



PUBLIC NOTICE IS HEREBY GIVEN THAT THE PLANNING COMMISSION WILL
MEET FOR A REGULAR MEETING IN THE

Grand County Commission Chambers 125 East Center Street, Moab, Utah
August 24, 2026 - 5:30 PM

Call To Order

[Youtube Link](#)

Join Zoom Meeting

[Zoom Link](#)

Meeting ID: 420 993 8173

Find Your Local Number: <https://us02web.zoom.us/j/kenwhyag3>

Citizens To Be Heard

We are receiving public comments by phone and online through Zoom. Dial: (669) 900 - 6833 Meeting ID: 420 993 8173 Planning Commission Zoom Link When joining the meeting, you will be placed in a waiting room and be added to the meeting by the moderator. Your comments will be recorded and on YouTube. (Unmute for public comment: *6)

Ex Parte Communications And Disclosures

Approval Of Meeting Minutes

August 10, 2026

Andrew Jackson, Planning and Zoning Director

Presentations (15 Min)

County Commission Update

Public Hearings

General Business - Action Items - Discussion And Consideration Of Approval

Discussion Items

1. **Annual Obligations**
2. **Robert's Rules Of Order**
Andrew Jackson, Planning and Zoning Director
3. Synchronizing The Future Land Use Plan And Land Use Code
4. **Land Use Code Section 8 — Workshop**
5. **Bylaws - Workshop**
Andrew Jackson, Planning and Zoning Director

Future Considerations

Adjourn

NOTICE OF SPECIAL ACCOMMODATION DURING PUBLIC MEETINGS. In compliance with the Americans with Disabilities Act, individuals with special needs requests wishing to attend Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees are encouraged to contact the County two (2) business days in advance of these events. Specific accommodations necessary to allow participation of disabled persons will be provided to the maximum extent possible. T.D.D. (Telecommunication Device for the Deaf) calls can be answered at:(435) 259-1346. Individuals with speech and/or hearing impairments may also call the Relay Utah by dialing 711. Spanish Relay Utah: 1 (888) 346-3162

It is hereby the policy of Grand County that elected and appointed representatives, staff and members of the Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees may participate in meetings through electronic means. Any form of telecommunication may be used, as long as it allows for real time interaction in the way of discussions, questions and answers, and voting.

At the Grand County Commission meetings/hearings and other Grand County Boards, Commissions, or Committees any citizen, property owner, or public official may be heard on any agenda subject. The number of persons heard and the time allowed for each individual may be limited at the sole discretion of the Chair. On matters set for public hearings there is a three-minute time limit per person to allow maximum public participation. Upon being recognized by the Chair, please advance to the microphone, state your full name and address, whom you represent, and the subject matter. No person shall interrupt legislative proceedings.

Requests for inclusion on an agenda and supporting documentation must be received by 5:00 PM on the Tuesday prior to a regular Commission Meeting and forty-eight (48) hours prior to any Special Commission Meeting.

Information relative to these meetings/hearings may be obtained at the Grand County Commission's Office, 125 East Center Street, Moab, Utah; (435)259-1346.

MINUTES OF THE GRAND COUNTY PLANNING COMMISSION
Monday, August 10, 2026 at 5:30 p.m. – 125 E. Center St., Moab, UT 84532

The Grand County Planning Commission held its regular meeting on the above date, with attendees participating in person and remotely via Zoom, <https://us02web.zoom.us/j/4209938173>
Meeting ID: 420 993 8173

YouTube recording of the meeting can be viewed at
<https://www.youtube.com/@GrandCountyUtahGovernment>
Previous recordings archived at www.grandcountyutah.gov/AgendaCenter
Sara Kimmerle

Members Present:

Jerry Klaes, Chair
Megan Schafer, Vice Chair
Mary Hofhine
Aaron Lindberg
Robert O'Brien
Randy Day

Members Absent:

Staff Present:

Andrew Jackson, P&Z Director
Lisa Cenicerros

Trish Hedin and Brian Martinez,
Commission Liaisons

Call to Order 5:30 p.m.
Planning Commission Chair Klaes called the meeting to order.

Public Comment 5:30 p.m.
None

Ex Parte Communications and Disclosures 5:30 p.m.
None.

Approval Of Meeting Minutes 5:31 p.m.
July 27, 2026

Motion: M. Day moved to approve the July 27, 2026 minutes; R. O'Brien provided the second. The motion passed 7-0-0.

Yeas – 7

M. Schafer
A. Lindberg
R. Day
S. Kimmerle
J. Klaes
R. O'Brien
M. Hofhine

Nays - 0

Abs - 0

August 3, 2026

Motion: M. Hofhine moved to approve the August 3, 2026 minutes; R. O'Brien provided the second. The motion passed 7-0-0.

Yeas – 7

J. Klaes
M. Schafer

A. Lindberg
R. Day
S. Kimmerle
M. Hofhine
R. O'Brien

Nays - 0

Abs - 0

Presentations (15 min.) 5:32 p.m.
None.

County Commission Update 5:32 p.m.

County Commission Liaisons Hedin and Martinez provided updates on items recently heard by the County Commission and other items of interest. There was discussion regarding traffic studies.

Public Hearings 5:40 p.m.
None.

General Business – Action Items - Discussion and Consideration of Approval

Discussion Items 5:40 p.m.

Workshop - Proposed Amendments To The Planning Commission Bylaws And To Land Use Code § 8.1, Planning And Zoning Commission, Including Related Citation Amendments To §§ 8.2.4 And 9.18.8 (Discussion And Possible Action) Staff Presentation And Commission Discussion Of Proposed Amendments Conforming The Bylaws And Land Use Code § 8.1 To The 2025 Recodification Of Title 17 And To The Planning Commission Requirements Of Utah Code § 17-79-301 As Amended By S.B. 284 (2026), Addressing Quorum And Voting, Officer Elections, Terms Of Office, Liaison Members, Powers And Duties, Conflicts Of Interest, Ex Parte Communication, Deliberation, Meeting Materials, And Related Matters. The Commission May Take Action, Including A Motion Directing Staff To Revise The Drafts, To Prepare A Draft Resolution And A Draft Ordinance For The County Commission's Adoption, To Schedule And Publish Notice Of A Public Hearing Before The Planning Commission, And To Return The Revised Drafts For A Second Workshop. A. Land Use Code § 8.1 — Redline Dated August 6, 2026B. Planning Commission Bylaws — Redline Dated August 6, 2026 C. Staff Report Dated August 6, 2026.

A. Jackson presented; there was discussion.

Future Considerations 7:11 p.m.

Additional Bylaws and LUC Section 8 work session for 8/24/2026; revisit data centers with comparables; and an update from Sunrise on the Land Use Code rewrite.

Adjourn 7:36 p.m.

Motion: R. O'Brien moved to adjourn; S. Kimmerle provided the second. The motion passed with a vote of 7-0-0.

Yeas – 7

J. Klaes
M. Schafer
A. Lindberg
R. Day
S. Kimmerle
M. Hofhine
R. O'Brien

Nays - 0

Abs - 0



AGENDA SUMMARY

Planning Commission Meeting

Date: August 24, 2026

Title: Annual Obligations

Fiscal Impact:

If this submission is from the general public you will need a commission sponsor, feel free to contact the Commission Administrators Office with any questions commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners directly at commission@grandcountyutah.net

Presenter(s):

Legal Review:

Department: Planning and Zoning

Approved and
within budget?

Budget Number:

Recommended Motion:

Background:

Attachments:

1. PC_Annual_Obligations_Memo_8-12-2026 final
2. PC_New_Commissioner_Orientation 8-24-2026 final

MEMORANDUM

TO: Grand County Planning Commission
FROM: Andrew K. Jackson, AICP, CTP, Planning Director
RE: Annual obligations of the Planning Commission
VERSION: Version 8-24-2026

Several Planning Commission tasks are required every year, and most are easy to let slip because nothing prompts them. This memo collects them in one place, with the source for each, so the Commission and staff can put them on the calendar instead of trying to remember them.

The authorities cited are the Planning Commission Bylaws and the Grand County Land Use Code as proposed to be amended, together with the Utah Code where it imposes the duty directly. Where an item is affected by the pending amendments, that is noted.

THE YEAR AT A GLANCE

When	What the Planning Commission does	Authority
By September 1	County staff notifies the County Commission of each term expiring that year.	Land Use Code; Bylaws IV.1
Fall	Vacancy notice published; Planning Commission interviews candidates and forwards a recommendation to the County Commission.	Bylaws IV.1 through IV.4
January 1	New and reappointed members' terms begin.	Land Use Code
First regular meeting of the year	Elect Chairperson and Vice-chairperson, as the first item of business.	Bylaws III.2(a); Land Use Code
Beginning of each year	Review these Bylaws and recommend any amendments to the County Commission.	Bylaws VIII.1
During the year	Every member completes Open and Public Meetings Act training.	Bylaws V.3; Utah Code § 52-4-104
During the year	Conduct the annual review of the Grand County General Plan.	Land Use Code
December 31	Expiring terms end.	Land Use Code

THE OBLIGATIONS IN DETAIL

1. Elect a Chairperson and a Vice-chairperson

When. Annually, as the first item of business at the first regular meeting of the calendar year. Officers serve one year, or until successors are elected, and the term begins immediately after the election.

If appointments are pending. If a regular member's term expired at the end of the preceding year and the County Commission has not yet appointed to that seat, the election is postponed to the first regular meeting after the appointee is seated. The incumbent officers continue to serve until then. Members appointed for the new year should have a vote in choosing the officers who will preside over them. If the election is postponed and an incumbent officer's own term has ended so that the

person is no longer on the Planning Commission, the remaining members elect a Chairperson or Vice-chairperson pro tempore to serve with full authority until the postponed election is held.

Source. Bylaws § III.2(a) and the Land Use Code.

Note. The pending amendments make this election annual and unconditional. The existing language calls for an election only in the year after the County Commission fills vacant seats, which means that in a year with no appointments no election is required and the sitting officers simply continue. That is the defect the amendment corrects.

Also. If either office becomes vacant mid-year, the Planning Commission elects a successor from its membership to serve the unexpired term. Nominations are by oral motion and the vote is by voice.

2. Review the Bylaws

When. At the beginning of each calendar year.

Source. Bylaws § VIII.1.

What it involves. The Planning Commission reviews the Bylaws and recommends any amendments to the County Commission for approval, as provided in County Ordinance 472 (2008). The Planning Commission does not adopt its own Bylaws; the County Commission does.

3. Complete Open and Public Meetings Act training

When. Every year, every member.

Source. Bylaws § V.3, and Utah Code § 52-4-104, which places the duty on the presiding officer to ensure that members are provided with annual training on the Act.

What satisfies it. Training provided by Grand County or an online equivalent. The Utah State Auditor publishes a free course that meets the requirement. Members are also encouraged to attend other planning training; the pending amendments broaden that from the Citizen Planner Workshop specifically to training generally, so the encouragement does not expire with a single provider.

Worth tracking. The statute makes this the presiding officer's responsibility, not each member's. Staff should keep a record of who has completed it and when, because the County has an obligation to demonstrate compliance.

4. Conduct the annual review of the General Plan

When. Every year.

Source. The Land Use Code, in the Planning Commission's powers and duties.

What it involves. A review of the Grand County General Plan for the purpose of determining what is important to the community and whether amendments should be considered. It is a review, not an amendment: the outcome may be that no changes are proposed.

Note. This is the annual obligation most often missed because, unlike the officer election, nothing on the agenda forces it. If the review recommends amending the General Plan, a public hearing is required before the recommendation goes to the County Commission.

5. Interview candidates and recommend appointments

When. In the fall, once staff has identified the terms expiring at the end of the calendar year.

Source. Bylaws §§ IV.1 through IV.4, and the Land Use Code.

Sequence. County staff notify the Planning Commission of expiring terms and post notice of the vacancies in a newspaper of record. The Planning Commission interviews qualified candidates, giving each three minutes to introduce themselves, asking the same questions of every candidate, and voting on names in alphabetical order by last name. Staff tallies the votes, and the Planning

Commission, by motion, forwards its recommendation, with any findings, to the County Commission. The Chairperson, or staff at the Chairperson's direction, presents it.

Note. The pending amendments add a deadline that does not exist today: staff must notify the County Commission of each expiring term no later than September 1 of the year the term expires. They also remove the written-ballot option for candidate votes, so the vote is by voice or a show of hands.

6. Watch the term schedule

When. Continuously, but it matters most when a term expires.

Source. The Land Use Code.

The requirement. Terms are staggered so that at least one and no more than three expire each year. Terms run four years, begin January 1, and end December 31.

Where the schedule stands. Two terms expire at the end of 2027, two at the end of 2028, and three at the end of 2029. None expires in 2030. That does not meet the requirement, and because terms run four years, the empty year recurs in 2030, 2034, and every fourth year after unless it is corrected.

Note. The pending amendments authorize the County Commission to make a corrective appointment of other than four years and direct that it be made at the first expiration after the ordinance takes effect. The County Commission makes the appointment.

NOT ANNUAL, BUT EASY TO CONFUSE WITH THESE

- **Regular meetings twice a month.** A standing schedule, not an annual act, subject to mitigating circumstances such as lack of a quorum, lack of items, or holidays.
- **Conflict of interest and ex parte disclosure.** The Chairperson inquires about these at the beginning of each meeting, not once a year.

SUGGESTED PRACTICE

Three of these six — the Bylaws review, the training, and the General Plan review — have no natural trigger on the agenda. The officer election happens because it is the first item on the first meeting agenda; the interviews happen because a term is ending. The other three depend on someone remembering.

The simplest fix is to place them on the agenda at fixed points: the Bylaws review with the officer election at the first meeting of the year, the General Plan review at a set meeting in the fall, and a training reminder to members in the first quarter with staff tracking completion. None of that requires an amendment; it only requires the calendar.

Andrew K. Jackson, AICP, CTP

Planning Director, Grand County

NEW COMMISSIONER ORIENTATION
Statutes, Ordinances, Resolutions, and Rules Affecting the Planning Commission
Grand County Planning Commission
Version 8-24-2026

Why you are getting this. Bylaws § II.2 provides that upon taking office each member shall become familiar with the applicable statutes, rules, ordinances, and resolutions, and shall maintain that knowledge while in office. It does not say what they are. This handout answers that.

Nobody expects a new member to read all of it before the first meeting. The short list below is what to read first; the rest is a reference for when a question arises.

If you read only four things

- **The Planning Commission Bylaws.** How this body operates: quorum, motions, public comment, ex parte contact, conflicts.
- **Land Use Code Article 9.** The procedures you will apply at every meeting.
- **Utah Code § 17-79-302.** What the Planning Commission is empowered to do. It is shorter than you expect.
- **Utah Code §§ 52-4-201 through -208.** The open meetings rules that constrain everything else.

PART 1 — STATE STATUTES

Title 17, Chapter 79 — County Land Use, Development, and Management Act

This is the governing act. It was recodified from Title 17, Chapter 27a effective November 6, 2025, so any document or training material citing a 17-27a section is out of date. The section numbers changed; most of the substance did not.

