



PLANNING COMMISSION AGENDA

Thursday, May 14th, 2026
Morgan County Commission
Room
6:30 p.m.

Minutes of the Morgan County Planning Commission meeting at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young Street, Morgan, Utah.

Present PC Members:

Chair Sessions
Member Maloney
Member Taylor
Member Wilson
Member Watt
Member King

Absent PC Members

Member McMillan

Public Attendance:

Tina Kelley
John Bearnson
Heather Bearnson
Dave Durrant
Simone Rousseau
Joseph Rousseau
Chad Spencer

Staff:

Deputy County Attorney – Janet Christoffersen
Josh Cook – Planning Director
Kent Page – Senior Planner
Jessie Drage - Transcriptionist/Permit Tech

1. **Call to order – Prayer by Chair Sessions**
2. **Pledge of Allegiance**
3. **Approval of agenda**

Motion by Member Maloney to approve the agenda for Thursday May 14th 2026, seconded by Member King. Motion carried unanimously.

4. **Declaration of Conflicts of Interest – None**

5. **Public Comment**

John Bearnson – He spoke regarding the Rosehill Chapel site approval and expressed support for the project. He stated that he is both a property owner and business owner on 5800 North, east of the proposed church site, and explained that several nearby business owners would like to see the planned roadway extended to connect with 5800 North. He said the connection would provide a much-needed second point of egress for the area, improving safety in the event of wildfire or other emergencies, as many properties are currently limited to a single access point.

He also stated that the additional access would benefit the church by improving traffic flow and reducing congestion through the adjacent residential neighborhood. Mr. Bearnson noted that several property owners had discussed the issue and were willing to dedicate portions of their property to help facilitate the connection.

Administrative

1. **Public Meeting/Discussion/Decision** – *Deywōs Mountain Estate Site Plan*: A request for site plan approval of the Deywōs Mountain Estate, for the creation of a reception center and accompanying parking lot. The property is identified by parcel number 00-0068-1129 & serial number 03-005-011-01-8, and is located on approximately 1.58 acres at 7533 N. Trappers Loop Road in unincorporated Morgan County.

Planner Page – He stated that County staff had reviewed the application and recommended approval based on the findings and conditions listed in the staff report. He noted that the proposal complied with the Conditional Use Permit approved in June 2025 and that signage directing guests to appropriate parking areas would be reviewed during the building permit process. Mr. Page explained that the request was for approval of a new 5,416-square-foot recreation center and stated that the landscaping, parking, and grading complied with County code requirements. He noted that the project had received a UDOT access permit and would also require an encroachment permit, adding that UDOT retained the right to require right-in/right-out access restrictions in the future. He further stated that the site plan exceeded the County's 15% landscaping requirement by providing 34.6% landscaping. He explained that the submitted photometric plan met the intent of the County's dark sky ordinance and that the project had been reviewed by the County Engineer and found compatible with Morgan County commercial design standards.

Chair Sessions – She asked staff to restate the conditions of approval.

Planner Page – He reiterated that the CUP had been granted in June 2025 and that signage directing guests to parking areas would be required and reviewed during the building permit process.

Planning Director Cook - He stated that additional conditions had been added requiring compliance with ADA parking standards, including striping two additional ADA parking stalls. In response to questions from Member King, Mr. Cook explained that one stall would need to be van accessible and that the site currently only showed three of the five required ADA spaces.

Member Taylor – He asked about the sequence of approvals related to the well and septic systems and questioned whether building design work had begun prior to those approvals. Mr. Cook explained that the well and septic systems were existing and associated with an existing home on the property. He stated that the Health Department reviews expansions and determines whether the existing systems are adequate, noting that the County had received a conditional approval letter from the Health Department. He clarified that any required upgrades would be determined by the Health Department, not the County.

Member Taylor – He also questioned the proposed siding materials and whether aluminum siding was being approved.

Planning Director Cook - He responded that the project was not held to the same standards as strictly commercial developments and stated that the proposal met County code requirements as submitted.

Member Taylor - He asked additional questions regarding the photometric plan and dark sky compliance.

