 2025-10 was submitted by Elberta Valley Ag, with property owned by Farmland Reserve Inc. at 16204 South 12800 West in the Elberta area. The proposal included the construction of three new grain storage bins, each about 122 feet tall, along with an existing 43-foot milk silo. These structures would support ongoing farming operations, primarily for grain storage and milk production. The site was in the Goshen Valley Planned Community Zone, regulated under the same standards as the A40 Agricultural Zone. While agricultural storage structures were permitted, anything exceeding 40 feet required Planning Commission approval as a conditional use. She displayed elevation plans and confirmed the applicant's presence.

Shayne Pierce asked for clarification on the images shown, and Xiao Dong confirmed that the photo depicted the existing milk silo. Pierce then invited the applicant to speak.

Brandon Anderson, general manager of Elberta Valley Ag and part of Farmland Reserve, explained that the three proposed bins were 64 feet tall, while the elevator leg used to distribute grain into the silos would reach 122 feet, which was the maximum height requested. He said the new silos were necessary because their leased grain storage at Desert Grain Storage would no longer be available. Constructing their own facility would allow them to store grain onsite after harvest rather than transporting it every two weeks from silos located several miles away. This change would reduce traffic, improve efficiency, and keep all storage and grinding operations on the same property.

Robert McMullin asked where the grain was produced.

Brandon Anderson responded that all the grain was grown locally on Farmland Reserve property, spanning from about 11 miles north to 5 or 6 miles south of the facility.

Shayne Pierce asked about the structure's design, noting the silos and a central tower in the diagram.

Zac Dalack, the system designer, clarified that the structure in the middle was a grain elevator with a support tower, equipped with a stairway for safe maintenance access. The design allowed for future expansion, such as adding catwalks or adapting to new crops like corn.

Seth Cox noted that the staff recommendation referenced a height limit of 122 feet for the storage bins, though only the elevator reached that height.

Greg Robinson agreed that this distinction could be clarified in the approval, and he also pointed out that items 5 and 6 in the staff recommendations were mistakenly carried over from

another project and should be removed.

Robert McMullin, identifying himself as a farmer, asked about the silos' capacity.

Zac Dalack said each could hold about 125,000 bushels—roughly 60 pounds per bushel for wheat and 56 for corn.

Motion: Robert McMullin Second: Sullivan Love

Motion to **approve** the application, including items 1 to 4, clarifying that the grain elevator will reach 122 ft at its highest point. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

4. CMC Rock LLC - Application #CU2025-11 - Request for conditional use for an open-pit mining operation in the Goshen Valley Planned Community (P-C) Zone. Located at approximately 13600 South 12800 West, Sections 31 & 32 T9S, R1W, 5 & 6, T10S R1W, Elberta area of unincorporated Utah County

Kevin Stinson stated that CMC Rock had submitted an application for a mining operation located in the Goshen Valley Planned Community (PC) Zone, which allowed mining but required Planning Commission approval as a conditional use. The area, owned by Farmland Reserve, was originally larger but had been reduced during the review process. He noted that the applicant was coordinating with multiple agencies—including Public Works, the County Engineer, Building, Fire, and UDOT—and had begun obtaining an access permit for a nearby state road. The application sought approval only for the mining operation itself, with additional state, county, and federal regulations to be followed under Utah County Land Use Ordinances 6-24 and 6-28. The applicant was already working with the Department of Oil, Gas, and Mining (DOGM) and planned to mine only sand, not rock, and would use screening rather than a crusher.

Shayne Pierce observed that the proposed site appeared close to the recently approved solar project.

Kevin Stinson confirmed the proximity.

Greg Robinson clarified that while some parcels overlapped, there was the possibility that mining could occur first and the solar farm could later be built on the reclaimed land.

Karen Ellingson noted that coordination between the two operations would likely be up to the property owners.

Kevin Stinson added that Brandon from Farmland Reserve had signed both applications.

Karen Ellingson invited the applicant to explain how the mining and solar operations might work together.

