

This section has been affected by a recently passed ordinance, 15-2013 - **CONDITIONAL BUILDING AND SITE DESIGN REVIEW**. [Go to new ordinance.](#)

21A.06.030: PLANNING COMMISSION:

- A. Creation: The planning commission is created pursuant to the enabling authority granted by the municipal land use development and management act of the Utah code.
- B. Jurisdiction And Authority: The planning commission shall have the following powers and duties in connection with the implementation of this title:
1. Prepare and recommend to the city council for adoption, a comprehensive, general plan and amendments to the general plan for the present and future needs of the city and the growth and development of the land within the city or any part of the city;
 2. Make comprehensive surveys and studies of the existing conditions and trends of growth and of the probable future requirements of the city and its residents as part of the preparation of the general plan;
 3. Initiate amendments to the text of this title and to the zoning map pursuant to the provisions of section [21A.50.020](#) of this title;
 4. Review, evaluate and make recommendations to the city council on proposed amendments to this title pursuant to the procedures and standards set forth in sections [21A.50.030](#) and [21A.50.040](#) of this title;
 5. Review, hear and decide applications for conditional uses, including planned developments, pursuant to the procedures and standards set forth in chapters [21A.54](#), "Conditional Uses", and 21A.55, "Planned Developments", of this title;
 6. Hear and decide appeals from administrative hearing decisions of the planning director;
 7. Hear and decide applications for subdivision amendments and approvals pursuant to the municipal land use development and management act, title 10, chapter 9a of the Utah Code Annotated;
 8. Authorize special exceptions to the terms of this title pursuant to the procedures and standards set forth in [chapter 21A.52](#), "Special Exceptions", of this title; and
 9. Make determinations regarding the existence, expansion or modification of nonconforming uses and noncomplying structures pursuant to the procedures and standards set forth in [chapter 21A.38](#), "Nonconforming Uses And Noncomplying Structures", of this title.
- C. Membership: The planning commission shall consist of at least nine (9) up to a maximum of eleven (11) voting members, appointed by the mayor with the advice and consent of the city council from among qualified electors of the city in a manner providing balanced geographic, professional, neighborhood and community interests representation. The director of the planning division (or the planning director's designated representative) shall serve as an ex officio member without vote. Voting members may serve a maximum of two (2) consecutive full terms of four (4) years each. The mayor shall appoint a

new commission member to fill any vacancy that might arise and such appointment shall not be included in the determination of any person's eligibility to serve two (2) consecutive full terms.

- D. Officers: The planning commission shall annually elect a chair and a vice chair who shall serve for a term of one year each. The chair or vice chair may not be elected to serve consecutive terms in the same office. The secretary of the planning commission shall be designated by the planning director.
- E. Meetings: The planning commission shall meet at least once each month.
- F. Record Of Proceedings: The proceedings of each meeting and public hearing shall be recorded on audio equipment. Records of confidential executive sessions shall be kept in compliance with the government records access and management act. The audio recording of each meeting shall be kept for a minimum of sixty (60) days. Upon the written request of any interested person, such audio recording shall be kept for a reasonable period of time beyond the sixty (60) day period, as determined by the planning commission. Copies of the tapes of such proceedings may be provided, if requested, at the expense of the requesting party. The commission shall keep written minutes of its proceedings and records of all of its examinations and official actions.
- G. Quorum And Vote: No business shall be conducted at a meeting of the planning commission without at least a quorum constituted by the majority of the appointed voting members. All actions of the planning commission shall be represented by a vote of the membership. A simple majority of the voting members present at the meeting at which a quorum is present shall be required for any action taken. The decision of the planning commission shall become effective upon the posting of the record of decision.
- H. Public Hearings: The planning commission shall schedule and give public notice of all public hearings pursuant to the provisions of [chapter 21A.10](#), "General Application And Public Hearing Procedures", of this title.
- I. Conflicts Of Interest: No member of the planning commission shall participate in or be present at the hearing or disposition of any matter in which that member has any conflict of interest prohibited by [title 2, chapter 2.44](#) of this code. The planning commission may, by majority vote of the members present, allow a member, otherwise required to leave due to a conflict, to be present if required by special or unusual circumstances.
- J. Removal Of A Member: Any member of the planning commission may be removed by the mayor for violation of this title or any policies and procedures adopted by the planning commission following receipt by the mayor of a written complaint filed against the member. If requested by the member, the mayor shall provide the member with a public hearing conducted by a hearing officer appointed by the mayor.

K. Policies And Procedures: The planning commission shall adopt policies and procedures for the conduct of its meetings, the processing of applications and for any other purposes considered necessary for its proper functioning. (Ord. 70-12, 2012)