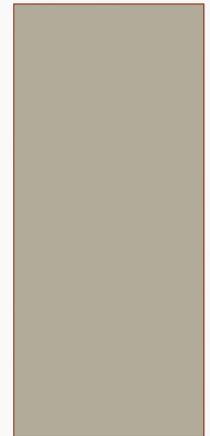


TRANSMISSION LINES

CODE TEXT AMENDMENT

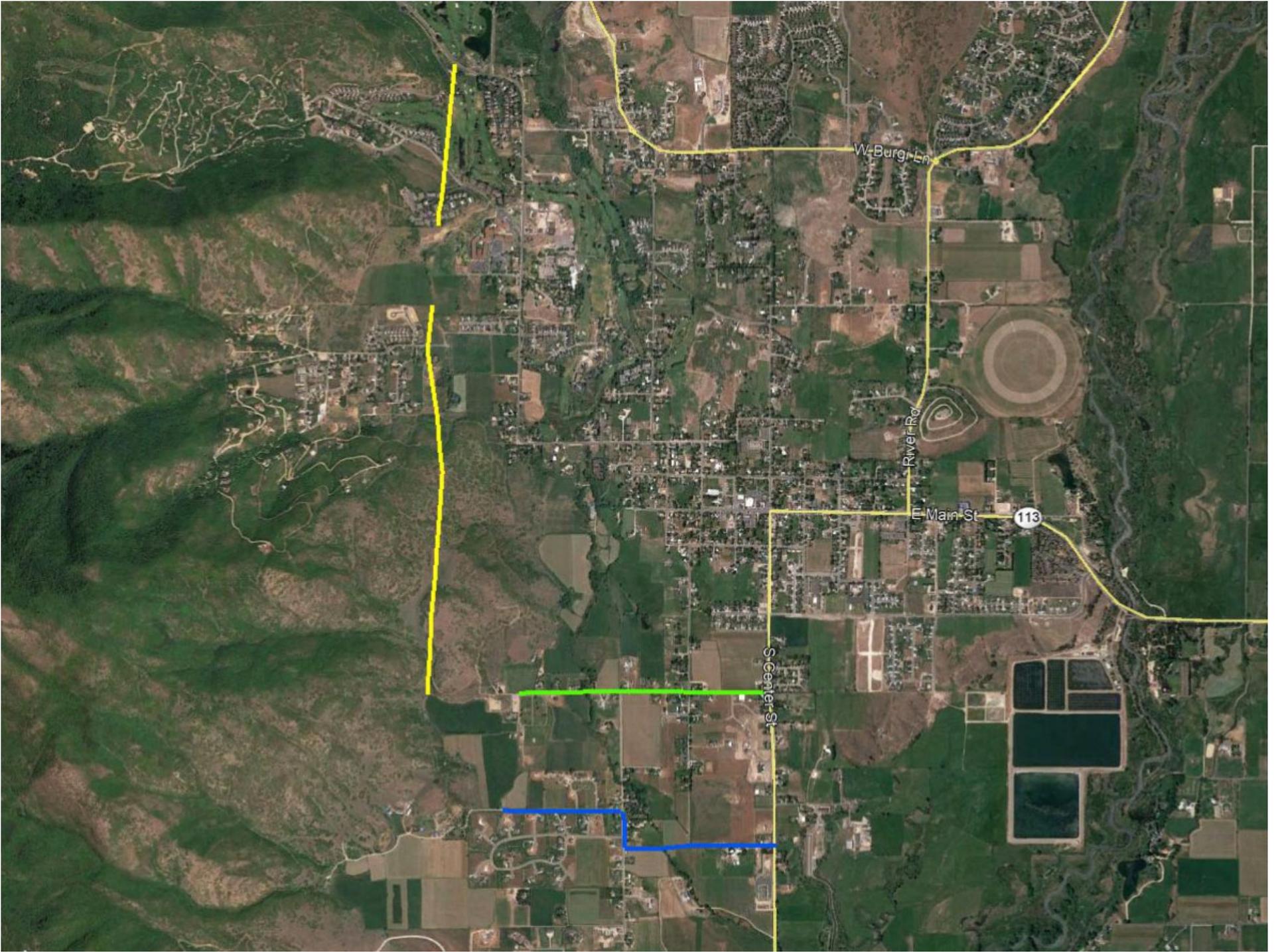


CODE PROPOSAL

- Adopt a code for transmission power lines
- Concerns must be addressed
 - Need for the new lines
 - Redundancy
 - Amount of power needed for Heber Valley
 - Resident concerns
 - Aesthetics
 - Health
 - Property values
 - Potential other options (lack of)
- New code will only govern new (replacement) transmission lines
 - Lines will only be allowed where they have historically been located

TRANSMISSION LINES IN MIDWAY

- West Foothills (west of Homestead Drive)
 - Rocky Mountain Power
 - 1.8 miles
- 500 South
 - Heber Light & Power
 - 0.8 miles
- 970 South
 - Heber Light & Power
 - 1 mile



SWISS ALPINE



LIME CANYON



LIME CANYON



500 SOUTH



500 SOUTH



500 SOUTH



970 SOUTH



970 SOUTH



STRINGTOWN ROAD



STRINGTOWN ROAD



WARDS LANE



WARDS LANE 65' POLE



Stringtown Road 55' Pole



Hwy 113
Approx. 60'



970 South 55' Pole



WARDS LANE 65'