Planning Director Cook – He explained that the low light readings shown on the plan were desirable because they demonstrated that light spill off diminished at the property lines. He stated that any future lighting changes would require submission of a revised photometric plan and noted that the plans are reviewed by the County Engineer to verify compliance with dark sky.

Member Taylor – He stated that he remained confused regarding the proposed siding materials and asked what standards the Commission was expected to apply.

Planning Director Cook – He explained that the submitted elevations were intended to demonstrate that the applicant had provided a design proposal. He stated that while County code includes commercial design standards, the property is zoned A-20 and is not technically considered commercial, making the standards difficult to strictly apply. He stated that, in his opinion, the proposal met the intent of the design standards.

Greg Day – He stated that he was representing applicant Josh Hughes, who was unable to attend the meeting. Mr. Daye introduced himself as being from Syracuse, Utah, and stated that he was available to answer any questions from the Commission.

Chair Sessions – She instructed that any motion for approval should include an additional finding that the proposal complied with the previously approved CUP for a private resort, as well as the parking-related condition discussed during the meeting.

Motion by Member Taylor I move we recommend approval to the County Commission for the Deywós Mountain Estate Site Plan: A request for site plan approval for the creation of a reception center and accompanying parking lot. The property is identified by parcel number 00-0068-1129 & serial number 03-005-011-01-8, and is located on approximately 1.58 acres at 7533 N. Trappers Loop Road in unincorporated Morgan County based on the findings and conditions listed in the staff report on May 14th 2026 with the following conditions:

- 1. That the Site Plan complied requirements for a Conditional Use Permit in the Morgan County code.***
- 2. That the applicants provided clear directional signs to direct parking in compliance with the Morgan County code.***

Second by Member Watt. Motion carried unanimously.

- 7. Public Meeting/Discussion/Decision – Rosehill LDS Chapel Site Plan:** A request for approval of a site plan for an LDS chapel in the Mountain Green area. The properties are identified by parcel number 00-0084-0774 & serial number 03-LDSMG-0004 and are located approximately at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County.

Planner Page – He stated that the request for the Rosehill LDS Chapel Site Plan was to allow the construction of a new LDS chapel. Staff had reviewed the application and recommended approval based on the findings and conditions in the staff report. He noted that the chapel would include 285 parking stalls, a 1,085-square-foot pavilion, and a 2,000-square-foot building. The proposal met County requirements for landscaping, parking, commercial design, and compliance with dark sky ordinances.

Member Taylor – He asked about the road shown at the end of the site.

Planner Page – He explained that the road was intended to provide access to the chapel site and that there would be cross access between the two churches.

Member Taylor – He asked whether the gate was simply intended to provide access.

Planning Director Cook – He clarified that it was not a road and was not designed to street standards.

Member Taylor – He questioned whether the proposal effectively closed off access to anything behind the property.

Planning Director Cook - He stated that the church owned the property behind the church and the County could not require them to construct a road to provide access to commercial properties alongside the church property. He noted there was no harm in asking the applicant about it, but the County did not have authority to compel them to do so.

Member Taylor – He stated that the County should encourage the church to reach out to the neighboring church themselves about extending the road.

Planner Page – He stated that one of the conditions should be struck because it did not apply to the site plan.

Planning Director Cook – He explained that updated landscaping drawings had been submitted after the staff report was distributed, showing the trees spaced 30 feet on center. He recommended retaining the remaining two conditions because additional inspections during construction could incur fees, and the conditions also served as protection for the County in the event that anything was missed.

Chair Sessions – She noted that the staff report referenced landscaping and vicinity map changes that still needed to be made.

Planner Page – He confirmed that those updates had been completed and now met County requirements.

Member Wilson – He asked about the County’s ability to require exactions when applicants proposed developments.

Planning Director Cook – He explained that the County could require exactions such as roads, streets, and utilities, but the level of exaction must meet legal standards. He referenced court cases discussing the requirement for a rational nexus between the development and the exaction being required. Planner Page questioned whether there was a rational nexus for requiring improvements beyond what was currently being developed.

