Kaysville City Planning Commission
Meeting Notice and Agenda

The Kaysville City Planning Commission will hold a regular meeting on February 12, 2026, at 7:00 PM in the Council Chambers of the Kaysville City Municipal Building located at 23 East Center Street. The public is encouraged to attend in person or may view the meeting online via www.Kaysvillelive.com.

1. Welcome and Meeting Order
2. Declaration of Conflict of Interest
3. Public Hearing for a rezone request for 1 West 100 South from PB Professional Business to CC Central Commercial
4. Public Hearing for a rezone request for the Pioneer Park property located at 1285 South Angel Street (parcels #080220044 and #084320836) from R-A Agricultural Residential PU Public Use
5. Public Hearing for a rezone request for the Trappers Park property at 2185 West 200 North (parcels #115920229, #115910150, #11593001, and #151680439) from R-1-LD and R-A to PU Public Use
6. Consideration of amending the Planning Commission Bylaws and Rules of Procedure
7. Approval of the minutes from the January 22, 2026 Planning Commission Meeting
8. Other matters that properly come before the Planning Commission
    a. Reports
    b. Correspondence
    c. Calendar
9. Adjournment

On a Notice of Meeting was posted in accordance with Utah State Code Section 52-4-202 (3).

Kaysville City is dedicated to a policy of non-discrimination in admission to, access to, or operations of its programs, services, or activities. If you need special assistance due to a disability, please contact the Kaysville City Offices at (801) 546-1235 at least 24 hours in advance of the meeting to be held.

Mindi Edstrom
Community Development Department

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 4, 2026

Agenda Item #3: Rezone request and public hearing for Parcel #111080112 at 1 West 100 South from PB Professional Business to CC Central Commercial.

Meeting Date	February 12, 2026
Application Type	Rezone
Applicant | Owner	Justin Metcalfe | JSM Office Building LLC
Address | Parcel ID Number	1 West 100 South | 111080112
Lot Size	0.22 acres | 9,583 ft^2
Current Use	Insurance Office
Current Zoning	**PB Professional Business**
Density Entitlement	N/A
Requested Zoning	**CC Central Commercial**
Density Entitlement	N/A

1. BACKGROUND

Justin Metcalfe submitted an application to rezone property located at approximately 1 West 100 South from Professional Business (PB) to Central Commercial (CC). The rezone is requested to allow the property owner to install a freestanding on premise ground sign on the property.

The Professional Business zone, although one of the City's commercial zoning designations, has stricter allowances for what uses are permitted and what sign types are allowable compared to the Central Commercial zone.

2. ZONING

To summarize the key differences between the existing and requested zones, staff has provided a matrix outlining signage allowances as well as permitted/conditional uses. Because this rezone request is driven by the applicant's intent to construct a specific sign type, staff has prioritized the comparison of height, size, and type regulations between the PB and CC zones.

REGULATIONS	PROFESSIONAL BUSINESS Current Zone	CENTRAL COMMERCIAL Requested Zone
Signs Types Allowed	Electronic Message Center (EMC), Monument, Flat or Wall	Electronic Message Center (EMC), On-Premise, Ground, Menu Board, Banner, Monument, Flat or Wall, Service, Public Necessity, Property, Political, Open House, Name Plate, Low Profile, Interior, Development, Construction
Sign Height	**Monument:** 5 feet **Flat or Wall:** Cannot exceed height of building where it is installed	**On-Premise Ground:** 30 feet **Menu Board:** 6 feet **Banner:** Cannot exceed height of sign or wall where it is installed **Monument:** 5 feet Flat or Wall: Cannot exceed height of building where it is installed **Service:** 3 feet **Property:** 12 feet **Political:** 6 feet **Low Profile:** 4 feet **Development:** 12 feet **Construction:** 12 feet **Canopy:** Cannot exceed height limit of the zone where it is located **Marquee:** Cannot exceed height limit of the zone where it is located **A Frame/ Pedestal:** 6 feet **Projecting:** Cannot exceed height of building where it is installed
Sign Size	**Electronic Message Center (EMC):** 1.5 sq. ft. per foot of frontage, up to 300 sq. ft. maximum within 300 feet of I-15; 1.5 sq. ft. foot of frontage, up to 200 sq. ft. maximum within 3,000 feet of I-15, or within 1,320 feet of another Principal Arterial Street; 1.5 sq. ft. per foot of frontage, up to 120 sq. ft. maximum at other locations. **Monument:** 32 sq. ft. plus 1 sq. ft. per every 5 ft. of frontage over 30 ft. to a maximum of 64 sq. ft. **Flat or Wall:** 25% of a wall area maximum	**Electronic Message Center (EMC):** Allowable EMC size shall not exceed 50% of total allowed sign size and not more than 75% of any sign cabinet. **On-Premise, Ground:** 1.5 sq. ft. per foot of frontage, up to 300 sq. ft. maximum within 300 feet of I-15; 1.5 sq. ft. foot of frontage, up to 200 sq. ft. maximum within 3,000 feet of I-15, or within 1,320 feet of another Principal Arterial Street; 1.5 sq. ft. per foot of frontage, up to 120 sq. ft. maximum at other

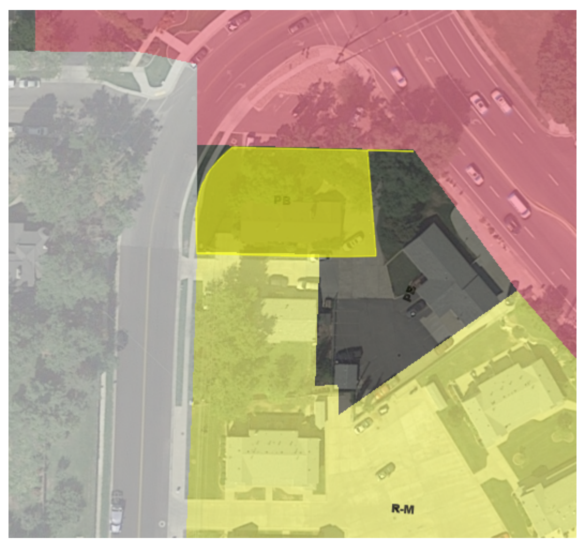
		locations. **Menu Board:** 35 sq. ft. maximum **Banner:** Limited to the difference between the size of the on-premise, ground sign, flat or wall sign and the size allowed. **Monument:** 32 sq. ft. plus 1 sq. ft. per every 5 ft. of frontage over 30 ft. to a maximum of 64 sq. ft. **Flat or Wall:** 25% of a wall area maximum **Service :** 6 sq. ft. maximum **Property:** 32 sq. ft. maximum **Political:** 32 sq. ft. maximum **Open House**: 3 ft. maximum; 2 ft. in view obstruction area **Name Plate:** 3 sq. ft. maximum per use **Low Profile:** 32 sq. ft. plus 1 sq. ft. for every 10 feet of frontage over 30 ft. to a maximum of 64 sq. ft. **Development:** 32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per development **Construction:** 32 sq. ft. plus 1 sq. ft. for each 10 ft. of frontage over 30 ft. to a maximum of 96 sq. ft. per development
Permitted Uses	1. Business and professional offices. 2. Accessory uses and structures considered incidental and customary to a permitted use subject to the provisions of KCC 17-31-2.	1. Offices. 2. Retail sales and services, not including storage services, sale of beer for consumption on the premises, sale of liquor for consumption on the premises and conditional uses in KCC 17-20-4. 3. Government offices and services.
Conditional Uses	None	1.Theaters. 2.Motels or hotels. 3.Light industry/research uses subject to the provisions of KCC 17-23. 4.Social halls, lodges, fraternal organizations.

		5.Amusement arcades. 6.Public utility substations. 7.Sale of beer for consumption on the premises of a full-service restaurant, limited-service restaurant, beer-only restaurant, banquet or reception center. 8.Sale of liquor for consumption on the premises of a full-service restaurant, limited-service restaurant, banquet or reception center.

3. Sign Allowance

The requested zone change is intended to facilitate an increase in the allowed sign height for the existing business onsite. The Professional Business zone only allows a small portion of the sign types permitted in the Central Commercial zone, and this restriction of signage allowance extends to the height maximums. The Professional Business zone does not allow on premise ground signs other than monument type signs, which have a height maximum of 5 feet, not including the supporting structure of the sign. Therefore, the property owner is aiming to install a larger sign that would allow for better visibility onto Main Street by way of the requested zone change. If a rezone was granted for the property, the owner could install an on premise ground sign, with a height allowance of up to 30 feet.

4. Surrounding Land Use



- **North** – To the north of the property is a stretch of Central Commercial lots fronting Main Street.
- **South** – To the south of the property is several R-M multifamily residential parcels, as well as several other Professional Business parcels and some single family residential lots zoned R-1-8.
- **East** – To the east of the property is several Central Commercial zoned properties , and a large area of R-D single family zoned lots.
- **West** – To the west of the property is a mixture of residential zones, primarily R-1-8 single family and the R-T single family zoning.

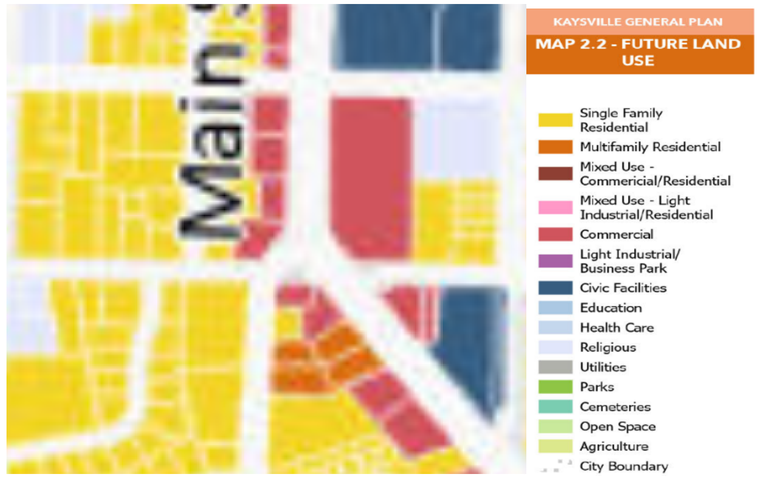
5. General Plan

A. Guiding Principles

In examining the guiding principles 2022 General Plan, staff has found are no guiding principles that speak directly to the preferred signs for different commercial zones, so the General Plan is considered neutral on this matter.

B. Future Land Use Map

Chapter 1 of the 2022 General Plan, which covers Land Use and Placemaking includes the Future Land Use Map. This map shows land use designations for areas across the city, as envisioned through public input. For this property the Future Land Use Map indicates that the property is designated for commercial uses. The proposed rezone would preserve the existing commercial character of the property and allow it to remain in compliance with the Future Land Use Map. Therefore, this rezone application is supported by this element of the 2022 General Plan.