500 South 65' Pole



Stringtown Road



970 South



TRANSMISSION LINES
IN THE COUNTY

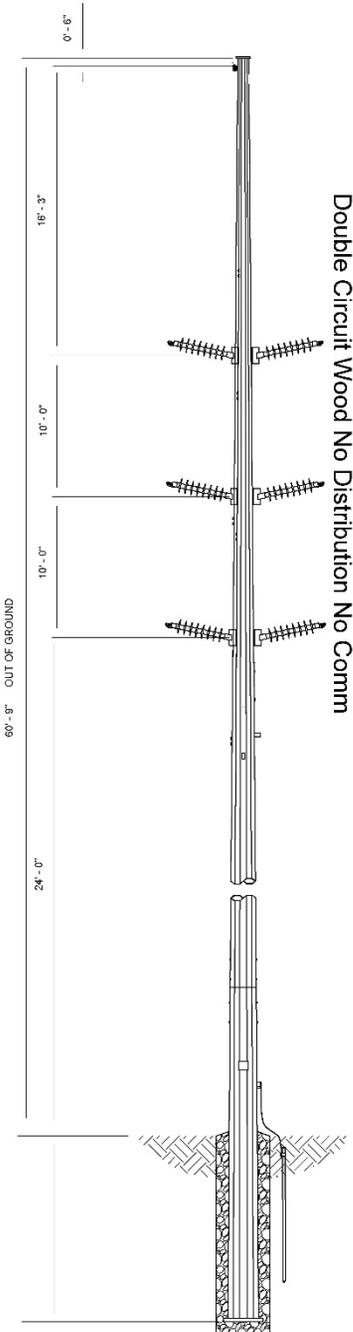
HWY 40



HWY 40

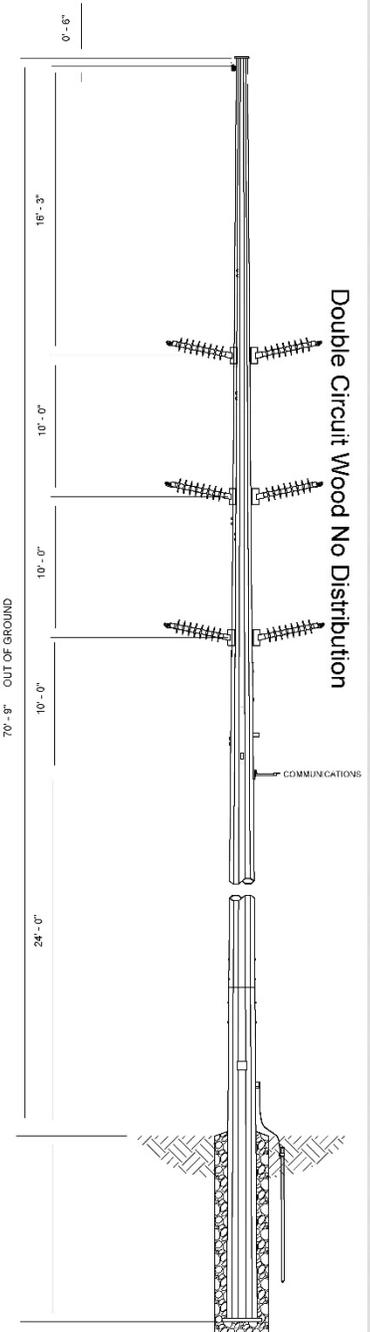