Citation	Subject	Why it matters to you
§ 17-79-102	Definitions	“Land use authority,” “land use application,” “adversely affected party.” Read this first; the defined terms are not what a lay reader expects.
§§ 17-79-201 to -211	Notice	What notice is required, to whom, and when. Defective notice is a common procedural challenge.
§ 17-79-301	Ordinance establishing the Planning Commission	Required contents, the causes for which a member may be removed, the safe harbor for deliberating in a meeting, and when a member must recuse.
§ 17-79-302	Powers and duties	What the Planning Commission recommends on, and the public hearing required before recommending on the General Plan or a land use regulation.
§§ 17-79-401 to -404	General Plan	§ 17-79-403 is preparation and recommendation; § 17-79-404 is the Planning Commission’s hearing on a proposed plan or amendment before it goes to the County Commission.
§§ 17-79-501, -502	Land use regulations	Only the County Commission may enact one. The hearing precedes enactment.
§§ 17-79-701 to -716	Subdivisions	Part 7. § 17-79-702 is the Planning Commission’s duty to recommend on a subdivision ordinance; §§ 17-79-705 to -706 govern review; §§ 17-79-711 to -713 cover plat amendments and vacations.

Citation	Subject	Why it matters to you
§ 17-79-801	Land use authority; nature of the decision	A land use decision is an administrative act. This is why findings matter and why the record matters.
§§ 17-79-812, -813	Exactions	What the County may require of an applicant, and the engineer appeal panel.
§§ 17-79-1001, -1002, -1006	Appeals, variances, due process	Where a decision goes after the Planning Commission, who hears a variance, and the due process owed an appeal participant.
§§ 17-79-209, -1009	Challenging notice; judicial review	A notice challenge must be brought within 30 days. No district court review until administrative remedies are exhausted.

Title 52, Chapter 4 — Open and Public Meetings Act

Second in practical importance only to the land use act. Most of what can go wrong procedurally goes wrong here.

Citation	Subject	Why it matters to you
§ 52-4-103	What is a “meeting”	Narrower than most people assume. Worth reading alongside §§ 52-4-208 and -210.
§ 52-4-104	Annual training	Required every year. The duty to see that it happens rests on the presiding officer.
§§ 52-4-201, -202	Open meetings and notice	Including the rule that no final action may be taken on a matter not on the noticed agenda.
§ 52-4-203	Minutes and recordings	The minutes must record each vote by individual member.
§§ 52-4-204, -205	Closed meetings	The grounds are narrow. For this body, realistically only pending litigation or a property transaction.
§ 52-4-207	Electronic participation	Read with Grand County Resolution 2944.
§§ 52-4-208, -210	Predetermination	A quorum may not act together outside a meeting to predetermine an action. A message to another member when the body is not convened is not itself a violation.
§ 52-4-302	Consequences	Action taken in violation is voidable, and a court may award the prevailing plaintiff attorney fees.

Other state law

Citation	Subject	Why it matters to you
Title 17, ch. 70, pt. 5	County officer disclosure duties	§§ 17-70-501 to -511, formerly Title 17, ch. 16a. The county conflict-of-interest statute.
Title 20A, ch. 11, pt. 12	Political Activities of Public Entities Act	Using public funds for a political purpose is a cause for removal.
Title 63G, ch. 2	GRAMA	Correspondence about county business is a public record, including from a personal account.
Title 11, ch. 36a	Impact Fees Act	Governs the impact fee facilities plan and its periodic review.
Title 13, ch. 43	Property Rights Ombudsman Act	An applicant may request a free advisory opinion; it can arrive mid-application.

A conflict in the state code, so it does not surprise you. Utah Code § 17-79-301(3)(a)(v)(B), a county provision, lists as a cause for removal a violation of the Municipal Officers’ and Employees’ Ethics Act, Title 10,

Chapter 3, Part 13 — a statute that by its terms governs municipal officers. The county counterpart is Title 17, Chapter 70, Part 5. The Land Use Code and the Bylaws reproduce the citation as the statute reads and note the conflict.

PART 2 — COUNTY ORDINANCES, RESOLUTIONS, AND RULES

Instrument	Subject	Why it matters to you
Land Use Code	The document used at every meeting	Article 8 (decision-making bodies), Article 9 (administration and procedures), Article 10 (definitions). Article 9 is the one to know.
Ordinance 299 (1999)	Adopted the Land Use Code	The enacting ordinance, as amended since.
Ordinance 708 (2024)	Subdivision review process	Created § 8.5 (Administrative Land Use Authority) and § 9.18 (single-family, two-family, and townhome subdivisions). See the note below.
Ordinance 462	County conflict of interest policy	Referenced in Bylaws § VI.3.
Ordinance 472 (2008)	Amending these Bylaws	The process the Planning Commission follows to recommend a bylaws amendment.
Resolution 3263 (2021)	Adopted the Planning Commission Bylaws	The Bylaws themselves are the document to read.
Resolution 2944	Electronic participation	Read with Utah Code § 52-4-207.
General Plan	Adopted by resolution, with its elements	The Planning Commission reviews it annually and recommends amendments.

Rules of procedure

- **The Planning Commission Bylaws.** Adopted by resolution rather than ordinance. The Bylaws say so themselves and state that they are advisory guidelines without the force of law, so a departure from them is not by itself a defect in a decision. That does not make them optional.
- **Robert's Rules of Order Newly Revised, 12th edition.** Adopted by the Bylaws for questions of procedure. Where the Bylaws or the Land Use Code say something different, they control and Robert's Rules yields. The Planning Department's quick reference marks the places where they differ.

PART 3 — TWO THINGS TO KNOW BEFORE YOU RELY ON THE PRINTED CODE

Ordinance 708 (2024) is not in the published Land Use Code. It was adopted December 17, 2024 and it governs, but it has not been codified. A reader of Article 9 finds the process the County replaced: there is no § 8.5 and no § 9.18 in the published Code, and the Summary of Land Use Authority still routes plats to the bodies that handled them before. Until the Code is updated, use the ordinance itself. A copy is in your packet.

Citations to Title 17, Chapter 27a are stale. Older staff reports, training materials, and parts of the Land Use Code still use the pre-2025 numbering. The substance usually carries forward; the number does not.

Where to find these

Utah Code at le.utah.gov. The Land Use Code through the eCode360 link on the County website. Ordinances and resolutions from the Clerk/Auditor, who keeps the official record. Bylaws, the General Plan, agendas, and packets from the Planning Department. Open meetings training online through the Utah State Auditor, at no cost.

Ask. None of this is a test, and no member is expected to have it memorized. If something in a staff report does not look right, or you are unsure whether a contact you had counts as ex parte, raise it with the Chair or the Planning Director before the meeting rather than after. The questions that cause trouble are the ones nobody asked.

Grand County Planning Department · 59 North 200 East, Moab, Utah 84532



AGENDA SUMMARY

Planning Commission Meeting

Date: August 24, 2026

Title: Robert's Rules of Order

Fiscal Impact:

If this submission is from the general public you will need a commission sponsor, feel free to contact the Commission Administrators Office with any questions commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners directly at commission@grandcountyutah.net

Presenter(s): Andrew Jackson, Planning and Zoning
Director

Department: Planning and Zoning

Legal Review: Not Applicable

Approved and Not Applicable
within budget?

Budget Number:

Recommended Motion:

Background:

Discussion only.

Attachments:

1. Roberts_Rules_Quick_Reference_PC 8-24-26 final

PARLIAMENTARY PROCEDURE AT A GLANCE

Grand County Planning Commission

Version 8-24-2026

Prepared for the Planning Commission by Andrew K. Jackson, AICP, CTP, Planning Director

DRAFT — not yet in effect. Passages printed in red state rules that depend on amendments to the Land Use Code and the Planning Commission Bylaws that have not been adopted, or practices that are not yet written into either document. They are accurate only once those amendments are adopted. Everything in black states current law or current practice.

Passages in green state a rule the Planning Commission's Bylaws or the Land Use Code impose that differs from what Robert's Rules would provide on its own. Where they differ, the Bylaws and the Code control, and this reference follows them.

A note before you use this. I have watched a lot of meetings go sideways over thirty-five years, and almost none of them went sideways because somebody used the wrong motion. They went sideways because the record was thin, or because nobody said out loud what the Planning Commission was actually deciding.

Robert's Rules is a default, not a higher authority. Where our bylaws, the Land Use Code, or Utah law say something different, they control and Robert's Rules yields. Everything here serves two things at once: the majority's right to act, and the minority's and the public's right to be heard. Nothing on these pages is a reason to cut off a member, or a member of the public, who is speaking in order.

Bring this document with you to meetings. If you have questions during the meeting, ask the chair; the chair may also ask me. Please don't wait until the meeting is over to ask questions about an agenda topic.

THE LIFE OF A MOTION

1. Motion	Get recognized and say "I move that..." Frame it as an action, not a preference.
2. Second	Required. Bylaws § V.12 provides that every decision is made by motion, made and seconded. A second means only that the matter is worth our time; it is not agreement, and I would not read it as one.
3. Chair states the question	"It has been moved and seconded that..." From that moment the motion belongs to the Planning Commission, not to the member who made it.
4. Debate	Confined to the pending motion. The maker speaks first if he or she wants to. On a board our size you may speak as often as you need to, except on an appeal.
5. Vote	Utah Code § 52-4-203(2)(a)(iv) requires the minutes to record each vote by individual member, so Lisa has to write down how every one of you voted. Bylaws § V.12 makes a roll call mandatory on any recommendation or action concerning a land use application, a land use regulation, the General Plan, or an amendment to any of them; otherwise the default is a voice vote, and Lisa may ask the chair for a roll call whenever one is unclear. On a roll call, she reads the names and each of you answers aloud — "Avery." "Aye." "Morgan." "Nay." "JVar." "Abstain." — and she gives the tally to the chair. Answer with the word, not a nod; a nod does not make it into the minutes.
6. Chair announces the result	The chair states the summary: "The motion carried with Avery, Jordan, Taylor, and El-Don voting in favor, Morgan and Cameron voting opposed, and JVar abstaining." Until the chair announces it a member may still change a vote. After that, nothing is done until the chair says it is.

How our size changes things. Robert's Rules eases up for boards of about a dozen members or fewer (RONR 12th ed. § 49:21). We can discuss a matter informally before a motion is on the floor, nobody has to stand or wait to be formally recognized, a member may speak more than twice, and the chair may make motions, join the debate, and vote on everything without stepping down. Robert's Rules would not require a second on a board this size, but Bylaws § V.12 does, and the Bylaws control. One footnote worth knowing: once debate has started, or once anyone has voted, a missing second no longer matters, and a point of order about it comes too late.

Our size does not excuse a vague motion. Informality in the discussion, precision in the motion.

QUORUM, VOTES, AND RECUSAL

Quorum

- Utah Code § 52-4-103(9) sets a quorum at a simple majority of the membership of a public body unless applicable law defines it otherwise. For us, the Land Use Code is the only document that can define it otherwise. The bylaws cannot — they are advisory guidelines and are not adopted by ordinance.
- Pending.** We are amending Land Use Code § 8.1.3 and the bylaws to set quorum and the vote threshold at a majority of the appointed regular members, and to confirm that liaison members neither count toward quorum nor vote. Until those are adopted, the existing provisions govern.
- Without a quorum, we can do three things: recess, adjourn, or fix a time to reconvene. That is the whole list.
- The quorum has to be present when the vote is taken, not just at roll call. If members leave, the chair should confirm the count before the next vote.

What counts as a majority

Once the amendments are in place, a motion passes only if a majority of all appointed regular members vote yes. That number does not move with attendance — seven appointed means four yes votes, every time. Robert's Rules would count only the votes actually cast, so three yes against two no would carry. Under our rule it does not.

Appointed regular members	Quorum	Yes votes to act	If only a bare quorum shows up
7	4	4	All four present must vote yes.
6	4	4	All four present must vote yes.
5	3	3	All three present must vote yes.
4	3	3	All three present must vote yes.

Read the last column carefully. Because quorum and the vote threshold are the same number at every size, a meeting attended by a bare quorum can act only unanimously. One no vote, one abstention, or one recusal at that table and the motion fails no matter how meritorious it is.

- Under that rule, an abstention, an absence, and a recusal all do the same work as a no vote. Each withholds the vote the motion needs.
- A tie fails. And a failed motion to recommend approval is not a recommendation of denial — it is no recommendation at all, and the file goes forward with that record unless somebody makes a different motion that carries.
- Two-thirds means two-thirds of the members voting, and it applies only where the table marks it: closing debate, limiting debate, suspending the rules.

Run the arithmetic when seats are vacant. Say two seats are open and only five regular members are appointed. Quorum is three, and action takes three affirmative votes — a majority of the five appointed, not a majority of the seven seats. That is why the threshold is tied to appointed members rather than authorized seats: a vacancy should not paralyze the Planning Commission while the appointing authority works through it. If we measured against the seven seats, five appointed members would need four yes votes on everything, with no room for a single absence, abstention, or recusal.

- Three of you present is a bare quorum, and every one of the three has to vote yes for anything to carry. One recusal at that table and approval becomes arithmetically impossible. Say so on the record and continue the item rather than taking a vote that could never have passed.
- Four present with one abstention leaves three votes cast, and all three still have to be yes.
- Five present is the first point at which the Planning Commission has any margin: three yes carries, and two members cannot block it.
- The denominator changes the day a seat is filled or vacated. When a recommendation looks close, confirm the count of appointed regular members before the vote, not after.

Recusal and conflicts

- State the conflict on the record, step away from the table, and do not participate or vote. Sitting quietly through the debate is not recusal.
- Abstention is not a substitute for recusal, and recusal is not a way to duck a hard vote. If you can lawfully vote, vote.

- **Bylaws § VI.3 goes further than stepping away from the table.** A member with a conflict may not attempt to influence other members or staff outside the meeting either.
- **Do the arithmetic out loud.** With a threshold of a majority of appointed members, one or two recusals can make approval impossible even with a quorum in the room. When that happens, say so on the record and consider continuing the item. I would rather continue an application than let it die on a vote that could never have carried.

Ex parte contact and predetermination

- **What “ex parte” means.** From one party, or on one side only — a communication the other side is not present for and has no chance to answer. That is the whole problem, and it is why disclosure cures most of it: once it is on the record, the other side can respond.
- **Talking to Planning Department staff is not ex parte.** Bylaws § VI.4(e). Staff are not a party to an application and are not an Interested Party, so asking them a factual, technical, or procedural question about any matter before us is not an ex parte communication and does not have to be disclosed. Route those questions to the Planning Director before the meeting.
- **If someone contacts you outside the meeting about the merits of a pending application, disclose it on the record before you participate: who, when, and what was said. Disclose and participate. Do not conceal and vote. I have never seen anyone get in trouble for disclosing.**
- **Predetermination is the prohibited act.** Utah Code § 52-4-208 has four elements, and every one of them has to be present:
 - individuals who together make a quorum,
 - acting together outside a meeting,
 - in a concerted and deliberate way,
 - to predetermine an action the Planning Commission will take.
- Writing to one another is not the violation. Agreeing in advance how the Planning Commission will vote is.
- Utah Code § 52-4-210 states the other half plainly: nothing in the Act restricts a member from sending an electronic message to other members when we are not convened. One informational email is not a violation. A coordinated exchange among a quorum that settles how the vote will go is.
- Know what it costs. Final action taken in violation of § 52-4-208 is voidable under § 52-4-302, and it is the one open-meetings violation for which a court may award the prevailing plaintiff attorney fees and costs.
- Robert’s Rules arrives at the same place from the other direction: approval of a proposal obtained separately from every member, by telephone or in writing, is not the approval of the board (§ 49:16). It has to happen in the meeting.
- **Bylaws § VI.5 is stricter than the statute and says so.** It bars deliberating on a pending matter outside a public meeting and bars soliciting or conveying another member’s position, whether directly or through staff or a third party. Follow the Bylaws.

