



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
September 28, 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

Draft Minutes, September 14, 2026

Presentations (15 Min)

County Commission Update

Public Hearings

Discussion Items

1. Sunrise Engineering

2. Upcoming General Plan Updates

Brian Martinez

General Business - Action Items - Discussion And Consideration Of Approval

3. Planning Commission Amended Bylaws Resolution

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, September 14, 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

Members Present:

Jerry Klaes, Chair
Aaron Lindberg
Robert O'Brien (Zoom)
Sara Kimmerle (Zoom)
Randy Day

Members Absent:

Mary Hofhine
Megan Schafer, Vice Chair

Staff Present:

Andrew Jackson, P&Z Director
Lisa Cenicerros
Trish Hedin & Brian Martinez,
Commission Liaisons

Call to Order 5:34 p.m.
Planning Commission Chair Klaes called the meeting to order.

Citizens to Be Heard 5:34 p.m.
None.

Ex Parte Communications and Disclosures 5:34 p.m.
None.

Approval Of Meeting Minutes 5:34 p.m.
August 24, 2026

Motion: R. O'Brien moved to approve the August 24, 2026 minutes; R. Day provided the second. The motion passed 5-0-0.

Yeas – 5

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

Nays - 0

Abs - 0

Presentations (15 min.) 5:35 p.m.
None.

County Commission Update 5:35 p.m.

County Commission Liaisons Martinez and Hedin provided updates on items recently heard by the County Commission and other items of interest.

Public Hearings 5:37 p.m.

1. Ordinance, Land Use Code Amendments

A. Jackson presented. There was discussion.

Motion: 7:00 p.m. R. Day moved to forward a favorable recommendation to approve the Land Use Code amendments to the County Commission, with verbiage change on line 59, and excluding lines 475-535 for legal review; R. O'Brien provided the second. The motion passed with a vote of 5-0-0.

Yeas – 5

J. Klaes

A. Lindberg

S. Kimmerle

R. Day

R. O'Brien

Nays - 0

Abs - 0

**General Business – Action Items - Discussion and Consideration of Approval
Discussion Items**

2. Review of Bylaws, Resolution ~7:05 p.m.

Postponed until 9/28/2026 meeting due to lack of item in the agenda packet.

Discussion Items

3. Ancillary Documents

A. Jackson presented. The documents were briefly reviewed and discussed.

Future Considerations ~7:10 p.m.

Land Use Code update from Sunrise on 9/28/2026; have Sunrise draft a density bonus for dedication;
Review of Bylaws – Resolution for 9/28/2026.

Adjourn 7:21 p.m.

Motion: R. Day moved to adjourn; S. Kimmerle provided the second. The motion passed with a vote of 5-0-0.

Yeas – 5

J. Klaes

A. Lindberg

S. Kimmerle

R. Day

R. O'Brien

Nays - 0

Abs - 0



AGENDA SUMMARY

Planning Commission Meeting

Date: September 28, 2026

Title: Sunrise Engineering

Fiscal Impact: n/a

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: Not Applicable

Department: Planning and Zoning

Approved and
within budget?

Budget Number:

Recommended Motion:

n/a

Background:

Discussion only.

Attachments:

None



AGENDA SUMMARY

Planning Commission Meeting

Date: September 28, 2026

Title: Upcoming General Plan Updates

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): Brian Martinez

Legal Review: Not Applicable

Department: Planning and Zoning

Approved and within budget? Not Applicable

Budget Number:

Recommended Motion:

Background:

Discussion only.

Attachments:

None



AGENDA SUMMARY

Planning Commission Meeting

Date: September 28, 2026

Title: Planning Commission Amended Bylaws Resolution

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: No

Department: Planning and Zoning

Approved and within budget? Not Applicable

Budget Number:

Recommended Motion:

I move to adopt the amended Planning Commission Bylaws and forward a favorable recommendation to the County Commission to approve the Resolution.

Background:

Attachments:

1. Staff_Report_PC_Bylaws_9-28-2026_FINAL
2. PC_Bylaws_Adopted_Clean Copy
3. PC_Bylaws_Redline_9-14-2026_FINAL (1)
4. Change_Register_PC_Bylaws_9-14-2026_FINAL(1)
5. Resolution_PC_Bylaws_9-14-2026_FINAL(1)



AGENDA SUMMARY/STAFF REPORT

Grand County Planning Commission

Meeting Date: September 28th, 2026

A RESOLUTION ADOPTING AMENDED BYLAWS FOR THE GRAND COUNTY PLANNING COMMISSION, AMENDING THE BYLAWS ADOPTED BY RESOLUTION 3263 (2021)

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

Legal Review: Pending — to be completed before County Commission consideration **Approved and within budget?** Not Applicable

Action: Recommendation to the County Commission

DRAFT — not yet in effect. The amendments described in this report have not been adopted. The Bylaws in force are those adopted by Resolution 3263 (2021).