Double Circuit Wood No Distribution No Comm



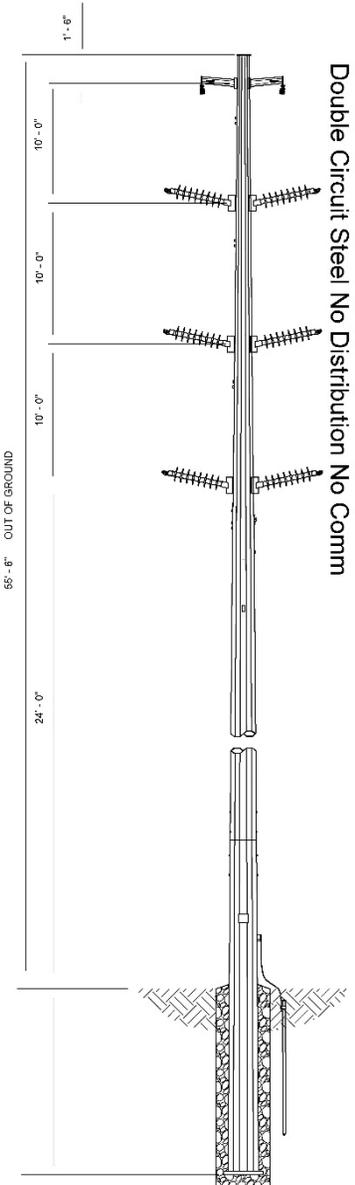
66' 9"

Double Circuit Wood No Distribution



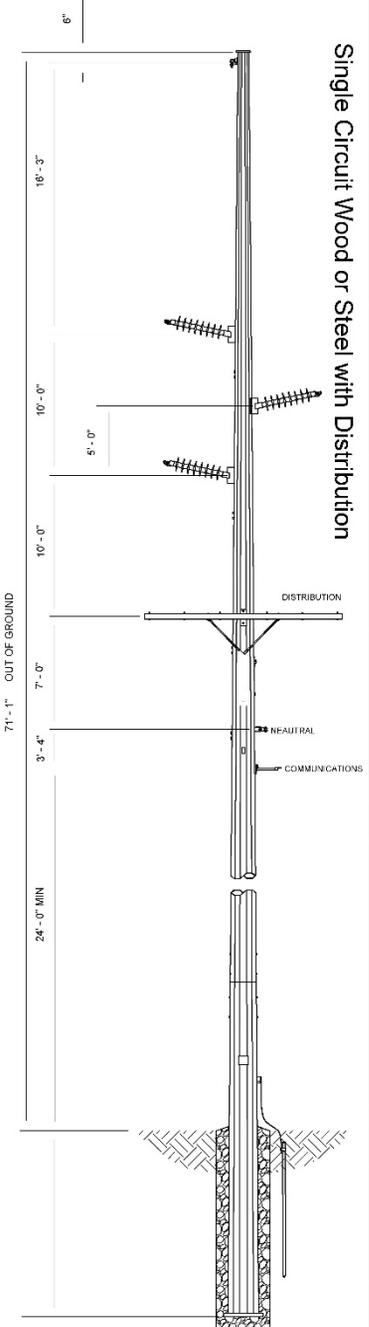
70' 9"

