



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

PUBLIC NOTICE is hereby given that the Morgan County Planning Commission will meet at the above time and date at the Morgan County Courthouse, Commission Chambers; 48 West Young St., Morgan, Utah. The agenda is as follows:

1. Call to Order – Prayer
2. Pledge of Allegiance
3. Approval of Agenda
4. Declaration of Conflicts of Interest
5. Public Comment

Administrative

6. **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.
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 is located approximately at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County.
8. Business/Staff Questions
 - A. Updated Planning Commission bylaws
 - B. Training of Planning Commission Duties
9. Approval of April 23rd, 2026, Planning Commission Minutes
10. Adjourn

Morgan County, in compliance with the Americans with Disabilities Act, provides accommodations and auxiliary communicative aids and services for all those citizens in need of assistance. Persons requesting these accommodations should call Planning & Development at 801-845-4015, giving at least 24 hours' notice prior to the meeting. A packet containing supporting materials is available for public review prior to the meeting at the Planning and Development Services Dept. and will also be provided at the meeting. Note: Effort will be made to follow the agenda as outlined. However, agenda items may be discussed out of order as circumstances may require. If you are interested in a particular agenda item, attendance is suggested from the beginning of the meeting.



**PLANNING COMMISSION
STAFF REPORT**

Site Plan
May 14, 2026

Deywōs Mountain Estate Site Plan
May 14, 2026
Public Meeting
File #25.042

Applicant: Josh Hughes
Owner: Josh Hughes
Project Location: 7533 N. Trappers Loop Road
Parcel Number: 00-0068-1129
Serial Number: 03-005-011-01-8
Current Zoning: A-20
Acreage: 51.94 acres

REQUEST:

A request for site plan approval of the Deywōs Mountain Estate in the Mountain Green area to allow for the construction of a new reception center and parking lot.

ATTORNEY GUIDANCE:

Administrative Review:

The sole issue in land use administration is whether the application complies with county ordinances. If it does, it must be approved.

Applicable law:

An applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays all application fees, unless:

“(A) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or

(B) in the manner provided by local ordinance and before the applicant submits the

application, the county formally initiates proceedings to amend the county's land use regulations in a manner that would prohibit approval of the application as submitted.

Utah Code Ann. § 17-27a-508(1)(a)(ii)."

"The Utah Supreme Court has indicated that a significant threat to the public welfare should be considered compelling. "If a proposal met zoning requirements at the time of application but seriously threatens public health, safety, or welfare, the interests of the public should not be thwarted." W. Land Equities v. Logan, 617 P.2d 388, 395-96 (Utah Sup.Ct. 1980)."

Staffs' findings are legally sufficient to adopt if the Commission finds that the application is complete, conforms to the requirements of the applicable land use regulations, land use decisions, and development standards, and there are no apparent threats to public health, safety, or welfare that would support a compelling countervailing public interest to recommend denying the application. Staffs' recommended conditions are required by county ordinances and appear to be legal conditions.

Recommendations for denial and/or additional findings must be placed on the record, contain a legal basis, and supported by substantial evidence. Legal can provide guidance on what is required for a sufficient record and what is considered substantial evidence.

STAFF RECOMMENDATION

County Staff has reviewed the application for the Deywós Mountain Estate Site Plan. Staff recommends approval of the requested site plan based on the following findings and with the conditions listed below:

Findings:

1. That the proposal complies with applicable zoning regulations, including chapter 155.045 in its entirety.
2. That the proposed landscaping plan complies with the standards as outlined in MCC § 155.335 Landscaping.
3. That the proposed photometrics plan complies with the standards as outlined in § 155.352 Lighting.
4. That the architectural/elevations comply with the standards outlined in § 155.152

Conditions:

1. That all outsourced consultant fees are paid current prior to final plat recordation.
2. That all other local, state, and federal laws are adhered to.
3. The developer will install any required infrastructure, including roadways, utilities, parking, lighting, and landscape areas.
4. This proposal is not detrimental to the health, safety, and welfare of the public.
5. That five ADA accessible parking stalls with one van accessible stall be included in the site plan.

PROJECT DESCRIPTION:**Proposal Details**

This request is for approval of a new reception center site plan. The proposed reception center contains approximately 5,416 sq. ft. located on 1.58 acres with 103 parking stalls. The application provides elevations, landscaping, and parking according to Morgan County Code.

The application has a Conditional Access Permit from UDOT to access off of and on to Trappers Loop Road; an encroachment permit will be received from the UDOT Region One Permit Office prior to commencing any needed work within the right-of-way. UDOT reserves the right to require installation of a raised median island or restrict access to a right-in or right-out at any time.

Water service will be provided by a private well. Wastewater will be by septic approved by the Weber-Morgan Health Department. The Mountain Green Fire Protection Improvement District will provide fire protection services. Rocky Mountain Power will provide power. Enbridge Gas will provide gas.

SITE PLAN SUBMITTAL**Site and Building Layout**

The Deywó's Mountain Estate Site Plan shows the proposed reception center as well as an existing home, existing garage and existing detached accessory dwelling unit (DADU). The existing home and DADU are currently accessed off Trappers Loop Road. The proposed reception center area and parking lot contain 2.59 acres with the remainder of the parcel containing 49.34 acres. The Mountain Green Fire Protection District requires (and the applicant will provide) a water tank and fire hydrant.

The square footage of the reception center is 4,933.99. The developer is proposing a total of 103 parking stalls, including three ADA stalls. The number of total parking stalls (1 per 100 square feet of reception center) and the parking stall dimensions meet county standards; however a total of five ADA accessible stalls with one van ADA accessible need to be provided for 101 parking stalls or more.

PROJECT DESCRIPTION:

The applicant is seeking approval of a site plan for a new reception center and parking lot. The proposal is being reviewed for compliance with Morgan County Code site plan standards.

Access will be provided off Trappers Loop Road in the Mountain Green area. Water and wastewater services will be provided privately. Power will be provided by Rocky Mountain Power. The Mountain Green Fire Protection District will provide fire protection to the site.

Commercial Design Standards

There are design standards for commercial areas in Morgan County outlined in 155.152.C1(f):

(f) Building materials.

1. The majority of each facade (51% or more of the wall area excluding windows and doors) shall be constructed of the following hard surface building materials: Brick, stone, treated or split face decorative block (CMU), fiber cement siding and panels, wood, concrete or other durable building material as approved by the Planning Commission.

2. Stucco, EIFS or untreated concrete block (CMU) may be allowed by the Planning Commission as an accent or secondary material only (see [Figure 155.152-5](#) below).

3. The Planning Commission may approve metal as an exterior building material on a case-by-case basis if an applicant can show that the type of metal is of a high grade and provides architectural quality to a building (see [Figure 155.152-6](#) below).

4. Vinyl siding and standing seam metal (see [Figure 155.152-7](#)) are prohibited for use as exterior wall building materials.

The materials for this project, as clarified by the applicant, are as follows:

- Natural stone
- Zinc panels
- Wood esthetic extruded aluminum
- Architectural concrete

Landscaping

The Site Plan displays more than the 15% landscaping requirement per MCC, with the following figures:

<i>Land Use / Feature</i>	<i>Area (sq. ft.)</i>	<i>Percent of Site (%)</i>
<i>Parking area</i>	68,829.25	61.0
<i>Landscaped area</i>	39,072.74	34.6
<i>Reception center</i>	4,933.99	4.4
<i>Total</i>	112,835.98	100.0

The Plant Schedule includes a total of 888 units, comprising 38 trees and 850 shrubs. Tree species include Bigtooth Maple and Scrub Oak, while shrub and accent plantings include Dark Green Spreader Yew, Flame Willow, Blonde Ambition Blue Grama, and Gro-low Fragrant Sumac. These plantings are intended to provide visual interest, complement the open space areas, and enhance the overall streetscape and community character. Landscaping requirements for commercial development are outlined within § 155.335 of the MCC, and states the following:

“A. Purpose: The purposes of the landscaping requirements of this section are to enhance, conserve and stabilize property values by preventing wind and water erosion, creating an environment which discourages the accumulation of rubbish and litter, and providing an attractive neighborhood. Further, where required, the landscaping is necessary to contribute to the relief of erosion, heat, noise and glare through the proper placement of trees and other vegetation. Landscaping plans are required for all development within commercial zones, two-family or multi-family dwelling development projects, for all institutional uses, and all common areas within residential or condominium projects, in addition to types of development already specified by this title.

B. Approved Plan: Where landscaping is required, it shall be placed and maintained according to the plan approved by the land use authority as a prerequisite to further use of the lot, and consistent with the timing and phasing plan approved for the development.

C. Nonconforming Status: Landscaping shall be deemed a substantive rather than a procedural requirement, such that any use of property on the effective date hereof, which is nonconforming only as to landscaping, may be continued in the same manner as if the landscaping were conforming.

D. Plot Plan: Where landscaping is required, a landscaping plan, drawn to scale, and stamped by a landscape architect, licensed in the state of Utah, shall be submitted as part of the application submittal requirements.

The landscaping plan shall contain at least: the location and common and Latin names of all trees, shrubs, and ground covers; the size in caliper, gallon, or height, as applicable to the particular landscaping type; any nonvegetative landscape features; and all irrigation facilities.

E. Coverage And Screening: ...

2. Coverage of the ground in required landscaped areas shall be at least eighty five percent (85%) by plant materials and waterways, when viewed from above, so that impervious landscaping features such as walkways, rockscapes and statuary do not impair runoff. Where screening or buffering from surrounding properties is required to be in the form of landscaping, a minimum six foot (6') tall or taller row of evergreen trees that are spaced to occlude vision shall constitute sufficient screening, unless a greater height is required by the land use authority to mitigate specific impacts of the development.

3. Where landscaping is required in residential projects, at least seventy percent (70%) of the yard area surrounding the building, for a width at least equal to the minimum front, side and rear setback distances stated for the zone, shall be landscaped and maintained in landscaping. The landscaping shall be composed of irrigated lawn or other fire resistive

green plants. Any portion of the setback area that is not proposed to be covered by landscaping (the remaining 30 percent or less setback area) shall have a covering that is hard surfaced, graveled or composed of other suitable material to prevent vegetative growth, and shall be maintained free of weeds, brush and flammable plants and materials. The plot plan shall show how these requirements will be met.

F. Maintenance: Required landscaping shall be maintained in a clean, orderly, healthful condition. Such shall include proper irrigation, pruning, mowing, weed removal, pest control and replacement of dead plantings.”

Lighting

The applicant submitted photometric calculations that meet the intent of Morgan County’s Dark Sky Ordinance. Morgan County has adopted comprehensive Dark Sky lighting requirements and conditions. These are clearly defined within MCC § 155.352. The intent of these sections of the MCC are to make sure that the following occurs:

- “ A. Reducing, eliminating, or preventing light trespass;*
- B. Reducing, eliminating, or preventing unnecessary or inappropriate outdoor lighting;*
- C. Reducing, eliminating, or preventing the effects of outdoor lighting on wildlife;*
- D. Preventing unsightly and unsafe glare;*
- E. Promoting energy conservation;*
- F. Maintaining nighttime safety, utility, and security;*
- G. Encouraging a minimal light footprint of land uses in order to reduce light pollution;*
and
- H. Promoting and supporting agrotourism and recreation, including the pursuit or retention of accreditation of local parks by the International Dark-Sky Association.”*

DISCUSSION:

This Site Plan is compatible with the commercial design standards found in the MCC. The proposed building materials are consistent with §155.152(f), which requires that the majority of each façade (51% or more of the wall area, excluding windows and doors) be constructed of durable, hard surface materials such as brick, lap siding, fiber cement panels, stucco, or treated wood. Stucco and other approved materials are to be used as secondary or accent elements, and no prohibited materials such as vinyl siding or standing seam metal are proposed. The Planning Commission may review and approve any metal elements on a case-by-case basis if shown to be of high quality and architectural significance; in this proposal, no standing seam metal is planned, and the minor metal components, such as railing or canopy elements, are not anticipated to adversely affect the visual aesthetics of the development.

Building elevations and architectural details will be verified at the time of building permit submittal. The application meets minimum requirements for lighting, landscaping, and parking.

Grading, drainage, and utility plans have been reviewed as part of this Site Plan application, and all engineering comments will need to be implemented during construction to ensure compliance with MCC standards.

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Engineering: Comments received and have been addressed

Utility Companies: All required will-serve letters on file

Fire/EMS Services: Comments received and have been addressed

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on May 4, 2026; a minimum of 10 days prior to the scheduled meeting. (Morgan County Code § 155.032 (C)).
- ✓ A Public Notice was posted at the County on May 4, 2026.
- ✓ Notices to property owners within 1000’ feet of the proposed use were mailed a Public Notice on May 4, 2026.
- ✓ A sign was posted on the site on May 4, 2026.

Recommended Motions

Motion for a *Positive Recommendation of Approval* – “I move we recommend approval to the County Commission for the Deywós Mountain Estate Site Plan, application number 25.042, allowing for the proposed reception center located at 7533 N. Trappers Loop Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated May 14, 2026.”

Motion for a *Positive Recommendation of Approval with Conditions* – “I move we recommend approval to the County Commission for the Deywós Mountain Estate Site Plan, application numbers 25.042, allowing for the proposed reception center located at 7533 N. Trappers Loop Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated May 14, 2026, and with the following conditions:”

1. *List any additional findings and conditions...*

Motion for a *Recommendation of Denial* – “I move we recommend denial to the County Commission the Deywós Mountain Estate Site Plan, application numbers 25.042, not allowing for the proposed reception center located at 7533 N. Trappers Loop Road in unincorporated Morgan County, *due to the following findings:*”

