

**MURRAY CITY**  
**PLANNING COMMISSION**  
**POLICIES AND PROCEDURES**

**I. PURPOSE**

These policies and procedures are designed and adopted for the purpose of providing guidance and direction to the members of the Murray City Planning Commission in the performance of their duties. The Planning Commission shall be governed by the provisions of all applicable State Statutes, City Ordinances and these rules. Nothing in these rules shall be interpreted to provide an independent basis for invalidating or in any way altering a final decision of the Commission unless otherwise provided by City ordinance or State law.

**II. OFFICERS AND DUTIES**

**Election of Chair.** The Planning Commission shall elect annually, on the third Thursday in January, a Chair and Vice-Chair. The Chair and Vice-Chair shall be elected from the duly appointed members of the Commission by a majority of the total membership for a term of one year. The Chair may not succeed himself/herself in office. The Chair shall preside over all meetings and hearings of the Commission and shall execute all official documents and letters on behalf of the Commission. The term "Chair," as used throughout this document, shall mean the Chair of the Planning Commission, or in the absence or incapacity of the Chair, the Vice-Chair unless otherwise designated.

**III. MEETINGS**

**A.** A quorum consists of four voting members of the Planning Commission and is necessary to conduct any business of the Planning Commission.

**B.** Meetings of the Planning Commission will be held at 6:30 p.m. on the first and third Thursday of each month or on a regularly scheduled basis as directed by the Commission. When regularly scheduled meeting dates fall on a recognized national or state holiday, the meeting will be rescheduled as directed by the Planning Commission Chair. The Planning Commission will meet at 6:00 p.m. prior to each regular meeting to familiarize themselves with the items found on the meeting agenda.

**C.** Special meetings may be called by the Chair or, in his/her absence, by the Vice-Chair or by a majority of the other voting members of the Planning Commission, provided that notification is given as provided by law.

**D.** All meetings of the Planning Commission shall comply with Title 52 Chapter 4 of the Utah Code regarding open and public meetings including all study and training sessions.

**E. Order of Business.**

1. Procedural Statement (including reading of the process for appealing decisions).
2. Conflict of Interest
3. Approval of Minutes.

4. Conditional Use Review.
5. Subdivision/PUD Review.
6. Master Plan/Zoning Amendment.
7. Zoning Text Changes.
8. Certificate of Appropriateness Review
9. Other Business
10. Adjournment.

The order of business may be altered by Community and Economic Development Department staff after consultation with the Chair, in circumstances where certain agenda items are anticipated to involve extensive public comment. The Chair may also change the order of business or consider matters out of order if there is no objection from any member of the Commission or by a majority vote of the Commission.

**F. Presentation of Application.**

Any person may appear in person or be represented by an agent or attorney at any meeting of the Commission.

**G. Order of Procedure.**

Except as otherwise provided in these rules, the order of procedure in the hearing of each application is described in Attachment 1.

**H. Roberts Rules.**

Meetings of the Planning Commission shall generally be conducted according to Roberts Rules, Recently Revised, as amended.

**I. Voting.**

An affirmative vote of the majority, but not less than three of the voting members present at the meeting shall decide all matters under consideration by the Planning Commission unless otherwise provided for in these rules.

**J. Decisions.**

Decisions of the Planning Commission shall be final at the end of the meeting at which the matter is decided. The Planning Commission shall send a written copy of its decision to the applicant, his attorney or agent. Such copy of the decision shall include, insofar as practical, the reasons for the Commission's decision and will be referred to as Findings of Fact. Findings of Fact will also be adopted after a motion is made for agenda items that the Commission has decisional authority for. These findings will be prepared in a document by Staff and will be signed by the Chair or Vice-Chair at the following meeting after a decision is made.

In the event of a tie vote on any motion before the Commission, the motion fails, and the Chair may ask for another motion. If no other motion is made or if the second motion also ends in a tie vote, the application is denied, and the applicant shall have the right to appeal as provided by law.

#### IV. RECORDS

##### A. Written Minutes.

Written minutes shall be kept of all Planning Commission meetings. Such minutes shall include:

1. The date, time and place of the meeting.
2. The names of members present and absent.
3. The substance of all matters proposed, discussed, or decided, and a record of the votes taken.

The minutes are public records and shall be available within a reasonable time after the meeting. An official copy of the minutes shall not be made available until after formal adoption by the Commission.

##### B. Recording.

A recording of all or any part of a Planning Commission meeting may be made by any person in attendance; provided the recording does not interfere with the conduct of the meeting.

#### V. ADMINISTRATIVE ISSUES

The deadline for submitting handouts and materials by the applicants and others is established as no later than 1 p.m. two days prior to the meeting. If materials are submitted prior to the deadline and the Commission does not have time to adequately review the material, they may decide to postpone a decision to allow for time to review the material. Staff will make efforts to communicate this requirement to applicants and the general public.

Community and Economic Development Department staff will make efforts to email this information to the Commission as soon as the item is received. The Commission or staff will summarize the written public input received during the public hearings for the record.

Revised 10/3/19

## **Attachment 1**

### **Planning and Zoning Commission Meeting Protocol**

1. Chair offers a brief introduction of meeting purpose and composition of the Commission;
2. Chair describes the agenda items and asks if there are any conflicts of interest and ex parte contacts are revealed;
3. Chair reads agenda item and outlines the elements of conducting a public hearing. They are outlined as follows:
  - a. Ten (10) minute time limit on applicant presentation.
  - b. Three (3) minute time limit on public testimony.
  - c. Names and addresses are required from those presenting/testifying.
  - d. Mere repetition of previous testimony is not allowed.
  - e. Questions and comments should be addressed to the Commission.
  - f. Commission members must make their decision regarding the application on facts already in the record and information presented at the public hearing.
  - g. Protocol requires that the commission and audience be recognized by the Chair prior to speaking.
  - h. Ask if written correspondence has been submitted for the record.
  - i. Testimony by those supporting the application.
  - j. Testimony by those uncommitted to the application;
  - k. Testimony of opponents to the application
  - l. Rebuttal by the applicant (5 Minutes)
  - m. Chair closes the public hearing and initiates motions/deliberations.
  - n. Develop a written and reasoned statement supporting the decision.
4. Chair asks for review and approval of the minutes by the Commission
5. Chair asks if the applicant is present.
6. Chair requests staff presentation (**please note that at all times, commission members should be recognized by the chair prior to speaking. The chair does not need to solicit comments from each individual member, but rather may ask if they have any questions in general;**)
7. Chair entertains questions for staff from the Commission
8. Chair requests applicant presentation
9. Chair entertains questions for the applicant(s) from the Commission (The chair does not need to solicit comments from each individual member, but rather may ask if they have any questions in general);
10. Public Testimony
11. Applicant Rebuttal
12. Chair entertains a motion and a second to the motion.
13. Chair entertains discussion on the motion. Discussion should then stay focused on the motion under consideration.
14. Chair closes discussion and calls for the vote after restating the motion.
15. Chair declares that the motion has either “passed” or “failed”.
16. Chair entertains Motion for Adoption of Findings of Fact
17. Chair Calls for the Vote
18. Chair declares that the motion has either “passed” or “failed”.
19. Chair moves on to next agenda item.