Double Circuit Steel No Distribution No Comm



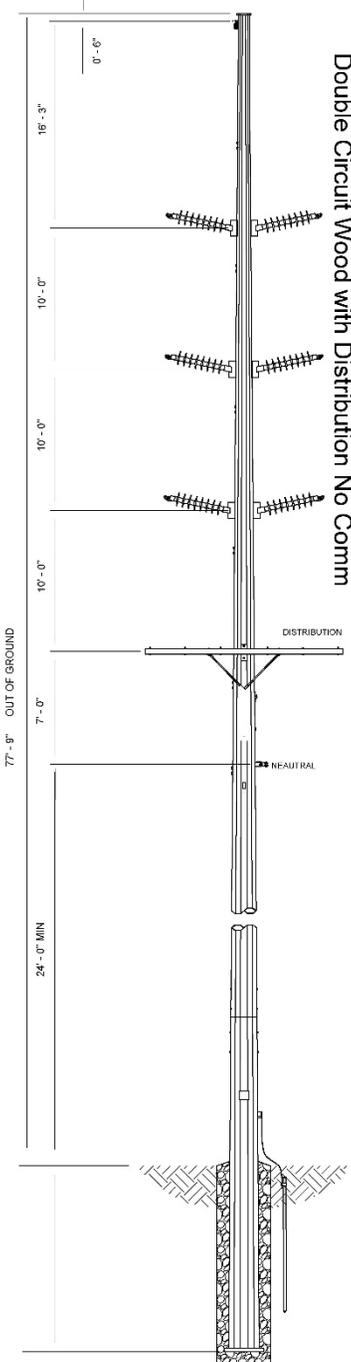
61' 6"

Single Circuit Wood or Steel with Distribution



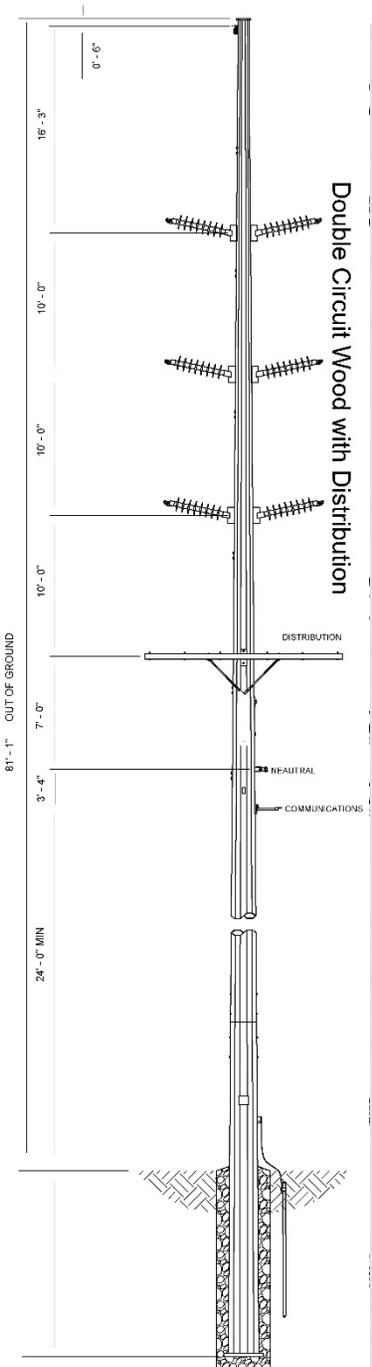
71' 1"

Double Circuit Wood with Distribution No Comm



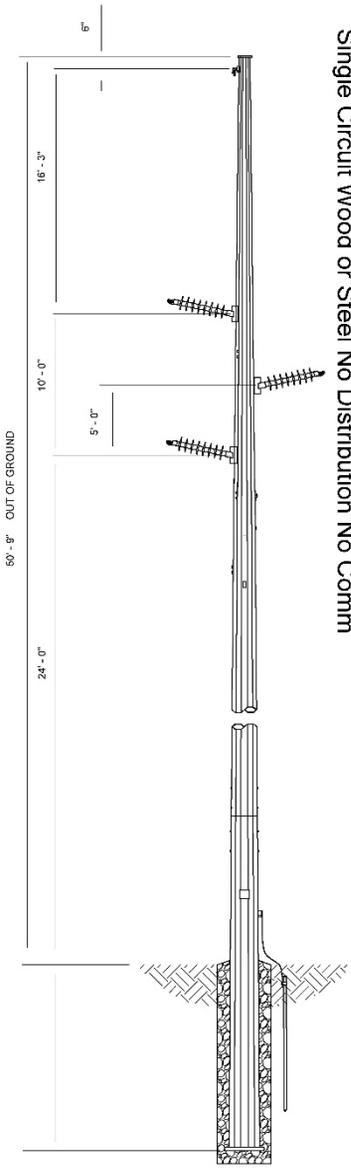
77' 9"