C. **GOALS, OBJECTIVES AND IMPLEMENTATION MEASURES**

In examining the goals, objectives and implementation measures provided in the 2022 General Plan, staff has found there is no guidance that speaks directly to the preferred sign types in commercial areas. Therefore, the General Plan is considered neutral on this matter.

6. PUBLIC COMMENT

A total of 45 public notices were mailed to property owners within 500' radius of the subject property. As of the date of this report, no comments have been received. A sign was placed on the property on February 6, 2026.

7. RECOMMENDATION

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed rezone for the parcel at 1 West 100 South from Professional Business (PB) to Central Commercial (CC).

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

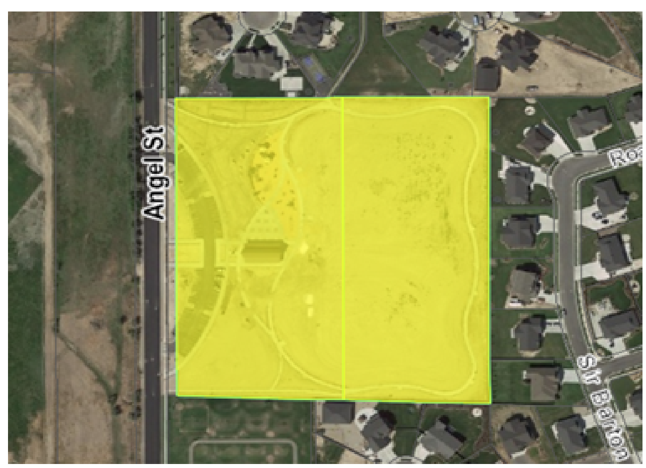
PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 4, 2025

Agenda Item #4: Rezone request and public hearing for the Pioneer Park property located at 1285 South Angel Street (parcels #080220044 and #084320836) from R-A Agricultural Residential and PU Public Use

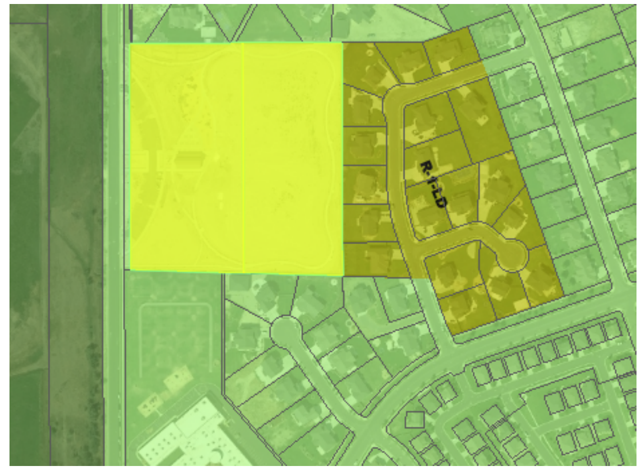
Meeting Date	February 12, 2026
Application Type	Rezone
Applicant | Owner	Kaysville City
Address | Parcel ID Number	1285 South Angel Street | 080220044, 084320836
Lot Size	10.25 acres | 446,490 ft²
Current Use	City Park
Current Zoning	**R-A Agricultural Residential**
Density Entitlement	20 dwelling units
Requested Zoning	**PU Public Use**
Density Entitlement	N/A

1. BACKGROUND



Kaysville City Community Development has identified a number of parcels within city limits that are owned by the City but zoned for uses other than Public Use. To facilitate zoning that better matches their respective uses, staff has determined that the parcels discussed in this report would be better served with a changed zoning designation. The property has an existing city park onsite, Pioneer Park, which consists of two neighboring parcels that border Angel Street. This application is requesting the zoning on this parcel be changed from R- A Agricultural Residential to PU Public Use to reflect the city's ownership and the property's current use as a park.

2. Surrounding Land Use and Zoning



- **North** – To the north of the property is a large cluster of residential lots zoned as R-A.
- **South** – To the south of the property is primarily residential lots zoned as R-A.
- **East** – To the east of the property is a mixture of residential that consists primarily of R-A lots, with a handful of R-1-LD lots.
- **West** – To the west of the property is primarily agricultural land with a mixture of heavy and light agricultural zoning designations. This includes A-5, A-1, and R-A zoning.

3. General Plan

A. Future Land Use Map

Chapter 1 of the 2022 General Plan, which covers Land Use and Placemaking includes the Future Land Use Map. This map shows land use designations for areas across the city, as envisioned through public input. For these properties the Future Land Use Map indicates that the property is designated for parks. Therefore, this rezone application is supported by this element of the 2022 General Plan.

B. Guiding Principles

In examining the guiding principles 2022 General Plan, staff has found are no guiding principles that speak directly to the handling of city owned parcels, so the General Plan is considered neutral on this matter.

C. Goals, Objectives and Implementation Measures

In examining the goals, objectives, and implementation measures provided in the 2022 General Plan, staff has found there is no guidance that speaks directly to the land use implementation preferences for park properties owned by the City. Therefore, the General Plan is considered neutral on this matter.

4. Public Comment

A total of 64 public notices were mailed to property owners within 500’ radius of the subject property. As of the date of this report, no comments have been received. A sign was placed on the property on February 6, 2026.

5. Recommendation

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed rezone for the parcels at 1285 South Angel Street from R-A Agricultural Residential to PU Public Use.

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

Kaysville City

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission
From: Anne McNamara, Senior Planner
Date: February 4, 2026

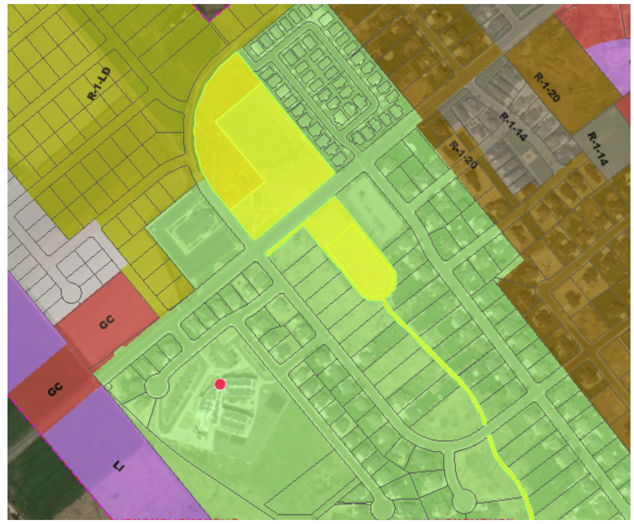
Agenda Item #5: Rezone request and public hearing for the Trappers Park property at 2185 West 200 North (parcels #115920229, #115910150, #11593001, and #151680439) from R-1-LD and R-A to PU Public Use

Meeting Date	February 12, 2026
Application Type	Rezone
Applicant | Owner	Kaysville City
Address | Parcel ID Number	2185 West 200 North | 151680439, 115930001, 115910150, 115920229
Lot Size	14.58 acres | 635,104 ft²
Current Use	City Park
Current Zoning	R-1-LD Single Family Residential and RA Agricultural Residential
Density Entitlement	33 dwelling units
Requested Zoning	PU Public Use
Density Entitlement	N/A

1. BACKGROUND

Kaysville City Community Development has identified a number of parcels within city limits that are owned by the City but zoned for uses other than Public Use. To facilitate zoning that better matches their respective uses, staff has determined that the parcels discussed in this report would be better served with a changed zoning designation. This application is requesting the zoning on these parcels be changed from R-1- LD Single Family Residential to PU Public Use and R-A Agricultural Residential to PU Public Use to reflect the city's ownership.

2. Surrounding Land Use and Zoning

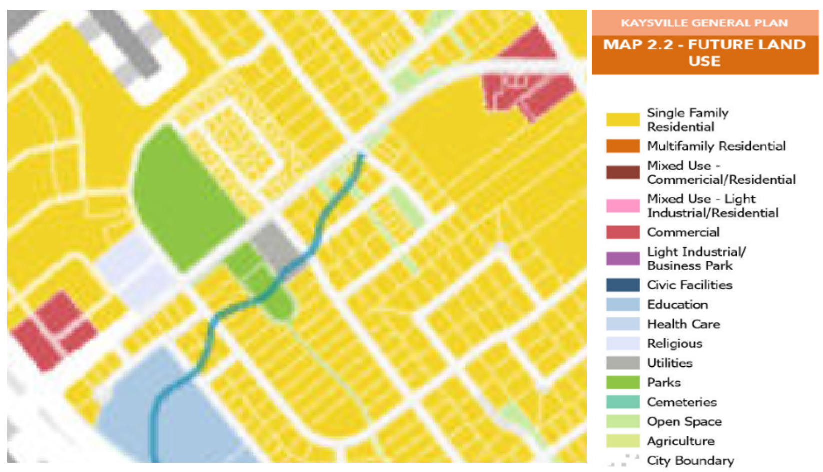


- **North** – To the north of the property is a large cluster of smaller single family lots zoned R-1-LD.
- **South** – To the south of the property is primarily residential lots zoned as R-A.
- **East** – To the east of the property is a mixture of residential that consists primarily of R-1-20 lots, with a handful of R-1-14 lots.
- **West** – To the east of the property is a mixture of light industrial properties dedicated as UDOT Right of Way and a small cluster of single family lots zoned R-1-8 and R-1-14. Kays Creek Elementary School is also to the west of the subject properties.

3. General Plan

A. Future Land Use Map

Chapter 1 of the 2022 General Plan, which covers Land Use and Placemaking includes the Future Land Use Map. This map shows land use designations for areas across the city, as envisioned through public input. For this property the Future Land Use Map indicates that the property is designated for parks. Therefore, this rezone application is supported by this element of the 2022 General Plan.



B. Guiding Principles

In examining the guiding principles 2022 General Plan, staff has found there are no guiding principles that speak directly to the handling of city owned parcels, so the General Plan is considered neutral on this matter.

C. Goals, Objectives and Implementation Measures

In examining the goals, objectives, and implementation measures provided in the 2022 General Plan, staff has found there is no guidance that speaks directly to the land use implementation preferences for park properties owned by the City. Therefore, the General Plan is considered neutral on this matter.

4. PUBLIC COMMENT

A total of 98 public notices were mailed to property owners within 500’ radius of the subject property. As of the date of this report only one comment has been received and sent to the Planning Commission through the comment portal. A sign was placed on the property on February 6, 2026.

5. RECOMMENDATION

Staff is recommending that the Planning Commission forward a favorable recommendation to the City Council for approval of the proposed rezone for the parcels at approximately 2185 West 200 North from R-1-LD Single Family Residential and R-A Agricultural Residential to PU Public Use.

