

## **ARTICLE 15.0 PLANNING COMMISSION**

### **Section 15.01 Township Planning Commission.**

As authorized by the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended), and the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), the purpose of this Section is to establish a Planning Commission for the Township with the authority, powers, and duties provided by those Acts and subject to the terms and conditions of this Ordinance.

1. The Planning Commission established by this Ordinance is hereby confirmed to be the successor to the Commission established by Township Board resolution under the former Township Planning Act (Public Act 168 of 1959, as amended).
2. The Township Board hereby confirms the transfer of all authority, powers, and duties provided for "zoning commissions" under the Michigan Zoning Enabling Act to the Township Planning Commission. The Planning Commission shall be responsible for formulation of the Zoning Ordinance and amendments thereto, and reporting its findings and recommendations concerning the Zoning Ordinance or proposed amendments to Township Board. The Planning Commission shall also be responsible for holding hearings, reviewing, and making determinations regarding applications for approval as required by the Zoning Ordinance.

### **Section 15.02 Membership.**

The Township Supervisor shall appoint members of the Planning Commission, subject to approval by a majority vote of the members of the Township Board elected and serving.

1. The Planning Commission shall consist of seven (7) members. Other than ex-officio members appointed as provided in subsection two below, members shall be appointed for three (3) year terms. A number of members of the Planning Commission first appointed, other than ex-officio members, shall be appointed to one (1) year or two (2) year terms such that, as nearly as possible, the terms of one-third (1/3) of all the Planning Commission members will expire each year.
2. One (1) member of the Township Board shall be appointed to the Planning Commission as an ex-officio member with full voting rights. Except as provided in this subsection, an elected official or employee of the township is not eligible to be a member of the Planning Commission. The term of the ex-officio Township Board member of the Planning Commission shall expire with his or her term on the Township Board.
3. If a vacancy occurs on the Planning Commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.
4. The membership of the Planning Commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the Township, in accordance with the major interests as they exist in the Township, such as agriculture, natural

resources, recreation, education, public health, government, transportation, industry and commerce. The membership shall also be representative of the entire geography of the Township to the extent practicable.

5. Members of the Planning Commission shall be qualified electors of the Township, except that one (1) member may be an individual with established business or property interests in the Township who is a resident and qualified elector of another local unit of government in Michigan.
6. The Township Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be posted at the Township Hall and mailed to the member subject to the hearing and to all other Planning Commissioners.
7. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the members shall disclose the potential conflict of interest to the Planning Commission.
  - a. For the purposes of this subsection, the Planning Commission shall define "conflict of interest" in the Planning Commission Bylaws. The Township Board may also adopt additional conflict of interest policies for the Township by resolution.
  - b. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the Planning Commission.
  - c. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office.
8. Planning Commission members may be compensated for their services as provided by the Township Board. The Planning Commission may adopt bylaws relative to compensation and expenses of members and employees for travel when engaged in the performance of activities authorized by the Township Board, including but not limited to attendance at conferences, workshops, educational and training programs, and meetings.
9. The Planning Commission shall make an annual written report to the Township Board concerning its operations and status of planning activities, including recommendations regarding actions by the Township Board relating to planning and development.
10. The Planning Commission may accept gifts for the exercise of its functions. However, only the Township Board may accept such gifts on behalf of the Planning Commission. A gift of money so accepted shall be deposited with the Township Treasurer in a special non-reverting Planning Commission fund for expenditure by the Planning Commission for the purpose designated by the donor. The Treasurer shall draw a warrant against the special non-reverting fund only upon receipt of a voucher signed by the Planning Commission Chair and Secretary, and an order drawn by the Township Clerk. The expenditures of

the Planning Commission, exclusive of gifts and grants, shall be within the amounts appropriated by the Township Board.

### **Section 15.03 Bylaws, Records, and an Annual Report.**

The Planning Commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings and determinations. It shall make an annual written report to the Township Board concerning its operations and the status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.