Double Circuit Wood with Distribution



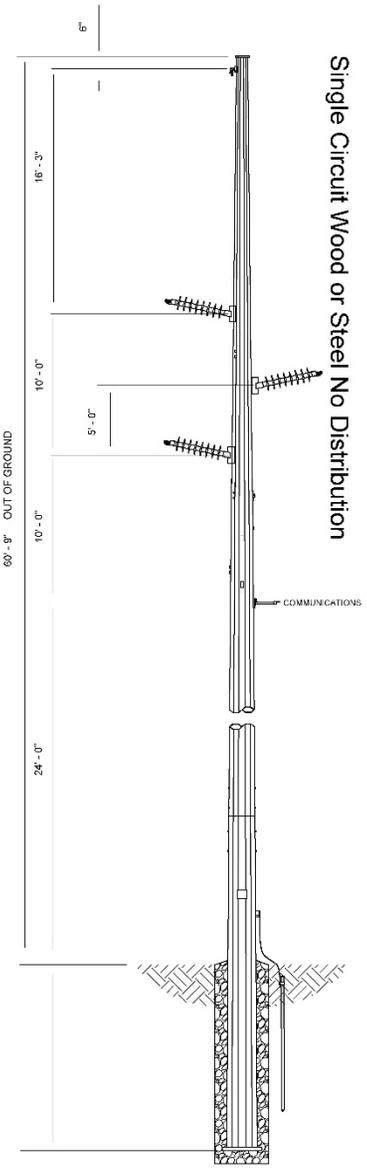
81' 1"

Single Circuit Wood or Steel No Distribution No Comm



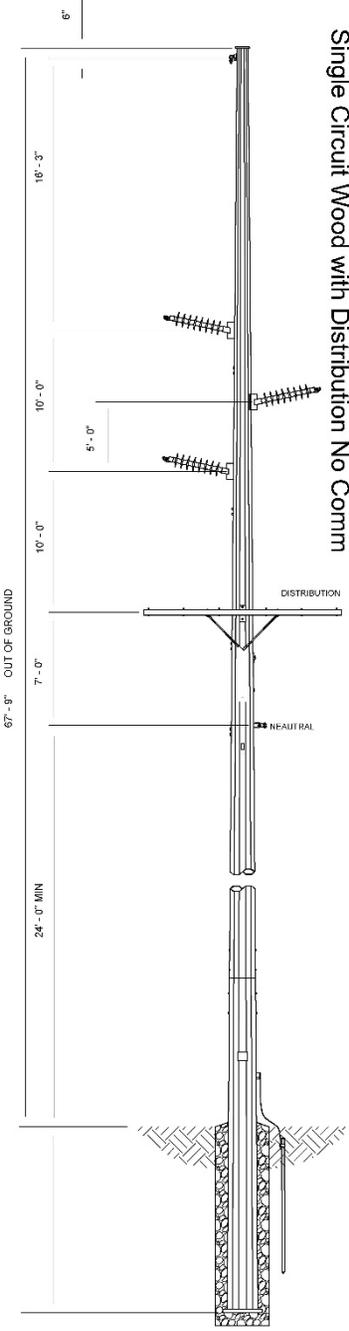
67' 9"

Single Circuit Wood or Steel No Distribution



60' 9"

Single Circuit Wood with Distribution No Comm



67' 9"

MIDWAY'S GENERAL PLAN

- General Plan consideration
 - View corridors
 - Preserving the rural atmosphere