The Planning Commission may make a recommendation to the City Council to approve or deny the rezone request.

PLANNING COMMISSION STAFF REPORT

To: Kaysville City Planning Commission

From: Melinda Greenwood, Community Development Director

Date: February 4, 2026

Agenda Item #6: Consideration of amending the Planning Commission Bylaws and Rules of Procedure

Meeting Date	February 12, 2026
Application Type	Amendment to Bylaws and Rules of Procedure
Applicant	Kaysville City

1. BACKGROUND

Kaysville City Code 17-4-2 provides the Planning Commission with the opportunity to adopt policies and procedures necessary for the function of the Planning Commission. The Planning Commission last amended their bylaws in January of 2024.

Language in the draft Bylaws and Rules of Procedure has been simplified and the document has been reformatted and reorganized to more closely match the Kaysville City Council Rules of Procedure and Order. This will allow staff to more efficiently refer to rules for both bodies. Because of the reformatting, a redlined version of the changes is not provided. However, the most significant and substantive changes include:

- **Article VII, Section 8.2 Continuances:** Requires re-noticing for items that are not continued to a specific time.

- **Article IX Rules of Procedure and Parliamentary Practice:** This is a new section that provides some helpful guidance on meeting order and how to address parliamentary procedures.

- **Article X Public Civility:** Item "c" does not allow for on individual to yield or allocate their public comment time to another person. This rule allows for an impartial approach to comments which creates fairness for all citizens who wish to speak. This is consistent with the City Council's rules of procedure. The remainder of the section calls for civility and provides standards for conduct such as discouraging personal attacks.

- **Article XI Distribution of Materials and Signage:** This section provides rules for the public who may want to distribute flyers, hold signs or gather contact information. The City Council recently amended their Rules of Procedure and Order to add this section.

The current bylaws have been attached to this report as are the recently amended City Council Rules of Procedure and Order.

2. Recommendation

Staff recommends the Planning Commission discuss the proposed bylaw amendments and approve suggested changes. Alternatively, the Planning Commission may ask for changes to the proposed document.

PLANNING COMMISSION BYLAWS AND RULES OF PROCEDURE

ARTICLE I – PURPOSE AND AUTHORITY

1.1 Purpose

These Bylaws and Rules of Procedure are adopted to provide clear guidance for the organization, authority, duties, and procedures of the Kaysville City Planning Commission (the "Commission") and to ensure meetings and decisions are conducted in compliance with Utah law, Kaysville City ordinances, and principles of fairness, transparency, and due process.

1.2 Governing Law

The Commission shall be governed by:

a. State statues applying to public boards, members, and officials.

b. State statutes governing the activities of municipal Planning Commissions.

c. City zoning ordinances and development code.

d. These bylaws and rules of procedure.

1.3 Familiarity with Law and Procedures

Upon appointment and throughout their service, Commission members shall maintain familiarity with applicable state statutes, city ordinances, and these bylaws and rules of procedure.

1.4 Mandatory Training

Upon appointment, Commissioners must attend a minimum of four hours of training as required by Utah law. Training may be provided by City staff or qualified professionals and may include recorded or remote sessions.

1.5 Public Availability

A current copy of these bylaws and rules of procedure shall be maintained as a public record and made available on the City's website or at City offices.

ARTICLE II – MEMBERSHIP, APPOINTMENT, AND REMOVAL

2.1 Membership

The Planning Commission shall consist of seven regular members. Up to two alternate members may be appointed as allowed by City Code to assist in maintaining a quorum.

2.2 Qualifications

All Planning Commissioners shall reside in Kaysville for at least one year prior to their appointment and must remain residents of the City during the entirety of their term. Members shall be selected from different professional and vocational backgrounds and geographic areas when possible.

2.3 Appointment

Appointments to the Commission shall be made in accordance with Utah law and Kaysville City ordinances.

2.4 Resignation

A member wishing to resign shall provide reasonable notice to the Mayor to allow for orderly appointment of a replacement.

2.5 Removals

Failure to attend three consecutive regular meetings or three of any seven consecutive meetings may constitute grounds for removal, subject to recommendation by the Mayor and action by the City Council.

ARTICLE III – DUTIES OF OFFICERS, COMMITTEES, AND STAFF

3.1 Officers

The Commission shall elect a Chair and Vice Chair annually at the first regular meeting in July. If a quorum is not present, the election shall occur at the next meeting with a quorum.

3.2 Duties of the Chair

The Chair shall preside at all meetings and hearings; ensure meetings are conducted in an orderly, fair, and lawful manner; maintain decorum and enforce these rules; recognize speakers, rule on points of order, and announce results of votes; and coordinate with City staff and the Mayor as necessary.

3.3 Vice Chair and Temporary Chair

The Vice Chair shall act in the absence of the Chair. If both are absent, members present shall appoint a Temporary Chair for that meeting. If the Chair is no longer a member of the Commission, the Vice Chair shall succeed to the office of Chair for the remainder of the term. If the Vice Chair is no longer a member of the Commission or succeeds to the office of Chair, a special vote shall be held to fill the vacancy of Vice Chair at the next regularly scheduled meeting of the Commission in which a quorum is available.

3.4 Appointment of Committees

The Chair may designate members of the Commission to make personal inspections when necessary for proper consideration of agenda items. The Chair may appoint standing or ad hoc committees as may be found necessary to successfully and efficiently carry out the function of the Commission. Committee meetings shall comply with the state open meeting requirements.

3.5 Staff Duties

Staff shall attend to all correspondence of the Commission; send out and publish required notices; create and publish staff reports to include adequate information for the Commission to make a decision on applications before them; present information to the Commission during the meetings; compile and maintain all required records, schedules minutes, files, and indexes; and generally perform all clerical work of the Commission.

ARTICLE IV – ETHICS, CONDUCT, AND CONFLICTS OF INTEREST

4.1 General Conduct

Commission members shall conduct themselves with courtesy, impartiality, and professionalism, focusing discussion on the issues before the Commission and avoiding personal attacks or inappropriate commentary.

4.2 Conflicts of Interest

Members shall comply with the Utah Municipal Officers and Employees Ethics Act including disclosing any actual or potential conflict of interest prior to deliberation. A member with a conflict shall refrain from participating, discussing, or voting on the matter as required by law.

According to state disclosure laws, no member of the Commission shall participate in, discuss or vote on any application or item if they:

a. Have financial or personal interest in the property or action concerned;

b. Will be directly affected by the decision of the Commission; or

c. Believe they have any other conflict of interest.

A member who has a question as to whether a conflict of interest exists should raise the matter with the Community Development Director, City Attorney, or Planning Commission to determine whether the member can participate in the vote.

4.3 Representation of Applicants

No Commission member shall represent applicants or petitioners on matters before the Commission.

4.4 Participation and Voting

Members shall not express an intended vote outside a noticed public meeting. A member absent from earlier proceedings may participate and vote only after reviewing the record and evidence.

4.5 Electronic Participation

Electronic participation may be permitted when allowed by law and City policy, including to establish a quorum during emergencies.

ARTICLE V – MEETINGS AND NOTICE

5.1 Regular Meetings

Regular meetings shall generally be held twice monthly on the second and fourth Thursday at 7:00 p.m., unless the Planning Commission determines another date and time during a regularly scheduled meeting or the meeting is cancelled pursuant to Section 5.6.

5.2 Special Meetings

Special meetings, study sessions, or field trips may be held when proper notice is provided in accordance with state and city law. During field trips, Planning Commissioners shall not discuss their position, opinions, or intended vote on an application or agenda item. Planning Commissioners will keep group discussion limited until a regularly scheduled meeting. Any member of the public may accompany the Commission on field trips.

5.3 Open Meetings

All meetings shall comply with the Utah Open and Public Meetings Act.

5.4 Quorum and Tie Votes

A quorum shall consist of four members. An affirmative vote of at least three members and a majority of those present shall be required for action. If a motion before the Commission receives a tie vote, and a subsequent motion on the matter is either not made or cannot achieve a majority vote, the matter is denied.

5.5 Meeting Duration

Meetings shall generally conclude by 10:00 p.m. unless continued by motion.

5.6 Cancellation

Meetings may be cancelled if no business is scheduled or a quorum is unavailable, with proper notice provided.

5.7 Records for Consideration

All handouts, materials, studies, data, photos for consideration of the Commission must be submitted no later than 1 p.m. two days prior to the meeting. Late submissions may result in continuance if the Commission lacks adequate time for review.

ARTICLE VI – AGENDA AND ORDER OF BUSINESS

6.1 Agenda Preparation

City staff shall prepare and publish an agenda for each meeting in compliance with open meetings requirements.

6.2 Order of Business

The typical order of business shall include:

a. Welcome and Meeting Order

b. Declaration of conflicts of interest

c. Items of business

d. Approval of minutes

e. Other matters

f. Adjournment

The order may be modified by vote of the Commission.

6.3 Administrative Applications

Public comments will not be received on administrative items unless the majority of the Commission votes to receive comments.

6.4 Applicant Representation

Any applicant may appear or be represented by authorized agents. Such agents shall present documented evidence of their authorization.

ARTICLE VII – DECISIONS AND FINDINGS

7.1 Decisions

All decisions shall be made in a noticed public meeting following a motion and vote.

7.2 Findings

Decisions shall be accompanied by reasons or findings sufficient to support the action taken.

7.3 Finality

Commission decisions shall be final at the conclusion of the vote and completion of the agenda item, subject to appeal as provided by law.

ARTICLE VIII – CONTINUANCES, WITHDRAWALS, AND RE-HEARINGS

8.1 Withdrawal

An applicant may withdraw an application in writing prior to the meeting or orally before action is taken.

8.2 Continuances

The Commission may continue items or hearings by motion stating the cause. Re-notice shall be required unless time and place are specified in the motion.

ARTICLE IX – RULES OF PROCEDURE AND PARLIAMENTARY PRACTICE

9.1 Governing Rules

The following shall be the parliamentary rules for conducting the business of the Commission. The City Attorney or Community Development Director will serve as the Parliamentarian, and upon request by the chair, may make recommendations on all points of order raised during the proceedings.

RULE NO. 1: The meeting is governed by the agenda, and the agenda constitutes the Commission's agreed-upon roadmap for the meeting.

PROCEDURE. Each agenda item will be handled by the Chair in the following basic format:

First, the Chair should clearly announce the agenda item number and should clearly state what the agenda item subject is.

Second, following that agenda format, the Chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have.

Third, the Chair should ask members of the Commission if they have any technical or clarifying questions.

Fourth, the Chair should invite public comments if at a formal public hearing and should open the public hearing for public input. Unless the Chair grants an exception, comments are limited to three minutes. At the conclusion of the public comments, the Chair should announce that the public hearing is closed.