Agenda discipline

- The public may raise a topic that is not on the agenda, and we may discuss it. We may not take final action on it unless it is listed under an agenda item and was included in the advance notice (Utah Code § 52-4-202(6)(b)-(c)).
- Agenda items have to carry reasonable specificity. “Other business” does not support an action, and I will not include it.
- **We do not conduct pre-application review.** Bylaws § V.19 limits us to proposals the Planning Department has accepted as complete. Pre-application and concept review are the applicant’s option and happen administratively under Land Use Code § 9.18.3. A comment any of us makes about a proposal that is not before us binds nobody and may not be relied on.
- **Amendments to a pending application arrive on a clock.** Bylaws § V.18 requires a written request at least 14 days before the meeting. If one comes in later, staff reports it orally, and we decide whether it needs reexamination — and we may continue the item rather than proceed.

Closed meetings

- A closed session takes an open, noticed meeting with a quorum, a two-thirds vote of the members present, and one of the purposes listed in Utah Code § 52-4-205. For this Planning Commission, that realistically means pending or reasonably imminent litigation, or a property transaction. Nothing else.

- The reason, the location, and each member's vote by name go into the open-meeting minutes. No vote may be taken in the closed portion except the vote to return to open session, and no ordinance, resolution, contract, or appointment may be approved there (§ 52-4-204).

PUBLIC COMMENT

The limit: three minutes is the maximum for spoken comment, whether given in person or by real-time telecommunication (Bylaws § V.14), and written comment should not exceed 400 words (Bylaws § V.8). Hold everyone to the same limits. It runs on the clock and the word count, never on the viewpoint, and a chair who stretches it for one side has handed the other side an issue.

Written comment: Written comment goes to the Planning Department, not to us, and it must arrive by 5:00 p.m. on the Wednesday before the meeting to make the packet that goes out Friday (Bylaws §§ V.7(a), V.8). Nothing written is ever read aloud or summarized at the meeting, whether it reached one of us or all of us. You read it yourself, in the packet, before you deliberate. A comment that sits in the record but that no member has actually read is a problem you cannot fix after the vote.

Comment sent to you directly: Bylaws § V.8 provides that material sent to individual members is not considered. That does not mean it gets read aloud instead — it means it is not before the Planning Commission at all. Forward it to the Planning Department so it can be handled like any other comment, and do not rely on it in your deliberation until it is.

Late comment: a comment that arrives after the Wednesday deadline does not make the packet. If the submitter wants it on the record, it still goes on the record, and staff will say so when the item comes up. The submitter may also use their three minutes at the hearing to read it aloud.

LANGUAGE FROM THE CHAIR

Opening an item: "The next item is [item]. I'll ask staff for the report, then the applicant, then I'll open the public hearing."

Public hearing: "The public hearing is open. Please state your name and address for the record. Comments are limited to three minutes. ... Seeing no one further, the public hearing is closed."

Calling for a motion: "The matter is before the Planning Commission. Is there a motion?"

Stating the question: "It has been moved by Commissioner [name] and seconded by Commissioner [name] that [restate the motion in full]. Is there discussion?"

Taking the vote: "Seeing no further discussion, I'll ask the clerk to call the roll."

Announcing a failed motion: "The motion failed. The item remains before the Planning Commission — is there another motion?" Name the votes the same way you would on a motion that carried.

Restoring order: "Commissioner, I'd ask you to hold that until the motion is before us," or "We're on the amendment, not the main motion."

TWELVE THINGS I HAVE SEEN

1. **"Let's table it."** Almost every time I have heard it, the member meant postpone to a date certain. Laying a matter on the table is a device for interrupting business to handle something urgent, and it is not debatable. Postponing is debatable, is amendable, and sets a real return date. Use the right one.
2. **"I call the question."** Not a magic phrase, and it does not end debate by itself. It is a motion, it needs a second, it is not debatable, and it takes two-thirds. If someone calls it out during another member's remarks, let the speaker finish.
3. **"Friendly amendment."** There is no such thing once the chair has stated the question. The motion belongs to the Planning Commission at that point. Changing it takes unanimous consent or a formal amendment. The maker's blessing alone is not enough.
4. **Denying without findings.** If we cannot name the standard the application fails, we do not have a decision. We have an opinion. Findings are the record.
5. **Abstaining to avoid discomfort.** An abstention is not neutral under a majority-of-members threshold. It counts against the motion. Recuse for a conflict, otherwise vote.

- 163 6. **Treating silence as consent.** If nobody speaks, the chair still states the question and takes the vote. Nothing is
164 adopted by the absence of objection unless the chair asks for unanimous consent and hears none.
- 165 7. **Debating before there is a motion.** Our size permits informal discussion and it is often useful, but it drifts. When the
166 discussion starts circling, the chair should ask for a motion so the debate has something to attach to.
- 167 8. **Debating the applicant instead of the application.** Deliberation is confined to the standards in the Land Use Code and
168 the record in front of us. Personal history, rumor, and what a neighbor said in the parking lot are not in that record.
- 169 9. **Reopening public comment during deliberation.** Once the chair closes the public hearing, we deliberate. Comment
170 reopens only if the Planning Commission votes to reopen it, and questions to the applicant go through the chair.
- 171 10. **Closing the hearing by motion.** Not required. The chair opens and closes the hearing. Moving to close it is harmless if
172 that is our habit, but it is not a Robert's Rules requirement and it should never delay the close.
- 173 11. **Negative main motions.** "I move to deny" is permissible but makes a confusing record, because a failed motion to
174 deny is not an approval. Make the affirmative motion and let it fail if that is the will of the Planning Commission, then
175 follow with a motion to deny with findings.
- 176 12. **Confusing a recommendation with a decision.** The Planning Commission has no legislative powers. On general plan
177 matters, code amendments, rezones, and every other legislative question, our authority is to recommend to the
178 County Commission, and the County Commission decides. Say "recommend approval," not "approve."
179

MOTIONS TABLE

Motion	What it does / when to use it	Second?	Debate?	Amend?	Vote needed
Main motion	Brings a matter before us. Only one is pending at a time.	Yes	Yes	Yes	Majority
Amend	Changes the wording of the pending motion. Has to be germane to it.	Yes	Yes	Yes (one further)	Majority
Substitute motion	Replaces the pending main motion wholesale. Technically an amendment. Vote first on whether to substitute, then on the substituted motion.	Yes	Yes	Yes	Majority
Divide the question	Splits a multi-part motion so we vote on each part separately.	Yes	No	Yes	Majority
Refer / send back to staff	Sends the item back to staff for more work. Say what you want done and when you want it back.	Yes	Yes	Yes	Majority
Postpone to a certain time (continue)	Carries the item to a fixed date. This is the right motion for a land use continuance.	Yes	Yes	Yes	Majority
Postpone indefinitely	Kills the matter without a direct vote on its merits. Rarely appropriate on an application the County has to act on.	Yes	Yes	No	Majority
Lay on the table	Sets an item aside briefly to handle something urgent. Not a way to kill or defer an item.	Yes	No	No	Majority
Previous question ("call the question")	Ends debate and goes straight to the vote.	Yes	No	No	Two-thirds
Limit or extend debate	Sets or lifts a time limit on discussion.	Yes	No	Yes	Two-thirds
Recess	A short break. We resume at the stated time.	Yes	No	Yes	Majority
Adjourn	Ends the meeting.	Yes	No	No	Majority
Point of order	"We are off the rails procedurally." Raise it when it happens, not afterward.	No	No	No	Chair rules
Appeal the ruling of the chair	Puts my procedural ruling to the body. Debatable, except on decorum, the rules of speaking, or priority of business, or when an undebatable motion is pending.	Yes	Usually	No	Majority sustains the chair; a tie sustains
Parliamentary inquiry / request for information	A question about procedure, or a request for facts from the chair or staff. Not a motion. The 12th edition renamed the old "point of information."	No	No	No	—
Division of the assembly	Anyone who doubts a voice vote may call out "Division," which forces a rising or roll call vote. Not the same thing as dividing the question.	No	No	No	One member's demand; no vote
Withdraw a motion	The maker asks to pull it back after the chair has stated it.	No	No	No	Unanimous consent; otherwise majority
Reconsider	Reopens a vote taken earlier in the same meeting. Only a member who voted on the prevailing side may move it.	Yes	Yes	No	Majority
Rescind or amend something previously adopted	Undoes or changes an action from an earlier meeting. Do not use it to revisit a recommendation the Planning Commission has already transmitted and the County Commission has acted on.	Yes	Yes	Yes	Two-thirds; or a majority with prior notice; or a majority of the entire membership
Suspend the rules	Sets aside a rule of procedure for one purpose. Cannot suspend the bylaws, the Land Use Code, or state law.	Yes	No	No	Two-thirds (Bylaws § VIII.2 as amended)

Precedence. While a motion is pending, only a motion higher on this ladder may be made. Highest to lowest: adjourn → recess → question of privilege → lay on the table → previous question → limit debate → postpone to a certain time → refer → amend → postpone indefinitely → the main motion. Points of order, parliamentary inquiries, and appeals may be raised at any time.

MOTIONS THAT HOLD UP

Land use motions fail on review because of what they leave out, not because of parliamentary form. Say what action we are taking, on what application, and on what basis. Do that and you have done the job.

Recommendation to the County Commission

"I move that the Planning Commission forward a recommendation of approval of [application / ordinance] to the Grand County Commission, based on the findings of fact set out in the staff report dated [date]."

We recommend; the County Commission acts. Land Use Code § 8.1.1 creates this Planning Commission as an advisory board, § 8.1.2 as amended states that we are not the land use authority for any application, and the Summary of Land Use Authority at § 9.1.5 assigns every application type to the County Commission, the Zoning Administrator, the Hearing Officer, or the Building Official.

Recommendation of denial

"I move that the Planning Commission forward a recommendation of denial of [application], based on the following findings: [state each one]."

Denial without findings on the record is the single most common reason a land use decision is reversed. If the findings are not in the staff report, speak them into the minutes before the vote.

Recommendation of approval with conditions

"I move that the Planning Commission forward a recommendation of approval of [application] to the Grand County Commission, subject to the conditions listed in the staff report, with the following modification: [state it]."

We do not approve anything, so a condition travels with the recommendation rather than attaching to an approval of ours. Each condition has to be tied to a standard in the Land Use Code or to an identified impact of the application; "I'd like them to..." is not a condition. Bylaws § V.12: any condition must be stated in the motion, though the motion may adopt the conditions in the staff report by reference.

Continuance

"I move to continue [item] to the regular meeting of [date], and to direct staff to [specific task]."

Continue to a date certain. A continuance to no particular date leaves the applicant with no record of when the matter comes back, and that is a fairness problem before it is a procedural one.

Directing staff

"I move to direct staff to prepare [a resolution / an ordinance] implementing [the changes discussed], and to notice a public hearing for [date]."

Under Utah Code § 52-4-202(6)(c) the item has to be on the agenda and in the advance notice before we can take final action. A discussion-only item can be discussed. It cannot carry an action.

Amending a motion on the floor

"I move to amend the motion by [adding / striking / replacing] [exact words]."

State the words, not the intent. The chair restates the amendment, we debate and vote on the amendment, then debate and vote on the motion as amended.

Where the rules come from

In order of authority: Utah Code Title 17, Chapter 79 (County Land Use, Development, and Management Act) and the Open and Public Meetings Act, Utah Code Title 52, Chapter 4 (particularly §§ 52-4-103(5), 52-4-202, 52-4-203, 52-4-204, 52-4-208, and 52-4-210) → the Grand County Land Use Code, including § 8.1 → the Planning Commission Bylaws → Robert's Rules of Order Newly Revised (12th ed.). The bylaws are advisory guidelines and are not adopted by ordinance. They create no rights in an applicant, and a departure from them is not by itself a defect in a land use decision. The statutes and the Land Use Code are a different matter entirely.

Andrew K. Jackson, AICP, CTP

Planning Director, Grand County

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AGENDA SUMMARY

Planning Commission Meeting

Date: August 24, 2026

Title: Synchronizing the Future Land Use Plan
and Land Use Code

If this submission is from the general public you will need a commission sponsor,
feel free to contact the Commission Administrators Office with any questions
commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners
directly at commission@grandcountyutah.net

Fiscal Impact:

Presenter(s):
Legal Review: Not Applicable

Department: Planning and Zoning
Approved and Not Applicable
within budget?
Budget Number:

Recommended Motion:

Background:
Discussion only

Attachments:
None



AGENDA SUMMARY

Planning Commission Meeting

Date: August 24, 2026

Title: Land Use Code Section 8 — Workshop

Fiscal Impact:

If this submission is from the general public you will need a commission sponsor, feel free to contact the Commission Administrators Office with any questions commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners directly at commission@grandcountyutah.net

Presenter(s):

Legal Review:

Department: Planning and Zoning

Approved and
within budget?

Budget Number:

Recommended Motion:

Background:

Attachments:

1. LUC_8_1_Redline_8-12-2026 final
2. Consolidated_Change_Register_8-12-2026 final

REDLINE — Grand County Land Use Code

§ 8.1 Planning and Zoning Commission (complete subsection)

Conforming amendments for the 2025 Title 17 recodification, consistency with the Bylaws, and the removal/recusal requirements of Utah Code § 17-79-301 (S.B. 284, eff. 5/6/2026)

Version 8-24-2026

Legend: ~~strikethrough text~~ = deleted; underlined text = added. Green text = Round 2 amendments, Version 8-24-2026; green underline = added, green strikethrough = deleted.

Compliance note. *Utah Code § 17-79-301(3)(a), effective May 6, 2026, requires the ordinance establishing the Planning Commission to state the causes for removing a member, including three specified grounds, to provide that deliberating on a pending application in a meeting is not cause for removal, and to state when a member must recuse. The additions to § 8.1.3 are required, not optional. The ethics cross-reference and the word “municipal” in the safe harbor are reproduced as the statute reads.*

§ 8.1. PLANNING AND ZONING COMMISSION.

§ 8.1.1. Planning and Zoning Commission Created.

There is hereby created an advisory board known as the Planning and Zoning Commission (“Planning Commission” ~~or “Commission”~~).