PROPOSED CODE

- Requires studies
 - Costs of different options
 - Visual and aesthetic impacts
 - City's discretion of requiring third party review
- Public hearing
- Option to require lines to be buried
 - Cost of different options will be considered

PROPOSED CODE

- Restrictions on any above ground high voltage transmission power lines
 - Restricted to corridors where existing 46kv lines are already in place;
 - Height and span restrictions: Preference for the lowest poles allowed by industry standards though all options will be considered for aesthetics and for harmonizing with the vision of Midway as described in the General Plan.
 - Aesthetic restrictions: Brown or rust colored – no galvanized or other reflective materials shall be used.
 - Other restrictions as reasonably imposed by the City.

PROPOSED CODE TEXT

16.13.47 TRANSMISSION LINES

A. Transmission Lines are a conditional use in all zones.

A.B. The purpose of this section is to regulate all electric transmission lines that exceed 55 feet in pole height above grade. It is not the intent of this section to regulate the replacement or maintenance of existing transmission lines that exceed 55 feet in pole height. ~~So long as existing transmission poles~~ Transmission lines that do not exceed 55 feet in pole height above grade shall be an allowed use in all zones, and shall not require a conditional use permit. Further, regarding existing transmission poles that currently exist within City boundaries, so long as they are replaced with a pole of identical height, diameter, and material, no permit nor approval shall be required. A proposal to alter the height, diameter, or material of existing transmission lines that exceed 55 feet shall require an application a conditional use permit under this section.

PROPOSED CODE TEXT

B.C. *Prior to beginning construction on any new or proposed power transmission line that exceeds 55 feet in pole height above grade within any portion of the Midway City boundaries, a power company shall:*

~~1. 1. Submit an application to the Planning Department, in a form established by the City Planner, providing all information, design criteria, and studies deemed necessary by the City Planner. Apply for and receive approval of a conditional use permit as set forth in this title.~~

2. In addition to the information required in the application process as set forth in this title, the applicant shall also provide all information, design criteria, and studies deemed necessary by the City Planner, including, but not limited to: 1) the cost and pole height of standard transmission poles with height included for distribution lines; 2) the cost difference and pole height difference of burying just the distribution lines; 3) the cost difference of burying both the

PROPOSED CODE TEXT

transmission and distribution lines; and 4) alternate routes for the transmission line (if not proposed within an existing and historical easement), including cost differential and studies on which route has the least impact on surrounding areas. Any requested studies shall be thorough and may include environmental impact studies, studies to determine costs of different options, and studies to determine the visual and aesthetic impact of the proposed transmission line project. At the City's sole discretion, the City may require outside third party providers to conduct some or all of the studies, do independent studies, or to review the studies prepared by the applicant and verify the information contained therein. All reasonable costs incurred by third party studies shall be ~~borne~~born by the applicant.

PROPOSED CODE TEXT

~~2. — Once the application is complete, the applicant shall appear before the Midway City Planning Commission. A public hearing shall be conducted regarding the application. Notice of the date, time, and place of all Planning Commission public hearings concerning a proposed transmission line shall be mailed not less than ten calendar days before the hearing to all record owners of property within 600' of the proposed route of the transmission line. The applicant shall furnish a draft notice and stamped, addressed envelopes with the correct names and addresses of all record owners to the City no less than 14 calendar days before the hearing. The Planning Commission shall have the authority to review the application and to request additional information, if necessary. After reviewing the application and conducting the public hearing, the Midway City Planning Commission shall recommend approval, approval with conditions, or denial of the application.~~

PROPOSED CODE TEXT

~~3. — Once a recommendation has been issued by the Planning Commission, the application shall be presented to the Midway City Council. A public hearing shall be conducted regarding the application. Notice of the date, time, and place of all Midway City Council public hearings concerning a proposed transmission line shall be mailed not less than ten calendar days before the hearing to all record owners of property within 600' of the proposed route of the transmission line. The applicant shall furnish a draft notice and stamped, addressed envelopes with the correct names and addresses of all record owners to the City no less than 14 calendar days before the hearing. The City Council shall have the authority to review the application, and to request additional information or studies should they be deemed necessary. After reviewing the application and conducting the public hearing, the Midway City Council shall approve or deny the application. Approval may include requirements of the applicant that can be documented in an installation agreement between the applicant and the City.~~

PROPOSED CODE TEXT

3. Notice requirements shall comply with Section 16 of the Midway City Code, and shall include notice to all property owners within 600' of the proposed route of the transmission line.

