

Action Summary:

Agenda Item	Item Description	Action
#1	Training Topics	No action taken

MINUTES OF THE GRANTSVILLE CITY PLANNING COMMISSION, HELD ON MARCH 24, 2026, 2026 AT THE GRANTSVILLE CITY HALL, 429 EAST MAIN STREET, GRANTSVILLE, UTAH AND ON ZOOM. THE MEETING BEGAN AT 6:30 P.M.

Commission Members Present: Chair Sarah Moore, Vice Chair Hill, Commissioner Merrill, Commissioner Montgomery, Commissioner Moulton

On Zoom:

Commission Members Absent:

Appointed Officers and Employees Present: Planning and Zoning Administrator Shelby Moore, Community Development Director Bill Cobabe, City Council Member Derek Dalton, Planning and Zoning Administrative Assistant Nicole Ackman, City Planner/GIS Analyst Tae-Eun Ko, City Attorney Tysen Barker

On Zoom:

Citizens and Guests Present:

Citizens and Guests Present on Zoom:

Commission Chair Sarah Moore called the meeting to order at 6:30 PM.

PUBLIC NOTICE

The Grantsville City Planning Commission will hold a Regular Meeting at 6:30 p.m. on Tuesday, March 24, 2026 at 429 East Main Street, Grantsville, UT 84029. The agenda is as follows:

ROLL CALL

PLEDGE OF ALLEGIANCE

AGENDA

1. Training Topics

Presentation by City Attorney Tysen Barker – LUDMA, GLUDMC, OPMA, Best Practices

Attorney Tysen Barker began the training by outlining the legal framework governing land use decisions. He explained that LUDMA is State law, while the Grantsville Land Use Development Management Code (GLUDMC) is the City's local implementation. He emphasized that while the City has discretion to adopt its own ordinances, once adopted, the City is bound to follow them. He stressed that all decisions must be based on the code and supported by evidence in the record, not on personal opinion or public pressure.

Commissioner Montgomery asked whether one authority supersedes another. Attorney Barker explained the hierarchy of law, stating that the U.S. Constitution and Federal law are at the top, followed by the Utah Constitution, State law, local ordinances, and then Planning Commission decisions. He clarified that Commission decisions must align with all higher levels to be legally valid.

Attorney Barker then addressed the Open and Public Meetings Act (OPMA). He explained that State law requires a minimum 24-hour public notice, while Grantsville City requires a more stringent 10-day notice for public hearings, including mailed notice to property owners within 500 feet. He emphasized that failure to meet these notice requirements is a jurisdictional issue and could invalidate a decision.

Commissioner Hill asked whether the City must follow its 10-day notice requirement if State law only requires 24 hours. Attorney Barker confirmed that the City must follow the more stringent standard. Chair Sarah Moore summarized that the Commission should always default to the most stringent requirement, which Attorney Barker confirmed.

Attorney Barker provided an example scenario where proper 24-hour notice was given but the required 10-day mailed notice was not completed. He explained that even if State requirements were met, failure to meet local code would make the decision legally vulnerable.

He then transitioned to commissioner conduct and due process. He explained that applicants are entitled to a fair and impartial hearing, and commissioners must avoid *ex parte* communication, disclose conflicts of interest, and base decisions solely on the record. Commissioner Moulton asked what *ex parte* communication meant, and Attorney Barker explained that under the City's code, commissioners should not have outside communication with individuals either in favor of or opposed to an application.

Commissioner Hill asked about a situation where he had a casual conversation with someone who later became an applicant. Attorney Barker explained that this is acceptable as long as the commissioner discloses the relationship and confirms that no discussion of the application occurred.

Attorney Barker also addressed meeting transparency, explaining that meetings must be open to the public except in limited circumstances such as pending litigation, personnel matters, or

property negotiations. He explained that a “serial meeting” can occur when commissioners communicate through a chain of emails or indirect discussions that effectively result in deliberation outside of a public meeting.

Commissioners asked whether contacting staff would be considered a violation. Attorney Barker, along with Community Development Director Bill Cobabe, clarified that communication with staff is appropriate because staff provides information and does not constitute a meeting unless a quorum is deliberating collectively.

Presentation by Planning and Zoning Administrator Shelby Moore – Planning Commissions Role in Conditional Use Permits.

Planning and Zoning Administrator Shelby Moore explained that while State law and local ordinances establish the rules, the Commission’s responsibility is to consistently apply those rules through staff reports, discussion, and formal recommendations.

Shelby emphasized that staff reports are a critical part of the process. She explained that each report is structured to identify the applicable code sections, analyze whether the application meets those standards, and outline any deviations. She noted that the Commission should rely heavily on these reports, as they are intended to connect the proposal directly to the requirements in the code. However, she clarified that while staff provides recommendations, the final decision or recommendation to the City Council ultimately rests with the Commission.