~~§ 8.1.2. Land Use Authority.~~ § 8.1.2. Advisory Role; No Land Use or Legislative Authority.

~~The Planning Commission is hereby designated as the land use authority for purposes of performing the powers and duties described in this section. The Planning Commission is an advisory body. It is not the land use authority for any land use application. The Planning Commission has no legislative authority. As to the General Plan, amendments to the General Plan, and amendments to this Code, the Planning Commission reviews and makes recommendations to the County Commission, which alone may enact. The Planning Commission acts as the land use authority only as to those specific applications this Code assigns to it, and not as to an application this Code assigns to another land use authority, including the Administrative Land Use Authority designated in § 8.5. A decision of the Planning Commission acting as the land use authority is an administrative act. Land use authority for each application type is assigned in § 9.1.5 and § 8.5. The Summary of Land Use Authority at § 9.1.5 assigns no application type to the Planning Commission.~~

[Only the County Commission may enact a land use regulation, Utah Code § 17-79-501(1). A land use decision is an administrative act, § 17-79-801(3).]

§ 8.1.3. Organization.

- A. Number and Appointment. The Planning Commission shall consist of 7 members who shall be appointed by the County Commission. In addition to the 7 regular members, the County Commission may choose to appoint ~~one (1) or more non-voting~~ one (1) or two (2) non-voting, ex-officio liaison members of the County Commission to serve as ~~a liaison~~ liaisons between the County Commission and the Planning Commission. A liaison member does not count toward a quorum, may not deliberate, and may not vote. County Commission members may not serve as regular members of the Planning Commission.
- B. Term of Office.
 1. The term of office for regular Planning Commission members shall be staggered so that the terms of at least one (1) member and no more than three (3) members expire each

year. As the term of each regular member expires, the vacancy thus created shall be filled by a majority vote of the County Commission for a term of 4 years, so as to maintain the succession of staggered terms of service. Notwithstanding the four-year term required by this Subsection, the County Commission may appoint one or more members to an initial term of less than or more than four years when necessary to establish or restore the succession of staggered terms required by this Subsection. Upon the first expiration of a regular member's term following the effective date of this ordinance, the County Commission shall appoint for a corrective term of other than four years as necessary to restore the succession of staggered terms required by this Subsection, so that at least one and no more than three terms expire in each calendar year.

[Two terms expire at the end of 2027, two at the end of 2028, and three at the end of 2029. No term expires at the end of 2030, so the schedule does not meet the requirement that at least one expire each year. One appointment of other than four years restores the stagger. That appointment is the County Commission's to make.]

2. Terms of all regular members begin on January 1st and expire on December 31st of the 4th year following appointment. County staff shall notify the County Commission of each expiring term no later than September 1 of the year in which the term expires. If the County Commission has not appointed a new member(s) to the Planning Commission at the expiration of the term, the current Planning Commission member(s) will remain on the Planning Commission, if the Planning Commission member(s) whose term(s) is expiring expresses in writing their desire to remain on the Planning Commission until replaced by appointment of the County Commission.
3. ~~The ex-officio~~ A liaison member shall be elected by the County Commission and shall continue to serve until replaced by appointment of the County Commission. The term of office for ~~the ex-officio~~ a liaison member shall not extend beyond that member's term as a member of the County Commission.
4. If a vacancy occurs other than by expiration of term, the County Commission by majority vote shall appoint a new member to fill the unexpired term.
5. Planning Commission members may be removed for cause from office by 2/3 vote of the County Commission prior to the expiration of the appointed term, in accordance with the causes and procedures in Subsection F.

C. Method of Appointment.

1. County staff shall publish notice of Planning Commission vacancies in accordance with state statutes and local ordinances and policies. The published notice shall list the number of vacancies, general requirements for service, and an application due date.
2. All statements of interest and qualifications received shall promptly be referred to the Planning Commission for consideration and recommendation.
3. The Planning Commission shall interview candidates and make recommendations to the County in accordance with adopted County policy at a regular meeting or at a special meeting scheduled for this purpose.

D. Qualifications. Each Planning Commission member shall be a resident and a registered voter of

Grand County for at least 2 years prior to serving on the Planning Commission.

- E. Officers and Procedures. The Chair and Vice-chair shall be elected annually as the ~~last~~first item of business at the first regular meeting of ~~the year after the County Commission appoints vacant seats each calendar year. Their term shall start the meeting following the election. Their term shall start immediately after the election. If a regular member's term expired at the end of the preceding calendar year and the County Commission has not yet appointed a member to that term, the election shall be postponed to the first regular meeting after the appointment is made and the appointee is seated. The incumbent Chair and Vice-chair continue to serve until their successors are elected. If the election is postponed under this subsection and the incumbent Chair or Vice-chair is no longer serving as a member of the Planning Commission, the remaining members shall elect a Chair pro tempore or Vice-chair pro tempore, as needed, at the first regular meeting of the calendar year. A member elected pro tempore holds the office and exercises its full authority until the postponed election is held.~~

[Matches Bylaws § III.2(a). The old language called for an election only after the County Commission filled vacant seats. In a year with no appointments the condition never occurs, no election is required, and the sitting officers continue. The election is now annual.]

1. The ~~Chairman~~Chairperson shall preside over meetings. In the event a question over procedures arises, Robert's Rules of Order shall prevail.
2. The Planning Commission shall create and fill other offices as it deems necessary.
3. The recording of minutes of all Planning Commission meetings shall be the responsibility of the ~~County~~County, through the Planning Department staff.
4. A majority of the appointed regular members of the Planning Commission shall constitute a quorum to do business, and the affirmative vote of ~~at least 4 of the members in attendance~~a majority of the appointed regular members shall be necessary to pass any motion.

[The vote threshold now matches the quorum. Four affirmative votes were required no matter how many members were appointed, so a Planning Commission with fewer than seven seats filled could convene but could not act. Bylaws §§ V.11 and V.16 match this subsection.]

5. The Planning Commission may establish additional rules and procedures to govern its operation.
6. Regular Planning Commission meetings shall be twice a month unless there are mitigating circumstances, such as a lack of quorum, lack of items to be discussed, holidays, or other circumstances. All meetings shall be public and shall abide by the open meeting law according to state statutes.
7. Failure of any appointed member to attend 3 unexcused consecutive meetings of the Planning Commission may be cause for written notification that his/her position will be vacated.
8. Any officer elected by the Planning Commission may be removed by two-thirds (2/3) vote of the total membership when, in its judgment, the best interest of the program will be served.

9. Members and the public may participate in Planning Commission meetings by real-time electronic means as provided by Utah Code § 52-4-207 and the current Ordinances and Policies established by the County Commission, including Grand County Resolution 2944. A member participating by real-time electronic means counts toward the quorum and may participate and vote.

[New. Matches Bylaws §§ V.15 through V.17 on electronic participation and voting.]

F. Removal and Recusal. This subsection is adopted to satisfy Utah Code § 17-79-301(3)(a).

1. Removal authority and procedure. A Planning Commission member may be removed from the Planning Commission for cause by a two-thirds (2/3) vote of the County Commission prior to the expiration of the appointed term. Before removal, the member shall be given written notice of the cause and an opportunity to respond.
2. Causes for removal. The causes for which a member may be removed include:
 - a. using public funds for a political purpose under Title 20A, Chapter 11, Part 12, Political Activities of Public Entities Act;
 - b. violating a provision of **Title 10, Chapter 3, Part 13, Municipal Officers' and Employees' Ethics Act**; and
 - c. acting with the intent to influence a land use decision or an appeal of a pending land use application in a manner that creates actual impermissible bias, or an unacceptable risk of impermissible bias, in the member's administrative or quasi-judicial duties.

*[Causes required by § 17-79-301(3)(a)(v). Conflict in state code: Subsection (3)(a)(v)(B) is a county provision, but it points to **Title 10, Chapter 3, Part 13, the Municipal Officers' and Employees' Ethics Act**, which by its terms governs municipal officers and employees. The county counterpart is Title 17, Chapter 70, Part 5, Disclosure Duties Applicable to All County Officers, §§ 17-70-501 through 17-70-511, formerly Title 17, Chapter 16a. The municipal citation appears above as the statute reads. Bylaws § VII.3 carries the same note.]*

3. Deliberation not cause for removal. A member deliberating about a specific pending land use application in a Planning Commission meeting with County staff, an elected official, or the land use applicant is not cause for removing the member from the Planning Commission.

*[Safe harbor required by § 17-79-301(3)(a)(vi). The county section reads "**municipal staff**". "County staff" is used here as the evident intent.]*

4. Recusal. A member shall recuse himself or herself from participating in, commenting on, or voting on a land use application when the member has a conflict of interest under the County Officers and Employees ethics provisions or Grand County Ordinance 462, when the member has a personal or financial interest in the application, or when the member's participation would create actual impermissible bias or an unacceptable risk of impermissible bias in an administrative or quasi-judicial matter.

[Recusal required by § 17-79-301(3)(a)(vii). Written to the broader standard in Bylaws § VI.3: participating in, commenting on, or voting on.]

§ 8.1.4. Powers and Duties.

The Planning Commission shall have the following powers and duties:

- A. To recommend the boundaries of the various zoning districts and appropriate regulations to be enforced therein under this Code consistent with the policy guidance of the General Plan and the laws of the State of Utah to the County Commission and to recommend approval or denial of zoning changes and regulations under this Code;
- B. ~~To hear, recommend or determine any matter~~To hear and recommend on any matter relating to zoning, planning or subdivision control as they may be specified or required under this Code or applicable laws of the State of Utah;
- C. To make and recommend a General Plan for the physical development of the County subject to the approval of the County Commission, which in the Planning Commission's judgment bears

relation to the planning of Grand County (~~Title 17-27-204 of the Utah Code~~Utah Code § 17-79-403);

[Citation updated for the 2025 recodification. Section 17-79-403, General Plan Preparation, carries forward former § 17-27a-403 and governs the Planning Commission's preparation and recommendation of the General Plan. Section 17-79-401 requires the plan and places that duty on the County. Section 17-79-404 covers the public hearing and transmittal to the legislative body.]

- D. To conduct an annual review of the Grand County General Plan for the purpose of determining what is important to the community and whether or not amendments should be considered; and
- E. To review and make a recommendation to the County Commission on an appropriate delegation of power to at least one designated land use authority to hear and act on a land use application, and on an appropriate delegation of power to at least one appeal authority to hear and act on an appeal from a decision of a land use authority;
- F. To review and make a recommendation to the County Commission on application processes, which may include a designation of routine land use matters that, upon application and proper notice, will receive informal streamlined review and action if the application is uncontested, and which shall protect the right of each land use applicant and adversely affected party to require formal consideration of any application by a land use authority and to appeal a land use authority's decision to a separate appeal authority; and
- ~~E.G.~~To exercise the duties and powers as may be now or hereafter conferred by this Code and the applicable laws of the State of Utah.

Before making a recommendation to the County Commission on the General Plan, an amendment to the General Plan, or a land use regulation, the Planning Commission shall hold a public hearing as required by Utah Code § 17-79-302(2).

RELATED AMENDMENTS OUTSIDE § 8.1

§ 8.2.4. Hearing Officer — Conforming Citation Amendments.

The following citation amendments to § 8.2.4 are made by this ordinance so that the recodification

citations throughout the Land Use Code are corrected in a single action. No substantive change to § 8.2.4 is intended or made, and the text of § 8.2.4 is otherwise unchanged. Wherever they appear in § 8.2.4:

- A. ~~Utah Code § 17-27a-701~~ [Utah Code § 17-79-1001](#); and
- B. ~~Utah Code § 17-27a-702~~ [Utah Code § 17-79-1002](#).

[Former § 17-27a-701, Appeal Authority Required, is now § 17-79-1001. Former § 17-27a-702, Variances, is now § 17-79-1002.]

§ 9.18.8. Appeals — Conforming Citation Amendment.

Section 9.18.8, adopted by Ordinance No. 708 (2024), cites a section of the Utah Code that has been renumbered. In § 9.18.8(A):

- A. ~~Utah Code 17-27a-507(5)(d)~~ [Utah Code § 17-79-812\(4\)\(d\)](#).

[Former § 17-27a-507 is now § 17-79-812, Exactions. The engineer appeal panel moved from Subsection (5)(d) to (4)(d) when the water exaction provisions were pulled out of that section and re-enacted as § 17-79-813. A second municipal and county conflict appears here: § 17-79-812(4)(d)(i) and (ii) are county provisions but refer to appealing a “municipal requirement” and a “municipal specification”.]

§ 10.2. Definitions — Land Use Authority.

The Article 10 definition of “Land Use Authority” is deleted and replaced with the following: “Land Use Authority. A person, board, commission, agency, or body, including the County Commission, designated by the County Commission to act upon a land use application; or, if the County Commission has not designated a person, board, commission, agency, or body, the County Commission. Land use authority for each application type is assigned in § 9.1.5 and § 8.5.”

[The existing definition reads “The Grand County Planning Commission serving in the roles prescribed in Utah Code 17-27a-103.” It names the Planning Commission as the land use authority, which contradicts § 9.1.5, and cites a section that no longer exists after the 2025 recodification; the definitions section is now § 17-79-102. The replacement tracks the statutory definition, including the provision that where no designation has been made the legislative body is itself the land use authority.]

§ 9.1.5. Summary of Land Use Authority — Conforming Amendment.

The following entry is added to the Summary of Land Use Authority: Preliminary and Final Subdivision Applications under § 9.18 (single-family, two-family, townhome) — Administrative Land Use Authority (Planning Director) — §§ 8.5, 9.18. The following sentence is added following the table: “Where § 9.18 applies to a subdivision application, §§ 8.5 and 9.18 govern and control over the Preliminary Plat and Final Plat entries above.”

[Ordinance 708 (2024) created § 8.5 and § 9.18 but the summary table was never conformed. It still directs preliminary plats to the Zoning Administrator and final plats to the County Commission.]

§ 8.3(A). Zoning Administrator — Conforming Cross-Reference Amendment.

In § 8.3(A), the reference to “Section 9.18, Zoning development permits” is deleted and replaced with a citation to the section of this Code that governs zoning development permits.

[The cross-reference is presently broken: no section of the published Code governs zoning development permits at § 9.18. Once the subdivision provisions of Ordinance 708 are codified at § 9.18, the reference will point to the subdivision chapter, which is worse than a dangling citation because it will appear correct.]

§ 7.3.2. Street Layout — Conforming Amendment.

In the opening clause of § 7.3.2, “the Planning Commission” is deleted and replaced with “the County Engineer,” so that the clause reads: “Unless otherwise approved by the County Engineer, provisions shall be made for the extension of streets and in accordance with the requirements of the Grand County Transportation Plan and Grand County Construction Standards.”

[This is the only provision of the Land Use Code that gives the Planning Commission an approval. It appears in the street standards rather than in the procedures article and is not reflected in § 9.1.5. The subject is engineering, and § 7.3.1 already routes street construction materials to the County Engineer and Road Supervisor.]

References to “the Commission” — Conforming Amendments.