1. Plain English Summary: These amendments update the Planning Commission's Bylaws. They fix citations broken by the 2025 recodification of state law, match the quorum and voting rules to the Land Use Code, spell out which body is meant wherever the Bylaws said only “the Commission,” convert the article numbers from Roman to Arabic, and write down several practices the Commission already follows. Staff recommends that the Planning Commission recommend approval to the County Commission.

2. Planning Commission Motion: *Having considered the staff report and recommendation, public comments, and the Bylaws, and finding that the proposed amendments conform the Bylaws to state law and to the Land Use Code and improve the clarity and administration of the Commission's proceedings, I move to recommend approval of the amended Bylaws to the County Commission.*

3. Background: The Bylaws were adopted by Resolution 3263 (2021). Bylaws § 8.1 provides that the Planning Commission reviews its Bylaws at the beginning of each calendar year and recommends amendments to the County Commission as provided in County Ordinance 674 (2023). The Bylaws are adopted by resolution rather than ordinance and are not a land use regulation, so no public hearing is required; the meeting at which the Commission acts is, of course, an open meeting.

4. Staff Analysis: The amendments fall into three groups:

- **Conforming to state law and the Land Use Code:**

Citations updated for the 2025 recodification; “County Council” corrected to “County Commission”; quorum and the vote threshold changed from a fixed four members to a majority of the appointed regular members; new § 5.4 requiring compliance with the Open and Public Meetings Act; § 6.5 conformed to Utah Code §§ 52-4-208 and 52-4-210 as amended in 2024; recusal and removal cross-referenced to the Land Use Code rather than restated, so the two documents cannot drift apart.

- **Making the Bylaws usable:**

Article and section numbers converted from Roman to Arabic to match the Land Use Code; every unmodified use of “the Commission” spelled out, with a naming provision at § 2.1; Land Use Code citations generalized so renumbering the Code does not require a bylaws amendment; new § 8.3 collecting the Commission's recurring annual obligations in a year-at-a-glance table.

36 • **Writing down current practice:**

37 Annual and unconditional officer elections, with terms beginning immediately after the election and a
38 pro tempore provision; staff corrections routed to the full Commission; minutes recording each vote
39 by member, with a roll call on land use matters; a three-minute limit on spoken comment; no pre-
40 application review by the Commission; ex parte narrowed and a carve-out confirming that talking to
41 Planning Department staff is not ex parte; rule suspension changed from unanimous to two-thirds.

42 **5. Two policy questions for the Commission:**

43 **The quorum and vote threshold are the same number.** Both are a majority of the appointed regular members,
44 so they resolve to the same figure at every membership size. A meeting attended by a bare quorum can act
45 only unanimously, and one abstention or recusal defeats the motion. That is defensible, but the Commission
46 should adopt it knowingly. The alternative is a threshold of a majority of the members present and voting.

47 **Where the public comment limits belong.** Bylaws § 2.1(e) states that the Bylaws are advisory guidelines
48 without the force of law, so a comment limit resting there is practice rather than an enforceable rule. If the
49 Commission intends the limits to bind, they belong in the Land Use Code.

50 **6. Staff Recommendation:** Staff finds that the proposed amendments:

- 51 • Conform the Bylaws to Utah Code Title 17, Chapter 79 and to the Land Use Code
52 • Remove an ambiguity that ran throughout the Bylaws between two different bodies
53 • Reduce the maintenance burden by citing the Land Use Code generally rather than by section
54 • Record practices the Commission already follows

55 **Staff recommends that the Planning Commission recommend approval of the amended Bylaws to the**
56 **County Commission.**

57 **7. Attachments:**

- 58 • Planning Commission Bylaws Redline, Version 9-14-2026
59 • Resolution adopting the amended Bylaws (draft)
60 • Consolidated Change Register, Version 9-14-2026

BYLAWS OF THE GRAND COUNTY PLANNING COMMISSION

Grand County, Utah

As amended and restated

Exhibit A to Resolution No. _____ (2026)

DRAFT — not yet in effect. These proposed amendments to the Grand County Bylaws have not been adopted.
The Bylaws in force is the Bylaws as published.