1. *List any additional findings and conditions...*

SUPPORTING INFORMATION

Attachment A: Vicinity Map

Attachment B: Proposed Site Plan

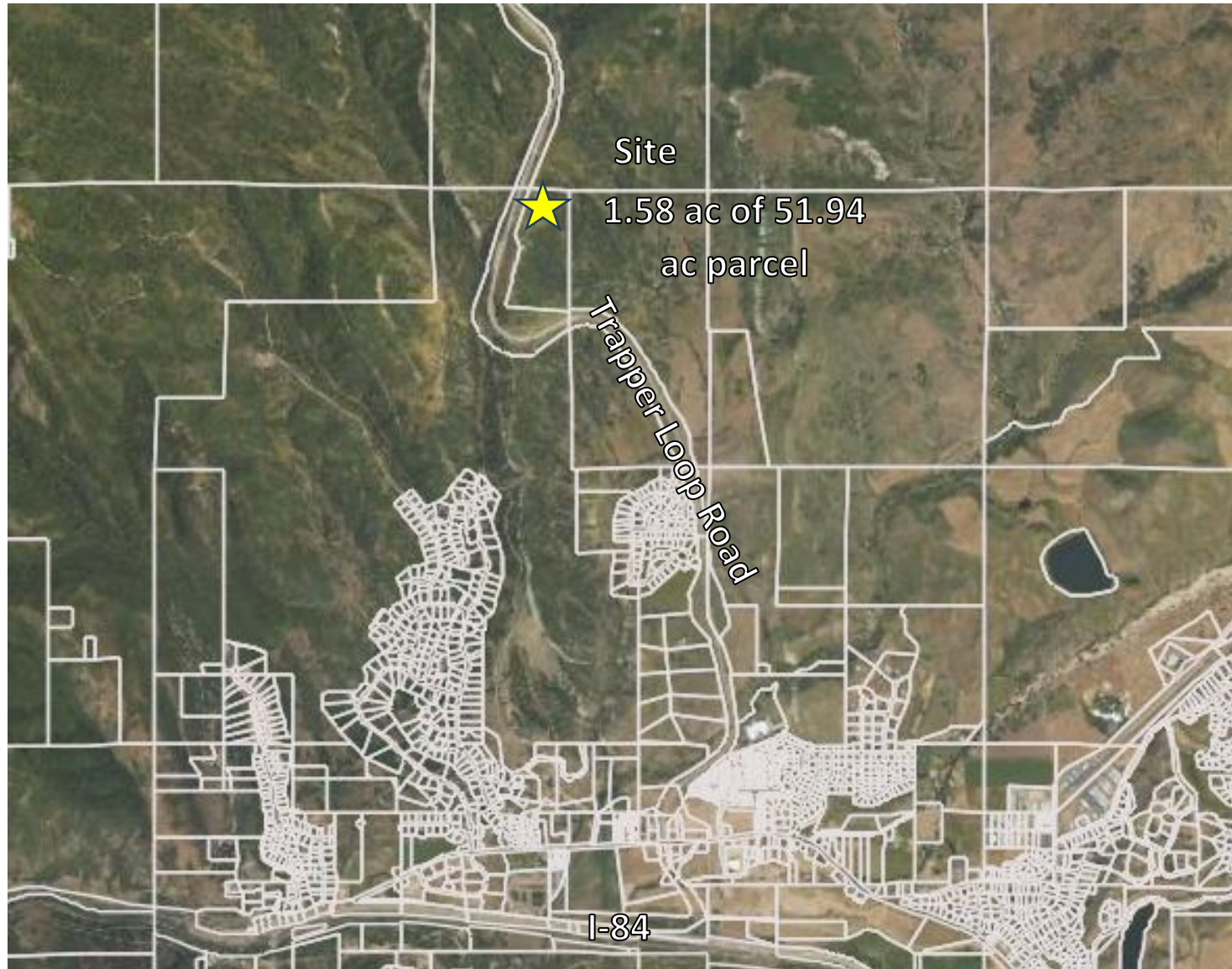
Attachment C: Landscaping Plan

Attachment D: Photometrics Plan

Attachment E: Building Elevations & Materials

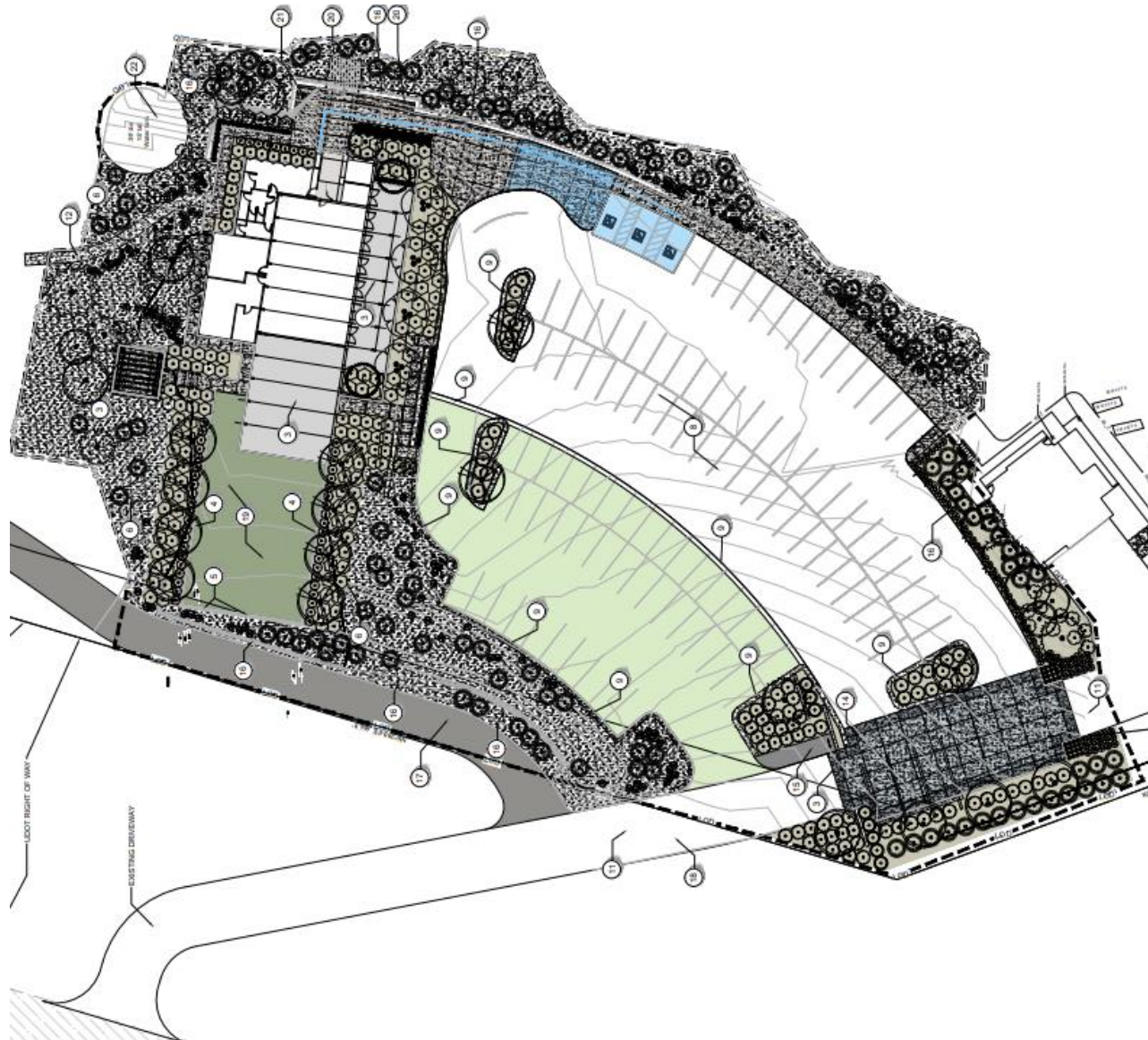
Attachment F: Applicant Narrative

Attachment A: Vicinity Map



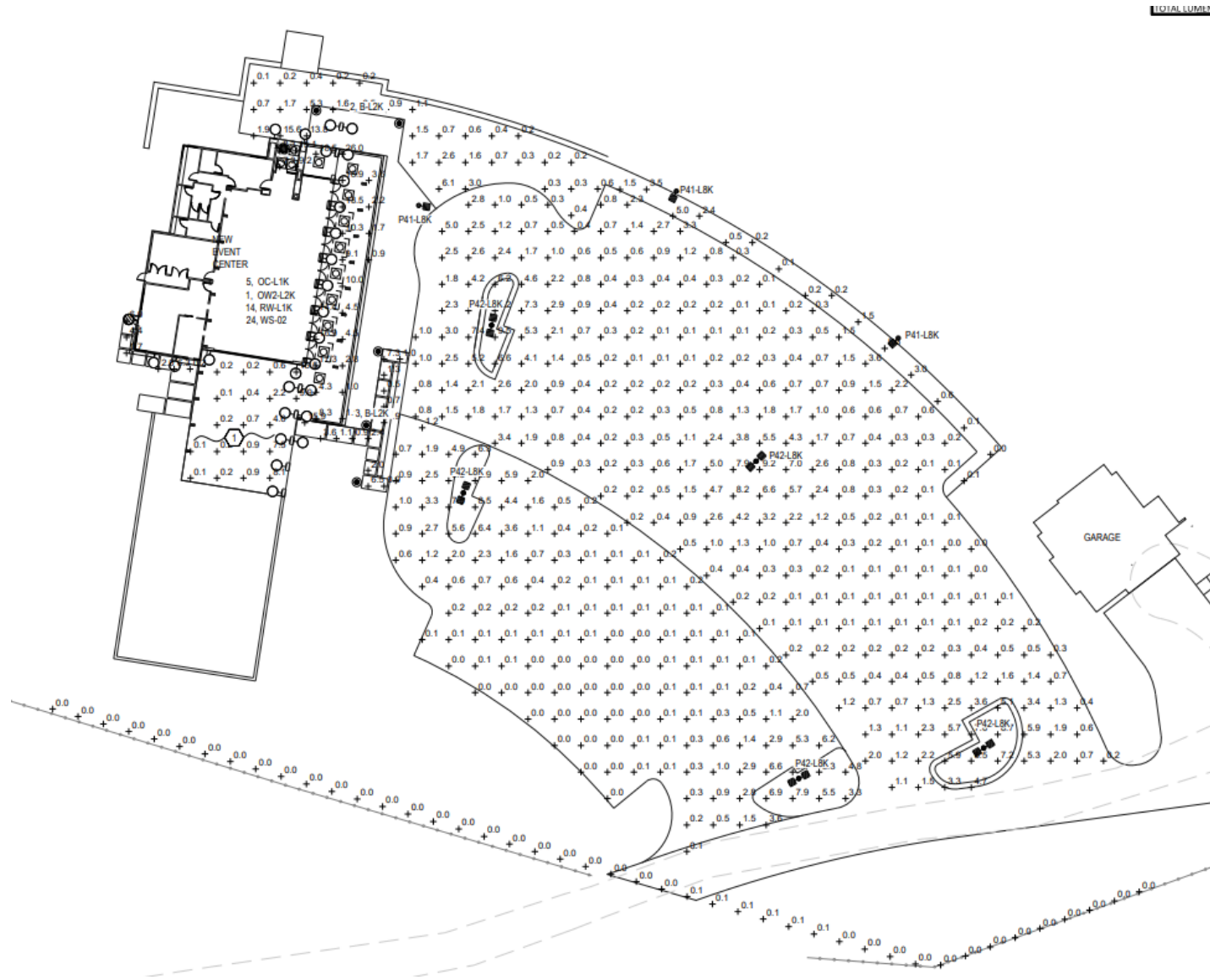
[Click here to view a full-size .pdf version of the Planting Plan](#)

Attachment C: Landscaping Plan



[Click here to view a full-size .pdf version of the Site Photometrics](#)

Attachment D: Photometrics Plan



[Click here to view a full-size .pdf version of the Elevations](#)

Attachment E: Building Elevations & Materials



West Elevation



North Elevation

Exterior Materials

- Natural stone
- Zinc panels
- Wood esthetic extruded aluminum
- Architectural concrete



East Elevation



South Elevation

Attachment F: Applicant Narrative

Date: July 30, 2025

RE: Site Plan Application Narrative - Deywós Mountain Estate

To: Morgan County Planning Commission & County Commission:

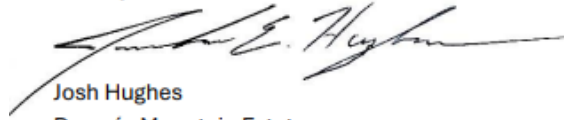
Deywós Estate, LLC, requests site plan approval for an events center planned on our 52-acre estate. Our vision is to establish a picturesque venue that complements Morgan County's natural beauty and accommodates various gatherings.

Notes on Site Plan & Landscape Plan Components:

- **Utilities:** Power and natural gas have already been brought to the site. Our well has been functioning, re-tested, and re-approved by Weber-Morgan Health on June 13, 2025. Septic permits were issued on July 25, 2005, for the other buildings on the parcel, and the design and approval of a system are currently underway for the event center.
- **Traffic:** All traffic will access the site via State Road 167. On July 8, an additional pre-application meeting was held with UDOT, Region 1. Subsequently, we submitted our site plan and a traffic study as part of a formal application. Our request is to update our current access permit to accommodate our new use. Access was discussed as if imminent, application ID# 164123.
- **Water Conservation:** Artificial turf is specified in the lawn area. There are no traditional spray-head sprinklers; all irrigation is drip irrigation, anticipated to be used only in the first two years to establish plantings and then only as needed in dry years.
- **Plants:** Our landscaping features trees and plants native to the Wasatch Back, which are fairly drought-tolerant and deer-resistant.
- **Light:** The photometric study submitted with our building permit application addresses site lighting.
- **Fire:** A Fire Protection Plan was previously submitted with the event center building permit application. Additionally, we will be installing a 120,000-gallon water tank connected to a fire hydrant, capable of supplying 1,000 gallons a minute to protect the site.
- **Geotechnical:** A geotechnical report and supplemental memo from GSH were previously submitted as part of the building permit process.

We request site plan approval, conditional site plan approval, or at-risk approval.

Thank you,



Josh Hughes
Deywós Mountain Estate



**PLANNING COMMISSION
STAFF REPORT**

Site Plan
May 14, 2026

Rosehill LDS Chapel Site Plan
May 14, 2026
Public Meeting
File #25.053

Applicant: Chad Spencer
Owner: LDS Church
Project Location: 4210 W. Cottonwood Canyon Road
Parcel Number: 00-0084-0774
Serial Number: 03-LDSMG-0004
Current Zoning: A-20
Acreage: 28.970 acres

REQUEST:

A request for site plan approval of the Rosehill LDS Chapel in the Mountain Green area to allow for the construction of a new LDS chapel.

ATTORNEY GUIDANCE:

Administrative Review:

The sole issue in land use administration is whether the application complies with county ordinances. If it does, it must be approved.

Applicable law:

An applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application and pays all application fees, unless:

“(A) the land use authority, on the record, formally finds that a compelling, countervailing public interest would be jeopardized by approving the application and specifies the compelling, countervailing public interest in writing; or

(B) in the manner provided by local ordinance and before the applicant submits the

application, the county formally initiates proceedings to amend the county's land use regulations in a manner that would prohibit approval of the application as submitted.

Utah Code Ann. § 17-27a-508(1)(a)(ii)."

"The Utah Supreme Court has indicated that a significant threat to the public welfare should be considered compelling. "If a proposal met zoning requirements at the time of application but seriously threatens public health, safety, or welfare, the interests of the public should not be thwarted." W. Land Equities v. Logan, 617 P.2d 388, 395-96 (Utah Sup.Ct. 1980)."

Staffs' findings are legally sufficient to adopt if the Commission finds that the application is complete, conforms to the requirements of the applicable land use regulations, land use decisions, and development standards, and there are no apparent threats to public health, safety, or welfare that would support a compelling countervailing public interest to recommend denying the application. Staffs' recommended conditions are required by county ordinances and appear to be legal conditions.

Recommendations for denial and/or additional findings must be placed on the record, contain a legal basis, and supported by substantial evidence. Legal can provide guidance on what is required for a sufficient record and what is considered substantial evidence.

STAFF RECOMMENDATION

County Staff has reviewed the application for the Rosehill LDS Chapel Site Plan. Staff recommends approval of the requested site plan based on the following findings and with the conditions listed below:

Findings:

1. That the proposal complies with applicable zoning regulations, including § 155.343 "Standards for Church and Institutional Developments in All Zones" except for the condition in this staff report.
2. That the proposed photometrics plan complies with the standards as outlined in § 155.352 Lighting.
3. This proposal is not detrimental to the health, safety, and welfare of the public.

Conditions:

1. That all outsourced consultant fees are paid current prior to site plan approval.
2. That all other local, state, and federal laws are adhered to.
3. Entire park strip shall be spaced with street trees with a maximum of 30 feet on center.

PROJECT DESCRIPTION:

Proposal Details

This request is for approval of a new LDS chapel site plan. The proposed LDS chapel contains approximately 24,043 sq. ft. located on 5.41 acres with 301 parking stalls. The application provides elevations, landscaping, and parking according to Morgan County Code; however, a few landscaping and vicinity map changes need to be made.

SITE PLAN SUBMITTAL

Site and Building Layout

The Rosehill LDS Chapel Site Plan shows the proposed LDS chapel as well as a 285-stall parking lot, 1,800 sq. ft. pavilion, and a 236 sq. ft. storage building. The number of parking stalls and the parking lot dimensions meet MCC and ADA requirements.

PROJECT DESCRIPTION:

The applicant is seeking approval of a site plan for a new LDS chapel and parking lot. The proposal is being reviewed for compliance with Morgan County Code site plan standards.

Access will be provided off Cottonwood Canyon Road in the Mountain Green area. Water and wastewater services will be provided by Cottonwood Mutual Water Company and the Mountain Green Sewer Improvement District respectfully. Power will be provided by Rocky Mountain Power. The Mountain Green Fire Protection District will provide fire protection to the site.

Standards For Church and Institutional Development in All Zones

There are design standards for Church areas in Morgan County outlined in 155.343:

(A) Parcel size. No minimum parcel size is required, however, the parcel chosen for a church must be adequate to meet all of the development standards to be listed in this section, which include, but are not limited to setbacks, landscaping, parking, improvements and dedications.

(B) Building setbacks.

(1) Commercial Zone.

(a) *Front. Thirty feet from property line. (If project fronts on more than one street, setback applies to all street frontages.)*

(b) *Side and rear. Minimum ten feet , unless located adjacent to a Residential Zone. In this case, the minimum setback to buildings must be 30 feet.*

(2) *Residential Zone.*

(a) *Front. Thirty feet from front property line. (If project is on a corner lot, setbacks are 30 feet on one street and 20 feet on the other.)*

(b) *Side and rear. Follow setbacks required according to the zone the property is in. A greater setback may be needed as may be deemed necessary by the Planning Commission for larger structures.*

(C) *Building height. Maximum building height shall follow zoning that the project is in. Thirty-five feet is the maximum in a Residential Zone or in any zone adjacent to a Residential Zone (not including chimneys, steeples and the like).*

(D) *Landscaping setbacks.*

(1) *Front. Thirty feet minimum from property line. (If on corner lot in a Residential Zone, 20 feet on shorter setback side.)*

(2) *Sides and rear. Five feet minimum.*

(3) *Landscaping in the front areas shall also include the following:*

(a) *Landscaping within the five-foot park strip adjacent to the curb, including grass and street trees (minimum two-inch caliper and spaced 30 feet on center); and*

(b) *All front landscaping shall be bermed with 24-inch to 36-inch-high random mounding as may be deemed appropriate by the Planning Commission.*

(4) *Landscaping shall also be required within the parking lot itself where large expanses of asphalt occur. There shall be one ten-foot-wide planter within the parking lot area where over 125 linear feet of asphalt occurs.*

(E) *Fencing. As a general rule, fencing shall be constructed of materials compatible with the principal buildings or architectural character of the surrounding neighborhood and be in accordance with § [155.345](#) of this code.*

(F) *Parking.*

(1) *All parking for church facilities shall be on-site. No parking is allowed on the street.*

(2) *Number of parking spaces required shall be one space for every four fixed seats, or as may be needed for the type of facility planned.*

(3) *Size of parking spaces is to be nine feet wide by 20 feet long. Driveways between parking spaces shall be a minimum of 24 feet wide.*

(4) *No parking is permitted within the front landscape setback.*

(G) *Trash enclosures and accessory buildings.*

(1) *All trash bins shall be surrounded with six-foot-high enclosures (non-chain-link) with opaque gates. Enclosures may be combined with accessory structures or maintenance buildings. The setback of such structures shall be at least the same as front landscape setback, but in no case shall trash enclosure be adjacent to a residential lot line.*

(2) *Maintenance buildings shall be built of the same materials as the main building (siding and roofing) so as to blend in with the entire project. Setbacks shall be set forth as those for accessory structures in the particular zone where the church is being constructed. At no time shall said building be allowed in a required front setback.*

(H) *Lighting. All lighting for church buildings, parking lots and accessory uses, if applicable, shall be downlit and not cause any adverse impact on adjacent residential areas.*

(I) *Auxiliary uses.*

(1) *Auxiliary uses such as parks, ball diamonds, pavilions and the like, shall not count towards landscaping on the church site, but shall stand alone and be considered as a separate site and subject to a separate conditional use approval.*

(2) *Any such auxiliary uses are subject to, but not limited to, the standards of this section (if applicable).*

(J) *Planning Commission conditions. In addition to those standards cited above, the Planning Commission, upon review of a conditional use, (**Note: The MCC needs to change the requirement of a church needing a conditional use because it violates the Religious Land Use and Institutionalized Persons Act.**) may impose additional reasonable conditions which they feel are necessary to protect the health, safety and general welfare of the surrounding area.*

(K) *Procedure for approval.*

(1) *Church facilities are conditional uses in all zones within the county and as such require Planning Commission approval.*

(2) *Upon receiving a conditional use approval from the Planning Commission, all church projects will proceed through the site plan review process with staff.*

(Prior Code, § 8-6-35) (Ord. 12-05, passed 6-5-2012)

Landscaping

The Site Plan displays the following figures:

<i>Land Use / Feature</i>	<i>Area (sq. ft.)</i>	<i>Percent of Site (%)</i>
<i>Total Site Area</i>	235,660 (5.41 acres) *	
<i>Total Landscape Area</i>	92,311 *	39
<i>Planter Area</i>	85,108	92
<i>Lawn Area</i>	7,203	8
<i>Trees on Site</i>	95	
<i>Deciduous Trees</i>	80	
<i>Evergreen Trees</i>	15	
<i>Shrubs</i>	834	
<i>Drought Tolerant Provided</i>	731 (79%)	

*Park Strip Landscaping of 3,418 sq. ft. not included in this total

Tree species include: Austrian Black Pine, Black Hills Spruce, Autumn Gold Maidenhair Tree, Village Green Zelkova, and Pink Flair Flowering Cherry. Shrub varieties include: Hancock Coralberry (low-spreading), Cougar Cub Ninebark, Lowfast Spreading Cotoneaster, Ground Hug Spreading Chokeberry, Grow Low Sumac, Green Mound Currant, and Pearl Potion Dwarf Korean Lilac. These plantings are intended to provide visual interest, complement the open space areas, and enhance the overall streetscape and community character.

Lighting

The applicant submitted photometric calculations and lighting pole depictions that meet the intent of Morgan County’s Dark Sky Ordinance. Morgan County has adopted comprehensive Dark Sky lighting requirements and conditions. These are clearly defined within MCC § 155.352. The intent of these sections of the MCC are to make sure that the following occurs:

- “ A. Reducing, eliminating, or preventing light trespass;*
- B. Reducing, eliminating, or preventing unnecessary or inappropriate outdoor lighting;*
- C. Reducing, eliminating, or preventing the effects of outdoor lighting on wildlife;*
- D. Preventing unsightly and unsafe glare;*
- E. Promoting energy conservation;*
- F. Maintaining nighttime safety, utility, and security;*
- G. Encouraging a minimal light footprint of land uses in order to reduce light pollution;*
and
- H. Promoting and supporting agrotourism and recreation, including the pursuit or retention of accreditation of local parks by the International Dark-Sky Association.”*

DISCUSSION:

This Site Plan is compatible with the Standards for Church and Institutional Developments in all Zones MCC § 155.343 (if all of the conditions in Staff recommendation are met – see page 3).