Fifth, the Commission may begin discussing the item if necessary. If there is no desired discussion, the Chair should call for a motion on the item.

Sixth, the Chair should invite a motion. The Chair should announce the name of the member of the Commission who makes the motion.

Seventh, the Chair should determine if any member of the Commission wishes to second the motion. The Chair should announce the name of the member of the Commission who seconds the motion. If there is no second, then the item will be deemed concluded without decision

Eighth, if the motion is made and seconded, the Chair should make sure everyone understands the motion. This is done in one of three ways: (1) The Chair can ask the maker of the motion to repeat it. (2) The Chair can repeat the motion. (3) The Chair can ask staff to repeat the motion.

Ninth, the Chair should invite further discussion of the motion by the Commission. If there is no desired discussion, or after the discussion has ended, the Chair should announce that the Commission will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Tenth, the Chair asks for a vote of the Commission.

Eleventh, the Chair should announce the result of the vote and should announce what action (if any) the Commission has taken.

PURPOSE OF THE RULE: The purpose of this rule is to govern how the Chair runs the meeting. All meetings must comply with the Utah Open and Public Meetings Act which requires that a notice and an agenda for a public meeting be prepared in advance of the meeting and that no final action be taken on any item that is not on the agenda. In addition, the Act requires that the minutes of the meeting contain certain minimum information including the name of any Commissioner speaking on an issue, the substance of what the member says, an accurate description of any action taken by the Commission and the voting record of each individual member of the Commission.

RULE NO 2: Any matter that requires a Commission decision shall be brought before the Commission by motion.

PROCEDURE. The procedure for any motion shall be as follows: First, the Chair should recognize the member of the Commission. Second, the member of the Commission makes a motion by preceding the member's desired approach with the words: "I move "

The Chair usually initiates the motion by either (1) Inviting the members of the Commission to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the Commission. (3) Reading a motion suggested by the City Staff and asking if any member would like to make that motion. The Chair then asks if any member of the Commission wishes to second the motion. If there is no second, then the item will be deemed concluded without discussion or decision.

PURPOSE OF THE RULE. The purpose of this rule is to limit items under discussion to those and only those that Commissioners want to discuss; give clarity as to what is being decided; and to make sure everyone, including the person taking the minutes, can remember what the ultimate outcome of any discussion and debate is.

RULE NO 3: One matter at a time and one speaker at a time.

PROCEDURE: Only one matter will be discussed at a time. The matter may involve several motions.

There will only be one speaker at a time. Anyone who wishes to speak must raise their hand first after the current speaker finishes. The Chair will call upon the person by name. Once a Commissioner has been recognized, the Commissioner has been granted "the floor" and may begin speaking. The speaker may not be interrupted except as allowed by these rules.

If a Commissioner wishes to ask a question during their time and retain the floor to speak after the question has been answered, they may indicate so before posing the question by saying something similar to "I have additional comments and wish to retain the floor after this question has been answered."

PURPOSE OF THE RULE. The purpose is to focus on only one subject matter at a time and to allow Commissioners the ability to express their points of consideration without losing their train of thought and to completely finish without fear of interruption.

RULE NO 4: The Chair may use General Consent (also known as Unanimous Consent) with all motions except those motions where the votes are used for purposes of the meeting minutes and require a roll call vote.

PROCEDURE: When the Chair feels the Commission is all in agreement, the Chair asks if there are any objections to the motion. The Chair pauses and if there are no objections, states that the motion is approved. If there is any objection, the motion is put to a regular vote. A Commissioner may object simply to force a formal vote.

Example: The Chair states, "If there is no objection, we will recess for 10 minutes, [pause to see if any member objects]. There being no objection, we will recess for 10 minutes.

If a member objects by stating, "I object" the matter is then put to a vote.

The Chair states, "An objection being made, the question is shall we recess for 10 minutes? As many as are in favor, say Aye. Those opposed, say No. The Ayes have it and we will recess for 10 minutes."

PURPOSE OF THE RULE. General consent is helpful in expediting general routine business or when the Chair senses the Commission is in agreement. General consent allows flexibility of the rules while protecting the right of the majority to decide and the minority to be heard.

RULE NO 5: There are only three basic forms of motions allowed: Initial Motions, Motions to Amend, and Substitute Motions.

PROCEDURE: The initial motion. The initial motion is the one that puts forward an item for the Commission's consideration. An initial motion might be: "I move that we recommend ordinance number 10-1 as presented."

The motion to amend**.** If a member wants to change the initial motion that is before the Commission, they would move to amend it. A motion to amend might be: "I move that we amend the motion to recommend ordinance number 10-1 with changes in paragraph 1 as follows…." A motion to amend takes the initial motion which is before the Commission and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.

The substitute motion. If a member wants to completely do away with the initial motion that is before the Commission, and put a new motion before the Commission, they would move a substitute motion. A substitute motion might be: "I move that we refer ordinance number 10-1 to staff for additional analysis."

PURPOSE OF THE RULE. "Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the Chair. So that if a member makes what that member calls a "motion to amend", but the Chair determines that it is really a "substitute motion", then the Chair's designation governs.

RULE NO 6. There can be up to three motions on the floor at the same time and no more than three. The Chair can reject a fourth motion until the Chair has dealt with the three that are on the floor and has resolved them.

*PROCEDURE***:** When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to adopt ordinance 10-1." During the discussion of this motion, a member might make a second motion to "amend the main motion to adopt ordinance 10-1 with changes in paragraph 1 as follows…." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we refer the matter to the planning commission." The proper procedure would be as follows:

First, the Chair would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the Commission of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Chair would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Chair would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment. If the motion to amend passed, the Chair would now move to consider the main motion (the first motion) as amended. If the motion to amend failed, the Chair would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format, or, if amended, would be in its amended format.

PURPOSE OF THE RULE: Too many motions on the same subject can cause confusion as to what the end result is and in the official record. Limiting the number of motions to no more than three at a time, allows for enough debate and parliamentary maneuvering to satisfy those who want to be clever while allowing the slow to still keep up.

RULE NO 7: The discussion or debate can continue as long as members of the Commission wish to discuss an item, subject to the Chair determining it is time to move on and take action by using General Consent to limit debate or by a proper motion by a Commissioner to limit the debate. The following motions are not debatable—a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table; and a motion to limit debate.

PROCEDURE. There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Commission to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Chair must immediately call for a vote of the Commission without debate on the motion):

A motion to adjourn. This motion, if passed, requires the Commission to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the Commission to immediately take a recess. The length should be set in the motion which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the Commission to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the Commission: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case the matter will not be placed back on an agenda for a future Commission meeting except at the order of the Chair or the request of any two Commission members. A motion to table an item requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the Commission makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a simple majority vote of the Commission.

PURPOSE OF THE RULE. Debate and discussion are important until they are not. When a matter is chewed on enough, it should be swallowed. This rule allows the Chair by General Consent or the majority of the Commission to end the debate, after a reasonable time. It also keeps those in a minority position on an issue from filibustering until they get their way.

RULE NO 8: A motion to reconsider any item requires a majority vote to pass, but there are special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the Commission if the item is properly on the agenda. In addition, a motion to reconsider cannot be made at a special meeting of the Commission unless the number of Commissioners present at the special meeting equals or exceeds the number present at the meeting when the action was approved. Second, a motion to reconsider can only be made by a member who voted in the majority on the original motion.

PROCEDURE. If such a member has a change of heart, the member can make the motion to reconsider (any other member of the Commission may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order.

PURPOSE OF THE RULE. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the Commission again and again. That would defeat the purpose of finality. If the motion to reconsider passes, then the original matter is back before the Commission, and a new initial motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time. A new matter brought before the Commission that has the affect of repealing or amending a previously decided matter is not considered a motion to reconsider. It is a new matter and should be treated as such.

RULE NO 9: The Chair and Commissioners shall adhere to the code of conduct.

PROCEDURE. The Chair, as chair of the meeting, is primarily responsible to see that debate and discussion of an agenda item focuses on the agenda item and the policy in question, not the personalities of the members of the Commission. There are, however, exceptions that are intended to assist the Chair in keeping order to the meeting. A speaker may be interrupted only for the following reasons and in the form set forth below:

*Privilege***.** The proper interruption would be: "point of privilege." The Chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or safety of the meeting or when the reputation of the Commission or any individual is at stake. For example, the room may be too hot or too cold, a blowing fan might interfere with a person's ability to hear, or the speaker may be misrepresenting an individual's remarks.

Order. The proper interruption would be: "point of order." Again, the Chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Chair makes a ruling that a member of the Commission disagrees with, that member may appeal the ruling of the Chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Chair is deemed reversed. An example could be that the shuts off discussion before the Commission is ready.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the Commission has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Chair discovers that the agenda has not been followed, the Chair simply reminds the Commission to return to the agenda item properly before them. If the Chair fails to do so, the Chair's determination may be appealed.

Withdraw a motion. To withdraw a motion, the maker of the motion on the floor states, "I request that my motion be withdrawn." The motion to withdraw a motion requires a simple majority vote.

PURPOSE OF THE RULE. Debate and discussion should be focused, but free and open. In the interest of time, the Chair may, however, limit the time allotted to speakers, including members of the Commission. A Commissioner may continue speaking on a majority vote of the Commission. The rules of order are meant to create an atmosphere where the members of the Commission and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Chair and the members of the Commission to maintain common courtesy and decorum. Only one person at a time will have the floor and every speaker must be recognized by the Chair before proceeding to speak.

9.2 <u>Robert's Rules of Order</u>

Robert's Rules of Order, Newly Revised, may be used by the Chair or Parliamentarian as a supplementary advisory reference.

ARTICLE X – PUBLIC CIVILITY

The Chair will enforce the following rules of civility for the public:

a. No member of the public shall be heard until recognized by the Chair.

b. Public comments will only be heard during a Public Hearing or a member of the public is asked to speak on a matter by the Chair.

c. An individual may not allocate time to another individual.

d. Speakers must state their name for the record.

e. Any resident requesting to speak shall limit their comments to matters of fact regarding the issue of concern.

f. Comments should be limited to three minutes. Unless prohibited by law, the Chair may adjust time limitations as deemed appropriate. The Chair may extend time limits, reduce time limits, set cumulative time limits, discourage repetitive comments, or issue other limitations deemed appropriate.

g. Personal attacks made publicly toward any person or city employee are discouraged. Speakers are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the City's Personnel Policies.

h. Commission meetings should be a place where anyone can comfortably observe or participate in city government. It is important to maintain an environment where everyone feels safe and free to express their opinions, views, and concerns. Therefore, clapping, cheering, shouting, booing, or other outward expressions of support or disagreement are not permitted during meetings. Such outward expressions may have a chilling effect on others who may have or want to express differing opinions.

i. Public comments may be made without interruption, subject to time constraints and civility standards. These standards are not intended to regulate the content of any message, but rather to deter behavior that may be disruptive or impede the orderly conduct of meetings.

j. Only one person is permitted to speak at a time and each speaker must be recognized by the Chair before proceeding to speak. Comments made by a presenter should be directed to the Commission. Anyone engaging in discussions beyond the topic before the Commission may be directed to stop by the Chair.

k. Any person who violates the decorum, order, or procedure of any meeting after a reasonable warning or admonishment may be considered disorderly and expelled pursuant to Utah Code Section 10-3-608.