ARTICLE 1

Authority

The Grand County Planning Commission is authorized by Utah Code Annotated § 17-79-301 and § 17-79-302 and by 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 2

General Provisions

2.1. 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 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.

2.2. 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 3

Officers and Election

3.1. Officers

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

3.2. Election

- a. The Chairperson and Vice-chairperson shall be elected annually as the first item of business at the first regular meeting of each calendar year. They shall serve for a term of one year or until their successors are elected. 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.
- 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 the Land Use Code.

3.3. Chair

The Chairperson has the following duties:

- a. The Chairperson presides at all meetings of the Planning Commission, maintaining order and decorum, and 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 § 5.6.
- 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.

3.4. Vice-chair

The Vice-chair performs the duties of the Chairperson in the Chairperson's absence, or duties 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 4

Vacancies, Interviews, and Voting

4.1. 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.

4.2. Candidate Interviews

The Planning Commission shall interview qualified candidates and recommend them to the County Commission. At the start of each interview, candidates will be given three minutes to briefly introduce themselves and provide relevant information about their background and experience. During the interview process, Commissioners are encouraged to ask questions that verify a candidate's experience and eligibility 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.

4.3. 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.
- b. Planning staff will tally the number of votes cast for each candidate and read this information back to the Planning Commission. The Planning Commission, by motion, will forward this recommendation, including any findings, to the County Commission for consideration.

4.4. 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 5

Meetings and Organization

5.1. 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.

5.2. 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.

5.3. 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 other training.

5.4. 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.

5.5. Special Meetings, Workshops, and Field Trips

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

5.6. Agendas

- a. Agendas shall be set at the direction of the Chairperson. Staff shall provide agendas for regular meetings to all members at least three days before 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 selecting, scheduling, and ordering items and determining the sufficiency of materials, and does not include consideration of the merits of any pending application or petition.

5.7. 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 public review in the Planning Department at 59 North 200 East, Moab, UT 84532, 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.
- b. Commissioners are encouraged to review meeting materials upon receipt. To promote efficient public meetings and accurate staff presentations, a Commissioner should contact the Planning Director before the meeting regarding technical questions, requests for clarification, or suspected factual errors in a staff report. Staff shall endeavor to respond before the meeting. Staff shall provide any correction to a staff report, and any response of general significance to the Planning Commission's consideration of the item, to the full Planning Commission in writing before the meeting or orally at the start of the item.

5.8. 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 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 § 5.14.

5.9. 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.

5.10. Rules of Order

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

5.11. 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 a majority of the appointed regular members, and the affirmative vote of a majority of the appointed regular members shall be necessary to pass any motion, as provided in the Land Use Code.

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

Appointed regular members	Quorum	Affirmative votes to act	If only a bare quorum is present
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.

5.12. 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.

5.13. 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. 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.

5.14. 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 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.

5.15. Public, Applicant, and Other Participation by Real-Time Telecommunication

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.

5.16. Quorum

Quorum means the minimum number of members required to act as a body. A quorum requires a majority of the appointed regular Planning Commission members, as provided in 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 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.

5.17. 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 current Ordinances and Policies established for such by the Grand County Commission, including Grand County Resolution 2944.

5.18. 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 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.

5.19. 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 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 6

Ethical Considerations

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

6.1. Serve the Public Interest

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

6.2. 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.

6.3. Conflict of Interest and Recusal

Recusal of Planning Commission members is governed by the Land Use Code and this section. Planning Commission members shall adhere to Grand County policy as stated in Ordinance 593 (2019), 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 shall 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 the Land Use Code.

6.4. Ex Parte Communication / Ensure Full Disclosure at Public Meetings

- a. A Planning Commissioner shall not engage in ex parte 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 communications include any communication with an interested party concerning the merits of a pending application outside of a public meeting, and prior to the Planning Commission's final decision.
- c. 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. 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.
- e. 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 § 6.3 or the Land Use Code.

6.5. 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 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.

6.6. 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 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 7 Resignations and Removal of Membership

7.1. 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.

7.2. Acceptance of Resignation

The County Commission shall accept the resignation upon receipt thereof.

7.3. 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 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 the Land Use Code, which require written notice of the cause and an opportunity for the member to respond before the County Commission acts.