Building elevations and architectural details will be verified at the time of building permit submittal. The application meets minimum requirements for lighting, and most landscaping and

parking requirements in § 155.343. Grading, drainage, and utility plans have been reviewed as part of this Site Plan application, and all engineering comments will need to be implemented during construction to ensure compliance with MCC standards.

DEPARTMENT COMMENTS/RECOMMENDED MOTIONS

Public Works: No comments

Engineering: Comments received and have been addressed

Utility Companies: All required will-serve letters on file

Fire/EMS Services: Comments received and have been addressed

PUBLIC NOTICE, MEETINGS, COMMENTS

- ✓ Public Notice was submitted to the State of Utah Public Notice website on May 4, 2026; a minimum of 10 days prior to the scheduled meeting. (Morgan County Code § 155.032 (C)).
- ✓ A Public Notice was posted at the County on May 4, 2026.
- ✓ Notices to property owners within 1000' feet of the proposed use were mailed a Public Notice on May 4, 2026.
- ✓ A sign was posted on the site on May 4, 2026.

Recommended Motions

Motion for a *Positive Recommendation of Approval* – “I move we recommend approval to the County Commission for the Rosehill LDS Chapel Site Plan, application number 25.053, allowing for the proposed chapel and parking area located at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated May 14, 2026.”

Motion for a *Positive Recommendation of Approval with Conditions* – “I move we recommend approval to the County Commission for the Rosehill LDS Chapel Site Plan, application numbers 25.053, allowing for the proposed chapel and parking area located at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated May 14, 2026, and with the following conditions:”

1. *List any additional findings and conditions...*

Motion for a *Recommendation of Denial* – “I move we recommend denial to the County Commission the Rosehill LDS Chapel Site Plan, application numbers 25.053, not allowing for the proposed chapel and parking area located at 4210 W. Cottonwood Canyon Road in unincorporated Morgan County, *due to the following findings:*”

1. *List any additional findings and conditions...*

SUPPORTING INFORMATION

Attachment A: Vicinity Map

Attachment B: Proposed Site Plan

Attachment C: Landscaping Plan

Attachment D: Photometrics Plan

Attachment E: Elevations

Attachment A: Vicinity Map



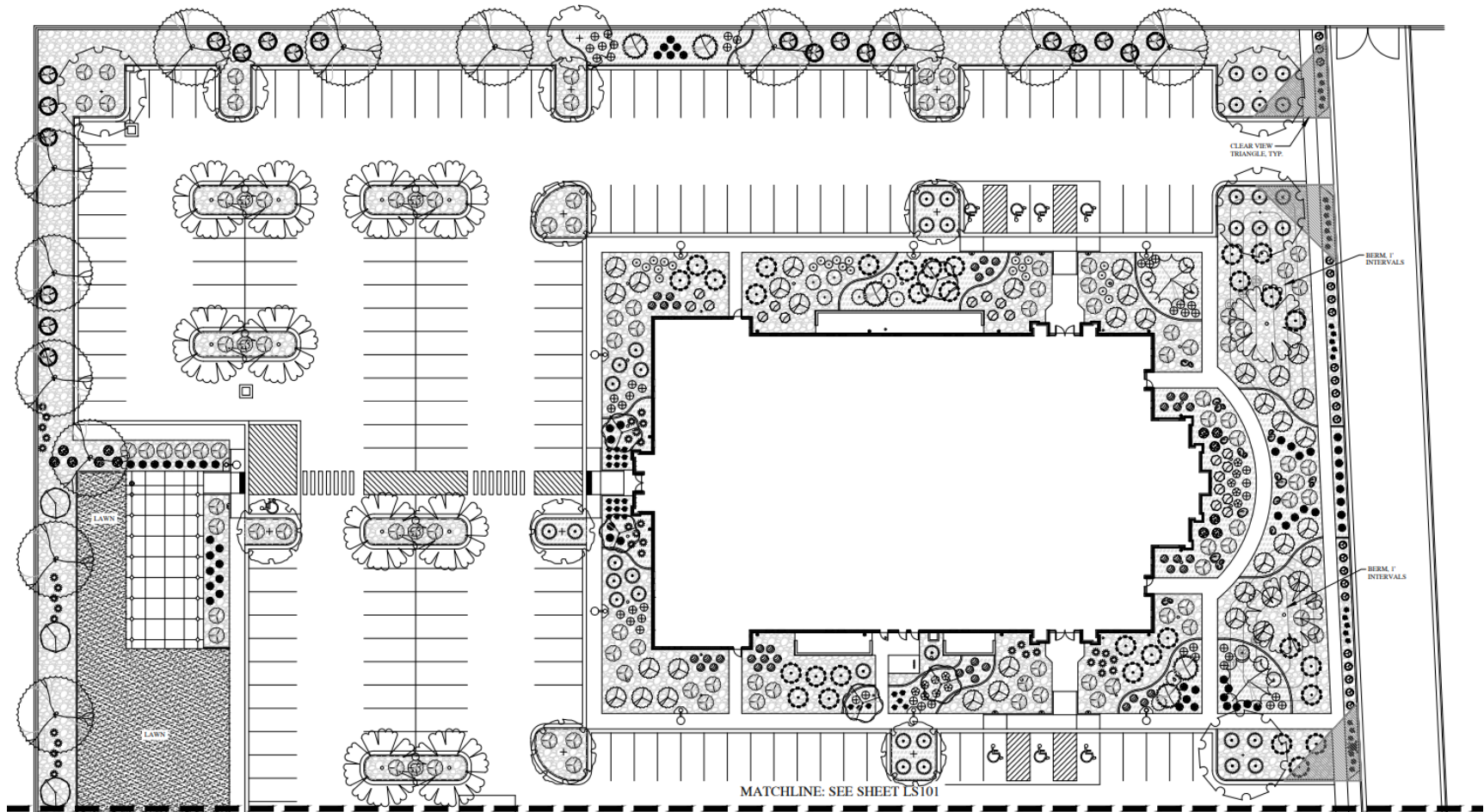
Click here to view a full-size .pdf version of the Site Plan.
[Rosehill - Site Drawings r3 4.pdf](#)

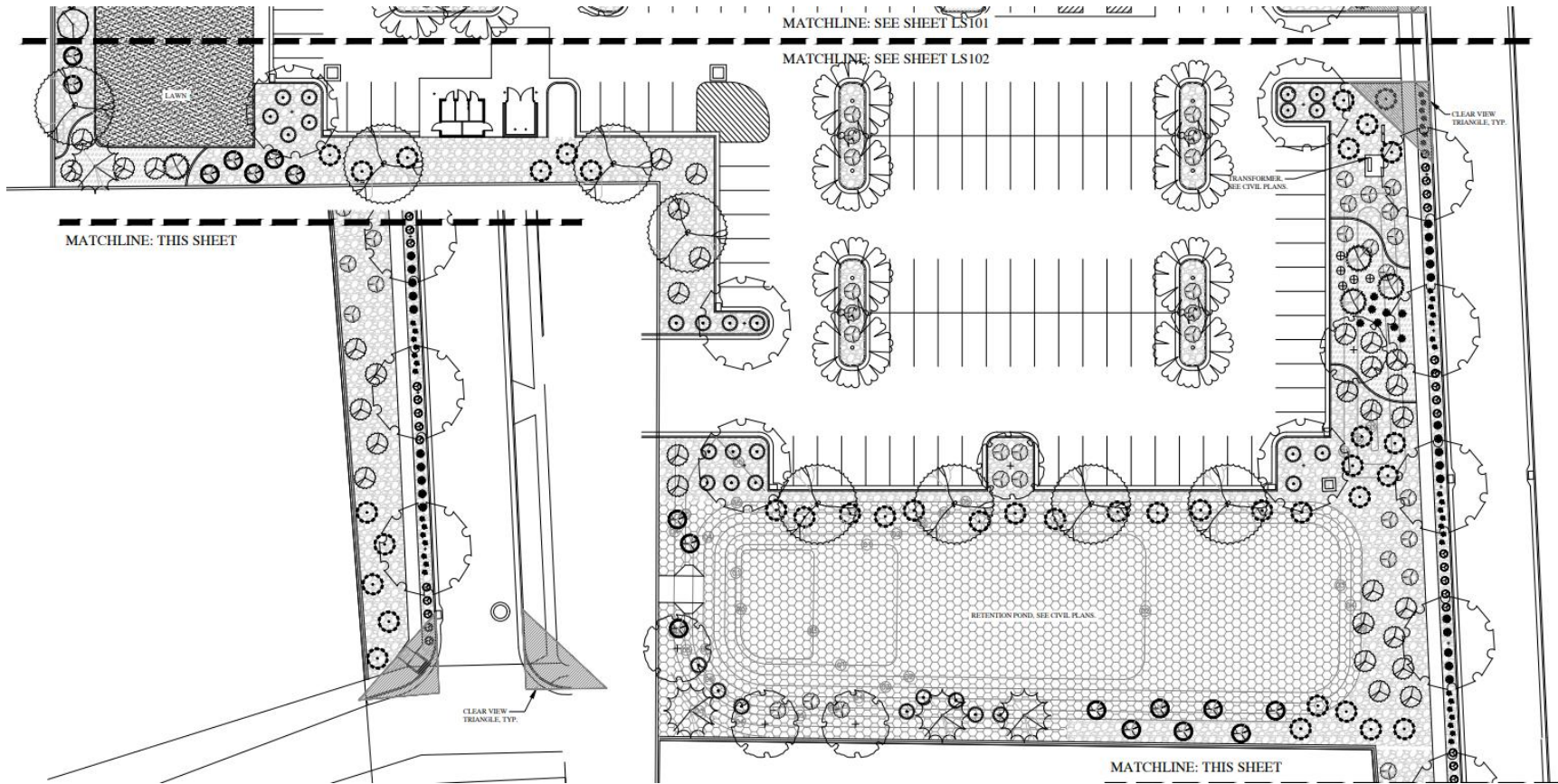
Attachment B: Proposed Site Plan



Click here to view a full-size .pdf version of the Site Plan.
[Rosehill LDS Chapel Landscaping](#)

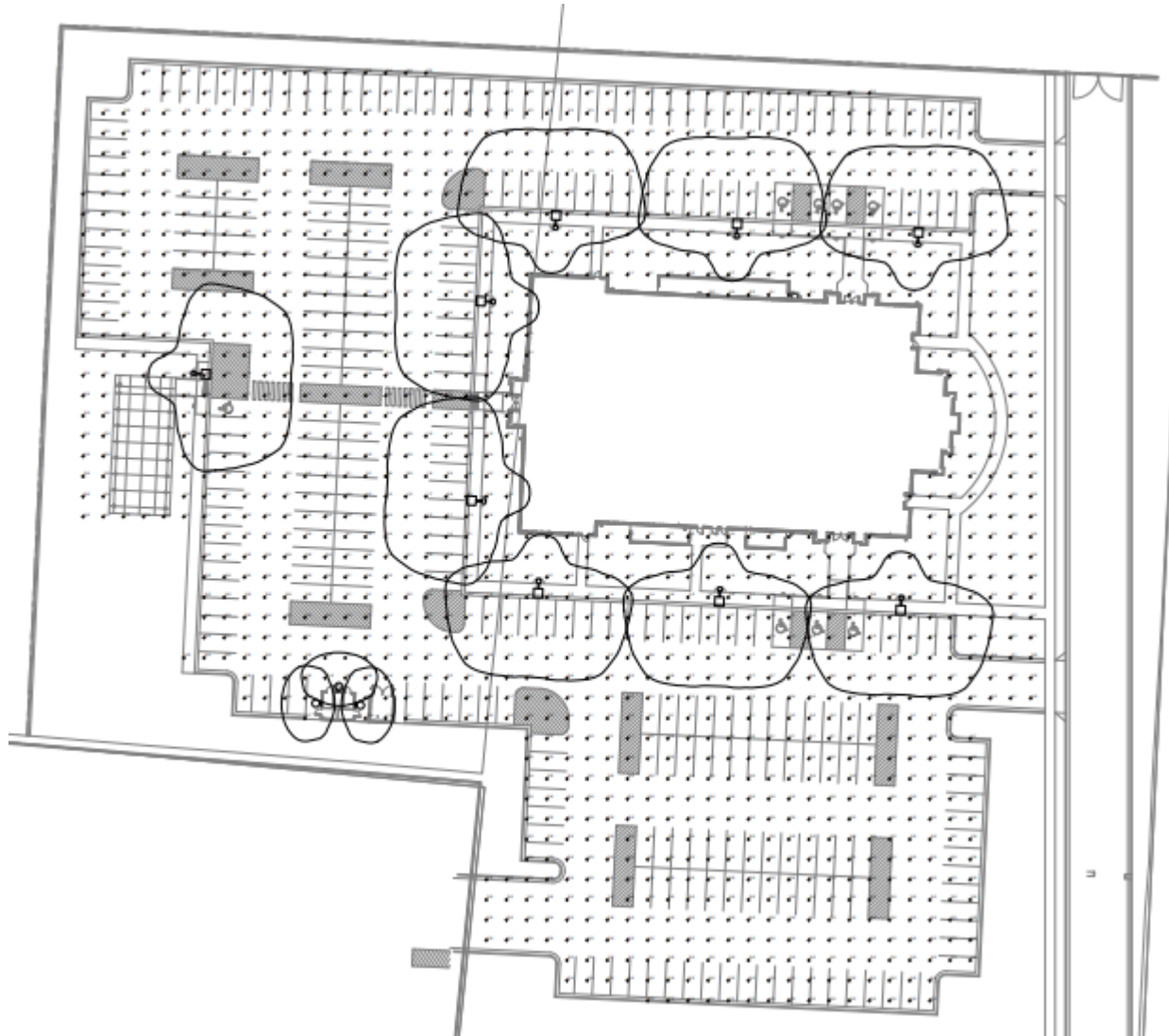
Attachment C: Landscaping Plan





Click here to view a full-size .pdf version of the Site Plan
[Rosehill LDS Chapel Illumination](#)

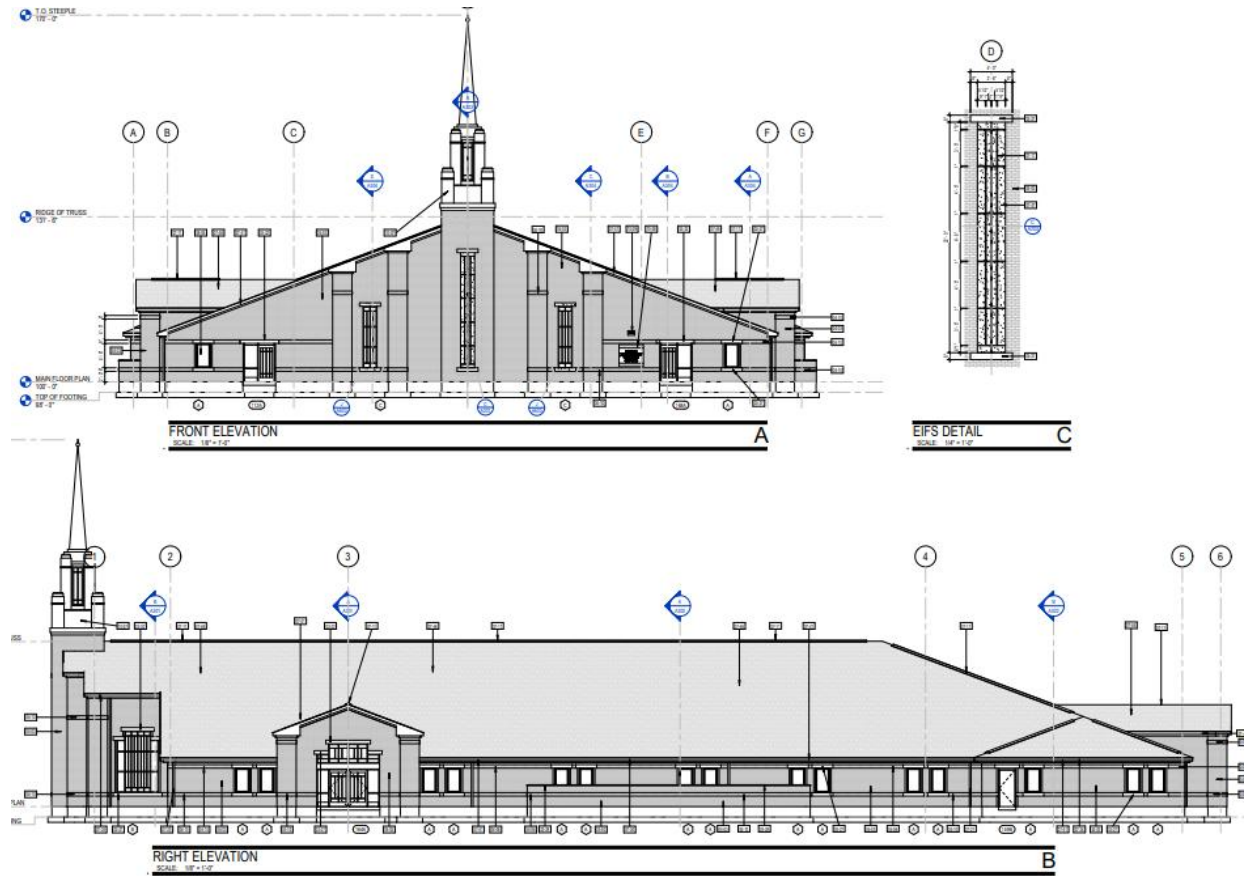
Attachment D: Photometrics Plan

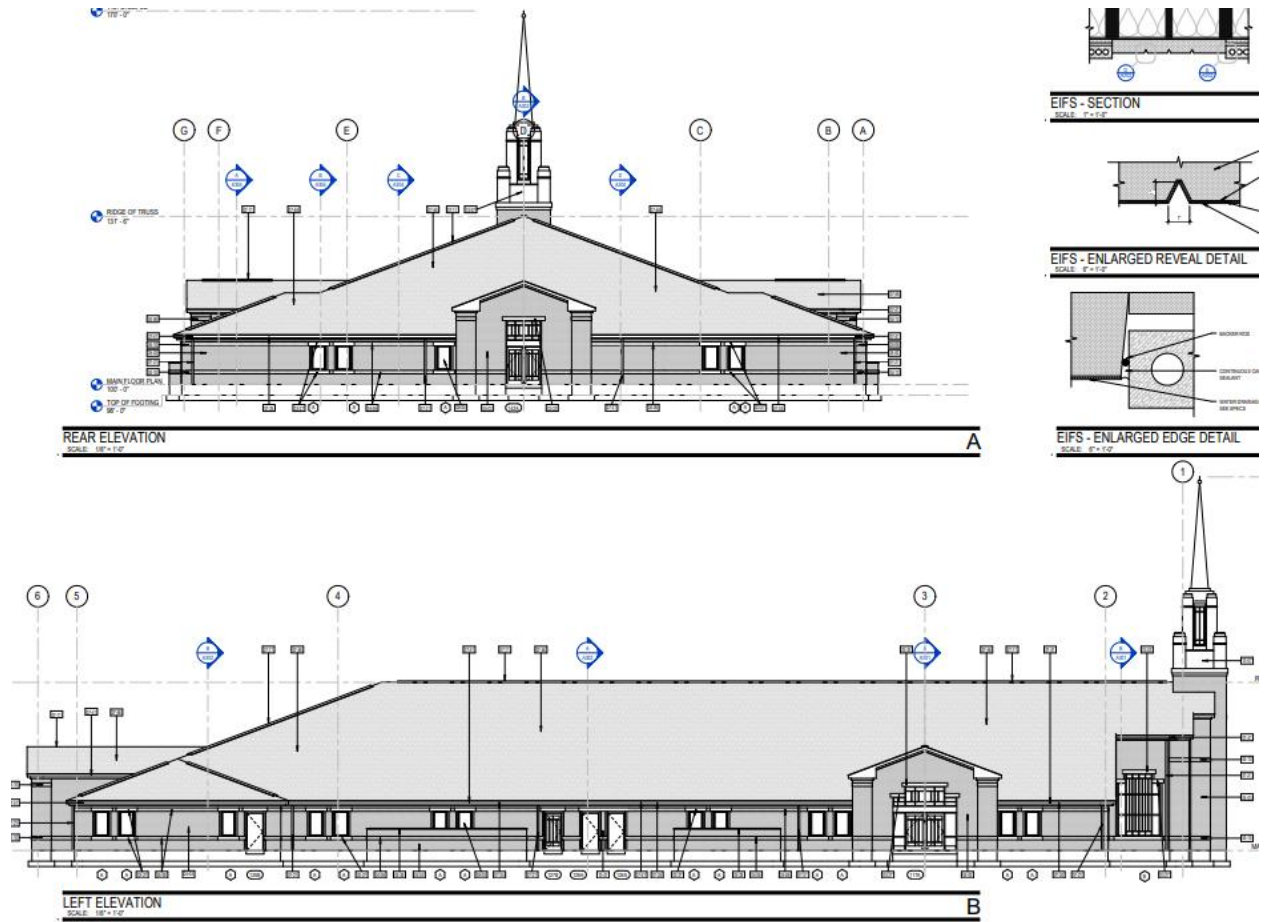


[Click here to view a full-size .pdf version of the Site Plan.](#)

[Rosehill LDS Chapel - Exterior Elevations](#)

Attachment E: Elevations





Morgan County Planning Commission

Public Meeting Guidelines: Welcome. Thank you for attending tonight's Planning Commission meeting. To ensure a fair, respectful, and productive meeting for everyone, please observe the following:

Open Meetings: All Planning Commission meetings are open to the public.