Sam Cusick, co-owner of CMC Rock, introduced himself and his family-owned company, which operated several aggregate and mineral mining sites across Utah County. He explained that the proposed project involved flattening sand dunes, as the uneven terrain made it unsuitable for solar panels. He described the plan to mine and screen between five and ten million tons of sand over 15 to 20 years, selling the sand for concrete production, utility bedding, and local construction projects, including a golf course in Salem. He stated that this process would prepare the land for future solar development by creating flat ground at no cost to the solar operator, who would otherwise have to remove the sand independently.

Shayne Pierce asked about the estimated quantity of sand.

Sam Cusick confirmed it was likely in the 5–10 million ton range, noting that mining would begin on the north side and proceed southward.

Karen Ellingson asked about possible dust and debris impacts on nearby solar or residential projects.

Sam Cusick responded that the company followed all Division of Air Quality regulations, maintained permits to monitor air opacity, and used mitigation techniques such as water trucks and dust control chemicals.

Lorraine Davis asked whether the sand would be relocated.

Sam Cusick replied that it would be used immediately in production rather than stored, as inventory loss from wind made long-term storage uneconomical. He emphasized that mining would proceed in coordination with the solar company and that the land would be reclaimed when finished.

Lorraine Davis asked about winter operations.

Sam Cusick explained that while work continued year-round, activity slowed during the coldest months.

Robert McMullin asked how long it would take to remove all the sand.

Sam Cusick estimated 15 to 20 years, aligning with the solar project's potential development timeline.

A member of the public attempted to comment before the decision, expressing concern that the mining would lower property values, worsen wind erosion, and disturb soil near Elberta. He questioned whether Farmland Reserve held the mineral rights and objected to the restriction on public comment timing.

Dale Eyre explained that the procedure had changed to require written comments before meetings, and that this process had been stated in the notice sent to property owners.

Karen Ellingson then asked staff to elaborate on air quality oversight.

Kevin Stinson confirmed that the Department of Air Quality, not the county, issued and enforced permits, conducted inspections, and responded to complaints.

Greg Robinson clarified that mining was an allowed use within the PC Zone but required a conditional use permit due to the zone's wording. He explained that in most other zones, mining was a permitted use as long as the operator met the ordinance requirements.

Robert McMullin asked the applicant about dust control measures.

Sam Cusick described using water trucks, road stabilization chemicals, and controlled pile heights to prevent wind-blown dust. He added that the company held multiple air quality permits statewide and regularly coordinated with regulators to ensure compliance. He noted that they would use a nearby Farmland Reserve well and also had access to water from other operations north of the site.

Lorraine Davis asked if CMC Rock had experienced complaints from other nearby communities.

Sam Cusick replied that they had not and explained that the company prioritized dust control to prevent costly shutdowns. He acknowledged that mining was never popular but emphasized its necessity for community growth and construction.

Motion: Seth Cox Second: Karen Ellingson

Motion to **approve** the application, including items 1 to 7, crossing out the crushing of aggregate material as that was no longer needed. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

D. ITEMS SUBJECT TO PUBIC HEARING

- 1. Utah County Planning Commission - Proposed Utah County Land Use Ordinance text amendment to Sections 2.08, 8.76, 8.80, Chapter 14, and any other applicable section, related to recent state legislation governing property boundary establishment and adjustment, along with associated ancillary changes.**

Ryan Harris explained that the amendment was prompted by Senate Bill 104, which the Utah Legislature passed earlier in the year. The bill made significant changes to how property lines can be moved, added new requirements for agricultural divisions, and modified rules for subdivision amendments. The proposed land use ordinance changes were designed to align with these state law updates. He outlined the major changes. First, Senate Bill 104 consolidated

multiple methods for moving property lines—such as warranty deeds, quitclaim deeds, and boundary agreements—into a single, standardized process called a boundary adjustment. This new method required a conveyance document and, importantly, a notice of consent from the local land use authority. The county would now review boundary adjustments before recording them with the county recorder. He noted that agricultural divisions would now require a record of survey to be filed with the surveyor's office. Additionally, state law now allows additional lots to be added to a subdivision through an amendment, so the county's ordinance was updated to permit that. To simplify navigation, all references to land divisions, subdivisions, and boundary adjustments were moved into Chapter 14 of the code. He also introduced two new amendment categories—minor and major subdivision amendments. Minor amendments would streamline simple changes like small boundary adjustments or note edits that didn't affect utilities, saving applicants up to a month since utility company letters would no longer be required. Major amendments would still follow the full review and letter process.