In §§ 3.2.3, 4.6.2, 4.7.5, 4.9.2, 4.9.6, and 6.13.6, the unmodified term “the Commission” is replaced with “the County Commission” in each provision where the County Commission is the body intended. The term remains unmodified only where the Planning Commission is meant.

[Section 8.1.1 defines “Commission” for this Code to mean the Planning Commission, so every unmodified use elsewhere reads as the Planning Commission. Section 4.9.2 provides that “when approving or denying an ADO District application, the Commission shall consider and make findings,” one sentence after providing for approval by the County Commission; § 4.6.2 uses the identical construction for the -OAO District; and § 6.13.6(D) governs review of the impact fee facilities plan. In each the County Commission is intended.]

§ 4.9. Alternative Dwelling Overlay District — Expired.

Sections 4.9.1 through 4.9.8 expired by their own terms on November 15, 2023 under § 4.9.7. The County Commission shall determine whether those sections are repealed or carried forward with an express notation of their sunset in the text of § 4.9.1. Development standards applicable to ADO Districts approved before the sunset are preserved in either case.

[The provisions remain printed in the Code with only a code reviser’s footnote recording that no new applications for the overlay rezone will be accepted. Eight sections of substantive regulation that no longer operate sit in Article 4 with no statement in the text itself that they have lapsed.]

Codification of Ordinance 708 (2024).

Exhibit A to Ordinance No. 708 (2024) shall be transmitted for codification into Articles 8, 9, and 10 of this Code.

[Ordinance 708 was adopted December 17, 2024 to comply with S.B. 174 (2023) and H.B. 476 (2024). Its Exhibit A created § 8.5, created § 9.18, and added five definitions to Article 10. None of it appears in the published Code: Article 8 ends at § 8.4.3, Article 9 ends at § 9.17, the five definitions are absent, the phrase “Administrative Land Use Authority” appears nowhere, and the most recent ordinance credited anywhere in the Code is Ordinance 687. The ordinance governs whether or not it has been codified, but an applicant reading the Code finds the process the County replaced, and the review-cycle deadlines in § 9.18.4 run against the County. Codification is an administrative act and need not wait on adoption of this ordinance.]

CONSOLIDATED CHANGE REGISTER
PLANNING COMMISSION BYLAWS · LAND USE CODE § 8.1 AND RELATED
AMENDMENTS
PARLIAMENTARY PROCEDURE AT A GLANCE
Version 8-24-2026

PURPOSE AND HOW TO READ THIS REGISTER

This register lists every amendment proposed in the three documents before the Commission, in both rounds, with the reason for each. The Round 2 items have been merged into the redlines and are shown there in green.

Round 1 is the August 6, 2026 layer, shown in the redlines as blue underline for text added and red strikethrough for text deleted.

Round 2 is the current layer, shown in green with the same convention. In the quick reference, green marks a rule the Bylaws or the Code impose that differs from the Robert's Rules default.

Nothing in this register is itself an amendment. It is a reading aid for the workshop and the public hearing.

PART 1 — PLANNING COMMISSION BYLAWS

Round 1 — August 6, 2026

Provision	Change	Reason
Art. I	Citations changed from Utah Code 17-27a-301 and 17-27a-302 to §§ 17-79-301 and 17-79-302. Reference to Grand County Ordinance 299 (1999) deleted.	2025 Title 17 recodification. The 1999 ordinance is the Land Use Code's enacting ordinance, not a source of Commission authority.
III.2(a)	Officer election made annual and unconditional; "the year after the County Council Commission appoints vacant seats" replaced with "each calendar year."	The old trigger fails in a year with no appointments: no election is required and sitting officers continue indefinitely.
III.2(c), IV.3(a)	Written-ballot option deleted from both provisions.	A secret ballot on a public body's business is difficult to reconcile with the open meetings requirement that each member's vote be recorded.
III.2(d)	New. Officers may be removed by two-thirds of the total membership, cross-referenced to Land Use Code § 8.1.3(E)(8).	The Code carried the removal power; the Bylaws did not.
III.3(b)	Chair's agenda-setting authority cross-referenced to the new § V.6.	Conforms the two provisions that address agendas.
IV.2, IV.3	Grammar corrections; "Council" changed to "Commission."	The County Council became the County Commission.
V.3	Citizen Planner Workshop reference broadened to "other training."	Ties the requirement to the training rather than to one provider.
V.6(b)	New. Agenda-preparation meetings of the Chair, Vice-chair, and staff are not meetings or deliberations under the Open and Public Meetings Act; preparation is limited to selection, scheduling, order, and sufficiency of materials.	No quorum convenes, so the Act is not triggered. The limitation keeps the exclusion honest.
V.7(a)	Office address corrected to 59 North 200 East. Regular materials now posted to the County website; the Library copy is required only for items set for public hearing.	Conforms the Bylaws to actual practice.

Provision	Change	Reason
V.7(b)	New. Commissioners route technical questions and suspected factual errors to the Planning Director before the meeting; staff answers and issues corrections to the full Planning Commission. Drafted as two subsections and combined into one in Round 2.	Corrections reach every member rather than one, and the record shows the correction. The two halves state one obligation and read better together.
V.11, V.16	Quorum changed from four members to a majority of the appointed regular members; the vote threshold changed from four members in attendance to a majority of the appointed regular members.	A fixed four made a Commission with unfilled seats able to convene but unable to act.
V.15, V.16, V.17	Electronic participation rewritten and tied to Utah Code § 52-4-207 and Grand County Resolution 2944; a member participating electronically counts toward quorum and votes fully.	The Bylaws were silent on whether an electronic participant counts.
V.18(a)	“makes a decision” changed to “decides.”	Plain language.
V.19	New. The Commission considers a development proposal only on an application the Planning Department has accepted as complete; the Commission conducts no pre-application review; comment on a matter not before the Commission binds nobody.	Commenting on a proposal before an application exists creates prejudgment exposure on the application that follows.
VI.3	Retitled “Conflict of Interest and Recusal”; cross-referenced to Land Use Code § 8.1.3(F); recusal extended to personal or financial interest and to impermissible bias.	Conforms to Utah Code § 17-79-301(3)(a)(vii).
VI.4	Ex parte narrowed to communications with an Interested Party concerning the merits of a pending application; professional-contact carve-out added at (a); staff-inquiry carve-out added at (e); disclosure-then-participate procedure added at (f).	The old text read as a bar on any discussion of any business, which is unworkable for members who practice in the community.
VI.5	Seeking factual, technical, or procedural information declared not to be deliberation; members barred from deliberating outside a public meeting and from soliciting or conveying another member's position through staff or a third party.	Separates legitimate staff inquiry from vote-counting.
VI.6	Attendance provision cross-referenced to Land Use Code § 8.1.3(E)(7).	Removes the risk of the two documents drifting apart.
VII.3	Removal by the County Commission requires a two-thirds vote and follows the causes and procedures in Land Use Code § 8.1.3(F), with written notice and an opportunity to respond.	Utah Code § 17-79-301(3)(a) requires the establishing ordinance to state the causes. The Bylaws point to them rather than restating them.

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17 Round 2 — Version 8-24-2026

Provision	Change	Reason
V.4 (new)	New section. All meetings shall be held in compliance with the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4, including its requirements for public notice, agendas, minutes and recordings, electronic participation, and closed meetings.	The Bylaws addressed the Act only for noticing at § V.1 and for annual training at § V.3. This states the obligation as a whole. Inserting it rennumbers former §§ V.4 through V.18 as §§ V.5 through V.19; all cross-references in these documents are conformed.

Provision	Change	Reason
V.8	Written comment should not exceed 400 words; it is not read aloud or summarized; late comment is excluded from the packet but entered on the record at the submitter's request, and may be read aloud within the time allowed for spoken comment.	The limits were practice with no written authority. Framed so the word count governs the packet and does not exclude material from the record.
V.11	Quorum and voting table added, with a drafting note on the arithmetic. Operative text unchanged.	Quorum and the vote threshold resolve to the same number at every membership size, so a bare quorum can act only unanimously. The Commission should adopt that knowingly.
V.12	Minutes must record each vote by individual member; a roll call is mandatory on any land use application, land use regulation, General Plan matter, or amendment, and on the request of any member or the recording secretary.	Utah Code § 52-4-203(2)(a)(iv). On a voice vote the record depends on the secretary hearing each member distinctly.
V.14	Spoken comment limited to three minutes per person, in person or by real-time telecommunication, applied uniformly.	The section gave the Chair time control without a number.
III.2(a)	Officer terms now begin immediately after the election rather than at the following meeting. If a regular member's term expired at the end of the preceding year and the County Commission has not yet appointed to it, the election is postponed to the first regular meeting after the appointee is seated, and the incumbent officers continue to serve until successors are elected. If the election is postponed and an incumbent officer is no longer serving as a member, the remaining members elect a Chairperson or Vice-chairperson pro tempore, who holds the office with full authority until the postponed election is held.	Starting the term at the next meeting left the outgoing officers presiding over the remainder of the meeting at which they were replaced. The postponement lets members appointed for the new year vote for the officers who will preside over them, without reviving the defect that no election occurs at all in a year with no appointments. The pro tempore provision covers the case the holdover sentence cannot reach: an officer whose own term has ended and who is no longer on the Planning Commission has no office to hold over in, which would otherwise leave the body with no one authorized to preside.
VI.4(b)	The definition of ex parte communication now states the term's plain meaning: a communication from one party, or on one side only, that the other parties are not present for and have no opportunity to answer.	Members were being asked to apply a Latin term the Bylaws never translated. The added sentence explains why the rule exists, which makes it easier to apply to a situation the definition does not squarely cover.
VI.4(c), (e)	The staff carve-out is stated affirmatively: communication between a Commissioner and County Planning Department staff, or other County staff advising the Planning Commission, is not an ex parte communication, and County staff are not an Interested Party. The carve-out reaches any matter before the Planning Commission rather than only a pending application.	As drafted the carve-out covered an "inquiry... regarding an application," which left a member unsure whether a longer exchange with staff, or a question about a matter that is not yet an application, was covered. Naming the Planning Department and stating that staff are not an Interested Party removes the doubt.
VIII.2	Suspension or waiver of a rule of procedure changed from a unanimous vote of the members present to a two-thirds (2/3) vote.	Unanimity let a single member block a suspension the rest of the Planning Commission wanted, and it departed from the Robert's Rules default the Bylaws otherwise adopt at § V.10.
Throughout	Every citation to a specific section of the Land Use Code replaced with a general reference to the Land Use Code (13 places, formerly §§ 8.1.3(E)(4), (E)(7), (E)(8), 8.1.3(F), (F)(2), (F)(3), (F)(4), and 9.18.3).	The Bylaws point to the Code for quorum, removal, recusal, attendance, and pre-application review. Citing section numbers means every renumbering of the Code requires a matching amendment here. A general reference does the same work and does not go stale.

Provision	Change	Reason
II.1	New opening sentence: in these Bylaws “Planning Commission” means the Grand County Planning Commission and “County Commission” means the Grand County Commission, and neither is referred to as “the Commission” standing alone.	Makes the naming rule a stated provision rather than a drafting habit, so a later amendment does not reintroduce the ambiguity.
Throughout	Every unmodified use of “the Commission” spelled out as “the Planning Commission” (77 places). The shorthand definition formerly in § II.1 is struck.	The Bylaws referred to two different bodies and relied on a defined term to tell them apart. Spelling both out removes the ambiguity at the point of use, which is where a reader needs it. Two instances are left bare: the “County Council Commission” redline artifacts, which already read County Commission.
VI.5	Utah Code §§ 52-4-208 and 52-4-210 stated, with the § 52-4-302 attorney-fee consequence; the section's own restrictions identified as Commission practice stricter than the Act requires.	§ 52-4-208 was repealed and re-enacted in 2024 and § 52-4-210 expressly permits member-to-member messages when the body is not convened. The Bylaws should not appear to misstate the Act.

PART 2 — LAND USE CODE § 8.1 AND RELATED AMENDMENTS

Round 1 — August 6, 2026

Provision	Change	Reason
8.1.2	Statement added that the Commission has no legislative authority and that only the County Commission may enact; land use authority limited to applications the Code assigns to the Commission.	Utah Code §§ 17-79-501(1) and 17-79-801(3).
8.1.3(A)	Non-voting liaison members permitted; “ex-officio” replaced with “liaison” throughout; liaison members do not count toward quorum and may not vote.	Prevents liaison members from inflating the quorum denominator.
8.1.3(B)(1)	Corrective terms of other than four years authorized to restore the stagger.	Terms currently expire two, two, and three across 2027 to 2029, leaving none in 2030.
8.1.3(B)(2)	Staff must notify the County Commission of each expiring term by September 1.	Gives the appointing authority time to act before the term lapses.
8.1.3(B)(5)	Removal cross-referenced to the causes and procedures in Subsection F.	Consolidates removal in one place.
8.1.3(E)	Officer election made annual and unconditional; “last item” corrected to “first item”; “Chairman” to “Chairperson.”	Matches Bylaws § III.2(a). The appointment trigger fails in years with no appointments.
8.1.3(E)(3)	Minutes are the responsibility of the County through the Planning Department staff.	Conforms to Bylaws § V.9 and to practice.
8.1.3(E)(4)	Vote threshold changed from four members in attendance to a majority of the appointed regular members.	Four affirmative votes were required regardless of how many seats were filled.
8.1.3(E)(9)	New. Electronic participation under Utah Code § 52-4-207 and Resolution 2944; participants count toward quorum and vote.	Matches Bylaws §§ V.15 to V.17.

Provision	Change	Reason
8.1.3(F)	New subsection: removal authority and procedure, three statutory causes for removal, the deliberation safe harbor, and recusal.	Required by Utah Code § 17-79-301(3)(a), effective May 6, 2026. Not optional. Subsection (3)(a) also requires the ordinance to define the authority of the Planning Commission and to include rules of order and procedure for use in a public meeting; § 8.1.2 as amended and § 8.1.3(E)(1) satisfy those.
8.1.4(C)	Citation corrected from Title 17-27-204 to Utah Code § 17-79-403.	Recodification. § 17-79-403 carries forward former § 17-27a-403.
8.1.4(E)-(G)	New duties to recommend delegation to a land use authority and an appeal authority and to recommend application processes; catch-all renumbered to G; closing sentence requires a public hearing before recommending on the General Plan, a General Plan amendment, or a land use regulation.	Utah Code § 17-79-302(1)(c)-(d) and (2). Both duties were missing.
8.2.4	Citations changed from §§ 17-27a-701 and 17-27a-702 to §§ 17-79-1001 and 17-79-1002.	Recodification, corrected in one action.
9.18.8(A)	Citation changed from 17-27a-507(5)(d) to § 17-79-812(4)(d).	The engineer appeal panel moved subsections when the water exaction provisions were re-enacted as § 17-79-813.

