

# City of Parchment PLANNING COMMISSION BYLAWS

## **1. Authority**

These Bylaws are adopted by the City of Parchment Planning Commission (hereinafter referred to as the “Commission”) to facilitate the performance of its duties as outlined in PA 33 of 2008, as amended, being the Michigan Planning Enabling Act, hereinafter “the Planning Act.”

These Bylaws are also adopted to facilitate the duties of the Commission for administration of a zoning ordinance as outlined in PA 110 of 2006, as amended, being the Michigan Zoning Enabling Act, hereinafter “the Zoning Act.”

## **2. Membership**

**2.1 Duties.** The Planning Commission shall perform the following duties:

- a. Prepare, review and update a master plan as a guide for development within the City’s planning jurisdiction.
- b. Take such action on petitions, staff proposals and City Commission requests for amendments to the master plan and/or zoning ordinance as required.
- c. Prepare an annual written report to the City Commission of the Commission’s operations and the status of planning activities, including recommendations regarding actions by the City Commission related to planning and development.
- d. Take such actions as authorized or required by the Planning Act and/or Zoning Act.
- e. Review subdivision proposals and recommend appropriate actions to the City Commission.
- f. Perform other duties and responsibilities or respond as required by the City Commission.

## 2.2 ***Terms of Commissioners***

- a. The Planning Commission members, other than ex officio members, shall serve for terms of 3 years each. However, of the five members of the Planning Commission, other than ex officio members, first appointed, members shall be appointed to one, two, or three year terms such that, as nearly as possible, will equate to the time remaining of the member that was replaced.
- b. A Planning Commission member shall hold office until his or her successor is appointed. Vacancies shall be filled for the unexpired term in the same manner as the original appointment.
- c. Planning Commission members shall be qualified electors of the City, except that up to two (2) Planning Commission members may be individuals who are not qualified electors of the City.

## 2.3 ***Absences, Removals, Resignations and Vacancies.***

- a. To be excused, members of the Commission shall notify the Commission Chair or other Commission member when they intend to be absent from a meeting. Failure to make this notification prior to the meeting shall result in an unexcused absence.
- b. Members may be removed by the City Commission for misconduct, malfeasance or nonfeasance in office upon written charges and after a public hearing.
- c. A member may resign from the Commission by sending a letter of resignation to the City Manager or City Commission.
- d. Vacancies shall be filled by the Mayor, with the approval of the City Commission. Successors shall serve out the unexpired term of the member being replaced.

## 2.4 ***Conflict of Interest.***

- a. Each member of the Commission shall avoid conflicts of interest. A conflict of interest shall include, but not be limited to:
  1. Deliberating on, voting on, or reviewing a case concerning him/her.

2. Deliberating on, voting on, or reviewing a case involving any property in which he/she owns or has a financial interest.
  3. Deliberating on, voting on, or reviewing a case where he/she owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property immediately adjoining the property involved in the request. (or 'any property falling within the notification radius for the application or proposed development, as required by ordinance.')
  4. Deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he/she is a part owner, or any other relationship where he/she may stand to have a financial gain/loss.
  5. Deliberating on, voting on, or reviewing a case which is an action which results in pecuniary benefit to him/her.
  6. Deliberating on, voting on, or reviewing a case concerning immediate family members, or members of his/her household.
  7. Deliberating on, voting on, or reviewing a case where his/her employer or employee is an applicant, an agent for an applicant, or has a direct interest in the outcome.
- b. If there is a question whether a conflict of interest exists or not, the question shall be put before the Commission and shall be determined by a majority vote of the remaining members of the Commission.
  - c. When a conflict of interest exists, the Commission member shall declare a conflict exists; cease to participate at the meeting as a Commission member; and remove oneself from the Commission table until that agenda item is concluded.

### **3. Officers**

- 3.1 **Selection.** At the regular meeting in January, the Commission shall select from its membership a Chair, Vice-Chair, and Secretary. An ex officio member of the Commission is not eligible to serve as Chair or Vice-Chair.