ARTICLE XI – DISTRIBUTION OF MATERIALS AND SIGNAGE

11.1 <u>Distribution of Materials</u>

To maintain decorum and ensure the orderly conduct of public meetings, no member of the public may distribute fliers, pamphlets, handouts, signs, signup sheets, petitions, or other written or printed materials within the chambers before, during, or after Planning Commission meeting.

Residents wishing to distribute materials, circulate petitions, or gather contact information may do so in the lobby or outside the City building, provided such activity does not obstruct access to entrances or exits or otherwise disrupt city business.

No person may leave or place any materials unattended anywhere within the City building, including the meeting chambers, lobby, hallways, restrooms, tables, chairs, or any other surface. Any materials left unattended may be removed and disposed of by City staff without notice.

11.2 Signage

Signs are allowed at Commission meetings. However, signs, placards, banners, hats, costumes, or any other items that obstruct the view of other audience members are not permitted. Signs, placards, banners, props, or similar items shall not be larger than 18 inches in width or height, be illuminated, or be attached to any pole, rod, or other device.

A sign holder should remain seated and not stand in the aisles. Signs must be held or displayed by a seated individual below shoulder height unless the individual is seated on the last row and may not be affixed to walls, doors, or items of décor. These restrictions do not apply to exhibits, displays, and visual aids used in connection with official presentations on agenda items.

ARTICLE XII – AMENDMENT, WAIVER, AND TEMPORARY RULES

12.1 Amendments

These Bylaws and Rules of Procedure may be amended by majority vote of the Commission, subject to consistency with state law and City ordinances.

12.2 Suspension or Waiver

Procedural rules may be suspended or waived by majority vote unless required by law.

12.3 Temporary Rules

Temporary procedural rules may be adopted by unanimous vote for a specific meeting or agenda item, consistent with law.

BYLAWS OF THE
KAYSVILLE CITY PLANNING COMMISSION

PURPOSE
These policies and procedures, as amended, are designed and adopted for the purpose of providing guidance and direction to the members of the Kaysville City Planning Commission in the performance of their duties.

ARTICLE 1 – GENERAL PROVISIONS

The Kaysville City Planning Commission, hereinafter referred to as "the Commission," shall be governed by the following statutes, ordinances and bylaws:

1.1 Applicable State Statutes and Local Ordinances and Bylaws

To the extent that they remain in force and in effect, as they are amended, or as they are added to, the Commission and its members shall be governed by state statutes and local ordinances and policies including but not limited to the following:

a. State statutes applying to public boards, members and officials.
b. State statutes governing the activities of City Planning Commissions.
c. The Zoning Ordinance/Development Code of Kaysville City as adopted by the City Council.
d. The bylaws and policies of the Commission as set forth herein.

1.2 Requirements of Familiarity with State Statutes and Local Ordinances and Bylaws Affecting the Commission

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

1.3 Mandatory Training as Required by Utah State Code 10-9a-302

Upon appointment to the office of Planning Commission, Planning Commissioners agree to attend a minimum of four hours of training as required by the State of Utah. Training sessions may be provided by City Staff or any qualified or experienced land use expert or group. Recorded training sessions are acceptable for training requirements.

1.4 Bylaws of the Commission to be Available from Kaysville City

A current copy of the bylaws of the Commission shall be available as a public record on the City’s website or at the City offices. A copy of the bylaws of the Commission shall be provided to new Commission members upon appointment. Additional copies shall be provided to the Commission and made available to the public upon request.

ARTICLE II – MEMBERS APPOINTMENT, RESIGNATION AND REMOVALS

2.1 Members

Per KCC 17-4-1, the Planning Commission shall consist of seven (7) regular members. Two alternate Planning Commission Members may be appointed to assist in creating the likelihood of having a quorum present for meetings. All Planning Commissioners shall reside in Kaysville City for at least one year prior to their appointment and must remain residents of the City during the entirety of their term.

Members shall be selected from different professional and vocational backgrounds and geographic areas, insofar as possible.

2.2 Appointment

The membership and appointment of the Commission shall be governed by the provisions of Utah State Code and applicable ordinances of Kaysville City.

2.3 Resignations

Members proposing to resign shall give reasonable notice of such intent to the Mayor of the City, and make reasonable effort so the date of resignation allows adequate time for appointment of replacements.

2.4 Removals

Failure to attend three consecutive regular meetings, or three of any seven consecutive meetings shall be construed by the Mayor as grounds for removal from the Commission by absence. The Mayor would then recommend removal of the Commissioner to the City Council.

ARTICLE III – DUTIES OF OFFICERS, COMMITTEES AND STAFF

3.1 Regular Election of Chair, Vice Chair

Annually, as the first item of business at the first regular meeting of the Commission in the month of July, the Commission shall elect a Chair and Vice Chair. If a quorum is lacking, the Commission will hold an election at the next regularly scheduled meeting at which a quorum is available.

3.2 Succession of Vice Chair to Office of Chair

If the Chair becomes no longer a member of the Commission, the Vice Chair shall succeed to the office for the remainder of the term. If the Vice Chair becomes no longer a member of the Commission or succeeds to the office of Chair, a special vote shall be held to fill the vacancy of the Vice Chair. Said vote shall occur at the next regularly scheduled meeting of the

Commission at which a quorum is available.

3.3 Duties of the Chair and Vice Chair

If present and able, the Chair shall preside at all meetings and hearings. If the Chair is absent or unable to preside, the Vice Chair shall preside.

3.4 Appointment of Temporary Chair to Preside at Meetings

If both the Chair and Vice Chair are absent or unable to preside, the members present shall appoint a Temporary Chair to preside for that meeting. The Temporary Chair shall abide by all bylaws and policies set forth herein.

3.5 Chair and Vice Chair Responsibilities

The Chair shall conduct all meetings of the Commission, interface with the Mayor in the conduct and affairs of the Commission, and exercise management of the affairs of the Commission consistent with these bylaws, the ordinances of Kaysville City and State Law. In the absence of the Chair, the Vice Chair will assume the responsibilities outlined in this section and the bylaws.

3.6 Appointment of Committees

The Chair may designate members of the Commission to make personal inspections when necessary for proper consideration of agenda items. The Chair may appoint standing or ad hoc committees as may be found necessary to successfully and efficiently carry out the function of the Commission.

3.7 Community Development Staff Duties

Staff shall attend to all correspondence of the Commission, send out and cause to be published all notices required, create and publish staff reports to include adequate information for the Planning Commission to make a decision on applications before them, attend all meetings of the Commission and all public hearings, present and disseminate information to the Commission during the meetings, compile and maintain all required records, schedules, minutes, files and indexes; and generally perform all clerical work of the Commission.

ARTICLE IV – CONDUCT OF COMMISSION MEMBERS

4.1 Representation of Applicants and Petitioners

No member of the Commission shall represent applicants or petitioners on matters on which the Commission is to make determinations or recommendations.

4.2 Conflict of Interest

Should a Planning Commission Member have a conflict of interest, that conflict shall be disclosed either prior to the meeting or during the meeting.

No member of the Commission shall represent applicants or petitioners on matters which the Commission is to make decisions or recommendations.

Failure to disclose conflict of interest for purposes may be grounds for removal from the Planning Commission when the City Attorney deems to the failure to disclose is in violation of the provisions of Utah Code or Kaysville City Ordinances.

4.3 State Disclosure Laws

No member of the Commission shall participate in, discuss or vote on any application or item if they:

a. Have financial or personal or financial interest in the property or action concerned;
b. Will be directly affected by the decision of the Commission; or
c. Believe they have any other conflict of interest.

A member who has a question as to whether a conflict of interest exists should raise the matter with the Community Development Director, City Attorney or the Planning Commission to determine whether the member can participate in the vote.

4.4 Voting

No Commission member shall discuss, opine or express an intended vote on any agenda item or application except during the Planning Commission meeting, and only after attending the public meeting(s) and/or hearing(s) on the matter, and listening to or being informed of testimony presented.

A member who was absent from a meeting where initial discussions and presentations on an application took place may qualify to participate in further discussion and vote on the matter by examining the evidence, being informed of the evidence or reviewing the record of the meeting(s) and/or hearing(s) that the member missed.

4.5 Electronic Participation

When necessary to form a quorum, a member of the Commission may participate by electronic media such as telephone, video call, or other means wherein they can communicate with the Commission and vote on an item. Electronic participation may be allowed due to a public health emergency.

ARTICLE V – MEETINGS, HEARINGS, RECORDS FOR CONSIDERATION

5.1 Regular Meetings

Regular meetings of the Commission will generally be held twice monthly on the second and fourth Thursday of each month at 7:00 p.m. unless the Planning Commission determines another date and time during a regularly scheduled meeting for upcoming meetings. These regularly scheduled meetings may be cancelled pursuant to section 5.12.

5.2 Meeting End Time

All Commission meetings shall be scheduled to end no later than 10:00 p.m. unless a motion to continue is made and approved in order to complete the agenda items of that specific meeting.

5.3 Open to Public

All meetings of the Commission are open to the public in accordance with the Utah State Code 52-4 Open and Public Meetings Act.

5.4 Records for Consideration

In order to allow fair and just time for the Commission to read and review records for consideration on an application or petition before them, a deadline of submitting handouts, materials, studies, data, photos, information etc. 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 which has been submitted. Staff will make efforts to communicate this requirement to applicants and the general public.

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

Public comments, emailed comments or written comments which are heard during the public hearing are not subject to this rule.

5.5 Conduct During Hearings

During all meetings and hearings, persons providing testimony shall proceed without interruption from any party except the Chair. All comments, arguments and pleading shall be addressed to the Chair. There shall not be debate or argument between individuals.

Questions which arise during the public hearing may be addressed by the Chair, Commissioners, Staff or the Applicant after the hearing is closed.

The Chair shall maintain order and decorum, and to that end, may order removal of disorderly or disruptive persons.

A speaker time limit of three minutes is established.

The Community Development Department Staff shall have rules of participation available to the members of the public present of the meeting to assist in creating a safe and orderly meeting. Rules of participation include:

d. Member of the public shall state their name and city of residence.
e. No shouting from audience members.
f. No clapping, booing or taunting from audience members.
g. Request to keep comments limited to three minutes.
h. Request to minimize redundant comments.