Member Wilson - He stated that he was curious about the limits of exactions.

Planning Director Cook – He explained that cities and counties could impose requirements, but the more extensive the exactions, the greater the likelihood of legal challenges. He stated that the County’s goal was to ensure exactions were reasonable in order to reduce the risk of litigation.

Planner Page – He stated that staff had to consider what improvements were necessary to access the site and whether a driveway would be sufficient.

Member Watt – He asked whether staff believed there was sufficient ingress and egress for the project to proceed.

Planner Page – He stated that, to his knowledge, a traffic study had not been required.

Planning Director Cook - He explained that the County Engineer had the authority to request a traffic study but had not done so because the parking provided met County code requirements. He also noted that the fire department had reviewed the proposal through Civic Review and approved it.

Planner Page – He added that the church would still need to comply with conditions from the fire department, which would be monitored during construction.

Chair Sessions - She asked whether the applicant was present.

Chad Spencer – He introduced himself as Chad Spender of ERA Architecture stated that he was present and willing to answer questions.

Member Wilson – He asked whether the applicant had any thoughts regarding the request for additional road access.

Chad Spencer – He stated that the church was not concerned about traffic because a second egress already existed through the church parking lot and there were alternative exits from the area.

Motion was made by Member Watt of positive recommendation to the County Commission for approval of the Rosehill LDS Chapel Site Plan Application #25.083 allowing for the proposed chapel identified by parcel number 00-0084-0774 & serial number 03-LDSMG-0004 and located approximately at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County based on the findings and conditions in the staff report dated May 14th 2026. Second was made by Member King. Motion carried unanimously.

8. Business/Staff Questions

A. Updated Planning Commission Bylaws

County Attorney Christoffersen – She introduced the topic of reviewing the new Planning Commission Bylaws and stated that the first item displayed on the screen was a summary of meeting rules intended to be posted for the public based on an appendix included at the end of the bylaws. She explained that the summary condensed the information into a single page.

Member Maloney - She commented that the summary was helpful and asked whether it would be posted publicly.

County Attorney Christoffersen – She confirmed that it would be posted and also displayed on the screen during meetings. She stated that she was available to answer any questions regarding the bylaws and explained that the document had been compiled based on recurring issues and comments raised during meetings over the past several years, including discussion regarding allowing the Chair to vote.

Member Maloney – She stated that she believed the bylaws should be updated to allow the Chair to vote.

Planning Director Cook - He stated that the Planning Commission had previously requested that change, but it had only been updated in one section of the bylaws.

Member Maloney - She referenced the duties of the Chair on page 2 of 10 and noted that subsection J stated the Chair could vote only if four Planning Commission members were present. She then clarified that she had been reviewing the wrong page on the old bylaws and disregarded the comment.

Member Taylor – He stated that he had questions regarding the conflict-of-interest section. He explained that the document appeared to require declaration of a conflict or potential conflict if a member had any personal interest, while also indicating that members could not discuss or vote on the matter once a conflict was declared. He stated that this seemed contradictory because it discouraged disclosure when disclosure should occur. He further commented that the issue was repeated throughout multiple sections of the document and suggested condensing it into a single section, possibly within the ethics section, to provide greater clarity.

Chair Sessions – She referenced the ethics section on page 5, noting that the second sentence under conflicts of interest and disclosure stated that disclosures were required both verbally and in writing.

Member Taylor – He asked how “personal interest” should be defined in a small community.

Chair Sessions -She suggested that the bylaws simply follow state law regarding conflicts of interest.

Member Watt – He commented that actual conflicts of interest were often more specific than what people assumed constituted a conflict. He suggested including a definition of conflict of interest consistent with state law within the bylaws.

Chair Sessions – She stated that she had previously disclosed matters such as water rights because she wanted the public to be aware of those interests.

County Attorney Christoffersen – She stated that when she had previously raised the water rights issue with Chair Sessions, she had been relying on the language contained in the old bylaws.

Chair Sessions – She asked what provisions the County Commission used regarding conflicts of interest and suggested matching those provisions.

