

ZEELAND CITY PLANNING COMMISSION

BYLAWS

(As adopted on April 10, 2012)

The following rules of procedure are hereby adopted by the Planning Commission to facilitate the performance of its duties as outlined in the Michigan Zoning Enabling Act of 2006, Public Act 110 of 2006, as amended, and in the Michigan Planning Enabling Act of 2008, Public Act 33 of 2008, as amended.

SECTION 1.0 OFFICERS

- 1.1 **Selection.** At the first regular meeting in January of each year, the Planning Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All officers are eligible for reelection for a consecutive term for the same office.
- 1.2 **Tenure.** The Chair, Vice-Chair, and Secretary shall take office immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- 1.3 **Executive Committee.** The officers of the Commission shall constitute the Executive Committee. As such, they shall at the request of the Chair meet from time to time by themselves or with others to expedite the work of the Commission. They do not have the authority to make decisions reserved for the Commission itself.
- 1.4 **Officer Duties.** The Chair shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Commission. The Vice-Chair shall act in the capacity of Chair in the absence of the Chair. In the event the office of Chair becomes vacant the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

The Secretary shall execute documents in the name of the Commission, perform the duties hereinafter listed and shall perform such other duties as the Commission may determine.

SECTION 2.0 COMMISSION RECORDS AND LOGISTICS

- 2.1 The Zoning Administrator will assist the Secretary in completing the following duties:
 - (a) **Minutes.** The Secretary shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent volumes.

- (b) **Correspondence.** The Secretary shall be responsible for the issuance of formal written correspondence with other groups or persons on behalf of the Commission.
- (c) **Communications, Petitions, etc.** All communications, petitions and reports shall be addressed to the Commission.
- (d) **Attendance.** The Secretary will be responsible for maintaining an attendance record for each Commissioner and shall report those records semi-annually to the Commission.
- (e) **Notices.** The Secretary shall issue notices as required by the Commission.
- (f) **Resource Center.** All data accumulated by the Commission for purposes of developing a comprehensive plan shall be organized and maintained in a central place to be available to the Commission as needed.
- (g) **Bylaws.** Each Commissioner is to be issued a current copy of the bylaws.
- (h) **Staff Assistance.** The Building and Zoning Department staff may perform the duties of the Secretary, provided that such actions are performed at the direction or under the general supervision of the Secretary.

SECTION 3.0 MEETINGS

- 3.1 **Regular Meetings.** Meeting of the Commission shall be conducted at a time to be selected by the Commission at its first meeting of the year. Other meetings may be held as necessary. When a regular meeting day falls on a legal holiday or upon a day resulting in a conflict, the Commission shall, if possible, select a suitable alternate day or days in the same month for meeting or meetings. A monthly meeting shall be scheduled for the Commission, but in the event that there is no business for the Commission, then a meeting may be cancelled. Not less than four regular monthly meetings, however, shall be held each year by the Commission.
- 3.2 **Special Meetings.** Special meetings shall be called at the request of the Chairman or of any two members of the Commission. Notice of special meetings shall be given to the members of the Commission not less than forty-eight hours prior to such meeting, shall state the purpose and time of the meeting, and shall be posted as required by the Open Meetings Act.
- 3.3 **Public.** All regular and special meetings, hearings, records and accounts shall be open to the public except as otherwise provided by law.

3.4 Quorum and Voting. Five members shall constitute a quorum for the transaction of business. The affirmative vote of five members shall be required to take official action for all matters except the adoption of a Master Plan or any part of the Master Plan.

The affirmative vote of six members shall be necessary for the adoption of a Master Plan or part of a Master Plan.

Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day in accordance with provisions of the Open Meetings Act, or those present may hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at a meeting without a quorum shall be final or official unless and until ratified and confirmed at a subsequent meeting at which a quorum is present by approval of the minutes of that meeting.