5.6 Administrative Applications

Public comments will not be received on administrative items unless the majority of the Commission votes to receive comments.

5.7 Rules of Order

In accordance with these rules, the Chair shall decide all points of procedure and order, unless otherwise directed by a majority vote of the members in attendance. Where necessary in deciding points of order, the Chair may use as a reference the *Robert's Rules of Order, Newly Revised, In Brief*.

5.8 Study Sessions

Study Sessions of the Commission shall be held if found necessary. Notice of the Study Session shall be in accordance with City and State law.

5.9 Special Meetings and Study Sessions

Special Meetings and Study Sessions, for any purpose, may be held at the call of the Chair. Notice of such meeting shall be in accordance with City and State law.

5.10 Field Trips

The Planning Commission may schedule or attend field trips subject to the following:

a. Field trips for educational or training purposes shall be noticed in accordance with applicable City and State laws.
b. Field trips for active applications or agenda items shall be noticed in accordance with applicable City and State laws. To maintain the integrity of the Open and Public Meeting Act, the Planning Commission will break into groups of no more than three commissioners and will have a reasonable physical distance between groups. During the field trip, Planning Commissioners shall not discuss their position, opinions or an intended vote on the application or agenda item. Planning Commissioners will keep group discussion limited until the Planning Commission can meet for a regularly scheduled meeting.

c. Voting on agenda items shall not take place during field trips, and will only take place during regularly scheduled meetings held at city hall.
d. Any member of the public may accompany the Planning Commission on field trips.

5.11 <u>Recess or Adjournment</u>

Any Regular or Special Meeting may be recessed or adjourned to another day, or to the time of any previously announced Regular or Special Meeting, and such recess or adjournment to a certain time and place shall be noticed as required by Utah State Code or Kaysville City Ordinance.

5.12 <u>Cancellation</u>

If no business is scheduled before the Commission, or if it is apparent that a quorum of the Commission will not be available, any meeting may be canceled by the Community Development Department with concurrence of the Chair by giving notice to all members and posting appropriate public notice.

5.13 <u>Quorum</u>

A quorum of the Commission shall consist of four (4) members. An affirmative vote of at least three (3) members and no less than a majority of the Commission present at the meeting shall be required for any matter to pass.

5.14 <u>Tie Votes</u>

If a motion before the Commission receives an equal number of votes, and a subsequent motion on the matter is either not made or cannot achieve a majority vote, the matter before the Commission shall be deemed denied.

5.15 <u>Agenda, Order of Business</u>

Community Development Staff shall prepare an agenda for each Commission meeting. The order of business shall be as follows:

a. Welcome and Meeting Order
b. Declaration of Conflicts of Interest
c. Items of business for consideration by the Commission
d. Minutes of preceding meetings
e. Other matters (reports, correspondence, calendar)
f. Adjournment

The order of business for a given agenda may be modified upon a vote of the Commission.

ARTICLE VI – PROCEDURE: ORDER OF BUSINESS

6.1 Applicant Representation

Any applicant may appear or be represented by authorized agents. Such agents shall present documented evidence of their authorization.

6.2 Order of Consideration

The following procedure for items of business before the Commission will normally be observed. However, it may be rearranged by the Chair for individual items as may be necessary for the expeditious conduct of business:

a. The Chair introduces the item.
b. Staff presentation and recommendation.
c. Applicant presentation (limited to 10 minutes).
d. Public Hearing. If the item is required by Utah State Code or Kaysville City Ordinance to have a public hearing, the Chair shall declare the opening of the public hearing portion of the meeting.
e. Comments from the public will be limited to three minutes.
f. Upon completion of public comment, the Chair shall declare the public hearing closed, without objection from the Commission.
g. The Chair may allow staff or the applicant to address issues raised by the public comment.
h. The Chair shall allow members of the Commission to discuss the matter without further comment from the applicant, staff and the public. Commission members may, however, with the permission of the chair, ask questions as desired of the applicant and staff.
i. Upon completion of the Commission discussion, the Chair may call for a motion and a second by the Commission on the application.
j. With a valid motion and second on the table, the Chair shall allow for discussion of the motion by the Commission. Other appropriate motions may be made during this time.
k. Upon completion of discussion, or upon a call for the question by a Commission member, the Chair will call for a roll call vote of the Commission members.

If during the proceedings the Chair rules a motion out of order, the Chair shall explain why it is so and advise the mover of corrections needed to make the motion in order.

ARTICLE VII - FINDINGS AND DECISIONS

7.1 Timing of Decisions

With due consideration to the length of the Agenda, the nature of the case, the complexity of the evidence, and the findings required, the Chair may elect, subject to approval by the Commission, one of the following alternatives:

a. To take action on the item immediately after the hearing of the case; or
b. To defer action until the next regularly scheduled meeting of the Commission as specified by the Chair.

7.2 Form and Procedure of Decisions

a. All decisions shall be made at a public meeting by voice vote after a motion has been made and seconded.
b. Decisions of the Commission shall be accompanied by a reason for the decision made.
c. Decisions of the Commission shall be final at the conclusion of the vote and completion of the relevant agenda item.

7.3 Notification

Notice of action taken by the Commission shall be given by the Community Development Department to the applicant, petitioner or any party making a written request for such within ten days following approval or the decision or as per state code.

ARTICLE VIII - REQUEST TO WITHDRAW, CONTINUE OR RE-HEAR APPLICATIONS

8.1 Withdrawal

An application or petition shall be withdrawn from consideration if an applicant makes a written withdrawal request before the meeting in which the application or petition will be considered. The application or petition may be withdrawn during a meeting if the applicant verbally makes that request before the Commission takes action on the application or petition.

8.2 Continuance

The Commission may defer the hearing of cases or continue a hearing to another time. A motion for a continuance must state the cause for the continuance. Unless a time and place are stated in said motion, the continued hearing will require public re-notice.

ARTICLE IX - AMENDING OR WAIVING BYLAWS

9.1 Amending Bylaws

These bylaws may be amended by a majority vote of the Commission except where such amendment would be contrary to the requirements or limitations set forth by state law or City ordinance. An amendment may be proposed at any meeting of the Commission. Members shall receive a copy of the proposed or amended bylaws not less than two days prior to the meeting at which the proposed changes shall be heard.

9.2 Waiving or Suspending Bylaws

A rule of procedure may be suspended or waived at any meeting by a majority vote of Commission members present, unless such rule is set by state law or City ordinance.

9.3 Temporary Rule

A temporary rule of procedure, in conformity with state law and City ordinance, may be adopted by the Commission for a meeting or agenda item following a unanimous vote of the Commission members present.

KAYSVILLE CITY RULES OF PROCEDURE and ORDER

Recognizing that the City Council, as a legislative body, needs a systematic way of conducting its business, these rules of procedure are to provide for the orderly conduct of City business by the City Council, with the objective of providing for full, open, and comprehensive debate of issues brought before the City Council for action in a forum open to the public, and which encourages citizens' awareness of City Council activities.

These procedures do not increase or diminish the existing powers or authority of the Mayor or City Council members, as set forth in state law or local ordinance.

CITY COUNCIL MEETING AGENDA:

All meetings of the City Council will have a notice and agenda that complies with the Utah Open Meetings Act.

An Item may be placed on the agenda only by the Mayor, or at the request of any two council members.

An Item will be added to all Kaysville City Council Agendas requesting that any conflicts of interest with any items on the same agenda be declared.

Agenda Items must be submitted to the City Recorder at least 7 days before the date of the meeting. Any item that is submitted to the City Recorder after 7 days before the meeting will be put on the next following meeting agenda. The Recorder should notify the Mayor of the added agenda item.

If the agenda contains a Council Member Reports Item on the agenda these reports shall be limited to updates on City projects and events that the council member is directly involved in or assigned to. The time limit for each Council Member Report shall be three minutes per Council Member.

ROLE OF THE MAYOR AS COUNCIL CHAIR AND OTHER COUNCIL MEMBERS:

- The Mayor shall preside at meetings of the City Council.
- Participate in discussion of all matters.
- Shall vote as a member thereof only in case of a tie or where otherwise specifically authorized to do so by state law, and shall have no power to veto.

In addition, the Mayor, as the Chair, has the primary responsibility for ensuring that the Council's rules of procedure are followed and:

- For maintaining the dignity of Council meetings.
- Calls the meeting to order and confines the discussion to the agenda.

- Recognizes Council members for motions and statements and may allow audience and staff participation at appropriate times.
- Requires knowledge of the City's adopted rules of parliamentary procedure and how to apply it.
- Ensures that the Utah Open and Public Meetings Act is complied with.
- Knows how to courteously discourage Council members who talk too much or too often.
- Knows how to courteously ensure those who have the floor are not interrupted and to rule out of order those not following meeting procedures.
- Recognizes the Council member offering the motion, restates the motion, presents it to the Council for consideration, calls for the vote, announces the vote, and then announces the next order of business.

CODE OF CONDUCT FOR CITY COUNCIL AND MAYOR INCLUDES:

- Remarks should apply to the question under debate.
- Shall avoid references to personalities, and refrain from questioning motives of other members or staff personnel.
- Demonstrate courtesy and shall not disrupt proceedings.
- Shall not use their positions to secure privileges or personal gains and shall avoid situations which could cause anyone to believe that they may have brought bias or partiality to a question before the City Council.
- All Conflicts of Interest should be declared before deliberations on a particular item begin. If the conflict is such that a council member will not be voting on an item, they shall excuse themselves from the discussion before deliberations begin.
- Shall be dedicated to the principles of representative democracy by recognizing that the chief function of local government is to serve the best interests of the public at large while respecting individual rights.
- Shall be dedicated to the effective use of the City's available resources.
- Shall refrain from any activity that would hinder their ability to be objective and impartial.
- City business shall be discussed in open, well-publicized meetings, except in rare situations in which Executive Sessions are authorized.

ETHICS:

The mayor and council members shall comply with the Utah Municipal Officers and Employees Ethics Act as found in Utah Code 10-3-1301 et seq.

PARLIAMENTARY RULES:

The following may be referred to as the City's Rules of Order and shall be the parliamentary rules for conducting the business of the City Council. The City Manager will serve as the Parliamentarian, and will recommend rulings, upon request by the chair of the meeting, to all points of order raised during the proceedings. Each Rule is followed by a required Procedure and Purpose to explain the Rule and guide the Mayor and council members in its intended application.

RULE NO. 1: **The meeting is governed by the agenda and the agenda constitutes the City Council's agreed-upon roadmap for the meeting.**

PROCEDURE. Each agenda item will be handled by the Mayor in the following basic format:

First, the Mayor should clearly announce the agenda item number and should clearly state what the agenda item subject is.