ARTICLE 8

Adoption, Review, and Amendment of Bylaws

8.1. 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 674 (2023).

8.2. Waiving or Suspending Rules

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

8.3. Annual Obligations of the Planning Commission

The following obligations recur every year. They are collected here so they can be calendared rather than remembered; each is governed by the provision cited elsewhere in these Bylaws or in the Land Use Code.

When	What the Planning Commission does	Authority
January 1	New and reappointed members' terms begin.	Land Use Code
First regular meeting of the year	Elect a Chairperson and Vice-chairperson, as the first item of business.	§ 3.2(a); Land Use Code
First regular meeting of the year	Approve the Planning Commission meeting calendar for the year.	§ 5.2; Utah Code § 52-4-202
Beginning of each year	Review these Bylaws and recommend any amendments to the County Commission.	§ 8.1
During the year	Every member completes Open and Public Meetings Act training.	§ 5.3; Utah Code § 52-4-104
During the year	Conduct the annual review of the Grand County General Plan.	Land Use Code
By September 1	County staff notifies the County Commission of each term expiring that year.	Land Use Code; § 4.1
Fall	Vacancy notice published; the Planning Commission interviews candidates and forwards a recommendation to the County Commission.	§§ 4.1 through 4.4
December 31	Expiring terms end.	Land Use Code

GRAND COUNTY PLANNING COMMISSION BYLAWS

Grand County, Utah

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

Version 9-14-2026

DRAFT — not yet in effect. These proposed amendments to the Planning Commission Bylaws have not been adopted. The Bylaws in force are those adopted by Resolution 3263 (2021). Marked text shows what is proposed, not what governs today.

Legend: ~~strikethrough text~~ = deleted; underlined text = added. Green text = Round 2 amendments, Version 8-24-2026; green underline = added, green strikethrough = deleted. Purple text = Round 3 amendments, Version 9-14-2026; purple underline = added, purple strikethrough = deleted.

ARTICLE 1

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 2

General Provisions

2.1. 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.

2.2. 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 3
Officers and Election

3.1. Officers

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

3.2. 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.

3.3. 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 § 5.6.
- 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.

82 **3.4. Vice-chair**

83 The Vice-chair performs the duties of the Chairperson in the absence of the Chairperson, or duties as
84 delegated by the Chairperson. In the event of temporary absence of the Chairperson and Vice-
85 chairperson, the remaining members present shall elect an acting Chairperson for that meeting.

86 **ARTICLE 4**

87 **Vacancies, Interviews, and Voting**

88 **4.1. Vacancies**

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

94 **4.2. Candidate Interviews**

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

102 **4.3. Voting**

103 a. The Planning Commission shall vote upon the names of candidates in alphabetical order, by last
104 name. Each Commissioner shall be entitled to one vote for each vacancy. Commissioners shall
105 vote by voice or a raise of hands. ~~If requested by the Chair, written ballots may be used for~~
106 ~~voting purposes.~~

107 b. Planning staff will tally the number of votes cast for each candidate and read this information
108 back to the Planning Commission. ~~Planning~~ The Planning Commission, by motion, will forward
109 this recommendation, including any findings, to the County ~~Council~~ Commission for
110 consideration.

111 **4.4. Recommendations to the County Commission**

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

114 **ARTICLE 5**

115 **Meetings and Organization**

116 **5.1. Open Meetings**

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

119 **5.2. Regular Meetings**

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

circumstances.

5.3. 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.

5.4. 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.

5.5. 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.~~ may be held at the call of the Chairperson of the Planning Commission or the Grand County Commission.

5.6. 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.

5.7. 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.
- b. Commissioners are encouraged to review meeting materials upon receipt. To promote efficient public meetings and accurate staff presentations, a Commissioner should contact the Planning Director before the meeting regarding technical questions, requests for clarification, or suspected factual errors in a staff report. Staff shall endeavor to respond before the meeting. Staff shall provide any correction to a staff report, and any response of general significance to the Planning Commission's consideration of the item, to the full Planning Commission in writing before the meeting or orally at the start of the item.

5.8. 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 § 5.14.

5.9. 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.

5.10. Rules of Order

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

5.11. 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.]

5.12. 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.

5.13. 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.

5.14. 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.

5.15. ~~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.

5.16. 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.

5.17. 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.

5.18. 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.

5.19. 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 6
Ethical Considerations

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

6.1. Serve the Public Interest

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

6.2. 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.