She stressed the importance of making clear findings when taking action, especially in cases of denial. Shelby explained that if the Commission recommends denial, it must clearly state which specific code standards are not being met. She noted that simply stating general concerns is not sufficient and could create legal issues if the decision is challenged.

Shelby also reviewed the importance of following proper process. She explained that applications must be complete before moving forward and that items are typically reviewed through the Development Review Committee (DRC) prior to being scheduled for Planning Commission.

She explained that noticing requirements is another critical component. Shelby explained that staff is responsible for ensuring public notices, mailings, and postings are completed correctly, but the Commission should be aware that failure in this process can impact the hearing or decision. She noted that if there is ever uncertainty about noticing or process, it is appropriate to pause or continue an item to ensure compliance.

Shelby further explained that different application types require different levels of review. She noted that legislative items, such as rezones and code amendments, involve broader policy considerations and are ultimately decided by the City Council, while administrative or

quasi-judicial items, such as conditional use permits, require the Commission to apply specific standards to a particular application. She emphasized that in quasi-judicial matters, the Commission must remain impartial and base its decision strictly on the evidence presented.

She also discussed the importance of consistency in applying the code. Shelby explained that applying standards differently from one application to another can create confusion, undermine fairness, and expose the City to legal challenges. She encouraged the Commission to focus on the language of the ordinance and apply it as written, even in situations where there may be public pressure or differing opinions.

Presentation by Community Development Director Bill Cobabe – Meetings, Motions, and Applying GLUDMA.

Community Development Director Bill Cobabe explained the three branches of municipal government, identifying the City Council as the legislative body responsible for adopting ordinances and policies, the Mayor and staff as the executive branch responsible for implementing and administering those policies, and the courts as the judicial branch responsible for interpreting the law when disputes arise.

Bill explained that Utah operates as a home rule state, meaning municipalities are granted broad authority to govern local matters, including land use, as long as they operate within the framework of State law. He emphasized that this authority is what allows cities like Grantsville to adopt their own land use ordinances, zoning regulations, and development standards. However, he reiterated that once those ordinances are adopted, the City, including the Planning Commission, is bound to follow them.

He clarified that the Planning Commission itself is required by State law and plays a critical role in the land use process. He explained that the Commission's primary responsibilities include holding public meetings, reviewing development applications, making recommendations on legislative items such as rezones and code amendments, and participating in ongoing training. He noted that the Commission serves as an advisory body to the City Council on legislative matters.

Commissioner Montgomery asked about the relationship between the Planning Commission and the City Council, specifically whether the Council could act independently. Bill explained that for certain items, particularly legislative changes, the City Council cannot take action until it has received a formal recommendation from the Planning Commission. He clarified that while the Council is not required to follow the Commission's recommendation, the recommendation itself is a required step in the process.

Bill further explained the distinction between legislative and administrative roles. He noted that legislative decisions, such as rezones or amendments to the General Plan, involve broader policy considerations and are ultimately decided by the City Council. In contrast, administrative or

quasi-judicial decisions involve applying existing standards to specific applications, where the Planning Commission must focus on compliance with the code and the evidence presented.

He also addressed the role of public input in the process. Bill explained that while public comments are an important part of the process and provide valuable perspective, they do not override the requirements of the code. He emphasized that decisions must still be based on adopted standards, even when there is strong public opinion either in favor of or opposed to a project.

Bill highlighted the importance of the Planning Commission as a public-facing body. He explained that the Commission provides transparency in decision-making and serves as a forum where applicants and residents can be heard. He noted that this process helps build trust in the system, even when decisions may not align with every individual's preferences.

He also discussed how the Planning Commission contributes to long-term planning and implementation of the City's vision. He explained that tools such as the General Plan, zoning map, and development agreements work together to guide growth and development. He noted that while the General Plan is aspirational and outlines the City's long-term vision, zoning is what governs what is legally allowed on a property at a given time.

Bill concluded by reinforcing that the Planning Commission plays an essential role in bridging policy and implementation. He emphasized that the Commission ensures that applications are reviewed carefully, that recommendations are grounded in code, and that the process remains consistent, transparent, and legally defensible.

2. Questions and Discussion

Commissioner Montgomery asked about the role of the Planning Commission in relation to the City Council and how it differs from staff review. Community Development Director Bill Cobabe explained that while staff provides technical review and analysis, the Planning Commission serves as a public body that holds meetings, allows for public input, and makes formal recommendations. He clarified that for legislative items, the City Council cannot take action without first receiving a recommendation from the Planning Commission, although they are not required to follow that recommendation.

No additional questions were raised.

2. Adjourn.

Garry Merrill made a motion to adjourn. Cameron Moulton seconded the motion. The vote was as follows: Sarah Moore "Aye," John Montgomery "Aye," Jason Hill "Aye," "Gary Merrill "Aye" and Cameron Moulton "Aye." The meeting adjourned at 9:00 p.m.