Second, following that agenda format, the Mayor should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the Mayor, a member of the City Council, a staff person, or an invited person charged with providing input on the agenda item.

Third, the Mayor should ask members of the City Council if they have any technical questions of clarification. At this point, members of the City Council may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the Mayor should invite public comments if at a formal public hearing and should open the public hearing for public input. If numerous members of the public indicate a desire to speak to the subject, the Mayor may limit the time of each public speakers. At the conclusion of the public comments, the Mayor should announce that the public hearing is closed.

Fifth, the council may begin discussing the item if necessary. If there is no desired discussion, the Mayor should call for a motion on the item.

Sixth, the Mayor should invite a motion. The Mayor should announce the name of the member of the City Council who makes the motion.

Seventh, the Mayor should determine if any member of the City Council wishes to second the motion. The Mayor should announce the name of the member of the City Council who seconds the motion. If there is no second then the item will be deemed concluded without decision

Eighth, if the motion is made and seconded, the Mayor should make sure everyone understands the motion. This is done in one of three ways: (1) The Mayor can ask the maker of the motion to repeat it. (2) The Mayor can repeat the motion. (3) The Mayor can ask the City Recorder to repeat the motion.

Ninth, the Mayor should invite further discussion of the motion by the City Council. If there is no desired discussion, or after the discussion has ended, the Mayor should announce that the City Council will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Tenth, the Mayor asks for a vote of the council members. All votes on ordinances, resolutions, and any action which would create a liability against the City and in any other case at the request of any member of the City Council shall be by a "yes" or a "no" vote and shall be recorded in the minutes. Every resolution or ordinance shall be in writing before the vote is taken.

Eleventh, the Mayor should announce the result of the vote and should announce what action (if any) the City Council has taken.

PURPOSE OF THE RULE: The purpose of this rule is to govern how the Mayor chairs the meeting. All meetings must comply with the Utah Open and Public Meetings Act which requires that a notice and an agenda for a public meeting be prepared in advance of the meeting and that no final action be taken on any item that is not on the agenda. In addition the Act requires that the minutes of the meeting contain certain minimum information including the name of any member of the council speaking on an issue, the substance of what the member says, an accurate description of any action taken by the council and the voting record of each individual member of the council.

RULE NO 2: Any matter that requires a City Council decision shall be brought before the Council by motion.

PROCEDURE. The procedure for any motion shall be as follows: First, the Mayor should recognize the member of the City Council. Second, the member of the City Council makes a motion by preceding the member's desired approach with the words: "I move " So, a typical motion might be: "I move that we give the City Attorney a raise in pay."

The Mayor usually initiates the motion by either (1) Inviting the members of the City Council to make a motion. "A motion at this time would be in order." (2) Suggesting a motion to the members of the City Council. "A motion would be in order that we give the City Attorney a raise in pay." (3) Reading a motion suggested by the City Staff and asking if any member would like to make that motion. The Mayor then asks if any member of the City Council wishes to second the motion. If there is no second then the item will be deemed concluded without discussion or decision.

PURPOSE OF THE RULE. The purpose of this rule is to limit items under discussion to those and only those that the council members want to discuss; give clarity as to what is being decided; and to make sure everyone, including the person taking the minutes actually knows and can remember what the ultimate outcome of any discussion and debate is.

RULE NO 3: One matter at a time and one speaker at a time.

PROCEDURE: Only one matter will be discussed at a time. The matter may involve several motions.

There will only be one speaker at a time. Anyone who wishes to speak must raise their hand first after the current speaker finishes. The Mayor will call upon the person by name. Once a member has been recognized, he has been granted “the floor” and may begin speaking. The speaker may not be interrupted except as allowed by these rules.

If a councilmember wishes to ask a question during their time and retain the floor to speak after the question has been answered they may indicate so before posing the question by saying something similar to “I have additional comments and wish to retain the floor after this question has been answered.”

PURPOSE OF THE RULE. The purpose is to focus on only one subject matter at a time and to allow council members the ability to express their points of consideration without losing their train of thought and to completely finish without fear of interruption.

RULE NO 4: The Mayor may use General Consent (also known as Unanimous Consent) with all motions except those motions where the votes are used for purposes of the meeting minutes and require a roll call of the council.

PROCEDURE: When the Mayor feels the council is all in agreement, the Mayor asks if there are any objections to the motion to amend, withdraw, or any motions in Rule No. 7. The Mayor pauses and if there are no objections states that the motion is approved. If there is any objection, the motion is put to a regular vote. A council member may object simply to force a formal vote.

Example: The Mayor states, “If there is no objection, we will recess for 10 minutes, [pause to see if any member objects]. There being no objection, we will recess for 10 minutes.

If a member objects by stating, “I object” the matter is then put to a vote.

The Mayor states, “An objection being made, the question is shall we recess for 10 minutes? As many as are in favor, say Aye. Those opposed, say No. The Ayes have it and we will recess for 10 minutes.”

PURPOSE OF THE RULE. General consent is helpful in expediting general routine business or when the Mayor senses the council is in agreement. General consent allows flexibility of the rules while protecting the right of the majority to decide and the minority to be heard.

RULE NO 5: There are only three basic forms of motions allowed: Initial Motions, Motions to Amend, and Substitute Motions.

PROCEDURE: The initial motion. The initial motion is the one that puts forward an item for the City Council's consideration. An initial motion might be: "I move that we adopt ordinance number 10-1 as presented."

The motion to amend**.** If a member wants to change the initial motion that is before the

City Council, they would move to amend it. A motion to amend might be: "I move that we amend the motion to adopt ordinance number 10-1 with changes in paragraph 1 as follows…." A motion to amend takes the initial motion which is before the City Council and seeks to change it in some way. The motion to amend must be germane to the initial motion. The motion to amend must not be the same as a negative vote on the initial motion.

The substitute motion. If a member wants to completely do away with the initial motion that is before the City Council, and put a new motion before the City Council, they would move a substitute motion. A substitute motion might be: "I move that we refer ordinance number 10-1 to the planning commission for its recommendation."

PURPOSE OF THE RULE. "Motions to amend" and "substitute motions" are often confused. But they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the Mayor. So that if a member makes what that member calls a "motion to amend", but the Mayor determines that it is really a "substitute motion", then the Mayor's designation governs.

RULE NO 6. There can be up to three motions on the floor at the same time and no more than three. The Mayor can reject a fourth motion until the Mayor has dealt with the three that are on the floor and has resolved them.

*PROCEDURE***:** When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed first on the last motion that is made. So, for example, assume the first motion is a basic "motion to adopt ordinance 10-1." During the discussion of this motion, a member might make a second motion to "amend the main motion to adopt ordinance 10-1 with changes in paragraph 1 as follows…." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we refer the matter to the planning commission." The proper procedure would be as follows:

First, the Mayor would deal with the third (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion passed, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the City Council of the third motion (the substitute motion). No vote would be taken on the first or second motions. On the other hand, if the substitute motion (the third motion) failed then the Mayor would proceed to consideration of the second (now, the last) motion on the floor, the motion to amend.

Second, if the substitute motion failed, the Mayor would now deal with the second (now, the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment. If the motion to amend passed, the Mayor would now move to consider the main motion (the first motion) as amended. If the motion to amend failed, the Mayor would now move to consider the main motion (the first motion) in its original format, not amended.

Third, the Mayor would now deal with the first motion that was placed on the floor. The original motion would either be in its original format, or, if amended, would be in its amended format.

PURPOSE OF THE RULE: Too many motions on the same subject can cause confusion as to what the end result is and in the official record. Limiting the number of motions to no more than three at a time, allows for enough debate and parliamentary maneuvering to satisfy those who want to be clever while allowing the slow to still keep up.

RULE NO 7: The discussion or debate can continue as long as members of the City Council wish to discuss an item, subject to the Mayor determining it is time to move on and take action by using General Consent to limit debate or by a proper motion by a council member to limit the debate. The following motions are not debatable— a motion to adjourn; a motion to recess; a motion to fix a time to adjourn; a motion to table; and a motion to limit debate.

PROCEDURE. There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the City Council to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the Mayor must immediately call for a vote of the City Council without debate on the motion):

A motion to adjourn. This motion, if passed, requires the City Council to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

A motion to recess. This motion, if passed, requires the City Council to immediately take a recess. The length should be set in the motion which may be a few minutes or an hour. It requires a simple majority vote.

A motion to fix the time to adjourn. This motion, if passed, requires the City Council to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

A motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold". The motion can contain a specific time in which the item can come back to the City Council: "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case the matter will not be placed back on an agenda for a future city council meeting except at the order of the Mayor or the request of any two council members. A motion to table an item requires a simple majority vote.

A motion to limit debate. The most common form of this motion is to say: "I move the previous question" or "I move the question" or "I call the question." When a member of the City Council makes such a motion, the member is really saying: "I've had enough debate. Let's get on with the vote". When such a motion is made, the Mayor should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a simple majority vote of the City Council.

PURPOSE OF THE RULE. Debate and discussion are important until they are not. When a matter is chewed on enough, it should be swallowed. This rule allows the Mayor by

General Consent or the majority of the council to end the debate, after a reasonable time. It also keeps those in a minority position on an issue from filibustering until they get their way.

RULE NO 8: Three yes votes are required to pass any item before the council with limited exceptions. The exceptions include a motion to go into close session (executive session) which requires a 2/3 vote of the members present and when the mayor is entitled to vote where specifically allowed by state law on matters that add to or diminish the mayors powers. The Mayor is also entitled to vote when there is a tie vote of the council.

PROCEDURE. If the mayor and all five members of the council are present, a vote of 3-2 passes the motion. A vote of 2-2 with one abstention means the motion fails. If one member is absent and the vote is 2-2, the mayor is entitled to vote.

PURPOSE OF THE RULE. Utah statutes set out both the number of the quorum and the minimum vote required on any issue. This rule is meant to clarify that when the entire council is present and voting then it is not a tie when one member abstains. If however the member is absent from the meeting for any reason and the vote is 2-2 then it may be a tie and the mayor may vote as allowed by state statute.

RULE NO 9: A motion to reconsider any item requires a majority vote to pass, but there are special rules that apply only to the motion to reconsider. First, is timing. A motion to reconsider must be made at the meeting where the item was first voted upon or at the very next meeting of the City Council if the item is properly on the agenda. In addition, a motion to reconsider cannot be made at a special meeting of the Council unless the number of members of the council present at the special meeting equals or exceeds the number present at the meeting when the action was approved. Second, a motion to reconsider can only be made by a member who voted in the majority on the original motion.

PROCEDURE. If such a member has a change of heart, the member can make the motion to reconsider (any other member of the City Council may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order.