Sign In: Please sign in upon entering the meeting.
Signing in does not require you to speak or participate in public comment.

Meeting Conduct

- Please remain quiet, respectful, and orderly so all speakers can be clearly heard.
- Side conversations, interruptions, heckling, applause, or audible reactions are not permitted.
- All participants, including members of the public, applicants, staff, and Commissioners, are expected to treat one another with courtesy and respect.

Disruptive behavior may result in loss of speaking privileges or removal from the meeting.

Public Comment

- Speakers must state their name for the record.
- Public comment is generally limited to three (3) minutes per speaker.
- Each speaker may address the Commission one time per agenda item, unless otherwise permitted by the Chair.
- Comments must be directed to the Chair or the Commission as a whole.

Not a Dialogue or Q&A Session

Public comment is not a dialogue and is not conducted as a question-and-answer session. Questions raised during public comment will not be answered at that time, and no response is required from the Planning Commission, staff, or applicants.

Time Management: To ensure fairness to all speakers:

- Time limits may be adjusted.
- Repetitive or cumulative comments may be limited.
- Public comment may close once the issue has been adequately heard.

Authority of the Chair

The Chair is responsible for maintaining order and ensuring a fair and efficient meeting.

Thank you for helping us conduct a respectful and effective public meeting.

**Morgan County Planning Commission
Bylaws and Rules of Procedure (2026)**

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ARTICLE I: Authority and Purpose

Section 1. Authority and Adoption

Preface: Utah Code 17-79-301 requires Counties to establish a Planning Commission by Ordinance. Morgan County Code 155.028 sets forth the County regulations for the Planning Commission, and requires the County Commission to approve the bylaws for the Planning Commission.

These Bylaws and Rules of Procedure are adopted by the Morgan County Commission in accordance with Morgan County Code § 155.028(G) and govern the organization, powers, duties, and procedures of the Morgan County Planning Commission, consistent with Utah law, the Morgan County Land Use and Development Code, and applicable ordinances of Morgan County.

ARTICLE II: Roles and Responsibilities

Section 2. Role of the Planning Commission

1. Advisory Status. The Planning Commission is an appointed public body that advises the Morgan County Commission on land use matters, including the General Plan and land use ordinances, as provided by Utah law and the Morgan County Land Use and Development Code.

The Planning Commission acts primarily in an advisory capacity. Final legislative authority rests with the elected Morgan County Commission.

2. Nature of the Commission. Planning Commission members are appointed officials and are not elected policymakers. The Commission is not a representative body and has no constituency. Commissioners do not represent neighborhoods, districts, businesses, or interest groups, and do not serve as advocates for or against development. The Commission's role is to provide informed recommendations and to apply adopted ordinances as written and to shape policy through recommendations and to apply adopted ordinances as written, not to create policy.

3. Legislative Recommendations and Administrative Authority. Planning Commission members shall recognize and respect the Commission's dual role:

a. Legislative Recommendations. When making recommendations regarding the General Plan, land use ordinances, zoning maps, or other legislative matters, the Planning Commission participates in the legislative process by advising the Morgan County Commission. In this role, the Commission may consider planning principles, policy choices, and public input and may exercise discretion in forming its recommendations.

b. Administrative Authority as a Land Use Authority. When designated by ordinance to act on land use applications, the Planning Commission acts in an administrative capacity as a land use authority. In this role, discretion is limited by law. A land use application that complies with the applicable ordinance standards must be approved, and an application that does not comply must be denied, regardless of public opinion or personal preference.

c. Application of Adopted Standards. When acting as a land use authority, the Planning Commission applies the land use ordinances as adopted. The Commission may not impose requirements, conditions, or standards that are not expressly contained in state law or the Morgan County Land Use and Development Code.

4. Relationship to the County Commission. The Planning Commission's recommendations are the product of public process and careful consideration. While open communication and coordination with the Morgan County Commission are encouraged, final legislative decisions rest with the elected County Commission, whose members must vote in accordance with their duties to their constituents and the law.

5. Open Meetings, Due Process, and the Public Record. All meetings of the Planning Commission are subject to the Utah Open and Public Meetings Act. Deliberations and decisions shall occur in noticed public meetings, and both the decision and the reasoning supporting the decision shall be reflected in the public record. Planning Commission decisions and recommendations shall be

based on the information presented at the meeting, including application materials, staff reports, testimony, evidence received on the record, and applicable law and adopted plans and ordinances.

6. Public Service and Assistance to Applicants. Service on the Planning Commission is a public service. One of the primary roles of the Planning Commission is to help applicants accomplish lawful use of their property in a manner consistent with the County's plans and ordinances. The Planning Commission fulfills its role by applying the code fairly and consistently and by identifying how an application may comply with adopted standards, rather than by using the code to prevent development that is otherwise permitted.

7. Role of the Individual Commissioner. The authority of the Planning Commission rests with the Commission acting as a body through majority vote and not with individual commissioners acting independently. Planning Commission members are subject to the same ethical and procedural requirements applicable to public officials and are expected to conduct themselves in a professional, fair, and lawful manner.

8. General Expectations of Commissioners. Planning Commission members are expected to:

- a. attend meetings and participate in deliberations and votes;
- b. review materials in advance and seek clarification as needed;
- c. remain open-minded and avoid prejudice;
- d. respect constitutional rights, due process, and ethical obligations;
- e. base recommendations and decisions on adopted law and sound planning principles rather than public pressure or personal preference; and
- f. treat staff, applicants, fellow commissioners, and the public with dignity and respect.

Commission members shall avoid private meetings with applicants or opponents regarding pending matters and shall not use their position or information obtained through their service for personal benefit.

ARTICLE III: Ethics and Standards of Conduct

Section 3. Ethics and Standards of Conduct

Ethics and Standards of Conduct

1. Applicability of State Ethics Law. Planning Commission members are municipal officers and are subject to the Utah Municipal Officers' and Employees' Ethics Act and other applicable state and local ethics requirements.

Commission members shall conduct themselves in a legal and ethical manner and avoid using their position or information obtained through service on the Planning Commission for personal or financial benefit.

2. Conflicts of Interest and Disclosure. Planning Commission members shall disclose actual or potential conflicts of interest in accordance with state law. Required disclosures shall be made in writing as provided by law and verbally in an open meeting at the time the conflict becomes applicable. A Planning Commission member who has a personal or financial interest that would impair the member's ability to make a fair and impartial decision should disclose the interest and, when appropriate, request to be excused from discussion and voting, consistent with state law and the appearance-of-fairness doctrine. *Difficult, controversial, or unpopular matters do not constitute a conflict of interest and are not grounds for abstention.*

3. Ex Parte Communications. Ex parte communications are communications between individuals seeking to influence the decision of the Planning Commission and individual Planning Commission members outside of a duly noticed public meeting. Such communications may include meetings, conversations, electronic communications, or written correspondence intended to persuade or influence a member regarding the merits of a matter that will be subject to the Planning Commission's review or vote.

Planning Commission members should discourage communications intended to influence the merits of a pending matter outside of a public meeting and should avoid expressing opinions regarding the merits of any pending application outside of the public hearing process. When appropriate, members should advise individuals that testimony and argument should be presented at the public hearing to ensure a fair and transparent process for all parties.

Limited communications outside of a public meeting for purposes of clarification, scheduling, procedural explanation, or understanding the nature of a request may occur, provided that such communications do not involve advocacy, persuasion, or discussion intended to influence the outcome of the matter.

When an ex parte communication occurs relating to the substance or merits of a pending matter, the Planning Commission member shall disclose the communication on the record at the public meeting at which the matter is considered. The disclosure shall identify the person communicating and the general nature of the communication. Following disclosure, the Planning Commission may determine whether any additional steps are necessary to preserve fairness and due process, consistent with applicable law.

4. Communications Among Planning Commission Members. Planning Commission members shall not deliberate, decide, or attempt to influence one another regarding the merits of a pending application or agenda item outside of a properly noticed public meeting. This includes private conversations, electronic communications, or serial communications intended to develop consensus, test positions, or influence decision-making prior to a public meeting.

Communications among Commission members outside of meetings should be limited to procedural or administrative matters, such as scheduling or agenda logistics.

5. Open Meetings and Public Deliberation. All Planning Commission meetings are subject to the Utah Open and Public Meetings Act. Both deliberations and decisions of the Planning Commission shall occur in public meetings that are properly noticed and open to the public. Planning Commission members shall not conduct deliberations privately and then merely vote in public. When in doubt, Commission members should err on the side of openness and transparency.

6. Voting and Ethical Responsibility. Planning Commission members are appointed to participate, deliberate, and vote. Members should not abstain from voting unless required by law or ethical obligation. When questions arise regarding conflicts of interest, abstention, or appropriate conduct, Planning Commission members are encouraged to seek guidance from legal counsel.

7. Public Trust and Professional Conduct. Planning Commission service is a public trust. Commission members are expected to act fairly, respectfully, and impartially toward applicants, staff, fellow commissioners, elected officials, and members of the public.

The credibility of the Planning Commission and the County depends on adherence to ethical standards, open decision-making, and respect for due process and the rule of law.

ARTICLE IV: Planning Commission Membership and Organization

Section 4. Membership

B. Membership: The Planning Commission consists of seven (7) members, appointed in accordance with Morgan County Code § 155.028.

1. Seat Designation and At-Large Appointments. Planning Commission seats shall be designated and filled as provided in Morgan County Code § 155.028, including designated-area seats and at-large seats. If a designated-area seat becomes vacant and no qualified applicant from the designated area applies, the Morgan County Commission may appoint an at-large member to fill that seat.

2. Vacancies. If a Planning Commissioner resigns or otherwise vacates a seat prior to the expiration of the term, the Morgan County Commission shall appoint a replacement to serve the remainder of the unexpired term, in accordance with Morgan County Code § 155.028(D).

3. Staggered Terms. Planning Commission terms shall be staggered to ensure continuity of service and to avoid the expiration of all terms in the same year.

a. Appointments and reappointments shall be arranged so that no more than two (2) Planning Commission seats expire in any single calendar year, to the extent practicable.

b. When necessary to establish or preserve staggered terms, the Morgan County Commission may adjust the length of an initial appointment so that the staggered rotation of terms is maintained.

c. Once established, the staggered rotation shall continue so that at least one Planning Commission term expires each calendar year.

4. Reappointments. Nothing in these bylaws shall limit the authority of the Morgan County Commission to reappoint a Planning Commissioner to a subsequent term in accordance with Morgan County Code § 155.028.

5. Removal and Nonperformance

a. Removal Authority. Members of the Planning Commission may be removed by the Morgan County Commission for misconduct or nonperformance of duty, as provided in Morgan County Code § 155.028(D).

b. Attendance Expectations and Nonperformance. Regular attendance and preparation are essential to the effective functioning of the Planning Commission. Repeated absences may impair continuity, increase meeting length, and hinder informed decision-making. The following attendance patterns may be considered nonperformance of duty and grounds for removal by the Morgan County Commission:

- i. three (3) consecutive absences from regularly scheduled Planning Commission meetings, whether excused or unexcused;
- ii. five (5) or more absences within any rolling twelve-month period, whether excused or unexcused; or
- iii. a demonstrated pattern of absences that materially interferes with the Planning Commission's ability to conduct business, maintain quorum, or ensure continuity of review.

c. Notice and Opportunity to Address Attendance Concerns. Prior to recommending removal based on attendance, the County Commission Chair or their representative may notify the affected member of the attendance concern and provide an opportunity to address or correct the pattern of absences, unless immediate action is warranted due to operational necessity.

d. Discretion Preserved. Nothing in this section shall be construed to require automatic removal. The Morgan County Commission retains discretion to consider the totality of circumstances, including the reasons for absences, the member's overall participation, and the impact on the Planning Commission's operations.

e. Vacancy Upon Removal. Upon removal of a Planning Commission member, the

position shall be declared vacant and filled for the remainder of the unexpired term in accordance with Morgan County Code § 155.028.

Section 5. Organization and Officers

D. Organization

1. Election of Chair and Vice Chair. At its first regular meeting in March of each year, the Planning Commission shall elect from among its members a Chair and a Vice Chair, each to serve a one-year term, unless earlier replaced by action of the Planning Commission.
2. Role of the Chair. The Chair shall preside at all meetings of the Planning Commission and is responsible for the orderly and efficient conduct of meetings, consistent with these bylaws, the adopted agenda, and applicable law.
3. Duties of the Chair. The duties of the Chair include the following:
 - a. To call the Planning Commission to order at the time and place scheduled and to conduct meetings in accordance with the adopted agenda and order of business.
 - b. To recognize Planning Commission members, staff, applicants, and members of the public prior to receiving comments, presentations, or motions.
 - c. To receive, restate (if necessary), and submit all motions and propositions presented by members of the Planning Commission.
 - d. To put to vote all questions that are properly moved or that necessarily arise in the course of proceedings and to announce the results of each vote.
 - e. To rule on points of order and procedure, subject to these bylaws and applicable law, and to request advice from legal counsel when appropriate.
 - f. To maintain order, civility, and decorum at meetings of the Planning Commission, including directing participants to refrain from disruptive, abusive, or disrespectful conduct.
 - g. To manage public hearings and public comment in a fair and impartial manner, including enforcing reasonable time limits and limiting repetitive, irrelevant, or cumulative testimony, consistent with the scope of the noticed agenda item, including adjusting time limits to ensure balanced participation.
 - h. To ensure that comments and questions are directed to the Planning Commission as a body and not to individual staff members, applicants, or members of the public.
 - i. To authenticate by signature, when required or directed by the Planning Commission, official acts, findings, orders, or proceedings of the Planning Commission.
 - j. To vote on all matters before the Planning Commission on the same basis as other members.
4. Duties of the Vice Chair. In the absence or incapacity of the Chair, the Vice Chair shall perform the duties and exercise the authority of the Chair.
5. Temporary Chair. In the absence or incapacity of both the Chair and the Vice Chair, the

Planning Commission members present shall elect a Temporary Chair from among the members present to preside for that meeting only. The Temporary Chair shall have all authority and duties of the Chair for the duration of that meeting.

6. Secretary. The duties of the Planning Commission Secretary shall be performed by the Planning and Development Services Department, which shall provide administrative and clerical support to the Planning Commission. The Secretary is not a voting member of the Planning Commission.

7. Duties of the Secretary. The Planning Commission Secretary, through the Planning and Development Services Department, shall perform the following duties:

- a. Public Notice. To provide public notice of regular and special Planning Commission meetings, including agendas and meeting locations, in compliance with the Utah Open and Public Meetings Act, applicable state law, and County Code.
- b. Attendance and Roll. To attend meetings of the Planning Commission when practicable; to record attendance and roll; to present communications, resolutions, or other materials as directed by the Chair; and to receive and bring to the attention of the Planning Commission official communications relating to Commission business.
- c. Minutes. To prepare and maintain minutes of the proceedings of the Planning Commission in accordance with state law, the Utah Open and Public Meetings Act, and County policy.
- d. Records. To maintain a permanent record of Planning Commission actions, minutes, staff reports, findings, and related documents, which records shall be available for public inspection as required by law.
- e. Distribution of Materials. To make available to Planning Commission members, when practicable, materials pertinent to regularly scheduled meetings sufficiently in advance of the meeting to allow informed review, consistent with applicable law and County practice.
- f. Other Duties. To perform such other administrative and clerical duties as may be reasonably required to support the work of the Planning Commission.

ARTICLE V: Meetings, Quorum, and Voting

Section 6. Quorum, Voting, and Electronic Participation

C. Quorum and Voting

1. Quorum Requirement. A quorum for the transaction of business shall consist of four (4) voting members of the Planning Commission.
2. Conflicts of Interest. Any member who declares a conflict of interest with respect to a particular agenda item shall not be counted toward the quorum for that item and shall not participate in discussion or voting on that item.
3. Abstentions. Planning Commission members are appointed to deliberate and vote on matters

before the Commission. Members are expected to participate fully in discussion and decision-making. Abstention from voting is discouraged and should occur only when required by law or ethical obligation. Members shall not abstain merely because a matter is controversial, difficult, or unpopular. When questions arise regarding conflicts of interest, abstention, or appropriate conduct, members are encouraged to seek guidance from legal counsel.

4. Voting Threshold. Except as otherwise specifically provided by law or ordinance, a majority vote of the members present and eligible to vote shall be required to take action on any item properly noticed on the agenda.