D. Preferred Conditions on any above ground transmission power lines located within the boundaries of Midway City:

1. Existing Easement Restrictions: New lines shall be preferred in corridors where existing 46kv lines are already in place.^[AL1]

2. Height and Span Restrictions: There shall be a preference for the shortest poles allowed by industry standards, taking into account the impact a shorter or longer span between poles may have on the view corridor. All options will be considered for aesthetics and for harmonizing with the vision of Midway City as described in the General Plan.

3. Aesthetic Restrictions: No galvanized poles, or poles with other reflective materials shall be used. Pole color and material shall be focused on minimizing the visual impact of the transmission line. Wood poles will also be considered.

4. Other restrictions as reasonably imposed by the City.

PROPOSED CODE TEXT

E. City's option to require burial of transmission lines, or distribution lines that share the transmission line pole.

1. It is Midway City's objective to minimize the visual and aesthetic impact of above ground transmission lines within Midway City.

2. Midway City Council shall have the option of requiring transmission power lines approved under this section to be buried within the Midway City limits. Midway City Council shall also have the option of requiring just the distribution lines that commonly share the poles of transmission lines to be buried, if such a requirement would lower the overall height of the transmission poles.

3. As set forth above, to aid Midway City Council in making its determination, Applicant shall be required to submit studies that establish: 1a) the cost and pole height of standard transmission poles with height included for distribution lines included; 2; b) the cost difference and pole height difference of burying just the distribution lines; ~~and~~ 3c) the cost difference of burying both the transmission and distribution lines—; and d) alternate routes for the transmission line (if not proposed within an existing and historical easement), including cost differential and studies on which route has the least impact on surrounding areas.

PROPOSED CODE TEXT

4. _____ Prior to making any decision, the City shall carefully review the different costs associated with each option.

5. _____ Any requirements imposed by the City to bury some or all of either the transmission lines or distribution lines shall be subject to then existing law that may require the City to cover some or all of the costs.

6. _____ In making the decision to bury some or all of the transmission or distribution lines, Midway City Council shall be allowed to consider all reasonable information available to it and shall not be limited to just an analysis of cost as the determining factor.

PROPOSED CODE TEXT

~~D. Restrictions on any above ground transmission power lines located within the boundaries of Midway City:~~

~~In the event the City determines that it is in the best interest of the City to allow new transmission lines to be installed above ground, those new lines shall be subject to the following restrictions:~~

~~1) Existing Easement Restrictions: New lines shall be preferred in corridors where existing 46kv lines are already in place;[AL2]~~

~~2) Height and Span Restrictions: There shall be a preference for the shortest poles allowed by industry standards, taking into account the impact a shorter or longer span between poles may have on the view corridor. All options will be considered for aesthetics and for harmonizing with the vision of Midway City as described in the General Plan.~~

~~3) Aesthetic Restrictions: No galvanized poles, or poles with other reflective materials shall be used. Pole color and material shall be focused on minimizing the visual impact of the transmission line. Wood poles will also be considered.~~

~~4) Other restrictions as reasonably imposed by the City.~~

December 31, 2018

Item: 3 - Code Text Amendment of Midway City's Land Use Code of Title 16.13.10

Celeste Johnson, Midway City Mayor
160 West Main Street
Midway, Utah 84049

Greetings Mayor Johnson,

I have enjoyed getting to know you over the past few months and I agree with you, that Midway truly is one of the most beautiful communities in Utah. Of course you are aware that we are trying to enhance the infrastructure to power your community and Wasatch County. I am sending this letter as response to the recently proposed Midway City code text amendment that pertains to utility pole restrictions. We have some concerns I want to articulate, and I look to you for any response back to me. It appears the amendment is crafted to govern pole heights and other items related to distribution and transmission lines built within Midway City boundaries, but could prove to be problematic as much of the language directly contradicts state statute and National Electric Safety Code (NESC) recommendations.