Member Taylor – He stated that he appreciated the section indicating members should not abstain simply because a topic was controversial. He referenced page 16, which stated that applicants could respond to questions after the close of a public hearing, and page 27, which referenced language that still needed to be added. He also questioned whether there was an issue with allowing the Chair to make motions or vote.

Chair Sessions – She stated that under Robert’s Rules of Order the Chair typically did not make motions, but he did not see why the Chair should be prohibited from doing so.

Member Taylor - He stated that he understood the concern about preventing the Chair from overpowering the rest of the Commission.

Member Watt – He commented that part of the purpose of the Chair’s role was to serve as an arbitrator.

Planning Director Cook - He stated that situations occasionally arose where the Chair requested a motion and no member responded. He stated that, in those situations, allowing the Chair limited authority to make a motion could help meetings move forward. He referenced a previous instance where a motion died due to lack of action, which negatively impacted an applicant financially. He stated that in such cases a denial recommendation effectively occurred late in the evening without formal action.

Member Watt – He stated that such circumstances reflected a deliberate tactic rather than an accident.

Member Taylor – He compared the situation to abstaining from controversial matters.

Planning Director Cook - He stated that while rare, provisions could be added to the bylaws to prevent meetings from being stalled in those situations.

Member Maloney - She stated that such a requirement could place significant pressure on the Chair if the room remained silent for an extended period.

Member Taylor – He suggested that for extremely controversial items, it might be appropriate to continue the matter rather than force action.

Member Maloney - She responded that the Commission had dealt with contentious items in recent months and had successfully made motions and worked through them.

Member Taylor - He asked for clarification regarding the “provision of action” language on page 18, item 10.

County Attorney Christoffersen - She explained that the provision allowed the Commission to revisit a decision after a meeting if members later determined that approval may not have been appropriate.

Member Taylor - He asked whether there was a time limitation on when such reconsideration could occur.

Planning Director Cook – He explained that rezonings included a 15-day cure period and noted that the Planning Commission acted only as a recommendation body for those matters. He stated that applicants may not have appeal rights in those situations, though the public could challenge rezonings through referendum. He explained that the Planning Commission acted as the land use authority for matters such as small subdivisions and conditional use permits, where reconsideration might occur if additional conditions or stipulations were necessary. He further noted that rescinding an approval would involve an appeal process for administrative matters. He added that similar provisions could also be useful for County Commission actions such as reversing land sales.

County Attorney Christoffersen – She stated that the language had been pulled from Robert’s Rules of Order.

Chair Sessions – She noted that there might be different considerations when reconsideration occurred during the same meeting.

Member Watt – He stated that rescinding an action would require re-noticing the matter.

Member Maloney – She asked whether conditional use permits would be one type of matter where reconsideration could apply.

Planning Director Cook – He confirmed that conditional use permits and small subdivisions could fall into that category. He explained that if certain facts were later found to be incorrect, the Commission could revisit and approve the matter with modifications. He added that including such language in the bylaws would be beneficial.

Member Maloney – She stated that conditions could change over time.

Planning Director Cook - He explained that if a conditional use permit was violated, staff could revoke the permit and bring the matter back before the Planning Commission, where the Commission could choose to delete or modify conditions.

Chair Sessions – She referenced page 8 regarding elections and noted that County Code allowed the County Commission until the end of March to appoint their representative following elections, meaning Planning Commission elections might need to occur in April instead.

County Attorney Christoffersen – She asked whether the Commission wanted to move elections, noting that March had originally been selected before the County amended its code.

Chair Sessions - She referenced page 12 regarding cancellation procedures and asked whether the Chair should be involved in cancellations in addition to staff. She then referenced page 14 regarding advance approval of agendas by the Chair.

County Attorney Christoffersen – She asked what changes the Commission wanted made.

Member Maloney – She stated that the County Commission had requested that the Chair review agendas prior to posting and also wanted the Chair to have voting authority, explaining that the additional review would provide a second set of eyes.

Member Taylor – He stated that he would not want the process to create delays for applicants submitting packets.