Greg Robinson commended Mr. Harris for his work, noting that the state's boundary adjustment reforms were extensive and that Mr. Harris's updates ensured compliance while improving efficiency.

Lorraine Davis asked why the state had made these changes.

Ryan Harris explained that previously, there were numerous, inconsistent methods for altering boundaries, which led to confusion and illegal land divisions. Some property owners had unknowingly purchased parcels that didn't meet county requirements, creating problems when they later applied for building permits. The new system standardized the process and required county review to prevent such issues.

Shayne Pierce shared his own experience purchasing a property with outdated boundary descriptions, noting that the new process seemed more transparent and more standardized.

Ryan Harris agreed, saying that while the process now required more documentation—such as a site plan showing current and proposed property lines—it provided needed consistency.

Robert McMullin asked whether the changes simplified or complicated the process.

Ryan Harris replied that while they added steps, they prevented future legal issues and unauthorized land divisions.

Robert McMullin asked whether the law applied statewide or only to counties.

Ryan Harris explained that the change applied to all jurisdictions in Utah and was developed collaboratively by state representatives, surveyors, and recorders.

Robert McMullin confirmed that Senate Bill 104 was already state law.

Ryan Harris stated that the county's update was simply bringing local ordinances into compliance by removing outdated provisions and referencing the new state code. As he reviewed

specific sections, he described how definitions were updated to reference state code directly, and how all items related to property divisions were consolidated in Title 14. He detailed how the county engineer and health department would review adjustments, distinguishing between “simple” and “full” boundary adjustments based on whether easements, utilities, or septic systems were affected.

Karen Ellingson spotted a typo in one section where “confirm” should read “conform”.

Ryan Harris thanked her for the correction, noting he would fix it in both places where it appeared. He continued explaining that full boundary adjustments required additional utility company approval and county consent. He highlighted that agricultural divisions now needed a record of survey and that “conditional use” references had been updated to “administrative decisions,” reflecting how subdivision applications are reviewed by staff. He also clarified that utility letters were no longer needed for minor amendments, saving time for applicants.

Karen Ellingson asked if the language in the condominium section already existed.

Ryan Harris confirmed it was, though he admitted that some older phrases, like “mesh harmoniously,” might need future revision.

Shayne Pierce asked how long the rewrite had taken.

Ryan Harris said it took several months and required coordination among the surveyor’s office, public works, and the recorder’s office.

Shayne Pierce concluded by noting that while the new system added oversight, it also provided clarity, accountability, and consistency in boundary and subdivision management throughout Utah.

Motion: Sullivan Love Second: Lorraine Davis

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

Motion: Seth Cox Second: Sullivan Love

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

Motion: Sullivan Love Second: Seth Cox

Motion to recommend **approval** to the Utah County Commission of the proposed text amendments to the Utah County Land Use ordinance, updating chapters in sections 2.08, 8.76, 8.80, and 14. Along with any applicable renumbering and reform or reformatting in each section

based on the findings listed in section 5 of the staff report, including grammar changes. The motion **passed** with the following vote: "Aye" Shayne Pierce, Sullivan Love, Lorraine Davis, Robert McMullin, Seth Cox, Karen Ellingson. "Nay" none.

