

INTERSTATE ELECTRIC TRANSMISSION LINES

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen G. Handy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill enacts language related to a merchant electric transmission line as a conditional land use.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ authorizes a county to adopt in a land use ordinance certain conditions for the approval of a merchant electric transmission line as a conditional use.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-27a-506, as last amended by Laws of Utah 2005, Chapter 245 and renumbered and amended by Laws of Utah 2005, Chapter 254

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-27a-506** is amended to read:

17-27a-506. Conditional uses -- Merchant electric transmission line.



28 (1) A land use ordinance may include conditional uses and provisions for conditional
29 uses that require compliance with standards set forth in an applicable ordinance.

30 (2) (a) A conditional use shall be approved if reasonable conditions are proposed, or can
31 be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in
32 accordance with applicable standards.

33 (b) If the reasonably anticipated detrimental effects of a proposed conditional use
34 cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to
35 achieve compliance with applicable standards, the conditional use may be denied.

36 (3) (a) As used in this Subsection (3):

37 (i) "Merchant electric transmission line" means a transmission line that does not
38 provide electricity to retail customers within the boundaries of Utah.

39 (ii) "Significant useful transmission capacity" means an electric transmission capacity
40 that is no less than 25% capacity of the merchant electric transmission line.

41 (b) A county may adopt in a land use ordinance one or more of the following
42 conditions for the approval of a land use application for a merchant electric transmission line as
43 a conditional use:

44 (i) a condition mitigating environmental, scenic, or wildlife impacts;

45 (ii) a condition prohibiting approval of the land use application if development of the
46 proposed merchant electric transmission line would exceed the number of approved electric
47 transmission utility corridors for the county, whether the number of approved utility corridors
48 is adopted in a land use ordinance or in a general plan;

49 (iii) a condition requiring that the land use applicant demonstrate that the merchant
50 electric transmission line will provide significant useful transmission capacity; or

51 (iv) a condition requiring that the land use applicant demonstrate that the construction,
52 installation, and operation of the merchant electric transmission line will provide one or more
53 of the following to the county:

54 (A) an economic benefit, as described in the land use ordinance; or

55 (B) anticipated tax revenue, at an amount or rate set in the land use ordinance.

Legislative Review Note
as of 1-6-14 1:02 PM

Office of Legislative Research and General Counsel