6.3. 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~~593 (2019), 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.

[Drafting note. Ordinance 462 (1997) was repealed and replaced by Ordinance 593 (2019), the Ethics and Conflict of Interest Policy, adopted July 16, 2019. Ordinance 593 § 4.1 requires written and oral disclosure, § 4.2 requires recusal after disclosure for a restricted conflict, and § 7.0 permits a body to suspend a provision more restrictive than state law by a two-thirds vote of the remaining members. The citation is corrected to the ordinance in force.]

6.4. 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~~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.~~County staff are not an interested party.

- d. ~~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.
- e. 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 § 6.3 or~~Land Use Code § 8.1.3(F)(4)~~the Land Use Code.

6.5. 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.

6.6. 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.

359 **ARTICLE 7**

360 **Resignations and Removal of Membership**

361 **7.1. Resignations**

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

365 **7.2. Acceptance of Resignation**

366 The County Commission shall accept the resignation upon receipt thereof.

367 **7.3. Removal from Planning Commission**

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

374
375 *[The causes for removal are in ~~Land Use Code § 8.1.3(F)(2) the Land Use Code~~ and are not repeated here, so*
376 *the two documents cannot drift apart when the Code is amended. Conflict in state code: Utah Code § 17-79-*
377 *301(3)(a)(v)(B) is a county provision but points to the* ***Municipal Officers' and Employees' Ethics Act,***
378 ***Title 10, Chapter 3, Part 13,*** *which by its terms governs municipal officers and employees. The*
379 *county counterpart is Title 17, Chapter 70, Part 5, Disclosure Duties Applicable to All County Officers, §§ 17-*
380 *70-501 through 17-70-511, formerly Title 17, Chapter 16a. ~~Land Use Code § 8.1.3(F)(2) The Land Use Code~~*
381 *carries the same note.]*

382 **ARTICLE 8**

383 **Adoption, Review, and Amendment of Bylaws**

384 **8.1. Annual Review and Amendment**

385 The bylaws will be reviewed by the Planning Commission at the beginning of each calendar year.
386 Amendments will be recommended to the County Commission for approval as per County Ordinance ~~472-~~
387 ~~(2008) 674 (2023).~~

388 [Drafting note. Ordinance 472 (2008) was repealed and replaced by Ordinance 674 (2023), adopted May
389 2, 2023, which establishes the current process for adopting and amending the by-laws of County boards,
390 councils, commissions, and committees. The citation is corrected to the ordinance in force.]

391 **8.2. Waiving or Suspending Rules**

392 A rule of procedure may be suspended or waived at any meeting by ~~unanimous vote~~ two-thirds (2/3) vote
393 of the Planning Commission members present unless such rule is set by state law or County ordinance.
394

8.3. Annual Obligations of the Planning Commission

The following obligations recur every year. They are collected here so they can be calendared rather than remembered; each is governed by the provision cited elsewhere in these Bylaws or in the Land Use Code.

When	What the Planning Commission does	Authority
January 1	New and reappointed members' terms begin.	Land Use Code
First regular meeting of the year	Elect a Chairperson and Vice-chairperson, as the first item of business.	§ 3.2(a); Land Use Code
First regular meeting of the year	Approve the Planning Commission meeting calendar for the year.	§ 5.2; Utah Code § 52-4-202
Beginning of each year	Review these Bylaws and recommend any amendments to the County Commission.	§ 8.1
During the year	Every member completes Open and Public Meetings Act training.	§ 5.3; Utah Code § 52-4-104
During the year	Conduct the annual review of the Grand County General Plan.	Land Use Code
By September 1	County staff notifies the County Commission of each term expiring that year.	Land Use Code; § 4.1
Fall	Vacancy notice published; the Planning Commission interviews candidates and forwards a recommendation to the County Commission.	§§ 4.1 through 4.4
December 31	Expiring terms end.	Land Use Code

CHANGE REGISTER
PLANNING COMMISSION BYLAWS
Grand County Planning Commission
Version 9-14-2026

DRAFT — not yet in effect. Every change listed in this register is proposed. None has been adopted, and nothing in this register is itself an amendment.