5. Electronic Participation. Members may participate in Planning Commission meetings by electronic means, including telephonic or video participation, to the extent permitted by the Utah Open and Public Meetings Act. Members participating electronically shall be considered present for purposes of quorum and voting only when participation allows the member to hear the proceedings, be heard by other members and the public, and otherwise fully participate as required by law.

a. Advance Notice Required. A Planning Commission member requesting electronic participation shall notify Planning and Development Services staff as early as practicable, and no later than one (1) business day prior to the meeting, except in cases of unforeseen emergency.

b. Administrative Coordination. Electronic participation is subject to administrative coordination to ensure proper setup, public access, and compliance with the Utah Open and Public Meetings Act.

c. Effect of Electronic Participation. When electronic participation is properly established in compliance with law, the participating member shall be considered present for purposes of quorum and voting.

d. Loss of Connection. If electronic participation is interrupted such that the member can no longer hear the proceedings or be heard by other members and the public, the affected member shall not be counted as present for quorum or voting purposes during the period of interruption.

ARTICLE VI: Rights and Duties of Members

Section 7. Rights and Duties of Members

E. Rights and Duties of Members. Planning Commission members shall exercise their rights and perform their duties in a manner consistent with the roles, responsibilities, and ethical standards set forth elsewhere in these bylaws and in applicable law.

1. Attendance, Preparation, and Training. Planning Commission members are expected to attend all meetings of the Planning Commission unless unable to do so due to extenuating circumstances.

A member who is unable to attend a meeting shall notify the Planning Commission Secretary as soon as practicable.

a. Preparation. Planning Commission members shall review the agenda, staff reports, and supporting materials in advance of each meeting and shall come prepared to participate in discussion and decision-making, consistent with the Planning Commission's advisory and administrative roles described in these bylaws.

b. Pre-Meeting Clarification. If a Planning Commission member has questions regarding agenda materials or requires clarification, the member is encouraged to contact the Zoning Administrator/Planning and Development Services Director, or the County Attorney's Office if it involves legal questions, in advance of the meeting and, when appropriate, schedule time prior to the meeting to obtain clarification or additional information.

c. Training. Training. Planning Commission members shall comply with all training requirements set forth in Morgan County Code § 155.028, including initial and annual training requirements, as well as any applicable requirements under state law. Training expenses authorized by the County shall be paid by the County in accordance with County policy. In the event of any conflict between these Bylaws and the County Code or state law, the County Code and state law shall control.

2. Conflicts of Interest.

a. Disclosure. A Planning Commission member who has an actual, apparent, or reasonably foreseeable conflict of interest with respect to any agenda item shall disclose the conflict to the Planning Commission prior to consideration of the item, consistent with the ethics provisions of these bylaws and applicable law.

b. Recusal. After declaring a conflict of interest, the member shall not participate in discussion, deliberation, or voting on the matter and shall not attempt to influence the decision of other members before, during, or after the meeting.

c. Physical Separation. At the direction of the Chair, a member who has declared a conflict of interest may be required to leave the dais or meeting room during consideration of the affected agenda item to preserve the integrity of the proceedings.

d. Examples of Conflicts. Conflicts of interest may include, but are not limited to, personal, familial, financial, or employment relationships with an applicant, proponent, or opponent of a matter before the Planning Commission.

e. Advocacy Prohibited. A Planning Commission member shall not appear before the Planning Commission, directly or indirectly, as an advocate, agent, or representative for

any applicant or interested party, consistent with the Planning Commission's role as an impartial advisory and decision-making body.

f. Use of Office Prohibited. A Planning Commission member shall not use the position of office to obtain a personal benefit or special advantage that is not in the public interest or not available to the general public.

3. No Proxy Voting. A member of the Planning Commission shall not vote on any matter unless the member is present at the meeting, either in person or by approved electronic participation, at the time the vote is taken and the result is announced. Proxy voting is not permitted and members should not relate the opinions on non-present members.

4. Meeting Location. Meetings of the Planning Commission shall be held in the Commission Chambers of the Morgan County Building, 48 West Young Street, Morgan, Utah, or at such other location as may be designated by the Planning Commission or Planning and Development Services staff, provided that proper public notice of the meeting location is given in accordance with law.

The Planning Commission may adjourn a meeting to another location within Morgan County solely for the purpose of conducting a site visit or investigation, provided that the adjournment and location are properly noticed to the public in advance or announced during the meeting in compliance with the Utah Open and Public Meetings Act.

5. Regular Meetings. Regular meetings of the Planning Commission shall be held twice per month, or on an alternative schedule approved by the County Commission prior to the first meeting of each calendar year. At the discretion of the County Commission or Planning Commission Chair, work sessions or site visits may be scheduled, provided that adequate public notice of the time and location is given in accordance with law. Regular meetings may be canceled when no applications or other matters are ready for consideration.

6. Special Meetings. Notice of the time, place, and purpose of a special meeting shall be provided at least twenty-four (24) hours prior to the meeting in accordance with the Utah Open and Public Meetings Act and applicable County Code.

8. Cancellation or Postponement for Lack of Quorum or Emergency Conditions. If it reasonably appears prior to a scheduled meeting that a quorum will not be present, or if weather conditions, emergencies, or other unforeseen circumstances make holding the meeting impracticable, the Chair, or in the Chair's absence the Vice Chair, in consultation with Planning and Development Services staff, may cancel the meeting. When a meeting is canceled or adjourned prior to convening:

- a. Applicant Notification. Staff shall make reasonable efforts to notify affected applicants as soon as practicable and, when feasible, obtain the applicant’s consent to continue the matter to a date certain.
- b. Date Certain Continuance. Agenda items shall be continued to the next regular meeting or to another date certain, which shall be identified in the cancellation notice whenever possible.
- c. Public Notice. Notice of the cancellation and the continued date shall be posted on the Utah Public Notice Website, the County’s website, and County Building as soon as reasonably practicable.
- d. Protection of Applicant Rights. A cancellation or continuance under this subsection shall not prejudice an applicant’s rights, restart statutory review timelines unless required by law, or be deemed a denial of the application.
- e. Meeting Convened Without Quorum. If a meeting is convened but a quorum is not present, no substantive action shall be taken. The members present may announce the continued date on the record, and staff shall provide public notice of the continuance consistent with law.

7. Matters Considered. The Planning Commission may consider and act upon matters within its authority and jurisdiction at any properly noticed regular or special meeting, consistent with its roles and limitations set forth in these bylaws and applicable law.

ARTICLE VII: Meeting Procedures

Section 8. Order of Business and Agendas

F. Procedure – Order of Business

- 1. Order of Business. The order of business at Planning Commission meetings shall generally be as follows, subject to reasonable modification by the Chair for the orderly and efficient conduct of business and consistent with applicable law:
 - a. Call to order and roll taken by the Secretary;
 - b. Field trip or site visit (if scheduled);
 - c. Consideration of agenda items;
 - d. Other business properly before the Planning Commission; and
 - e. Approval of minutes.

2. Field Trips and Site Visits. When site inspections or field trips are deemed advisable, they may be conducted prior to or in conjunction with a Planning Commission meeting at a date and time determined by the Chair or the Planning Commission.

- a. Notice. The time, location, and purpose of any field trip or site visit shall be included on the meeting agenda or otherwise noticed in accordance with the Utah Open and Public Meetings Act.
- b. Attendance. Field trips or site visits may be attended by Planning Commission members and pertinent Planning and Development Services staff. Members of the public may attend site visits; however, testimony, argument, and public comment are encouraged to be presented during the Planning Commission meeting rather than during the site visit.
- c. Purpose and Limitations. Field trips and site visits are intended solely for the purpose of observing site conditions and gathering information. No deliberation, discussion of the merits, decision-making, or polling of members shall occur during a field trip or site visit.
- d. Transportation. Use of County vehicles for field trips or site visits shall be subject to County policy. Nothing in this section requires the County to provide transportation for Planning Commission members or staff.

3. Agenda for Meetings. The Planning and Development Services Director, with the assistance of the Planning Commission Secretary, shall prepare a written agenda for each Planning Commission meeting as far in advance as practicable. The agenda shall be made available to Planning Commission members and the public in accordance with applicable law.

a. Public Hearings.

- i. Agenda Placement. Public hearings shall generally be placed near the beginning of the agenda in order to reasonably accommodate members of the public.
- ii. Agenda Management. In determining the number of public hearings scheduled for any meeting, consideration may be given to the complexity of the applications, anticipated public comment, time limitations, and other scheduled or continued agenda items.
- iii. Public Comment Procedure. Members of the public wishing to speak at a public hearing shall state their name for the record and may present relevant information or opinions for consideration. Unless modified by the Chair, individual public comments shall be limited to three (3) minutes per speaker.

The Chair shall maintain an open, orderly, and respectful meeting and may enforce reasonable time limits, limit repetitive, irrelevant, or cumulative testimony, and take such steps as necessary to ensure the efficient and fair conduct of the public hearing.

b. Presentations. Applicant and staff presentations shall be concise, relevant to the agenda item, and mindful of time limitations established by the Chair.

c. Staff Reports. Major matters presented to the Planning Commission for consideration shall be accompanied by a staff report prepared by Planning and Development Services. Staff reports shall include, as applicable:

- i. an overview and background of the request;
- ii. analysis of applicable Morgan County Code provisions;
- iii. consistency with the General Plan;
- iv. identification of any pertinent state statutes; and
- v. staff findings and recommendations, including proposed conditions of approval when appropriate.

Staff reports shall be as concise as practicable while providing sufficient information for informed decision-making and shall be made available to the public upon request. Copies of staff reports and other pertinent materials shall be made available to Planning Commission members sufficiently in advance of regularly scheduled meetings to allow informed review, and at least three (3) days prior to the meeting when practicable.

d. Submission of Written Materials. Applicants and interested parties are encouraged to submit written materials no later than one (1) week prior to the meeting at which the item is scheduled for consideration to allow adequate review by the Planning Commission.

Written materials submitted at the meeting or after the suggested deadline may be excluded from consideration at the discretion of the Chair. Written comments submitted at the meeting should be limited to one typed page, unless otherwise permitted by the Chair.

e. Notice of Public Hearings. Notice of all public hearings and agenda items scheduled for Planning Commission review shall be provided in accordance with Morgan County Code, the Utah Open and Public Meetings Act, and applicable state law.

Section 9. Order and Decorum

G. Procedure – Order and Decorum

1. Order of Consideration of Items. The following order of consideration shall normally be observed for agenda items before the Planning Commission. Not all items require a public hearing, and the procedures applicable to a particular item shall depend on the nature of the request and applicable law. The Chair may reasonably modify the sequence for a particular item as necessary to ensure the orderly, fair, and efficient conduct of business.

a. Introduction of Item. The Chair shall introduce the agenda item, followed by a brief overview from Planning and Development Services staff.

b. Staff Presentation and Recommendation. Planning and Development Services staff shall present analysis, applicable code provisions, findings, and recommendations.

c. Applicant Presentation. When applicable, the applicant or representative may present the proposal, subject to reasonable time limits established by the Chair. An applicant presentation is voluntary. An applicant is not required to answer questions posed by the Planning Commission or members of the public, and no adverse inference shall be drawn from an applicant's decision not to respond.

d. Public Hearing (When Required). For items requiring a public hearing by law or ordinance, the Chair shall open the public portion of the hearing and invite public comment in accordance with adopted procedures.

i. Members of the public wishing to speak shall state their name for the record and may address the Planning Commission one time per agenda item, unless additional comment is expressly permitted by the Chair. Individual public comments shall be limited to three (3) minutes per speaker, unless modified by the Chair to ensure the orderly and efficient conduct of the meeting.

ii. Public comment is intended to provide information to and for the benefit of the Planning Commission. The public hearing is not a question-and-answer session and is not conducted for the purpose of dialogue, debate, or cross-examination. Questions posed by members of the public during the public hearing shall not be answered at that time by Planning Commission members, Planning and Development Services staff, or the applicant.

iii. Following the close of the public hearing, the Planning Commission and Planning and Development Services staff may address issues raised during public comment as part of deliberation. An applicant may, at the applicant's discretion, respond to questions or concerns raised by the public after the public hearing has closed.

iv. The Chair may limit repetitive, irrelevant, or cumulative testimony and may direct speakers to conclude remarks when established time limits are reached. Public comments shall be respectful and directed to the Chair or the Planning Commission. Personal attacks, abusive language, threats, or disruptive conduct shall not be permitted.

v. If a speaker or any individual in attendance engages in disruptive, abusive, threatening, or disorderly conduct, including shouting, interruptions, or behavior that interferes with the orderly conduct of the meeting, the Chair may direct the individual to comply with meeting rules. When practicable, the Chair may issue a warning prior to taking further action.

vi. If such conduct continues, or if immediate action is necessary to preserve order, safety, or the integrity of the proceedings, the Chair may revoke the individual's opportunity to speak (if applicable) and/or may direct that the individual be removed from the meeting.

e. Close of Public Hearing. After all public comment has been received or the allotted time has expired, the Chair shall close the public portion of the hearing.

f. Deliberation and Action. Following the close of the public hearing, or following staff and applicant presentations for items not requiring a public hearing, the Planning Commission shall deliberate and take action. Deliberation shall be limited to Planning Commission members unless the Chair or the Planning Commission requests clarification or additional information from staff. The Chair shall outline the available actions, which

may include approval, approval with conditions when authorized by law, denial, or continuation.

g. Reopening of Public Hearing. The public portion of a hearing may be reopened only upon a majority vote of the Planning Commission and only when additional testimony or information is necessary to ensure a fair and informed decision.

h. Public Participation Guidelines. The Planning Commission may adopt written guidelines governing public participation, meeting conduct, and decorum that are consistent with these Bylaws and Rules of Procedure and applicable law. Such guidelines are intended to explain and implement these Bylaws for the benefit of the public and staff and do not create independent rights or obligations.

Appendix B, Public Participation and Meeting Conduct Guidelines, is adopted for this purpose. In the event of any inconsistency, these Bylaws and Rules of Procedure shall control.

Section 10. Motions and Parliamentary Actions

H. Procedure – Motions and Parliamentary Actions

1. Making Motions. Any Planning Commission member, including the Chair, may make a motion. Motions shall clearly state the proposed action and, when applicable, include findings supporting approval or denial and any conditions of approval.

a. Recommendations to Other Bodies. Motions recommending action to another body shall clearly state the recommendation and may reference the staff report for findings of fact and proposed conditions.

b. Clarification of Motions. At the request of any Planning Commission member, a motion may be restated for clarification following discussion and prior to the vote.

c. Legal Advice. Planning Commission members may request legal advice from the County Attorney during the preparation, discussion, and deliberation of motions.

d. Common Motions. A non-exclusive list of commonly used motions is included as Exhibit A to these bylaws.

2. Second Required. All motions and amendments require a second before being considered by the Planning Commission.

3. Table or Reorder Agenda Item. A motion to table or temporarily set aside an agenda item may be made to allow other business to be considered during the same meeting. Such a motion does not dispose of the item and does not continue the matter to a future meeting.

4. Continuance. A motion to continue an agenda item for further study or consideration shall, when practicable, state the reason for the continuance and identify the meeting date or timeframe when the item is expected to be reheard.

5. Applicant Request for Continuance. An applicant may request a continuance of an agenda item

for the purpose of providing additional information or addressing issues raised during the meeting. An applicant's request for continuance does not automatically continue the item.

- a. Upon such a request, the Planning Commission shall determine whether to grant a continuance based on the circumstances presented, including whether additional information would materially assist the Commission, whether the public has been afforded a meaningful opportunity to be heard, and whether a continuance is necessary to ensure a fair and informed decision.
- b. If a continuance is granted, it shall be approved by motion of the Planning Commission and, when practicable, shall specify the reason for the continuance and the meeting date or timeframe for rehearing the item. If the public hearing has been opened, the Planning Commission shall determine whether the public hearing will remain open or be reopened at the continued meeting, consistent with applicable law.

6. Amendments to Motions. A motion may be amended by any Planning Commission member, with a second, at any time prior to the Chair calling for a vote.

7. Amendments to Amendments. An amendment to a motion may itself be amended, with a second, prior to the Chair calling for a vote on the amendment.

8. Withdrawal of Motions. After a motion has been stated by the Chair, it is in the possession of the Planning Commission but may be withdrawn by the maker of the motion at any time prior to the vote. Withdrawal does not require a second.

9. Substitute Motions. A substitute motion may be made prior to a vote. If adopted, the substitute motion replaces the original motion.

10. Rescission of Action. Except as limited by law, a previously adopted action of the Planning Commission may be rescinded, provided that notice of the proposed rescission has been given at a prior meeting or included in the meeting notice.

An action shall not be rescinded when:

- a. the action has resulted in a contract and the other party has been notified;
- b. the action involves appointment to or removal from office and reinstatement would require reappointment; or
- c. the action cannot be undone.

11. Reconsideration. A motion to reconsider may be made only at the same meeting in which the original vote occurred and only by a Planning Commission member who voted with the prevailing side.

- a. A motion to reconsider shall not be used when the same result can be achieved by another parliamentary action or when the matter may be renewed at a later meeting.
- b. If an applicant or interested party is affected by a motion to reconsider and is not

present, the Planning Commission shall determine whether the item must be re-noticed and shall direct the Secretary to notify the applicant as soon as practicable.

12. Opening and Closing Public Hearings. For items requiring a public hearing, the Planning Commission shall open and close the public portion of the hearing prior to deliberation and action. Opening and closing the public hearing may be accomplished by motion or by direction of the Chair, consistent with applicable law.

13. Motion to Adjourn. A motion to adjourn may be made by any Planning Commission member. The Chair may adjourn the meeting without a motion when no further business remains.

Section 11. Debate, Voting, and Meeting Control

I. Procedures – Debate, Voting, and Meeting Control

1. Recognition and Debate. Planning Commission members shall not interrupt or question another member during debate without first being recognized by the Chair. The Chair shall regulate debate to ensure orderly discussion, equal participation, adherence to the agenda, and compliance with these bylaws.

2. Voting and Abstentions. Planning Commission members are expected to deliberate and vote on matters before the Commission unless a legal or ethical conflict requires recusal.

3. Points of Order. A Point of Order is an interjection by a Planning Commission member who does not have the floor for the limited purpose of calling the Chair's attention to an alleged violation of these bylaws, adopted procedures, or applicable rules governing the meeting. A Point of Order shall take precedence and shall be ruled upon promptly by the Chair. A Point of Order is not a motion and is not subject to debate. A Point of Order shall be raised at the time of the alleged violation unless the violation is of a continuing nature.

4. Points of Privilege. A Point of Privilege relates to matters affecting the ability of the Planning Commission to conduct business, including comfort, audibility, safety, or similar concerns. Points of Privilege should not interrupt a speaker unless immediate attention is required. Points of Privilege shall be addressed and resolved by the Chair.

Section 12. Progress of Meeting and Time Limits

O. Procedures – Progress of Meeting

1. Agenda Cutoff. Except for items listed under Planning Commission Business or time-sensitive matters, no new agenda items shall be taken up after 10:00 p.m., except for general discussion or other matters as directed by the Chair.

2. Public Hearing Start Time. All public hearings scheduled and noticed to be heard shall begin prior to 9:30 p.m. Public hearings not commenced by that time shall be continued to a future meeting unless otherwise required by law.