PURPOSE OF THE RULE. The purpose of this rule is finality. If a member of the minority could make a motion to reconsider, then the item could be brought back to the City Council again and again. That would defeat the purpose of finality. If the motion to reconsider passes, then the original matter is back before the City Council, and a new initial motion is then in order. The matter can be discussed and debated as if it were on the floor for the first time. A new matter brought before the council that has the affect of repealing or amending a previously decided matter is not considered a motion to reconsider. It is a new matter and should be treated as such.

RULE NO 10: The Mayor and council members shall adhere to the code of conduct.

PROCEDURE. The Mayor, as chair of the meeting, is primarily responsible to see that debate and discussion of an agenda item focuses on the agenda item and the policy in question, not the personalities of the members of the City Council. There are, however, exceptions that are intended to assist the Mayor in keeping order to the meeting. A council member speaker may be interrupted by a council member only for the following reasons and in the form set forth below:

*Privilege***.** The proper interruption would be: "point of privilege." The Mayor would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort or safety of the meeting or when the reputation of the council or any individual is at stake. For example, the room may be too hot or too cold, a blowing fan might interfere with a person's ability to hear, or the speaker may be misrepresenting an individual's remarks.

Order. The proper interruption would be: "point of order." Again, the Mayor would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Mayor moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the Mayor makes a ruling that a member of the City Council disagrees with, that member may appeal the ruling of the Mayor. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the Mayor is deemed reversed. An example could be that the shuts off discussion before the council is ready.

Call for orders of the day. This is simply another way of saying, "Let's return to the agenda." If a member believes that the City Council has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the Mayor discovers that the agenda has not been followed, the Mayor simply reminds the City Council to return to the agenda item properly before them. If the Mayor fails to do so, the Mayor's determination may be appealed.

Withdraw a motion. To withdraw a motion, the maker of the motion on the floor states, "I request that my motion be withdrawn." The motion to withdraw a motion requires a simple majority vote.

*PURPOSE OF THE RULE***.** Debate and discussion should be focused, but free and open. In the interest of time, the Mayor may, however, limit the time allotted to speakers, including members of the City Council. A council member may continue speaking on a majority vote of the Council. The rules of order are meant to create an atmosphere where the members of the City Council and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the Mayor and the members of the City Council to maintain common courtesy and decorum. Only one person at a time will have the floor and every speaker must be recognized by the Mayor before proceeding to speak.

RESIDENTS' RIGHT TO BE HEARD:

It is the Council's goal that residents of the City resolve their complaints for service or regarding employees' performance at the staff level. However, it is recognized that residents may from time to time believe it is necessary to speak to City Council on matters of concern. Accordingly, the City Council expects any person presenting to the city council to speak in a civil manner, with due respect for the decorum of the meeting, and with due respect for all persons attending.

- No member of the public shall be heard until recognized by the Mayor.
- Public comments will only be heard during the Public Comment portion of the meeting unless the issue is a Public Hearing or a member of the public is asked to speak on a matter by the mayor.
- An individual signed up to comment may not allocate time to another individual.
- Speakers must state their name for the record.
- Any resident requesting to speak shall limit their comments to matters of fact regarding the issue of concern.
- Comments should be limited to three (3) minutes. Unless prohibited by law, the Mayor may adjust time limitations as deemed appropriate to efficiently manage city business. The Mayor may extend time limits, reduce time limits, set cumulative time limits, discourage repetitive comments, or issue other limitations deemed appropriate.
- Personal attacks made publicly toward any person or city employee are discouraged. Speakers are encouraged to bring their complaints regarding employee performance through the supervisory chain of command in accordance with the City's Personnel Policies.
- Council meetings should be a place where anyone can comfortably observe or participate in city government. It is important to maintain an environment where everyone feels safe and free to express their opinions, views, and concerns. Therefore, clapping, cheering, shouting, booing, or other outward expressions of support or disagreement are not permitted during meetings. Such outward expressions may have a chilling effect on others who may have or want to express differing opinions. An exception to these limitations will be made when the chair invites clapping in recognition of an individual or organization.
- Public comments may be made without interruption, subject to time constraints and civility standards. These standards are not intended to regulate the content of any message, but rather to deter behavior that may be disruptive or impede the orderly conduct of meetings.
- Only one person is permitted to speak at a time and each speaker must be recognized by the Mayor before proceeding to speak. Comments made by a presenter should be directed to the Council. Anyone engaging in discussions beyond the topic before the council may be directed to stop by the Mayor.
- Any person who violates the decorum, order, or procedure of any meeting after a reasonable warning or admonishment may be considered disorderly and expelled pursuant

to Utah Code Section 10-3-608.

DISTRIBUTION OF MATERIALS:

To maintain decorum and ensure the orderly conduct of public meetings, no member of the public may distribute fliers, pamphlets, handouts, signs, signup sheets, petitions, or other written or printed materials within the Council chambers before, during, or after City Council meeting.

Residents wishing to distribute materials, circulate petitions, or gather contact information may do so in the lobby or outside the City building, provided such activity does not obstruct access to entrances or exits or otherwise disrupt city business.

No person may leave or place any materials unattended anywhere within the City building, including the Council chambers, lobby, hallways, restrooms, tables, chairs, or any other surface. Any materials left unattended may be removed and disposed of by City staff without notice.

SIGNAGE:

Signs are allowed in council chambers. However, signs, placards, banners, hats, costumes, or any other items that obstruct the view of other audience members are not permitted. Signs, placards, banners, props, or similar items shall not be larger than 18 inches in width or height, be illuminated, or be attached to any pole, rod, or other device.

A sign holder should remain seated and not stand in the aisles. Signs must be held or displayed by a seated individual below shoulder height unless the individual is seated on the last row and may not be affixed to walls, doors, or items of décor. These restrictions do not apply to exhibits, displays, and visual aids used in connection with official presentations on agenda items.

Kaysville City Planning Commission Meeting Minutes
January 22, 2026

The Planning Commission meeting was held on Thursday, January 22, 2026 at 7:00 p.m. in the Kaysville City Hall located at 23 East Center Street.

Planning Commission Members in Attendance: Chair Mike Packer, Commissioners Wilf Sommerkorn, Megan Sevy, Jeramy Burkinshaw, Erin Young, and Rachel Lott

Staff in Attendance: Melinda Greenwood, Katie Ellis, Anne McNamara, and Mindi Edstrom

Public Attendees: Val Starkey and Councilmember Joshua McBride

1- WELCOME AND MEETING ORDER

Chair Packer welcomed all in attendance at the Kaysville City Planning Commission meeting.

2- DECLARATION OF CONFLICTS OF INTEREST

There were no conflicts of interest.

3- TRAINING: UTAH STATE CODE TITLE 62 CHAPTER 4 OPEN AND PUBLIC MEETINGS ACT

Assistant City Attorney Katie Ellis provided annual training to the Planning Commission on the Utah Open and Public Meetings Act (OPMA). Ms. Ellis explained that the purpose of the Act is to require public bodies to conduct public business openly and with full transparency. Ms. Ellis reviewed the definition of a public body and confirmed that the Planning Commission meets the statutory criteria of a public body, including being created by ordinance, consisting of two or more members, being supported by tax revenue, and having authority over public business. Ms. Ellis then defined a public meeting as a convening of a public body with a quorum present, whether in person or electronically, for the purpose of discussing, receiving public comment, or acting on matters within its jurisdiction or advisory authority. Ms. Ellis clarified that social or chance gatherings are not public meetings but advised the Commission to avoid discussing agenda items in such settings and to err on the side of noticing meetings whenever members are gathered.

Ms. Ellis reviewed the requirements of OPMA, including providing public notice at least 24 hours in advance with the date, time, and place of the meeting; adopting an annual schedule of regular meetings; and preparing written minutes and audio recordings of meetings and making them available to the public. Ms. Ellis cautioned that side conversations, whispering, or electronic communications between Commissioners during a meeting about agenda items, such as texting, if not stated into the microphone, could constitute violations of the Act. Commissioners were advised that all discussion related to agenda items should occur on the record.

Ms. Ellis summarized the key principles of OPMA: public bodies must conduct business openly and transparently; a meeting occurs when a quorum convenes to conduct public business; social or chance gatherings are not meetings; and minutes and recordings are required and subject to public access. A Commissioner asked about ex- parte communications. Ms. Ellis explained that ex-parte concerns primarily arise when the Commission is acting in a quasi-judicial capacity, such as on appeals, where decisions must be based solely on evidence presented during the meeting. For administrative actions, ex-parte communication is less restrictive; however, Commissioners were advised that if they receive relevant information outside the meeting, they should disclose that communication on the record.

Ms. Ellis concluded the training by advising Commissioners that the training satisfies the annual requirement and that they may ask questions any time as issues arise.

4- TRAINING: PLANNING COMMISSION 101

Commissioner Wilf Sommerkorn provided a Planning Commission 101 training session, and explained that local land use decisions fall into two main categories: legislative and administrative actions.

Legislative actions (such as general plans, zoning changes, ordinances, and annexations) are policy decisions. They are political in nature, involve public opinion, go from the Planning Commission to City Council, and can be challenged by the public through referendum. Administrative actions (such as conditional use permits, site plans, and some subdivisions) are rule-based decisions. They must be decided strictly on whether an application meets the code and must be supported by evidence, not public opposition or “public clamor”. Administrative decisions are appealed through an appeal process and not by referendum.

Mr. Sommerkorn emphasized:

- Planning Commissions act as the land use authority for certain administrative actions.
- Decisions must rely on substantial evidence, not opinions or emotions.
- Vague code language must be interpreted in favor of the applicant under Utah law.
- Utah’s general plans are advisory, unless a city chooses to require compliance.
- Once a complete application is submitted, the applicant gains vested rights and can proceed under the rules in place at that time.
- Public hearings are most useful for legislative actions; they can be frustrating for administrative actions because public opinion alone cannot determine the outcome.

Overall, the training focused on helping Planning Commission members understand what type of decision they are making, who has authority, and how to make legally defensible decisions based on code and evidence rather than pressure or emotion.

5- APPROVAL OF THE MINUTES FROM THE JANUARY 8, 2026 PLANNING COMMISSION MEETING

Commissioner Lott made a motion to approve the minutes from January 8, 2026, and Commissioner Burkinshaw seconded the motion and the vote was unanimous in favor of the motion (6-0).

Commissioner Packer: Yay
Commissioner Lott: Yay

Commissioner Sevy: Yay
Commissioner Burkinshaw: Yay
Commissioner Sommerkorn: Yay
Commissioner Young: Yay

6- OTHER MATTERS THAT PROPERLY COME BEFORE THE PLANNING COMMISSION

The session concluded with Ms. Greenwood outlining upcoming agenda items, including rezones and a bylaw updates.

7- ADJOURNMENT

Chair Packer adjourned the meeting at 8:44 pm.