E. OTHER BUSINESS

1. Update on Utah County Moderate Income Housing implementation plans

Xiao Dong provided an overview of the 2025 Moderate Income Housing Report, which had been submitted to the Department of Workforce Services on July 30, 2025. She explained that under state law (Section 17-27a-408), Utah County was required to adopt at least three housing strategies and had implemented four. The first strategy involved reducing rear and side setbacks in the RR5 and TR5 zones under Ordinance 2025-623 to make it easier for residents to build detached accessory dwelling units (ADUs) and residential accessory structures. She noted that in the next reporting year, staff would review parking requirements and consider amendments to reduce barriers for housing development. The second strategy focused on rezoning for higher-density or moderate-income housing within commercial and mixed-use zones. She noted that staff had worked on updates to caretaker and agricultural worker housing policies and had met with large farm operators to draft amendments that would increase flexibility and clarify standards for housing in agricultural areas. The third strategy involved partnering with entities that receive state or federal housing funds. She reported that the county had strengthened its coordination with the Utah County Housing Authority, holding formal meetings in December 2024 to update agreements and set long-term goals. Through the county's Community Development Block Grant (CDBG) program, housing rehabilitation projects had been funded for about 360 homes in Spanish Fork, and a refugee transitional housing project in Orem provided 120 beds and nine residential units. The fourth strategy concerned utilizing moderate-income housing funds set-aside from Community Reinvestment Agency (CRA) projects. She stated that the county had adopted a new CRA policy in August 2024 requiring at least 10% of tax-increment funds to be directed toward moderate-income housing. She announced that on October 14, 2025, the county received a compliance letter from the Department of Workforce Services confirming that it had met all state requirements. She also noted that the county had participated in the National Association of Counties Housing Solutions Program and concluded by stating that the report demonstrated full compliance for the 2025 reporting period.

Greg Robinson explained that the state required every jurisdiction to select and report on several housing strategies. He said that Utah County had adopted four, though it was only required to implement three, and that the strategies were tailored to fit the county's large-lot rural zoning. He noted that results were already visible, particularly through the ADU ordinance, as applications for accessory dwellings had increased significantly. He emphasized that the county's strategies not only supported residents in unincorporated areas but also complemented efforts by nearby municipalities where most jobs and transit access were located. He added that the county continued to explore ways to support agricultural producers through worker housing initiatives and commended Xiao Dong for her work securing state approval for the plan.

Shayne Pierce summarized that the county had fulfilled its state requirement, submitted the report, and received confirmation of compliance. He asked whether part of the next year's focus would include reviewing parking standards, as mentioned earlier.

Xiao Dong confirmed that staff would likely propose updates to the ordinance, including parking and potential rezonings, to further improve flexibility.

Greg Robinson added that future agenda items might include proposed code changes related to these strategies and that the commission would have opportunities to review and provide input as the updates moved through the application process.

Shayne Pierce thanked both staff members for their efforts and concluded that the county's progress and compliance were excellent, with no further questions from the commission.

F. PUBLIC COMMENT

Shayne Pierce explained that while the Planning Commission previously allowed public comment on each individual agenda item, the procedure had been changed to move all comments to the end of the meeting. The change aligned the commission's process with that of the Utah County Commission and with state guidelines, providing a more consistent and structured approach. He noted that residents who wanted their comments considered before decisions were made should now submit them in writing before the meeting.

Wade Garner, a resident of Elberta, addressed the commission. He stated that he attended the meeting with Bill Ford, president of the Elberta Water Company, and fellow board member Merrill West. He expressed concern about the cumulative impact of the proposed solar and mining projects near Elberta, emphasizing that the term "minimal impact" was misleading to those who actually lived in the area. He questioned whether increased taxable value from such projects would improve county road maintenance and asked if turn lanes or riprap would be installed at the developer's expense to ensure safety on Highway 6. He described hazardous conditions at other gravel pit sites and expressed skepticism that promised dust control measures would be enforced, noting the limited number of mine inspectors in Utah. He further questioned the proliferation of solar farms on the west side of Utah Lake, asking who would benefit from the generated power—local residents or out-of-state consumers. He raised concerns about traffic, particularly heavy landfill-related truck traffic beginning early each morning, and the potential for accidents given the area's high speeds. He asked whether the additional tax revenue from development would lead to improved law enforcement for the community. He also noted that Elberta's state-approved water wells and lines ran through the proposed project areas, making dust and water usage critical issues. He quoted a project representative's comment that "the town doesn't concern him," calling it troubling. Finally, he urged the commission to consider a grace period for the new public comment policy, noting that many residents were unfamiliar with the updated procedure and that major decisions were affecting property owners who had invested heavily in the rural character of their community.