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21 Round 2 — Version 8-24-2026

Provision	Change	Reason
8.1.2	Retitled “Advisory Role; No Land Use or Legislative Authority.” The designation of the Commission as the land use authority is repealed rather than qualified, and replaced with a statement that the Commission is an advisory body and is not the land use authority for any application.	The heading and first sentence are what an applicant reads first, and they said the opposite of what the Code does. Land use authority and legislative authority are different things and the Commission holds neither.
8.1.3(B)(1)	Directive added: at the first expiration after the effective date, the County Commission shall appoint for a corrective term.	Authority alone will not restore the stagger. The empty year recurs in 2030, 2034, and every fourth year after.
8.1.3(A)	The number of liaison members is capped: “one (1) or more” becomes “one (1) or two (2).”	An open-ended number allows enough County Commission members to attend as liaisons to make up a quorum of the County Commission, which would convert a Planning Commission meeting into a County Commission meeting for purposes of the Open and Public Meetings Act. A cap of two keeps the number well below that threshold.
8.1.3(E)	Same change as Bylaws § III.2(a): officer terms begin immediately after the election, and the election is postponed when an expired seat has not yet been filled.	Keeps the two documents identical on officer elections.
8.1.4(B)	“To hear, recommend or determine” changed to “To hear and recommend on.”	No provision of the Code specifies a matter the Commission determines. The word granted a decision power pointing at nothing.
10.2	Definition of “Land Use Authority” replaced to track Utah Code § 17-79-102, including the provision that where no designation has been made the legislative body is itself the land use authority.	The existing definition names the Planning Commission, contradicting § 9.1.5, and cites § 17-27a-103, which no longer exists.

Provision	Change	Reason
9.1.5	Entry added for preliminary and final subdivision applications under § 9.18, assigned to the Administrative Land Use Authority, with a sentence making §§ 8.5 and 9.18 control.	Ordinance 708 created those sections but the summary table was never conformed.
8.3(A)	Cross-reference to “Section 9.18, Zoning development permits” replaced.	No section of the published Code governs zoning development permits at § 9.18. Once Ordinance 708 is codified there, the reference will point to the subdivision chapter and appear correct.
7.3.2	“the Planning Commission” replaced with “the County Engineer.”	The only provision in the Code giving the Commission an approval, buried in the street standards and absent from § 9.1.5. Section 7.3.1 already routes street construction to the County Engineer.
3.2.3, 4.6.2, 4.7.5, 4.9.2, 4.9.6, 6.13.6	The unmodified term “the Commission” replaced with “the County Commission” where the County Commission is intended.	§ 8.1.1 defines “Commission” to mean the Planning Commission, so every unmodified use elsewhere reads as this Commission.
4.9	The County Commission to determine whether §§ 4.9.1 through 4.9.8 are repealed or carried forward with an express notation of their sunset.	The Alternative Dwelling Overlay District expired November 15, 2023 under § 4.9.7 but remains printed with only a code reviser's footnote.
8.1.1, throughout	The shorthand “or ‘Commission’” is struck from the § 8.1.1 definition and the term is spelled out where used.	Same reason as the Bylaws. Quotations of the existing Code text in the Related Amendments block are left as they read, so they continue to quote accurately.
Ordinance 708	Exhibit A to be transmitted for codification into Articles 8, 9, and 10.	None of the ordinance appears in the published Code: Article 8 ends at § 8.4.3, Article 9 at § 9.17, the five Article 10 definitions are absent, and the most recent ordinance credited anywhere is 687.

PART 3 — PARLIAMENTARY PROCEDURE AT A GLANCE

The quick reference is a staff handout, not an instrument the Commission adopts. It is listed here because it states rules to commissioners and must not contradict the Bylaws or the Code. The following changes conform it.

Provision	Change	Reason
Step 2, Second	A second is required, not optional.	Bylaws § V.12. Robert's Rules would relax the requirement on a board this size; the Bylaws do not.
Step 5, Vote	A roll call is mandatory on land use matters; a voice vote is the default otherwise.	Bylaws § V.12 as amended, and Utah Code § 52-4-203(2)(a)(iv).
Small-board note	Statement that a second is unnecessary replaced.	Same. The reference should not tell a commissioner a rule the Bylaws override.
Motions table, Suspend the rules	Vote required now cites Bylaws § VIII.2 as amended; the figure remains two-thirds.	The Bylaws required unanimity, which conflicted with the Robert's Rules default. § VIII.2 is amended to two-thirds, so the two now agree.
Recusal	Added: a member with a conflict may not attempt to influence other members or staff outside the meeting.	Bylaws § VI.3 reaches beyond stepping away from the table.
Ex parte	Predetermination bullet keyed to Bylaws § VI.5 as the stricter internal rule.	Distinguishes the statutory prohibition from the Commission's own practice.

Provision	Change	Reason
Agenda discipline	Added; the Commission conducts no pre-application review, and amendments to a pending application require 14 days' written notice.	Bylaws §§ V.19 and V.18, and Land Use Code § 9.18.3.
Public comment	Limits keyed to Bylaws §§ V.14, V.8, and V.7(a); “electronic means” changed to “real-time telecommunication”; the 400 words stated as the Bylaws state them.	Conforms wording to the governing provisions.
Recommendation of approval with conditions	Model motion retitled and rewritten as a recommendation to the County Commission rather than an approval; note added that conditions must be stated in the motion, though the staff report may be adopted by reference.	The motion read “I move to approve,” which the Planning Commission has no power to do. Bylaws § V.12 supplies the requirement that conditions be stated.
Model motions	Land use authority note now cites § 8.1.2 as amended alongside §§ 8.1.1 and 9.1.5.	Reflects the Round 2 amendment.
Throughout	Bare references to “the Commission” spelled out as “the Planning Commission.”	Matches the Bylaws and the Code.
Motions table, Suspend the rules	Two-thirds retained, now citing Bylaws § VIII.2 as amended.	See the Bylaws § VIII.2 row above.

PART 4 — QUESTIONS FOR THE COMMISSION

Three items are policy choices rather than corrections and should be resolved before the public hearing.

1. Quorum and the vote threshold. Both are a majority of the appointed regular members, so they resolve to the same number at every size and a bare quorum can act only unanimously. The alternative is a vote threshold of a majority of the members present and voting, with quorum unchanged. Bylaws §§ V.11 and V.16 and Land Use Code § 8.1.3(E)(4) would move together.

2. Where the public comment limits live. The Bylaws state at § II.1(e) that they are advisory and have no force of law, so limits resting there are practice rather than rule. If the Commission intends them to bind, they belong in Land Use Code § 9.1.

3. The expired Alternative Dwelling Overlay District. Repeal §§ 4.9.1 through 4.9.8 outright, or carry them forward with the sunset stated in the text.

PART 5 — ACTION OUTSIDE THESE DOCUMENTS

Codification of Ordinance 708. Codification is an administrative act. It requires no hearing and should not wait on this ordinance. The § 9.18.8(A) citation amendment in the redline amends a section that is not in the published Code until the transmittal is made. Ordinances adopted after 687 are worth checking against the published Code at the same time.

The corrective appointment. The ordinance directs it, but the appointment itself is the County Commission’s to make at the first term expiration after the effective date.

Notice of the comment limits. Whichever document carries them, the limits should appear on the agenda and in the public hearing notice so a commenter learns of them before the hearing rather than at the podium.

Andrew K. Jackson, AICP, CTP

Planning Director, Grand County



AGENDA SUMMARY

Planning Commission Meeting

Date: August 24, 2026

Title: Bylaws - Workshop

Fiscal Impact:

If this submission is from the general public you will need a commission sponsor, feel free to contact the Commission Administrators Office with any questions commadmin@grandcountyutah.net (435) 259-1342 or contact the Commissioners directly at commission@grandcountyutah.net

Presenter(s): Andrew Jackson, Planning and Zoning
Director

Department: Planning and Zoning

Legal Review: Not Applicable

Approved and Not Applicable
within budget?

Budget Number:

Recommended Motion:

Background:

Discussion only.

Attachments:

1. PC_Bylaws_Redline_8-12-2026 final
2. PC_Bylaws_Redline_8-6-2026(2)

GRAND COUNTY PLANNING COMMISSION BYLAWS

Grand County, Utah

REDLINE — proposed amendments to the bylaws adopted by Resolution 3263 (2021)

Version 8-24-2026

Legend: ~~strikethrough text~~ = deleted; underlined text = added. Green text = Round 2 amendments, Version 8-24-2026; green underline = added, green strikethrough = deleted.

ARTICLE I

Authority

The Grand County Planning Commission is authorized by ~~the~~ Utah Code Annotated ~~17-27a-301~~ § 17-79-301 and ~~17-27a-302~~ § 17-79-302 and by ~~Grand County Ordinance 299 (1999)~~, Section 8.1 of the Grand County Land Use Code. The Planning Commission exercises authority and assumes responsibilities delegated to it under these authorities.

ARTICLE II

General Provisions

II.1. Applicable State Statutes, County Ordinances, and Policies

In these Bylaws, “Planning Commission” means the Grand County Planning Commission and “County Commission” means the Grand County Commission. Neither body is referred to as “the Commission” standing alone.

The Grand County Planning Commission, ~~hereinafter referred to as “the Commission,”~~ shall be governed by State statutes and County ordinances and policies including the following:

- a. State statutes applying generally to public boards, members, and officials
- b. State statutes governing the activities of County Planning Commissions
- c. Grand County Ordinances and Resolutions
- d. The Grand County Land Use Code
- e. The bylaws of the Grand County Planning Commission as set forth herein. These bylaws are not adopted by Ordinance and do not have the force of law. They are advisory guidelines only. Consequently, should the Planning Commission waive, suspend, or otherwise deviate from these bylaws during the course of a meeting, such deviation shall not be grounds for invalidating a hearing held during such meeting or any decisions made at such meeting.

II.2. Familiarity with State Statutes, County Ordinances and Resolutions, and Rules Affecting the Planning Commission

Upon taking office, all members of the Planning Commission shall familiarize themselves with applicable statutes and rules, ordinances and resolutions, and while in office shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Planning Commission affairs.

ARTICLE III

Officers and Election

III.1. Officers

The Officers of the Planning Commission shall be a Chairperson and Vice-chairperson.

III.2. Election

- a. The Chairperson and Vice-chairperson shall be elected annually as the first item of business at the first regular meeting of ~~the year after the County Council Commission appoints vacant seats~~each calendar year. They shall serve for a term of one year or until their successors are elected. ~~Their term shall start the meeting following the election.~~Their term shall start immediately after the election. If a regular member's term expired at the end of the preceding calendar year and the County Commission has not yet appointed a member to that term, the election shall be postponed to the first regular meeting after the appointment is made and the appointee is seated. The incumbent Chairperson and Vice-chairperson continue to serve until their successors are elected. If the election is postponed under this subsection and the incumbent Chairperson or Vice-chairperson is no longer serving as a member of the Planning Commission, the remaining members shall elect a Chairperson pro tempore or Vice-chairperson pro tempore, as needed, at the first regular meeting of the calendar year. A member elected pro tempore holds the office and exercises its full authority until the postponed election is held.
- b. If the office of the Chairperson or Vice-chairperson becomes vacant, the Planning Commission shall elect a successor from its membership who shall serve the unexpired term of the predecessor.
- c. Nominations shall be by oral motion. At the close of nominations, the Planning Commission shall vote by voice vote upon the names nominated for the office. ~~If requested by the Chair, written ballots may be used for voting purposes.~~
- d. Any officer elected by the Planning Commission may be removed from that office by a two-thirds (2/3) vote of the total membership of the Planning Commission when, in its judgment, the best interest of the Planning Commission will be served, as provided in Land Use Code § 8.1.3(E)(8) the Land Use Code.

III.3. Chair

The Chairperson has the following duties:

- a. The Chairperson presides at all meetings of the Planning Commission, maintaining order and decorum, and ~~insures~~ ensures that the procedures prescribed in the Grand County Land Use Code, Utah state code, and policies stated herein are followed.
- b. The Chairperson sets the agenda and may consult the Vice-chairperson and staff in doing so, as provided in § V.6.
- c. The Chairperson may call special meetings at any time and in accordance with applicable state and County codes.
- d. The Chairperson may appoint up to three Planning Commission members to serve on a committee as needed.
- e. The Chairperson shall inquire regarding potential conflicts of interest and ex parte communication, regarding agenda items, at the beginning of a public meeting or hearing.

III.4. Vice-chair

The Vice-chair performs the duties of the Chairperson in the absence of the Chairperson, or duties as delegated by the Chairperson. In the event of temporary absence of the Chairperson and Vice-

chairperson, the remaining members present shall elect an acting Chairperson for that meeting.

ARTICLE IV

Vacancies, Interviews, and Voting

IV.1. Vacancies

County staff shall notify the current Planning Commission of those members whose terms will expire at the end of the calendar year. In cases where a vacancy is created during the middle of a board member's term (mid-term vacancy), County staff shall notify the Planning Commission as soon as practically possible. County staff shall post a notice of Board vacancies, including mid-term vacancies, in a local newspaper of record.

IV.2. Candidate Interviews

The Planning Commission shall interview qualified candidates and provide a recommendation to the County Commission. At the start of each interview, candidates will be given three minutes to briefly introduce themselves and to provide relevant information as to background and experience. During the interview process, Commissioners are ~~encourage~~ encouraged to ask questions which verify a candidate's experience and eligibility ~~of meeting to meet the~~ requirements of service. Commissioners shall ask the same questions of each candidate. After responding to those questions, Commissioners may ask the applicant additional clarifying questions if necessary.

IV.3. Voting

- a. The Planning Commission shall vote upon the names of candidates in alphabetical order, by last name. Each Commissioner shall be entitled to one vote for each vacancy. Commissioners shall vote by voice or a raise of hands. ~~If requested by the Chair, written ballots may be used for voting purposes.~~
- b. Planning staff will tally the number of votes cast for each candidate and read this information back to the Planning Commission. ~~Planning~~ The Planning Commission, by motion, will forward this recommendation, including any findings, to the County ~~Council~~ Commission for consideration.

IV.4. Recommendations to the County Commission

The Chairperson, or Planning staff as directed by the Chairperson, shall present the Planning Commission's recommendation, including any findings, to the County Commission.

ARTICLE V

Meetings and Organization

V.1. Open Meetings

All regular meetings, special meetings, workshops, and field trips of the Planning Commission are open to the public and will be noticed in accordance with the requirements of the Open and Public Meetings Act.

V.2. Regular Meetings

Regular Planning Commission meetings shall be twice a month unless there are mitigating circumstances, such as a lack of a quorum, lack of items to be discussed, holidays, or other circumstances.

V.3. Annual Training

Planning Commission members are required to attend an annual Open Meetings Training, as provided by Grand County or an online equivalent training. Commissioners are encouraged to attend ~~the Citizen Planner Workshop, as conducted by the Utah League of Cities and Towns or other entity~~ other training.

V.4. Compliance with the Open and Public Meetings Act

All meetings of the Planning Commission shall be held in compliance with the Utah Open and Public Meetings Act, Utah Code Title 52, Chapter 4, including its requirements for public notice, agendas, minutes and recordings, electronic participation, and closed meetings.

V.5. Special Meetings, Workshops, and Field Trips

Special meetings, workshops, and field trips for any purpose may be held at the call of the Chairperson or the Grand County Commission.