Chair Sessions – She stated that such review should occur within the same day.

Member Taylor – He commented that other jurisdictions often required deadlines and procedural steps far in advance of meetings.

Member King - He suggested implementing a 24-hour deadline for agenda approval, after which the agenda would move forward automatically if no response was provided.

Chair Sessions - She also raised the issue of implementing a timer during public comment.

Transcriptionist Jessie Drage - She stated that she would not mind operating a timer on her phone if needed.

County Attorney Christoffersen - She stated that the bylaws likely did not need to specify who operated the timer, but suggested adding language requiring a timer with an alarm every three minutes during public comment.

Chair Sessions – She referenced page 19 regarding debate and voting procedures, specifically the language prohibiting Planning Commission members from debating or interrupting without direction from the Chair. He stated that while it had not been a major issue, it could become cumbersome for the Chair.

County Attorney Christoffersen – She suggested removing that sentence because the following sentence already gave the Chair authority to regulate debate.

Member King – He agreed that the following sentence addressed the issue more effectively.

County Attorney Christoffersen – She then referenced language at the bottom of page 19 concerning the prohibition on taking up new agenda items after 10:00 p.m. and asked for the Commission's thoughts.

Chair Sessions – She stated that the Commission should still retain the ability to vote to continue past that time.

Member King – He asked whether the Planning Commission had experienced meetings extending that late.

County Attorney Christoffersen - She stated that there had been late meetings in the past and noted that meetings had previously extended until midnight.

Member Watt – He asked whether unfinished items would automatically continue to the next meeting if the Commission chose not to extend the meeting time.

County Attorney Christoffersen – She explained that a motion would still be required to continue the item to the next meeting.

Planning Director Cook – He stated that some flexibility was beneficial because staff typically knew meeting agendas several meetings in advance. He explained that postponing items could create backlogs, longer future meetings, and frustration for applicants who were prepared to proceed.

Chair Sessions – She referenced page 11 regarding advocacy prohibitions and asked whether members could represent themselves even though they could not represent applicants.

Member King - He stated that in such situations the member would disclose that the item was their own, declare a conflict of interest, and present the item personally.

Member Taylor – He recalled a prior situation in another jurisdiction where a staff member sat in the audience for their own item and later returned to their official seat. He questioned whether

the issue was governed by state law or local policy and stated that he personally did not see a problem with Planning Commission members developing property within the County while continuing to serve.

County Attorney Christoffersen - She explained that the advocacy prohibition language under the conflict-of-interest section applied specifically to advocating on behalf of another person.

Member King – He asked whether an item would need to be continued if only four members remained after a member recused themselves to represent their own application.

Planning Director Cook – He confirmed that the item could not be heard without a quorum and would need to be continued to the next meeting.

Member Maloney – She commented that the bylaws were already very good overall and that the Commission was primarily being detail-oriented.

County Attorney Christoffersen - She stated that she would review the bylaws again, remove redundancies, consolidate sections, and incorporate the requested revisions before forwarding the updated version to the County Commission.

Chair Sessions – She stated that the first week of April would likely be appropriate given the County Commission's appointment timeline extending through the end of March.

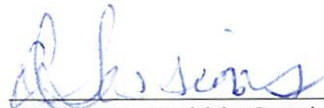
10. Approval of April 23rd, 2026, Planning Commission Minutes –

A motion to approve the minutes was made by Member King and seconded by Member Maloney. The motion passed unanimously.

11. Adjourn

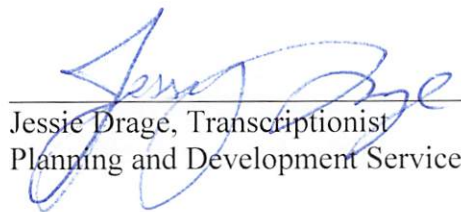
Motion by Member Watt to adjourn. Second by Member Maloney. Motion carried unanimously.

Approved:



Chairman, Debbie Sessions
Morgan County Planning Commission

Date: 5/28/26



Jessie Drage, Transcriptionist
Planning and Development Services

Date: 5/28/26