Midway City's proposal of a code text amendment regarding restrictions for utility poles would place constraints on overhead power pole heights, span lengths and corridor locations, as well as a requirement to locate all new distribution and transmission power delivery underground. These proposed restrictions appear to conflict with existing statutes, and in most cases would require additional resources that would be the financial responsibility of the requesting party. The code amendment appears to have been structured as a response to concerns raised by Midway residents about the impact of transmission line projects. There is also mention of the priority to follow the City's General Plan of preserving visual corridors and keeping a rural community feel, while also requiring thorough studies and a public hearing prior to the finalization of a design. Comprehensive studies and public outreach are key components to a successful project and are already some of the critical steps that Rocky Mountain Power follows when siting and scoping new projects. Regarding Heber Light & Power's and Rocky Mountain Power's current joint project, participating in multiple open house and public hearing meetings specific to Midway for this project was not a requirement, but was the approach taken by our project team. This has been and continues to be important to us, and we desire to have open dialogue to honor and address concerns of Midway residents.

If this newly proposed code was to pass, it would not be applicable to the current Rocky Mountain Power and Heber Light & Power joint project, because our project is well-underway and completely designed, additionally a conditional use permit is not required. As you know Mayor, the project will bring capacity and reliability to Heber Light & Power's and Rocky Mountain Power's customers in Midway City as well as the greater Wasatch County area. Midway City's

code does not require a permit for this planned upgrade, but Heber Light & Power and Rocky Mountain Power still provided a copy of the full updated/amended application that was filed with Wasatch County as an informational courtesy to Midway City.

Rocky Mountain Power adheres to industry standards and best management practices. For any hypothetical future projects, the proposed code probably would not be enforceable, at least in part, since it's preempted by governing laws and regulations. Current design and delivery standards are based on the National Electric Safety Code (NESC) and are the minimum standards that are often exceeded by our design teams. We are partners in the community and are always seeking to work closely with communities and customers to provide critical public services. Please consider the greater impact and feasibility relating to the proposed code amendments, or any other future policy related to utility infrastructure, and know that our team is here to support and serve you as part of the solution. We recommend that this new code be re-evaluated per the thoughts I have shared with you in this note and not approved as currently written. Mayor, thank you for reading this and please reach out to me or Heber Light & Power with any thoughts you may have.

Most respectfully,

Travis Jones
Regional Business Manager
Rocky Mountain Power

Cc:

Heidi Gordon, Senior Attorney

Chad Ambrose, Regional Business Manager Supervisor

Benjamin Clegg, Transmission and Distribution Program Support

Jason Norlen, Heber L & P General Manager

Harold Wilson, Heber L & P Distribution Manager

Brad Wilson

From: Jones, Travis <Travis.Jones@rockymountainpower.net>
Sent: Monday, January 14, 2019 5:08 PM
To: Celeste Johnson; Brad Wilson
Cc: Gordon, Heidi; Clegg, Benjamin; Jason Norlen - Heber Light & Power (jnorlen@heberpower.com); Harold Wilson (hwilson@heberpower.com)
Subject: Item: 3 - Code Text Amendment of Midway City's Land Use Code of Title 16.13.10
Attachments: Midway City Code 12-31-2018.docx

Greetings,

I am sending this email in response to the proposed *Item: 3 - Code Text Amendment of Midway City's Land Use Code of Title 16.13.10*, that will be heard and voted on tomorrow at the Midway City Council Meeting. I have attached a letter that explains some concerns with the proposed code and I hope you will consider these important items.

Rocky Mountain Power is a strong partner in the area and we are always seeking to work closely with communities and customers to provide critical public services, but we recommend that this new code be re-evaluated and not approved as currently written. I appreciate you taking the time to read this, and please reach out with any thoughts you may have.

Respectfully,

Travis Jones
Regional Business Manager
801-220-7230 | travis.jones@pacificorp.com