V.6. Agendas

- a. Agendas shall be set at the direction of the Chairperson. Agendas for regular meetings shall be provided by staff to all members at least three days prior to the meeting.
- b. The Chairperson, the Vice-chairperson, and County staff may meet to prepare the agenda and to determine the scheduling and order of items. Because such a meeting does not convene a quorum of the Planning Commission, it is not a meeting or a deliberation under the Utah Open and Public Meetings Act. Agenda preparation is limited to the selection, scheduling, and order of items and the sufficiency of materials, and does not include consideration of the merits of any pending application or petition.

V.7. Meeting Materials

- a. Planning Department staff shall provide meeting materials to Planning Commission members by 5:00 p.m. the Friday before the Planning Commission meeting date unless extenuating circumstances exist. Meeting materials will be available for review by the public in the Planning Department at ~~125 East Center Street~~59 North 200 East, Moab, UT 84532 and at the Grand County Library and on the Grand County website, at the same time the materials are provided to Planning Commission members. When an item is set for public hearing, the materials for that item will also be made available at the Grand County Library by 5:00 p.m. the Friday before the Planning Commission meeting date.
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V.8. Written Citizen Comment

Any citizen wanting to submit written information to the Planning Commission for inclusion in the Planning Commission meeting materials packet shall provide written comments to the Planning Department by 5:00 p.m. the Wednesday before the Planning Commission meeting date. All documents, including electronically transmitted material, should be submitted directly to the Planning Department. Materials sent to individual Planning Commission members will not be considered. Written comment should not exceed 400 words. Written comment is not read aloud or summarized at the meeting; it is provided to the Planning Commission in writing and is part of the record. Comment received after the deadline is not included in the packet. At the submitter's request it is entered into the record, and staff shall so state when the item is called. A submitter may also read late comment aloud within the time allowed for spoken

comment under § V.14.

V.9. Minutes

The recording of minutes of all Planning Commission meetings shall be the responsibility of Planning Department staff. In the event staff is absent from any meeting, the Planning Department may send a designee.

V.10. Rules of Order

In the event a question over procedures arises, Robert's Rules of Order shall prevail.

V.11. Voting

Planning Commission members shall make a good-faith effort to become knowledgeable on matters before the Planning Commission. A quorum of the Planning Commission shall consist of ~~four~~ a majority of the appointed regular members, and the affirmative vote of ~~at least four members in attendance~~ a majority of the appointed regular members shall be necessary to pass any motion, as provided in Land Use Code § 8-1-3(E)(4) ~~the Land Use Code~~.

The following table states the effect of this section at each membership size:

<u>Appointed regular members</u>	<u>Quorum</u>	<u>Affirmative votes to act</u>	<u>If only a bare quorum is present</u>
<u>7</u>	<u>4</u>	<u>4</u>	<u>All four present must vote yes.</u>
<u>6</u>	<u>4</u>	<u>4</u>	<u>All four present must vote yes.</u>
<u>5</u>	<u>3</u>	<u>3</u>	<u>All three present must vote yes.</u>
<u>4</u>	<u>3</u>	<u>3</u>	<u>All three present must vote yes.</u>

[Drafting note. Quorum and the vote threshold are the same fraction of the same denominator, so they resolve to the same number at every membership size: seven appointed, quorum four, four affirmative votes; five appointed, quorum three, three affirmative votes. A meeting attended by a bare quorum can therefore act only unanimously, and one no vote, one abstention, or one recusal defeats the motion. If the Planning Commission prefers a margin, the vote threshold can be set at a majority of the members present and voting while quorum remains a majority of the appointed regular members. Land Use Code § 8-1-3(E)(4) ~~The Land Use Code would have to be amended in the same way.~~]

V.12. Motion

All decisions of the Planning Commission shall be made in a public meeting by motion, made and seconded, and by voice vote. Any Commissioner may make or second a motion. If there is any ambiguity on any vote, or if the nature of the application or petition warrants, the Chairperson may conduct a roll-call vote. The minutes shall record each vote by individual member as required by Utah Code § 52-4-203(2)(a)(iv). The Chairperson shall conduct a roll-call vote on any recommendation or action concerning a land use application, a land use regulation, the General Plan, or an amendment to any of them, and on the request of any member or of the recording secretary.

Motions should be supported by reason and include findings. The person making the motion is encouraged to state the reasons and finding(s) supporting the motion at the time the motion is made. Any conditions for approval must be stated in the motion. The motion may refer to the staff report for details of the conditions for approval if the person making the motion desires to do so.

V.13. Conduct During Public Meetings

- a. During all meetings and hearings, persons providing testimony shall proceed without interruption

except by members of the Planning Commission at the discretion of the Chairperson. All comments, arguments, and pleadings shall be addressed to the Chairperson, and there shall be no debate or argument between individuals in the audience. There shall be no debate or argument between individuals. The Chairperson shall maintain order and decorum, and to that end may order removal of disorderly or disruptive persons.

- b. Any member of the Planning Commission, Counsel to the Planning Commission, or the Planning Commission staff, upon recognition by the Chairperson, may direct any questions to the applicant, witness, or any person speaking from the audience for the purpose of eliciting relevant facts. The Chairperson or Planning Commission members may call for relevant facts from staff and make appropriate comments relevant to the matter.

V.14. Time Control

The Chairperson may control the time for debate on any issue. Spoken comment at a public hearing or during a general public comment period is limited to three minutes per person, whether given in person or by real-time telecommunication. The Chairperson shall apply the limit uniformly. Care should be taken to ~~insure~~-ensure fairness in the hearing process. Those speaking in support and opposed should have substantially equal time. The Chairperson may stop debate once he or she believes the issue has been adequately and fairly heard.

V.15. ~~Citizen~~ Public, Applicant, and Other Participation by Real-Time Telecommunication

~~Participation by Citizens, Applicants, and Others per the~~The public, applicants, and others may participate by real-time telecommunication as provided by Utah Code § 52-4-207 and the current Ordinances and Policies established for such by the Grand County Commission, including Grand County Resolution 2944.

V.16. Quorum

~~Means~~Quorum means the minimum number of ~~persons~~members required to act as a body. A quorum requires ~~4 (four)~~a majority of the appointed regular Planning Commission members ~~whom must be present, as provided in Land Use Code § 8-1.3(E)(4)~~the Land Use Code, who may be present in person or by real-time electronic means as provided by Utah Code § 52-4-207 and the ~~as per the~~ current Ordinances and Policies established for

such by the Grand County Commission, including Grand County Resolution 2944. A member participating by real-time electronic means counts toward the quorum and may participate and vote fully.

V.17. Commissioner Participation by Real-Time Telecommunication

Planning Commissioner participation by real-time electronic means shall be permitted as provided by Utah Code § 52-4-207 and the ~~per the~~ current Ordinances and Policies established for such by the Grand County Commission, including Grand County Resolution 2944.

V.18. Request to Withdraw or Amend Applications or Petitions

- a. Upon request from the applicant, petitioner, or authorized agent, an application or petition may be withdrawn at any time before the Planning Commission ~~makes a decision~~ decides on the same.
- b. An applicant, petitioner, or authorized agent may amend applications or petitions in any lawful manner on written request delivered to the Planning Commission not less than 14 days prior to the scheduled public meeting. The purpose of this requirement is to assure that the amendment is properly evaluated and addressed in the staff report. In the event that an amendment to an application or petition is received less than 14 days before the public meeting addressing the

same, the staff will orally report to the Planning Commission at the public meeting the nature of the amendment. The Planning Commission shall determine whether the nature of the amendment is such as to require reexamination by the County Attorney or staff. If reexamination of the amendment is deemed necessary, the Planning Commission may proceed with the hearing or may continue it to a future date until it has received sufficient information and analysis to make the appropriate findings and conclusions associated with the amended application or petition.

V.19. Matters Eligible for Planning Commission Consideration

- a. The Planning Commission shall consider a specific development proposal only upon an application or petition that the Planning Department has accepted as complete and scheduled for Planning Commission action under the Land Use Code.
- b. The Planning Commission does not conduct pre-application review. Pre-application and conceptual review occur at the applicant's election and are conducted administratively by the Planning Department as provided in ~~Land Use Code § 9.18.3~~the Land Use Code. Requests for pre-application or conceptual review shall be directed to the Planning Department. The Chairperson shall not place, and staff shall not schedule, a specific development proposal on a Planning Commission agenda before the Planning Department has accepted a complete application for that proposal.
- c. This section does not limit the Planning Commission's consideration of general plan elements, land use code amendments, work sessions on policy or procedure of general application, training, budget and work program items, candidate interviews, or other matters that do not involve a pending or prospective land use application, nor does it limit any matter referred to the Planning Commission by the County Commission.
- d. Any comment offered by the Planning Commission or by an individual member concerning a matter not before the Planning Commission under subsection (a) is not a decision, recommendation, approval, or determination of the Planning Commission, does not bind the Planning Commission or the County, and may not be relied upon by any person.

ARTICLE VI

Ethical Considerations

The following ethical principles shall guide the actions of the Planning Commission and its members.

VI.1. Serve the Public Interest

The primary obligation of the Planning Commission and each member is to serve the public interest.

VI.2. Support Citizen Participation in Planning

The Planning Commission shall ensure a forum for meaningful citizen participation and expression in the planning process, and assist in the clarification of community goals, objectives, and policies.

VI.3. Conflict of Interest and Recusal

Recusal of Planning Commission members is governed by ~~Land Use Code § 8.1.3(F)~~the Land Use Code and this section. Planning Commission members shall adhere to Grand County policy as stated in Ordinance 462, or any subsequent amendment thereof, regarding conflicts of interest. A member with a conflict of interest shall be required to disclose such conflict prior to consideration of the matter by the Planning Commission. A member with a conflict of interest may not attempt to influence other members or appointed staff outside the meeting. A member ~~with a conflict of interest shall be required to~~ recuse

herself or himself from participating in, commenting on, or voting on the matter when the member has a conflict of interest, has a personal or financial interest in a land use application, or when the member's participation would create actual impermissible bias or an unacceptable risk of impermissible bias in an administrative or quasi-judicial matter, as provided in Land Use Code § 8.1.3(F)the Land Use Codein which such conflict exists.

VI.4. Ex Parte Communication / Ensure Full Disclosure at Public Meetings

- a. A Planning Commissioner shall not ~~have any~~engage in ex parte ~~discussions regarding any business before the Commission~~communications as defined in subsection (b). A communication that occurs in the ordinary course of a member's profession or employment, and that does not concern the merits or likely disposition of a pending application, is not an ex parte communication under this section.
- b. For the purpose of Planning Commission policy, ex parte ~~discussions~~communications include any communication with ~~Interested Parties of any issue coming before the Planning Commission~~an Interested Party concerning the merits of a pending application outside of a public meeting, and prior to the Planning Commission's final decision. An ex parte communication is one from one party, or on one side only: it is a communication the other parties to the matter are not present for and have no opportunity to answer.
- c. For the purposes of Planning Commission policy, Interested Parties shall mean applicants, representatives of applicants, investors, business partners, or any other party having a financial association with a land use application. County staff are not an Interested Party.
- d. Any ex parte communications or information, unsolicited or otherwise, shall be disclosed in a public meeting.
- e. ~~An inquiry by a Commissioner to County staff regarding the factual, technical, or procedural aspects of an application is not an ex parte communication under this section.~~Communication between a Commissioner and County Planning Department staff, or other County staff advising the Planning Commission, is not an ex parte communication under this section. County staff are not a party to an application, and a Commissioner may ask staff about the factual, technical, or procedural aspects of any matter before the Planning Commission. Communication between an individual Commissioner and staff is not a meeting or a deliberation under the Utah Open and Public Meetings Act.
- f. A member who has had an ex parte communication shall disclose it at the beginning of the Planning Commission's consideration of the item, stating who the communication was with, when it occurred, and its substance. The Chairperson shall then afford the applicant and any other party present an opportunity to respond. Following disclosure and any response, the member may participate in the matter unless recusal is required under § VI.3 or Land Use Code § 8.1.3(F)(4)the Land Use Code.

VI.5. Maintain Public Impartiality

Planning Commission members may seek information from other Planning Commission members, the counsel to the Planning Commission, staff serving the Planning Commission, or the staff of other departments or agencies advising the Planning Commission. Seeking factual, technical, or procedural information is not deliberation. Members shall not deliberate on a matter before the Planning Commission outside of a public meeting, and a member shall not solicit or convey another member's views or position

on a pending matter outside of a public meeting, whether directly or through staff or a third party. Each member of the Planning Commission has an ethical duty to avoid making public statements for or against the merits of any application before the Planning Commission hearing is concluded and a decision or recommendation has been rendered. Deliberating about a specific pending land use application in a Planning Commission meeting with County staff, an elected official, or the land use applicant is a normal part of Planning Commission business and is not, by itself, cause for removal, as provided in ~~Land Use Code § 8-1.3(F)(3)~~the Land Use Code. Utah Code § 52-4-208 prohibits individuals constituting a quorum from acting together outside a meeting, in a concerted and deliberate way, to predetermine an action to be taken by the Planning Commission at a meeting; final action taken in violation of that section is voidable under § 52-4-302, and a court may award a prevailing plaintiff attorney fees and costs. Utah Code § 52-4-210 does not restrict a member from transmitting an electronic message to other members at a time when the Planning Commission is not convened in a meeting. The restrictions stated in this section are adopted as Planning Commission practice and are stricter than the Act requires.

VI.6. Faithful Attendance and Performance

Should circumstances arise where a Planning Commission member is unable to attend a scheduled meeting, the member shall be responsible for notifying the Chair or Planning Department staff as soon as possible. Failure of a member to attend three (3) unexcused consecutive meetings may be cause for written notification that the member's position will be vacated, as provided in ~~Land Use Code § 8-1.3(E)(7)~~the Land Use Code. If circumstances prevent faithful attendance and performance of Planning Commission member duties, the member should resign from the Planning Commission.

ARTICLE VII

Resignations and Removal of Membership

VII.1. Resignations

Any member of the [Planning](#) Commission must submit a signed letter of resignation specifying the effective date on which the member's service will cease. The letter of resignation shall be submitted to the County Commission Office.

VII.2. Acceptance of Resignation

The County Commission shall accept [the](#) resignation upon receipt thereof.

VII.3. Removal from Planning Commission

[The](#) Planning Commission may request the resignation of a member for reasons of attendance and/or ethical considerations. [The](#) County Commission may remove a [Planning](#) Commission member for cause ~~prior to the expiration of the appointed term~~ [by a two-thirds \(2/3\) vote prior to the expiration of the appointed term, in accordance with the causes and procedures set out in ~~Land Use Code § 8.1.3\(F\)~~the Land Use Code, which require written notice of the cause and an opportunity for the member to respond before the County Commission acts.](#)

*[The causes for removal are in ~~Land Use Code § 8.1.3(F)(2)~~the Land Use Code and are not repeated here, so the two documents cannot drift apart when the Code is amended. Conflict in state code: Utah Code § 17-79-301(3)(a)(v)(B) is a county provision but points to the **Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13**, which by its terms governs municipal officers and employees. The county counterpart is Title 17, Chapter 70, Part 5, Disclosure Duties Applicable to All County Officers, §§ 17-70-501 through 17-70-511, formerly Title 17, Chapter 16a. ~~Land Use Code § 8.1.3(F)(2)~~The Land Use Code carries the same note.]*

ARTICLE VIII

Adoption, Review, and Amendment of Bylaws

VIII.1. Annual Review and Amendment

The bylaws will be reviewed by the [Planning](#) Commission at the beginning of each calendar year. Amendments will be recommended to the County Commission for approval as per County Ordinance 472 (2008).