PURPOSE AND HOW TO READ THIS REGISTER

This register lists every amendment proposed to the Planning Commission Bylaws, in three 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 August 24 layer, shown in green with the same convention. **Round 3** is the current layer, shown in purple. 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.
3.2(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.
3.2(c), 4.3(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.
3.2(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.
3.3(b)	Chair's agenda-setting authority cross-referenced to the new § 5.6.	Conforms the two provisions that address agendas.
4.2, 4.3	Grammar corrections; “Council” changed to “Commission.”	The County Council became the County Commission.
5.3	Citizen Planner Workshop reference broadened to “other training.”	Ties the requirement to the training rather than to one provider.
5.6(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.

Provision	Change	Reason
5.7(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.
5.7(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.
5.11, 5.16	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.
5.15, 5.16, 5.17	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.
5.18(a)	“makes a decision” changed to “decides.”	Plain language.
5.19	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.
6.3	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).
6.4	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.
6.5	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.
6.6	Attendance provision cross-referenced to Land Use Code § 8.1.3(E)(7).	Removes the risk of the two documents drifting apart.
7.3	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.

18

19 Round 2 — Version 9-14-2026

Provision	Change	Reason
5.4 (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 § 5.1 and for annual training at § 5.3. This states the obligation as a whole. Inserting it rennumbers former §§ 5.4 through 5.18 as §§ 5.5 through 5.19; all cross-references in these documents are conformed.

Provision	Change	Reason
5.8	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.
5.11	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.
5.12	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.
5.14	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.
3.2(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.
6.4(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.
6.4(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.
8.2	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 § 5.10.
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
2.1	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 § 2.1 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.
6.5	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.

20 **Round 3 — Version 9-14-2026**

Provision	Change	Reason
Throughout	Article and section numbers converted from Roman to Arabic: ARTICLE 1 through ARTICLE 8, and §§ 1.1 through 8.3. Every cross-reference in these Bylaws, the Land Use Code redline, the change register, the annual obligations memo, the quick reference, and the orientation handout was conformed.	Matches the numbering convention used in the Land Use Code and the rest of the packet. Roman numerals at the article level are harder to cite in the field and do not match the Code a commissioner reads alongside these Bylaws.
5.5	“the Chairperson” is now “the Chairperson of the Planning Commission.”	The section also names the Grand County Commission, so an unqualified “Chairperson” was ambiguous as to which body's chair may call a special meeting.
5.8	The sentence limiting written comment to 400 words is struck, and the late-comment sentence states that the submitter may read it aloud under § 5.14.	Removed at the Planning Commission's direction. The Wednesday deadline and the packet rule remain, as does the rule that staff does not read written comment aloud. A submitter of late comment may read it aloud personally at the meeting within the three-minute limit in § 5.14.
6.4(b)	The sentence defining an ex parte communication as one “from one party, or on one side only” is struck.	Removed at the Commission's direction. The operative definition earlier in the subsection is unchanged.
6.4(c)	“For the purposes of Planning Commission policy” is struck and “Interested Parties” is lowercased to “interested parties” throughout the subsection.	The lead-in added nothing, and capitalizing the term implied a defined term used elsewhere in the Bylaws, which it is not.
6.4(d)	Deleted. Former (e) and (f) become (d) and (e).	The disclosure requirement it stated is carried by the disclosure-and-participate procedure in what is now § 6.4(e).
6.3	Citation for the County conflict of interest policy changed from Ordinance 462 to Ordinance 593 (2019).	Ordinance 593, adopted July 16, 2019, repealed and replaced Ordinance 462 (1997). Same defect as § 8.1: the Bylaws in force cite an ordinance that no longer exists.
8.1	Citation for the by-laws amendment process changed from County Ordinance 472 (2008) to County Ordinance 674 (2023).	Ordinance 674, adopted May 2, 2023, repealed and replaced Ordinance 472. Resolution 3263 (2021) predates the repeal, so the citation was correct when adopted and is stale now.

Provision	Change	Reason
8.3 (new)	New section, Annual Obligations of the Planning Commission, with the year-at-a-glance table running in calendar order from January 1 through December 31.	Bylaws § 2.2 requires each member to become familiar with the rules affecting the Planning Commission but never collects the recurring duties in one place. Placed in Article 8, which already governs annual review and amendment.
Layout	Vestigial two-column section breaks removed, blank paragraphs before ARTICLE headings deleted, and every ARTICLE heading and subtitle centered between the margins.	The source carried hidden section breaks that forced pages early and left half-blank pages, and placed two section headings above their own ARTICLE titles.

QUESTIONS FOR THE COMMISSION

Two items are policy choices rather than corrections and should be resolved before the public hearing. A third, the treatment of the two expired overlay districts, is recorded here as resolved.