Shayne Pierce thanked Mr. Garner for his remarks, noting that public comment was now limited to three minutes unless a speaker represented a group, in which case seven minutes were

allowed. He then invited additional comments, but none were offered. Before closing the section, he invited commissioners to respond to the concerns raised.

Robert McMullin brought up a separate procedural matter, asking why the Pledge of Allegiance had been removed from the meeting agenda. He stated that he would like to see it reinstated and made a motion to add it back to future agendas.

Shayne Pierce agreed and asked **Greg Robinson** whether an official vote could be taken.

Greg Robinson explained that staff could be directed to include it on the next meeting's agenda, and Pierce confirmed that would be done.

Shayne Pierce then addressed the substance of Mr. Garner's concerns. He emphasized that conditional use permits—such as those for mining and solar projects—were permitted uses within the zoning ordinances, meaning that the Planning Commission could only deny them if they created detrimental effects that could not be reasonably mitigated, as defined by state code. He clarified that personal or aesthetic objections, such as the number of solar farms, could not be grounds for denial. He encouraged residents who wanted zoning or land use changes to submit proposed amendments through the formal county process, which could then be considered and voted on by the County Commission.

Wade Garner asked why citizens should even attend meetings if the commission “had to vote yes.”

Greg Robinson clarified that the commission did not automatically approve every request, but state law limited when conditional use permits could be denied. He explained that conditional uses were designed to allow potentially impactful projects if the applicant could show that any anticipated detrimental effects could be reasonably mitigated. If mitigation was impossible or unreasonable, the commission could deny the application.

Shayne Pierce assured Garner that the issue was not personal and that the commission understood residents' concerns.

Seth Cox added that public involvement could still influence outcomes. He cited a recent example where a permit was withdrawn after public comments revealed new issues. He stated that the process served as a safeguard to ensure applicants had addressed all necessary factors before proceeding.

Wade Garner replied that if citizens truly had no influence, “we wouldn't be allowed to be doing this right here,” referencing their right to speak.

Sullivan Love expressed his reservations about the recent change in the public comment policy. He stated that although he may have voted for it, he had concerns about removing opportunities for residents to speak before decisions were made. He argued that despite the staff's thorough work, residents often raised local issues—such as unknown easements—that staff might not have

discovered. He urged residents to report violations, such as dust control failures, directly to regulatory authorities, as enforcement depended on public reports.

Shayne Pierce acknowledged Sullivan Love's points but explained that the procedural change was intended to prevent last-minute claims that could delay projects and unfairly surprise applicants. He said that requiring comments in advance allowed staff and applicants to review concerns before the meeting, ensuring fair consideration.

Sullivan Love countered that the change was abrupt after decades of open public participation. He noted that most citizens would naturally assume they could still comment in person, as had always been the case. He supported clearer communication and a possible reconsideration of the timing of comments.

Seth Cox agreed, stating that the commission could exercise discretion to open public comment during specific agenda items when appropriate. He acknowledged that in the current meeting, it might have been better to allow Mr. Garner to speak earlier and recommended that the commission revisit how such exceptions could be handled in the future.

Karen Ellingson suggested that future meetings begin with an explanation of the agenda format so attendees would understand when and how they could comment. She proposed that the chair outline which items would permit public comment and which would not.

Shayne Pierce and **Seth Cox** both agreed that this approach would help avoid confusion, and

Shayne Pierce stated that the agenda should clearly indicate that verbal comments would not be allowed unless the commission voted to open the floor for them.

Greg Robinson concluded by noting that additional clarifying language had already been added to public notices, emphasizing that comments must be submitted before the meeting. He stated that staff would continue refining both the notice and the agenda to make procedures as clear as possible.

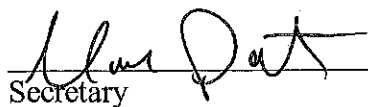
G. ADJOURN

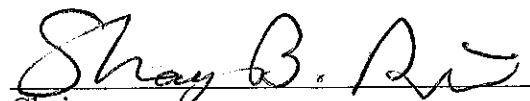
The meeting was adjourned at 7:44 PM.

Utah County Planning Commission
October 21, 2025

Minutes respectfully submitted by:

APPROVED BY:


Secretary


Chair