VIII.2. Waiving or Suspending Rules

A rule of procedure may be suspended or waived at any meeting by ~~unanimous vote~~ [two-thirds \(2/3\) vote](#) of the [Planning](#) Commission members present unless such rule is set by state law or County ordinance.

GRAND COUNTY PLANNING COMMISSION BYLAWS

Grand County, Utah

REDLINE — proposed amendments to the bylaws adopted by Resolution 3263 (2021) August 6th, 2026

Legend: ~~strikethrough text~~ = deleted; underlined text = added.

ARTICLE I

Authority

The Grand County Planning Commission is authorized by ~~the~~ Utah Code Annotated ~~17-27a-301~~ § 17-79-301 and ~~17-27a-302~~ § 17-79-302 and by ~~Grand County Ordinance 299 (1999)~~, Section 8.1 of the Grand County Land Use Code. The Planning Commission exercises authority and assumes responsibilities delegated to it under these authorities.

ARTICLE II

General Provisions

II.1. Applicable State Statutes, County Ordinances, and Policies

The Grand County Planning Commission, hereinafter referred to as “the Commission,” shall be governed by State statutes and County ordinances and policies including the following:

- a. State statutes applying generally to public boards, members, and officials
- b. State statutes governing the activities of County Planning Commissions
- c. Grand County Ordinances and Resolutions
- d. The Grand County Land Use Code
- e. The bylaws of the Grand County Planning Commission as set forth herein. These bylaws are not adopted by Ordinance and do not have the force of law. They are advisory guidelines only. Consequently, should the Commission waive, suspend, or otherwise deviate from these bylaws during the course of a meeting, such deviation shall not be grounds for invalidating a hearing held during such meeting or any decisions made at such meeting.

II.2. Familiarity with State Statutes, County Ordinances and Resolutions, and Rules Affecting the Commission

Upon taking office, all members of the Commission shall familiarize themselves with applicable statutes and rules, ordinances and resolutions, and while in office shall maintain such knowledge, including knowledge of amendments and additions, and shall be strictly governed thereby in the conduct of Commission affairs.

ARTICLE III Officers and Election

III.1. Officers

The Officers of the Commission shall be a Chairperson and Vice-chairperson.

III.2. Election

- a. The Chairperson and Vice-chairperson shall be elected annually as the first item of business at the first regular meeting of ~~the year after the County Council Commission appoints vacant seats~~each calendar year. They shall serve for a term of one year or until their successors are elected. Their term shall start the meeting following the election.
- b. If the office of the Chairperson or Vice-chairperson becomes vacant, the Commission shall elect a successor from its membership who shall serve the unexpired term of the predecessor.
- c. Nominations shall be by oral motion. At the close of nominations, the Commission shall vote by voice vote upon the names nominated for the office. ~~if requested by the Chair, written ballots may be used for voting purposes.~~
- d. Any officer elected by the Commission may be removed from that office by a two-thirds (2/3) vote of the total membership of the Commission when, in its judgment, the best interest of the Commission will be served, as provided in Land Use Code § 8.1.3(E)(8).

III.3. Chair

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- a. The Chairperson presides at all meetings of the Planning Commission, maintaining order and decorum, and ~~insures~~ensures that the procedures prescribed in the Grand County Land Use Code, Utah state code, and policies stated herein are followed.
- b. The Chairperson sets the agenda and may consult the Vice-chairperson and staff in doing so, as provided in § V.5.
- c. The Chairperson may call special meetings at any time and in accordance with applicable state and County codes.
- d. The Chairperson may appoint up to three Commission members to serve on a committee as needed.
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Vacancies, Interviews, and Voting

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Commission members shall make a good-faith effort to become knowledgeable on matters before the Commission. A quorum of the Commission shall consist of ~~four~~ a majority of the appointed regular members, and the affirmative vote of ~~at least four members in attendance~~ a majority of the appointed regular members shall be necessary to pass any motion, as provided in Land Use Code § 8.1.3(E)(4).

V.11. Motion

All decisions of the Commission shall be made in a public meeting by motion, made and seconded, and by voice vote. Any Commissioner may make or second a motion. If there is any ambiguity on any vote, or if the nature of the application or petition warrants, the Chairperson may conduct a roll-call vote.

Motions should be supported by reason and include findings. The person making the motion is encouraged to state the reasons and finding(s) supporting the motion at the time the motion is made. Any conditions for approval must be stated in the motion. The motion may refer to the staff report for details of the conditions for approval if the person making the motion desires to do so.

V.12. Conduct During Public Meetings

- a. During all meetings and hearings, persons providing testimony shall proceed without interruption except by members of the Commission at the discretion of the Chairperson. All comments, arguments, and pleadings shall be addressed to the Chairperson, and there shall be no debate or argument between individuals in the audience. There shall be no debate or argument between individuals. The Chairperson shall maintain order and decorum, and to that end may order removal of disorderly or disruptive persons.
- b. Any member of the Commission, Counsel to the Commission, or the Commission staff, upon recognition by the Chairperson, may direct any questions to the applicant, witness, or any person speaking from the audience for the purpose of eliciting relevant facts. The Chairperson or Commission members may call for relevant facts from staff and make appropriate comments relevant to the matter.

V.13. Time Control

The Chairperson may control the time for debate on any issue. Care should be taken to ~~insure~~ ensure fairness in the hearing process. Those speaking in support and opposed should have substantially equal time. The Chairperson may stop debate once he or she believes the issue has been adequately and fairly heard.

V.14. ~~Citizen~~ Public, Applicant, and Other Participation by Real-Time Telecommunication

~~Participation by Citizens, Applicants, and Others per the~~ The public, applicants, and others may participate by real-time telecommunication as provided by Utah Code § 52-4-207 and the current Ordinances and Policies established for such by the Grand County Commission, including Grand County Resolution 2944.

V.15. Quorum

~~Means~~ Quorum means the minimum number of ~~persons~~ members required to act as a body. A quorum requires ~~4 (four)~~ a majority of the appointed regular Commission members ~~whom must be present, as~~ provided in Land Use Code § 8.1.3(E)(4), who may be present in person or by real-time electronic means as provided by Utah Code § 52-4-207 and the ~~as per the~~ current Ordinances and Policies established for

such by the Grand County Commission, [including Grand County Resolution 2944](#). A member participating by real-time electronic means counts toward the quorum and may participate and vote fully.

V.16. Commissioner Participation by Real-Time Telecommunication

Planning Commissioner participation by real-time electronic means shall be permitted as [provided by Utah Code § 52-4-207 and the](#) ~~per the~~ current Ordinances and Policies established for such by the Grand County Commission, [including Grand County Resolution 2944](#).

V.17. Request to Withdraw or Amend Applications or Petitions

- a. Upon request from the applicant, petitioner, or authorized agent, an application or petition may be withdrawn at any time before the Commission ~~makes a decision~~ [decides](#) on the same.
- b. An applicant, petitioner, or authorized agent may amend applications or petitions in any lawful manner on written request delivered to the Commission not less than 14 days prior to the scheduled public meeting. The purpose of this requirement is to assure that the amendment is properly evaluated and addressed in the staff report. In the event that an amendment to an application or petition is received less than 14 days before the public meeting addressing the same, the staff will orally report to the Commission at the public meeting the nature of the amendment. The Commission shall determine whether the nature of the amendment is such as to require reexamination by the County Attorney or staff. If reexamination of the amendment is deemed necessary, the Commission may proceed with the hearing or may continue it to a future date until it has received sufficient information and analysis to make the appropriate findings and conclusions associated with the amended application or petition.

V.18. Matters Eligible for Commission Consideration

- a. [The Commission shall consider a specific development proposal only upon an application or petition that the Planning Department has accepted as complete and scheduled for Commission action under the Land Use Code.](#)
- b. [The Commission does not conduct pre-application review. Pre-application and conceptual review occur at the applicant's election and are conducted administratively by the Planning Department as provided in Land Use Code § 9.18.3. Requests for pre-application or conceptual review shall be directed to the Planning Department. The Chairperson shall not place, and staff shall not schedule, a specific development proposal on a Commission agenda before the Planning Department has accepted a complete application for that proposal.](#)
- c. [This section does not limit the Commission's consideration of general plan elements, land use code amendments, work sessions on policy or procedure of general application, training, budget and work program items, candidate interviews, or other matters that do not involve a pending or prospective land use application, nor does it limit any matter referred to the Commission by the County Commission.](#)
- d. [Any comment offered by the Commission or by an individual member concerning a matter not before the Commission under subsection \(a\) is not a decision, recommendation, approval, or determination of the Commission, does not bind the Commission or the County, and may not be relied upon by any person.](#)

ARTICLE VI Ethical Considerations

The following ethical principles shall guide the actions of the Commission and its members.

VI.1. Serve the Public Interest

The primary obligation of the Commission and each member is to serve the public interest.

VI.2. Support Citizen Participation in Planning

The Commission shall ensure a forum for meaningful citizen participation and expression in the planning process, and assist in the clarification of community goals, objectives, and policies.

VI.3. Conflict of Interest and Recusal

Recusal of Planning Commission members is governed by Land Use Code § 8.1.3(F) and this section.

Planning Commission members shall adhere to Grand County policy as stated in Ordinance 462, or any subsequent amendment thereof, regarding conflicts of interest. A member with a conflict of interest shall be required to disclose such conflict prior to consideration of the matter by the Planning Commission. A member with a conflict of interest may not attempt to influence other members or appointed staff outside the meeting. A member ~~with a conflict of interest~~ shall ~~be required to~~ recuse herself or himself from participating in, commenting on, or voting on the matter when the member has a conflict of interest, has a personal or financial interest in a land use application, or when the member's participation would create actual impermissible bias or an unacceptable risk of impermissible bias in an administrative or quasi-judicial matter, as provided in Land Use Code § 8.1.3(F) in which such conflict exists.

VI.4. Ex Parte Communication / Ensure Full Disclosure at Public Meetings

- a. A Planning Commissioner shall not ~~have any~~engage in ex parte ~~discussions regarding any business before the Commission~~communications as defined in subsection (b). A communication that occurs in the ordinary course of a member's profession or employment, and that does not concern the merits or likely disposition of a pending application, is not an ex parte communication under this section.
- b. For the purpose of Planning Commission policy, ex parte ~~discussions~~communications include any communication with ~~Interested Parties of any issue coming before the Planning Commission~~an Interested Party concerning the merits of a pending application outside of a public meeting, and prior to the Commission's final decision.
- c. For the purposes of Planning Commission policy, Interested Parties shall mean applicants, representatives of applicants, investors, business partners, or any other party having a financial association with a land use application.
- d. Any ex parte communications or information, unsolicited or otherwise, shall be disclosed in a public meeting.
- e. An inquiry by a Commissioner to County staff regarding the factual, technical, or procedural aspects of an application is not an ex parte communication under this section. Communication between an individual Commissioner and staff is not a meeting or a deliberation under the Utah Open and Public Meetings Act.

- f. [A member who has had an ex parte communication shall disclose it at the beginning of the Commission's consideration of the item, stating who the communication was with, when it occurred, and its substance. The Chairperson shall then afford the applicant and any other party present an opportunity to respond. Following disclosure and any response, the member may participate in the matter unless recusal is required under § VI.3 or Land Use Code § 8.1.3\(F\)\(4\).](#)

VI.5. Maintain Public Impartiality

Commission members may seek information from other Commission members, the counsel to the Commission, staff serving the Commission, or the staff of other departments or agencies advising the Commission. [Seeking factual, technical, or procedural information is not deliberation. Members shall not deliberate on a matter before the Commission outside of a public meeting, and a member shall not solicit or convey another member's views or position on a pending matter outside of a public meeting, whether directly or through staff or a third party.](#) Each member of the Commission has an ethical duty to avoid making public statements for or against the merits of any application before the Commission hearing is concluded and a decision or recommendation has been rendered. [Deliberating about a specific pending land use application in a Planning Commission meeting with County staff, an elected official, or the land use applicant is a normal part of Commission business and is not, by itself, cause for removal, as provided in Land Use Code § 8.1.3\(F\)\(3\).](#)

VI.6. Faithful Attendance and Performance

Should circumstances arise where a Planning Commission member is unable to attend a scheduled meeting, the member shall be responsible for notifying the Chair or Planning Department staff as soon as possible. [Failure of a member to attend three \(3\) unexcused consecutive meetings may be cause for written notification that the member's position will be vacated, as provided in Land Use Code § 8.1.3\(E\)\(7\).](#) If circumstances prevent faithful attendance and performance of Planning Commission member duties, the member should resign from the Planning Commission.

ARTICLE VII

Resignations and Removal of Membership

VII.1. Resignations

Any member of the Commission must submit a signed letter of resignation specifying the effective date on which the member's service will cease. The letter of resignation shall be submitted to the County Commission Office.

VII.2. Acceptance of Resignation

The County Commission shall accept [the](#) resignation upon receipt thereof.

VII.3. Removal from Commission

[The](#) Planning Commission may request the resignation of a member for reasons of attendance and/or ethical considerations. [The](#) County Commission may remove a Commission member for cause ~~prior to the expiration of the appointed term~~ [by a two-thirds \(2/3\) vote prior to the expiration of the appointed term, in accordance with the causes and procedures set out in Land Use Code § 8.1.3\(F\), which require written notice of the cause and an opportunity for the member to respond before the County Commission acts.](#)

*[The causes for removal are in Land Use Code § 8.1.3(F)(2) and are not repeated here, so the two documents cannot drift apart when the Code is amended. Conflict in state code: Utah Code § 17-79-301(3)(a)(v)(B) is a county provision but points to the **Municipal Officers' and Employees' Ethics Act, Title 10, Chapter 3, Part 13**, which by its terms governs municipal officers and employees. The county counterpart is Title 17, Chapter 70, Part 5, Disclosure Duties Applicable to All County Officers, §§ 17-70-501 through 17-70-511, formerly Title 17, Chapter 16a. Land Use Code § 8.1.3(F)(2) carries the same note.]*

ARTICLE VIII

Adoption, Review, and Amendment of Bylaws

VIII.1. Annual Review and Amendment

The bylaws will be reviewed by the Commission at the beginning of each calendar year. Amendments will be recommended to the County Commission for approval as per County Ordinance 472 (2008).

VIII.2. Waiving or Suspending Rules

A rule of procedure may be suspended or waived at any meeting by unanimous vote of the Commission members present unless such rule is set by state law or County ordinance.