- 3.2 **Tenure.** The officers shall take office immediately following their selection and shall hold office for a term of one (1) year, or until their successors are selected and assume office. All officers are eligible for reappointment for consecutive terms for the same office.
- 3.3 **Duties.** The Chair shall preside at all meetings, appoint committees and perform other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of the Chair in his/her absence. In the event the office of Chair becomes vacant, the Vice-Chair shall succeed to the office of Chair for the unexpired term, and the Commission shall select a successor to the office of Vice-Chair for the unexpired term. The Secretary may execute documents in the name of the Commission and shall perform such other duties as the Commission may determine.

#### 4. Meetings

- 4.1 **Regular Meetings.** Regular meetings of the Commission shall be held on the fourth Wednesday of every month at 6:00 p.m. in the Parchment City Hall. When the regular meeting day falls on or near a legal holiday, the Commission shall select a suitable alternate date in the same month. The schedule of the regular meetings, including time and place, shall be determined by resolution and an annual notice of the regularly scheduled Commission meetings shall comply with PA 267 of 1976, as amended, being the Open Meetings Act.
- 4.2 **Special Meetings.** Special meetings may be called at the request of the Chair, or at the written request of any two (2) members of the Commission. Notice of the special meeting shall be given to Commission members not less than 48 hours before the meeting. Public notice of the time, date, location, and purpose of the special meeting shall be given at least 18 hours prior to such meeting and in accordance with PA 267 of 1976, as amended, being the Open Meetings Act.
- 4.3 **Notice.** Notice required for specific planning, zoning or other land use actions will be given in accordance with the Planning Act, the Zoning Act, the Land Division Act, or other applicable statute.
- 4.4 **Quorum.** Three (3) members of the Commission shall constitute a quorum for transacting business and taking official action for all matters. No official action of the Commission may be taken without a quorum present. All public hearings without a quorum shall be scheduled for the next regular meeting or a special meeting and no additional public notice

shall be required provided the date, time, and location of the public hearing is announced at the meeting.

- 4.5 **Order of Business.** A written agenda for regular meetings shall be prepared as follows:

- Call to Order
- Roll Call
- Approval of Agenda
- Approval of Minutes
- Public Comments Concerning Non-Agenda Items
- Public Hearing Items
- New Business
- Old Business
- Communications
- Adjournment

The agenda may be modified by action of the Commission.

- 4.6 **Public Hearings.** Public hearings shall be scheduled and due notice given in accordance with the provisions of the Acts cited in Section 1.

Public hearings conducted by the Commission shall be conducted in an orderly and timely fashion, according to the following procedure:

- 1) Announcement of order of hearing
- 2) Explanation of request as received by the City
- 3) Review/presentation by consultant/professional/special guest
- 4) Comments by applicant
- 5) Open hearing to public comments
- 6) Close hearing to public comments
- 7) Commission deliberation
- 8) Motion/vote on motion

- 4.7 **Voting.** An affirmative vote of the majority of the Commission present shall be required for the approval of any requested action or motion placed before the Commission. Voting shall ordinarily be by voice vote; provided, however, that a roll call vote shall be required if requested by a member of the Commission. Members must be present to cast a vote. The affirmative vote of a majority of those members present shall be necessary for the adoption of motions. An affirmative vote of the majority of the members of the Commission is required for the recommendation for adoption of the master plan or amendment to the master plan.

4.8 **Parliamentary Procedure.** Parliamentary procedure in Commission meetings shall be informal. To ensure everyone has the opportunity to speak, the Chair may elect to limit the time permitted for each person to speak, except that the applicant may be permitted additional time as the Chair allows. The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the Chair, in his/her discretion, may permit additional comments. All comments by the public, staff and the Planning Commission shall be directed to the Chair.

4.9 **Public Records.** Commission minutes shall be prepared by appointed City staff/consultant. The minutes shall contain a brief synopsis of the meeting, including a summary of public participation, a complete restatement of all motions and recording of votes, a complete statement of reasons for the action taken, the conditions and/or recommendations made on any action, and a record of attendance. The official minutes shall be placed on the City's shared drive and City's website.

All minutes, records, documents, correspondence and other materials of the Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

## 5. Amendments

These Bylaws may be amended by the Commission by a concurring vote pursuant to Section 4.7, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered.

THESE BYLAWS ARE ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

PARCHMENT CITY PLANNING COMMISSION