3. Items in Progress at 10:00 p.m. If the Planning Commission is considering an agenda item but

has not voted on the item prior to 10:00 p.m., the Planning Commission may, by motion, determine whether to:

- a. proceed to a vote;
- b. continue discussion for a specified period of time and then vote; or
- c. continue the item to the next appropriate meeting.

4. Time-Sensitive Matters. The Planning Commission may, by motion, consider and act upon agenda items after 10:00 p.m. when action is required due to statutory deadlines, legal requirements, or other time-sensitive circumstances.

Agenda items not heard due to time constraints shall be given priority on the next appropriate Planning Commission agenda.

Parliamentary Procedure:

Meetings of the Planning Commission shall be conducted in accordance with these Bylaws and Rules of Procedure. Robert's Rules of Order are not adopted except to the extent that a procedural matter is not addressed by these bylaws and informal reference is necessary to ensure orderly proceedings. In the event of any conflict, these bylaws shall control.

ARTICLE VIII: Amendments and Records

Section 13. Amendments to Rules of Procedure and Records

J. Amendments to Rules of Procedure

1. Amendment Process. These Bylaws and Rules of Procedure may be recommended for amendment by the Planning Commission at any meeting, provided that at least fourteen (14) days' written notice of the proposed amendment has been given.

Approval of a proposed amendment shall require a majority vote of the entire Planning Commission. All amendments shall be submitted to the Morgan County Commission for approval and shall not take effect unless and until approved by the County Commission.

2. Public Review. The public shall be provided an opportunity to review and comment on proposed amendments to these Rules of Procedure prior to adoption by the Morgan County Commission, consistent with applicable law.

K. Records and Availability of Rules

These Bylaws and Rules of Procedure, together with all subsequent amendments, shall be furnished to each Planning Commission member and maintained on file by the Planning Commission Secretary.

Appendix A

References and Authorities

These Bylaws and Rules of Procedure were prepared and adopted with reference to the statutes, ordinances, and guidance materials listed below, as amended and renumbered from time to time. In the event of any conflict, controlling state law and Morgan County ordinances shall govern.

Utah Statutes

Utah Code Title 17, Chapter 79 — *County Land Use, Development, and Management Act (CLUDMA)*, including provisions governing the establishment and duties of county planning commissions; general plans; land use ordinances; designation and authority of land use authorities; land use applications, hearings, and appeals; and subdivision review and approval.

Utah Code Title 52, Chapter 4 — *Open and Public Meetings Act*.

Utah Code Title 67, Chapter 16 — *Public Officers' and Employees' Ethics Act*, as applicable to appointed public officers.

Morgan County Ordinances

Morgan County Code § 155.028 — *Planning Commission*, including provisions governing appointment, terms, vacancies, removal, powers, duties, and adoption of bylaws.

Morgan County Land Use and Development Code, Title 155, governing zoning, subdivision regulation, land use applications, public hearings, and procedures reviewed or administered by the Planning Commission.

Guidance Materials

Utah League of Cities and Towns, *Handbook for Planning Commissions and Land Use Authorities* (2025 edition), consulted for nonbinding guidance regarding planning commission roles, legislative versus administrative actions, ethics, due process, open meetings, and public hearing practices, with statutory references updated to reflect current numbering.

Land Use Academy of Utah (LUAU), training materials and educational resources referenced by the Utah League of Cities and Towns.

Parliamentary Reference

Robert's Rules of Order (Revised), consulted only when a procedural matter is not addressed in these Bylaws and Rules of Procedure. In the event of a conflict, these bylaws control.

References to statutes, ordinances, and guidance materials include all amendments, recodifications, and renumberings in effect at the time of application.

Appendix B

Public Participation and Meeting Conduct Guidelines

Morgan County Planning Commission

These guidelines are intended to explain how the public may observe, participate in, and address the Morgan County Planning Commission during public meetings and hearings. They are based on the Planning Commission's adopted Bylaws and Rules of Procedure and are provided to promote fairness, clarity, and orderly meetings.

1. Open Meetings

All Planning Commission meetings are open to the public in accordance with the Utah Open and Public Meetings Act. Members of the public are welcome to attend, observe, and participate as provided below.

2. Order, Decorum, and Audience Conduct

To ensure a fair, safe, and productive meeting environment:

- All attendees, including members of the public, applicants, consultants, agents, witnesses, and staff, whether speaking or not, shall conduct themselves in a respectful, quiet, and orderly manner so that Planning Commission members, staff, applicants, and speakers can be clearly heard.
- Side conversations, audible reactions, interruptions, heckling, applause, or other noises that disrupt the proceedings are not permitted.
- Attendees shall treat Planning Commission members, staff, applicants, and other participants with courtesy and respect. Demeaning, intimidating, or abusive behavior toward any participant is prohibited.
- Disruptive conduct includes, but is not limited to: shouting, repeated interruptions, talking over speakers, personal attacks, abusive or profane language, threatening behavior, hostile gestures, or refusal to comply with meeting rules or directions of the Chair.
- The Chair has authority to issue warnings, require compliance with meeting rules, limit participation, or direct removal of any individual whose conduct interferes with the orderly conduct of the meeting or the ability of others to be heard.
- Removal may occur with or without prior warning when immediate action is necessary to preserve order, safety, or the integrity of the proceedings.

3. Sign-In and Attendance Record

To ensure accurate public records and orderly meeting administration:

- All attendees, other than Planning Commission members and staff, shall sign in upon entering the meeting using the attendance roster provided.
- Attendees are encouraged to clearly print their name and city or area of residence.
- Signing in does not require an attendee to speak and does not obligate participation in public comment.
- The sign-in roster is used for recordkeeping, meeting administration, and compliance with applicable public meeting requirements.
- The Chair may require compliance with the sign-in requirement as a condition of being recognized for public comment or testimony.

4. Public Comment and Testimony

Public comment is intended to provide information and perspectives to assist the Planning Commission in its decision-making.

- Speakers must state their name for the record before speaking.
- Unless modified by the Chair, public comments are limited to three (3) minutes per speaker.
- Each speaker may address the Planning Commission one time per agenda item, unless additional comment is expressly permitted by the Chair.
- Comments shall be directed to the Chair or the Planning Commission as a body, not to individual members, staff, applicants, or other members of the public.

5. No Question-and-Answer During Public Comment

Public hearings and public comment periods are not question-and-answer sessions.

- Questions posed by members of the public during public comment will not be answered at that time by Planning Commission members, staff, or applicants.
- After the public comment period has closed, the Planning Commission and staff may, in their discretion, address issues raised during public comment as part of deliberation.
- Applicants may, at their discretion, respond to issues or concerns raised by the public after the public hearing has closed.

6. Time Management and Fairness

The Chair is responsible for managing public comment in a manner that is fair to all participants.

- Speaker time limits may be adjusted when necessary to accommodate large numbers of speakers.
- The Chair may equalize time between proponents and opponents of an item.
- Public comment may be closed once the Chair determines that the issue has been adequately and fairly heard.

7. Repetitive or Irrelevant Testimony

To promote fairness and ensure that all perspectives have a reasonable opportunity to be heard:

- The Chair may limit repetitive, cumulative, or irrelevant testimony.
- When multiple speakers present substantially similar comments, the Chair may reduce individual speaking time or request that speakers avoid repeating points already made.
- The Chair may adjust individual time limits, including reducing or increasing speaker time, to prevent one viewpoint from disproportionately dominating the public comment period.
- The Chair may equalize time between proponents and opponents of an item when necessary to ensure a balanced and fair hearing.
- Written comments addressing issues already raised orally may be summarized for the record.

8. Written Comments

- Written comments are encouraged and may be submitted prior to the meeting for inclusion in the record.
- Written materials submitted at or after the meeting may be accepted or excluded at the discretion of the Chair.
- Written comments should generally be limited to one typed page, unless otherwise permitted.

9. Authority of the Chair

The Chair has authority to:

- Maintain order and decorum;
- Require quiet and orderly conduct from all attendees;
- Enforce time limits;
- Manage the sequence of speakers;
- Close public comment when appropriate; and
- Take any reasonable and lawful steps necessary to ensure meetings are conducted fairly, efficiently, and in compliance with law.

Important Note

These guidelines are intended to explain meeting procedures for the public.

The Planning Commission’s Bylaws and Rules of Procedure control in the event of any inconsistency.

EXHIBITS

Exhibit A: Planning Commission Motion Cheat Sheet

Motion	Purpose / When Used	Second Required	Debatable	Amendable	Vote Required	Key Notes
Approve	Approve an application that complies with	Yes	Yes	Yes	Majority	State findings and conditions; may reference staff report

ordinance standards

Approve with Conditions	Approve with conditions or modified conditions	Yes	Yes	Yes	Majority	Conditions must be authorized by code
Deny	Deny an application that does not meet ordinance standards	Yes	Yes	Yes	Majority	Identify specific noncompliance
Recommend Approval	Advisory recommendation to another body	Yes	Yes	Yes	Majority	Final action rests with County Commission
Recommend Denial	Advisory recommendation to another body	Yes	Yes	Yes	Majority	State reasons for recommendation
Continue	Defer item to a future meeting	Yes	Yes	Yes	Majority	State reason and date/timeframe; decide hearing status
Table	Temporarily set aside item during same meeting	Yes	No	No	Majority	Does not continue item to another meeting
Amend a Motion	Modify a pending motion	Yes	Yes	Yes	Majority	Amendments must be stated on the record
Substitute Motion	Replace original motion entirely	Yes	Yes	Yes	Majority	If adopted, replaces original motion

Reconsider	Revisit a vote taken earlier in same meeting	Yes	Yes	No	Majority	Only by member on prevailing side
Rescind	Undo prior action (when permitted by law)	Yes	Yes	Yes	Majority (or as required)	Notice required; not allowed if action cannot be undone or contract executed
Open Public Hearing	Open public portion of hearing	Yes	No	No	Majority	May also be opened by Chair where permitted
Close Public Hearing	Close public portion of hearing	Yes	No	No	Majority	Required before deliberation and vote
Adjourn	End the meeting	Yes	No	No	Majority	Chair may adjourn without motion if no business remains

Exhibit A-1: Chair Cheat Sheet (Chair-Only)

Meeting Stage	Chair Action	Key Script / Reminder	Decision Point
Call to Order	Call meeting to order; confirm quorum	“We have a quorum. The meeting is called to order.”	Proceed only if quorum present
Agenda Item Begins	Introduce item; invite staff overview	“We’ll now consider agenda item _____. Staff, please provide a brief overview.”	—

Applicant (Optional)	Invite applicant presentation	“The applicant may present if they wish.”	Applicant not required to speak
Public Hearing (if required)	Open hearing; explain rules	“I will now open the public hearing. This is for public comment; it is not a Q&A.”	Open by motion or Chair direction where permitted
Public Comment	Enforce time and decorum	No answers during hearing; comments to Commission	Warn → stop → remove if necessary
Close Hearing	Close hearing	“Seeing no further comments, I will close the public hearing.”	Close before deliberation
Deliberation	Commission discussion; request staff clarification if needed	“Commission deliberation is now open.” / “Staff, can you clarify ___?”	
Motion	Request motion and second	“Is there a motion?” / “We have a motion and a second.”	No second → no motion
Vote	Call vote; announce result	“All those in favor / opposed.” / “The motion passes / fails.”	Majority unless otherwise required
Adjourn	End meeting	“Seeing no further business, we are adjourned.”	Chair may adjourn if no business remains



MORGAN COUNTY PLANNING COMMISSION
BYLAWS AND RULES OF PROCEDURE
Adopted by the Morgan County Council
April 16, 2019

- A. Preface: Utah Code 17-27a--301 requires Counties to establish a Planning Commission by Ordinance. Morgan County Code 8-3-9 sets forth the County regulations for the Planning Commission, and requires the County Council to approve the bylaws for the Planning Commission.
- B. Membership: The Planning Commission consists of one member from each of seven planning areas that are appointed by the County Council for a four-year term.
1. If no suitable applicants from the designated areas apply for the position, the County Council reserves the right to appoint the seat as an “at large position.”
 2. If a Commissioner resigns before the end of the designated term, the County Council will advertise for the filling of the seat until the end of the initial term of that seat.
 3. Planning Commission terms will rotate, beginning as follows:
 - a. Mountain Green and Enterprise terms expire 2023.
 - b. Milton and Porterville-Richville-East Canyon terms expire 2020.
 - c. Peterson and Croydon terms expire 2021.
 - d. Stoddard term expires 2022.
 - e. Rotation shall keep going in this order, so that at least one member’s term expires each calendar year, per the Morgan County Code requirements.
- C. Quorum: Four voting members of the Commission shall constitute a quorum for the transaction of business. Any member abstaining because of a conflict of interest shall not be considered when determining whether a quorum is constituted. Except as otherwise specifically provided in these rules, a **majority vote** of the Commission members present at a meeting shall be required and shall be sufficient to transact any item of business before the Commission that has been properly noticed on the agenda. Members may call or use other electronic device(s) to participate in a meeting and constitute a quorum.

D. Organization

1. Appointment of Chair and Vice Chair: The Commission, at its first regular meeting in March of each year, shall select a Chair and Vice Chair.
2. The Chair to Preside at Commission Meetings: The Chair shall preside at all meetings of the Commission and shall provide general direction for the meetings.
3. Duties of the Chair:
 - a. To call the Commission to order on the day and the hour scheduled and proceed with the order of business.
 - b. To announce the business before the Commission in the order in which it is to be acted upon.
 - c. To receive and submit in the proper manner, all motions and propositions presented by the members of the Commission.
 - d. To put to vote all questions that are properly moved, or necessarily arise in the course of proceedings and to announce the results of motions.
 - e. To inform the Commission, when necessary, on any point of order or practice. In the course of discharge of this duty, the Chair shall have the right to call upon legal counsel for advice.
 - f. To authenticate by signature, when necessary, or when directed by the Commission, all of the acts, findings and orders, and proceedings of the Commission.
 - g. To maintain order at the meetings of the Commission.
 - h. To move the agenda along, hold down redundancy by limiting time allowed for comments if necessary, set guidelines for public input, and reference handouts and procedures during meetings.
 - i. Recognize speakers and Commissioners prior to receiving comments and presentations.
 - j. The Chair shall vote if only four Planning Commission members are present (including the Chair) at any given meeting.
4. Duties of the Vice Chair: The Vice Chair, during the absence of the Chair, shall perform all of the duties and functions of the Chair.
5. Temporary Chair: In the event of the absence or the disability of both the Chair and the Vice Chair, the Chair, the Vice Chair and/or the remaining Planning Commission members present shall appoint another Planning Commission member to serve as Chair until the Chair or Vice Chair returns. In such event, the temporary Chair shall have all the powers and perform the functions and duties assigned to the Chair of the Commission.

6. Secretary: The duties of Planning Commission secretary shall be performed by the Planning and Development Services Department.
7. Secretary Duties:
 - a. To post public notices of regular and special Planning Commission meetings, consisting of a quorum, as required by State Law and County Code.
 - b. To attend every session of the Commission, to take and record the roll, to read any communications, resolutions or other papers that may be ordered to be read by the Chair of the meeting and to receive and bring to the attention of the Commission all messages and other communications from other sources.
 - c. To keep the minutes of the proceedings of the Commission and to record them.
 - d. To keep and maintain a permanent record file of all documents and papers pertaining to the work of the Commission.
 - e. To ensure Commissioners receive materials pertinent to regularly scheduled Commission meetings three days prior to Planning Commission meetings.
 - f. To perform such other duties as may be required.

E. Rights and Duties of Members

1. Meeting Attendance and Training: Every member of the Commission shall attend the sessions of the Commission unless duly excused or unless unable to attend because of extenuating circumstances. Any member desiring to be excused shall notify the secretary. The secretary shall inform the Chair of the excused absences. All members of the Planning Commission are encouraged to attend, at the expense of the County, land use law training within 12 months after being appointed to the Planning Commission.
2. Conflict of Interest: A Planning Commission member may declare a conflict of interest from specific agenda items. Members of the Planning Commission who feel they may have an actual, apparent, or reasonably foreseeable conflict of interest on any matter that is on the Commission agenda may explain the apparent conflict to the Commission. After declaring a conflict of interest, a Planning Commission member shall not participate in the discussion and vote of that matter, nor attempt to use his/her influence with other Commissioners either before, during or after the meeting. Below are some guidelines for conduct:
 - a. The Planning Commission Member may choose to leave the room until the agenda item has been acted upon.
 - b. There may be a conflict of interest if there are personal, familial, or financial ties between a Planning Commission Member and proponent/opponent of any item of business.
 - c. A Planning Commission Member may not appear before the Commission through his/her employment as an advocate or agent for a proponent.

- d. A Planning Commission Member must not use the power of office to seek or obtain a special advantage that is not in the public interest nor any special advantage that is not a matter of public knowledge.
3. Not to Vote Unless Present: No member of the Commission shall be permitted to vote on any question unless the member shall be present when the vote is taken and when the result is announced. No member shall give his/her proxy to another person.
4. Place: All meetings of the Commission shall be held in the Council Chambers of the Morgan County Building, 48 West Young Street, Morgan City, Utah, or at such other place as the Commission or Planning and Development Services Staff may designate. A meeting, having been convened at the place designated, may be adjourned by the Commission to any other place within Morgan County for the sole purpose of investigating some particular matter of business that may be more conveniently investigated at such other place or may be adjourned to any other room more convenient for conducting the business of the Commission, so long as proper notice of meeting location is posted for the general public.
5. Regular Meetings-Time for Notice: Regular meetings of the Commission shall be held twice a month or on a schedule as approved by the Planning Commission prior to the first meeting of each year. At the discretion of the Chair, field trips or work sessions may be scheduled on any day and time provided adequate notice is given of the place and time of such meeting. Regular meetings may also be canceled when no applications or other items are ready to be placed on an agenda.
6. Special Meetings: The secretary shall give notice of the time and purpose of every special meeting of the Commission at least 24 hours prior to such meeting. Such notice shall be delivered to each member of the Commission personally or by telephone, email, or regular mail.
7. Meetings, Matters Considered: Other business items pertaining to the affairs of the Morgan County Planning Commission and falling within the authority and jurisdiction of the Commission may be considered and acted upon at any regular meeting of the Commission.

F. Procedure – Order of Business

1. Order of Business: The order of business shall generally be as follows:
 - a. Field trip (if needed)
 - b. Roll taken by secretary
 - c. Consideration of agenda items
 - d. Other business at the discretion of the Chair
 - e. Approval of Minutes
2. Field Trips: On those occasions when site inspections are deemed advisable, field trips shall be held prior to the Planning Commission meetings on a date and time determined by the Chair or Planning Commission. The time and location of the field trip shall be posted by agenda. Only Planning Commission Members and pertinent Planning and Development

Services Staff shall be allowed to attend the field trip in a County owned vehicle. The public shall be allowed at the sites of field trip but are encouraged to present their case at the Planning Commission meeting, not during the field trip. Field trips shall be for the purpose of gathering information, not for discussing or making decisions.