3.5 Order of Business for Regular Business Meetings: The Chair in conjunction with the Building and Zoning Official shall be responsible for preparing an agenda for Commission meetings. The order of business for regular business meetings and for work/study meetings shall be as follows:

- (a) Call to Order
- (b) Excuse Absent Members
- (c) Announcement of additional agenda item(s)
- (d) Communications in this order:
 - (1) Advertised Public Hearings
The Chair will declare the hearing open and shall either state its purpose or have the purpose announced to the public. The petitioner or proponent of the action advertised, if any, will be heard first.
 - (2) Planned Discussion of an Issue
Citizens invited by the Commission to discuss an issue or otherwise present information.
 - (3) Authors of written communications, or their representatives, who wish to give additional information or make additional comments
 - (4) Citizens in attendance seeking information or wishing to present matters for a future agenda
 - (5) Other written communications
- (e) Disposition/consideration of matters heard may be held immediately following public hearing.
- (f) Minutes of the previous meeting
- (g) Reports
- (h) Unfinished business

- (i) New business
- (j) Adjournment

Order of business for Work/Study Meetings.

- (a) Call to Order
- (b) Communications
Communications shall be discouraged, but if necessary, they shall be heard in the same order as for regular business meetings.
- (c) Disposition/consideration of matters heard in (b).
- (d) Minutes of the previous meeting
- (e) Reports of great import or of relevance to the meeting's work/study topic(s)
- (f) Meeting's work/study
- (g) Adjournment

3.6 Motions. The Chair shall make certain that the motion is understood by all Commissioners before a vote is taken.

3.7 Voting. Voting on routine matters that seem to have the consensus of the Commission may be eliminated when the Chair hears no objection to approval. Voting on other issues shall be by notice and shall be recorded by yeas and nays. Roll call votes will be used and recorded for matters deemed necessary by the Chair or upon request by a member of the Commission. Findings of fact may be required for substantiating of votes.

3.8 Commission Action. Action by the Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.

3.9 Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be governed by "The Meeting Will Come to Order" as published by the Michigan State University Cooperative Extension Service.

SECTION 4.0 HEARINGS

4.1 Master Plan and Zoning Hearings. Before the adoption of any part of the Master Plan or any amendment to the Master Plan or recommending approval or an amendment to the Zoning Ordinance to the governing body, the Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given in accordance with the Zeeland Zoning Ordinance and any other applicable law.

4.2 Special Hearings. Notice of special hearings for the purpose of presenting preliminary master plans, obtaining public opinion on a problem or discussion of a particular problem with interested parties will be given in the most practical manner and to persons or group representatives most interested.

4.3 **Notice of Decisions.** A written notice containing the decision of the Commission will be sent to petitioners and originators of a request for the Commission to study a special problem.

4.4 **Site Plan Review Committee Hearings.** The standing Site Plan Review Committee shall consist of the Planning Commission Chair, the Commission Secretary, and the Board of Zoning Appeals representative. In addition, the Planning Commission shall elect one other individual from the body of the Commission who shall serve as an alternate in the event that a member of the standing Site Plan Review Committee is not present or available for a Site Plan Review Committee Hearing. If the Board of Zoning Appeals Representative is also Planning Commission Secretary or Chairperson, then the Commission shall select an additional member from the body of the Commission. All actions by the Site Plan Review Committee must be approved by at least two members. In the event two members of the Site Plan Review Committee do not vote in support of any action, such site plan review shall be scheduled before the Commission at large.