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 §§ 5.11 and 5.16 and Land Use Code § 8.1.3(E)(4) would move together.

2. Where the public comment limits live. The Bylaws state at § 2.1(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 overlay districts. Resolved. The Planning Commission directed that §§ 4.7.1 through 4.7.11 and §§ 4.9.1 through 4.9.8 be carried forward in the Code with the sunset stated in the text rather than repealed, because projects were permitted under both overlays and the standards that governed them must remain available to read. The redline states the expiration in §§ 4.7.10 and 4.9.7 and preserves the standards, deed restrictions, occupancy requirements, and enforcement provisions in effect at the time of approval for any district approved before expiration. One item remains: § 4.9 carries two different sunsets, § 4.9.7 and § 4.9.2, and both should not survive.

ACTION OUTSIDE THESE DOCUMENTS

Codification of Ordinance 708. Two ordinances were adopted December 17, 2024 with identical text, Ordinance 708 and Ordinance 711. Section 4 of the proposed ordinance repeals Ordinance 711 as a duplicate and leaves Ordinance 708 as the operative instrument, so the Code credits one number. Codification of Ordinance 708 as amended is an administrative act, 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 Planning Commission recommends that the County Commission change the term of one member appointed in 2026 to a five-year term expiring December 31, 2030. That single appointment restores the stagger. 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

GRAND COUNTY, UTAH
RESOLUTION NO. _____ (2026)

A RESOLUTION ADOPTING AMENDED BYLAWS FOR THE GRAND COUNTY PLANNING COMMISSION

DRAFT — not yet in effect. This resolution is a draft prepared for the Planning Commission’s review. It has not been adopted, and the resolution number, date, and vote remain blank.

WHEREAS, the Grand County Planning Commission is established under Utah Code §§ 17-79-301 and 17-79-302 and Section 8.1 of the Grand County Land Use Code;

WHEREAS, the County Commission adopted Bylaws for the Grand County Planning Commission by Resolution 3263 (2021);

WHEREAS, County Ordinance 674 (2023) provides the process by which the Planning Commission recommends amendments to its Bylaws to the County Commission;

WHEREAS, Bylaws § 8.1 provides that the Planning Commission shall review its Bylaws at the beginning of each calendar year and recommend any amendments to the County Commission;

WHEREAS, Title 17, Chapter 27a of the Utah Code was recodified as Title 17, Chapter 79 effective November 6, 2025, and the Bylaws contain citations to the repealed numbering;

WHEREAS, Utah Code § 17-79-301(3)(a), effective May 6, 2026, requires the ordinance establishing a county planning commission to address removal and recusal, and the Bylaws should be conformed to the Land Use Code provisions adopted for that purpose;

WHEREAS, the Planning Commission reviewed the proposed amendments at its meeting of September 28, 2026, and forwarded a recommendation to the County Commission; and

WHEREAS, the County Commission finds that the amended Bylaws will improve the clarity, consistency, and administration of the Planning Commission’s proceedings;

NOW, THEREFORE, BE IT RESOLVED by the Grand County Commission as follows:

Section 1. Adoption.

The Bylaws of the Grand County Planning Commission are amended and restated in the form attached to this resolution as Exhibit A, which is adopted and incorporated by reference.

Section 2. Repeal of prior Bylaws.

The Bylaws adopted by Resolution 3263 (2021) are repealed and replaced by the Bylaws adopted in Section 1. Any resolution or portion of a resolution in conflict with this resolution is repealed to the extent of the conflict.

Section 3. Nature of the Bylaws.

The Bylaws are advisory guidelines governing the Planning Commission's internal proceedings. They are not adopted by ordinance and do not have the force of law. A deviation from the Bylaws during a meeting is not grounds for invalidating a hearing held at that meeting or a decision made at that meeting.

Section 4. Severability.

If any provision of the Bylaws adopted by this resolution is held invalid, the remaining provisions remain in effect.

Section 5. Effective date.

This resolution takes effect upon adoption.

PASSED AND ADOPTED by the Grand County Commission this _____ day of _____,
2026.

Melodie McCandless, Chair, Grand County Commission

ATTEST:

Gabriel Woytek, Grand County Clerk/Auditor

Vote:

Ayes: _____

Nays: _____

Absent or abstaining: _____

Attachment

Exhibit A — Bylaws of the Grand County Planning Commission, as amended