### **Section 15.04 Township Planner and Professional Advice.**

The Township Board, upon recommendation of the Planning Commission, may employ a Township Planner or other planning personnel, contract for the part-time or full-time services of planning and other technicians, and pay or authorize the payment of expenses within the funds budgeted and provided for planning purposes.

### **Section 15.05 Officers and Meetings.**

The Planning Commission shall elect a Chair, Vice-Chair and Secretary from its members and create and fill such other offices as it considers advisable. An ex-officio member of the Planning Commission is not eligible to serve as Chair. The term of each officer shall be one year, with opportunity for re-election as defined in the Planning Commission Bylaws.

The Planning Commission shall hold not less than four (4) regular meetings each year, and by resolution shall determine the time and place of the meetings. Special meetings may be called by the Chair or by written request of at least two (2) other members to the Secretary. The Secretary shall send written notice of a special meeting to Planning Commission members not less than 48 hours before the meeting. The business that a Planning Commission may perform shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act (P.A. 267 of 1976, as amended).

### **Section 15.06 Committees.**

There shall be no standing committees of the Planning Commission. The Planning Commission Chair may appoint special or ad-hoc advisory committees, as the Planning Commission shall deem necessary to carry on the work of the Commission. Advisory committee members may or may not be members of the Planning Commission. The Chair shall be an ex-officio member of all committees of the Commission.

### **Section 15.07 Responsibility for the Master Plan.**

The Planning Commission shall be responsible for making and maintaining a Master Plan to promote public health, safety and general welfare; encourage the use of resources in accordance with their character and adaptability; preserve the rural and agricultural character of the Township; provide for planned and orderly land use and development; avoid the overcrowding of land by buildings or people; lessen congestion on public roads and streets; ensure that land uses will be situated in appropriate locations and relationships; and meet the

needs of residents for food, fiber, and other natural resources, places of residence, recreation, industry, trade, service, and other uses of land within the Township's planning jurisdiction.

This Master Plan is intended to be the plan as provided for in the Michigan Planning Enabling Act, and incorporated within this Plan is the zoning plan referred to in the Michigan Zoning Enabling Act as the basis for the Township's Zoning Ordinance.

### **Section 15.08 Capital Improvements Program.**

In accordance with Section 65 of the Michigan Planning Enabling Act, the Township Board hereby exempts the Planning Commission from responsibility for preparation, approval, and updating of the Township's capital improvements program of public structures and improvements, and delegates this responsibility to the Township Supervisor, subject to final approval by the Township Board.

Each Township department with authority for public structures or improvements shall furnish, annually or upon request by the Township Supervisor, updated lists, plans, and estimates of time and cost for recommended public structures and improvements to the Supervisor. The Planning Commission may advise the Board on the consistency of the Township's capital improvements program with the adopted Master Plan's goals, objectives, and policies.

### **Section 15.09 Approval of Public Improvements.**

A street, square, park, playground, public way, ground or other open space; or public building or structure, shall not be constructed or authorized for construction in an area covered by the Township's master plan unless the location, character and extent thereof shall have been submitted for approval to the Planning Commission by the Township Board or other body having jurisdiction over the authorization or financing of the project, and has been approved by the Planning Commission.

The Planning Commission shall submit its reasons for approval or disapproval to the Township Board or other body having jurisdiction, which shall have the power to overrule the Planning Commission by a recorded vote of not less than a majority of its entire membership. If the Planning Commission fails to act within 35 days after submission of the proposal to the Planning Commission, the project shall be considered to be approved by the Planning Commission.

### **Section 15.10 Land Division Responsibilities.**

The Planning Commission may recommend to the Township Board amendments or revisions to the Township's Subdivision Control Ordinance and rules governing the subdivision of land. Before recommending such an Ordinance or rule, the Planning Commission shall hold a public hearing, giving notice of the date, time, and place of the hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the Township and posting at the Township Hall.

The Planning Commission shall review and make recommendations on any proposed plat before action thereon by the Township Board in accordance with the Township's Subdivision Control Ordinance and the state Land Division Act (Public Act 288 of 1967, as amended).