SECTION 5.0 MATTERS TO BE CONSIDERED BY THE COMMISSION

5.1 **Subject Matter.** The following matters shall be presented for recommendation or approval as provided by law at a meeting of the Commission (items (a) through (g) upon adoption by the Commission of the Master Plan or one or more of its major sections):

- (a) Petitions and staff proposals for changes in the Zoning Ordinance
- (b) All preliminary plans and reports for the physical development of the city, including the general location, character, and extent of streets, viaducts, bridges, parks and open spaces; the general location of public buildings and other public property; the general location and extent of public utilities and terminals.
- (c) The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public way, open spaces, buildings, or properties.
- (d) The general character, extent, and layout of the re-planning and re-development of blighted districts and slum areas.
- (e) Land subdivision plats
- (f) All planning reports and plans before publication
- (g) Capital improvement program for the city
- (h) Planning department's budget requirements for the fiscal year and request for appropriation
- (i) Selection of consultants and determination of basis for compensation and selection of a Planning Director.
- (j) Request to the City Council for the assignment of a City Staff person to support the work of the Commission.
- (k) Such other matters as a Director or Staff Person shall find advisable or essential to receive consideration by the Commission.
- (l) Site plan reviews as provided by ordinance

SECTION 6.0 MATTERS TO BE ACTED UPON BY STAFF

- 6.1 Staff Actions.** The Zoning Administrator or other City Staff person assigned may take action or make recommendations in accordance with such plans, policies, and procedures as are approved or established by the Commission. Where there is a serious conflict of interest, public controversy, or uncertainty or doubt as to the plans, policies or procedures approved or established by the Commission, presentation of the matter shall be made at a Commission meeting.
- 6.2 Staff Reviews.** The responsibilities given in Section 6.1 shall include the review of the plans requiring submission to the Commission in accordance with provisions of the Zoning Ordinance.

SECTION 7.0 PLANNING COMMISSION STAFF

- 7.1 Authorization.** The Commission staff may consist of a Zoning Administrator and/or such other personnel as may be authorized by the governing body.
- 7.2 General Responsibility.** The Commission staff is charged with the duty of preparation and administration of such plans as are appropriate for the municipality and are within the scope of the Michigan Planning Enabling Act.
- 7.3 Zoning Administrator Assigned Duties.** The Zoning Administrator or other City Staff person assigned shall be responsible for the professional and administrative work in directing and coordinating the program of the Commission.
- 7.4 Administrative Duties.** The Zoning Administrator or other City Staff person assigned shall:
- (a) Supervise and review the work of the professional, technical, and nontechnical employees of the Commission Staff.
 - (b) Prepare a proposed annual budget for the planning department to submit to the Commission.
- 7.5 Policy Formulation.** The Zoning Administrator or other City Staff person assigned shall:
- (a) Be responsible for carrying out directives of the Commission.
 - (b) Advise and assist the Commission in the establishment of general planning policy.
- 7.6 Effectuation of Plans.** The Zoning Administrator or other City Staff person assigned shall recommend to the Planning Commission action necessary for effectuating plans with response to both public and private endeavors through such control techniques as:

- (a) Zoning and subdivision control.
- (b) Programs for capital expenditures.
- (c) Long range comprehensive plans for the guidance of the municipality's growth.

7.7 Public Relations. The Zoning Administrator or other City Staff person assigned may upon consultation with Commission Chair:

- (a) Officially present the Commission's recommendations to the governing body.
- (b) Officially represent the Commission and its staff at planning conferences, interdepartmental meetings of the municipal government and serve generally as a liaison between the Commission and the public.
- (c) Encourage private development or investment in accord with comprehensive plans.
- (d) Cooperate with public and private agencies and with individuals for the development, acceptance, and effectuation of plans.
- (d) Supply information for and encourage interested public agencies and citizen organizations in programs to promote public understanding and approval of planning.
- (e) Accept other responsibilities as may be directed by the Commission, governing body, or chief executive.

SECTION 8.0 RESIGNATIONS

8.1 For a member of the Commission to resign, a signed letter stating the intent must be sent to the Chair, the Mayor or the City Clerk.

SECTION 9.0 ATTENDANCE

9.1 All members of the Commission are expected to attend all meetings. If one is unable to attend he must notify the Planning Director. Three consecutive monthly meetings with unexcused absences will be deemed to be a resignation.

SECTION 10.0 AMENDMENTS

10.1 These rules may be amended at any regular meeting by a vote of not less than six members of the Commission.