3. Agenda for Meetings: The Planning and Development Services Director, with the assistance of the Chair and secretary, shall prepare a written agenda for each meeting as far in advance as possible and shall deliver the agenda to each Planning Commission member.

- a. Public Hearings

1. Public hearings shall be placed on the agenda near the beginning of the meeting to better accommodate the public.
2. Time limitations shall be considered when determining the number of public hearings to be placed on any meeting agenda, and shall take into account the complexity of the applications, anticipated amount of public comment, and other regularly scheduled or continued agenda items.
3. Members of the public shall state their name and in summary share helpful opinions and information for consideration for no more than five minutes as monitored by the Chair. The Chair shall maintain an open and orderly meeting to allow the public to be heard.

- b. Presentations

1. Applicant and staff presentations shall be concise and mindful of time limitations and shall be limited to relevant material.

4. Staff Report: All major issues presented to the Planning Commission for their consideration shall be accompanied by a staff report detailing the overview, background, analysis and staff recommendation(s) that shall include findings of fact and conditions for approval. Staff reports shall address the portions of the Morgan County Code affected by petitioner's request and how it fits in within the guidelines of the ordinance and the applicable portions of the General Plan, as well as any pertinent State statutes. Staff reports shall be as concise as possible while allowing for adequate coverage of the subject matter and shall be made available to anyone requesting a copy of the staff report.

Copies of staff reports and other pertinent materials shall be made available to the Planning Commission Members at least three days prior to regularly scheduled Planning Commission meetings.

5. Submission of Written Materials: Applicants or interested parties should submit additional written materials one week prior to the agenda meeting to allow the Planning Commission adequate time to review the materials. Additional materials submitted from the applicant at the meeting may not be considered in any decision that evening. If the information received is pertinent to the project decision, said decision may be postponed until such time that the Commission has fully reviewed the documents.

Written comments submitted at the time of the meeting should be limited to one typed page.

6. Notification of Public Hearings: Notices of all items scheduled for Planning Commission review shall be noticed in accordance with Morgan County Code and Utah State Law.

G. Procedure – Order and Decorum

1. Order of Consideration of Items: The following procedure will normally be observed, however, it may be rearranged by the Chair for individual items if necessary for the expeditious conduct of business:
 - a. Item introduced by Chair/brief introduction by staff.
 - b. Petitioner/Developer presentation of proposal.
 - c. Staff presentation and recommendation
 - d. Opening of public portion of hearings.
 - e. Public portion closed.
 - f. Planning Commission discussion and vote. The discussion is closed to staff, the petitioner and public unless the Planning Commission requests additional information. The Chair will outline possible actions: approval, denial, continuation or approval with conditions. If additional information is required, the public portion of the meeting may be reopened by a majority vote.

H. Definitions-Procedure-Motions

1. Making Motions: Any Planning Commission Member but the Chair may make a motion.

Motions should state findings for approval or denial within the motion:

 - a. Motions should state recommendation to the appropriate body followed by any findings to support the motion, if any, and should be concluded with the conditions of approval. The motion may refer to the staff report for the detail of the findings of fact and conditions for approval if the author of the motion finds them acceptable.
 - b. The Staff summary should be sufficient in detail to assist the Commission with stating findings.
 - c. Motions may be repeated for clarification following discussion and prior to the vote at the request of a Commissioner.
 - d. Planning Commission Members may request legal advice from the County Attorney in the preparation, discussion and deliberation of motions.
 - e. A list of possible motions can be found as Exhibit A of these bylaws,
2. Second Required: All motions and amendments require a second.

3. Lay on the table: To move an agenda item within the agenda so that more important business may be discussed during that meeting.
4. Postpone Definitely: A motion to postpone definitely an agenda item for further study should be accompanied by specific reasons for continuing the matter and whenever possible, a specific date to rehear the matter should be scheduled.
5. Amending Motions: When a motion is pending before the Commission, any member may amend the motion with a second, at any time prior to the Chair putting the motion to a vote.
6. Amending Amendments to Motions: An amendment to a motion may be amended, with a second, at any time prior to the Chair putting the motion to a vote.
7. Withdrawing a Motion: After a motion is stated, the motion shall be in the possession of the Commission but may be withdrawn by the author of the motion prior to the vote. Withdrawal does not require a second.
8. Substitute Motions: A substitute motion, that shall replace the original motion, may be made prior to a vote on the original motion.
9. To Rescind a Motion With certain exceptions, any vote taken may be rescinded (repealed or annulled), provided notice of the approaching action has been given at a previous meeting or is included in the call for the meeting. Votes cannot be rescinded when a contract is involved if the other party has been notified, or when members have been elected to, or expelled from, office or membership, provided the member was present at the time or has been notified. In the case of expulsion, members can be reinstated only by being appointed again. Votes to rescind cannot be applied to acts that the group cannot undo.
10. To Reconsider a Motion: A motion to reconsider can be made only at the same meeting in which the vote on the question is to be considered. Such a motion can be made only by one who voted with the winning side. A motion to reconsider cannot be applied to a vote on a motion that can be renewed within a reasonable space of time, or when the same results can be obtained by some other parliamentary action. If the applicant or other interested parties are affected by a motion to reconsider and are not present at the time of the motion to reconsider and its outcome, the Planning Commission should decide whether to re-notice the item for the next regularly scheduled meeting, and in either case, shall direct the Secretary to notice the applicant as soon as possible.
11. Motion to Open and Close Public Hearings: A motion shall be made to open and close the public portion of each public hearing prior to the Planning Commission discussion and vote on the matter.
12. Motion to Adjourn: A motion to adjourn a meeting shall be made by a Planning Commission Member. The Chair may adjourn a meeting if no other business is pending.

Procedures-Debate

1. Interruptions and Questions: No member of the Commission shall interrupt or question another member in debate without obtaining the member's consent, and then to obtain such consent, shall first address the Chair.

I. Procedures-Voting

1. Abstention: Any member abstaining from a vote may remain seated at the table and participate in the discussion. Reasons for abstention must be stated at the time of the abstention and such reason shall not be considered a conflict of interest.

J. Amendment or Rules of Procedure

1. These rules of procedure may be recommended to be amended at any meeting of the Planning Commission held after not less than a fourteen-day written notice of the proposal to amend the rules, upon a majority vote of all of the members of the Planning Commission. The County Council shall approve any amendments to these bylaws or rules of procedure.
2. The public shall have the opportunity to review and respond to the Rules of Procedure prior to adoption by the County Council.

K. Points of Order.

A point of order refers to an interjection during a meeting by a member, who does not have the floor, to call the attention of the Chair to an alleged violation, omission, or breach of the assembly's or meeting's rules of order. A point of order takes precedence once alleged and is ruled upon by the Chair right away, to whom it is submitted for decision. A point of order is not a motion; it is an allowable interjection that directs the Chair's attention to an apparent or alleged breach of order. In effect it is an appeal to the Chair for his ruling. A point of order must be raised at the relevant time and not later or it will risk being dismissed as untimely, except where the alleged breach is of a continuing nature.

L. Point of Privilege.

Questions of privilege affecting the Commission may include matters of comfort, amplification, noise, or safety. Points of privilege should not interrupt the speaker unless absolutely necessary. Points of privilege shall be addressed by the Chair.

M. Recording of Rules

1. These rules and all subsequent amendments shall be furnished to each member of the Commission and kept on file with the Planning Commission Secretary.

N. Procedures – Progress of Meeting

1. With the exception of those items listed under the heading "Planning Commission Business" no new agenda items will be addressed after 10:00 p.m. except that of general discussions pertaining to other business as directed by the Chair.

2. All public hearings scheduled and noticed to be heard must begin prior to 9:30 p.m. or they will be rescheduled.
3. If the Planning Commission is discussing an agenda item, but has not voted on the item before 10:00 p.m., the Planning Commission may take a vote to decide whether to vote on the agenda item, continue discussion of the item for a set period of time and then vote on said item or to continue the item to the next appropriate meeting.
4. The Planning Commission may also vote to consider discussion and action on additional agenda items that require action in a specified time period due to legal requirements, or other time sensitive matters. All remaining agenda items, not heard due to time constraints, will be given priority at the next appropriate Planning Commission Agenda.

O. Ethics - Conduct

1. Planning Commission Members shall report private conversations (Ex Parte Communication) with applicants or other interested parties on or before the next PC meeting.

P. Collaboration with County Council

Joint meetings with the County Council may be scheduled as necessary for discussion of items of concern relating to the Morgan County Code and General Plan, as it pertains to Planning and Zoning Administration. Suggestions and guidance for either the Planning Commission or County Council may be given with regard to future appropriate amendments or administration of the land use ordinance or General Plan.

***The above by-laws were made with reference to Robert's Rules of Order revised. If there are any conflicts herein the procedures of Robert's rule of order shall apply.

Exhibit A

Motion	Second Required	Debatable	Amendable	Vote Required	Reconsider
1) Privileged Motions					
Fix the Time to Which to Adjourn	Yes	No	Yes	Majority	Yes
Adjourn	Yes	No	No	Majority	No
Recess	Yes	No	Yes	Majority	No
Raise a Question of Privilege	No	No	No	Chair Grants	No
Call for the Orders of the Day	No	No	No	No vote, demand	No
2) Subsidiary Motions					
Lay on the Table	Yes	No	No	Majority	Neg only (3)
Previous Question	Yes	No	No	2/3	Yes
Limit or Extend Limits of Debate	Yes	No	Yes	2/3	Yes
Postpone to a Certain Time (or Definitely)	Yes	Yes	Yes	Majority	Yes
Commit or Refer	Yes	Yes	Yes	Majority	Yes
Amend	Yes	Yes (1)	Yes	Majority	Yes
Postpone Indefinitely	Yes	Yes	No	Majority	Affirm. Only
Main Motion	Yes	Yes	Yes	Majority	Yes
Incidental Motions					
Appeal	Yes	Yes (1)	No	Majority	Yes
Division of the Assembly	No	No	No	No vote, demand	No
Division of a Question	Yes	No	Yes	Majority	No
Objection to the Consideration of a Question	No	No	No	2/3	Neg. Only
Parliamentary Inquiry	No	No	No	Chair answers	No
Point of Order	No	No	No	Normally no vote Chair rules	No
Suspend the Rules	Yes	No	No	(2)	No
Withdraw a Motion	No (3)	No	No	Majority (3)	Neg. Only
Motions That Bring A Question Again Before The Assembly					
Reconsider (4)	Yes	Yes (1)	No	Majority	No
Rescind (4)	Yes	Yes	Yes	Maj. with notice, 2/3, or maj. of membership (3)	Neg. only
Take from the Table (4)	Yes	No	No	Majority	No

- (1) If applied to a debatable motion
- (2) Rules of Order 2/3 vote, standing rules - majority vote
- (3) Refer to Robert's Rules of Order Newly Revised (10th edition) for rule(s)
- (4) Refer to CDE rules #8-10 before using these motions in the demonstration



PLANNING COMMISSION AGENDA

Thursday, April 23rd, 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
Lauren Hiller w/ Cole West
Jess Holyoak
Cambria Gibson
Jordan Curtis
Brian Nesteroff

Staff:

Deputy County Attorney – Janet Christoffersen

Chris Tremea – Code Enforcement

Jessie Drage, Transcriptionist/Permit Tech

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

Motion by Member Wilson to approve the agenda for Thursday April 23rd 2026, seconded by Member King. Motion carried unanimously.

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

5. **Public Comment**

Anthony Dorsey – Stated that he lived in Whittier Estates and had initially been hesitant to attend due to his friendship with the developer and respect for the developer’s right to use the land. He clarified that his concerns were not with development itself, but with the design of the project. He raised a specific engineering concern related to drainage and suggested that modifying the plat to two lots instead of three could resolve several issues for both himself and the surrounding community.

He explained that the lot above the parcel had geological concerns and emphasized that his primary concern was drainage, as his home was located at the bottom of the parcel where the slope directed water toward the north corner of his property. He noted that Whittier Estates experienced high groundwater levels and that he had installed three sump pumps, which ran year-round, at significant personal expense. He described ongoing challenges with managing discharged water, noting limited options for proper drainage and only one storm drain located above his property.

He stated that he had not reviewed the plans until the previous day and expressed concern with the proposed mitigation strategy of installing detention areas for each lot after development, including driveways and other hardscapes. He questioned the effectiveness of collecting water in detention areas uphill from his property, stating that it would likely worsen his situation. He further noted that one of the proposed detention areas was located in an existing low spot where he had previously needed to install a trash pump to manage water accumulation, and he believed the plan would exacerbate that issue.

He concluded that, in his opinion, the current plan did not meet Morgan County drainage requirements and that a two-lot configuration would be more appropriate. He referenced county code requirements for discharge plans that mitigate harmful impacts and stated his belief that the plat could not be approved without an adequate drainage plan. While acknowledging the developer's willingness to explore alternative approaches, he questioned whether the current proposal met legal approval standards.

Jordan Curtis – Stated that he did not oppose development and recognized the property owner's rights, but expressed concern specifically with the inclusion of a third lot. He noted that there was an existing pool above the site that had already experienced shifting and cracking, and he was concerned that additional movement at the base of the hill could negatively impact his property. He concluded by expressing appreciation for the opportunity to comment.

Administrative

1. **Public Meeting/Discussion/Decision** – *Meadow Brook Subdivision, Phase 2, Small Subdivision Preliminary & Final Plat*: A request for preliminary & final plat approval of the Meadow Brook Subdivision, Phase 2, Small Subdivision for the creation of three (3) lots. The property is identified by parcel number 00-0001-3258 & serial number 01-004-093, and is located approximately west of the intersection of North Thurston Drive and West 3725 North Street in unincorporated Morgan County.

Chris Tremea, Code Enforcement – Stated that it was his first time conducting a meeting of this nature and asked for patience from the Commission and public. He introduced himself as the Code Enforcement Officer and explained he was filling in for the Planning Department due to a surgery and a graduation.

He introduced the Meadow Brook Subdivision, Phase 2 Small Subdivision & Final Plat project. A request for preliminary and final plat approval for three lots. He noted the current zoning was R1-20. He stated staff recommended approval with listed findings and conditions, and that Jessie had distributed public comment information for the record to the Planning Commission.

He explained the subdivision conformed to land use and zoning regulations. He noted all consultant fees must be paid prior to recordation, all federal and state laws must be followed, and fire and engineering comments must be addressed. He added that it was recommended that plat drawings should prohibit basements.

He provided background that a March 1, 2022 rezone converted a 10-acre portion to R1-20, which was now proposed for division into three lots, while the remainder retained split zoned R1-20 and A-20 zoning.

He stated the grading and drainage plan could be combined with the plat if approved by the County Engineer and noted coordination with both the engineer and geologist. He explained that although the property received a geotechnical waiver, conditions required the hillside remain undisturbed and prohibited building or digging in that area, along with no basements.

He relayed comments from the County Engineer, Mark Miller, who stated the no-basement note was insufficient and strongly recommended slab-on-grade homes due to groundwater issues in Whittier Estates. He emphasized that walk-out basements were not desired and that building areas were designated away from the hillside.

He stated any approval should be conditioned upon construction drawing approval. He explained that county ordinances required drainage to match pre-development conditions and expressed concern that current plat notes were insufficient pending full construction review. He noted the current design addressed a ten-year storm event, with streets serving as overflow channels in larger storms.

He clarified that the Health Department had jurisdiction over septic systems, though coordination with Morgan County Planning occurred. He confirmed R1-20 zoning allowed 20,000-square-foot lots, stated the County would maintain roads, and noted subdivision requirements for road connectivity to support future growth.

He outlined that motions could include approval or approval with conditions and noted a correction should be made to reflect a “three-lot subdivision.” Suggested conditions included construction drawing approval, no walk-out basements, and slab-on-grade homes.

He referenced the property map and plat layout, including detention basins, and noted alternative drainage ideas such as boring beneath the right-of-way to another area owned by the applicant. He concluded by inviting the applicant to comment.

Jess Holyoak (Mountain Engineering) – Stated that a grading and drainage plan had been completed, though it was not included in the packet. He explained that several drainage concerns, particularly near the corner of the neighboring home, had been addressed. He noted that these plans would be reviewed by Mark Miller and that they would continue working with him to resolve any remaining issues.

Member Steve Wilson – Asked about the size of the detention basins.

Jess Holyoak – Explained that a water study had been completed for each lot, based on a ten-year storm event (approximately 1.75 inches of rainfall in an hour). He stated that detention areas were sized to account for additional hard surfaces such as homes and driveways, but not the street, as it was already constructed and drained toward Whittier Estates.

Member Taylor – Asked about the release rate.

Jess Holyoak – Stated that the maximum release rate was 0.2 cubic feet per second per acre. He explained that, rather than large detention ponds, smaller on-lot detention areas were used to store runoff, as there was no direct outlet available.

Member King – Asked whether groundwater was being considered and whether the system would impact it.

Jess Holyoak – Stated that groundwater would not be impacted, explaining that the detention areas were shallow (less than two feet deep) and designed as low areas for water to pool rather than deep excavations.

Member Taylor – Asked where water would go during events exceeding a ten-year storm.

Jess Holyoak – Stated that overflow would follow natural drainage patterns.

Member Taylor – Pressed for clarification on whether overflow would go to the road or neighboring properties.

Jess Holyoak – Stated that it would depend on grading, but overflow could either flow toward the street or downhill.

Member Taylor – Asked whether the design could ensure overflow directed to the street rather than neighboring properties.

Jess Holyoak – Confirmed that drainage plans could be designed to direct overflow to the street.

Member Taylor – Asked whether this could be incorporated into the subdivision design.

Jess Holyoak – Confirmed that features such as berms could be added to prevent runoff from reaching neighboring properties. He also noted that, alternatively, a culvert could be installed under the existing road to direct stormwater to the opposite side.

Member Taylor – Asked whether both overflow and controlled release could be incorporated.

Jess Holyoak – Confirmed that the design could include detention areas with overflow plans or culverts to manage excess water.

Member Taylor – Expressed concern that allowing water to percolate into the ground could worsen existing groundwater issues and asked whether water could instead be released elsewhere.

Jess Holyoak – Stated that systems such as overflow boxes with controlled release rates could be implemented and expressed confidence that an effective solution could be developed.

Member Watt – Noted stated public concerns which he felt had been accounted for, for the record including driveway safety, drainage, groundwater, and septic considerations, and asked whether percolation testing had been completed.

Chris Tremea – Stated that percolation testing would occur after this stage and that some drainage-related concerns would be addressed during that process.

Member Watt – Stated that while the development avoided the hillside, there was reliance on ensuring no impacts to the area around it either.

Chris Tremea – Confirmed that conditions required no disturbance of the hillside, including a strict no-build requirement.

Member Watt – Acknowledged that the lots met conformity requirements and reiterated that the primary concerns remained groundwater and drainage.

Member Taylor – Referenced the no-build area shown in the plans.

Chris Tremea – Clarified that “no-build” meant no disturbance of any kind, including structures, landscaping, or irrigation.

Member Taylor – Asked whether non-buildable areas were defined in code and how they were designated.

Chris Tremea – Stated that the hillside should be designated as a non-disturbance area and expressed confidence that the engineer and geologist would support that designation. He referenced a prior situation where a pool had been installed too close to such an area, noting that it would be a violation and that enforcement would address such issues if they were to arise.

Member Wilson – Asked whether the applicant had reviewed Anthony Dorsey’s drainage concerns and requested their professional opinion.

Chris Tremea – Stated that, based on the engineer’s comments regarding directing water away from the area of concern, he believed that issue could be addressed. He expressed confidence that, if included as a condition, the County Engineer could further evaluate feasibility, noting that collaboration between parties was intended to resolve such concerns.

Member King – Expressed concern regarding Lot 15, particularly related to groundwater and septic feasibility. He noted that while septic systems fell under state and health department

jurisdiction, shallow groundwater could create challenges for development, including drainage and system placement.

Chris Tremea – Acknowledged the concern and stated that if the property could not meet health department requirements, it would not be buildable. He noted the applicant was aware of these constraints and reiterated support for slab-on-grade construction to avoid excavation. He added that enforcement would ensure compliance with no-basement conditions.

Member King – Stated the concern would not warrant denial but noted it would be a significant challenge for development.

Member Wilson – Asked about the plan to direct water away from neighboring properties.

Chris Tremea – Stated that the applicant had discussed installing a culvert to redirect water and noted that the applicant had already addressed many of these concerns in prior discussions.

Brent Bohman, Applicant – Stated that his family had farmed the land for forty years prior to the development of Whittier Estates and that he was familiar with the property. He explained that he had previously advised against basements in the area and attributed Whittier Estates current issues to groundwater rather than surface drainage. He stated that flow irrigation practices had historically existed and that he had already modified them to reduce impacts on neighboring properties.

He explained that while he could assist by installing culverts and creating drainage points to direct water toward the road, these measures would not fully resolve groundwater issues. He emphasized that the broader groundwater conditions were influenced by a much larger area and nearby river, not just the subject property. He stated that he had considered alternative development approaches, including additional lots and irrigation changes, but encountered regulatory limitations from the Weber Morgan County Health Department. He expressed his willingness to help mitigate impacts but stated he should not bear full responsibility for existing conditions and homebuilders building basements where it had been ill-advised to do so.

Member Steve Wilson – Asked where the water would ultimately drain.

Brent Bohman – Stated that groundwater levels were tied to river conditions and could not be fully controlled. He reiterated support for slab-on-grade requirements and explained that site testing showed varying groundwater depths, with some areas encountering water at approximately six feet and others not encountering groundwater.

Member King – Noted that limited depth between groundwater and surface could restrict septic feasibility and emphasized that regulatory compliance would be necessary.

Brent Bohman – Acknowledged that the health department could impose stricter requirements in such areas.

Chair Sessions – Asked whether percolation testing had been completed.

Brent Bohman – Confirmed that testing had been completed.

Member King – Stated that additional conditions would be necessary.

Member Maloney – Referenced prior discussion regarding a culvert on the map.

Chair Sessions – Reviewed potential conditions, including construction drawing approval, prohibition of walk-out basements, slab-on-grade requirements, and designation of a non-disturbance area. She asked whether additional drainage-related conditions were needed.

Brent Bohman – Raised concerns about the definition of “non-disturbance,” noting that certain actions, such as adding fill, could stabilize the hillside while technically altering it.

Chris Tremea – Clarified that non-disturbance typically meant no cutting into the hillside, referencing a similar subdivision where construction was allowed up to, but not into, a designated boundary. He noted that such standards were guided by engineering and geotechnical analysis.

Member Watt – Expressed concern about slope stability for Lot 15 and suggested that limited stabilization efforts might be appropriate.

Member King – Characterized the situation as a potential risk but noted that geotechnical studies were intended to address such concerns.

Member Watt – Noted that previous information suggested ongoing slope movement and expressed concern that strict non-disturbance language could prevent stabilization.

Chris Tremea – Suggested that the matter could be referred to engineers to develop appropriate stabilization measures rather than relying solely on a non-disturbance designation.

CA Christoffersen – Stated that using a strict “non-disturbance” designation would prohibit future stabilization efforts and emphasized the need for clear language stating that attempts to stabilize the hillside *would* be allowed.

Member Steve Wilson – Asked for clarification on where water would ultimately drain.

Chair Sessions – Stated that overflow would likely flow into the field.

Brent Bohman – Confirmed that natural slope would direct water into the field and ultimately toward the river.

Member Taylor moved to approve the Meadow Brook Subdivision, Phase 2, application number 25.061, allowing for a three (3) lot subdivision, located approximately west of the intersection of North Thurston Drive and West 3725 North in unincorporated Morgan County, based on the findings and with the conditions listed in the staff report dated April 23rd, 2026, and with the following additional conditions

- 1. That areas labeled non-buildable on the plat will be labeled “non-buildable and non-disturbance except for stabilization efforts with the concurrence of the county geologist.”***
- 2. No basements including walkout basements will be allowed. Only slab on grade homes.***
- 3. Upon approval of the construction drawings.***

Second by Member King. Motion carried unanimous.

- 7. Public Meeting/Discussion/Decision – WPR Mountain Villa Plat Amendment No. 2:** A request for approval of an amendment to the Wasatch Peaks Ranch North Village Mountain Villas to adjust the Limited Common Area of the subdivision. The properties are identified by parcel numbers 00-0094-0174 and 00-0093-0461 & serial numbers 12-WPRNVMTV-CA-NA-A1 and 12-WPRNVMTV-CA-NA, and is located approximately at 5233 West Wasatch Peaks Road in unincorporated Morgan County.

Chris Tremea – Introduced the WPR Mountain Villa Plat Amendment No. 2 as a request for approval of an amendment to the Wasatch Peaks Ranch North Village Mountain Villas to adjust the limited Common Area of the subdivision. He stated that the current zoning is Resort Special District and the request is to adjust the limited common areas around the previously recorded 12 townhome units. He stated that the applicant was in the audience if the Commission had questions and that Planning Staff does recommend approval.

Chair Sessions – Requested any questions for staff or the applicant.

Member Wilson – Stated that he did not have any.

Member Watt motioned to recommend approval to the County Commission of the WPR Mountain Villa Plat Amendment No. 2, application# 26.003, to adjust the “Limited Common Area” of the subdivision, based on the findings and with the conditions listed in the staff report dated April 23, 2026. Second by Member Wilson. Motion carries unanimously.

Legislative

8. Public Hearing/Discussion/Decision – *Side Yard Setback Code Text Amendment*: Request for approval of a text amendment to the Morgan County Code (MCC) to remove a portion of the side yard requirements in section 155.111 of the Residential and Multiple-Family Residential Districts.

Chris Tremea – Introduced the Side Yard Setback Code Text Amendment, a request for approval of a text amendment to Morgan County code to remove a portion of the side yard requirements. He explained that the current provision required side yards combined to be at least the height of the building, which had never been applied nor enforced.

Chair Sessions – Questioned the removal of the existing language, noting that larger structures such as schools or agricultural buildings could be permitted in certain zones and may still require appropriate setbacks.

Member Maloney – Clarified that such structures would be non-dwelling buildings, such as barns.

Chris Tremea – Responded that, regardless of structure type, the code required a minimum 10-foot setback.

CA Christoffersen – Asked whether all buildings would fall under a minimum side-yard requirement and suggested simplifying the language by establishing a clear minimum setback.

Chris Tremea – Acknowledged that current definitions created confusion, particularly regarding what constituted a primary structure.

Member Taylor – Suggested removing dwelling-specific language and clearly stating minimum side-yard setbacks for residential and multi-residential districts.

Member Maloney – Asked whether “building” was formally defined in code, prompting further review.

Chris Tremea – Noted that additional provisions, such as requiring a combined side-yard width of at least 40 feet and a minimum 10-foot setback for accessory structures, were redundant. He also explained that current corner-lot requirements—two front yards, one rear yard, and one side yard—created practical challenges for development, fencing, and parking. He suggested revising the standard to two front yards and two side yards for consistency.

Chair Sessions – Confirmed that the amendment would include two front yards and two side yards, while maintaining a minimum 10-foot side-yard setback.

Member Taylor – Expressed concern that requiring two 30-foot setbacks on corner lots could be excessive.

Chris Tremea – Explained that larger setbacks on corner lots were often necessary to accommodate visibility, safety, and line-of-sight requirements, noting that inadequate design could lead to issues such as street parking challenges for law enforcement. Stated that many property owners aimed to build larger homes on lower-cost corner lots, which often created conflicts with existing setback requirements. He emphasized the importance of matching home size to appropriate lot conditions.

CA Christoffersen – Clarified that “building” was defined as any structure used for occupancy or use, and that a “main building” referred to the primary structure to which all others were accessory.

Chris Tremea – Agreed with prior comments regarding the importance of enforcing ordinances based on clear definitions.

Chair Sessions – Noted that definitions were often overlooked when interpreting code. She outlined proposed revisions, including replacing “dwelling” with “building,” reinstating language for corner lots to require two front yards and two side yards, and maintaining the minimum 10-foot side-yard setback.

Member Maloney – Noted that the amendment originated from an applicant and invited public comment.

Member Taylor moved to open the public hearing, seconded by Member Maloney; the motion carried unanimously.

Lauren Hiller (Cole West) – Stated that builders had experienced confusion interpreting the current code. She asked whether simplifying the language to reference “building,” establishing a minimum side-yard setback, and clarifying corner lot requirements would resolve the issue.

Member Maloney – Stated that definitions were appropriate but needed to be updated within the code table.

CA Christoffersen – Confirmed that approach.

Chair Sessions – Clarified that “main” was unnecessary and that “building” was sufficient terminology.

Member Taylor – Noted that setback requirements applied to the lot, not the building itself.

Chair Sessions – Stated that the revised version of the table should be presented to the County Commission without strikethrough lines to avoid confusion.

Member Watt moved to close the public hearing, seconded by Member Maloney. Motion carried unanimously.

Chris Trenea – Summarized the final proposed revisions: maintaining the minimum 10-foot side-yard setback for any building; retaining total side-yard width requirements; removing redundant or unclear provisions; keeping setback requirements for accessory structures; and revising corner lot standards to require two front yards and two side yards. He noted that certain duplicative setback language would be removed.

CA Christoffersen – Confirmed that all definitions had been reviewed and that the revised language was acceptable.

Member Taylor moved we recommend approval to the County Commission for the Side Yard Setbacks Code Text Amendment based on the findings listed in the memorandum dated April 23, 2026, with the following additional conditions:

1. *We rectify any conflicting references in the code and standardize on this language.*

Second by Member King. All in favor, motion carries.

9. Public Hearing/Discussion/Decision – *Wildland Urban Interface Code Text Amendment:* Request for approval of a text amendment to the Morgan County Code (MCC) to amend the requirements of the Wildland Urban Interface Code to match State Statutes.

Brad Wilkes – Introduced the Wildland Urban Interface Code Text Amendment: a request for approval of a text amendment to the Morgan County Code to amend the requirements of the Wildland Urban Interface (WUI) Code to match State Statutes. Stated that Morgan County had adopted the 2006 Fire Code but was in the process of amending it to align with 2024 updates. He explained that the intent of the text amendment was to allow the County to automatically adopt future state amendments without requiring repeated legislative action. He emphasized that Wildland-Urban Interface (WUI) code requirements superseded other regulations and referenced recent wildfire events as evidence of the importance of compliance. He stated that the proposed language aimed to incorporate “state required modifications” to streamline future updates.

CA Christoffersen – Noted that the language needed clarification and suggested adding wording to specify adoption of the “current WUI code,” including future updates.

Member Taylor – Questioned whether the County would lose its authority to adopt minimum codes independently and suggested simply aligning with all state adoptions to remain compliant.

CA Christoffersen – Responded that the language could be revised to clearly state that the County would follow state updates, noting that alignment was necessary for funding purposes.

Member Watt – Asked whether a blanket adoption of code without specific references was legally permissible.

CA Christoffersen – Confirmed that it was allowable, as the adoption referenced state code, though she acknowledged limited precedent.

Brad Wilkes – Clarified that the National Fire Code and WUI Code were separate, and that the focus of the amendment was specifically on WUI updates. He explained that recent legislation, including House Bills 41 and 48, complicated implementation timelines, with some provisions delayed until 2027. He noted that the County had proactively updated its sprinkler code and established high-risk WUI parameters, positioning Morgan County ahead of others in the state. He added that while assessments would be conducted, billing would not occur until 2027.

Member Maloney – Asked whether the changes would be retroactive and what impact they would have on the County.

Brad Wilkes – Clarified that the changes were not retroactive and would apply to future development. He explained that high-risk areas would be assessed and property owners advised on mitigation, while future building permits would be subject to updated requirements.

Member Maloney – Asked whether enforcement varied by jurisdiction.

Brad Wilkes – Explained that enforcement was governed at the state and county level, not by individual cities.

CA Christoffersen – Proposed adding language to adopt all future WUI code updates automatically and suggested removing redundant sections.

Member King – Asked whether the amendment would limit the County’s ability to adopt stricter standards.

Brad Wilkes – Confirmed that while the County could not adopt standards less stringent than the state, it retained the authority to implement more restrictive requirements, citing Mountain Green as an example.

Member Taylor – Noted that fire marshals often operated within defined jurisdictions.

Brad Wilkes – Emphasized the importance of consistent policy and training to ensure uniform enforcement and outcomes, while maintaining the ability to adopt stricter standards if desired.

Member King – Expressed concern about preserving the County’s authority.

Member Watt – Suggested clarifying language to ensure compliance with current state code.

CA Christoffersen – Proposed adding a statement confirming that any future state-adopted code updates would be incorporated without additional legislative action. Stated that she could add the sentence “If the State of Utah adopts a later edition of the International Wildland-Urban Interface Code, the County shall be deemed to have adopted the most recent edition of the International Wildland-Urban Interface Code as adopted by the State, including any amendments thereto, without the necessity of further action by the County, unless the County Commission affirmatively elects to adopt a different edition by ordinance.”

Member King motioned to open public hearing. Second by Member Taylor. Motion carried unanimously.

Member Watt motioned to close public hearing. Second by Member Taylor. Motion carried unanimously.

CA Christoffersen – Stated that she would like to keep the first paragraph. Then she would read the additional sentence to add at the end, and then we don’t need B.

Member Watt moved to recommend approval to the County Commission of the Wildland Urban Interface Code Text Amendment based on the findings listed in the memorandum dated April 23, 2026, with the following additional conditions:

1. With the elimination of everything except the first paragraph and the addition after that first paragraph to be “If the State of Utah adopts a later edition of the International Wildland-Urban Interface Code, the County shall be deemed to have adopted the most recent edition of the International Wildland-Urban Interface Code as adopted by the State, including any amendments thereto, without the necessity of further action by the County, unless the County Commission affirmatively elects to adopt a different edition by ordinance.”

Text Shall Read: § 155.370 WILDLAND URBAN INTERFACE CODE.

(A) Code adopted by reference.

(1) That certain document, three copies of which are on file in the office of the County Clerk, being marked and designated as the International Wildland Urban Interface Code, 2006 edition, including appendix chapters as published by the International Code Council, as modified by the Utah Division of Forestry, Fire and State Lands pursuant to Utah Administrative Code R652-122-1300 and as further amended herein, be and is hereby adopted as the Urban Wildland Interface Code of the county for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Wildland Urban Interface Code on file in the office of the County

Clerk are hereby referred to, adopted and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in division (B) below.

(2) It is the intent of the County to maintain consistency with state-adopted standards for wildland-urban interface regulations. Accordingly, to the extent the State of Utah adopts a subsequent edition of the International Wildland-Urban Interface Code, together with any required state modifications, that edition shall be deemed adopted and incorporated herein by reference without the need for further legislative action, unless the County Commission affirmatively provides otherwise. Nothing herein shall limit the County's authority to adopt amendments, exceptions, or modifications to the adopted code, provided such local provisions remain consistent with and do not conflict with applicable state law.

State Required Modifications (R652-122-1300).

(1) Applicability of State Modifications. The County adopts and incorporates all modifications required by Utah Administrative Code R652-122-1300, and any successor provisions, to the applicable edition of the International Wildland-Urban Interface Code adopted by the County. To the extent necessary, such modifications shall be applied to the corresponding provisions of the adopted code edition.

(2) Controlling Authority. In the event of any conflict between the adopted International Wildland-Urban Interface Code and the requirements of Utah Administrative Code R652-122-1300, or any successor provisions, the state rule shall control.(Prior Code, § 8-14-1)

Second by Member Taylor. Motion carried unanimous.

10. Business/Staff Questions

Chair Sessions – Stated that he had difficulty understanding the letter received from Mike Babcock relating to the project on Silverstone that had been continued to May 28th at the last Planning Commission Meeting.

Chris Tremea – Explained that regarding the build of this property, in previous years, enforcement options were limited, particularly because prior enforcement actions had not been fully carried out. He stated that the structure in question had been built without permits and had been subject to a cease-and-desist order that was not enforced. He noted that the dwelling had since been completed and was occupied, and that the County was unlikely to pursue demolition due to cost.

He outlined potential options: allowing a text amendment to bring the property closer to compliance while requiring submission of building plans and applying significant penalties such as double fees; or maintaining the current code, resulting in non-compliance and potential demolition. He explained that standard penalties included stop work orders, violation notices,

citations, and double fees upon permit application. He emphasized that bringing the property into closer compliance was a more practical resolution than leaving it non-conforming.

CA Christoffersen – Noted that the enforcement code was outdated on the website and clarified that current enforcement tools were stronger, including the ability to halt work and impose more substantial penalties.

Member Taylor – Asked what inspections had been completed on the structure.

Chris Tremea – Stated that documentation was limited but indicated that the Building Official could allow the project to proceed if it met current code requirements. He noted that he did not want to speculate publicly without further research.

CA Christoffersen – Added that concerns had previously been raised regarding fire safety, emergency access, and snow removal when allowing for driveways off the bulb of a cul-de-sac.

Chair Sessions – Noted that the fire department had already approved the project.

Chris Tremea – Stated that the applicant had chosen to move forward to the County Commission with an unfavorable recommendation from the Planning Commission. He expressed disagreement with how the situation had been handled historically but emphasized that current enforcement could serve as a deterrent moving forward. He noted that significant penalties, such as double fees, had not commonly been enforced in the past.

Chair Sessions – Expressed concern that allowing the situation could set a precedent for rule violations of proper building permit process.

Chris Tremea – Responded that enforcement had since improved and that the County now had stronger tools to prevent similar situations in the future.

Chair Sessions – Referenced a prior postponement agreement at the planning commission meeting on April 9th of 2026 and that the applicant had agreed to continue the discussion to May 28th.

Chris Tremea – Reiterated that the goal was to bring the property into better compliance under current enforcement standards, not to bypass code.

Member Taylor – Stated that the issue would either return for review on an agenda, or it would not.

10. Approval of April 9th, 2026, Planning Commission Minutes –

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

11. Adjourn

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

Approved:

_____ Date: _____
Chairman, Debbie Sessions
Morgan County Planning Commission

_____ Date: _____
Jessie Drage, Transcriptionist
Planning and Development Services